

Bradley E. Grose, Mayor
William "Wes" Nance, Vice Mayor
I. Douglas Adams, Jr., Council Member
Robert R. Altice, Council Member
Matthew S. Hare, 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, March 5, 2013**

AGENDA

Consideration of:

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

1. Request for funding presentations by Community Agencies:
 - a. Vinton Area Chamber of Commerce
 - b. Vinton Historical Society/Museum
 - c. Mountain View Humane Spay/Neuter
 - d. American Red Cross-Roanoke Valley Chapter
 - e. Brain Injury Services of SWVA

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 regular Council meeting of February 19, 2013

F. AWARDS, RECOGNITIONS, PRESENTATIONS

1. Roanoke Valley Greenway Commission

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

H. TOWN ATTORNEY

I. TOWN MANAGER

J. MAYOR

1. Update on Economic Development Summit sponsored by Roanoke Regional Partnership.

K. COUNCIL

L. CLOSED MEETING

1. Request to Convene in Closed Meeting, Pursuant to § 2.2-3711 A (7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to actual litigation.

M. RECONVENE AND ADOPT CERTIFICATION OF CLOSED MEETING

N. ADJOURNMENT

O. WORK SESSION CONTINUED

1. Request for funding presentations by:
 - a. Vinton Volunteer First Aid Crew
 - b. Vinton Volunteer Fire Department
2. Briefing on proposed Ordinance to amend Appendix B, Zoning, Article VI, Nonconforming Uses and Features of the Town Code.
3. Briefing on proposed Extraterritorial Arrest Agreement between the Town of Vinton, Roanoke County, Roanoke City and the City of Salem.

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 COMMITTEE/COUNCIL MEETINGS:

- March 11, 2013 – 5:30 p.m. – Finance Committee meeting – Finance Conference Room
- March 19, 2013 – 6:00 p.m. – Work Session, followed by Regular Council Meeting at 7:00 p.m.



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Administration

Issue

Request for funding presentations by Community Agencies:

- a. Vinton Area Chamber of Commerce
- b. Vinton Historical Society/Museum
- c. Mountain View Humane Spay/Neuter
- d. American Red Cross-Roanoke Valley Chapter
- e. Brain Injury Services of SWVA

Summary

Representatives from each of the Community Agencies will be present to give a 10 minute presentation to support their request for funding in the FY2014 budget.

NOTE – The Tri-County Lake Administrative Commission was not able to send a representative. Their request along with a Memo is also attached for your consideration.

Attachments

FY2014 Request for Funding Applications

Recommendations

No action required

FY 2014 REQUEST FOR FUNDING APPLICATION



Instructions

1. Please type or print.
2. Answer each question within the space provided. Please do not include additional attachments or supplementary pages unless they are essential to our understanding of your organization.
3. **Attach organization's most recent audit. May be submitted later if not currently available.**
4. Sign, date and send the completed application to:

Christopher Lawrence, Town Manager
 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association
 (Circle One)

Name of Organization & Tax ID or EIN number		
Vinton Area Chamber of Commerce		54-0543122
Address		
116 S. Poplar Street, Suite 1-A		
City	State	Zip
Vinton	VA	24179

CONTACT PERSON

Name	
Angie C. Lewis	
Title	Phone
Executive Director	540/343-1364

ORGANIZATION INFORMATION

Describe your organization's mission	
To promote economic development that will benefit the people of the Vinton area. This includes attracting new	
Business, holding events to attract area citizens to town, lead and coordinate educational training and expand	
Networking opportunities.	
How many people are served by your organization? 205 businesses	
How many Vinton Residents are served by your organization?	
All Vinton and surrounding Roanoke, Bedford and Botetourt county residents	
Geographic area served by your organization:	Year the organization was established: 1951
Vinton and surrounding area	

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description – Tell us about what you want to do and when (include dates, names of co-sponsors, etc)

- Vinton Image Magazine and Special insert in The Roanoker Magazine
- Senior Expo, March 26
- Wine Festival, May 18
- Fall Festival/5K Run Walk, October 12
- Winter Concert – February 2
- Mingle At the Market, June 8 through September 14
- Halloween Trick or Treating, October 31
- Relay for Life – April 19
- Golf Tournament – September 19
- Christmas Parade, December 5
- New Year’s Eve Gala, December 31

FUNDING

List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)

Jurisdiction (i.e other towns , cities, counties, companies, etc)	Received FY 2013	Requesting FY 2014
TOWN OF VINTON	\$8,100.00	\$10,000.00
Roanoke County	\$3,900.00	\$10,000.00

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas:

1. Fiscal/Economic Impact
2. Environmental Impact
3. Quality of Life Impact

To be effective as a Chamber we continue to work to attract people to our community to live and begin their businesses. The Chamber’s function is to provide for our business community promotions that will enhance their Business and also want to attract new businesses to the Vinton area.

Signature Angie C. Lewis

Date 1/24/2013

Vinton Area Chamber of Commerce
Profit & Loss
 January through December 2012

	Jan - Dec 12	Jan - Dec 12
Ordinary Income/Expense		
Income		
Christmas Angels Tree	200.00	200.00
Christmas Parade entry fees	2,400.00	2,400.00
Christmas Parade spnsor	2,338.40	2,338.40
Christmas Parade vendor fees	555.00	555.00
Commission Income	311.20	311.20
Fall Festival	11,960.00	11,960.00
Fees	195.00	195.00
Golf Tournament	6,379.00	6,379.00
Grant Income		
Roanoke County	3,900.00	3,900.00
Town of Vinton	8,100.00	8,100.00
Total Grant income	12,000.00	12,000.00
Luncheons	260.00	260.00
Meals - meetings	520.00	520.00
Membership Dues	23,790.00	23,790.00
Mingle at the Market	30,003.37	30,003.37
Miscellaneous income	101.00	101.00
New Year's Eve Gala	6,730.00	6,730.00
Office Supplies Reimbursement	65.82	65.82
Raffle	32.50	32.50
Reimbursed Expenses	879.57	879.57
Rental Income	465.00	465.00
savings interest	176.70	176.70
Senior Expo	4,070.00	4,070.00
Sponsorship pkg	16,000.00	16,000.00
Vinton Merchandise		
Vinton Print Sale	2,178.39	2,178.39
Vinton T-shirt sales	1,740.50	1,740.50
Vinton Tote Bags	20.00	20.00
Vinton Town Decals	16.00	16.00
Total Vinton Merchandise	3,954.89	3,954.89
Wine Festival	20,380.69	20,380.69
Winter Concert Series	10,801.81	10,801.81
Total Income	154,569.95	154,569.95
Gross Profit	154,569.95	154,569.95
Expense		
Advertising	13,332.24	13,332.24
Bank Service Charges	20.20	20.20
Bankcard maintenance	519.40	519.40
Business After Hours	185.10	185.10
Christmas Angels	200.00	200.00
Christmas Open House	300.00	300.00
Christmas Parade	1,665.00	1,665.00
Dues and Subscriptions	219.00	219.00
Equipment	1,379.67	1,379.67
Equipment maintenance	415.95	415.95
Event Expenses		
Event Supplies	169.43	169.43
Total Event Expenses	169.43	169.43
Fall Festival expenses	5,407.41	5,407.41
Furniture	446.22	446.22
Gala	2,868.80	2,868.80
Golf Tourn	5,023.53	5,023.53
Halloween	107.90	107.90
Insurance		
Health		
Insurance	2,400.00	2,400.00
Total Health	2,400.00	2,400.00

**Vinton Area Chamber of Commerce
Profit & Loss**

January through December 2012

	Jan - Dec 12	Jan - Dec 12
Liability& Property Insurance	4,021.00	4,021.00
Total Insurance	6,421.00	6,421.00
Internet Access	200.00	200.00
Luncheon	252.50	252.50
Meals	949.85	949.85
Meetings	141.75	141.75
Membership	617.00	617.00
Mingle Market		
Mingle Market Band	8,100.00	8,100.00
Mingle Market - Other	12,630.54	12,630.54
Total Mingle Market	20,730.54	20,730.54
Miscellaneous	1,429.26	1,429.26
Office Supplies	1,976.31	1,976.31
Optima Insurance	28.60	28.60
Payroll Expenses		
Bonuses	1,800.00	1,800.00
FICA Expense	3,043.91	3,043.91
FUTA Expense	146.81	146.81
Hourly Expense	9,814.64	9,814.64
Salary Expense	28,175.05	28,175.05
VEC Expense	147.74	147.74
Total Payroll Expenses	43,128.15	43,128.15
Petty Cash	900.00	900.00
Postage and Delivery	772.40	772.40
Printing and Reproduction		
Checks & envelopes	75.50	75.50
Printing and Reproduction - Other	841.15	841.15
Total Printing and Reproduction	916.65	916.65
Professional Development	536.73	536.73
Professional Fees		
Accounting	200.00	200.00
Total Professional Fees	200.00	200.00
Rent	5,000.00	5,000.00
Repairs		
Building Repairs	36.75	36.75
Computer Repairs	80.00	80.00
Total Repairs	116.75	116.75
Returned checks	40.00	40.00
Sponsorship pkg expense	348.08	348.08
Sr. Expo	634.25	634.25
Taxes		
Admission	302.88	302.88
State	19.23	19.23
Total Taxes	322.11	322.11
Town of Vinton stickers	456.75	456.75
Transfer	0.00	0.00
Travel & Entertainment		
Meals	49.87	49.87
Travel	1,403.65	1,403.65
Total Travel & Entertainment	1,453.52	1,453.52
Utilities		
Gas and Electric	2,407.54	2,407.54
Telephone & Internet & Cable	1,444.97	1,444.97
Water	247.32	247.32
Total Utilities	4,099.83	4,099.83

Vinton Area Chamber of Commerce
Profit & Loss
 January through December 2012

	Jan - Dec 12	Jan - Dec 12
Vinton Print Sales	1,809.53	1,809.53
Vinton tee shirt sales	2,198.25	2,198.25
Void	0.00	0.00
Website	2,600.00	2,600.00
Wine Fest	15,279.25	15,279.25
Winter Concert	5,662.96	5,662.96
Total Expense	151,481.87	151,481.87
Net Ordinary Income	3,088.08	3,088.08
Other Income/Expense		
Other Income		
Interest Income	116.33	116.33
Total Other Income	116.33	116.33
Net Other Income	116.33	116.33
Net Income	3,204.41	3,204.41



FY 2014 REQUEST FOR FUNDING APPLICATION

Instructions

1. Please type or print.
2. Answer each question within the space provided. Please do not include additional attachments or supplementary pages unless they are essential to our understanding of your organization.
3. **Attach organization's most recent audit. May be submitted later if not currently available.**
4. Sign, date and send the completed application to:

Christopher Lawrence, Town Manager
 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number <i>VINTON HISTORICAL SOCIETY 10-54-1326986</i>		
Address <i>PO BOX 32</i>		
City <i>VINTON</i>	State <i>VA</i>	Zip <i>24179</i>

CONTACT PERSON

Name <i>DOUG FORBES</i>	
Title <i>TREASURER</i>	Phone <i>540-890-2331</i>

ORGANIZATION INFORMATION

Describe your organization's mission: <i>WE ARE A GROUP OF VERY OLD PEOPLE NOW WHO ARE OPERATING THE VINTON MUSEUM. THIS IS THE ONLY MUSEUM IN ROANOKE COUNTY. WE ARE "PRESERVING THE PAST FOR THE FUTURE."</i>	
How many people are served by your organization? <i>ABOUT 150,000</i>	
How many Vinton Residents are served by your organization? <i>8000</i>	
Geographic area served by your organization: <i>VINTON, ROANOKE COUNTY, AND SURROUNDING AREA.</i>	Year the organization was established: <i>27 YEARS</i>

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description – Tell us about what you want to do and when (include dates, names of co-sponsors, etc)

THE MUSEUM DISPLAYS AND PRESERVES THE HISTORY OF VINTON.

WE NEED A DIRECTOR SINCE WE ARE AGING AND CANNOT DO THE NECESSARY WORK TO HAVE A FIRST CLASS MUSEUM TO MATCH THE TOWN WE ARE IN.

FUNDING

List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)

Jurisdiction (i.e. other towns, cities, counties, companies, etc)	Received FY 201 2 ²	Requesting FY 201 2 ³
TOWN OF VINTON	\$ 2000.00	\$ 5000.00

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas:

1. Fiscal/Economic Impact
2. Environmental Impact
3. Quality of Life Impact

THE MUSEUM IS A CULTURAL ATTRACTION. SCHOOLS, CHURCHES, ORGANIZATIONS AND TOURIST COME. THIS GIVE THE BUSINESSES MORE TRAFFIC

Donny Foyka
Signature

Jan 14, 2013
Date



FY 2014 REQUEST FOR FUNDING APPLICATION

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4. Sign, date and send the completed application to:

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 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number		Mountain View Humane Spay/Neuter	27-0617942
Address 5363 Peters Creek Rd			
City	Roanoke	State	Virginia
Zip	24019		

CONTACT PERSON

Name Corrie Prater	
Title Director of Marketing and Development	Phone 540-562-8440

ORGANIZATION INFORMATION

Describe your organization's mission: The mission of Mountain View Humane is to end pet overpopulation in Southwest Virginia and Southern West Virginia by providing low-cost, high quality spay and neuter services to the general public, while providing education on the benefits of aggressive spay and neuter programs. In 2009 the Mountain View Humane Waldron-Ricci Spay Neuter Clinic opened in Christiansburg to provide spay and neuter services to Montgomery county and surrounding areas and to educate the public on the benefits of spay/neuter programs. In 2012 MVH opened a second clinic, The Sabrina & Lucky Garvin Spay Neuter Clinic, in Roanoke to expand our mission to additional areas of Southwest VA. Mountain View Humane strives to sterilize any dog or cat, regardless of the owner's ability to pay. We rely solely on community support and grant funding to operate our clinics. We know the love that a companion pet brings to our lives, and want to make sure everyone has the opportunity to not only have a companion pet, but provide it with the care needed.	
How many people are served by your organization? Please see attached page.	
How many Vinton Residents are served by your organization? Please see attached page.	
Geographic area served by your organization: Southwest Virginia & Southern West Virginia	Year the organization was established: The Christiansburg clinic opened in August of 2012. The Roanoke Clinic opened in August of 2012.

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description – Tell us about what you want to do and when (include dates, names of co-sponsors, etc))

Please see attached description.

FUNDING

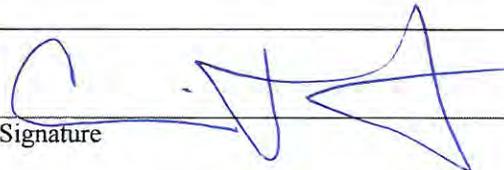
List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)		
Jurisdiction (i.e. other towns, cities, counties, companies, etc)	Received FY 2012	Requesting FY 2013
TOWN OF VINTON		\$30,271
ROANOKE CITY		\$48,866
ROANOKE COUNTY		\$37,604
BOTETOURT COUNTY		\$31,218

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas:

1. Fiscal/Economic Impact
2. Environmental Impact
3. Quality of Life Impact

Please see attached description.



 Signature

1/24/2012

 Date

How many people are served by your organization? As of January 24, 2013 the combined surgery count of both Mountain View Humane clinics is 13,036.

How many Vinton Residents are served by your organization? A total of 59 Vinton Residents have had their companion animals spayed/neutered at Mountain View Humane. The Town of Vinton is now home to 20 dogs and 39 cats that are living happier healthier lives. Of the 59 Vinton Residents that took advantage of Mountain View Humane's already low cost services, 21 of them still needed additional aid funding.

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens.

Every day, Mountain View Humane sees owners who want to do the right thing but just can't afford to even at Mountain View Humane's low prices. On average, 45% of the animals we see at Mountain View Humane receive aid to help pay for their procedure from either MVH's subsidy funds or another organization. 29% of the owners coming to one of our clinics from Vinton can't pay the bill without financial help. When we run out of subsidy funding, these people lose the ability to have their pets fixed. With subsidy funding from the town, the message sent to the town's citizens is not only does the Town of Vinton care about the health of the animals in the community, but also the quality of life of its citizens.

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas:

- 1. Fiscal/Economic Impact**
- 2. Environmental Impact**
- 3. Quality of Life Impact**

The Prevent Another Litter Subsidy (PALS) program is designed to assist residents who would like to have their companion animals sterilized but cannot afford even the low-cost fees charged by Mountain View Humane. Funds requested will be used to assist low to moderate income families and seniors in the Town of Vinton who need assistance in covering the surgery cost. This subsidy funding would be used only when an animal from Vinton comes into the clinic either as a free-roaming cat or owned by a low-income citizen. All free-roaming cats are eartipped so Animal Control Officers can identify them as fixed and vaccinated.

The cost of subsidizing an animal (\$28) is much cheaper than the cost of housing, feeding, and either rehoming or euthanizing an animal (with a nationwide average of \$120). A locality can subsidize four animals for less than the cost of addressing one homeless animal, and statistics tell us this will keep two to three animals from ever showing up at the shelter, which can be a huge savings. Localities assisting with this cost can be the turning point of getting the pet population under control. It is good for the community, and fiscally good for the locality.

Please consider our request for \$30,271 in funding. With this we would assist an estimated 992 animals, reducing the number of animals coming into the Regional Center for Animal Control and Protection over time. If necessary due to budget constraints, this funding could be spread over two years, while still achieving the immediate impact desired. Every owner is asked to fill out an Aid Application verifying the household income, and to pay a portion of the service fee, and MVH strives to help as many animals possible with the funds donated. The typical subsidy amount will be \$28; however, the amount may vary based on the owner's ability to pay and the circumstances, such as a female in heat. No animal will be turned away simply due to the owner's lack of ability to pay.

Pet overpopulation is one of the most serious companion animal problems in our society. Millions of unwanted dogs, cats, puppies and kittens are brought to animal shelters each year. A high stray pet population portrays the image of an unhealthy and unregulated community. Nearly four million dogs and cats were euthanized in the United States last year. Thousands of those deaths were right here in our area at the Regional Center for Animal Control and Protection. Spay/neuter is a simple solution to the problem of the euthanasia epidemic as well as the **only proven method** to decrease the number of animals entering the shelter system. Lowering the number of animals entering the RCACP will, overtime, not only improve the community but benefit the Town of Vinton fiscally.



FY 2014 REQUEST FOR FUNDING APPLICATION

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Christopher Lawrence, Town Manager
 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number American Red Cross – Roanoke Valley Chapter 53-0196605		
Address 352 Church Avenue, SW		
City Roanoke	State Virginia	Zip 24016

CONTACT PERSON

Name Heather Robertson	
Title Major Gifts Officer & Community Chapter Executive	Phone (540) 352-8800

ORGANIZATION INFORMATION

Describe your organization's mission: The American Red Cross is a humanitarian organization led by volunteers and guided by its Congressional Charter.	
For over 125 years our mission has been to prevent and alleviate human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors. The Red Cross is in our community every day.	
We are here when a family has lost their home to a fire; when a child needs blood after an accident; when a service member needs to get home for a family emergency; when a heroic citizen has to perform CPR on a stranger in the street; and when people seek shelter, food and comfort after a large scale disaster.	
How many people are served by your organization? In FY12, 34,450 individuals accessed Red Cross services, including disaster preparedness, disaster relief, health & safety, and Services to Armed Forces and referrals.	
How many Vinton Residents are served by your organization? All residents of Vinton, VA have access to Red Cross services.	
Geographic area served by your organization: Greater Roanoke Valley, including the town of Vinton	Year the organization was established: 1917

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description – Tell us about what you want to do and when (include dates, names of co-sponsors, etc))
Disaster Relief Services – This program is designed to ensure community planning, preparedness and response for emergencies that might affect us at any time such as fires, floods, tornadoes, and hazardous materials accidents.
In FY12 Red Cross responded to 90 disaster incidents affecting 393 individuals and provided immediate assistance to meet their disaster-caused needs for shelter, food, clothing, medications, eye-glasses, etc. Additionally, 275 individuals attended disaster presentations, 24,323 accessed digital preparedness information, and 1,819 accessed Red Cross referral services. Services to the Armed Forces – This program provides emergency services to members of the U.S. Armed Forces and their families, including, emergency messages between service personnel and their families, arranging financial assistance in the form of loans, grants, or cash advances, verification of emergencies through communication with hospitals, nursing homes, funeral homes, physicians, etc., travel arrangements for funerals or emergency leave.

FUNDING

List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)		
Jurisdiction (i.e. other towns, cities, counties, companies, etc)	Received FY 2012	Requesting FY 2013
TOWN OF VINTON	0	\$3,000
United Way of Roanoke Valley	0	\$150,000
Franklin County (for Franklin County only)	\$3,500	\$4,000
United Way of Franklin County (for Franklin County only)	\$12,000	\$15,000

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas: <ol style="list-style-type: none"> 1. Fiscal/Economic Impact 2. Environmental Impact 3. Quality of Life Impact
Red Cross services help clients cope with loss and find solutions to problems – reducing stress and bringing hope which allows them to restore normalcy in their lives and return to the activities of daily living. Children return to school, people return to work, people take charge of and improve their lives. The long-term outcome is a reduction in a community’s socio-economic distress (e.g., homelessness, violence, family separation, etc.).



 Signature

1/7/2013

 Date



Virginia Mountain Region
Roanoke Valley Chapter
352 Church Avenue, SW
Roanoke, VA 24016

January 7, 2013

Christopher Lawrence, Town Manager
311 South Pollard Street
Vinton, VA 24179

Dear Mr. Lawrence:

On behalf of the American Red Cross – Roanoke Valley Chapter, I would like to thank you for this opportunity to submit a request for funding in the amount of \$3,000. It is a privilege to apply for this financial support, and I trust you will find the Roanoke Valley Chapter a deserving candidate.

Every day, the Roanoke Valley Chapter is working in our community – keeping people safe and connecting those in need with essential resources in the face of emergencies. With your help, the full power of the world's largest humanitarian network is accessible to your friends and neighbors in Vinton.

Whether it is responding to a home fire in the middle of the night that affects a single family or opening a shelter after a disaster that displaces an entire community, we are prepared twenty-four hours a day, seven days a week to bring comfort and care. We also empower friends and neighbors to save lives through a variety of training courses including first aid, childcare, CPR and AED. Volunteers stand ready to assist military families who need to connect with loved ones overseas or a soldier who requires medical care to transition back to active duty.

Please consider this an investment in our community and help support our lifesaving mission. Please call me at (540) 352-8800 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Heather Robertson".

Heather Robertson
Major Gifts Officer



FY 2014 REQUEST FOR FUNDING APPLICATION

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3. **Attach organization's most recent audit. May be submitted later if not currently available.**
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Christopher Lawrence, Town Manager
 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number 54-2011536 Brain Injury Services of SWVA		
Address 3904 Franklin Rd., Ste. B		
City Roanoke	State VA	Zip 24014

CONTACT PERSON

Name Mae Johnson	
Title Dir. of Dev. & Marketing	Phone 540-344-1200

ORGANIZATION INFORMATION

Describe your organization's mission: Our mission is to create and sustain an organization that helps brain injury survivors and their families in Southwest Virginia. Our goal is to make a positive, measurable difference in a survivor's abilities to fulfill their service potential and optimize their reintegration into their families and communities.	
How many people are served by your organization? Approximately 300 families	
How many Vinton Residents are served by your organization? Three Town of Vinton residents	
Geographic area served by your organization: 11,000 square miles of southwest Virginia	Year the organization was established: 2000

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description - Tell us about what you want to do and when (include dates, names of co-sponsors, etc))

The requested funds will support comprehensive Case Management services and Community Support services to brain injury survivors in the Town of Vinton. Case Managers identify, coordinate and monitor services and resources needed to meet each client's needs and seek to fulfill their service potential based on the client's life goals.

FUNDING

List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)

Jurisdiction (i.e. other towns, cities, counties, companies, etc)	Received FY 2013	Requesting FY 2014
TOWN OF VINTON	\$0	\$550
Roanoke City	\$0	\$5,000
Roanoke County	\$2,800	\$3,000
Salem	\$2,000	\$2,000
Botetourt County	\$0	\$5,000
Craig County	\$0	\$250

Impact Statement:

By providing comprehensive, individualized service coordination and encouraging development of each client's service potential, fewer individuals with brain injury will "fall through the cracks" of complex rehabilitation and human service systems. In addition, by increasing the client's independence and fulfilling their service potential the overall costs to the community decrease and the contributions to the community increase because these individuals are more productive and less dependent on support.



 Signature

2-1-2013

 Date



FY 2014 REQUEST FOR FUNDING APPLICATION

Instructions

1. Please type or print.
2. Answer each question within the space provided. Please do not include additional attachments or supplementary pages unless they are essential to our understanding of your organization.
3. **Attach organization's most recent audit. May be submitted later if not currently available.**
4. Sign, date and send the completed application to:

Christopher Lawrence, Town Manager
 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number Tri-County Lake Administrative Commission (TLAC)			
Address Post Office Box 55			
City Moneta	State Virginia	Zip 24121	

CONTACT PERSON

Name Pam Dinkle	
Title Lake Management and Project Coordinator	Phone (540) 721-4400

ORGANIZATION INFORMATION

Describe your organization's mission: To assist in the development of a harmonious community at Smith Mountain Lake through the administration of programs and projects delegated by Boards of Supervisors of the 3 localities surrounding the lake; and, to study and advise those Boards on issues related to the overall well-being of the lake. TLAC accomplishes these tasks in an efficient and effective manner. TLAC performs lake planning duties that may include, but are not limited to, navigation marker issues, assistance in debris reporting and cleanup; and other special projects that may be determined to benefit the lake and the community.	
How many people are served by your organization?	More than 200,000 people
How many Vinton Residents are served by your organization?	Many Vinton residents use the lake for recreation.
Geographic area served by your organization: Smith Mountain Lake	Year the organization was established: 1986

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description – Tell us about what you want to do and when (include dates, names of co-sponsors, etc))

Since 1986, this organization (TLAC) has worked to keep Smith Mountain Lake clean and debris free in an effort to provide quality recreation to all area residents, including residents from Vinton who fish, boat, and otherwise enjoy the lake. TLAC wishes to continue its efforts to plan and and participate in the *Take Pride in Smith Mountain Lake* initiative. This event is held each year on the first Saturday of May

FUNDING

List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)

Jurisdiction (i.e. other towns, cities, counties, companies, etc)	Received FY 2012	Requesting FY 2013
TOWN OF VINTON	No request made	\$ 500.00
Roanoke County	No request made	\$1,000.00
City of Roanoke	No request made	\$1,000.00
City of Salem	No request made	\$ 500.00

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas:

1. Fiscal/Economic Impact
2. Environmental Impact
3. Quality of Life Impact

Many Vinton residents enjoy recreational activities in areas of the lake where debris buildup can have a negative impact on those activities; as well as area tourism. Without debris removal projects, this can create hazardous situations for regional residents who recreate at the lake. It is important that SML be an enjoyable and healthy destination.

Signature

1-24-2013

Date



Smith Mountain Lake: The Jewel of the Blue Ridge

TRI-COUNTY LAKE ADMINISTRATIVE COMMISSION

PO BOX 55
MONETA, VIRGINIA 24121

TELEPHONE: (540) 721-4400
FAX: (540) 721-4450

January 23, 2013

Mr. Christopher Lawrence
Town Manager, Town of Vinton
311 South Pollard Street
Vinton, VA 24179

Dear Mr. Lawrence:

The Smith Mountain Lake jurisdictions were most appreciative of Vinton's participation in the funding towards debris cleanup at Smith Mountain Lake during the 2010-2011 fiscal year. On behalf of Franklin County, Bedford County and Pittsylvania County, I am formally requesting that the Town of Vinton consider a \$500 contribution for FY13/14. The three governments around Smith Mountain Lake continue to budget to assist and oversee the annual cleanup event which typically has 1,000 volunteers, and often removes in excess of 100 tons of debris from the lake during this single day event. Tri-County Lake Administrative Commission (TLAC) continues to be willing to manage these funds and be accountable for how they are spent in this debris removal project.

The application and necessary documentation officially requesting a contribution for FY13/14 is attached. The efforts of the Town of Vinton to assure safe boating and recreation for all who enjoy Smith Mountain Lake, a tremendous regional asset, would be greatly appreciated.

Should you need any further information, please do not hesitate to contact me at 721-4400.

Sincerely,

Pam L. Dinkle
Lake Management and Project Coordinator

Enclosures



Smith Mountain Lake: The Jewel of the Blue Ridge

TRI-COUNTY LAKE ADMINISTRATIVE COMMISSION

To: Vinton Town Council Members

From: Pam L. Dinkle, Lake Management and Project Coordinator, Tri-County Lake Administrative Commission (a Department of Bedford, Franklin and Pittsylvania Counties)

Date: February 26, 2013

Re: FY2013/2014 Funding Request

Smith Mountain Lake (SML) is a regional treasure which is enjoyed by visitors, the residents of the counties it borders, and also by many residents throughout the region, including Vinton. A volunteer cleanup event, Take Pride in SML, has taken place at the lake for the past 25 years. Annually, on the first Saturday in May, more than 1,000 volunteers participate in this event and remove man-made and natural debris from the lake. This office, along with two local organizations and a Planning Committee of volunteers handle the planning and organizing for this event. Providing ten dropoff sites, all which require debris removal capabilities, equipment, and supplies is a large task and it is not inexpensive. Fortunately, many of the needs are provided at no cost by generous sponsors, but there are remaining expenditures that must be paid.

We recognize that many Vinton residents enjoy the lake, by accessing it at the public Hardy Road boat ramp or through other public and private locations. Heavy rainfall events, such as the one that occurred just a few weeks ago, results in a lot of man-made and natural debris entering the lake from many areas including the Roanoke River above the Hardy Road Bridge. This floating debris creates a danger for all who use the lake, especially boaters. This annual cleanup benefits all who enjoy the lake. Past cleanup events have resulted in the removal of up to 110 tons of debris from the lake in just one day.

We invite the Town of Vinton to participate in this annual cleanup through the provision of a \$ 500 contribution in FY13/14. We greatly appreciate your consideration of this request.

The following pictures are from previous Take Pride in Smith Mountain Lake events:



Volunteers work in the area across from the Hardy Ford Boat Ramp removing man-made and natural debris.



Volunteers (of all ages) use PWCs and boats to collect debris to take to a drop-off site.



Man-made (bottles, tires, etc.) and natural debris can be found near the shoreline and in the channel.



A multitude of volunteers help remove debris from the lake to keep it safe for visitors and residents.



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Town Clerk

Issue

Consider approval of minutes for the regular Council meeting on February 19, 2013

Summary

None

Attachments

February 19, 2013 minutes

Recommendations

Motion to approve minutes

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, FEBRUARY 19, 2013, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor
William W. Nance, Vice Mayor
I. Douglas Adams, Jr.
Robert R. Altice
Matthew S. Hare

STAFF PRESENT: Christopher S. Lawrence, Town Manager
Susan N. Johnson, Town Clerk
Elizabeth Dillon, Town Attorney
Ryan Spitzer, Assistant to the Town Manager
Gary Woodson, Public Works Director
Joey Hiner, Assistant Public Works Director
Barry Thompson, Finance Director/Treasurer
Ben Cook, Police Chief
Anita McMillan, Planning & Zoning Director

The Mayor called the regular meeting to order at 7:00 p.m. The Town Clerk called the roll with Council Member Adams, Council Member Altice, Council Member Hare, Vice Mayor Nance, and Mayor Grose present. After a Moment of Silence, Mr. Altice led the Pledge of Allegiance to the U.S. Flag.

Roll Call

Concerning the consent agenda, Mr. Hare asked if at the top of Page 5 the minutes could reflect that it was a conscious decision by Council and staff to not use a collection agency from a customer service standpoint.

Mr. Hare also referenced the question in the minutes asking if our share of the cost of the WVWA Project includes the 3% contingency of the Authority and when we might expect an answer. The Town Manager responded that they will get an answer by the end of the week.

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

Approved minutes of Council's regular meeting of February 5, 2013, as amended

The next item on the agenda was a Proclamation recognizing Mike Huffer, Chief Mechanic of the Public Works Department, who has resigned effective February 28, 2013 to relocate in Memphis, Tennessee. Mr. Huffer could not attend the meeting and after brief comments by the Mayor, the Proclamation was presented to Gary Woodson, Public Works Director.

The next item on the agenda was a Public Hearing which has been postponed indefinitely, regarding petition of Williams Mullen, Authorized Agent for Clearview Manor Acquisition, LLC, for Rezoning from GB, General Business District to R-3 Residential District and for a Special Use Permit (SUP) for Clearview Manor Apartments, 1150 Vinyard Road.

Anita McMillan, Planning & Zoning Director, reviewed her staff report and commented about the need to amend the Town's Zoning Ordinance to conform to State Code Section 15.2-2307 relating to nonconforming uses and features. Mr. Preston Lloyd, the representative for the Petitioner, was notified and was given the option to either withdraw or ask for a continuance and he requested that the petition be withdrawn. He also requested to reserve the right to renew the petitions without paying an additional application fee should the lender make that requirement. The Planning Commission had their Public Hearing on February 7th. One citizen came to the meeting and staff explained the requirements of the State Code. On March 7th, the Planning Commission will have their Public Hearing on the proposed Ordinance to amend the Town Code and the Council's Public Hearing will be on March 19th and Council will be asked to adopt the Ordinance.

In addition to this nonconforming use, staff also found out about a legally recorded vacant parcel in the area of River Park Shopping Center that was approved prior to the Zoning Ordinance that did not have road frontage. Our current Zoning Ordinance now requires that any lot to be developed has to have frontage and if not they have to apply for a special exception of variance. The State Code supersedes that requirement because if it is a legally recorded lot prior to the Zoning Ordinance being amended, it should be allowed to be developed.

Ms. McMillan commented that Mr. Hare has been informed about our Zoning Ordinance pertaining to a police impoundment lot as far as the number of days a vehicle can be stored. Under our Zoning Ordinance, we only allow 30 days. The State Code basically says that after 30 days the operator of the towing company should have the right to try to recoup their costs and be given an additional 60 days. Staff is working with the Town Attorney on this issue as well, but will not have this amendment ready until April.

Vice Mayor Nance asked if the citizen at the Planning Commission meeting was the same citizen who had sent the email voicing his concerns. The response was no, he is a former Planning Commission member who lives behind Berkshire and his concern was regarding vegetation along

Berkshire. Staff explained to him that the Clearview property now has a different owner than Berkshire.

Vice Mayor Nance asked if we amend the Town Code to make it conform with State Code, what would be necessary to have a water tank and the response was we would not have any control. Basically because it is an accessory use and incidental to the primary use of the building. The only requirement would be the five foot setback for an accessory use, 25 feet from the front yard setback, the height and will be required to get necessary permits. We will have no control over the design.

The Mayor asked if we could include in our Code our own requirements as to the appearance of water tanks. Ms. McMillan responded no unless the Town amends the Zoning Ordinance and adopts design guidelines. Normally design standards apply to any building, for any accessory use unless put under a Special Use Permit requirement. We can do a design standard for just water tanks, but it would apply to any water tank and we would have to consider if we want to consider water tanks as a minor or major utility building, both of which are in the current Town Code. We could also specify as to whether they are private or public. The Mayor asked if staff could review the possibility of adopting this type of Ordinance.

Vice Mayor Nance asked about the meaning of accessory, and the response was anything detached such as garage or storage building. When asked if it would apply to windmills, the response was that windmills and solar panels were discussed with the Planning Commission in several prior work sessions, but never went any further than those discussions.

Mr. Hare asked if Mr. Boyd with the towing company would be held in violation until we amend the Town Code and the Town Manager responded no because he has submitted an application for the use. There are State codes that a towing company has to follow that have certain durations of time that present a challenge when our Zoning Ordinance only provides for them to keep the car for 30 days. There are some conflicts between our Zoning Ordinance and the State Code and we need to review both to come up with an accepted balance. Ms. McMillan indicated our current Code provides 30 days and the State Code requires an additional 60 days. Other localities have provided up to 120 days and we may look at 90 days especially when the business is in a residential area.

The next item on the agenda was to consider adoption of a Resolution appropriating \$686.75 received from Cycle Systems of Roanoke for scraped metal property from the

Public Works Department. Gary Woodson, Public Works Director, explained that these funds are put back into the building and maintenance fund for the Public Works building to buy materials for small repairs that can be handled in-house. Mr. Altice made a motion to adopt the Resolution as presented; the motion was seconded by Vice Mayor Nance and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) - None.

Adopted Resolution No. 2006 appropriating \$686.75 received from Cycle Systems of Roanoke for scraped metal property from the Public Works Department

The next item on the agenda was to consider adoption of a Resolution approving the Downtown Revitalization Management Plan, the Downtown Façade Grant Program and the Revolving Loan Program Plan and Administrative Program Manual for the \$700,000 CDBG Downtown and Economic Revitalization Grant.

Mr. Spitzer made comments regarding the three documents. The Project Management Team approved the documents at their meeting on February 12, 2013. The Project Management Plan document is the plan that the team will be following through the duration of the project. The Façade Program plan will follow the current Façade Program with the exception that any contractor used has to be on the award list for the project.

The Revolving Loan Program guidelines had some revisions. Beginning with Page 4 under “Uses”, it was decided that the working capital limit of 30% would be a guideline. The Team did not want to dissuade someone from getting a loan if it needed to be 40%. Under “Loan selection and approval process” it was decided that two business owners should be added to the loan committee to give a small business prospective, one from a business inside the grant area and one outside the grant area.

Mr. Hare asked how the process would work if loan requests exceed available funds as described on Page 5, section 3. Mr. Spitzer responded that would only be taken into account if we received five loan applications at the same time. Mr. Hare asked about the types of collateral and who would determine the value and the response was the loan committee would have that responsibility. Mr. Hare expressed concern about using working capital and the response was that it would be used for start-up costs, not after the business is started.

Vice Mayor Nance asked the Town Attorney what would happen if one of the applicants filed bankruptcy and Ms. Dillon responded that she did not know at this point. There was further discussion about ways to protect the Town in the event of default or bankruptcy. The Town Manager commented that the Revolving Loan Plan basically sets up

the structure of the program. The actual working application to include the details of what needs to be done to protect both parties will be the responsibility of the loan committee. They will seek legal advice and the Town Attorney responded that she can provide advice as to what would put the Town in the best position should a party file bankruptcy.

Mr. Spitzer commented that under "Loan conditions" security "shall" be required if determined necessary by the loan counsel was changed to "may" be required. The team thought it might be cost prohibitive for some businesses and other businesses may have enough assets or have been in business long enough to not require. Comments were made that the document is not consistent regarding who we will extend credit to and are we going to make high-risk loans or secured loans.

The Town Manager further commented that the team did not want to set the standards too high in the outset, but to have guidelines to take applications and then let the professionals review them and make specific decisions.

Vice Mayor Nance asked if there had been any discussion about loan forgiveness. The Town Manager commented that other localities have forgiven their loans after they are two years into the grant, but this is something that the loan committee will have to discuss.

Mr. Hare asked the definition of operating season and the response was the difference between a business that is open year round as opposed to one that is opened only seasonal, like a lawnmower business.

Mr. Spitzer referenced Page 6, Section 8 regarding the borrower submitting financials to the loan review committee from time to time. The team decided not to put a time frame on this requirement because they felt the committee needed some flexibility. Depending on the particular business, the committee may need to request financials early on to be able to offer guidance before they might default on the loan or file bankruptcy. Comments were made that it can be very costly and difficult for some small businesses to get financials.

Mr. Hare asked if there are any covenants to recall the note in the event of non-payment and the response was there are only two stipulations at this time--if they relocate or if they go bankrupt. Mr. Hare also asked what recourse we would have if they refuse to conform to the Town Code or have other violations and the response was there are none. The Town Manager indicated that as a condition of the loan, the application must have an up-to-date business

license, zoning permit and be violation free. The Town Manager reiterated again that this document is just the framework and that the actual loan contract will spell out all the specifics and be brought back to Council for their approval.

Vice Mayor Nance commented that he is fine with this document if it reflects the broad parameters and the details will be brought back to Council and Mr. Hare said he would like to see something more detailed with specifics to protect both sides.

Vice Mayor Nance commented again about the loan turning into a gift. The Town Manager stated that today it is a loan because DHCD has approved a revolving loan fund. However, they have made it clear that after 24 months they no longer have government oversight over how the Town operates that loan pool. It becomes the Town's choice. That is when that conversation becomes a valid conversation. Up until then, it is a loan fund. Mr. Adams commented that the whole idea is to offer help to get a new business started and if we get some successful businesses from this, he thinks we should look at that down the road on an individual basis. The Mayor commented that existing businesses can also apply for the loan for expansion.

Mr. Adams made a motion to adopt the Resolution to include the items discussed. Vice Mayor Nance clarified the motion to adopt the Resolution with the explicit understanding that as details of the loan program develop, including the development of the contract, that it be brought before Council for approval thereof. Mr. Adams agreed with the amended motion; the motion was seconded by Vice Mayor Nance and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) - None.

The Mayor expressed appreciation for Mike Huffer and his contributions to the Town.

The next item on the agenda was a report from the Highway Safety Commission. Mr. Woodson made the presentation on behalf of the Commission. Three areas that the Commission looked at were the Virginia/Glade intersection, the Vinyard Road/Hardy Road intersection and Preston Road.

At the Virginia/Glade intersection, traffic is still making left turns even though there are “no left turn” signs. The proposal is to put some collapsible posts along that section to prevent left turns. A picture showing three different types was shown. Collapsible posts will allow emergency vehicles to make that turn when necessary.

Adopted Resolution No. 2007 approving the Downtown Revitalization Management Plan, the Downtown Façade Grant Program and the Revolving Loan Program Plan and Administrative Program Manual for the \$700,000 CDBG Downtown and Economic Revitalization Grant, as amended

This will be cost effective and will not affect the storm water drainage in that area. Comments were made about the appearance of these posts and Mr. Woodson said that there are other types available. Mr. Hare asked if we would notify the residents of that community that we are making that change and the response was it is not a requirement, but we can let them know.

Mr. Altice commented that we should block off the area permanently and Mr. Woodson said that is a possibility, but more costs would be involved. That could be a possibility after the temporary posts have been there for a period of time. Mr. Hare asked about the cost of the posts and the response was they have not priced them.

A question was asked if there are a lot of accidents at that area and Chief Cook responded no, but the biggest issue is to prevent vehicles from getting out into the traffic trying to make that turn. Further discussion was had about the appearance of the collapsible posts and the necessity of putting something temporary up to education the public about the change before putting up a permanent barrier. Mr. Woodson commented that we could purchase temporary posts that could be moved and used in another area when we decided to make this permanent. The Town Manager suggested that staff come up with a proposal and bring back to Council.

The Mayor asked about the hillside where the new AEP foundation is in Town and the Town Manager commented that it is on private property. However, staff will review the issue further.

Mr. Woodson commented on the next location, Vinyard/Hardy Road. The suggestion was made to designate and re-mark straight and turn lanes to allow left turn only at Vinyard Road at Hardy. The Commission is not recommending any change. One consideration was to time the signals different but that would present a traffic problem during peak times. A request is part of the FY2014 CIP budget to restripe this area.

The third area is South Preston Road regarding the width of the roadway that narrows in the curves in the area of Evelyn Street. Public Works has moved the mailboxes back and plan to do some work on the shoulders in this area. Some of the recommendations were to put a stop sign at Fairmont and reducing the speed to 15 mph with a curve sign. The speed limit sign can be white or a yellow speed limit sign with the curve sign under it. Mr. Altice commented that Mr. Andrews of that neighborhood was pleased with what has been done so far. The Town Manager commented that Ms. Andrews had suggested

putting a white center line and the response was that putting a center line will push people to the shoulder. The better solution would be to slow traffic down and provide the opportunity for enforcement in that area.

Vice Mayor Nance asked if the stop sign would make a difference at Fairmont because most traffic slows down there anyway and the response was if there is not a stop sign, people will not come to a complete stop but just roll through the intersection. The idea is to stop them and allow them to make the turn, which helps to engage the signs and reduce speed. From a safety and economic standpoint, signage is the way to go.

Vice Mayor Nance asked Chief Cook if where there is a yellow speed limit sign, it is not an enforceable speed limit unless you cause an accident related to that speed. Chief Cook responded that some signs say "maximum safe speed" and some think that is a suggestion. He is not sure about the yellow speed limit sign. Mr. Woodson commented if you want an enforceable speed limit, use the white sign. The placement of the signs will be important as well. Council gave a consensus to proceed with the recommendation.

The Town Manager asked Mr. Woodson to comment on the two large potholes on Mountain View and what our short term resolution will be. Mr. Woodson responded that they will continue to put stone down and cement to try and hold it in place. Other temporary solutions would be to put down a cold patch or cut out the area, re-stabilize the base and go back in over a larger patch. They will continue to monitor the situation. The Mayor commented that Mountain View should be a topic of future discussion because it is a heavily traveled road and in need of a more permanent solution.

Mr. Woodson also commented on the buckling area on Virginia Avenue coming down the hill toward Pollard and he did include that in the FY2014 CIP as well.

Comments from Council Members: Vice Mayor
Nance mentioned the two new businesses, Bloop Yogurt and The Shoe Department. Mr. Adams commented on the new fencing around the Mountain View Cemetery and how much it helped with the appearance. The Town Manager commented that he and Mr. Spitzer had met with the new owners of the cemetery and they wanted the community to know that the cemetery open space is still open for the public and they are also making improvements to the main stone building on the property to include the addition of restrooms.

Mr. Adams moved that the regular meeting be adjourned, the motion was seconded by Mr. Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0) – None. The regular meeting was adjourned at 8:42 p.m.

The Work Session began at 8:55 pm with a general update on revenues for the FY2013-2014 budget. After brief comments from the Town Manager, Barry Thompson, Finance Director/Treasurer, gave a power point presentation.

Mr. Thompson began by stating that the General Fund revenues are projected to be at \$7,670,049, which is a 3.67% increase over last year. The majority of that increase is \$250,000 from the CDBG grant that we would expect to receive this fiscal year. Without that, the projected increase would be 0.30% increase. On the Utility Fund, projection is to be \$3,107,055, which does not include any bond money or any rate increase that we might consider. This is a 0.21% increase over last year's revenues.

Mr. Thompson next reviewed the reassessments for next fiscal year. In year 2012 the assessed values for the Town were \$466,502,000 and for 2013 they were \$456,795,100 which is a decrease of \$9,706,900. Only \$357,000 in new construction for 2013 which brings a net decrease of \$10,063,900. When we apply the \$0.3 tax rate per \$100 that shows a decrease from 2012 to \$2,912, which is a 2.08% in our assessments. Discussion was had regarding the decrease in the personal property taxes for FY2014 and what accounted for the increase in 2013 over the prior three years.

Mr. Thompson continued his presentation making comments on other local taxes totaling a projected amount of \$4,108,725. Regarding the cigarette tax, Mr. Thompson commented that is one area where Council could consider increasing the tax rate. We are at \$0.20 per pack. Roanoke City is at \$0.54 and Roanoke County does not have a cigarette tax. Mr. Hare commented that an increase of \$0.20 would give us \$300,000 or \$0.10 would give \$150,000.

Other categories were permits and fees totaling \$11,500 and fines and forfeitures totaling \$82,125. The Mayor asked what accounted for the decrease in 2011 and 2012 in Court funds and the response was it was felt that during that time, the Judges were sentencing individuals to more community service instead of fines.

In lieu of time, Mr. Hare suggested that Council end the work session. The Town Manager commented that Council has been presented a copy of the power point presentation and the budget worksheet for their further review.

Mr. Thompson commented that the War Memorial will be broken out next year in a separate cost center so it can be monitored easier. He used last year's revenue figure which will need to be reviewed with Mr. Kipp and the Finance Committee. He did increase the sales tax for this budget because we are doing very well. Also, the HB-599 funds should stay the same as last year and there has been no indication that the highway maintenance funds will be different.

The work session was adjourned at 9:35 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Administration

Issue

Presentation by the Roanoke Valley Greenway Commission

Summary

Liz Belcher and Mark McClain will be present at the meeting to give this annual report on behalf of the Commission.

Attachments

Letter from Mark J. McClain, Chairman

Recommendations

No action required



February 1, 2013

Mr. Christopher Lawrence
Vinton Town Manager
311 South Pollard St.
Vinton, VA 24179

Dear Mr. Lawrence:

In accordance with the Intergovernmental Agreement, I am transmitting to you the budget for the Roanoke Valley Greenway Commission for FY 2014. This budget of \$88,635 was reviewed and approved by the Greenway Commission at its monthly meeting January 23. Due to state and federal changes in benefits last spring, this budget is \$730 higher than the one proposed to you last January for FY 2013, but our request to the localities, \$87,500, has not increased since FY 2010. As you know, personnel costs continue to increase, but other funding is being used in order to have no net increase to the localities.

Based on the most recent Weldon Cooper population estimates, the Town's population is 8,130 or 3.7% of the Valley total. Thus the Commission's request to the Town is 3.7% of the budget, or **\$3,300**. This is unchanged from last year.

We always enjoy working with and in the Town and particularly appreciate the hard work of Anita McMillan. The success of Wolf Creek Greenway is testimony to the Town's leadership. We are glad that the bridge and trail at Gladetown are finished and that we were able to celebrate that success. With the City's connection from Tinker Creek Greenway to Roanoke River Greenway now open, Vinton residents have better access to our longest trail section. We appreciate your application for Revenue Sharing funds, utilizing the Novozymes donation as match, so that the greenway along Glade Creek can tie from Tinker to your work on Walnut. Thanks to staff and Council for bringing great greenway and bicycle connections to Vinton soon.

The Greenway Commission recognizes that Vinton's support has been important to the greenway program. We look forward to updating Council on March 5 and to a continuing partnership for the benefit of all our citizens. Feel free to call me about the budget at 355-6526 or Liz Belcher at 777-6330.

Sincerely,

Mark J. McClain, Chairman
Roanoke Valley Greenway Commission

Attachment: Roanoke Valley Greenway Commission FY 2014 Budget
cc: Anita McMillan, Planning Director
Barry Thompson, Finance Director

**ROANOKE VALLEY GREENWAY COMMISSION
OPERATIONS BUDGET
FY 2014**

EXPENSES			Budget
			FY 2014
PERSONNEL			
1010	Salary		\$ 58,400
2100	FICA - Employer Contribution		\$ 4,468
2200	Retirement - VRS		\$ 5,869
2202	Deferred Compensation Match		\$ 650
2300	Group Health Insurance		\$ 5,486
2310	Group Dental Insurance		\$ 253
2400	Life Insurance		\$ 695
2500	Long Term Disability		\$ 178
2750	VRS Retiree Health Credit		\$ 140
2830	Accrued leave		\$ 1,000
	Subtotal Personnel		\$ 77,140
OTHER OPERATIONS			
3014	Audit		\$ 5,100
3630	Special Events		\$ 700
5210	Postage		\$ 60
5230	Telephone & Cell		\$ 1,100
5315	Insurance		\$ 310
5501	Travel - mileage		\$ 2,400
5503	Travel - lodging, meals		\$ 300
5504	Travel - conferences		\$ 350
5520	Dinner Meetings and Luncheons		\$ 75
5540	Training		\$ 100
5801	Dues and Membership		\$ 100
5890	Purchases		\$ 50
6010	Office Supplies		\$ 300
6011	Photocopies		\$ 100
6013	Small Equipment		\$ 300
6020	Food		\$ 50
6201	Books and Subscriptions		\$ 100
	Subtotal Operations		\$ 11,495
	Total Personnel and Operations		\$ 88,635
REVENUE			
		Population*	% of Population and of Funding Request
	CITY OF ROANOKE	98,641	45.4%
	ROANOKE COUNTY+	85,126	39.2%
	CITY OF SALEM	25,267	11.6%
	TOWN OF VINTON	8,130	3.7%
	Subtotal Localities	217,164	100.0%
	Additional Funding: Other Sources		
	Total Revenue		\$ 88,635
*Weldon Cooper updated population numbers released January 28, 2013.			
+County population minus Town of Vinton.			



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Town Council

Issue

Update on Economic Development Summit sponsored by Roanoke Regional Partnership.

Summary

Council and staff attended an Economic Regional Summit on February 28, 2013, at the Roanoke County Green Ridge Recreation Center. The Mayor will make brief comments regarding this Summit and Council will be asked to appoint the Town Manager as the representative to serve on a Task Force.

Attachments

None

Recommendations

Motion to appoint the Town Manager



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Council

Issue

Request to Convene in Closed Meeting, Pursuant to § 2.2-3711 A (7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to actual litigation.

Summary

Council will have consultation with the Town Attorney pertaining to actual litigation.

Attachments

Certification of Closed Meeting

Recommendations

Reconvene and adopt Certification of Closed Meeting

AT A CLOSED MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MARCH 5, 2013, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDNG, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

**CERTIFICATION THAT A CLOSED MEETING WAS HELD
IN CONFORMITY WITH THE CODE OF VIRGINIA**

WHEREAS, the Town Council of the Town of Vinton, Virginia has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Vinton Town Council that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council hereby certifies that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from opening meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies; and
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Motion made by Council Member _____ and seconded by Council Member _____, with all in favor.

Clerk of Council



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Administration

Issue

Request for funding presentations by:

- a. Vinton Volunteer First Aid Crew
- b. Vinton Volunteer Fire Department

Summary

A representative from the Volunteer First Aid Crew and the Volunteer Fire Department will be present to give a presentation to support their request for funding in the FY2014 budget.

Attachments

FY2014 Request for Funding Applications

Recommendations

No action required



VINTON

FY 2014 REQUEST FOR FUNDING APPLICATION

Instructions

1. Please type or print.
2. Answer each question within the space provided. Please do not include additional attachments or supplementary pages unless they are essential to our understanding of your organization.
3. **Attach organization's most recent audit. May be submitted later if not currently available.**
4. Sign, date and send the completed application to:

Christopher Lawrence, Town Manager
311 South Pollard Street
Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number			<i>Vinton First Aid Crew</i>		
Address					
<i>110 W. JACKSON AVENUE</i>					
City		State		Zip	
<i>VINTON</i>		<i>VA</i>		<i>24179</i>	

CONTACT PERSON

Name		<i>Tom Philpott</i>	
Title		Phone	
<i>Rescue Chief</i>		<i>540-765-7916</i>	

ORGANIZATION INFORMATION

Describe your organization's mission:	
<i>Provide emergency medical services to the Town of Vinton and east Roanoke County.</i>	
How many people are served by your organization?	
How many Vinton Residents are served by your organization?	
<i>100%</i>	
Geographic area served by your organization:	
<i>VINTON-EAST ROANOKE Co.</i>	
Year the organization was established:	
<i>1939</i>	

SERVICES PROVIDED

We provide emergency medical services as well as public service assistance to Vinton and Roanoke Co. citizens as well as provide stand by assistance for large municipal, public and private events.

<u>FUNDING</u>	<u>Received FY 2013</u>	<u>Requested FY 2014</u>
Town of Vinton	\$16,300	\$16,300
Roanoke County	5,088	5,088
Virginia 4 for life	2,440	** 2440

**** NOTE:**

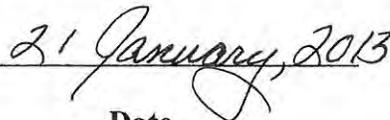
These funds may or may not be available to EMS. There is discussion in the Governors budget committee to transfer these funds to the Virginia State Police for 2014.

IMPACT STATEMENT

Emergency Medical Services has a tremendously positive impact on our citizens. Our volunteers provided treatment and transport to over 1100 calls for help during the past year. These same volunteers provided over 21,800 man hours of station duty availability during the same period.



Signature



Date

Additional information available from Sydney Myers at 983-0641 if needed.



VINTON FIRST AID CREW
INCORPORATED
P.O. BOX 314
VINTON, VIRGINIA 24179



23 January, 2013

The Vinton First Aid Crew, Inc. is audited by Brown Edwards on odd numbered years and paid for by Roanoke County.

The attached report is the most current as we are scheduled to provide audit material for the 2012-2013 years during March, 2013.

A handwritten signature in cursive script, appearing to read 'Tom Philpott'.

Tom Philpott, Rescue Chief



County of Roanoke

FINANCE DEPARTMENT

REBECCA E. OWENS
Director of Finance

July 22, 2011

Volunteer Rescue Tom Philpott
Vinton First Aid and Rescue Squad
110 W. Jackson
Vinton VA 24179

RE: Agreed Upon Procedures for Volunteer Fire and Rescue Departments

Dear Volunteer Philpott:

Thank you for your assistance in providing the records to Brown Edwards and Company for the agreed upon procedures of the volunteer fire and rescue departments. Enclosed is the final report from the auditor.

The Department of Finance for the County of Roanoke will be happy to answer any questions you have with regards to the report. Also, we will provide any assistance requested with regards to recommendations of best practices for the agreed upon procedures.

Should you have any questions, please contact Rebecca Owens, 540-772-2020, ext. 327.

Sincerely,

Rebecca Owens
Director of Finance

Enclosure

**COUNTY OF ROANOKE VOLUNTEER FIRE AND
RESCUE ORGANIZATIONS**

AGREED-UPON PROCEDURES

March 31, 2011

**INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING
AGREED-UPON PROCEDURES**

Ms. Rebecca Owens
Director of Finance
County of Roanoke, Virginia

We have performed the procedures enumerated on pages 4 through 6, which were agreed to by you, to selected accounting records and transactions of the County of Roanoke Volunteer Fire and Rescue Organizations for the period April 1, 2009 to March 31, 2011. This engagement to apply agreed-upon procedures was performed in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified users of the report and County management. Consequently, we make no representation regarding the sufficiency of the procedures either for the purpose for which this report has been requested or for any other purpose.

We were not engaged to, and did not, perform an audit, the objective of which would be the expression of an opinion on the County of Roanoke Volunteer Fire and Rescue Organizations' financial statements or specified elements, accounts or items thereof. Accordingly, we do not express such an opinion. Also, we express no opinion on the effectiveness of the County of Roanoke Volunteer Fire and Rescue Organizations' internal control over financial reporting or any part thereof. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. Our responsibility is limited to the period covered by our agreed-upon procedures and does not extend to any later periods for which we are not engaged.

This report is intended solely for the use of the specified users listed above and should not be used by those who have not agreed to the procedures and taken responsibility for the sufficiency for the procedures for their purposes.

Brown, Edwards & Company, L.L.P.

CERTIFIED PUBLIC ACCOUNTANTS

Roanoke, Virginia
May 20, 2011

COUNTY OF ROANOKE VOLUNTEER FIRE AND RESCUE ORGANIZATIONS

PROCEDURES PERFORMED

Bank Reconciliations

Randomly select two month-end bank reconciliations for each bank account (cash, certificate of deposit, etc.) that the entity maintains and perform the following procedures:

- Trace the bank balance on the reconciliation to the bank statement.
- Determine if the reconciliation is mathematically accurate, including detailed supporting schedules.
- For the two bank reconciliations selected, determine if the balance during the month exceeded FDIC limits.
- Review the cash receipts and disbursements ledgers for each bank account for five business days before and after month end to identify interbank transfers, checks, and deposits. Determine whether all items were recorded and accounted for in the proper period.
- Document when the bank reconciliation was performed.
- Document whether someone other than the preparer is reviewing and approving the bank reconciliations.
- Perform the following procedures:
 - Document reasons why checks greater than \$200 did not clear the bank within 30 days.
 - Trace all deposits in transit to the subsequent bank statement. Document reasons for delays greater than five business days in being credited to the bank account.
 - Trace all deposits over \$200 from books to bank statements for the month. Document any reasons for delays greater than five business days in being credited to the bank account.
 - Trace checks from bank statements for the month to disbursement journal.
 - Determine the mathematical accuracy of the cash journals for the two months selected.
 - Determine the propriety of other reconciling items individually over \$200 and that they cleared on the subsequent month's bank statement.

Meeting Minutes

Review all meeting minutes for the period and document when and how often the meetings occurred, whether the meetings were being documented, whether the minutes were subsequently approved, and whether the meeting minutes were signed.

Capital Assets

Inquire and inspect as to whether the entity maintains a listing of equipment and other capital assets owned and regularly updates the listing for additions or disposals.

COUNTY OF ROANOKE VOLUNTEER FIRE AND RESCUE ORGANIZATIONS

PROCEDURES PERFORMED (Continued)

Disbursements

Using the manual ledgers and bank statements, select a random sample of twenty-five (25) disbursements from the manual ledger less than \$2,500, five (5) disbursements from the bank statement less than \$2,500, five (5) disbursements from the manual ledger greater than \$2,500, and three (3) disbursements from the bank statements greater than \$2,500 (total 38 items) and perform the following:

- Payee, amount, and date recorded in the ledger agree to the cancelled check returned from the bank.
- Payee and amount agree to the supporting documentation (i.e., invoice, purchase order, receiving documentation, as applicable).
- Disbursement appears coded to the appropriate expense account.
- Cancelled checks were maintained and included signatures according to the policy set by the individual entity.

Form 990

Determine whether a Form 990 was filed with the Internal Revenue Service in a timely manner.

Reimbursement

Randomly select five (5) disbursements which were considered reimbursement in nature and perform the following:

- Supporting documentation exists to support the disbursement.
- The proper mileage rate was used as allowed by the department but in no case greater than the amount allowed by the IRS.
- Determine if any alcohol purchases were reimbursed.
- The mileage amount claimed appears reasonable based on beginning and ending destinations.

Review of Check Register and Cancelled Checks

Review the manual check register and the cancelled checks returned from the bank during the period under review noting:

- Duplicate check numbers used.
- Gaps in check sequence.
- Voided checks have been properly marked and added back into the balance in the cash account.

COUNTY OF ROANOKE VOLUNTEER FIRE AND RESCUE ORGANIZATIONS

PROCEDURES PERFORMED (Continued)

Receipt Tests

Using the Organizations' receipt listing or book (bank statement if these do not exist), select a random sample of twenty (20) receipts less than \$1,000 and ten (10) receipts greater than \$1,000 noting:

- Payer and amount agree to supporting documentation.
- Items were deposited within fifteen (15) business days of receipt by the entity.
- Receipt was coded to an appropriate revenue account.
- Whether a receipt was recorded and issued to the payer.

Determine all funds allocated by the County of Roanoke were deposited within fifteen (15) business days of their receipt in an entity account.

COUNTY OF ROANOKE VOLUNTEER FIRE AND RESCUE ORGANIZATIONS

RESULTS OF PROCEDURES PERFORMED
(Continued)

VINTON FIRST AID AND RESCUE SQUAD

Bank Reconciliations

The bank reconciliation for August of 2009 was prepared on September 11, 2009. The reconciliation for February of 2011 was prepared on March 10, 2011.

Reconciliations are not being reviewed and signed off by someone other than the preparer.

Meeting Minutes

Executive board meetings were held on 4/16/09, 6/18/09, 10/15/09, 6/17/10, 10/21/10, 1/20/11.

Business meetings were held on 4/20/09, 5/18/09, 6/15/09, 7/20/09, 8/17/09, 9/21/09, 10/19/09, 11/16/09, 1/11/10, 2/8/10, 3/15/10, 4/5/10, 5/3/10, 6/21/10, 7/12/10, 8/2/10, 9/13/10, 10/4/10, 11/1/10, 12/6/10, 1/3/11, 2/7/11, 3/7/11.

There were no business meeting minutes for the month of December due to bad weather conditions.

There was no subsequent approval of minutes during the 4/20/09 meeting. There is also no signature of minutes when they are prepared.

Capital Assets

No exceptions noted.

Disbursements

No exceptions noted.

Form 990

No exceptions noted.

Reimbursement

No exceptions noted.

Review of Check Register and Cancelled Checks

No exceptions noted.

Receipt Tests

No supporting documentation was provided for any deposits.

The Organization keeps a record of donations in their computerized accounting system. However, based on how the information is entered, we are unable to tell if receipts are deposited within fifteen business days of receipt.



FY 2014 REQUEST FOR FUNDING APPLICATION

Instructions

1. Please type or print.
2. Answer each question within the space provided. Please do not include additional attachments or supplementary pages unless they are essential to our understanding of your organization.
3. **Attach organization's most recent audit. May be submitted later if not currently available.**
4. Sign, date and send the completed application to:

Christopher Lawrence, Town Manager
 311 South Pollard Street
 Vinton, VA 24179

Applicant Information Non-Profit Public Other Private Association (Circle One)

Name of Organization & Tax ID or EIN number VINTON VOLUNTEER FIRE DEPT.		
Address P.O. BOX 426		
City VINTON	State VA.	Zip 24179

CONTACT PERSON

Name RICHARD OAKES	
Title FIRE CHIEF	Phone 540-983-0629 / CELL-540-312-8942

ORGANIZATION INFORMATION

Describe your organization's mission:	
<p>THE MISSION OF THE VINTON VOLUNTEER FIRE DEPT. IS TO PROTECT THE CITIZENS OF TOWN OF VINTON AND EAST ROANOKE COUNTY FROM FIRE OR OTHER EMERGENCY'S THAT MAY OCCUR.</p>	
How many people are served by your organization?	8,000 PLUS ALL OF EAST RO. CO.
How many Vinton Residents are served by your organization?	8,000
Geographic area served by your organization:	Year the organization was established:
TOWN OF VINTON, ROANOKE COUNTY,	1925
ROANOKE CITY, BERKLEY COUNTY AND ANY OTHER LOCATION THAT REQUEST AID.	

SERVICES PROVIDED

Describe the service your organization provided to Town of Vinton citizens: (Detailed Project or Event Description – Tell us about what you want to do and when (include dates, names of co-sponsors, etc)

PROTECT LIFE AND PROPERTY FOR THE CITIZENS & MERCHANTS THAT LIVE AND WORK IN THE TOWN OF VINTON.

FUNDING

List all funding received and requested from surrounding jurisdictions: (List the Town of Vinton first)

Jurisdiction (i.e. other towns, cities, counties, companies, etc)	Received FY 2013	Requesting FY 2014
TOWN OF VINTON	\$ 16,300	\$ 19,000
ROANOKE COUNTY ALLOCATES FUND FOR ALL 12 FIRE DEPARTMENTS.	\$ 4,888.44	\$ 4,888.14

IMPACT STATEMENT

Describe in detail the positive and negative impacts to the community in the following areas:

1. Fiscal/Economic Impact
2. Environmental Impact
3. Quality of Life Impact

1- SAVES MONEY IN SALARIES/BENEFITS BY VOLUNTEER STAFFING, PROTECTION OF LIFE, PROPERTY LOSS TO LOCAL BUSINESSES AND RESIDENTS.
 2- RESPOND & MITIGATE ANY HAZARDOUS MATERIAL INCIDENTS.
 3- PROTECTION IMPROVES QUALITY OF LIFE.

Richard Oakes
 Signature

01/18/2013
 Date



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Planning and Zoning

Issue

Briefing on proposed Ordinance to amend Appendix B, Zoning, Article VI, Nonconforming Uses and Features of the Town Code.

Summary

During a recent rezoning request and development proposal on a vacant lot, Staff was made aware of the need to amend the Town's zoning ordinance to conform and be consistent with the Virginia Code. The amendment pertains to nonconforming uses, features, structures, and lots. It provides that a nonconformity may continue so long as it is not abandoned for more than two years; specifies when certain property rights become vested; limits the enlargement, extension, or increase in intensity of nonconforming uses and features; the repair and replacement of nonconforming structures to allow for restoration to original nonconforming condition under certain circumstances and within a certain time period; provides for the development of lots that lack public road frontage upon issuance of a special use permit.

Attachments

Ordinance

Recommendations

No action required

ORDINANCE NO

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL, HELD ON TUESDAY, MARCH 19, 2013, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

AN ORDINANCE to substantially amend Article VI. Nonconforming Uses and Features of Appendix B, Zoning, of the Vinton Town Code for the purpose of conforming the Town's Zoning Ordinance concerning nonconforming uses, features, structures, and lots with the Virginia Code governing same; setting forth the purpose of the ordinance; providing that a nonconformity may continue so long as it is not abandoned for more than two years; specifying when certain property rights become vested; limiting the enlargement, extension, or increase in intensity of nonconforming uses and features; regulating, consistent with the Virginia Code, the repair and replacement of nonconforming structures to allow for restoration to original nonconforming condition under certain circumstances and within a certain time period; providing for the development of lots that lack public road frontage upon issuance of a special use permit; providing for an effective date.

BE IT ORDAINED by the Town Council of the Town of Vinton that Vinton Town Code, Appendix B, Zoning, Article VI, Non-conforming Uses and Features, is hereby amended and reenacted as follows:

ARTICLE VI. NONCONFORMING USES, ~~AND~~ FEATURES, STRUCTURES, AND LOTS

~~Sec. 6-1. – Nonconforming uses and features may continue.~~

~~Subject to the limitations set forth in this article, nonconforming uses, nonconforming features and nonconforming buildings may continue. The terms "nonconforming use," "nonconforming feature" and "nonconforming building" shall have such meaning as specified in article X of this appendix.~~

Sec. 6-1. Purpose.

The purpose of this article is to regulate nonconforming uses, structures, and lots. The intent of these regulations is to:

(a) Permit such nonconforming uses, structures, and lots to remain until removed, discontinued, abandoned, or changed to conform with the regulations of this chapter;

(b) Recognize that nonconforming uses, structures, and lots are generally incompatible with the character of the districts in which they occur and, as such, in certain circumstances, such continuances should not be indefinite and that the nonconforming uses should gradually be removed in favor of uses, structures, and lots that conform to this chapter and the Official Zoning Map; and

(c) Recognize that nonconforming uses, structures, and lots need not be entirely unchanged, and that under certain circumstances may change according to law and the provisions of this chapter.

~~Sec. 6-2. – Extension of nonconforming uses.~~

~~No nonconforming use shall be extended, enlarged or moved so as to occupy a different or greater area of land or buildings than was occupied by and actively devoted to such use at the time it became nonconforming, provided that a nonconforming use may be extended throughout such portion of land or such part of a building which was lawfully arranged, designed, equipped and intended for such use at the time it became nonconforming.~~

Sec. 6-2. Generally.

(a) Within the zoning districts established by this ordinance, or by future amendments which may later be adopted, or by legitimate and legal actions taken by the town council or any other governmental agency, there exists or may exist lots, parcels, structures, uses of land and structures, and characteristics of site design and/or use, which were lawful before this ordinance was adopted or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance, or future amendment. Some of such structures, lots, parcels, uses, and characteristics are considered nonconforming.

(b) A nonconforming use, structure, lot, or parcel may continue, as it existed when it became nonconforming, until removed, discontinued, abandoned, or changed to conform to the regulations of this ordinance. It is the intent of this ordinance that the continuance of nonconformities should not be indefinite, and that the nonconforming uses, structures, or characteristics should gradually be removed.

(c) Except as provided within this article, no nonconforming use, structure, or lot shall be changed, moved, increased, enlarged upon, expanded, extended, or resumed after removal, discontinuance, or abandonment, or used as grounds for adding other lots, structures, uses of land and structures, or characteristics of use not in keeping with the regulations for the district in which such nonconformity exists.

Sec. 6-3. Nonconformities; Establishment of vested rights.

(a) Nothing in this article shall be construed to authorize the impairment of any vested right. Without limiting the time when rights might otherwise vest, a property owner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to this chapter, when the property owner:

(1) Obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project;

(2) Relies in good faith on the significant affirmative governmental act; and

(3) Incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act.

(b) For purposes of this section and without limitation, the following are deemed to be significant affirmative governmental acts allowing development of a specific project:

(1) The Town Council has accepted proffers or proffered conditions which specify use related to a zoning amendment;

(2) The Town Council has approved an application for a rezoning for a specific use or density;

(3) The Board of Zoning Appeals has granted a special exception;

(4) The Board of Zoning Appeals has approved a variance;

(5) The Town Council or its designated agent has approved a preliminary subdivision plat, site plan, or plan of development for the property and the applicant pursues approval of the final plat or plan within a reasonable period of time under the circumstances; or

(6) The Town Council or its designated agent has approved a final subdivision plat, site plan, or plan of development for the applicant's property.

(7) The Zoning Administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification, or reversal under Subsection C of § 15.2-2311 of the Code of Virginia (1950), as amended.

(c) Nothing in this ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of this ordinance, or amendments thereto, and upon which actual building construction was carried out diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of

an existing building has begun in preparation for rebuilding, such activities shall be deemed actual construction provided the work has been carried out diligently.

Sec. 6-4. Nonconforming uses.

(a) Where, at the effective date of this ordinance, or amendment thereto, lawful use exists of buildings, structures or land, individually or in combination with another structure, which use is no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued provided:

(1) The use is not abandoned for more than two (2) years and so long as the structure in which such use is located is maintained in its then structural condition. Abandonment means the actual cessation of the nonconforming use of the property for more than two years regardless of whether or not the owner of the property intends to resume the nonconforming use at some point in the future.

(2) Should a structure in which such nonconforming use is located be enlarged, extended, reconstructed, or structurally altered, except as otherwise permitted by the provisions of this article, the use of such a structure thereafter shall conform to the regulations of the district in which it is located.

(b) No nonconforming use shall be enlarged, intensified or increased, or extended to occupy a larger square footage of building or lot area than was occupied on the effective date of the adoption or subsequent amendment of this ordinance. Such intensification, increase, or extension shall include enlargement of the building or other structure, expansion of the use on the premises, or the erection of an additional principal or accessory structure associated with such nonconforming use on the property on which the nonconforming use is located.

(c) No nonconforming use shall be moved in whole or in part to any portion of the lot or parcel unoccupied by such use at the time of the adoption or subsequent amendment of this ordinance.

(d) No building or structure not conforming to the requirements of this ordinance shall be erected in connection with the nonconforming use of land.

(e) Where nonconforming use status applies to a building or structure, removal of the building or structure shall eliminate the nonconforming status of the building or structure or land.

(f) Any legally established use which existed prior to the adoption of this ordinance, or any subsequent amendments, shall not be considered a nonconforming use where a special use permit is now required for establishment of such use. The use shall be allowed to continue operation, as well as reconstruct or structurally alter the building or structure without the necessity of obtaining a special use permit. However, approval of a special use permit shall be required, in accordance with special use provisions, when either of the conditions below are present, in the opinion of the zoning administrator.

(1) There is a ten (10) percent or greater net increase in the square footage of the use or structure proposed for expansion or enlargement; or

(2) The expansion or enlargement will substantially alter the site design and layout as it relates to circulation, parking or other site characteristics so as to adversely affect surrounding properties.

(3) This section shall not apply to broadcasting towers and associated antenna allowed by right as set forth by the ordinance.

(g) A manufactured home park legally established prior to June 1, 1986 shall be allowed to continue operation in conformance with the provisions, provided the use as a park has not been discontinued for a period of more than two (2) years.

(h) Notwithstanding (a) through (g) above, a nonconforming manufactured home existing on an individual lot of record that has served as an active dwelling for at least six (6) months may be replaced with another manufactured home provided:

(1) The replacement home is installed on the lot within two (2) years of the removal of the home to be replaced, and;

(2) The replacement home is installed in approximately the same location on the lot, and is installed to comply with the district setback regulations for principal structures, and;

(3) The installation of the replacement home complies with the use and design standards for manufactured homes.

Sec. 6-3 Sec. 6-5. Alterations to buildings devoted to nonconforming use.

(a) Except as otherwise provided in this article, no building or portion of a building devoted to a nonconforming use shall be enlarged, extended, structurally altered, ~~reconstructed~~ or moved, unless such building or portion of a building is thereafter devoted to a use which conforms with the use regulations of this appendix. Nothing in this article shall be construed to prohibit ~~normal~~ repair, maintenance or incidental alteration of a building or the alteration, strengthening or restoring of a building to safe condition as may be required by law.

(b) A single-family dwelling which is a nonconforming use in a GB, CB, M-1 or M-2 district may be structurally altered and may be enlarged or extended, and a building or structure accessory thereto may be altered, enlarged or constructed, provided that in no case shall the total amount of floor area, including all enclosed and unenclosed space and garage or carport space, be increased more than 800 square feet. No existing lot area, lot width or yard shall be reduced to less than required for single-family dwelling use in the R-3 residential district.

Sec. 6-4. Sec. 6-6. Change of nonconforming use.

(a) A nonconforming use of land or a nonconforming use of a building may be changed to a use which conforms with the use regulations of the district in which it is located or to a use, other than a multifamily dwelling, which is first permitted by right in a more restricted zoning district. Whenever a nonconforming use has been changed to a conforming use or to a more restricted use, such use shall not thereafter be changed back to the original nonconforming use ~~or to any less restricted use.~~

(b) For purposes of this article, a more restricted zoning district shall be construed to be a district in which the permitted uses and intensity of use are more limited. The term "use" shall be construed to be a type of activity as listed in the use regulations of a zoning district, and a change in occupancy, ownership or management shall not in itself constitute a change in use.

Sec. 6-5. Sec. 6-7. Discontinuance of nonconforming uses.

(a) Whenever a nonconforming use of land or a nonconforming use of a building is discontinued for a period of more than two years (except if the premises is damaged or destroyed as a direct result of conditions resulting in a federal disaster declaration as set forth in Sec. 6-9 herein), whether or not equipment or fixtures intended for such uses are removed, any subsequent use shall conform with the use regulations of the district in which the property is located.

(b) In case of determination by the zoning administrator that a nonconforming use has been changed to an illegal use, such illegal use shall cease and any subsequent use of the premises shall be in conformity with the use regulations of this appendix, or the illegal use may be changed to the last lawful nonconforming use to occupy the premises, so long as it has not been more than two years since the nonconforming use ceased.

Sec. 6-6. Sec. 6-8. Use and alteration of buildings with nonconforming features.

(a) A building which is nonconforming with respect to the bulk regulations or other feature required by this appendix may nonetheless be converted to and occupied by a use permitted in the district in which the building is located, provided that off-street parking and other requirements applicable to the new use are satisfied.

(b) A building which is devoted to a conforming use and is nonconforming with respect to the bulk regulations or other feature required by this appendix may be enlarged, extended or structurally altered, provided that the degree or extent of any nonconforming feature is not increased.

(c) An increase in the height of any portion of a building which is nonconforming with respect to a yard requirement shall be deemed to be an increase in the extent of the nonconforming yard of the building.

Sec. 6-7. Sec. 6-9. Damage to nonconforming buildings and uses.

(a) *Damage not exceeding 50 percent of value.* A building having a nonconforming feature or a building devoted to a nonconforming use which is damaged by an accidental fire, or an explosion, natural disaster or other act of God or the public enemy to an extent not exceeding 50 percent of its most recent assessed taxable value may be restored, repaired, reconstructed and used as before the damage, provided that the degree or extent of any nonconforming feature that existed prior to the damage shall not be increased, and the area devoted to any nonconforming use prior to the damage shall not be increased. ~~Such restoration, repair, reconstruction or reuse shall be completed within two years of the date of damage.~~ For purposes of this section, an "act of God" shall be defined as any natural disaster or phenomena including, but not limited to, a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire. For purposes of this section, owners of property damaged by an accidental fire have the same rights to rebuild such property as if it were damaged by an act of God.

(b) *Damage greater than 50 percent of value.* Whenever a building having a nonconforming feature or a building devoted to a nonconforming use is damaged ~~by any cause whatsoever or destroyed by a natural disaster or other act of God~~ to an extent greater than 50 percent of its ~~more~~ most recent assessed taxable value, ~~such building shall not be restored, repaired, reconstructed or used except in conformance with all of the applicable provisions of this appendix, except as may be authorized by the board of zoning appeals pursuant to section 6-8 of this appendix. and cannot be repaired, rebuilt, or replaced except to restore it to its original non-conforming condition, the owner shall have the right to do so. However, the owner shall apply for a building permit and any work done to repair, rebuild, or replace such building shall be in compliance with the provisions of the Virginia Uniform Statewide Building Code (Virginia Code § 36-97, et seq.) and the provisions of the local flood plain regulations adopted as a condition of participation in the National Flood Insurance Program.~~

(c) Notwithstanding the foregoing, any restoration, repair, reconstruction, or reuse undertaken pursuant to this section shall be completed within two years of the date of damage. If the nonconforming building is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then any restoration must be started and completed within forty-eight (48) months of the date of the damaging event. Owners of property damaged by an accidental fire shall have the same right to rebuild such nonconforming property as if it were damaged by an act of God. Nothing herein shall be construed to enable the property owner to commit arson under Virginia Code §§ 18.2-77 or 18.2-80, and obtain vested rights under this section.

Sec. 6-8. — Special exception for nonconforming buildings and uses.

~~The board of zoning appeals shall have the authority to grant a special exception as provided in article IX of this appendix for restoration, repair, reconstruction or reuse of a building having a noneonforming feature or a building devoted to a nonconforming use which is damaged by fire, explosion, act of God or the public enemy to an extent greater than 50 percent of its most recent assessed taxable value, provided that:~~

~~(a) Before granting any such special exception, the board shall be satisfied from the evidence presented that the proposed restoration, repair, reconstruction or reuse would result in the minimum deviation from the — provisions of this appendix necessary to enable reasonable use of the property~~

~~with consideration for its use prior to the damage. Whenever possible, the board shall require reduction in the degree or extent of nonconforming features and uses;~~

~~(b) In no case shall the board authorize restoration, repair, reconstruction or reuse to any extent that constitutes a greater deviation from the provisions of this appendix than existed prior to the damage; and~~

~~(c) Before granting any special exception, the board shall receive testimony and make a finding that restoration, repair or reconstruction of the building will not unreasonably impair light and air to adjoining property, will not impair established property values in the immediate area and will not otherwise be detrimental to the health, safety and general welfare of the public. Before granting any special exception to reestablish a nonconforming use, the board shall also receive testimony and find that the continued operation of the nonconforming use is in the public interest and contributes to public convenience.~~

Sec. 6-10. Nonconforming Lots of Record.

(a) Pursuant to Code of Virginia (1950) Section 15.2-2261(F), an approved final subdivision plat that has been recorded, from which any part of the property subdivided has been conveyed to third parties (other than to the developer or local jurisdiction), shall remain valid for an indefinite period of time unless and until any portion of the property is subject to a vacation action as set forth in Code of Virginia, §§ 15.2-2270 through 15.2-2278, as amended.

(b) A lot of record that is nonconforming due to lack of adequate frontage, width, depth, or area may be developed, provided the development proposed on the lot is in accordance with the applicable use and design standards contained in the district regulations.

(c) Any lot of record that has legal access but is nonconforming because it has no public street frontage may be developed, or an existing structure on the lot may be expanded, provided the Town reviews and grants a special use permit for the proposed development, expansion, and use in accord with the standards and procedures contained in this ordinance.

Sec. 6-9. Sec. 6-11 - Intermittent, temporary or illegal use.

Intermittent, temporary or illegal use of land or buildings shall not be construed to establish the existence of a nonconforming use for the purposes of this article, provided that a lawful seasonal use that was in operation for at least two consecutive seasons immediately prior to the adoption of this appendix or subsequent amendment thereto shall be considered a nonconforming use for seasonal purposes only and shall be subject to the provisions of this article.

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



Town Council Agenda Summary

Meeting Date

March 5, 2013

Department

Police

Issue

Briefing on proposed Extraterritorial Arrest Agreement between the Town of Vinton, Roanoke County, Roanoke City and the City of Salem.

Summary

Law enforcement agencies from the Town of Vinton, Roanoke County, Roanoke City, and the City of Salem, have met to discuss developing a regional agreement regarding responses, activities, and arrests in the Roanoke Valley to enhance our ability to deliver law enforcement services. This agreement expands and improves on one already in place between Roanoke County and the City of Roanoke.

Attachments

None

Recommendations

No action required