

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, May 20, 2014**

AGENDA

Consideration of:

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

1. Final review and discussion of the proposed FY2014-2015 budget.

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. UPCOMING COMMUNITY EVENTS/ANNOUNCEMENTS

F. CONSENT AGENDA

1. Consider approval of minutes for the Special Budget Work Session of April 10, 2014.
2. Consider approval of minutes for the regular Council meeting of April 15, 2014.
3. Consider approval of minutes for the Special Budget Work Session of April 29, 2014.

G. AWARDS, RECOGNITIONS, PRESENTATIONS

1. Officer of the Month for April 2014 – Master Police Officer Scott Hurt
2. Proclamation for Click It or Ticket
3. Proclamation for National Emergency Services Week

H. PUBLIC HEARINGS

1. Consideration of public comments on a request to revise Water and Wastewater Fees and Charges Schedule by an increase of 8.9 percent for FY2014-2015 and an increase of 8.9 percent for FY2015-2016, pursuant to authority granted by Virginia Code §§ 15.2-2111, 15.2-2119 and 15.2-2122, according to the Vinton Town Code, Chapter 24, Utilities, Section 94-22 Fees and charges for water service and Section 94-74, Fees and charges for wastewater service.
 - a. Open Public Hearing
 - Report from Staff
 - Receive public comments
 - Council discussion and questions
 - b. Close Public Hearing
 - d. Action to be taken on June 3, 2014

2. Consideration of public comments regarding the proposed FY2014-2015 Town of Vinton Budget.
 - a. Open Public Hearing
 - Report from Staff
 - Receive public comments
 - Council discussion and questions
 - b. Close Public Hearing
 - c. Action to be taken on June 3, 2014

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

J. TOWN ATTORNEY

K. TOWN MANAGER

ITEMS REQUIRING ACTION

1. Consider adoption of a Resolution approving the updated Emergency Operations Plan for the Town of Vinton.

2. Consider adoption of an Ordinance repealing the Vinton Town Code Chapter 15, Stormwater Management, Chapter 15.1, Erosion and Sediment Control and Steep Slope Development and Chapter 15.3, Storm Sewer System Illicit Discharge and adopting a new Chapter 79, Stormwater Management.

UPDATE ON OLD BUSINESS

L. FINANCIAL REPORTS FOR MARCH AND APRIL 2014

M. MAYOR

N. COUNCIL

O. ADJOURNMENT

NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.

Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council meetings. Please call (540) 983-0607 at least 48 hours prior to the meeting date so that proper arrangements may be made.

NEXT TOWN COMMITTEE/COUNCIL MEETINGS/EVENTS:

June 2, 2014 – 5:30 p.m. – Finance Committee Meeting – Finance Department Conference Room

June 3, 2014 – 6:00 p.m. – Work Session followed by Regular Meeting at 7:00 p.m. – Council Chambers



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Administration

Issues

Final review and discussion of the proposed FY2014-2015 budget

Summary

None

Attachments

None

Recommendations

No action required



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Town Clerk

Issues

1. Consider approval of minutes for the Special Budget Work Session of April 10, 2014.
2. Consider approval of minutes for the regular Council meeting of April 15, 2014.
3. Consider approval of minutes for the Special Budget Work Session of April 29, 2014.

Summary

None

Attachments

April 10, 2014 minutes
April 15, 2014 minutes
April 29, 2014 minutes

Recommendations

Motion to approve minutes

MINUTES OF A SPECIAL WORK SESSION OF VINTON TOWN COUNCIL HELD AT 8:30 A.M. ON THURSDAY, APRIL 10, 2014, AT THE VINTON WAR MEMORIAL, 814 WASHINGTON AVENUE, 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
Ryan Spitzer, Assistant to the Town Manager
Barry Thompson, Finance Director/Treasurer
Kevin Kipp, War Memorial Facilities Manager
Ben Cook, Police Chief
April Alterio, Administrative Services, Police
Anita McMillan, Planning & Zoning Director
Gary Woodson, Public Works Director
Chris Linkous, Fire & EMS Captain
Mary Beth Layman, Special Programs Director

The Mayor called the work session to order at 8:40 a.m. to hear budget presentations by the Town Manager and Town staff. The Town Manager began with some opening comments and announced that he and Mr. Thompson would have to leave the work session around 10:30 a.m. to attend a Regional Center for Animal Control & Protection Board meeting. They will return after that meeting.

The Town Manager began with his Power Point presentation by commenting on budget priorities. These are maintaining core services with minimal reductions, developing funding plan for a five-year capital improvement program, maintaining competitive employee benefits and compensation and a focus on Economic Development and implementation of the downtown revitalization initiative.

The proposed budget is a total of \$12,007,886, with General Fund being \$8,557,951 and Water and Sewer Fund being \$3,449,935. The proposal is to maintain our current tax rates and the next two slides shown were a graph showing a breakdown of the General Fund revenues and a listing of those items by category. General fund expenditures are predominately made up of Public Works and Public Safety. Community Development is the other large area which includes the downtown project CDBG grant.

The budget shows an 8.23% increase which is comprised of the CDBG Grant for the downtown project in the amount of \$675,000 along with an RSTP grant in the amount of \$89,900 for the Walnut Street improvement project. The funding of capital items included is \$38,400. Milling and paving accounts for \$229,535 in the General Fund and \$40,000 in the Utility Fund for a total of \$269,535. Regarding electricity and fuel costs, there has been a consistent increase in these areas. Also, we have our contributions to the Volunteer Fire and EMS of \$32,600.00

Our annual payment for the joint venture with the County for the Library is included again in the amount of \$50,000. This is the fourth of five payments of \$50,000. After five years, this will increase to around \$63,000 for an additional five years which includes interest. Community/Organization Contributions were included as well as contributions to joint local government services.

The Town Manager next commented that our health insurance increased by 8.6%. The proposal is to offer the same two plans again this year, but next year one of the goals will be to re-evaluate our current plans because the costs keep going up and the Town keeps taking on more of those costs even though the employees are also paying a percentage. Because there are no proposed raises in the budget, we did try to hold the costs down for the employee with no increase from last year, but did increase the employee plus one or family coverage costs.

We always try to maintain promoting professional development and tuition reimbursement. There has been a decrease in tuition reimbursement this past year, but any employee who desires to go to school can apply for this reimbursement. Mr. Hare asked how much do we promote this reimbursement and the response was that we do not promote as a whole, but department heads know of the reimbursement policy. Mr. Adams asked about the qualifications for the reimbursement and the Town Manager responded that the classes eligible for reimbursement must be towards a degree and has to relate to their current position.

The other big increase this year was our VRS of \$130,000. The new VRS hybrid plan that went into effect for all new, non-vested employees on January 1, 2014 should save localities some money over time. However, most of the employees in the Town are all VRS Plan 1 and 2. Every two years we get an actuarial valuation. Two years ago we chose the lower rate so our increase is more this year. We were again offered to pay the lower of the two this year, but we put the higher rate in this proposed budget.

Regarding capital improvement, three key projects were identified to be critical and funded in this budget. The Walnut Avenue Corridor VDOT project, which is our two percent share of the bridge, and our 8th Street intersection. The dump truck with hook lift and a dump body that we have delayed in this year's budget is also included and designed as a five-year lease with a payment of \$25,800. If we are going to keep the pool open, it has to be maintained. They are going to drain it this year and patch, but it needs to be painted at a cost of \$7,800 next year.

A fourth CIP item is replacing an ambulance. September is the grant cycle and this will replace our third ambulance, a 2006 model with 100,000 miles. Mr. Hare asked if we lose the second ambulance during the day as proposed with the new 24-hour fire coverage, would we need this vehicle. The Town Manager responded that with the grant cycle you apply in September, receive the funds (if awarded) in January and it takes about four to six months to build an ambulance. By July of 2016, according to the plan, we will have two ambulances. We have another meeting tomorrow and we certainly hope and desire that the second ambulance will still be in service. The Volunteers have also offered to be the cost share for this ambulance.

Vice Mayor Nance asked about the other CIP items from this year that were put on hold. The Town Manager responded that the speed trailer was contingent on grant funds, which we did not receive. The traffic and minor transportation improvements that are critical will get absorbed into our operating budget based on priorities. The renovation to the Fire House was the other major one and we still have \$38,000 earmarked for this year plus we will be using fund balance to complete. The City Works software has been placed in the Water and Sewer fund.

The Town Manager continued by commenting that rather than proposing to raise taxes, he believes our fund balance is healthy enough to use to balance the budget. This will allow us another year to prioritize and strategize how best to fund Public Safety and our capital needs. Also, operating needs and costs of living for our employees are increasing. We have given small raises along the way, but we are going to have to look at competitive salaries to retain and recruit

highly qualified employees. A slide was next shown with a breakdown of the Community Contributions and Joint Local Government Services was provided in the proposed budget.

The Utility Fund is at \$3,449,935 and all but \$14,000 is rate-funded. The expenditures are fairly even with water and wastewater both at 30%. Under administration, the cost allocation covers some of the staff in other departments such as Finance and the Town Manager's Office. The Public Works Department also re-allocated some of their employees to the fund most appropriate for their current job duties. The only change to the bottom line is the proposed rate increase.

Mr. Hare asked where the profit was and the response was that it has been spent. Mr. Hare then commented that we did a rate increase to start building up fund balance and we are just spending it. The Town Manager commented that at the end of this year, we will start building up that fund reserve. Mr. Hare next commented that in the proposed budget we are planning on spending it all and he does not want to start shifting the general fund problems back onto the water fund again.

The Town Manager stated that what is proposed is an 8.9% increase for the next two years and then we would go out and get more debt to pay for big projects. Right now we are building the opportunity to pay for that. This year we are spending it on three capital projects that in theory are one time projects.

We only have a 0.60% increase in the proposed budget. But we spent \$100,000 this year out of fund balance to buy the generators. So, we increased our budget \$100,000 and when you compare it to this new budget, they are almost about the same. We do not propose any increase in water and sewer system development fees. There was an increase of \$69,731 which is a 19% rate increase from the Western Virginia Water Authority which was retroactive to July 2013. We have sent a letter to the Water Authority to ask them to look at a different cycle for those costs so that we can better plan for any increased costs in the future.

Regarding the rate increase, we had an 8.7% last year and 8.9% is proposed for the next two years. We propose to advertise the Public Hearing for the rate increase for the next two years. Mr. Hare commented that need to do a better job of advertising these rates because he has heard complaints. Barry Thompson commented that the Town Manager designed a very good brochure last year which went to every water customer and some customers commented that it was the best information they had received. We can update that brochure and send it out again.

The last point was to highlight the CIP based on Davenport's rate study. The City Works software is all in the water and sewer fund now. Other items are the hand-held meter reading device upgrade. As we replace water meters they will be wireless and as we work through new water projects, the meters will be replaced with wireless ones. The replacement of the waterline on Southampton is included which is all of the town houses.

In response to a question, Mr. Thompson responded that we currently have around 120 wireless meters on the commercial side. Those were done first because of safety issues and the fact that the meter readers had to go inside some of them to get the readings. He plans to do a pilot program in the Midway neighborhood this year. Once we get some pilot areas going and see the benefits, his plan is to come back to Council and discuss incorporating some funds into the next bond proposal. Also, there is a potential revenue factor in replacing the meters because some of them are 35 years old. Mr. Adams asked about the battery life in these meters and the response was between 20 and 25 years.

The last three CIP items were Phase 2 of the Jefferson and Cleveland waterline, the design and replacement of sewer main on Blandford and the replacement of the waterline on Southampton Drive.

The next presentation was by Kevin Kipp on behalf of the War Memorial. The key department goals provided in the proposed budget remain very consistent with what has been done over the past year. The budget reflects an increase of \$42,453 which represents contracted re-sale items and funds that we are paying out. On the actual expenditure side, we are down about \$10,000 over last year.

Mr. Hare asked with the services being offered to try to get business in with the pass-through items, when we do we get to the point that we can add a percentage to the packages for the time spent. Mr. Kipp responded that staff has made a significant investment of time, but he does not feel that they are there yet. The market has to respond a little more to what they are doing and they have to promote the value in a stronger sense, but there are items in the budget that will help them get to that point. For example, they are selling weddings during the prime season of April through October at about an 8-10% increase over the past five years of sales because of the infrastructure that is now available. Mr. Hare asked if on the War Memorial summary, could Mr. Thompson drop the revenues at the top and then calculate the subsidy at the bottom to show that the subsidy will go down by \$5,500.

Mr. Hare asked about the credit card fees. Mr. Thompson responded that currently the credit card payments are with different entities. He is getting a proposal from a firm that can incorporate all pieces of the operation into one file and feed it into our general ledger. Mr. Hare commented that hopefully we will be able to get a reduced rate with having a larger volume.

Vice Mayor Nance asked what is the likely revenue for this year and the response was close, within \$10,000. Mr. Kipp said he forecasted it at \$205,000 and after taking out \$42,000 in contract sales, that would put us in the mid \$170,000 range this year.

The Town Manager commented that one strategic, critical item that has always been missing is a hotel in town that could service individuals who use the War Memorial. As we look at economic development as a whole and this facility as to what Kevin and his staff can do business wise, he thinks a hotel is a very strategic conversation piece. Mr. Kipp stated we have tremendous resources with a lot of independent hoteliers in the region and we are connected with them through the Virginia's Blue Ridge Hospitality Association and the Roanoke Convention and Visitors Bureau.

Following the War Memorial presentation, Council took a short recess.

The next presentation was given by Ben Cook on behalf of the Police Department. He began with a review of the key department goals. This is the year for the re-accreditation which starts in September. Other goals are to conduct a Business Police Academy for the local businesses and to continue the basic Citizens Police Academy. They will continue to search for grants to try and obtain a new speed trailer/message board for traffic safety.

Regarding enhancing the school liaison program, there has been very good reception from the two schools. Mike Byrd and Mike Caldwell have been visiting both elementary schools and interacting with students frequently. Officer Byrd has also been mentoring some of the trouble students and is initiating "My Little Me", a program which allows officers to adopt a child at the school that may need a parental figure. Another key goal is to develop a patrol strategy for the Greenway. After hearing a presentation from Anita McMillan, we realized that if something

happens on the Greenway, we do not have a lot of ways to get in there. We are looking at possibly getting some type of ATV so that we can use it for regular patrol as well as a search or rescue. Mr. Adams asked if he was considering an ATV that you could put a stretcher on if it was needed. Chief Cook responded that initially, we want to get an Officer in there on patrol. However, we have looked at some ATVs that have a tow hitch behind them where we can pull a stretcher behind to get out. The last goal related to analyzing traffic and crime data for more effective patrolling.

Chief Cook continued with significant budget increases of \$5,100 in maintenance service contracts. This relates to an increase in the Roanoke County radio usage fee and an increase in the RACJIN fee, which is the data sharing among the Roanoke Valley agencies and beyond. The CAD Software maintenance fee was increased to add a CAD IP function which allows CAD to be viewed on all computers including iPads. We realized the need for this service after the snow event in January and Roanoke County dispatch being unable to get calls to us in time because of the extreme volume. Another increase was in firearms and ammo of \$3,000, which is mostly to replace Tasers with newer models and to reduce the number from six to four. Meeting expenses of \$500 and telephone charges of \$3,000 were also increased. Relating to telephone charges, Chief Cook commented that the video magistrate system was just converted from Verizon to Cox Cable for a savings of \$3,000 a year. We were paying \$320 a month for phone lines to power the system and Cox Cable's charge is much less. Mr. Hare commented that essentially the Police budget is increasing \$90,000 with most of it being in medical and retirement. Chief Cook next commented that travel and training was decreased by \$2,500, other equipment by \$4,100 and gas, oil and grease by \$5,000.

In consideration for future budget planning, Chief Cook commented that salaries for police officers in surrounding jurisdictions are increasing and we need to remain competitive. We do invest thousands of dollars into hiring, equipping and training our officers. Mr. Hare asked how much we spend to recruit, hire and maintain an officer. Chief Cook did not have that information, but he would research it and report back to Council. Mr. Hare commented that he would like to also compare all of our benefits to other jurisdictions to see if we are really losing that competitive edge.

Vice Mayor Nance asked what was the initial training cost at the Cardinal Academy compared to the continuing law enforcement training. Chief Cook responded that they spend around \$9,000 a year just in dues to be a part of the Academy and each class averages about \$250-350. Mr. Nance then commented that our stagnant revenue has obviously had an impact on our capital improvement investment and we are also starting to see the squeeze on our public safety. It is going to be difficult to make the hires that we are talking about with 24-hour fire. He assumed that Chief Cook's number one concern is officer retention and being competitive with a budget that is having to stay basically flat. Chief Cook responded yes to which Mr. Nance asked what was his number two priority. He responded with a school resource officer and someone to work with domestic violence.

Mr. Hare asked about improvements to the Police Department that have been done over the past few years. Chief Cook responded that another evidence cell was created. The evidence processing room is small, but functional. The conference room is complete except for installing a high-band radio, but it still serves as a small scale emergency operation center. The facility is old and we need a new building at some point. One thought would be the old library. As far as location it would be perfect, but unfortunately it is as old as this building and a lot of renovations would have to be made. It is also a key piece of real estate for the town in future planning for maybe a hotel or something else.

Vice Mayor Nance commented on the reduction in the fines and forfeitures revenue and what is causing this reduction because court costs are not going down. Chief Cook commented that our tickets are down and when the economy starting going down, the Judges starting showing more sympathy on individuals and in lieu of fines, they were being assigned community service or some type of referral program.

In the Animal Control budget, the RCACP debt service was transferred to another part of the budget in the amount of \$69,590. A new line item was added for \$1,500 to pay for veterinary services.

The next presentation was by Anita McMillan on behalf of the Planning & Zoning Department. One key department goal is to continue to partner with Roanoke County and Roanoke City regarding the Virginia Stormwater Management Program implementation, the MS-4 Permit new requirements and the Upper Roanoke River TMDL implementation plan. We are trying to get the City of Salem to partner with us as well. Another goal is to update the Comprehensive Plan which was last amended in February 2010. We are required to review and amend our Plan every five years which will be due again in 2015. Our Zoning Ordinance, which was adopted in 1995, we have been doing piece-mill, but we would like to update it as well. However, with only two staff and my obligation with stormwater, it will have to be set as a matter of priority.

Vice Mayor Nance commented that Council on several occasions has talked about reforming the zoning ordinance in a more pro-business way. With the revitalization of what is happening downtown, this is the window of opportunity to re-address the downtown area and maybe the town as a whole. It seems that we need to prepare our zoning ordinance to make it consistent with the vision of what we want for that portion of downtown. Ms. McMillan commented that our current ordinance is very traditional. For example, we have minimum parking requirements which is sometimes difficult for business owners to meet. A suggested change is to state a maximum instead of a minimum. Another suggestion is to do design guidelines as recommendations. Ms. McMillan further commented that the process begins with a lot of research and comparisons and usually takes from 18 months to two years. Even if we hire a consultant, we still have to do a lot of the preliminary work ourselves. Mr. Adams commented that the zoning ordinance regarding signs keeps coming up and he thinks it needs to be re-addressed. Other comments and suggestions were made regarding our current sign ordinance.

A final key goal is to continue to work on the Community Rating System program requirements and a submittal for the Town rate to be reduced from Level 10 to Level 9 to help lower the cost of flood insurance for our residents and businesses. The Roanoke County flood engineer has been reviewing our plans and we in the process of developing a formal Memorandum of Understanding. The Building Code requires that properties in flood-prone areas be reviewed as part of any building development. If we get the MOU in place, we should be able to take credit for whatever Roanoke County is doing for their CRS. They have been a CRS community since early 1995 and are a Level 8 now. Roanoke City is Level 7.

Ms. McMillan continued with the significant budget highlights. There is a \$5,000 increase for the SVMP local implementation, the MOUs with Roanoke County to review our stormwater requirements and for additional requirements with the MS-4 permitting. An increase of \$1,000 is for continued maintenance of the Wolf Creek Greenway. The last increase is for the 3rd Street boat/canoe launch improvement of \$3,500.00. Ms. McMillan indicated she did apply for the Foundation for Roanoke Valley grant, but did receive it. If we are to do everything, it would cost around \$7,000. The \$3,500 is to cover the basic items needed to meet our insurance requirements if we are to open the existing launch to the public. The launch has been included on the map of the Blue Ridge Blueways. The concept is to provide four parking spaces because Public Works uses

the area for parking during the week. Jack Cranwell would like to work on the launch for his Eagle Scout project and indicated he would also come up with the funding. Mr. Hare commented that he sees the \$3,500 for the canoe launch as being an investment for the Town.

Ms. McMillan gave an update on the Glade Creek Greenway. When we submitted the 50% complete drawing to VDOT, they said we would have to have a crosswalk on Virginia Avenue to go to the other side which would require additional costs for signalization. Now we are looking at another option which is to go down under the Roanoke City bridge and looping into PFG where there are steps. However, we have to make it ADA accessible. This is about \$60,000 in additional costs, which would require a 50% match and she is checking with the Greenway Commission to see if there would be any funds available through the Pathfinders. We applied for the RSTP funds for the sidewalk along Walnut Avenue and for the pedestrian bridge on Tinker Creek which is about \$2.2 million. If we do this with the \$60,000 additional, we would not have to do the pedestrian bridge.

Mr. Hare commented that it appears there is a resource issue in the department and to do any of the key goals is going to eventually require additional staff. This may be a good topic for our strategic retreat this fall.

The Work Session was recessed for lunch at 11:46 am.

The Work Session reconvened at 12:30 p.m. The next presentation was by Gary Woodson on behalf of the Public Works Department. Mr. Woodson first commented that there were around 50 goals provided in the proposed budget that the department was able to accomplish this year, and then he read a new mission statement that has been created for the department. He commented on his first slide which showed photos of some of those accomplishments.

There were 18 key departmental goals that were identified. Mr. Woodson commented on three of the key goals, the first being to purchase and implement an Asset Management Program which is the City Works. This program will enable the department to better manage and budget for the Town's infrastructure assets, to help track work orders, special project management and inspections along with assisting in mapping of GIS layers. This program is also compatible with Roanoke County.

A second goal relates to alley, roadway and street construction and maintenance. Mr. Woodson commented that we are waiting for a report from a roadway management consultant. This report will be brought back to Council at a later time and will give a scoring of the condition of our roadways. Additional comments were made on street signs and the milling and paving project on the east side of Virginia Avenue that will be completed in a few weeks.

Regarding infrastructure improvements, they are currently working on the Jefferson Avenue project and expect to have the design plans in the next few weeks. Once the plans are received, they will be sent out for bid to see what the construction costs are. We will then access what we can do internally. The second phase to do Cleveland has been placed in this proposed budget. The Southampton water system upgrades and Blandford Avenue sewer main design and replacement were also mentioned.

The Mayor asked about the Southampton water upgrade and Mr. Woodson responded that \$20,000 has been budgeted to replace 1,000 feet of two-inch galvanized pipe with two-inch HTPPE pipe. There are 40 units with one-inch service lines and five valves will also be replaced. We have a very high report of breakages in that area, but what prompted this project was a call

that they are getting ready to resurface their parking lot and they wanted to coordinate with the Town.

Mr. Woodson commented in response to a question regarding the report that will be forthcoming from the roadway maintenance consultant mentioned earlier. There will be some funds left from this fiscal year for roadway maintenance and he would like to present what this report shows the town's roadway systems look like now and then prioritize the rest of this year's money. For the next fiscal year, it will also help to prioritize what is important from Council's perspective and also from a structural standpoint. The Town Manager commented that the Public Works Committee will also be reviewing the report.

Mr. Woodson next commented on the significant budget highlights. The Public Works Administration account shows an increase of \$2,850 with the substantial increase being in contractual services and janitorial/inventory supplies. The increases are actually transfers from the Building and Maintenance account in the General Fund for janitorial services and supplies to better reflect those expenses incurred just for the Public Works facility. Some of the items shown are a reflection of a five percent decrease.

Under Maintenance, Highway, Streets and Bridges, there is an increase of \$5,350. All line items under this account except Capital Outlay show a decrease. The significant decrease in the VDOT-Walnut Avenue Corridor line item relates to an over-budget for that item. The increase in Capital Outlay is the other \$4,800 of the Walnut Corridor improvements and the hook-lift and dump body which is a carry-over from this year's budget and is for the first year's lease.

In response to a question regarding Special Training, Mr. Woodson commented that he tries to not cut this fund. With the volume of promotions that we have had within the organization, the training is very essential for these employees.

Mr. Woodson corrected the slide for the 200.4105 account by indicating that is actually the snow and ice removal account and a decrease of \$1,000 is recommended. We are going into the Spring with a full storage of salt. This year our snow removal program was redesigned and it helped to save on labor and product, but gave the same basic level of service to the community. Mr. Nance asked if the new program worked to the detriment of our employees regarding overtime that they were used to getting and Mr. Woodson responded yes. However, we gave a better level of service, were more effective and better utilized the funds. He further commented on the way the program was handled this past season. Rather than have employees standing around waiting for the snow, they were scheduled to come in as necessary as the temperatures dictated.

In the traffic signs, street lights line item a net reduction of \$2,200 is proposed which is a five percent reduction. Some of the intersections that are scheduled for work under the CIP, the traffic signs and street lights will hopefully be covered as part of those projects.

The next account is the Refuse Collection Account. The first slide on this account shows a savings of \$10,307 if the Third Street Dumpster Service is eliminated. The Town Manager commented that the Roanoke Resource Authority is building a separate residential trash facility on their site. He would recommend that we not eliminate our dumpster service until this one opens. In evaluating what are our core services, he would like for Council to consider eliminating this service since there is an option now for a comparable service for our citizens. Mr. Adams commented that the issue is the hours that the Resource Authority will be open. Mr. Woodson next commented that the site for the proposed canoe launch is near the dumpster

site. The other refuse collection line items show a total decrease of \$1,500. Contractual services was decreased \$2,000 and gas, oil, grease, antifreeze was decreased \$7,000. An increase of \$8,000 in the regional landfill charges is due to an increase to \$48 per ton, which is around a 2.3% increase.

Mr. Nance wanted to clarify that the current proposed budget eliminates the Third Street Dumpster Service and if Council decided to continue that service, the \$10,307 in savings would have to be put back into the budget. The Town Manager commented that was correct. The Mayor asked if we decided to eliminate this service and later found out that it had a significant impact to our citizens, are there plans to restore that lot or leave it as is. Mr. Woodson responded that his first step would be to put a temporary construction fence along the parking area and lock it down to limit that access. Signage would be placed to give instructions on the hours and operations of the Transfer Station and perhaps an explanation of why the service was discontinued. We would leave everything in place until such time we are confident it will not be open again or we decided to do something different with this particular piece of property. Council commented on the hours that the Transfer Station is open on Saturday and would like to suggest that they have longer hours on Saturday.

Mr. Woodson commented that he skipped the street and road cleaning line item which is the street sweeper. When the sweeper is operational we are receiving VDOT maintenance funds, so we want to keep it running all we can. The sweeper is over 10 years old. The pieces of equipment that are the most in need for Public Works are the street sweeper, the bulk truck and the trash trucks. These items will be next big ticket items that will need to be replaced. The Town Manager responded to a comment regarding the street sweeper being used for stormwater by stating that it is our best and highest stormwater credit. Mr. Hare asked the price for a new sweeper and the Town Manager commented approximately \$190,000.

In the recycling budget, there is a \$250 decrease. The contractual services line item has an increase of \$1,150 because we now pay to recycle primarily for plastic and cans. Mr. Hare stated that he commends the Town and Council for the recycling program. Mr. Woodson further commented that his staff is in the process of putting together their annual recycling report for the State. We are getting poor responses from the businesses and industries, so we have to make calls to get the numbers that we need for the report. The State requires a 25% recycle rate and we are typically in the mid-60 range. When Cycle Systems was in the area, we were paid for the items we recycle. Now, the Town pays the new company, RDS, for everything we recycle and they are the only one in Town. The Town Manager commented that RDS takes a lot more recyclables than Cycle Systems did. We could recycle more items, but we would pay more. The question would be could we pick up more recycling at a cheaper rate than paying \$48 a ton to take to the landfill.

Mr. Woodson continued with the water and wastewater accounts. The Administrative budget shows an increase of \$56,900 with the bulk of that being in the capital outlay of \$54,000. This is for the CityWorks asset management software and for hand-held meter readers. As we put in new meters or replace old meters, we are replacing them with radio-read meters.

Under water systems maintenance, there is a \$120,000 increase which is completely capital outlay. The maintenance and repair of buildings line item has now been broken into ten separate accounts to assist in capturing individual well costs. This will help us to see which wells are costing us the most in maintenance and repair. The \$120,000 in the capital outlay is relative to the Jefferson and the Cleveland Avenue waterlines and the Southampton Drive waterline.

In the wastewater system maintenance, there is an increase of \$111,531. The bulk of this increase is \$69,731 for our costs to the Water Authority, a 19.2% increase. Mr. Hare asked if our report from Davenport included this increase and the Town Manager responded no. Mr. Hare then commented it might be worth looking into the impact of this \$70,000 against the 8.9% increase and should the increase be more. The Town Manager then commented that we now know and have budgeted for the fact that the 8.9% rate increase does not equate to an 8.9% revenue increase, it is forecasted to about 3.4% in revenue. Mr. Woodson continued by commenting that he also broke out the maintenance and repair buildings line item in the wastewater budget into three accounts to assist in capturing individual sewer station costs. The capital outlay increase of \$50,000 is for the Blandford Avenue project to replace 650 feet of eight inch sanitary sewer line which is approximately 26 feet deep. This will require a piece of equipment and a large enough trench box. Since we can only go about 8 to 12 feet with our equipment, it will probably be done by a contractor.

The next presentation was by Chris Linkous on behalf of the Fire/EMS Department. He began by reviewing the key department goals. The first is to develop a funding agreement with Roanoke County along with an EMS grant to replace the 2006 M-23. It currently has 90,000 miles on it. Others related to getting the new Rehab 2 equipped and put into service, focus on key building systems for the Crew Hall and purchase a new Thermal Imaging Camera to replace the current one that is ten years old on Engine 2. The First Aid Crew desires to recruit at least five new members and the Fire Department wants to try and recruit at least ten more volunteers. Another item is to start looking at renovating or demolishing and rebuilding the Fire Department. The last goal was to try and develop a funding agreement with Roanoke County to replace Ladder 2. Mr. Hare asked with the 24-hour fire coverage plan, would they be able to man the Ladder 2 truck. The response was not for at least a year.

Mr. Linkous commented on significant budget highlights. The increase in the salaries and wages of \$62,500 is for a new employee for the 24-hour shift plus the cost for a promotion for a Lieutenant. The overtime budget increased by \$15,000 to cover additional overtime for 24-hour shift cycles. Contract services increased by \$7,850 which represents \$2,500 for maintenance on the HVAC system, \$3,200 for physicals for eight firefighters and some slight increases in other current contracts.

The water and sewer line item increased to account for more staff and volunteers staying in the building around the clock and an increase of \$1,500 in other equipment to replace the 10-year old ice machine. The approximate cost of \$3,452 is to replace the cuber plus the charge for labor and the delivery charge.

Mr. Adams asked about the grant expenses. Mr. Linkous responded that this line item is the Aid to Locality funds that the Department gets from the State each year. We are averaging \$20,500 every year that we can use for specific items. If we do not use the funds, they roll over. Now we are at \$52,000. Hopefully they can be used toward the purchase of a Ladder truck, fire truck or other similar equipment.

Mr. Adams asked about the fee for transport and trying to get more detail of how they come up with the number for our reimbursement. He would still like for the Town to get a report that breaks it down. Mr. Linkous responded that he had spoken with Chief Simon and asked for a more detailed report. Chief Simon told him that a more detailed report could not be furnished because it is automated from the billing company and the way they bill is not by the ambulance or the unit number, they bill by the patient name and if it is ALS or BLS. Such a report would have to be created manually. Mr. Adams then commented that somewhere there has to be a report that shows how much money the Town gets and how they come up with that. The

amount of calls that the Vinton station is running is going up, but the dollars are going down. Mr. Linkous commented that there are more patient refusals and Medicaid will do everything it can to get out of paying a bill. If it is dispatched BLS and the BLS truck goes, Medicaid has gotten to the point they will not pay the bill if they determine the patient could have been transported by other means. Mr. Adams responded back that the report should show that Medicaid refused to pay a particular bill.

The last presentation was by Mary Beth Layman on behalf of the Special Programs Department. She began with a slide showing her key department goals and commented on a new goal to help plan and implement Vietnam Veterans Commemorative events in conjunction with other localities and committee. Last June, the Town became a partner member in the Vietnam Veterans Commemoration and an event was held in the Town. There is included in the proposed budget an amount to sponsor the Vietnam Memorial Moving Wall and we have the responsibility of holding two events a year. The Mayor serves as a Committee member. Ms. Layman commented that she will fully support the new "In Vinton" branding, and the Downtown Revitalization Grant program. She will continue to work with other organizations to facilitate other events in the Town and continue to organize and conduct events at the Farmers' Market.

Significant budget increases highlighted were contractual services with an increase of \$5,322 which includes increased costs in cleaning of the Farmers' Market, the increase of the fireworks as well as the sponsorship for the Vietnam Memorial mentioned previously. Electrical services had a slight increase for the Farmers' Market. Materials and supplies showed no change, but Ms. Layman commented that they are looking at transitioning some of the Christmas decorations to LED replacement bulbs at they can. It takes about 25 bulbs per decoration and there are around 36 decorations.

Dues and subscriptions increased by \$110 to join the Smith Mountain Lake Chamber for "In Vinton" marketing and branding and the Farmers' Market budget increased by \$1,500 which is used for SNAP pass through and grants/donations.

Ms. Layman next commented that the Veterans Monument is now on the Town's insurance, but a transfer of ownership needs to be completed. The Committee is currently working on the donor plaques and hopefully they will be placed this summer. This is approximately a \$12,000 project and this will deplete most of the funds. The Committee next will focus on an endowment fund. The cost of \$3,919.50 for a security system for the Monument and the War Memorial was cut from the proposed budget. This cost would be shared 50% with the War Memorial and if there are no repairs on the monument, she suggested we tap into the repair money and purchase this system. The Vision Committee also supports this request.

Ms. Layman next commented on key goals for the swimming pool. She indicated that she is struggling with the volunteer groups this year and gave an update. Under significant budget highlights, the salaries and wages may increase due to pre-season cleaning duties by in-house staff. The seasonal contract pool technician ended his contract last year which accounts for the \$3,135 decrease in the contractual services line item. The funds under Special Projects for the pool were cut, but the volunteers and patrons have stated that the pool needs some type of amenity. She mentioned a turbo twister slide that runs around \$2,877 or a basketball goal that runs around \$700. In capital outlay, the \$7,800 is to purchase the paint for the interior for the pool. She hopes to have the labor provided by the Roanoke County inmates.

The key goals for the Senior Citizens program are to have the exterior of the Senior Center painted and in-house cleaning/painting of the ceiling grid and replacement of ceiling tiles, conduct a customer survey and organize and implement new activities and classes. Significant

budget highlights were in the maintenance service contract of \$505, maintenance and repair to building of \$1,508 to purchase the ceiling tiles and exterior painting of Senior Center as previously mentioned. Janitorial/inventory supply was reduced by \$800 which represents a savings by having our janitorial service purchase our items and replacement of equipment was decreased by \$600.

The Town Manager commented that one item for consideration in the future is an upgrade to the kitchen for the Senior Center to make it more aesthetic and inviting for a building that is rented three and four days every week. Ms. Layman also commented that the exterior painting had to be delayed last year because of having to replace the HVAC, but the painting is planned for this year. Also, last year the roof was painted.

The Town Manager asked if any Council Member had any other comments. The Mayor commented on the request from Mr. Stanley at a prior Council meeting that the Town purchase trashcans for the citizens. The Town Manager also commented that when we are ready to purchase a new trash truck, it would be the time to consider a more automated type of truck, perhaps a rear loading truck. The Town is too dense to use the one-arm bandit type of truck. Mr. Hare said that Mr. Stanley's biggest problem is not having uniform trashcans, but that we need to better enforce our Town Code regarding trash being placed in cans.

The Mayor also commented on the organization in the Valley called "Rebuilding Together". They have done some work in the Town and would like to be considered for any contribution as we go through our budget process. He also asked about the unappropriated fund balance and suggested that it is time for Council to decide what is a good safety net that we should not touch unless there is a dire emergency. Then the other unappropriated funds would be those funds that we could use for capital improvement items or other items that Council finds appropriate. . The Town Manager commented that on the April 29, 2014 budget work session, he and Mr. Thompson can bring a formal presentation to Council an update on our fund balance, the GFOA recommendations and our recommendation based on cash flow and other factors.

The Work Session was adjourned at 4:21 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, APRIL 15, 2014, 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
Theresa Fontana, Town Attorney
Susan N. Johnson, Town Clerk
Ryan Spitzer, Assistant to the Town Manager
Barry Thompson, Finance Director/Treasurer
Anita McMillan, Planning & Zoning Director
Ben Cook, Police Chief
Gary Woodson, Public Works Director
Karla Turman, Associate Planner/Code Enforcement Officer
Joey Hiner, Assistant Public Works Director
Chris Linkous, Fire/EMS Captain
Chad Helms, Lieutenant-Fire
John Hobbs-Lieutenant-EMS
Richard Oakes, Volunteer Fire Chief

PLANNING COMMISSION MEMBERS PRESENT: David R. Jones
Paul R. Mason
William E. Booth
Dawn M. Michelson

PLANNING COMMISSION MEMBER ABSENT: Robert A. Patterson

The Mayor called the work session to order at 6:00 p.m. to hear budget presentations from departments. Barry Thompson, Finance Director/Treasurer began by commenting that his overall budget is down 9.51% with his operating budget being reduced by 12.26%. We have completed most of the goals that were set for the FY2013-2014 budget year. He then began with his Power Point presentation by first reviewing his key department goals for the upcoming fiscal year. The first key goal is to implement an on-line Employee Resource Center. This would allow employees to be able to access pay information and historical pay information as well as leave accrual and balance information on-line.

An RFP is being developed for our electronic payment methods to ascertain the best rates. This would move them under one provider to allow staff to process payments and update the subsidiary and general ledger, which is currently done manually, in the most efficient manner.

The third key goal is to improve the animal tag system to streamline the process to register animals and to comply with state requirements for validating vaccination records. Most of this process is currently done manually, but we have found a system that is relatively inexpensive. It will automate all the letters and the registrations.

Significant budget highlights showed a decrease in part-time salaries of \$6,200 to only use part-time help during peak time only. He would like to use \$2,500 to hire an intern again this year during the summer to do some further work on the Accounting Manual.

This was the year he should have gone out to RFP for our independent auditor. However, he wanted to get several of the comments cleared from our audit and also allow the Accounting Manager to get through a full year of operation. He was able to negotiate with our current auditor, Brown Edwards, to do it one more year at the same price as last year and he was able to reduce that line item by \$220. The Maintenance Services was reduced by \$6,000 which represents network services for the ACS. The merchandise for resale was reduced \$3,500, one reason being that he is going to use a new vendor for the cigarette tax stamps that will be less expensive. A reduction of \$1,500 in the bank service charges represents a savings in transaction fees that we were paying.

The Town Manager next presented the Human Resources budget. The key goals are to assess needs and facilitate training opportunities for employee growth and development, complete revisions of the Town's Employee Handbook, monitor and ensure compliance with the changes in the Federal and State laws and regulations and support the Town's employees and managers through the interpretation and application of policies and procedures.

In terms of significant budget highlights, anytime we have a vacancy, it is our expectation that we review the vacancy, what is the future need, are we meeting the demands required and do we want to change anything. His recommendation is rather than hiring a department level position is to restructure the position down to a Generalist position with a starting salary range of \$37-40,000. This position would report to the Assistant Town Manager. Ryan Spitzer is currently our Assistant to the Town Manager, but he is recommending that he be promoted to the Assistant Town Manager.

During this transition period, we are working with Business Solutions, a local company that offers human resources

consulting. They work with some of our other local governments and they are assisting us with our open enrollment for our insurance. We are also considering contracting out our Cobra benefits. We have reduced the special training line item by \$3,000.

Regarding the reduction in the tuition reimbursement by \$3,000 in prior years, we have spent as much as \$8,000 in tuition reimbursement. However, we know that today we do not have as many employees currently in the college curriculum. There were five or six that recently graduated and we feel that even with this reduction, we will have enough in the coming year to cover any needed reimbursement.

Ryan Spitzer next presented the Economic Development budget by reviewing the key department goals. The Downtown Grant has to be completed by the end of the year. We hope to begin this July with the first actual bidding for the street lights and the Washington/Pollard intersection. He plans to work with the Chamber of Commerce to create some type of strategy to help with economic development and fostering our downtown businesses and to create a map of Town quadrants to specifically look at unique economic development opportunities for each quadrant.

Significant budget highlights were a \$5,000 increase in contractual services for payment to the Vinton Chamber which will be supported by a written plan to establish some benchmarks for the funding. The CDBG related expenditures line item was increased \$32,000 which is our match for part of the grant related to the former Steve's garage lot. The CDBG Match expenditures increased \$675,000. He estimates we will spend \$25,000 this budget year on design services.

The Walnut Avenue improvements increase is the RSTP grant we received for \$100,000. This line item was included in Economic Development because Mr. Spitzer is the project manager, but it will probably be moved to street maintenance as a special project.

Vice Mayor Nance asked about the negotiations with the Vinton Chamber for the additional \$5,000. The Town Manager responded that there will be a draft of a contract for Council to review in May and then approve at a future meeting.

Mr. Spitzer continued with Public Transportation budget which has increased every year. We pay for four services, the Metro Bus, the S.T.A.R, JARC and New Freedom Rides. Because we have the Metro service, we are mandated to have the other three services. He then

explained the formula that is used to figure the costs for the Metro service in the Town based on 32 trips per day. The cost for the S.T.A.R. is based on trips and we pay 75%. The Town pays for all of the JARC and New Freedom rides. In response to a question regarding our service on the Board, Mr. Spitzer commented that his term will begin for the Town on July 1, 2014 and he will serve for two years. Mr. Hare commented on the future plans of the public transportation system and the fact that the cost keeps going up. He is pleased that Mr. Spitzer will be on the Board this upcoming fiscal year.

Regarding the Vinton Business Center budget, all costs are shared 50/50 with Roanoke County which costs are associated with electricity and landscaping. The Center is a Planned Technology District. In response to a question from Mr. Hare, the Town Manager responded that the Center is on all lists showing available properties. Mr. Spitzer commented that the main restrictions are the size of the lots and not having a shell building.

The Town Manager recommended that Council continue the rest of the work session to the end of the meeting. The Work Session ended at 6:55 p.m. and Council took a recess.

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. Anita McMillan called the roll of the Planning Commission with William E. Booth, Paul R. Mason, Dawn M. Michelson and David Jones present. Robert A. Patterson was absent.

Roll Call for Town Council and the Vinton Planning Commission

After a Moment of Silence, Mr. Altice led the Pledge of Allegiance to the U.S. Flag.

Under upcoming community events/announcements, Mr. Adams announced the Mother's Day Brunch at the War Memorial on May 11th; May 17th is the Arbor Day Celebration at the Craig Center and the Dogwood Festival is April 23-27 with the Parade on Saturday. The Vinton Relay for Life is on May 2nd at William Byrd High School and the Vinton Food and Wine Festival is on May 17th at the War Memorial. The Mayor added that the Chamber of Commerce has a ribbon cutting at Blaze's Engine Repair on April 18th. Mr. Hare encouraged everyone to vote on May 6th. The Mayor also mentioned that the same day of the Food and Wine Festival is the Mannathon which is a fund raiser to support the Manna Ministries.

Vice Mayor Nance read a letter from Chief Cook naming Officer Michael Byrd as Officer for the Month for March 2014.

The next on the agenda was a proclamation for Arbor Day. Mr. Hare read the proclamation. The next item was a proclamation for National Drinking Water Week. Vice Mayor Nance read the proclamation.

The final presentation was a proclamation for National Public Safety Telecommunicators Week. Chief Cook made comments and introduced Bill Hunter, the Director of Communications and the IT Department of Roanoke County who expressed thanks to Council for this recognition and recognized members of his staff that were present. Mr. Adams read the proclamation and then personally thanked Mr. Hunter and his staff for what they do.

Vice Mayor Nance commented on the arrival of Officer Byrd and congratulated him on being Officer of the Month.

The next item on the agenda was a Joint Public Hearing with the Vinton Planning Commission to receive public comments regarding the repeal of Division 11, FO Floodplain Overlay District, Sections 4-56 through 4-61, of Article IV, District Regulations, of Appendix B, Zoning, and the repeal of Chapter 42, Floods, of the Town Code in their entirety and the adoption of Division 13, FO Floodplain Overlay District, Sections 4-65 through 4-73, of Article IV, District Regulations, of Appendix B, Zoning for the purpose of enacting comprehensive changes to the Town's current floodplain overlay district regulations as recommended and required by the Virginia Department of Conservation and Recreation acting on behalf of and in cooperation with the Federal Emergency Management Agency.

Karla Turman commented that on March 4, 2014, she updated Council on amendments to the Floodplain Ordinance that are being required for the Town to continue being a part of the National Flood Insurance Program. In preparing for the Public Hearing, it was brought to the attention of staff that Chapter 42, Floods, of the Town Code needed to be repealed and this is also a part of the Public Hearing.

The Mayor opened the Public Hearing at 7:20 p.m. Chris Elliott of 108 7th Street, commented regarding her experience with FEMA when she lost her home in 1985 and the increase of her flood insurance premium from \$200 to almost \$1,000 with a \$2,000 deductible on building only and \$2,000 deductible on contents. She also had another claim with FEMA in 1992. Margie Burden of 322 8th Street also made comments regarding the increase of her flood insurance premium. When the policy was taken out in 2007 it was \$650 and the bill just received increased from \$1,100 to \$1,333. Her policy is for exterior

Public Hearing opened

only with a \$2,000 deductible. She was a participant in the TAP Program and received a \$20,000 GEO-thermal furnace, but she cannot insure the furnace with these rates. It also makes it difficult to try and sell property in the area because of the requirement to have flood insurance.

Vice Mayor Nance commented that when Council had a work session on the amendments to the Floodplain ordinance, they were told by the FEMA representative that if we do not make these changes, no one will be able to get flood insurance. Mr. Altice commented that we need to write a letter to our Congressman and express our concerns.

Hearing no further comments, the Public Hearing was closed at 7:38 p.m.

Public Hearing closed

Dave Jones, on the Planning Commission, commented that his plant, Southern States, was flooded in 1985, in 1992 and then the 4th of July last year. He said that the company purchased property in Salem and anticipated moving, but did not move because of the costs involved. The Town Manager at that time was very helpful in keeping them in Town and there are 41 jobs in Vinton today because they are still here. The bill for their flood insurance premium was really a shock, but they cannot afford to run a business without it. He indicated it would be nice to express our concerns to our legislators, but FEMA is self-insured and what do you do. Mr. Jones further commented regarding the mobile home park on Cedar Avenue. The residents are at extreme risk because they sit right on Tinker and Glade and if their mobile home is more than 50% damaged, it will not be replaced by the new FEMA regulations. He is not sure that those residents understand that, but he is not sure how much more can be done to get the word out.

The Mayor asked for a recommendation from the Planning Commission. Mr. Booth made a motion to recommend the adoption of the two Ordinances as presented; the motion was seconded by Ms. Michelson, and carried by the following roll call vote, with all members voting: Vote 4-0-1; Yeas (4) – Mason, Booth, Michelson, Jones; ; Nays (0); Absent (1) - Patterson.

Recommendation by Vinton Planning Commission to adopt the two Ordinances

Vice Mayor Nance made a motion to adopt the Ordinance repealing Division 11, FO Floodplain Overlay District, Sections 4-56 through 4-61, of Article IV, District Regulations, of Appendix B, Zoning, and adopting Division 13, FO Floodplain Overlay District, Sections 4-65 through 4-73, of Article IV, District Regulations, of Appendix B, Zoning, as presented; the motion was seconded by Mr. Hare, and carried by the following roll call vote, with all

Adopted Ordinance No. 949 repealing Division 11, FO Floodplain Overlay District, Sections 4-56 through 4-61, of Article IV, District Regulations, of Appendix B, Zoning, and adopting Division 13, FO Floodplain Overlay District,

members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0).

Sections 4-65 through 4-73, of Article IV, District Regulations, of Appendix B, Zoning

Mr. Altice and Mr. Booth stated that we do need to send letters to our legislators regarding the concerns expressed from our citizens on the increases in their flood insurance premiums.

Mr. Adams made a motion to adopt the Ordinance repealing Chapter 42, Floods as presented; the motion was seconded by Mr. Altice, and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0).

Adopted Ordinance No. 950 repealing Chapter 42, Floods

Mr. Booth made a motion for the Vinton Planning Commission to be adjourned from the meeting; the motion was seconded by Mr. Jones and carried by the following vote, with all members voting: Vote 4-0-1; Yeas (4) – Mason, Booth, Michelson, Jones; Nays (0); Absent (1) - Patterson. The Vinton Planning Commission adjourned from the meeting at 7:53 p.m.

Vinton Planning Commission adjourned from the meeting

Vice Mayor Nance commented on the work session that Council had several months ago regarding the Community Rating System. Council declined at that time to take any action because of the minimal effect it was going to have on the policy holders. After the comments from our citizens tonight and the potential rise in rates as what has been forecasted, he would ask that Council find a way to re-address that issue. Anita McMillan responded that we should be able to get additional points toward our CRS by adopting the new Floodplain Ordinance and working with Roanoke County to create a Memorandum of Understanding setting forth in writing that they will continue to review our site plans for floodplain properties. Hopefully this will allow us to drop to a Level nine which will create a five percent reduction. Roanoke County is at Level eight and Roanoke City is at Level seven.

The next item on the agenda was a Public Hearing to receive comments concerning amendments to Division 4, Accessory Buildings and Temporary Buildings, Section 5-17.2, Temporary Family Health Care Structures., of Article V, Supplementary Regulations, of Appendix B, Zoning, of the Town Code. Karla Turman commented that at a work session on March 18th, Council was briefed on the General Assembly's required amendments to the Zoning Ordinance regarding temporary health care structures. The amendments are to clarify some definitions, to increase the number of days allowed to remove the structure once the need is no longer there from 30 days to 60 days and to clarify who can live in the structure. After the staff report, the Mayor opened the Public Hearing at 7:56 pm.

Public Hearing opened

Hearing no comments, the Public Hearing was closed at 7:57 p.m.

Hearing no comments, the Public Hearing was closed

Vice Mayor Nance reiterated for the audience that this amendment to our Code is to bring it in compliance with some amendments that have been made at the State level and that Council had previously been briefed on this at a prior work session.

Mr. Adams made a motion to adopt the Ordinance amending Division 4, Accessory Buildings and Temporary Buildings, Section 5-17.2, Temporary Family Health Care Structures., of Article V, Supplementary Regulations, of Appendix B, Zoning, of the Town Code, 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).

Adopted Ordinance No. 951 amending Division 4, Accessory Buildings and Temporary Buildings, Section 5-17.2, Temporary Family Health Care Structures., of Article V, Supplementary Regulations, of Appendix B, Zoning, of the Town Code

The next item for consideration was a Resolution appropriating funds in the amount of \$613.70 for the receipt of a check received for scrap metal property. The Town Manager commented that our Public Works Department processes scrap metal and sells it to the scrap yard. The funds received are appropriated back to the Department's operating budget. Vice Mayor Nance made a motion to adopt the Resolution as presented; the motion was seconded by Mr. Altice and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0).

Adopted Resolution No. 2059 appropriating funds in the amount of \$613.70 for the receipt of a check received for scrap metal property

The next item was to consider adoption of a Resolution approving the 2014-2015 operating budget of the Roanoke Valley Resource. Dan Miles, Chief Executive Officer, began by commenting that the budget for the 2014-2015 year is \$8.5 million. This year as in the past seven years, the revenues are balanced with the use of the contingency reserve fund. This year they will be using \$456,000 from the contingency to balance the budget. They are supporting the tipping fee about \$3 per ton by using the contingency fund. This budget does include a \$1 per ton increase in the municipal tipping fee from \$47 per ton to \$48 per ton. Effectively, every \$1 per ton on the tipping fee equates to \$0.10 per household per month for the service area. So, for the \$47 per ton that they are currently charging means \$4.70 per month per resident for disposing of garbage. The rate increase will now mean \$4.80 per month.

They are looking at increasing their service component by constructing a residential service area that will be separate from the commercial service area. This will also reduce a liability factor for us by taking the residential traffic off of the tipping floor. This area will have covered containers

where residents can unload their items during any type of weather. This will be safer for our residential customers, but will also speed up the process for our commercial and municipal customers as well. They are looking to add an additional employee for this area. The request for bids should go out within the next two months and they are hopeful to be able to start construction this Summer and open sometime in the Fall.

Mr. Adams asked if the Authority had ever considered having the Center opened longer on Saturday. We have a dumpster area here in Town that fills up quickly because usually when someone is cleaning up around their property, it is not until the afternoon when they finish up and the Center is closed. Mr. Miles stated that the hours are 8:00 a.m. to 1:00 p.m. on Saturdays. He said they would love to extend their hours, but it would require them to add more staff. There are currently five equipment operators at the Transfer Station and one lead operator. Even with adding the additional employee to operate the new residential area that will only allow us to operate Monday through Friday and with the part-time Saturday hours. Every one of their operators that works on Saturday is working overtime and that is going with staggered shifts Monday through Friday.

Mr. Miles further commented that if it is the desire of Council for him to go back to his Board and solicit their opinion and their desire to look at what it would take to staff extended hours on Saturday, he will be glad to do that and make a report back. Mr. Hare asked about shifting the hours on Saturday, instead of doing 8:00 a.m. to 1:00 p.m., how about opening later. He will discuss that with his Board and get some feedback from his employees on what the issues might be with staggering the Saturday hours. He does know that they have some commercial customers that tend to come in early on Saturday mornings that service supermarkets and restaurants.

Mr. Altice asked if they had to sell bonds to do the new area and Mr. Miles responded they are paying cash. VDOT is going to be widening Hollins Road in front of the Transfer Station and are going to be taking about two acres of our entrance. We negotiated a settlement with VDOT to sell those two acres of property and that cash from the settlement will go towards this residential service area. Mr. Hare commented that the Resource Authority offers a great service and that a town as small as Vinton can be a part of such an Authority is very valuable.

Mr. Hare made a motion to adopt the Resolution as presented, with one correction; the motion was seconded by Mr. Altice, and carried by the following roll call vote,

Adopted Resolution No. 2060
approving the 2014-2015

with all members voting: Vote 5-0; Yeas (5) – Adams, Altice, Hare, Nance, Grose; Nays (0).

operating budget of the Roanoke Valley Resource

The next item was to consider items relating to 24-hour Fire/EMS services. The Town Manager commented that hopefully this is the final presentation to proceed with the 24-hour Fire/EMS services. The issue that we have been discussing for months is the need for additional career staff to supplement our fire volunteers, specifically during the evening and weekend hours. This request has been primarily generated through Roanoke City due to their having to respond to an increasing number of calls in Vinton and East Roanoke County as well as the Bonsack and Mountain Pleasant areas.

We developed a committee and have worked through a number of meetings focused on service levels as well as renovations. Within the constraints that we felt we had to work within, the proposal was to add a 24-hour fire truck and in doing so we would eliminate the second medic truck for one year. The commitment would be for next year to add more staff, to have the fire truck and two ambulances every day of the week through a combination of Town, County, career staff and volunteers. The concern of eliminating the second medic truck was that it did not seem to give us the level of service that we have come to expect nor want to lose.

The Committee met again on April 11th along with the Mayor and Mr. Adams, Supervisor Peters, all of the Chiefs, Administrators and Assistant Administrators. The new proposal is a two-phase implementation with Phase 1 beginning July 2014. The County has already hired two additional firefighter/EMTs, who are currently in the academy and will start July 14th. To resolve the second medic truck issue, Roanoke County will hire additional part-time employees to staff during the day, Monday through Friday to run the second medic truck. The Town will commit to paying 50% of those expenses which we estimate will be about \$40,000, but the County would take the lead on hiring probably 20 part-time people to cover all the hours and meet the needs, but work only 29 hours to state within the limits of the Affordable Care Act. This will allow us to have one 24-hour fire truck, one medic truck for 24 hours and to maintain a medic truck part-time Monday through Friday, 7:00 a.m. to 5:00 p.m. The volunteers will cover the evening hours. The ladder truck will not be in service during this time, but Roanoke City or the three ladder trucks in Roanoke County will be able to respond.

Phase 2 is proposed to be implemented in July of 2016. That proposal will have the 24-hour fire truck and 24-hour medic truck. The second medic truck would go back to full-time career staff, 6:00 a.m. to 6:00 p.m., Monday

through Friday. Volunteers would continue to staff the additional fire truck in the evening and the ladder truck. The First Aid Crew will continue at their level with one medic truck or at times they may be running two. This will require five additional full-time career staff and Roanoke County proposes to hire three and we will hire two.

The Town Manager next focused on the renovations aspect. The Committee recommends adding a new bunk room in the Fire House to allow for ten career staff. We need six, but we decided to renovate once to allow for any expansion in the future. The career day room, bunk room and kitchen on the second floor will be renovated. The 2nd floor bathrooms will be renovated to meet ADA compliance. Also, an additional washer/dryer hook-up will be installed and renovations to the bathrooms and locker rooms on the first floor. The building will be repainted and conversion of the existing day room to an office for the Captains and Lieutenants. The estimated cost is \$125,000 which will be shared 50/50 between the Town and County.

The request of Council tonight is a general consensus to proceed with the formal construction process for the renovations. The formal action will be adoption of the budget which includes the funding for Phase 1 and the other action will be for Council to approve the construction contract at a future meeting.

In closing, the Town Manager commented that the financial demands for implementing Phase 2, which requires the Town to hire two additional career firefighters/EMTs at the cost of approximately \$130,000 in the FY2015-2016 budget. There will need to be a consideration of either an increase in taxes or cuts. For example, a \$0.03 increase in our real estate taxes would generate approximately \$132,000.

The Mayor commented on the meeting and how obvious it was that everyone present was determined to do what was best for the citizens in the Town and East Roanoke County.

Vice Mayor Nance next commented that he appreciated everyone who had a part in coming up with this alternative proposal to re-address the situation Council had concerning the loss of the second medic truck. He then asked how this changes the budget that Council is considering at this time. The Town Manager responded that based on the new recommendation, we will not have to hire a new person in July and we will use those funds to hire part-time people to staff the second medic truck. This proposal will give us a little more flexibility because the cost of hiring a new person was around \$60,000 and

our share of the part-time employees will be around \$40,000. Also, on the revenue side, we had lowered our revenue projection by \$30,000 for the loss of transport reimbursement fees. If we keep the second medic truck, we should be able to add back at least \$15,000. In response to a question about changing the proposed budget in this regard, the Town Manager stated he would not change it.

Vice Mayor Nance then asked about the timing of the renovations and what budget would that most likely come from. The Town Manager responded that we will start the renovations this year and we have \$38,000 appropriated in our current budget. Once we have a final construction cost, it will be paid by the Town and then reimbursed by the County, probably in the next fiscal year's budget.

Mr. Adams commented that he is very pleased with the new recommendation that has been presented to Council and he appreciates everyone that had a part in the last meeting and all the previous meetings.

Mr. Hare asked about the HVAC system in the Fire House and the Town Manager commented they will look at an HVAC unit just for the bunk room, the day room and the kitchen side. Mr. Altice asked what the City said about the Town not manning the ladder truck. The Town Manager indicated that the City was very upfront that they would respond when needed with their ladder truck.

Mr. Hare asked if the new bunk room would be on the window side or the dark side. The Town Manager responded on the dark side because it works best for the building and if it is put on the window side, it will affect the community room.

Vice Mayor Nance commented that with insurance, retirement and fixed costs that are constantly increasing that we do not have any discretion over, there are going to have to be serious conversations with the public to begin concerning next year's budget. If there is going to have to be some form of increased revenue, we will have to re-examine what our core services are. This Council is absolutely in agreement that public safety is a core service that we will not undermine and that we will adequately fund. There are other services that we will have to look at.

Council gave a consensus to proceed with Phase 1 to provide 24-hour fire coverage and renovations to the Fire Department building.

Supervisor Jason Peters commented from the audience that he was very glad that this worked out the way it did. Richard Oakes commented that everyone is happy that we

Council gave a consensus to proceed with Phase 1 to provide 24-hour fire coverage and renovations to the Fire Department building

have a plan and are headed in the right direction. On the volunteer side, their goal is to put a lot of effort in recruiting new members and to make this the strongest department in the Roanoke Valley.

Under briefing, the item related to an overview of the Town Manager's Recommended Budget. The Town Manager first commented that this presentation was given to Council at their April 10, 2014 special budget work session, but he wanted to review it again briefly during a regular Council meeting. The budget priorities were to maintain core services with minimal reductions, develop funding for a five-year capital improvement program, maintain competitive employee benefits and compensation and maintain focus on economic development and implementation of the Downtown Revitalization initiative.

The budget is \$12 million divided between two funds, General and Water and Sewer. The General Fund maintains the current tax assessments. Public Safety and Public Works are the predominate areas of our budget expenditures.

The budget is 8.23% over the current budget, but this is not a dramatic increase in revenue. Most of that comes from the \$675,000 CDBG Grant funds for the Downtown project and \$89,900 in RSTP funds for the Walnut Street sidewalk improvements. Minimal funding of required capital is \$38,400 and milling and paving is in the amount of \$269,535. There is an increase in electricity and fuel expenses and the contributions to our Volunteer Fire and EMS in the amount of \$32,600. Our annual payment to Roanoke County for the library land purchase is included in the amount of \$50,000 as well as community/organization contributions of \$17,800 and joint local government services of \$44,240.

The Town Manager next commented that the health insurance increased 8.6% and our VRS was a \$130,000 increase to the budget. Mr. Hare commented that this is funding the retirement at the level we should be. In previous years we took the option of funding it at a lower percentage. We have promised this benefit to our employees and it has to be there.

The three items to fund are the Walnut Avenue corridor improvements, the hook lift and dump body under a five-year lease and the painting of the pool interior. We do need to purchase a new ambulance and the First Aid Crew has offered to pay 25% and the County pays 25% if we are successful with getting the grant that will pay the other 50%.

To balance the budget, the proposal is to use some of the

fund balance and we will present a more in-depth fund balance at our Special Budget Work Session on April 29th.

The Utility Fund is \$3.4 million and the real key is that it looks like a 0.60% increase, but that is due to the fact that we used fund balance to buy generators this year. The budget does reflect an 8.9% rate increase effective July 1, 2014 and proposes another 8.9% rate increase effective July 2, 2015, which stays with our three-year financial plan to put us in a better position both with capital investment with new bonds, with operating capital and with fund balance. Part of that increase went to cover a 19% rate increase from the Water Authority for water and wastewater treatment which was not anticipated.

Now that we are starting to have more funds in the Utility Fund, we are continuing to invest in the system by purchasing asset management software, wireless reading devices so we can reduce our labor needs in reading meters and then the Phase 2 part of the Jefferson and Cleveland waterline, the design and replacement of the sewer main on Blandford Avenue and the replacement of the waterline on Southampton Drive.

The Town Manager closed by commenting that Council will have a Special budget work session on April 29th. The Public Hearing for the budget will be advertised to be held on May 20th and action to adopt the budget will be scheduled for June 3rd if recommended by Council. Notices will also go out about the water and wastewater rate increases.

The next item was to consider nominations for the 2014 VML Policy Committees. After comments from the Mayor, Vice Mayor Nance made a motion to accept the nominations from the 2013 slate as follows – Community & Economic Development – Mr. Adams and Christopher Lawrence; Environmental Quality – Mayor Grose and Anita McMillan; Finance – Mr. Hare and Barry Thompson; General Laws – Vice Mayor Nance and Transportation – Mr. Altice and Gary Woodson. 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).

Approved nominations for the VML 2014 Policy Committees

Comments from Council: Vice Mayor Nance apologized for missing the Volunteer Fire Department's installation of officers banquet held recently. He also commented on the Vinton Museum ceremony held this past Saturday. Mr. Altice expressed appreciation for all the patch work that Public Works is doing around Town and he is hearing a lot of good comments. Mr. Adams made comments regarding the Junior ROTC Military Ball at Thrasher Church that he and the Mayor attended on

Friday night and the Vinton Museum ceremony.

The Town Manager asked if Council would want him to present his department's budget before the meeting is adjourned. The Council's part of the budget can be reviewed at the work session on April 29th.

The Town Manager reviewed his department's goals of focusing on economic development and downtown revitalization, infrastructure investment, staff development and volunteer partnerships. Also, another key goal is to facilitate and engage Council and the community to develop a long-term financial plan to ensure financial stability of the Town through operations and capital investment.

Significant budget highlights is the recommendation to promote the Assistant to the Town Manager to the Assistant Town Manager and adding additional responsibilities relating to human resources functions.

Most of the Building and Grounds budget is managed through the Town Manager's Department. The decrease in contractual services of \$4,100 represents the janitorial services for the Public Works facility. This amount was transferred and prorated between the Public Works General Fund and the Utility Fund. The Maintenance Service Contract increased by \$4,295 which represents a new \$1,200 annual payment to Roanoke County IT for our new virtual server along with a new annual charge of \$1,653.75 for the Civic Plus website hosting fee. A decrease of \$2,718 was made in the Maintenance and Repair Building line item and an increase in the maintenance of landscape increased by \$1,000, which reflects a transfer from the beautification projects line item. Electrical services were decreased by \$3,000 and postage was increased by \$1,000. The decrease in the janitorial/inventory supplies of \$1,700 was again a transfer and proration between the Public Works General Fund and the Utility Fund.

The Town Manager in closing commented that the only real change to Council's budget is the line item for volunteer appreciation. Every election year we budget \$2,500 and every non-election year that amount is removed from the budget. The recommendation is that every year we move this amount between the election line item and the volunteer appreciation line item.

Mr. Hare made a motion to adjourn the meeting; 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.

Meeting adjourned

The meeting was adjourned at 9:25 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

MINUTES OF A SPECIAL WORK SESSION OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, APRIL 29, 2014, 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
Ryan Spitzer, Assistant to the Town Manager
Barry Thompson, Finance Director/Treasurer
Gary Woodson, Public Works Director

The Mayor called the work session to order at 6:10 p.m. The Town Manager first commented that he created a list of topics based on some items that he was aware of and his conversations with members of Council prior to the meeting. This is an opportunity for Council to discuss in which direction they would like to proceed or any changes they would direct staff to make.

The first item of discussion was a review of the fund balance. A part of the proposed budget is to use \$130,000 of the unreserved fund balance and staff wants to be sure that Council is comfortable with that. Also, there is a proposal to have a Capital Reserve Designated Account. Every time when we have discussion about major improvements, there is this feeling that the fund balance is our emergency fund. In this regard, Barry Thompson has prepared a spreadsheet showing our fund balance over the past 15 years and he will run through the history of the fund balance and then the Town Manager indicated he would discuss the capital reserve idea.

Mr. Thompson commented that the balance in 1999 was right before the Town took on the downtown improvements which were mainly done in 2001 and 2002. Basically from 1999 to 2010, there was a restricted portion of the fund balance and an unassigned portion. The unassigned was the portion that Council could appropriate to fund any project within the General Fund. If it was restricted that was either bond money, purchase orders that were in place at that time or other reserves that were required to cover obligations of the Town. During that time period the amounts that were in the millions were usually bond money that Council had obligated for capital projects or programs.

The amounts in 2001, 2002 and 2003 were a combination of purchase orders and the downtown program. In 2004, the amount was purchase orders in December and the bond funds for the War Memorial project. In 2005 through 2007, those amounts were the bond monies for the Fire and EMS Building and also for the War Memorial building. In 2008 through 2010, those were purchase orders that were outstanding. In 2011, you see the terms non-spendable and restricted. This was a change in the way that the CAFR had to be written. Non-spendable deals with the way that we have to show the inventories and the pre-paids and the restricted would be funds such as the ATF monies and those types of funds. In 2013 that is the ATF money and the \$50,000 that we had received for the Greenway program.

Vice Mayor Nance asked where we are right now and Mr. Thompson responded that without during a full closing of the books, which we normally will do at the close of the fiscal year, we are planning on using part of the fund balance to balance the budget this year. We have programmed about \$128,000.

Another revenue item in the budget is the para-mutual tax of \$15,000. Mr. Thompson does not believe these funds will be received because of what is going on at the OTB. Along with admissions taxes, he feels that we need to reduce the revenue by \$18,000 in this budget year.

Mr. Hare commented that we had \$3.3 million in cash or investments at the end of February. Mr. Thompson responded that he did not want to confuse the issue because fund balance is the paper balance and the cash balance is represented on a different spreadsheet. Based on that, he began commenting on the Cash Investment History. Beginning with June of 2010, there were cash and investments of \$2,402,537. In June 2011, we ended with \$2,634,783, which was a net gain of about \$232,246. In June 2012, we ended with \$3,335,615 and that was a net gain of about \$700,833 over 2011. Our cash and investments after the decline in the economy have been moving forward in the right direction.

In 2013, it was \$3,991,330, which was another gain of \$655,714. The spreadsheet shows this fiscal year broken down month by month beginning in July 2013 through April 2014. It varies from month to month until we get to the end of the year because we use some of the funds and then replace them. Mr. Thompson indicated he felt very confident that we would be back to the June 2013 balance by the end of this fiscal year. The difference shown in the cash and investments is primarily when we have to pay our debt services and it takes a while to build it back up. After reviewing the Cash Investment History, Mr. Thompson responded to Mr. Nance's question that he feels we will end up close to where we did last year. As far as the fund balance, he feels that it will probably be down around \$200,000 from where it was in 2013.

Mr. Thompson next commented that he spoke with John Aldridge about the fund balance and he does have a Memo from the GFOA with their recommendation of having two months of operating funds for the reserve. The Town Manager commented that two months would be around \$1.3 million based on our current budget. We recommend that we not do anything less than \$2 million. Mr. Thompson further commented that if Council decided to reserve part of this money for capital improvements, it can be done by Resolution and through a policy establishing guidelines. If for some reason Council felt that the designated funds needed to be re-examined or if the funds were needed back into the operating side of the budget, the decision could be reversed by another Resolution.

The Mayor commented it appears that the fund balance at the end of this fiscal year will be around \$2.9 million. He asked if Council decided to set aside the \$2 million, would this \$2 million be an emergency fund and also a fund that he would use for operating or would his operating still be in the reserve fund. Mr. Thompson responded that based on the needs of the operating budget, he moves funds back and forth between the general checking account and the investment account which would come from the \$2 million undesignated.

The Mayor then commented that theoretically at the end of this fiscal year, Council could decide to leave \$2 million as undesignated funds and then still have \$900,000 in the reserve fund.

Mr. Thompson next commented that Council may want to think in terms of this year starting with \$300,000 and each year increasing that amount so we can see how it performs and if it is the right thing to do. The Mayor said it would be helpful to have an amount set aside. Mr. Thompson stated that we need to set some guidelines and the funds will be designated in the audit as reserved and we can label these funds as to what they are for. Mr. Hare commented that perhaps we do not want to use the \$2 million figure, but set a policy that we desire to keep a two or three month operating fund. Mr. Thompson said that each year we will want to analyze the budget and see what we want that number to be. Mr. Nance said that since the GFOA is suggesting two months, that we make it at three months, not just the minimum. The Mayor then asked if Council is interested in developing this capital reserve fund, can we direct our staff to proceed with developing the policy and bringing it back to Council for their consideration. The Town Manager commented that the Finance Committee can work on the policy at their next meeting.

The Mayor then asked about an update on the business license receipts and Mr. Thompson responded they are above our budgeted numbers this year. He is very pleased with the growth this year and it shows that positive things are happening in the town. When he sees that the retail and professional services are up \$50-60,000 over last year that is an economic indicator to him.

The next item for discussion related to the water and sewer rate increases. The Town Manager commented the proposal is a two-year proposal, an 8.9% increase for the next two fiscal years. Currently there is very little fund balance in the Water and Sewer fund, only around \$100,000. We have stabilized the operating account and now we are building up reserve and continuing to invest in capital. No more bonds are proposed for this year, but the second fiscal year (FY2015-2016) would have a proposal to go out for bonds.

We had the rate increase from the Western Virginia Water Authority that amounted to approximately \$70,000, which we did not take into account when Davenport developed our rate increase cycle. From a notification standpoint, the Messenger did an article recently on the increases and a notice will be included on the water bill that will go out this Thursday and Friday. Our website will have an explanation and a brochure explaining what projects we are doing. Mr. Nance commented that this is consistent with the study that was presented to Council last year. We are trying to catch up on investments in the infrastructure that have not been made in the past.

Mr. Hare asked if we were going to make the rate increase effective July 1st and the Town Manager responded yes. Mr. Hare then commented that he thought there was some discussion about making it effective January 1st. The Town Manager commented that staff can show Council different numbers. The proposal is July 1st for this year and Council could implement the second 8.9% increase in January the following year. December would actually be the better month because you will realize a full six months of revenue.

When we go out for bonds again, the bonding agencies are going to look to make sure we have approved and have a confidence level of our rate structure to pay for those bonds as well. Even with the increase, our rates are still less than the Water Authority.

The Town Manager further commented that we currently bill bi-monthly. Going to monthly billing is a consideration for the future and the more we switch our meters to wireless, the easier it would be to monthly billing. Mr. Thompson commented that the mailing expense would double with monthly billing. Mr. Hare stated that e-billing could be an option in the future as well.

The third item related to the recommendation of eliminating the 3rd Street Town Dumpster Services. The Town Manager commented that if Council wants to keep this service, we need to put \$10,000 back in the budget. If Council decides to eliminate the service, we would not eliminate it until the new residential area at the Resource Authority is fully operational.

Mr. Adams commented that the hours of the Resource Authority will stay the same even though they will have a separate residential area. If we do eliminate our dumpster service, we still need to ask the Resource Authority to consider changing their hours to stay open later on Saturday. The Town Manager indicated that he will bring the matter up at the next Authority Board meeting in May.

Mr. Altice commented that he believes the individuals using the dumpster will not haul it to the Resource Authority. Mr. Adams commented as well that if the service is eliminated it will have to be patrolled for the first few months. Mr. Altice indicated he does not think we should do away with it. Mr. Hare commented that at first he was in favor of eliminating the service. However, he does not know the impact of the service and feels it is a bad idea to eliminate something when he does not have enough information. The end consequences could be bad and he would prefer to deal with the topic in the upcoming strategic planning. Mr. Nance made comments concerning the ability of Council to make more serious cuts in services in the future if they are not willing to cut this service. Mr. Adams further commented that he is in favor of keeping the service. He does not have an answer to where Council will come up with needed funds in the future. If there is an education factor or we can change something with the Resource Authority to make it available, it is a mile away and you can change a habit. The Mayor commented that he would be in favor of a pilot program. If he had to make a decision tonight, he would keep the service.

Gary Woodson suggested that they put up a temporary construction fence along the front and over the weekend have an employee man the area from 8 to 5. That employee could see who is coming in and collect information. Also, when the site closes, it will allow us to see if materials are being left out in front of the fence or being dumped on the sides of the road. This can be done for a short period of time and then we can report back to Council as to what effect it has. The investment is that it will cost a little more for a two-month period to staff the site. During this time, we can also provide information about the Resource Authority site. The Town Manager commented that it is not only about savings of \$10,000. The dumpsters attract the vultures in that area and there is a safety issue involved because the employees have to get into the actual dumpsters to sort the items. Based on Council's comments, he will put it back into the budget, but he would like to proceed with the pilot program to gather additional information.

The fourth item for discussion related to the Community Organization Funding Requests. The Town Manager commented that he does not have a strong opinion on any of the organizations. However, he knows that the Bank On program has been a source of discussion. With regard to the donation to the Mountain View Human Spay/Neuter, it is recommended that the \$500 contribution be used as a coupon system. This allows any

citizen of Vinton to go to the Vinton Veterinarian Clinic with a \$25 coupon or go to Mountain View. Mr. Thompson would like to change the wording to the RCACP Coupon Program. All other items listed are level funded.

The Bank On program was a new expense in the middle of the budget last year. It is based on a calendar year and we are paid through December 2014. Mr. Nance does not think we should use taxpayers' funds for the Bank On program. The funds are going to United Way to help promote entities which are much bigger than this town and taxpayers' funds should not be used for educational purposes for people spending their own money. Mr. Hare and Mr. Altice agreed with Mr. Nance.

The Town Manager further commented that the Needy Family program is cash, but \$400 of the contribution comes from a piece of property that the town rents from Southern States.

Mr. Hare asked how much in total are we giving to the Chamber and the response was an additional \$5,000 that would be tied to marketing, recruitment and advertising of business and the community as a whole is in the Economic Development budget. That is in addition to the \$9,000 listed under community contributions. The Town Clerk commented that the Roanoke Valley CATV-Channel 3 amount is \$15,921 for the Town's contribution this year.

The Mayor reiterated that the changes to be made to this list are to eliminate the contribution to Bank On and rename Mountain View Human Spay/Neuter to the RCACP Coupon Program.

The fifth item for discussion related to the subsidies for War Memorial and Pool. Mr. Hare asked for a quick update regarding the War Memorial and Mr. Thompson provided Council with an analysis of revenues, expenses and forecasts for FY2013-2014.

Mr. Altice asked if there was enough interest from the churches to keep the pool open and the Town Manager responded that it is this year. However, this is the first in three years that the Town will have to supplement the volunteers with our lifeguards to keep open a reasonable concession area. All the Wednesday night dinners are covered, but it is the daytime concessions that have taken a hit. Mr. Nance commented that we cannot expect this type of partnership between the Town and the churches to continue forever and perhaps the difficulty in obtaining those partners should indicate to us that we need to re-evaluate.

The Town Manager commented that last year's subsidy to the pool was around \$35,700. We have the month of June when the pool opens plus some preparation costs and it will be very close this coming year. Next year's budget provides in the spring of 2015 to spend \$7,800 to completely repaint the inside of the pool and the lifespan of that painting is about five to seven years.

Mr. Thompson commented regarding the War Memorial's subsidy. Last year it was \$96,000 and this year is \$69,798. The War Memorial is showing revenues year-to-date of \$162,973 compared to last year of \$85,914. Mr. Hare expressed concern that we will hit a ceiling because the next budget year does not get much better. Council agreed during our strategic retreat last time that we wanted to give the War Memorial a couple of years to see if the new plan is working. We need to decide what our goal will be as Council, is it to get our subsidy under \$50,000 or zero and maybe we need to define that goal. Mr. Hare further commented that it will be good to have discussion about this at our strategic

planning retreat to make sure we are all on board and if we want to make any changes. Mr. Kipp should have the feedback from us and get our direction.

The sixth item for discussion related to the para-mutual tax revenue forecast. The Town Manager commented that Mr. Thompson covered this during the fund balance review and it was his recommendation to reduce the revenue by \$18,000 in the proposed budget.

The Mayor commented that we have to find new revenue sources. Mr. Hare commented that just as the Town Manager mentioned in the last meeting, a \$0.03 increase in the real estate tax would just pay for the two new Fire/EMS employees and would not help with the fact that we are underfunding the roads and all the other capital items.

The Mayor then commented that he is not referring to taxes although it would have to be part of the consideration. He does not think we will be able to enhance our revenues through taxes enough to keep our services at this level and it is obvious that we cannot save enough money to pay those increases, costs of services and the infrastructure repairs. It has to come from increased revenue sources and we are going to have to make some bold moves to attract new businesses to Town or we will see some drastic cuts in services.

Mr. Nance asked if one of those items would be a re-assessment of our zoning ordinances and so forth, especially in the downtown area where we are putting in the public investment and infrastructure and the amenities. The Mayor stated that if we are talking about rezoning issues that will help us attract businesses he feels it is part of it. He thinks we are going to have to think outside the box and find ways to attract people and do things that maybe a Town would not normally do. We are going to have to be very, very aggressive.

The Town Manager stated in closing that he wants to make sure that Council agrees to go ahead and advertise the Public Hearing for the budget for May 20th at 7:00 p.m. Typically, Council would receive any comments at that time, have their deliberations and schedule the adoption of the budget for June 3rd, if they are ready. If not, there would be one more meeting to adopt the budget before July 1st. We will also advertise the Public Hearing on the water and wastewater rates for the next two fiscal years for May 20th. Council gave their consensus to advertise for the two Public Hearings.

The Work Session was adjourned at 8:00 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Police

Issue

Officer of the Month for April 2014 - Master Police Officer Scott Hurt

Summary

MPO Scott Hurt was selected as Officer of the month for April and will be recognized at the meeting

Attachments

Memo from Chief Cook

Recommendations

Read Memo



Vinton Police Department

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BENJAMIN L. COOK
CHIEF OF POLICE

A State Accredited Agency

To: Scott Hurt, Master Police Officer

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

Date: May 7, 2014

Subject: Officer of the Month – April 2014

Congratulations! You have been nominated and selected as Officer of the Month for April, 2014.

On April 5th, there was a lookout given for a stolen vehicle out of Roanoke County. While on patrol the next day, you observed a vehicle matching the description of the stolen car, being driven in the Midway section of Town. Remembering the lookout and the tag information, you followed the vehicle and confirmed that the vehicle was in fact stolen. You conducted a felony traffic stop and detained the driver until a Roanoke County Police unit arrived to take custody of the vehicle operator. By being vigilant and remembering detail given from the previous day, you were able to stop the vehicle and handle the situation appropriately.

Your attention to detail ultimately led to the apprehension of the suspect and recovery of the stolen vehicle. Your dedication to duty is evident and you are well deserving of this recognition. Keep up the good work!



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Police

Issue

Proclamation - Click It or Ticket

Summary

During this week each year, we observe Click It or Ticket, National Emergency Services Week and Public Works Week. **Click It or Ticket** reminds and urges our citizens to always wear seat belts when driving or riding on our roadways.

Attachment

Proclamation

Recommendations

Read Proclamation



PROCLAMATION

- WHEREAS,** the safety and security of the citizens of the Town of Vinton and surrounding areas are vitally important; and
- WHEREAS,** a large percentage of our citizens regularly drive or ride in motor vehicles on our roadways; and
- WHEREAS,** the use of seat belts in passenger vehicles saved an estimated 12,546 lives in 2010; and
- WHEREAS,** regular seat belt use is the single most effective way to protect people and to reduce fatalities in motor vehicle crashes; and
- WHEREAS,** the use of seat belts is supported by the laws of the Town of Vinton; and
- WHEREAS,** May 19 through June 1, 2014, has been selected as the national *Click It or Ticket* mobilization enforcement period; and
- WHEREAS,** across the country law enforcement officers will actively be participating in the mobilization to ensure all motor vehicle occupants are buckled up day and night to reduce the risk of injury and death caused in traffic crashes; and
- WHEREAS,** increased enforcement of seat belt laws coupled with publicity has proven to be an effective method to increase seat belt use rates and decrease fatal crashes.

NOW, THEREFORE, I, Bradley E. Grose, Mayor of the Town of Vinton, and on behalf of Town Council and all our citizens, do hereby proclaim and announce May 19, 2014 to June 1, 2014, as the **Click It or Ticket** Mobilization in the Town of Vinton, and urge all citizens to always wear seat belts when driving or riding on our roadways.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 20th day of May, 2014.

Bradley E. Grose, Mayor



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Fire

Issue

Proclamation - National Emergency Services Week

Summary

National Emergency Services Week urges our citizens to recognize the value and accomplishments of all of our Emergency Services personnel and to support the many public safety activities and efforts of the Town's emergency services.

Attachment

Proclamation

Recommendations

Read Proclamation



PROCLAMATION

WHEREAS, this year's theme for National Emergency Medical Services Week is "EMS: Dedicated For Life."

WHEREAS, this is the 40th anniversary of EMS Week.

WHEREAS, National Emergency Medical Services Week brings together the local communities and emergency medical providers to announce safety & respect those who dedicate their time and energy to provide the day in/day out lifesaving services of medicine's "front line."

WHEREAS, the Town of Vinton is devoted to ensuring the safety and security of all those citizens living in and visiting our town; and

WHEREAS, Emergency Medical Services is a vital public service; in 2011 there was 31,368,740 nationwide EMS responses and of those responses, there was 22,651,921 EMS transports

WHEREAS, the members of Emergency Medical Services teams are highly trained and ready to provide lifesaving treatment to those in need around the clock, 365 days a year

WHEREAS, access to quality emergency treatment significantly improves the survivability and even recovery rate of those who have suffer sudden illness or injury; and

WHEREAS, the Emergency Medical Services system consist of emergency physicians, emergency nurses, paramedics, emergency medical technicians, firefighters, educators, and administrators; and

WHEREAS, the members of Emergency Medical Services teams, whether career or volunteer, partake in thousands of hours of specialized training and continuing education to develop their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of Emergency Medical Service Community by designating National Emergency Medical Services Week.

NOW, THEREFORE, I, Bradley E. Grose, Mayor of the Town of Vinton and on behalf of Town Council and all our citizens do hereby proclaim May 18, 2014 to May 24, 2014 as "**NATIONAL EMERGENCY SERVICES WEEK**" in the Town of Vinton and I urge all the people of the Town of Vinton to support the many public safety activities and efforts of the Town's emergency services.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 20th day of May, 2014.

Bradley E. Grose, Mayor



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Administration

Issue

Consideration of public comments on a request to revise Water and Wastewater Fees and Charges Schedule by an increase of 8.9 percent for FY2014-2015 and an increase of 8.9 percent for FY2015-2016, pursuant to authority granted by Virginia Code §§ 15.2-2111, 15.2-2119 and 15.2-2122, according to the Vinton Town Code, Chapter 24, Utilities, Section 94-22 Fees and charges for water service and Section 94-74, Fees and charges for wastewater service.

Summary

In 2012-2013, the town hired Davenport & Co. to complete a study evaluating our water and wastewater system. The study aimed to create a five-year plan for operations and capital investment. The capital investment plan was developed through engineering studies, financial advisors, and staff evaluation of priorities based on age, failure incidents, fire suppression supply, and economic development opportunities. The plan also identifies major systems that are identified for replacement or major repairs in years 6-10, but does not go into any detail this far out.

The major projects funded as proposed are as follows:

1. Meter Reading wireless radio technology implementation - \$14,000
2. Cityworks Asset Management software - \$40,000
3. Design and Construction Jefferson & Cleveland Ave water line Phase 2 - \$100,000
4. Design and Replacement of Sewer Main on Blandford Ave - \$50,000
5. Replacement of Waterlines – Southampton Drive – 20,000

Additionally, to support the efforts to transition to a wireless meter program, all new meters installed for new construction or replacement will include the wireless technology. As proposed the new fee for purchase of this type of meter is \$310.00 for 5/8-inch. Larger sizes above 1-inch are priced at time of request due to market price changes.

The major projects funded previously are as follows:

1. Western Virginia Water Authority – Wastewater Treatment Plant improvements related to the disinfection capacity of the plant.
2. Glade/Tinker Wastewater Interceptor Line Improvements
3. Design and Replacement of water lines in the Cleveland/Jefferson/Jackson Ave. neighborhood east of downtown.
4. Equipment Replacement – a 5-year lease proposal is recommended to replace four pick-up truck service vehicles and one backhoe.

These projects were funded through a 20-year term for projects 1-3 and a 5-year lease structure for project 4. A bond in the amount of \$2,000,000 was secured in June 2013 and funded through an 8.7% rate increase.

Attachments

None

Recommendations

Conduct Public Hearing, action to be taken on June 3, 2014



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Administration

Issue

Consideration of public comments regarding the proposed FY2014-2015 Town of Vinton Budget.

Summary

The FY2014-2015 annual budget is the culmination of months' worth of staff work developing and managing our services and revenues to provide the expected and needed services for the community. The budget document is one of the most important policies established by Council to convey to staff and the community priorities, levels of services, and investment in the community.

The budget document includes a great deal of information which is intended to explain what and why of government services provided by the Town of Vinton.

The General Fund Budget is recommended to use \$128,144 of unreserved fund balance. This is recommended rather than a proposed tax increase to fund \$38,400 for capital and \$89,744 for operating expenses. The major cuts over the past five years have been to the capital projects funding as well as elimination of specific full-time and part-time positions in the Police and Public Works Departments. The town facilities and equipment are aging and our buildings not only need to be maintained but are going to require significant investment over the next 5-10 years to major mechanical systems and roofs. Additionally, major equipment such as dump trucks, fire trucks, and similar items need to be replaced in the next five years.

Capital Improvement Program:

The CIP is intended to be a five year plan for building, equipment, and major purchases for the town. Approximately \$2,944,146 worth of needs were identified and submitted by departments for the FY2014/2015 budget year. The proposed budget includes funding of only \$38,400 in the General Fund of these needs and it defers the remaining projects to future years. The following projects are included the budget for funding:

1. Walnut Avenue Corridor	4,800
2. Replace Dumptruck with hooklift & dump body (5-yr lease)	25,800
3. Painting of Pool Interior	<u>7,800</u>
Total General Fund	38,400

Capital improvement projects funded in the Utility Fund were in the amount of \$224,000. The projects included:

1. Cityworks Asset Management	40,000
2. Handheld Meter Reading Device Upgrade	14,000
3. Design & Construct Jefferson & Cleveland Ave Waterline	100,000
4. Design & Replacement of Sewer Main on Blandford Ave	50,000
5. Replacement of Water Line –Southampton Drive	<u>20,000</u>
Total Utility Fund	224,000

Additional projects continue in the Utility fund which resulted from the issuance of our 2013 Series GO Capital Improvement Bonds and the adopting of the Cost of Service Study. The town's partnership contribution of approximately \$939,785 as part of the overall \$17,087,000 Western Virginia Water Authority wastewater treatment plant upgrades is progressing. Design work is also beginning on the Cleveland/Jefferson/Jackson Avenues water project. Equipment that was designated for lease purchases through the bond has been purchased for the Public Works Fleet.

Water and Sewer Fund:

The maintenance, operations, and investment in our water and sewer system are a fundamental government service. We have recognized the significant needs in our aging utility system and diligently work to keep it functioning. However, in the upcoming 10-15 years, significant investment will be required to replace water and sewer lines, pump stations, and equipment. The *Proposed FY2014/2015* budget as presented is balanced. A comprehensive rate structure analysis was presented to Council in January 2013. Council adopted as part of the FY 2013/2014 Budget an 8.7% water and sewer rate increase. As part of the Cost of Service Study an 8.9% rate increase in water and sewer rates is proposed for both FY 2014/15 and FY 2015/16 which will provide funding for infrastructure needs, capital needs and reserve funds needed in the Utility Fund.

Attachments

None

Recommendations

Conduct Public Hearing, action to be taken on June 3, 2014



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Emergency Services

Issue

Consider adoption of a Resolution approving the updated Emergency Operations Plan for the Town of Vinton.

Summary

The Virginia Department of Emergency Services (VDEM) requires a locality that chooses to have an emergency services program, to have an Emergency Operations Plan (EOP) that is approved by the governing body of that locality. The EOP is required to be re-approved by the governing body every four years.

The plan that has been reviewed and updated from the 2010 approved EOP was presented to Council at their May 6, 2014 meeting. This is now ready for formal approval by Council.

Attachments

Emergency Operations Plan
Resolution

Recommendations

Motion to adopt Resolution

TOWN OF VINTON



EMERGENCY OPERATIONS PLAN

JUNE 2014

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Executive Summary
Town of Vinton Emergency Operations Plan

The Town of Vinton Emergency Operations Plan (EOP) has been revised as required by the Commonwealth of Virginia Emergency Services and Disaster Laws of 2000, as amended, § 44-146.13 to § 44-146.29:2.

The revised plan is an accurate and appropriate reflection of how the town will address natural and man-made disasters and events as they develop. The revised plan is based on current resources available at the local level.

The plan has been re-formatted to conform to the recommendations of the Virginia Department of Emergency Management, the National Response Framework (NRF), the National Incident Management System (NIMS), and the Incident Command System (ICS).

The EOP consists of a basic plan followed by the Emergency Support Functions (ESFs), Support Annexes, and Incident Annexes.

The Basic Plan establishes the legal and organizational basis for emergency operations in the Town of Vinton to effectively respond to and recover from all-hazards and emergency situations.

The Emergency Support Functions group resources and capabilities into functional areas to serve as the primary mechanisms for providing assistance at the operational level. The ESF structure results in improved effectiveness and efficiency in mitigation, preparedness, response, and recovery operations.

The Support Annexes describes the framework through which local departments and agencies, the private sector, volunteer organizations, and nongovernmental organizations coordinate and execute the common functional processes and administrative requirements necessary to ensure efficient incident management. The actions described in the Support Annexes are not limited to particular types of events but are overarching in nature and applicable to nearly every type of incident. In addition, they may support several ESFs.

The Incident Annexes address contingency or hazard situations requiring specialized application of the EOP. Incident Annexes are organized alphabetically. The overarching nature of functions described in these annexes frequently involves either the support to, or the cooperation of, all departments and agencies involved in incident management efforts. In some cases, actions detailed in the annex also incorporate various components of local agencies and other departments and agencies to ensure seamless integration of and transitions between preparedness, prevention, response, recovery, and mitigation activities.

In addition to the Executive Summary, included in the Basic Plan is a Board Resolution. The purpose of this resolution is two fold. First, it serves as the format for formal adoption of the Town of Vinton Emergency Operations Plan. Second, it charges and authorizes the Director or his/her designee with the responsibility of maintaining this plan over the next four (4) years, when it will once again come before this Board for formal adoption.

Forward

On February 28, 2003, President George W. Bush issued Homeland Security Presidential Directive-5, the purpose of which is to enhance the ability of the United States of America to manage domestic incidents by establishing a single, comprehensive national incident management system.

To implement this directive, the Secretary of Homeland Security was charged to develop and publish an initial version of the National Response Plan. The initial version of that document was published and released to all federal agencies with instructions to make initial revisions to existing plans by July 1, 2003. Further, they are to submit a plan for implementation and adoption of the National Incident Management System to the Secretary and the Assistant to the President for Homeland Security by September 1, 2003.

The ability to interact effectively and efficiently with officials of the Commonwealth of Virginia and the various federal agencies involved during major disasters is paramount. It is for that reason the Government of **Town of Vinton** has elected to model its **All Hazard-All Disciplines Plan** after the Federal Response Plan as amended in January 2003, the National Response Framework published January 2008, and the existing Commonwealth of Virginia Plans.

This approach allows for maximum interaction at all levels of government, it ensures the development of public-private partnerships which are critical in times of disaster, and it facilitates change as necessary in changing times and situations.

All staff are directed to review this document and become familiar with their specific roles and responsibilities.

Thank you.

Signature of Mayor or Town Manager

NOTE: Resolution to include Responsibility & Authority to maintain up to date until next adoption.

Board Resolution

**Resolution
Emergency Operations Plan**

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD AT 7:00 PM ON TUESDAY, MAY 20, 2014 IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Vinton Town Council recognizes the need to prepare for, respond to, and recover from natural and man-made disasters, and has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, the Virginia Department of Emergency Management requires an updated Emergency Operations Plan be adopted by the Town of Vinton every four years, and the plan adopted in 2010 has been completely reformatted and updated; and

WHEREAS, the Town of Vinton has established and appointed a Director of Emergency Services and a Coordinator of Emergency Services, who are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this board; and

WHEREAS, upon adoption by Town Council, the newly revised plan will be in full effect at the time of adoption.

NOW THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby adopt the updated Emergency Operations Plan dated _____, 2014 and grants it full operational authority.

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

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

INTRODUCTION

The Town of Vinton is vulnerable to a variety of hazards such as flash flooding, hurricanes, tropical storms, river flooding, winter storms, wildfires and resource shortages. To respond effectively to any emergency of a size or complexity beyond routine response systems, it is critical that all Town of Vinton public officials, departments and agencies, non-governmental emergency organizations and the public understand their roles and responsibilities. These non-routine responsibilities begin as the incident is recognized and response ensues, and become particularly important as command organizes beyond the initial reactive phase of first responders.

A planned-for and coordinated response on the part of state and local officials in support of in-the-field emergency responders can save lives, protect property, and more quickly restore essential services. The foundation for this coordinated response is established through the Town of Vinton Emergency Operations Plan (EOP). The "Commonwealth of Virginia Emergency Services and Disaster Laws of 2000", as amended (Code of Virginia, § 44-146.13 to 44-146.29:2) requires that state and local governments develop and maintain current Emergency Operations Plans (EOP) in order to be prepared for such events.

The Town of Vinton Emergency Operations Plan (EOP) consists of a basic plan followed by the Emergency Support Functions, Support Annexes, and finally Incident Annexes.

PLAN PREFACE

The following items are included in the Town of Vinton EOP:

- Table of contents
- Promulgation statement
- Executive Summary
- Record of changes
- Distribution list
- Basic Plan
- Emergency Support Functions
- Support Annexes
- Incident Annexes

PREFACE

Virginia is continuously threatened by emergency and disaster situations such as terrorist attacks, flash flooding, hurricanes, hazardous materials incidents, and resource shortages. The Virginia Emergency Services and Disaster Law of 2000 requires that the state, and each county and city within the state develop and maintain a current Emergency Operations Plan (EOP) which addresses their planned response to such extraordinary emergency situations. This plan for Town of Vinton is designed to meet this responsibility and to include the town in the mutually supportive statewide emergency management system.

The Town of Vinton **Emergency Operations Plan** actually consists of three plans. The development and maintenance of these plans is the basis of the local emergency management program.

- A. The **Basic Plan** describes the concept of emergency operations and assigns duties and responsibilities to agency heads or organizations that are either part of, or will serve in support of, local government in time of emergency. It becomes the organizational and legal basis for emergency operations. ESFs and hazard-specific annexes to the Basic Plan provide additional guidance and set forth detailed procedures as needed to assure an appropriate level of emergency preparedness.
- B. The **Emergency Support Functions** group resources and capabilities into functional areas to serve as the primary mechanisms for providing assistance at the operational level. The ESF structure results in improved effectiveness and efficiency in mitigation, preparedness, response, and recovery operations
- C. The federal **Superfund and Reauthorization Act** (SARA Title III) requires the development and maintenance of detailed procedures for identifying facilities with extremely hazardous materials and for assuring an adequate emergency response capability by these facilities and by local emergency services. A separately published SARA Title III Plan has been developed which supplements the EOP by providing additional procedures for a hazardous materials incident response.

The Town of Vinton has formed and maintained a good partnership with the County of Roanoke. The advantages of the partnership are many, particularly concerning delivery of public safety services to the citizens in our respective localities. The Town of Vinton is able to utilize all facets of the Roanoke County Emergency Operations Plan and get immediate support from first responders and support personnel indicated in their plan.

BASIC PLAN

Purpose

The purpose of this Basic Plan is to establish the legal and organizational basis for operations in the Town of Vinton in response to any type of disaster or large-scale emergency situation. It assigns broad responsibilities to local government agencies and support organizations for disaster mitigation, preparedness, response, and recovery. These responsibilities are generally extensions of normal, day-to-day functions involving the same personnel and material resources. Supporting plans for peacetime and war-caused disasters set forth the concepts and procedures whereby the town can effectively apply available resources to insure that casualties and property damage will be minimized and that essential services will be restored as soon as possible following such an emergency or disaster situation.

Situation and Assumptions

The Town of Vinton is located in Roanoke County, and is bordered on its western and northern limits by the City of Roanoke. To the east lie Roanoke County and the Blue Ridge Parkway, and to the south is the Roanoke River.

Vinton's history began long before the Town was chartered in 1884. The Town can trace its heritage back to the mid-1700's when the area was first settled and even farther back in time when the area was part of an Indian trail which led to the Carolinas. Settlers began moving into the Roanoke Valley area in the mid-1700's to take advantage of the fertile land and abundant water supply.

The Town of Vinton was incorporated by the Virginia General Assembly on March 17, 1884, with a population of 584 and a land area of 1.5 square miles. Following incorporation, Vinton experienced continued development. Much of the development in the Town resulted from the spin-off of economic growth occurring in Roanoke. The economic and social linkages formed between Roanoke and Vinton in the late 1800's have continued through to the present.

TOWN OF VINTON DEMOGRAPHIC DATA	
Demographic	Percentages/Numbers
Population	8,098
Number of Households	2,174
Average Age of Resident	39 years old
Persons under 5 years old	510
Persons under 18 years old	6,001
Person 65 years old and over	1,282
Persons with a disability, age 5 and older	1,764
Persons below poverty, 2004	738
Persons of Caucasian Race	7,285
Persons of African-American Race	452
Persons of Hispanic or Latino Race	230
Persons of Other Race	87

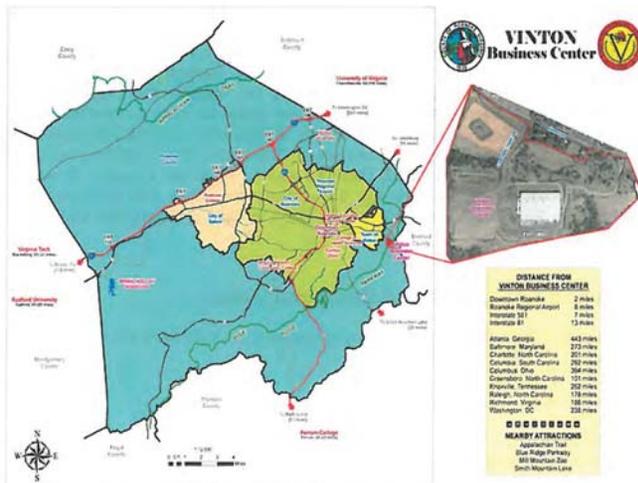
Table No. 1 – Demographic Data

The plan takes into account the increasing risks related to man made hazards, identified through hazardous materials reporting required by the Superfund Amendments and Reauthorization Act of 1986 (SARA). The plan further takes into account, through a review of the Pre-Hazard Mitigation Plan for Roanoke Valley-Alleghany Regional Commission Region, Virginia, the risk levels related to identified hazards and the past and on-going mitigations to address those risks. The chief natural hazards occurring in the Town of Vinton include flooding, earthquakes, hurricanes/tropical storms, and winter/severe weather.

Hazard	Probability
Earthquake	Moderate
Flood	Moderate
Hazardous Materials	Moderate
Hurricane/Tropical Storm	Low
Landslide	Moderate
Tornado	Low
Wildfire	Low
Winter Storm	Moderate
Severe Weather	Moderate

Table No. 2 – Hazard Probability

Hazard indices and vulnerability assessments for moderate and significant risk events were developed for the Town of Vinton. The hazard indices evaluated the extent to which the buildings were at risk from a particular hazard. The vulnerability assessments estimated the potential impacts if a particular area was affected by a specific hazard.



- Emergencies of various types, size, intensity, and duration may occur within or near the jurisdictional boundaries of the town with or without warning. These emergencies can develop into disasters, which affect the safety, health, and welfare of the population and cause damage or destruction to private and public property.
- Based on a hazards analysis of the area, the primary hazards in the Town of Vinton are Tinker Creek and Glade Creek, hazardous material incidents, severe winter weather, essential resource shortages, and transportation accidents. A list of critical infrastructure and flood prone areas are listed in attachments 11 and 12 of this section. Additionally, healthcare facilities and elementary schools within Town are indicated as being of special concern during an incident because of the number of occupants and additional concern for their needs as far as security, transportation, and healthcare. Those facilities are listed in attachment 13.
- The government of the Town of Vinton is responsible for maintaining an emergency plan and response capability to protect the lives and property of its citizens from the effects of both man-made and natural disasters. Vinton government must continue to function throughout a disaster or emergency situation.
- The Virginia Emergency Services and Disaster Law of 2000, as amended, require that each city and county prepare and keep current an emergency operations plan. This plan should be officially adopted by the local governing body and promulgated by the chief administrative official.
- The Coordinator of Emergency Services will update the Emergency Operations Plan annually. Responsibility will include coordinating with each emergency resource organization and assuring the development and maintenance of an appropriate emergency response capability. The plan will be reviewed and updated annually, as necessary. The Coordinator should have the plan readopted every four years.
- In the event of an emergency situation, which exceeds local emergency response capabilities, outside assistance is available, either through mutual support agreements with nearby jurisdictions and volunteer emergency organizations or, through the State EOC. **A local emergency must be declared and local resources must be fully committed before state and federal assistance is requested.** The County of Roanoke provides many resources to the Town of Vinton and operate under an Emergency Operations Plan that they have developed and is applicable to incidents within the Town as well as Roanoke County. Roanoke County Police, Fire, and Rescue Departments are the primary resources that are called upon in an emergency and the Roanoke County EOP works hand-in-hand and supports and expands upon the Town of Vinton EOP.

Organization and Assignment of Responsibilities

- The Town maintains the following emergency services organizations to deal with normal day-to-day emergencies:
 - Police Department
 - Fire Department
 - Rescue Squad
 - Public Works Department

B. In the event of an actual or threatened large-scale emergency situation, the above organizations will be augmented by the following departments or agencies, which have been assigned emergency duties in addition to their primary day-to-day functions:

1. Town Council
2. Town Manager
3. Roanoke County School System
4. Roanoke County/Vinton Health Department
5. Roanoke County Social Services Department
6. Other Town Departments
7. American National Red Cross, Roanoke Chapter
8. Quasi-public relief organizations

C. The Commonwealth of Virginia Emergency Services and Disaster Law of 2000 provides that emergency services organizations and operations be structured around existing constitutional government. Following is a list of duties and assigned responsibilities for emergency operations in the Town of Vinton.

1. Director of Emergency Services
Coordinator of Emergency Services
Public Information Officer
 - a. Continuity of government
 - b. Direction and control of emergency operations
 - c. Submission of state-required reports and records
 - d. Initial warning and alerting
 - e. Emergency public information
 - f. Damage assessment
 - g. Coordination of disaster assistance and recovery
2. Police Department
 - a. Law enforcement
 - b. Communications
 - c. Crowd control
 - d. Initial warning and alerting
 - e. Security of emergency site, evacuated areas, shelter areas, vital facilities and supplies
 - f. Traffic control
 - g. Evacuation and access control of threatened areas
 - h. Assist the Health Department with identification of deceased persons
3. Vinton Fire and EMS Services (Vinton Fire-EMS, Vinton Volunteer Fire Department, Vinton Volunteer First Aid Crew)
 - a. Fire prevention and suppression
 - b. Communications
 - c. Emergency medical treatment
 - d. Hazardous materials incident response and training
 - e. Radiological monitoring and decontamination
 - f. Assist with evacuation
 - g. Search and rescue
 - h. Temporary shelter for evacuees

- i. Assist in initial warning and alerting
4. Roanoke County School System
Superintendent of Schools
 - a. Provide facilities for the reception and care of evacuees
 - b. Mass feeding facility
 - c. Evacuation transportation
5. Department of Social Services
American National Red Cross, Roanoke Chapter
The Salvation Army
 - a. Reception and care of evacuees
 - (1) Provide registration and record keeping
 - (2) Provide mass feeding
 - (3) Provide crisis-counseling services as required
 - b. Provide emergency welfare services for displaced persons
 - c. Coordinate the services of quasi-public and volunteer relief organizations
 - d. Provide special assistance for the elderly and handicapped as required.
6. Roanoke County/Vinton Health Department
 - a. Coordinate hazardous waste management and enforcement
 - b. Epidemic control measures
 - c. Assist with medical support to persons in shelters
 - d. Issue health advisories
 - e. Emergency mortuary and interment coordination
 - f. Insect and rodent control
 - g. Inspection of food, milk, and water supply. Assure the continued supply of potable water.
 - h. Coordination and control of biologicals and radiologicals
 - i. Identification of deceased, assisted by the local and State Police and Medical Examiners Office
 - j. Coordination with area hospitals
 - k. Assure the provision of minimum essential sanitation services
7. Vinton Volunteer Rescue Squads/Career EMS Division
 - a. Rescue operations, to include emergency medical transportation and first aid
 - b. Assist with the evacuation of endangered areas
 - c. Assist with the dissemination of warnings
 - d. Assist with radiological monitoring
 - e. Other functions as set forth in the Virginia Association of Volunteer Rescue Squads Operations Plan
 - f. Search and rescue
8. Public Works Department
 - a. Coordinate the maintenance and continued operation of water and sewer.

- b. Assist in identifying essential facilities
 - c. Debris removal
 - d. Assist with assuring the continued supply of potable water
 - e. Assist with providing minimum essential sanitation service
 - f. Assist with damage assessment
 - g. Assist with hazardous material clean up
9. Roanoke County Building Division, Vinton Planning and Zoning
- a. Ensure that all construction that occurs within the town is in compliance with the town's comprehensive plan, zoning, and land-use regulations
 - b. Conduct inspections to enforce and carry out the jurisdiction's building codes (i.e., structural, mechanical, electrical, etc.)
 - c. Provide maps, charts, and population data as necessary
 - d. Assist with damage assessment following a disaster
 - e. Inspect buildings following a disaster for structural, electrical, gas, plumbing, and mechanical damage before permitting reoccupancy
 - f. Ensure that all repairs and rebuilding complies with county's building codes, as well as the town's zoning, and land-use regulations
 - g. Debris removal
10. Carilion Clinic
- a. Provide emergency medical services
 - b. Assist in expanding medical and mortuary services to other facilities if required
11. Town Attorney
- a. Advise the town concerning legal responsibilities, powers, and liabilities regarding emergency operations and post-disaster assistance.
 - b. Assist Town Manager and the Town Council with maintaining continuity of government
12. Roanoke County Real Estate Assessment
- a. Assist in the collection, compilation of damage assessment following a disaster

Concept of Operations

A. General

1. The Commonwealth of Virginia Emergency Services and Disaster Law of 2000 provides that emergency services organizations and operations will be structured around existing constitutional government. The Vinton organization for emergency operations consists of existing government departments and private emergency response organizations.
2. The Director of Emergency Services is the Town Manager. The day-to-day activities of the emergency preparedness program have been delegated to the Coordinator of Emergency Services. The Director, in conjunction with the Coordinator of Emergency Services, will direct and control emergency operations in time of emergency and issue directives to other

services and organizations concerning disaster preparedness. Emergency public information will be addressed at time of need.

3. The Coordinator of Emergency Services, assisted by the Assistant to the Town Manager and department heads, will develop and maintain a preliminary Emergency Operations Center (EOC) from which to direct operations in time of emergency. This preliminary EOC will be established for incidents that are of smaller scale and short duration (i.e. weather events that don't cause major disruptions to services or infrastructure, etc). The preliminary EOC is currently located in the lower level of the Municipal Building in the Police Department, Vinton, Virginia. The primary EOC facility is located at the Roanoke County Public Safety Center, 5925 Cove Road, Roanoke, VA 24019.
4. The day-to-day activities of the emergency management program include developing and maintaining an Emergency Operations Plan, maintaining the Town EOC in a constant state of readiness, and other responsibilities as outlined in local and state regulations.
5. A local emergency may be declared by the Director of Emergency Services or the Coordinator of Emergency Services with the consent of the Town Council (see Section 44-146.21, Virginia Emergency Services and Disaster Law). The declaration of a local emergency activates the Emergency Operations Plan and authorizes the provision of aid and assistance thereunder. It should be declared when a coordinated response among several local agencies/organizations must be directed or when it becomes necessary to incur substantial financial obligations in order to protect the health and safety of persons and property or to provide assistance to the victims of a disaster.
6. The Director of Emergency Services or, in his absence, the Coordinator of Emergency Services will determine the need to evacuate large areas and will issue orders for evacuation or other protective action as needed. The Police Department will implement evacuation and provide security for the evacuated area.
7. The Director of Emergency Services or, in his absence, the Coordinator of Emergency Services will notify the Virginia Department of Emergency Management via WebEOC immediately upon the declaration of a local emergency. Daily situation reports are also required. All appropriate locally available forces and resources will be fully committed before requesting assistance from the state. All disaster-related expenditures must be documented in order to be eligible for post-disaster reimbursement should a federal disaster be declared.
8. The heads of operating agencies will maintain plans and procedures in order to be prepared to effectively accomplish their assigned responsibilities. Reference the annexes and appendices to this plan. Additional guidance is contained in the SARA Title III Plan.
9. The Coordinator of Emergency Services will assure compatibility between the town's Emergency Operations Plan and the plans and procedures of key facilities and private organizations within the town as appropriate.
10. The town must be prepared to bear the initial impact of a disaster on its own. Help may not be immediately available from the state or federal government after a natural or man-made disaster. All appropriate locally available forces and resources will be fully committed before requesting assistance from the state. Requests for assistance will be made through the State EOC to the State Coordinator through WebEOC.

11. The Director of Emergency Services or, in his absence, the Coordinator of Emergency Services, with support from designated local officials, will exercise direction and control from the EOC during disaster operations. The EOC may be partially or fully staffed depending on type and scope of the disaster. The EOC will provide logistical and administrative support to response personnel deployed to the disaster site(s). Available warning time will be used to implement increased readiness measures which will insure maximum protection of the population, property, and supplies from the effects of threatened disasters.
12. The heads of operating agencies will develop and maintain detailed plans and standing operating procedures necessary for their departments to effectively accomplish their assigned tasks. Department and agency heads will identify sources from which emergency supplies, equipment, and transportation may be obtained promptly when required. Accurate records of disaster-related expenditures will be maintained. All disaster-related expenditures will be documented to provide a basis for reimbursement should federal disaster assistance be needed. In time of emergency, the heads of town offices, departments, and county agencies will continue to be responsible for the protection and preservation of records essential for the continuity of government operations. Department and agency heads will establish lists of succession of key emergency personnel.
13. Day-to-day functions that do not contribute directly to the emergency operation may be suspended for the duration of any emergency. Efforts that would normally be required of those functions will be redirected to accomplish the emergency task by the agency concerned.
14. Declaration of a Local Emergency
 - a. The Vinton Town Council, by resolution, should declare an emergency to exist whenever the threat or actual occurrence of a disaster is, or threatens to be, of sufficient severity and magnitude to require significant expenditures and a coordinated response in order to prevent or alleviate damage, loss, hardship, or suffering.
 - b. A declaration of a local emergency activates the response and recovery programs of all applicable local and interjurisdictional Emergency Operations Plans and authorizes the furnishing of aid and assistance in accordance with those plans. In the event the Council cannot convene due to the disaster, the Director of Emergency Services, or any other Emergency Services staff in his absence, may declare a local emergency to exist subject to confirmation of the entire Board, within fourteen days of the declaration. The Director of Emergency Services or, in his absence, the Coordinator of Emergency Services will advise the State EOC immediately following the declaration of a local emergency.
 - c. When local resources are insufficient to cope with the effects of a disaster and the town requests state assistance, the following procedures will apply. The Director of Emergency Services, by letter to the State Coordinator of Emergency Management, will indicate that a local emergency has been declared, the local Emergency Operations Plan has been implemented, available resources have been committed, state assistance is being requested and, if appropriate, recommend that the Governor declare a state of emergency. A copy of the resolution declaring a local emergency to exist should accompany this letter.

15. The State Emergency Operations Plan requires the submission of the following reports by local government in time of emergency.

Daily Situation Report
 Damage Assessment Report
 After-Action Report

16. Support by military units may be requested through the State EOC. Military forces, when made available, will support and assist local forces and may receive from the local Director of Emergency Services or his designated representative, mission-type requests, to include objectives, priorities, and other information necessary to accomplish missions.
17. Emergency assistance may be made available from neighboring jurisdictions in accordance with mutual aid agreements. Emergency forces may be sent from Vinton to assist adjoining jurisdictions. Such assistance will be in accordance with existing mutual aid agreements or, in the absence of official agreements, directed by the Director of Emergency Services or, in his absence, the Coordinator of Emergency Services when he/she determines that such assistance is necessary and feasible.
18. The Vinton Director of Emergency Services, the Coordinator of Emergency Services, and the Roanoke County Department of Social Services will assist disaster victims in obtaining post-disaster assistance, such as temporary housing and low-interest loans.
19. This plan is effective as a basis for training and pre-disaster preparedness upon receipt. It is effective for execution when:
 - a. Any disaster threatens or occurs in the town and a local disaster is declared under the provisions of Section 44-146.21, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000.
 - b. A state of emergency is declared by the Governor.
20. The Director of Emergency Services, assisted by the Coordinator of Emergency Services has overall responsibility for maintaining and updating this plan. It should be updated, improved based on lessons learned, and republished following an actual or threatened emergency situation. In the absence of such a situation, it should be updated annually, preferably after a training exercise or drill, as needed. The Coordinator will have the EOP readopted every four years. Guidance and assistance is provided by the Virginia Department of Emergency Management. A plan distribution list must be maintained. See Attachment 1. Responsible individuals and officials should recommend to the Director of Emergency Services or the Coordinator of Emergency Services appropriate improvements and changes as needed based on experiences in emergencies, deficiencies identified through drills and exercises, and changes in government structure.

B. Operations Periods

1. Normal Operations

Emergency operations plans and procedures will be developed and maintained. Training and test exercises will be conducted periodically as required to maintain readiness.

2. Increased Readiness

When a peacetime disaster threatens, all agencies having responsibilities will take action as called for in their respective functional annex. (Example: flash flood watch.)

3. Emergency Operations

Full-scale operations and a total commitment of staff and resources are required to mobilize and respond in time of emergency. The local EOC must direct and control all emergency operations. A local emergency should be declared. Damage assessment begins. There are two phases of emergency operations:

a. Mobilization Phase

Conditions worsen requiring full-scale mitigation and preparedness activities. (Example: flash flood warning.)

b. Response Phase

Disaster strikes. An emergency response is required to protect lives and property.

4. Recovery

Recovery is both a short-term and a long-term process. Short-term operations restore vital services to the community and provide for basic needs to the public. Long-term recovery focuses on restoring the community to its normal, or to an improved, state of affairs. Examples of recovery actions are the provision of temporary housing and food, the restoration of non-vital government services, and the reconstruction of damaged areas.

Exercises and Training

- A. Trained and knowledgeable personnel are essential for the prompt and proper execution of the Vinton Emergency Operations Plan and subplans. Vinton will ensure that all response personnel have a thorough understanding of their assigned responsibilities in a disaster situation, as well as how their role and responsibilities interface with the other response components of the Vinton Emergency Operations Plan. All personnel will be provided with the necessary training to execute those responsibilities in an effective and responsible manner.
- B. The Emergency Services Coordinator/Director is responsible for the development, administration, and maintenance of a comprehensive training and exercise program tailored to the needs of Vinton. This program will be comprised of a general core, functionally specific, as well as on-going refresher training programs designed to attain and sustain an acceptable level of emergency preparedness for Vinton.
- C. Training will be based on federal and state guidance. Instructors will be selected from Vinton government officials and staff, federal and state governments, private industry, the military, as well as quasi-public and volunteer groups trained in emergency services and response. All training and exercises conducted in Vinton will be documented. Training needs will be identified and records maintained for all personnel assigned emergency response duties in a disaster.

- D. The Coordinator of Emergency Services will develop, plan, and conduct functional and/or full-scale exercises annually. These exercises will be designed to not only test the Vinton Emergency Operations Plan and subplans, but to train all appropriate officials, emergency response personnel, town employees, and improve the overall emergency response organization and capability of Vinton. Quasi-public and volunteer groups and/or agencies will be encouraged to participate. Deficiencies identified by the exercise will be addressed immediately.

Concurrent Implementation of Other Plans

The Local Emergency Operations Plan (EOP) is the core plan for managing incidents and details the local coordinating structures and processes used during incidents. Other supplemental agency and interagency plans provide details on the authorities, response protocols, and technical guidance for responding to and managing specific contingency situations (such as hazardous materials spills, wild land fires, etc.). In many cases these local agencies manage incidents under these plans using their authorities. These supplemental agency or interagency plans may be implemented concurrently with the EOP, but are subordinated to the overarching core coordinating structures, processes, and protocols detailed in the EOP.

Organization Structure

In accordance with the National Incident Management System (NIMS) process, resource and policy issues are addressed at the lowest possible organizational level. If issues cannot be resolved at that level, they are forwarded up to the next level. Reflecting the NIMS construct and in alignment with the National Response Framework (NRF), the EOP includes the following command and coordination structures:

- Incident Command Posts, on-scene using the Incident Command System;
- Area Command (if needed);
- Emergency Operations Centers;
- Emergency Support Functions;
- Joint Field Office (JFO), which is responsible for coordinating Federal assistance supporting incident management activities locally;
- Local Department of Emergency Management;
- Director of Emergency Services;
- Coordinator of Emergency Services; and
- Incident Commander

Sequence of Actions

This section describes incident management actions ranging from initial threat notification, to early coordination efforts to assess and disrupt the threat, to preparatory activation of the ESF structure, to deployment of resources in support of incident response and recovery operations. These actions do not necessarily occur in sequential order; many may be undertaken concurrently in response to single or multiple threats or incidents.

Non-Emergency/Normal Operations

These are actions that are implemented during non-emergency or disaster periods that will prepare the Town of Vinton for potential emergency response if necessary:

- Public information and educational materials will be provided to the public via municipal newsletters, brochures, publications in telephone directories, municipal web-sites and other media;
- Develop, review and exercise emergency operations plans and standard operating procedures;
- Assure the viability and accuracy of emergency contact lists, resource lists and emergency contracts; and
- Conduct response and incident management training.

Pre-Incident Actions

These are actions that are implemented if the Director of Emergency Services receives notice of a potential emergency from the federal Homeland Security Advisory System, National Weather Service watches and warnings or other reliable sources.

Some issues to consider at this point in the incident are:

- Communication alert & warning;
- Public health and safety;
- Responder health and safety;
- Property protection;
- Possible partial activation of the EOC;
- Brief the local governing body of the impending situation;
- Alert emergency response personnel and develop a staffing pattern;
- Coordinate with external agencies (i.e. Health Department, American Red Cross, etc.); and
- Determine any protective action measures that need to be implemented in preparation for the situation.
- Refer to Attachment 11(Critical Infrastructure), Attachment 12 (Hazard Prone Locations: Flooding), and Attachment 13 (Healthcare Facilities and Elementary Schools) as guides to consider early deployment of in case of an incident or event.

Response Actions

These actions are taken to preserve life, property, the environment, and the social, economic, and political structure of the community. Some issues to consider at this point in the incident are:

- Need for Law Enforcement services;
- Protection of responder health and safety;
- Fire;
- Emergency medical services;
- Evacuations;
- Dissemination of public information;
- Actions to minimize additional damage;
- Urban search and rescue;
- Public health and medical services;
- Distribution of emergency supplies;

- Debris clearance;
- Protection and restoration of critical infrastructure;
- Daily functions of the government that do not contribute directly to the emergency operation may be suspended for the duration of the emergency response;
- Efforts and resources may be redirected to accomplish an emergency task;
- Implement evacuation orders as needed;
- Open and staff emergency shelters as needed; and
- Submit Situation Reports to the Virginia Emergency Operations Center (VEOC).

Once immediate response missions and life-saving activities conclude, the emphasis shifts from response to recovery operations, and if applicable, hazard mitigation.

Recovery Actions

These actions occur after the initial response has been implemented. These actions should assist individuals and communities return to normal as much as feasible. During the recovery period, some of the issues that will need to be addressed are:

- Initial damage assessment—within 72 hours of impact, complete and submit an Initial Damage Assessment (IDA) to the VEOC;
- Assess local infrastructure and determine viability for re-entry of residents;
- Begin immediate repairs to electric, water, and sewer lines and pumping stations;
- Assess long-term recovery needs
- Begin cleanup and restoration of public facilities, businesses, and residences;
- Re-establishment of habitats and prevention of subsequent damage to natural resources; and
- Protection of cultural or archeological sites during other recovery operations.

A Joint Field Office (JFO) may open to assist those impacted by the disaster if the event is declared a Federal Disaster. The JFO is the central coordination point among Federal, State and Local agencies and voluntary organizations for delivering recovery assistance programs.

Mitigation Actions

These actions are completed to reduce or eliminate long-term risk to people and property from hazards and their side effects. During the mitigation process, these issues will need to be addressed:

- Review the All-Hazard Mitigation Plan and update as necessary any mitigation actions that could be of assistance in preventing similar impacts for a future disaster.
- Work with the Virginia Department of Emergency Management Mitigation Program to develop mitigation grant projects to assist in the most at risk areas.
- Grant programs for loss reduction measures (if available);
- Delivery of loss reduction building-science expertise;
- Coordination of Federal Flood Insurance operations and integration of mitigation with other program efforts;
- Conducting flood recovery mapping to permit expedited and accurate implementation of both recovery and mitigation programs;
- Predictive modeling to protect critical assets;

- Early documentation of losses avoided due to previous hazard mitigation measures; and
- Community education and outreach necessary to foster loss reduction.
- Implement mitigation measures in the rebuilding of infrastructure damaged in the event

Declaration of Local Emergency

The Town Council shall declare by resolution an emergency to exist whenever the **threat** or **actual occurrence** of a disaster is or threatens to be of sufficient severity and magnitude to require significant expenditure and a coordinated response in order to prevent or alleviate damage, loss, hardship or suffering. A local emergency may be declared by the Director of Emergency Services with the consent of the local governing board. If the governing body can not convene due to the disaster or other exigent circumstances, the director or in his absence the deputy director shall declare the existence of an emergency, subject to the confirmation by the governing board within 14 days of the declaration.

Activation of the EOC

The Director / Coordinator of Emergency Services may activate the EOC if the following conditions exist:

- There is an imminent threat to public safety or health on a large scale;
- An extensive multiagency/jurisdiction response and coordination will be required to resolve or recover from the emergency or disaster event;
- The disaster affects multiple political subdivisions within counties or cities that rely on the same resources to resolve major emergency events; and/or
- The local emergency ordinances are implemented to control the major emergency or disaster event.

Availability of staff and operational needs may allow or require positions to be combined, or positions to not be filled (responsibilities held by the next higher position).

Communication, Alert and Warning will be provided to the public via the Emergency Alert System (EAS). Other systems will be used as available.

Authorities and References

The organizational and operational concepts set forth in the plan are promulgated under the following authorities:

Federal

1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended
2. The Homeland Security Act
3. National Response Framework
4. Local and Tribal NIMS Integration: Integrating the National Incident Management System into Local and Tribal Emergency Operations Plans and Standard Operating Procedures, V. 1, Department of Homeland Security
5. Comprehensive Preparedness Guide 101, March, 2009

State

1. Commonwealth of Virginia Emergency Services and Disaster Law of 2006, as amended.
2. The Commonwealth of Virginia Emergency Operations Plan, December 2007

Attachment 1 Definitions

Disaster Field Office (DFO) - An administrative office established by FEMA and staffed by appropriate federal/state personnel following a disaster declaration by the president.

Emergency Alert System (EAS) - A network of broadcast stations interconnecting facilities authorized by the Federal Communications Commission (FCC) to operate in a controlled manner, according to the State EAS Plan, to inform the public of needed protective actions in the event of an emergency or disaster situation.

Emergency or Disaster - An event that demands a crisis response beyond the scope of any single line agency or service (beyond the scope of just the police department, fire department, etc.) and that presents a threat to a community or larger area. An emergency is an event that can be

controlled within the scope of local capabilities; a major emergency or disaster require resources beyond what is available locally.

Emergency Operations Center (EOC) - The facility from which government directs and controls its emergency operations; where information about the status of the emergency situation is officially collected, assimilated, and reported on; where coordination among response agencies takes place; and from which outside assistance is officially requested.

Emergency Operations Plan (EOP) - A document that provides for a preplanned and coordinated response in the event of an emergency or disaster situation.

Emergency Services - The preparation for and the carrying out of functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from natural or man-made disasters. These functions include firefighting, law enforcement and security, medical and health, search and rescue, public works and engineering, communications, and the care of displaced persons.

Emergency Support Function (ESF) - A function as explained in the Federal Response Plan which tasks federal agencies to provide and/or coordinate certain resources in response to emergencies or disasters.

Exercise - An activity designed to promote emergency preparedness; test or evaluate emergency operations plans, procedures, or facilities; train personnel in emergency response duties, and demonstrate operational capability. There are three specific types of exercises: tabletop, functional, and full scale.

Federal Disaster Assistance - Aid to disaster victims or state and local governments by federal agencies under provisions of the Robert T. Stafford Relief and Emergency Assistance Act of 1988 (PL 93-288).

Hazardous Materials (HazMat) - A substance or material in a quantity or form that may pose an unreasonable risk to health and safety or property when released to the environment.

Incident Command System (ICS) - An open-ended organizational structure designed to effectively direct and control an in-the-field emergency response.

Interjurisdictional Agency for Emergency Services - Any organization established between contiguous political subdivisions to facilitate the cooperation and protection of the subdivision in the work of disaster prevention, preparedness, response, and recovery.

Local Emergency - The condition declared by the local governing body when, in their judgment, the threat or actual occurrence of a disaster is or threatens to be of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby. A local emergency arising wholly or substantially out of a resource shortage may be declared only by the Governor, upon petition of the local governing body.

Local Emergency Services Organization - An organization created in accordance with the provisions of Section 44-146.19 of the Code of Virginia by local authority to perform local emergency services functions.

Major Disaster/Emergency Determined by the President - These terms are defined in the Stafford Act (Public Law 93-288) and have a specific meaning in the context of federal disaster relief and emergency assistance. They are declared by the President when local and state response capabilities are overwhelmed and federal disaster assistance is needed.

Man-made Disaster - Any industrial, nuclear, or transportation accident, explosion, conflagration, power failure, resource shortage, or other condition, except enemy action, resulting from man-made causes, such as sabotage, oil spills, and other injurious environmental contamination, which threaten or cause damage to property, human suffering, hardship, or loss of life.

Mitigation - Mitigation activities are those that either prevent the occurrence of an emergency or reduce the community's vulnerability in ways that minimize the adverse impact of a disaster or other emergency.

National Weather Service (NWS) - The federal agency which provides localized weather information to the population, and during a weather-related emergency to state and local emergency management officials.

Natural Disaster - Any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, or other natural catastrophe resulting in damage, hardship, suffering, or possible loss of life.

Recovery - Recovery involves restoring systems to normal after the emergency. Some long-term recovery actions may continue for months or even years.

Severe Weather Warning - An advisory broadcast message from the NWS, which indicates the probability of a particular severe weather storm is high and is an alert to the public of such severe weather conditions.

Severe Weather Watch - An advisory broadcast message which indicates the probability of a particular severe weather storm is high and is an alert to the public of such severe weather conditions.

Stafford Act - The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended by Public Law 100-707. In this plan it is referred to as "The Stafford Act." A federal statute that provides for the prompt delivery of federal assistance to affected local governments and individuals following a major disaster, especially when state and local relief resources are overwhelmed.

Standing Operating Procedures (SOPs) - Preplanned instructions, usually in checklist format, which are used to facilitate the completion of assigned tasks in time of emergency. SOPs supplement EOPs and are usually published separately. They include items such as call-up lists, manning documents, and resource lists.

State of Emergency - The condition declared by the Governor when, in his judgment, the threat or actual occurrence of a disaster in any part of the state is of sufficient severity and magnitude to warrant disaster assistance by the state to supplement the effort and available resources of any locality or relief organization in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby and is so declared by him when it is evident that state resources are needed to cope with such disasters.

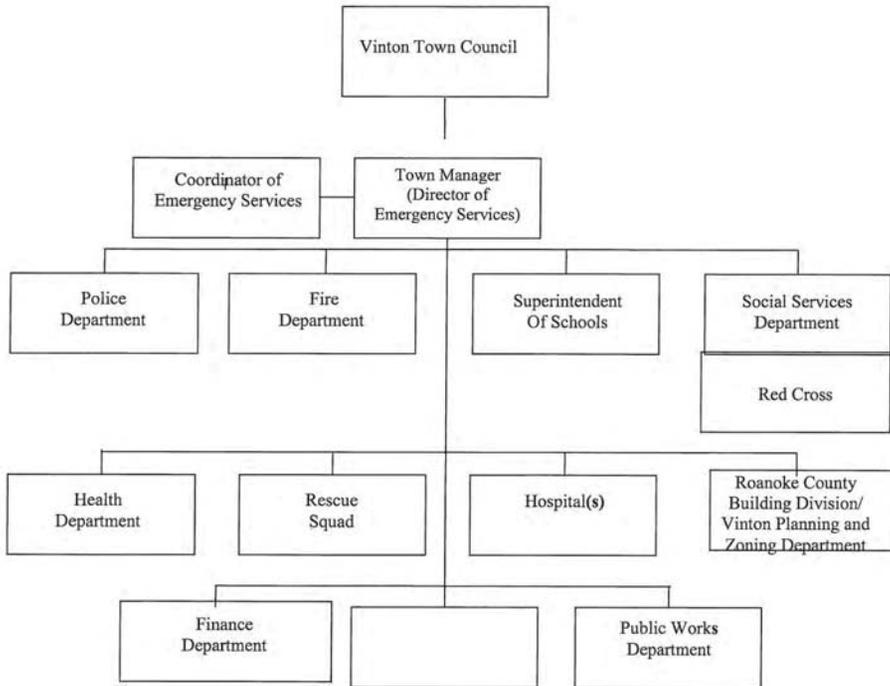
Voluntary Organizations Active in Disasters (VOAD) - Coalition of nongovernmental agencies that actively participate in disaster response and recovery.

Warning - The alerting of public officials, emergency support services, and the general public to a threatened emergency or disaster situation.

Attachment 2 Glossary of Acronyms

ARES	Amateur Radio Emergency Service
CAP	Civil Air Patrol
DAC	Disaster Application Center
EAS	Emergency Alert System
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
IFLOWS	Integrated Flood Observing and Warning System
LEPC	Local Emergency Planning Committee
MEDEVAC	Medical Evacuation
MSDS	Material Safety Data Sheets
PIO	Public Information Officer
RACES	Radio Amateur Civil Emergency Services
SARA	Superfund Amendments and Reauthorization Act
SOP	Standing Operating Procedures
VFDA	Virginia Funeral Directors Association, Inc.

**Attachment 3
Organization Chart**



**Attachment 4
Matrix of Responsibilities**

	EOC Supervisor	Coordinator of Emergency Serv.	Town Council	Town Manager	Police Department	Career/Volunteer Fire Personnel	Superintendent of Schools	Department of Social Services	American Red Cross	Health Department	Career/Vol Rescue Personnel	Public Works Department	Hospitals	County Real Estate Division	AEP	Town Attorney	State and Special Police	VA Dept. of Transportation
o - Primary responsibility x - Secondary or assist responsibility																		
Direction and Control	x	o	x	o													x	
Emergency Public Information	x			o														
Law Enforcement					o												x	
Traffic Control					o												x	
Communications	o				o	x					x							
Warning and Alerting	o				o	x					x							
Fire Response						o												
Hazardous Materials Response	x				x	o					x							
Search and Rescue					o	x					x							
Evacuation					o	x					x							
Radiological Incident Response	x				o						x	x						
Shelter Operation							o	x	o		x							
Emergency Medical Transport											o							
Mass Feeding						x	x	o										
Welfare Services							o	x										
Health Services								o										
Utilities Services															o			
Street Maintenance												o						
Debris Removal												o						
Damage Assessment	o													o				
Resource and Supply												o						
Economic Stabilization				o													x	
Medical Services									x	x	x	o						
Mortuary Services										o	x	x						

**Attachment 5
Succession of Authority**

Continuity of emergency operations is critical to the successful execution of emergency operations. Therefore, the following lines of succession are specified in anticipation of any contingency that might result in the unavailability of the ranking member of the administrative hierarchy. The decision-making authority for each organization or service function is listed below by position in decreasing order.

<u>Organization/Service Function</u>	<u>Authority in Line of Succession</u>
Direction and Control	1. Director of Emergency Services 2. Coordinator of Emergency Services
Emergency Public Information	1. Director of Emergency Services 2. PIO
Police Department	1. Chief of Police 2. Lieutenant(s) 3. Sergeant(s)
Fire Department	1. Fire Chief 2. Assistant Fire Chief 3. Fire Captain 4. Fire Lieutenant
School System	1. Superintendent 2. Director of Facilities and Operations 3. Support Services Specialists 4. Supervisor of Maintenance 5. Director of Administration
Planning & Zoning	1. Director 2. Code Enforcement Officer
Public Works	1. Director 2. Assistant Director
Health Department	1. District Health Director 2. Administrator 3. District Nursing Supervisor
Rescue Departments	1. Rescue Chief 2. Assistant Rescue Chief 3. Rescue Captain 4. Rescue Lieutenant
Social Services	1. Director 2. Social Work Supervisor 3. Eligibility Supervisor
Building Department	1. Building Commissioner 2. Assistant Building Commissioner

**Attachment 6
Exercise and Training Recommendations**

Trained and knowledgeable personnel are essential for the prompt and proper execution of the Town of Vinton Emergency Operations Plan (EOP). The Director of Emergency Services will ensure all response personnel have a thorough understanding of their assigned responsibilities in a disaster or emergency situation, as well as how their role and responsibilities interface with the other response components of the Town of Vinton EOP. All personnel will be provided with the necessary training to execute those responsibilities in an effective and responsible manner.

The Coordinator of Emergency Services is responsible for the development, administration, and maintenance of a comprehensive training and exercise program customized to the needs of Vinton. This program will be designed to attain an acceptable level of emergency preparedness for Vinton.

Training will be based on federal and state guidelines. Instructors may be selected from the Town of Vinton government officials and staff, state and federal governments, private industry, the military, and volunteer groups trained in emergency management. All training and exercises conducted in the Town of Vinton will be documented. Training needs will be identified and records maintained for all personnel assigned emergency response duties in a disaster.

The Coordinator of Emergency Services will develop, plan, and conduct tabletop, functional and/or full scale exercises annually. These exercises will be designed to not only test the Town of Vinton EOP, but to train all appropriate officials and personnel, and to improve the overall emergency response organization and capability of Town of Vinton. Quasi-public and volunteer groups and/or agencies will be encouraged to participate. Exercises will be conducted in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). Town of Vinton may also participate in regional HSEEP exercises, as appropriate.

The Coordinator of Emergency Services will maintain the training and exercise schedule and assure that the appropriate resources are available to complete these activities.

Following each exercise or actual event, an After Action Review (AAR) will take place. Strengths and areas for improvement will be identified, addressed and incorporated into an update of the EOP.

**Attachment 7
Essential Records**

COURT RECORDS

The preservation of essential records for the locality is the responsibility of the Clerk of the Circuit Court. All essential records are to be stored in the records vault located in the Office of the Clerk of the Circuit Court. These records include the following:

- Real Estate Records*
- Criminal Records
- Wills
- Civil Records
- Chancery Records
- Marriage Licenses

The evacuation of records in the event of an emergency will be accomplished only by approval of the Clerk of the Circuit Court. The loading and transportation of these records is the responsibility of the Sheriff's Office.

* A microfilm copy of all real estate records for the locality is stored in the Archives, State Library, Richmond, Virginia.

AGENCIES/ORGANIZATIONS

Each agency/organization within Town of Vinton government should establish its own records protection program. Those records deemed essential for continuing government functions should be identified and procedures should be established for their protection, such as duplicate copies in a separate location and/or the use of safe and secure storage facilities. Provisions should be made for the continued operations of automated data processing systems and records.

**Attachment 8
Declaration of Emergency**

WHEREAS, the Town of Vinton, Town Council does hereby find:

1. That due to _____, the Town of Vinton is facing dangerous conditions;
2. That due to _____, conditions of extreme peril to life and property necessitates the proclamation of the existence of an emergency;
3. The Director of Emergency Services has declared a local emergency.

NOW THEREFORE, IT IS HEREBY PROCLAIMED that Town Council, Vinton, VA consents to the declaration of emergency by the Director of Emergency Services and the emergency now exists throughout the Town of Vinton; and

IT IS FURTHER PROCLAIMED AND ORDERED that the Emergency Operations Plan is now in effect.

Town of Vinton, Town Council

ATTEST:

Clerk,

Adopted this _____ day of _____, 20_____

Emergency Support Function # 1 – Transportation

ESF Coordinator

Vinton Public Works Representative

Primary Agencies

Vinton Emergency Services
Vinton Public Works

Secondary/Support Agencies

Vinton Police Department
Roanoke County Public Schools
Government Cooperative
Private Contractors
Virginia Department of Transportation (VDOT)

INTRODUCTION

MISSION

Transportation assists local, federal, and state government entities and voluntary organizations requiring transportation capacity to perform response missions following a disaster or emergency. Emergency Support Function (ESF) #1 will also serve as a coordination point between response operations and restoration of the transportation infrastructure.

SCOPE

ESF #1 will:

- Coordinate evacuation transportation as its first priority during disaster operations;
- Prioritize and allocate all local government transportation resources;
- Facilitate movement of the public in coordination with other transportation agencies;
- Facilitate damage assessments to establish priorities and determine needs of available transportation resources
- Maintain ingress/egress;
- Provide traffic control;
- Communicate and coordinate with VDOT; and
- Coordinate with surrounding localities and private organizations to ensure that potentially needed resources are available during disaster operations.

POLICES

Local transportation planning will use the most effective means of transportation to carry out the necessary duties during an incident, including, but not limited to:

- Use of available transportation resources to respond to an incident;
- Provide traffic control;
- Facilitate the prompt deployment of resources;
- Recognize State and Federal policies, regulations, and priorities used to control movement of relief personnel, equipment, and supplies;
- Develop and maintain priorities for various incidents through an interagency process led by Town of Vinton and VDOT.
- Request additional resources

CONCEPT OF OPERATIONS

GENERAL

The Emergency Operations Plan (EOP) provides guidance for managing the use of transportation services and request for relief and recovery resources.

Access routes should remain clear to permit a sustained flow of emergency relief. This function will coordinate with ESF-3 for removal of debris.

All requests for transportation support will be submitted to the Town of Vinton Emergency Operations Center (EOC) for coordination, validation, and/or action in accordance with this ESF.

ORGANIZATION

Vinton Public Works, in conjunction with VDOT, is responsible for transportation infrastructure in the town. Vinton Public Works and VDOT are responsible for coordinating resources needed to restore and maintain transportation routes necessary to protect lives and property during and emergency or disaster.

Vinton Public Works and VDOT, will assess the condition of highways, bridges, signals, rail and bus transit routes and other components of the transportation infrastructure and where appropriate:

- Provide information on road closures, alternate routes, infrastructure damage, debris removal;
- Close infrastructure determined to be unsafe;
- Post signage and barricades; and
- Maintain and restore critical transportation routes, facilities, and services.

RESPONSIBILITIES

- Develop, maintain, and update plans and procedures for use during an emergency or disaster;
- The personnel will stay up to date with education and training that is required for a safe and efficient response to an incident;
- Alert the Town of Vinton, and local primary agency representative of possible incident, and begin preparations for mobilization of resources;
- Keep record of all expenses through the duration of the emergency;
- Follow emergency procedures and policies for conducting evacuations;
- Include procedures for traffic control;
- Identify designated Pick-Up Sites, if any; and
- Identify viable transportation routes, to, from and within the emergency or disaster area.

EMERGENCY MANAGEMENT ACTIONS – EVACUATION/EMERGENCY TRANSPORTATION

1. Normal Operations

- a. Identify hazard-prone areas that may need to be evacuated. Refer to Attachment 12 (Hazard Prone Locations) and Attachment 13 (Healthcare and Elementary Schools) for prioritization goals.
- b. Develop plans and procedures to provide warning and effect evacuation.

2. Increased Readiness

A natural or man-made disaster is threatening the local area. Example: "Flash Flood Watch."

- a. Review and update plans and procedures.
- b. Identify the specific areas that may need to be evacuated and designate evacuation routes. Refer to Attachment 12 (Hazard Prone Locations) and Attachment 13 (Healthcare and Elementary Schools) for prioritization goals.
- c. Make a list of potential evacuees, if feasible.
- d. Prepare news releases in coordination with ESF-15
- e. Anticipate and resolve special problems such as evacuating nursing homes, schools, etc.
- f. Alert personnel to standby status.
- g. Begin to keep records of all expenses incurred and continue for the duration of the emergency.

3. Response

Conditions continue to worsen requiring full-scale mitigation and preparedness activities.

- a. Implement evacuation. Broadcast warnings via radio news releases and via mobile loudspeakers in coordination with ESF-2 and ESF-15.
- b. The EOC staff should maintain a log of emergency operations, noting the time each area or family is alerted to the evacuation order.
- c. Provide security for the evacuated area. Set up barricades and deny access to all but essential traffic in coordination with ESF-13
- d. Advise the State EOC of the order to evacuate and advise again when the evacuation has been completed.
- e. Complete evacuation.
- f. Consider expanding the evacuation area, if necessary.
- g. Continue to provide security and access control for the evacuated area.
- h. Record disaster-related expenses.

4. Resources for transportation

To assist with evacuations, including those that are limited or non-ambulatory, the following services can be utilized during an incident:

- a. Carilion Patient Transportation Service: (Ambulances and wheelchair vans)
(540) 345-7628
- b. Roanoke County School System: (Buses)

5. Recovery

- a. Continue to provide security and access control for the evacuated area, if necessary.
- b. Compile and submit records of disaster-related expenses.

Emergency Support Function #2 – Communications

ESF Coordinator

Roanoke County ECC Representative

Primary Agencies

Vinton Emergency Services
Roanoke County Emergency Communications Center
Roanoke County Information Technology Department

Secondary/Support Agencies

Vinton Police Department
Vinton Public Information Officer (PIO)
Telephone Companies
VDEM Communications Cache

MISSION

Communications supports public safety and other agencies by maintaining continuity of information and telecommunication equipment and other technical resources. ESF #2 uses available communication resources to respond to an incident by:

- Alerting and warning the community of a threatened or actual emergency;
- Continuing to communicate with the community through a variety of media to inform of protective actions; and
- Provide guidance, when appropriate, to help save lives and protect property;

This ESF describes the locality's emergency communications/notification and warning system. The locality will coordinate with the Virginia Emergency Operations Center (VEOC) should additional assistance and resources be required.

SCOPE

ESF # 2 works to accurately and efficiently transfer information during an incident. ESF #2 also:

- Informs the community of a threatened or actual emergency in coordination with ESF-15;
- Ensures Vinton has the ability to notify the community of a disaster or emergency;
- Provides for the technology associated with the representation, transfer, interpretation, and processing of data among people, places, and machine; and
- Supports Vinton with the restoration, emission or reception of signs, signals, writing images, and sounds or intelligence of any nature by wire, radio, optical, or other electromagnetic systems.

POLICIES

The following policies are reviewed and revised as necessary:

- The Roanoke County Emergency Communications Center (ECC) operates 24 hours a day, 7 days a week and serves as the 911 center and the locality's warning point. The ECC provides emergency communication service to both Roanoke County and to the Town of Vinton.

- The ECC is accessible to authorized personnel only;
- The EOC staff will consist of the Coordinator of Emergency Services and key department heads or their designated representatives.
- Support personnel to assist with communications, logistics, and administration will also be designated. The Director of Emergency Services will be available for decision making as required, and
- The EOC will initiate notification and warning of appropriate personnel.

CONCEPT OF OPERATIONS

GENERAL

The Emergency Operations Plan (EOP) provides guidance for managing emergency communications resources.

The Roanoke County ECC is the point of contact for all warnings and notifications of actual or impending emergencies. As such, the Roanoke County ECC is responsible for key personnel notification, as appropriate to the type of emergency. If public notices and information are required to be distributed, the Roanoke County ECC will coordinate with the EOC.

The Roanoke County Communications and Information Technology (CommIT) Department will coordinate with private companies to ensure that communications essential to handling emergencies are maintained. Amateur radio operators may provide emergency backup radio communications between the EOC and the State EOC, should normal communications be disrupted. They may also provide communications between first responders.

ORGANIZATION

The Coordinator of Emergency Services will assure the development and maintenance of SOPs on the part of each major emergency support function. Generally, each designated agency should:

- Maintain current notification rosters;
- Designate and staff an official emergency control center;
- Designate an EOC;
- Establish procedures for reporting emergency information;
- Develop mutual aid agreements with like agencies in adjacent localities; and
- Provide ongoing training to maintain emergency response capabilities.

When an emergency threatens, available time will be used to implement increased readiness measures as listed in each emergency support function annex to this plan. The Coordinator of Services will assure that all actions are completed as scheduled.

The Town of Vinton's emergency communications are heavily dependent of the commercial telephone network. The telephone system is vulnerable to the effects of emergencies and disasters and to possible system overload due to increased usage. Technical failure or damage loss of telecommunications equipment could hamper communications or the ability to communicate with emergency personnel and the public throughout the locality. Mutual aid repeaters in contiguous jurisdictions may not be available or may not be able to provide sufficient coverage or channel loading to compensate for technical failure or damage to telecommunications resources in the locality during an emergency.

ACTIONS/RESPONSIBILITIES

- Initiate notification and warning of appropriate personnel, utilizing landline telephones, voice or data—2 way radio, and wireless telecommunications devices, as required;
- Develop and maintain primary and alternate communications system for contact with local jurisdictions, state agencies, non-governmental and private sector agencies required for mission support;
- Emergency Services vehicles equipped with public address system may be used to warn the general public;
- The Coordinator of Emergency Services or designee must authorize the use of the Emergency Alert System (EAS);
- Emergency warning may originate at the federal, state, or local level of government. Timely warning required dissemination to the public by all available means:
 - o Emergency Communications Center
 - RoCo Alerting System
 - o EAS
 - o Local radio and television stations
 - o NOAA Weather Radio—National Weather Service
 - o Mobile public address system (bullhorns or loudspeakers)
 - o Telephone
 - o General broadcast over all available radio frequencies
 - o Newspapers
- Ensure the ability to provide continued service as the Public Safety Answering Point (PSAP) for incoming emergency calls;
- Ensure communication lines and equipment essential to emergency services are maintained by the appropriate vendor;
- Provide additional staffing in the EOC to assist with communications functions;
- Develop and maintain an emergency communications program and plan;
- Develop and maintain a list of bilingual personnel;
- Provide telephone service providers with a restoration priority list for telephone service prior to and/or following a major disaster; and
- Maintain records of cost and expenditures and forward them to the Finance Section Chief.

**Tab 1 to Emergency Support Function #2
EMERGENCY NOTIFICATION PROCEDURES**

Until the EOC is activated, the Communications Center will notify one of the following officials upon receipt of a severe weather warning, other impending emergency, or when directed by an on-scene incident commander:

Official	Home Phone	Cell Phone
Director of Emergency Services /Town Manager – Chris Lawrence	540-982-7598	540-597-6472
Coordinator of Emergency Services – Ben Cook	540-588-4737	540-400-1663
Public Information Officer – MaryBeth Layman		540-400-3270
Volunteer Fire Chief – Richard Oakes		540-312-8942
Volunteer EMS Chief – Tom Philpott		540-765-7916
Public Works Director – Gary Woodson		540-597-3846

Table 2.1 – Emergency Notification Procedures

Once operational, the local EOC will receive messages directly from the VEOC. It is then the responsibility of the Communications Center of the locality to monitor message traffic and ensure that messages reach the Director of Emergency Services or his designee.

A full listing of contact numbers is maintained in the Communications Center. In addition, there are a number of media outlets that serve the Vinton / Roanoke Valley area. A list of specific media groups and individual reporters is maintained by Town administration and the Vinton Police Department. A list of primary media outlets is listed in Tab #1 of ESF-15.

**Tab 2 to Emergency Support Function #2
AVAILABLE METHODS OF COMMUNICATION**

Equipment	Organization and Address	Contact	E-Mail	Primary Phone
9-1-1 Center	Roanoke Co ECC	Pat Shumate	pshumate@roanokecountyva.gov	540-525- 9954(Mobile)
Radios and communications infrastructure	VDEM Communications Cache			(800) 468-8892
	VDEM- Montgomery County Team	Neal Turner	turnerkn@montgomerycountyva.gov	(540) 394-2146

Table 2.3 – Methods of Communication

Emergency Support Function # 3 – Public Works

ESF Coordinator

Vinton Public Works Director or Designee

Primary Agencies

Vinton Public Works
American Electric Power (AEP)
Verizon
Cox Communications
Roanoke Gas

Secondary/Support Agencies

Vinton Emergency Services
Vinton Planning and Zoning
Roanoke County Building Department
Roanoke County Department of Parks and Recreation
Western Virginia Water Authority
Vinton Volunteer Fire Department
Vinton First Aid Crew
Vinton Fire & EMS
Vinton Police Department
Town Attorney
Virginia Department of Transportation (VDOT)
Virginia Department of Environmental Quality (VDEQ)
Virginia Department of Health (VDH)
American Red Cross

MISSION

To coordinate with public utilities and other resource providers; conduct hazard mitigation activities prior to and following an emergency situation; assist in debris removal; conduct emergency repair and/or restoration of town facilities and structures; assist with damage assessment; and assist in implementing emergency response actions to protect life and property.

ORGANIZATION

In the Town of Vinton, the public works function is handled by the Director of Public Works and staff. They will be assisted by a variety of other town and county departments and state agencies, private utility companies, contractors, heavy equipment operators, and waste management firms to fulfill their mission. The Town of Vinton is served by the following utilities: Verizon, Cox Communications, AEP and Roanoke Gas, and Vinton Water and Sewer.

CONCEPT OF OPERATIONS

Public Works will coordinate their responsibilities under the direction of the Director or Coordinator of Emergency Services. A representative from the utility department will report to the Emergency Operations Center (EOC) to assist in this effort. Contingency plans to provide

emergency lighting, water, debris removal, and sewage disposal will be developed. The utilities department will also assist other town and county departments in developing and implementing mitigation strategies, response actions, and recovery activities to protect life and property, as well as bring about a prompt recovery.

Public Works will be responsible for securing and providing the necessary resource material and expertise in their respective areas, through public as well as private means, to efficiently and effectively perform their duties in the event of an emergency. Resource lists will be developed and maintained that detail the type, location, contact arrangements, and acquisition procedures of the resources identified as being critical. Mutual aid agreements will be developed and maintained with adjacent jurisdictions, private industry, quasi-public groups, and volunteer groups, as appropriate, to facilitate the acquisition of emergency resources and assistance.

The Coordinator of Emergency Services, in conjunction with the Town Attorney, Director of Finance, and Personnel/Safety Manager, will assist town departments in the procurement of the necessary resources, to include the contracting of specialized services and the hiring of additional personnel, to effectively respond to and recover from the emergency at hand. Records of all expenditures relating to the emergency/disaster will be maintained.

Potential sites for local and regional resources distribution centers will be identified and strategically located to facilitate recovery efforts.

Priorities will be set regarding the allocation and use of available resources. Training will be provided in the use of the specialized equipment.

GENERAL

Following a disaster, town officials will:

- Work with the Roanoke County Building Department, to determine if buildings are safe or need to be closed;
- Coordinate with other ESFs if there is damage to utilities or water or plumbing system;
- Clear debris;
- Coordinate with law enforcement to secure damaged buildings and adjacent areas that may be unsafe;
- Coordinate with state and federal preliminary damage assessment teams; and
- Coordinate with insurance companies.

ORGANIZATION

Following an emergency or disaster ESF #3 will coordinate the following functions, in conjunction with appropriate local, state, and federal government agencies and non-governmental agencies:

- Assessing damaged facilities (reference Damage Assessment Annex);
- Inspections for structural, electrical, gas, plumbing and mechanical damages;
- Determine what type of assistance will be needed;
- Facilitation of the building permit process;
- Debris removal (reference Debris Management Annex);
- Manage contracts with private firms;
- Coordinate with VDH on environmental and public health hazards; and

- Coordinate with VDOT for road clearance.

ACTIONS/RESPONSIBILITIES

- Alert personnel to report to the EOC; Review plans;
- Keep a record of expenses for the duration of the emergency;
- Prepare to make an initial damage assessment (IDA);
- Activate the necessary equipment and resources to address the emergency;
- Assist in assessing the degree of damage in the community;
- Assist in coordinating response and recovery;
- Identify private contractors and procurement procedures;
- Prioritize debris removal;
- Inspect buildings for structural damage;
- Post appropriate signage to close buildings; and
- Ensure all repairs comply with current building codes, land-use regulations, and the town's comprehensive plan, unless exempted.

**Tab 1 to Emergency Support Function #3
Local Utility Providers**
(Water, Electric, Natural Gas, Sewer, Sanitation)

Table 3.1 – Utility Providers

Provider	Address	Phone Number(s)	Contact Person	Service
Vinton Public Works	804 Third St	540.983.0646	Gary Woodson gwoodson@vintonva.gov	Sewer, Water, Garbage
AEP #1	HQS 1 Riverside Plaza Columbus Oh	888.237.2221 non public number	24 hour dispatch	Electrical
AEP #2		(540) 427-3601	Roxey Fisher rafisher@aep.com	Electrical
AEP #3		(276) 627-1225	Robert Wilson rewilson@aep.com	
Roanoke Gas	519 Kimball Ave	540.777.3874 option # 1 (540) 400-1013	24 hour dispatch Pete Orr Pete_Orr@RoanokeGas.com	Natural Gas
Verizon		(800)773.7911 (540)265-7510	24 hour dispatch Willard Dietz willard.dietz@verizon.com	Phone, Internet
Cox Communications	5400 Fallowater Ln Roanoke Va	(540)777-4235 (540) 293-2662	Tech Support Gregory Smith Gregory.Smith2@cox.com	TV, Internet, Phone
Cox Communications #2		(540) 777-4234 (540) 293-2683	Steve Bower Steve.Bower@cox.com	TV, Internet, Phone

**Tab 2 to Emergency Support Function #3
Public Works Resources**
(Include all available resources, location and contact information)

Table 3.2 – Public Works Resources

RESOURCE	TYPE	ADDRESS	TELEPHONE	POINT OF CONTACT
Webb's Oil	Fuel oil, gasoline, heating oil	8223 Reservoir Rd Roanoke VA 24019	(540)362-3798	Linda Smelser
Thompson Trucking	Gravel, stone, sand, aggregate, etc.		(800)344-2195 X101	Sandy Gray
CMC Supply	Pipe, infrastructure materials	2510 Johnson Av NW Roanoke VA 24017	(540)982-1095	Mark Overstreet, or Scott or Eric
H D Supply	Pipe, infrastructure materials	2820 Mary Linda Av NE Roanoke VA 24012	(540)342-8000	Dave Burns
Ferguson Supply	Pipe, infrastructure materials	3825 Blue Ridge Dr Roanoke VA 24019	(540)985-2040	Bill Stratton

Emergency Support Function #4 - Firefighting

ESF Coordinator

Fire Chief or Designee

Primary Agencies

Vinton Volunteer Fire Department
Vinton Fire & EMS
Roanoke County Fire and Rescue Department

Secondary/Support Agencies

Roanoke City Fire-EMS
Virginia Department of Forestry (VDOP)
Vinton First Aid Crew (VFAC)
Bedford County Fire and Rescue

MISSION

To direct and control operations regarding fire prevention, fire suppression, rescue and hazardous material incidents; as well as to assist with warning and alerting, evacuation, communications and other operations as required in time of emergency.

ORGANIZATION

The fire department representative will coordinate the response of the fire department and will be a part of the EOC staff, which will assist with the overall direction and control of emergency operations.

CONCEPT OF OPERATIONS

The coordinator will contact the fire department if resources are needed to handle the situation, and be prepared to have the fire department assume primary operational control in fire prevention strategies, fire suppression, and hazardous material incidents. Fire department personnel who are not otherwise engaged in emergency response operations may assist in warning and alerting the public, evacuation, and communications as is necessary and appropriate during an emergency situation.

When ESF #4 is activated, all requests for fire fighting support will, in most cases, be submitted to the 9-1-1 Center for coordination, validation, and/or action.

The Director of Emergency Services and/or designee will determine the need to evacuate and issue orders for evacuation or other protective action as needed. The incident commander may order an immediate evacuation prior to requesting or obtaining approval, if in his/her judgment this action is necessary in order to safeguard lives and property. Warning and instructions will be communicated through the appropriate means.

ORGANIZATION

A fire representative will be assigned to the EOC in order to coordinate the fire service response. The fire representative will be a part of the EOC staff and will assist with the overall direction and control of emergency operations.

The Fire and EMS Departments will implement evacuations and the police department will assist and provide security for the evacuated area. In the event of a hazardous materials incident, the Incident Commander should implement immediate protective actions to include evacuation as appropriate.

ACTIONS

- Develop and maintain plans and procedures to provide fire and rescue services in time of emergency;
 - Document expenses and continue for the duration of the emergency;
 - Check fire fighting and communications equipment;
- Fire Service representatives should report to the EOC to assist with operations;
- Fire department personnel may be asked to assist with warning and alerting, evacuating, communications, and emergency medical transport;
 - Follow established procedures in responding to fires and hazardous materials incidents and in providing rescue services; and
 - Request mutual aid from neighboring jurisdictions.

RESPONSIBILITIES

- Fire prevention and suppression;
- Emergency medical treatment; activate ESF#8 for responses and guidelines.
- Hazardous materials incident response and training;
- Request assistance with radiological monitoring and decontamination;
- Assist with evacuation;
- Search and rescue;
- Temporary shelter for evacuees at each fire station;
- Assist in initial warning and alerting;
- Provide qualified representative to assist in the EOC;
- Requests assistance from supporting agencies when needed;
- Arranges direct liaison with fire chiefs in the area;
- Implements Mutual Aid;
- Assist with clean-up operations; and
- Assist with inspection of damaged facilities, if applicable.

EMERGENCY MANAGEMENT ACTIONS – FIRE SERVICE

1. Normal Operations

Develop and maintain plans and procedures to provide fire and rescue services in time of emergency.

2. Increased Readiness

A natural or man-made disaster is threatening the local area.

- a. Alert on-duty personnel.
- b. Review and update plans and procedures.
- c. Alert personnel to stand-by status.
- d. Begin to implement record keeping of all incurred expenses and continue for the duration of the emergency.
- e. Check fire fighting, rescue, and communications equipment.

3. Response

- a. The representative should report to the EOC and assist with emergency operations.
- b. As the situation worsens, assign duties to all personnel. Fire department personnel may be requested to assist with warning and alerting, evacuation, communications, and emergency medical transport.
- c. Follow established procedures in responding to fires and hazardous materials incidents and in providing rescue services.
- d. For other disasters: Continue to assist with warning and alerting, evacuation, communications, ground search and rescue, and emergency medical transport as well as any other emergency response operations, as required, in time of emergency.
- e. Record disaster-related expenses.

4. Recovery

- a. Continue to provide essential services as required.
- b. Continue search and certain rescue operations, if required.
- c. Assist with cleanup operations.
- d. Assist with the inspection of damaged facilities, if applicable.
- e. Compile and submit records of disaster-related expenses incurred by the fire service to the Coordinator of Emergency Services.

**Tab 1 to Emergency Support Function #4
Fire Department Resources**

Department	Address	Phone Number(s)	Contact Person	Number Firefighters	Equipment
Roanoke County Fire and Rescue (Comb.)	5925 Cove Road Roanoke, VA 24019	540-562-3267 (dispatch)	Roanoke Co. ECC	200+	Engines, Ladder Trucks, Tankers, Brush Trucks, EMS, HTR team
Roanoke City Fire-EMS (career)	713 3 rd St SW Roanoke, VA 24016	540-953-2829 (dispatch)	Roanoke City Dispatch	200+	Engines, Ladder Trucks, EMS, Haz Mat Team, HTR team
Bedford Co. #13 Stewartsville (Vol)	7797 Jordantown Road Vinton, VA 24179	540-566-7827 (dispatch)	Bedford Communications	36	Tanker, Heavy Rescue, Engine x2, Brush Trucks x2
Bedford Co. #12 Hardy (Vol)	1220 Bandy Mill Road Hardy, VA 24101	540-566-7827 (dispatch)	Bedford Communications	20	Tanker, Engine x2, Brush Truck
Vinton Fire Department	120 W. Jackson Ave. Vinton, VA 24179	540-562-3265 (Dispatch)	Roanoke County ECC	30 (career and volunteer)	2 Engines, 1 Ladder, 1 Brush Truck

Emergency Support Function #5 – Emergency Services

ESF Coordinator

Coordinator of Emergency Services or designee

Primary Agency

Vinton Emergency Services

Secondary/Support Agencies

Vinton Police Department
Roanoke County Police Department
Other Law Enforcement officials / agencies as needed
Vinton Health Department
Vinton Fire/EMS
Roanoke County Information and Technology
Vinton Planning and Zoning
Vinton Public Works
American Red Cross
Town Attorney
Town Manager
Vinton Finance Department
Roanoke County Building Inspections/Vinton Planning and Zoning Department
Roanoke County Social Services

MISSION

When there is no emergency, the mission is to assign emergency duties and responsibilities, direct planning, conduct training, and to maintain an effective emergency response capability.

In time of emergency, the mission is to direct and control emergency operations, assure the implementation of actions as called for in this plan, disseminate emergency information to the public, and coordinate with the State EOC should outside assistance be required.

ORGANIZATION

Emergency operations will be directed and controlled from the Emergency Operations Center (EOC). The EOC staff will consist of the Director of Emergency Services, Coordinator of Emergency Services, key department heads or their designated representatives. Support personnel are to be designated to assist with communications, logistics, and administration. The Director of Emergency Services will be available for decision making as required.

CONCEPT OF OPERATIONS

The Coordinator of Emergency Services will assume the development and maintenance of SOPs on the part of each major emergency support service. Generally, each service should maintain current notification rosters, designate and staff an official emergency control center, designate an EOC representative, establish procedures for reporting appropriate emergency information, develop mutual aid agreements with like services in adjacent localities, and provide ongoing training to maintain emergency response capabilities. More specific SOP requirements may be listed in each respective ESF as needed.

When an emergency threatens, available time will be used to implement increased readiness measures as listed in each annex to this plan. The Coordinator of Emergency Services will assure that all actions are completed as scheduled.

The EOC support staff will include a recorder, message clerk, and other support personnel as required in order to relieve the decision-making group of handling messages, maintaining logs, placing maps, etc. These assignments will be made by the Director or Coordinator of Emergency Services. Procedures for these support operations should be established and maintained. Suggested forms are included. An EOC wall map should be prepared and readily accessible. A Planning Section should also be established as an adjunct to the EOC staff.

EMERGENCY SERVICES ACTIONS – DIRECTION AND CONTROL

1. Normal Operations
 - a. Develop and maintain an operational capability for emergency operations and reflect the same in the local Emergency Operations Plan.
 - b. Make individual assignments of duties and responsibilities to staff the EOC and implement emergency operations.
 - c. Maintain a notification roster of these key personnel and their alternates.
 - d. Assure that adequate facilities and resources are identified to conduct emergency operations at the EOC and the designated shelter center(s).
 - e. Develop mutual support agreements with adjacent jurisdictions and with relief organizations, such as the American Red Cross and The Salvation Army.
 - f. Develop plans and procedures for providing timely information and guidance to the public in time of emergency. Carry out official working agreements with local EAS radio stations.
 - g. Identify and maintain a list of essential services and facilities that must continue to operate and may need to be protected during an emergency.
 - h. Test and exercise plans and procedures with periodic exercises and drills. Revise plans and provide training as indicated by test or exercise results.
 - i. Assure compatibility between this plan and the emergency plans and procedures of key facilities and organizations within the Town.
 - j. Develop accounting and record keeping procedures for expenses incurred during an emergency. Become familiar with federal disaster assistance procedures, the Disaster Preparedness and Assistance Handbook, and the State Emergency Services and Disaster Law of 2000.
 - k. Define and encourage hazard mitigation activities, which will reduce the probability of the occurrence of a disaster and/or reduce its effects.

2. Increased Readiness

A natural or man-made disaster is threatening the local area.

- a. Review emergency operations plans and procedures and update if necessary. Ensure the operational capability of the EOC facility and alert on-duty personnel.
- b. Alert appropriate personnel of the situation and assure that appropriate mitigation and preparedness measures are being taken. Begin to provide periodic staff briefings as required.
- c. Implement record keeping of all incurred expenses, if applicable.
- d. Prepare to provide emergency information to the public.
- e. Direct and control emergency operations. Complete all checklist items listed above. Staff the EOC, as required. Provide logistical support to the on-site emergency response personnel.
- f. Brief the Town Council, as appropriate.
- g. Call a meeting of town personnel. Review actions already taken and expedite those necessary to conduct in-the-field mitigation and preparedness activities. Assure the completion of checklist items in each ESF.
- h. Disseminate emergency information and protective action guidance to the public in coordination with ESF-2 and ESF-15.
- i. Advise individuals to evacuate from danger areas, if appropriate.
- j. Establish and maintain liaison with the State EOC and adjacent jurisdictions.
- k. Provide daily situation reports to the State EOC.
- l. Continue to maintain records for all expenses incurred.
- m. Coordinate daily with department heads.

3. Response

- a. Disaster strikes. An emergency response is required to protect lives and property.
- b. Direct and control emergency operations.
- c. Ensure that previous checklist items have been completed or initiated.
- d. Provide emergency information and protective action guidance to the public.
- e. Declare a local emergency if the situation warrants.

- f. Provide periodic situation reports and requests for assistance to the State EOC, as the situation requires, either by WebEOC or direct contact by telephone.
- g. Ensure that an accurate record of expenses is maintained.
- h. Make an Initial Damage Assessment and forward to the State EOC through WebEOC or by other means such as email or fax.

4. Recovery

- a. This phase requires that priority attention be given to the restoration of essential facilities and an assessment of damage effects.
- b. Restore essential facilities and services.
- c. Provide temporary housing and food as required.
- d. Continue to maintain a record of disaster-related expenditures.
- e. Coordinate with the State EOC. Provide supplementary damage assessment information as required. Request post-disaster assistance if appropriate.
- f. Provide information to the public.

EMERGENCY OPERATIONS CENTER (EOC)

MISSION

To provide centralized direction and control of any or all of the following functions: direction of all emergency operations; communications and warning, consolidation, analysis and dissemination of damage assessment data; collection and analysis of radiological monitoring readings; forwarding consolidated reports to state government; and, issuing emergency information and instructions.

ORGANIZATION

1. See Organization Chart (Attachment 1).
2. The EOC staff will be organized as follows:
 - a. **EXECUTIVE GROUP** - Provides overall direction and control of emergency operation.
 - b. **OPERATIONS GROUP** - Maintains accurate estimates of the emergency situation, maintains current records of utilization and availability of resources and implements orders of the Executive Group.
 - c. **COMMUNICATIONS GROUP** - Establishes, operates and maintains communications with required elements of resources, adjacent cities and counties and state agencies.

- d. **DAMAGE ASSESSMENT AND ANALYSIS GROUP** - Maintains current Situation Reports referencing damages.
- e. **INFORMATION GROUP** - Collects, analyzes and disseminates appropriate official information to the population concerning the emergency.
- f. **SUPPORT GROUP** - Provides logistical support for Emergency Operations Center operations.

CONCEPT OF OPERATIONS

The EOC will be activated and operated as follows:

1. The activation of the EOC will be ordered by the Director or Coordinator of Emergency Services based upon the best available information. Depending on the situation, a partial or full activation will be ordered.
2. Partial activation will be ordered when the emergency requires relatively few personnel to accomplish the necessary tasks. Such situations might vary from weather warnings or operations resulting from minor storm damage, fire, and vehicular accidents with multiple casualties, etc.
3. Full activation will be ordered when widespread destruction has occurred or there is an imminent threat of such destruction. An incident of such magnitude would require commitment of a large number of personnel and equipment resources to properly respond to and recover from an incident. Prior to activation, laptops and/or desktop computers, phone lines, fax, copier, status boards, and other general office equipment will be set-up in the EOC. The EOC may remain functional during the mobilization, response and recovery operational phases.
4. Initial situation briefings will be provided by the Director of Emergency Services.
5. Direction and control of Town personnel and resources employed in support of disaster operations is exercised by the department or agency furnishing support.
6. When the VEOC is operational, all requests for State or Federal resources are made via the Virginia Department of Emergency Management through WebEOC or by calling the VEOC at (804) 674-2400 or 1-800-468-8892.
7. Depending upon the severity and magnitude of the incident, the EOC may have to operate for an extended period of time. Therefore, each department or agency assigning personnel to the EOC should allow for additional relief personnel on a shift basis.
8. The preliminary Town of Vinton EOC is located at: Vinton Municipal Building – 311 S. Pollard St, Vinton, VA. This is used for smaller scale incidents such as typical weather events or other situations that a central command point needs to be established. If the incident is large scale or long term the Roanoke County EOC may be utilized and the Roanoke County EOP used to support the Vinton EOP.

EMERGENCY SERVICES ACTIONS – EOC

- A. EOC functions during all three operational phases (Mobilization, Response and Recovery) include, but are not limited to:
 1. EXECUTIVE GROUP
 - a. Direct overall emergency operations.
 - b. Initiate activation of EOC.
 - c. Determine operational courses of action.
 - d. Make decisions as to adoption of course of action.
 - e. Adjudicate conflicting claims and/or requests for available personnel, equipment and other resources.
 2. OPERATIONS GROUP
 - a. Develop and maintain an accurate status of the emergency situation.
 - b. Record and maintain current status of resources.
 - c. Develop course(s) of action based on the emergency and available resources.
 - d. Implement course of action approved by the Executive Group.
 - e. Coordinate the procurement and utilization of all support services and resources made available from throughout the town.
 3. COMMUNICATIONS GROUP
 - a. Establish and maintain the Town of Vinton emergency communications to include communications with adjacent cities and counties.
 - b. Establish and maintain communications with the following agencies:
 - (1) Vinton Fire & EMS Departments
 - (2) Vinton Police Department
 - (3) Roanoke County Police Department
 - (4) Roanoke County School System
 - (5) Vinton Public Works
 - (6) Virginia Emergency Operations Center
 - (7) All surrounding governmental agencies maintaining mutual aid/assistance agreements with The Town of Vinton.
 - c. Insure continuous telephone communications.
 - d. Monitor NAEAS and EAS stations.
 - e. Establish and operate the EOC Message Center.
 4. DAMAGE ASSESSMENT AND ANALYSIS GROUP
 - a. Maintain current damage status to include estimated dollar amounts.
 - b. Display damage status in EOC.
 - c. Recommend to Operations Groups priorities for debris removal.
 5. INFORMATION GROUP
 - a. Act as The Town of Vinton Public Information Office.
 - b. Establish and operate an emergency information clearing point.

- c. Prepare and present official press releases to media based on current and factual information.
6. SUPPORT GROUP
- a. A group of specially trained individuals will constitute an EOC Response Team.
 - b. The team would be trained in the Town Emergency Operations Plan and how to establish and operate an EOC.
 - c. This group will maintain support and logistical coordination for all other groups in the EOC.
7. FOOD AND LODGING
- a. Town staff will coordinate the operation of the cafeteria facilities necessary to feed the EOC staff.
 - b. Cots and bedding will be furnished by the American Red Cross.
8. FIRST AID MEDICAL
- Vinton Fire & EMS will establish and operate an emergency medical services treatment area for the EOC staff.
9. GOODS AND SERVICES
- a. Requests for supplies and services will be made to the Finance Department representative assigned to the EOC, who will authorize all expenditures.
 - b. All purchases of such goods and services will be approved and purchased using a Town purchase requisition.
 - c. Agencies/departments will furnish supplies required for their particular activity.
 - d. Personnel will provide their own personal use items.
 - e. Every effort will be made by on-duty law enforcement and fire and rescue personnel to establish the safety of the families of on-duty Town personnel involved in the emergency. This is to insure the well being of families of essential employees. The Vinton Fire Department is designated as the Vinton Employee Family Shelter.
10. TRANSPORTATION
- a. Transportation to and from the EOC will be the responsibility of the individual unless determined differently by Emergency Services.
 - b. Emergency requests for transportation to and from the EOC will be made to the Coordinator of Emergency Services on an individual basis for requirements generated due to breakdowns or inclement weather.

Tab 1 to Emergency Support Function #5

EMERGENCY MANAGEMENT ORGANIZATION AND TELEPHONE LISTING

Position	Name	Work Phone	Cell Phone	Home Phone
Emergency Services Director	Chris Lawrence	983-0607	597-6472	982-7598
Emergency Services Coordinator	Ben Cook	983-0617 X158	400-1663	588-4737
Police	Ben Cook (Chief)	983-0617 X158	400-1663	588-4737
Fire (Vinton volunteer fire)	Richard Oakes(Chief)		312-8942	
EMS (Vinton volunteer EMS)	Tom Philpott		765-7916	
Fire-EMS (Vinton career fire and EMS department)	Chris Linkus		537-0287	
Public Information Officer	MaryBeth Layman	983-0645	400-3270	343-4013
American Red Cross	Steve Smith	985-3560	525-1414	
Vinton Public Works	Gary Woodson	983-0646	597-3846	
Health Department – Environmental	Gary Whitley	204-9775	525-6953	966-4926
	Dick Tabb	204-9773	598-7017	
Director of Parks & Recreation	Pete Haislip	387-6165	520-1651	
Director of Real Estate Assessment	Billy Driver	722-2035	588-5426	343-9032
Director of Social Services	Dr. Betty McCrary	387-6087 X309		
Attorney	Elizabeth Dillon	540-387-2320	521-9436	
Health District Emergency Planner				
Planning & Zoning	Anita McMillian	983-0601		540-297-9140
VPI Extension Service				

Table 5.1 – Emergency Management Organization

Tab 2 to Emergency Support Function #5

EMERGENCY OPERATIONS CENTER (EOC)

Mission

To provide centralized direction and control of any or all of the following functions: direction of all emergency operations; communications and warning, consolidation, analysis and dissemination of damage assessment data; collection and analysis of radiological monitoring readings; forwarding consolidated reports to state government; and, issuing emergency information and instructions.

Organization

1. See EOC Organizational Chart.
2. The EOC staff will be organized using the Incident Command System. A partial listing of job responsibilities for the command and general staff are described below:

A. Incident Commander/EOC Manager:

- Manages overall operations
- Coordinates activities for all Command and General Staff
- Development and implementation of strategy
- Approves and authorizes the implementation of an Incident Action Plan (IAP)
- Approves requests for additional resources or for the release of resources

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD AT 7:00 PM ON TUESDAY, MAY 20, 2014 IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Vinton Town Council recognizes the need to prepare for, respond to, and recover from natural and man-made disasters, and has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, the Virginia Department of Emergency Management requires an updated Emergency Operations Plan be adopted by the Town of Vinton every four years, and the plan adopted in 2010 has been completely reformatted and updated; and

WHEREAS, the Town of Vinton has established and appointed a Director of Emergency Services and a Coordinator of Emergency Services, who are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period; and

WHEREAS, upon adoption by Town Council, the newly revised plan will be in full effect at the time of adoption.

NOW THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby adopt the updated Emergency Operations Plan dated June 2014 and grants it full operational authority.

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

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Planning and Zoning

Issue

Consider adoption of an Ordinance repealing the Vinton Town Code Chapter 15, Stormwater Management, Chapter 15.1, Erosion and Sediment Control and Steep Slope Development and Chapter 15.3, Storm Sewer System Illicit Discharge and adopting a new Chapter 79, Stormwater Management

Summary

By July 1, 2014, the Town, like the rest of the MS4s localities, will have to enforce the new SWM regulations and will also become the VSMP Authority. Becoming the local VSMP Authority will result in the need for an amended SWM Ordinance and Storm Sewer System Illicit Discharge Ordinance to be adopted by May 15, 2014, to align with the new VSMP regulations. Staff has been working with Roanoke County Engineering Division personnel in the development of the SWM and illicit discharge ordinances.

A proposed ordinance to repeal Chapter 15, Stormwater Management, 15.1, Erosion and Sediment Control and Steep Slope Development, and Chapter 15.3, Storm Sewer System Illicit Discharge is attached. It should be noted that currently Chapter 15 Stormwater Management is structured to only reference Roanoke County's code. However, staff is recommending the Town adopt its own complete set of Stormwater Management codes in conformance with the DEQ standards and mirroring Roanoke County. Ultimately the town is responsible for enforcement of these codes and works through an agreement with Roanoke County to share staff to review and inspect site plans and field conditions for conformance. In the past, the town adopted the county code by reference thereby not having to amend the code when there were changes. In the future, to establish clarity that we are independent and take ownership of enforcement, the code in its entirety should be adopted by Town Council. This will require future amendments as the state code changes, however, it will keep the town current and in the forefront of stormwater management policies and practices.

It should also be noted that the proposed ordinance does not include a stormwater utility fee. The operational implementation and capital investment to meet the requirements set forth by DEQ will require additional investment. How the town invests in these improvements will require additional public engagement, education, and deliberation over the next year or two.

Attachments

Ordinance

Recommendations

Motion to adopt ordinance

ORDINANCE NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL, HELD ON TUESDAY, MAY 20, 2014, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

AN ORDINANCE REPEALING VINTON TOWN CODE CHAPTER 15, STORMWATER MANAGEMENT, CHAPTER 15.1, EROSION AND SEDIMENT CONTROL AND STEEP SLOPE DEVELOPMENT, AND CHAPTER 15.3, STORM SEWER SYSTEM ILLICIT DISCHARGE, AND ADOPTING A NEW CHAPTER OF THE VINTON TOWN CODE ENTITLED CHAPTER 79, STORMWATER MANAGEMENT

WHEREAS, the Vinton Town Council finds that the uncontrolled discharge of pollutants to its Municipal Separate Storm Sewer System (MS4) has an adverse impact upon the water quality of the receiving waters; and

WHEREAS, amendments to the Federal Water Pollution Control Act, commonly known as the Clean Water Act, established the National Pollutant Discharge Elimination System (NPDES) Program, which requires permits for discharges from regulated municipal separate storm sewer systems into the waters of the United States; and

WHEREAS, the United States Environmental Protection Agency (EPA) has promulgated regulations implementing the NPDES program, and the EPA has authorized the Commonwealth of Virginia to issue NPDES permits under the Virginia Pollutant Discharge and Elimination System (VPDES) permit system; and

WHEREAS, the VPDES regulations for stormwater discharges require Town of Vinton to control the contribution of pollutants to its regulated MS4 by prohibiting illicit discharges, and to inspect, monitor, and enforce the prohibitions of illicit discharges to its regulated MS4; and

WHEREAS, the Town Planning and Zoning Staff has been working with County of Roanoke Engineering Division Staff in developing the guidelines and regulations for the storm sewer system illicit discharges ordinance to meet the new VSMP regulations; and

WHEREAS, by July 1, 2014, the Town, like the rest of the Municipal Separate Storm Sewer System (MS4) localities, will have to enforce the new Virginia Stormwater Management Program (VSMP) regulations and will also become the VSMP Authority; and

WHEREAS, on April 1, 2014, the Vinton Town Council met in work session with Town staff to review the proposed ordinance.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Vinton that Chapter 15, Stormwater Management, Chapter 15.1, Erosion and Sediment Control and Steep Slope Development, and Chapter 15.3, Illicit Discharge of the Vinton Town Code are hereby

repealed in their entirety and shall be replaced by Chapter 79, Stormwater Management, which is hereby adopted and enacted as follows:

CHAPTER 79

STORMWATER MANAGEMENT

INTRODUCTION

The Town of Vinton finds that inadequate management of stormwater runoff from land-disturbing activities and development in watersheds increases flood flows and velocities, erodes and/or silts stream channels, pollutes water, overloads existing drainage facilities, undermines floodplain management in downstream communities, reduces groundwater recharge, and threatens public safety. More specifically, surface water runoff can carry pollutants into receiving waters. The Roanoke River and many of its tributaries inside the Town are listed as impaired waters by the Virginia Department of Environmental Quality (DEQ).

Many future problems can be avoided through proper stormwater management, and the Town is dedicated to preventing the damaging effects that uncontrolled stormwater may present. The lands and waters of Town of Vinton are valuable natural resources that need to be protected. The Town finds that it is in the public interest to establish a stormwater management program.

Pursuant to Virginia Code § 62.1-44.15:27, this ordinance is part of an initiative to integrate the Town's stormwater management requirements with the Town's erosion and sediment control (Chapter 35) and floodplain management (Appendix B. Zoning Ordinance, Article IV, Division 13. Section 4-65-Section 4-73) requirements into a unified stormwater program. The unified stormwater program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities into a more convenient and efficient manner for both the Town of Vinton and those responsible for compliance with these programs.

ARTICLE I. STORMWATER MANAGEMENT ORDINANCE

Division 1. General Provisions

Sec. 79-1. Title and Authority

- A. This ordinance shall be known as the "Stormwater Management Ordinance of the Town of Vinton, Virginia."
- B. Pursuant to § 62.1-44.15:27 of the Code of Virginia, the Town of Vinton hereby establishes a Virginia Stormwater Management Program (VSMP) for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMPs promulgated by the State Water Control Board (State Board) for the purposes set out in Section 79.2 of this ordinance. The Town of Vinton hereby designates the Town Manager as the Administrator of its Virginia Stormwater Management Program.

Sec. 79-2. Purpose

The purpose of this ordinance is to promote and protect the general health, safety, and welfare of the citizens of the Town and to protect property, state waters, stream channels, and other natural resources from the potential harm of unmanaged stormwater, and to establish requirements whereby stormwater is managed to protect water quality and downstream property owners.

This ordinance provides the framework for the administration, implementation, and enforcement of the provisions of the Virginia Stormwater Management Act (VSMA) and delineates the procedures and requirements to be followed in connection with the permits issued by the Administrator.

Sec. 79-3. Applicability

- A. Except as provided herein, no person may engage in any land-disturbing activity until a permit has been issued by the Administrator in accordance with the provisions of this ordinance.
- B. A stormwater management plan, or an agreement in lieu of a stormwater management plan, shall be reviewed and approved by the Administrator prior to permit issuance.
- C. Notwithstanding any other provisions of this ordinance, the following activities are exempt, unless otherwise required by federal law:
 - 1. Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1;
 - 2. Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Water Control Board in regulations, including engineering operations as follows: construction of terraces ,terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) or is converted to bona fide agricultural or improved pasture use, as described in subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;
 - 3. Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family residential structures;
 - 4. Other land disturbing activities that disturb less than one acre of land area, except land disturbing activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance;
 - 5. Discharges to a sanitary sewer or a combined sewer system;

6. Activities under a state or federal reclamation program to return an abandoned property to an agricultural or open land use;
7. Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance performed in accordance with this subsection; and
8. Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the administrative requirements of subsection A is required within 30 days of commencing the land-disturbing activity.

Sec. 79-4. Compatibility with Other Requirements

This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall apply.

Sec. 79-5. Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this ordinance.

Sec. 79-6. Stormwater Management Technical Criteria for Regulated Land Disturbing Activities

The Town hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part IIB of the Regulations, as amended, expressly to include 9VAC25-870-62 [applicability]; 9VAC25-870-63 [water quality design criteria requirements]; 9VAC25-870-65 [water quality compliance]; 9VAC25-870-66 [water quantity]; 9VAC25-870-69 [offsite compliance options]; 9VAC25-870-72 [design storms and hydrologic methods]; 9VAC25-870-74 [stormwater harvesting]; 9VAC25-870-76 [linear development projects]; 9VAC25-870-85 [stormwater management impoundment structures or facilities]; and 9VAC25-870-92 [comprehensive stormwater management plans], which shall apply to all land disturbing activities regulated pursuant to this ordinance, except as expressly set forth in Section 79-7 of this ordinance.

Sec. 79-7. Stormwater Management Technical Criteria for Regulated Land Disturbing Activities: Grandfathered Projects and Projects Subject to the Provisions of 9VAC25-870-47B, as Amended

- A. The Town hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part IIC of the Regulations, as amended, expressly to include 9VAC25-870-93 [definitions]; 9VAC25-870-94 [applicability]; 9VAC25-870-95 [general]; 9VAC25-870-96 [water quality]; 9VAC25-870-97 [stream channel erosion]; 9VAC25-870-98 [flooding]; and 9VAC25-870-99 [regional (watershed-wide) stormwater management plans], which shall only apply to all land disturbing activities regulated pursuant to this section.
- B. Any land-disturbing activity shall be considered grandfathered and shall be subject to the Part II C technical criteria of the Regulations, provided:
1. A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, preliminary or final site plan, or any document determined by the locality to be equivalent thereto (i) was approved by the locality prior to July 1, 2012, (ii) provided a layout as defined in 9VAC25-870-10 and section 23-2, (iii) will comply with the Part II C technical criteria of the VSMP Regulation, and (iv) has not been subsequently modified or amended in a manner resulting in an increase in the amount of phosphorus leaving each point of discharge, and such that there is no increase in the volume or rate of runoff;
 2. A state permit has not been issued prior to July 1, 2014; and
 3. Land disturbance did not commence prior to July 1, 2014.
- C. Town, state, and federal projects shall be considered grandfathered and shall be subject to the Part II C technical requirements of the Regulations, provided:
1. There has been an obligation of Town, state, or federal funding, in whole or in part, prior to July 1, 2012, or the Department has approved a stormwater management plan prior to July 1, 2012;
 2. A state permit has not been issued prior to July 1, 2014; and
 3. Land disturbance did not commence prior to July 1, 2014.
- D. Land disturbing activities grandfathered under subsections B and C of this section shall remain subject to the Part II C technical criteria of the Regulations for one additional state permit cycle. After such time, portions of the project not under construction shall become subject to the technical criteria in effect at that time.
- E. In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical requirements of the Part II C technical criteria of the Regulations.
- F. Land disturbing activities that obtain general permit coverage or commence land disturbance prior to July 1, 2014, shall be conducted in accordance with the Part II C technical criteria of the Regulations and Town of Vinton's local stormwater management requirements that were in effect at the time of receiving general permit coverage or commencing land disturbance. Such projects shall remain subject to these requirements

for an additional two general permit cycles, if general permit coverage is maintained. After that time, portions of the project, not under construction, shall become subject to the technical criteria in effect at that time.

G. An operator may choose to decline grandfather status and to instead comply with the technical requirements of Section 79-6 of this ordinance. Nothing in this section shall preclude an operator from constructing to a more stringent standard at his discretion.

Sec. 79-8. Stormwater Management Design Manual

A. The Town of Vinton will utilize the policies, criteria and information contained within the County of Roanoke Stormwater Management Design Manual for proper implementation of the requirements of this ordinance.

B. The Town of Vinton/County of Roanoke Stormwater Management Design Manual may be updated and revised from time to time. The Administrator shall recommend any updates, supplements, or modifications of the County Stormwater Management Design Manual subject to the authorization and approval by the Vinton Town Council and Roanoke County Board of Supervisors by resolution.

Sec. 79-9. Town Right of Entry

A. The Administrator and/or duly authorized employees, agents, or representatives of the Town, bearing proper credentials and identification, may, at any reasonable times and under reasonable circumstance, enter any establishment or upon any property, public or private, which has a VSMP permit or a maintenance agreement, for the purpose of enforcing this ordinance, including, but not limited to:

1. Obtaining information or conducting surveys or investigations;
2. Taking samples of discharges;
3. Inspecting monitoring equipment;
4. Inspecting and copying documents relevant to the enforcement of this ordinance;
5. Initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified;
6. Inspecting stormwater management facilities or other BMPs or to initiate or maintain appropriate actions which are required to restore proper stormwater management facility or other BMP operation when a land owner, after proper notice, has failed to take acceptable action within the time specified;
7. And such other items as may be deemed necessary for the enforcement of this ordinance.

B. If the Administrator and/or his/her duly authorized agent has cause to believe an activity regulated under this ordinance is occurring without a VSMP permit, or if the person in

charge of the property refuses to allow the Administrator and/or his/her duly authorized agent to enter in accordance with subsection A, then the Administrator and/or his/her duly authorized agent may present sworn testimony to a magistrate or court of competent jurisdiction and request the issuance of an inspection warrant to enter the property for the purpose of making such inspection and investigation. The Administrator and/or his/her duly authorized agent shall make a reasonable effort to obtain consent from the owner or person in charge of the property prior to seeking the issuance of an inspection warrant under this section.

Sec. 79-10-79-15. Reserved.

Division 2. Definitions

In addition to the definitions set forth in 9VAC25-870-10 of the Virginia Stormwater Management Regulations, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this ordinance have the following meanings, unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

“Administrator” means the VSMP authority responsible for administering the VSMP on behalf of the Town of Vinton. The Administrator shall be the Town Manager and/or any duly authorized agent of the Town Manager, or the person designated by the Town Manager to administer this ordinance on behalf of the Town.

"Agreement in lieu of a Stormwater Management Plan" means a contract between the VSMP authority and the owner or permittee that specifies methods that shall be implemented to comply with the requirements of a VSMP for the construction of a single-family residence; such contract may be executed by the VSMP authority in lieu of a stormwater management plan.

“Applicant” means any person submitting an application for a permit or requesting issuance of a permit under this Ordinance.

“Best Management Practice or BMP” means schedules of activities, prohibitions of practices, including a structural or nonstructural practice, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

“Clean Water Act or CWA” means the federal Clean Water Act (33 United States Code 1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

“Common plan of development or sale” means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

"Control measure" means any best management practice or other method used to prevent or reduce the discharge of pollutants to surface waters.

“County” means the County of Roanoke, Virginia.

“Department” means the Department of Environmental Quality.

“Development” means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

“Executed Development Agreements” means documents that are executed by the applicant and Town that implements the various sureties.

“Fee in lieu” means a payment of money to the Town for the use of a regional stormwater management facility in place of meeting all or part of the stormwater performance standards required by this Ordinance on the site.

“General permit” means the state permit titled GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Part XIV (9VAC25-880-1 et seq.) of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

“Illicit discharge” means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges pursuant to a VPDES or VSMP permit (other than the VSMP permit for discharges from the municipal separate storm sewer), discharges resulting from firefighting activities, and discharges identified by and in compliance with 9VAC25-870-400 D 2 c (3).

“Land disturbance” or “Land-disturbing activity” means a manmade change to the land surface that potentially changes its runoff characteristics including any clearing, grading, or excavation, except that the term shall not include those exemptions specified in Section 23-1.3 of this Ordinance.

“Layout” means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

“Minor modification” means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

“Municipal separate storm sewer” means a conveyance or system of conveyances otherwise known as a municipal separate storm sewer system or “MS4,” including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains:

1. Owned or operated by Town of Vinton;
2. Designed or used for collecting or conveying stormwater;
3. That is not a combined sewer; and
4. That is not part of a publicly owned treatment works.

“Municipal separate storm sewer system” or “MS4” means all municipal separate storm sewers that are located within the Town’s limits.

“Municipal Separate Storm Sewer Management Program” or “MS4 Program” means a management program covering the duration of a permit for a municipal separate storm sewer system that includes a comprehensive planning process that involves public participation and intergovernmental coordination, to reduce the discharge of pollutants to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA and regulations and the Act and attendant regulations, using management practices, control techniques, and system design and engineering methods, and such other provisions that are appropriate.

“Off-site facility” means a stormwater management measure located outside the subject property boundary described in the permit application for land-disturbing activity.

“Operator” means the owner or operator of any facility or activity subject to regulation under this Ordinance.

“Permit or VSMP Authority Permit” means an approval to conduct a land disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Ordinance, which may only be issued after evidence of general permit coverage has been provided by the Department of Environmental Quality.

“Permittee” means the person to whom the VSMP Authority permit is issued.

“Person” means any individual, corporation, partnership, firm, association, joint venture, public or private or municipal corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the Commonwealth, any interstate or governmental body, or any other legal entity, or any agent or employee of any such person.

“Regional stormwater management facility” or “Regional facility” means a facility or series of facilities designed to control some or all of the adverse impacts from stormwater runoff from two or more parcels or lots, located in the same watershed, although only portions of the area may experience development.

“Regulations” means the Virginia Stormwater Management Program (VSMP) Permit Regulations, 9VAC25-870-10 et seq., as amended.

“Site” means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity.

“State” means the Commonwealth of Virginia.

“State Board” means the State Water Control Board.

“State Permit” means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state

general permit or an approval issued by the State Board for stormwater discharges from an MS4. Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the Regulations.

“State Water Control Law” means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia (1950), as amended.

“State waters” means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

“Stormwater” means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

“Stormwater facility maintenance agreement” means a legally binding agreement between the owner of a property and the Town of Vinton regarding long-term maintenance of stormwater management facilities.

“Stormwater Management Facility” or “SWMF” means a device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the volume, rate of flow, quality, the period of release, or the velocity of flow.

“Stormwater management plan” means a document(s) containing material for describing methods for complying with the requirements of Section 79-20 of this Ordinance.

“Stormwater Pollution Prevention Plan” or “SWPPP” means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Ordinance. In addition, the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

“Subdivision” means the division of a parcel of land into two (2) or more parcels of any size by the establishment of new boundaries lines or by the adjustment, relocation, or vacation of existing boundary lines, for the purpose whether immediate or future, of transfer of ownership or building development. A subdivision includes all changes in street or lot lines, and any portion of any such subdivision previously recorded in which building development or street creation occurs, or is required, subsequent to such recordation. The transfer of ownership of land to the Commonwealth of Virginia or a political subdivision thereof and the division of lands by court order or decree shall not be deemed a subdivision as otherwise herein defined.

“Total Maximum Daily Load” or “TMDL” means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measures. The TMDL process provides for point versus nonpoint source trade-offs.

“Town” means the incorporated Town of Vinton.

“Virginia Stormwater Management Act” or “Act” means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

“Virginia Stormwater BMP Clearinghouse website” means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

“Virginia Stormwater Management Program” or “VSMP” means a program approved by the State Board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, and enforcement, where authorized in this Ordinance, and evaluation consistent with the requirements of this Ordinance and associated regulations.

“Virginia Stormwater Management Program authority” or VSMP authority” means an authority approved by the State Board after September 13, 2011, to operate a Virginia Stormwater Management Program. For the purpose of this Ordinance, Town of Vinton is the VSMP Authority.

Division 3. Program Permit Procedures and Requirements

Sec. 79-16. Permit Required

- A. No grading, building, or other local permit will be issued for a property until a VSMP authority permit has been issued by the Administrator, unless the activity is specifically exempted from VSMP permitting by this Ordinance.
- B. No VSMP authority permit will be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the requirements of this Ordinance, including an approved erosion and sediment control plan; and an approved stormwater management plan or an executed agreement in lieu of a stormwater management plan.
- C. No VSMP authority permit will be issued without the general permit registration statement except that construction activity involving a single-family detached residential structure, within or outside of a common plan of development or sale does not require a permit registration statement. Construction activities involving a single-family detached residential structure, within or outside of a common plan of development or sale, shall comply with the requirements of the General Permit.

Sec. 79-17. Permit Application Contents

- A. Unless specifically exempted by this Ordinance, any land owner or operator desiring a permit for a land disturbance activity shall submit to the Town and County a permit application on a form provided by the Town for that purpose. Permit applications shall comply with the requirements contained within the Town/County Stormwater Management Design Manual that is available from the Town of Vinton Department of

Planning and Zoning and/or Roanoke County Department of Community Development Office.

B. No VSMP authority permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein.

1. A permit application that includes a fully-executed general permit registration statement, except that construction activity involving a single-family detached residential structure, within or outside of a common plan of development or sale does not require a permit registration statement;
2. An erosion and sediment control plan approved in accordance with the Town Erosion and Sediment Control Ordinance [Chapter 35] and County Erosion and Sediment Control Ordinance [Chapter 8.1];
3. A stormwater management plan, or agreement in lieu of a stormwater management plan, that meets the requirements of Section 79-20;
4. Maintenance agreement in accordance with Section 79-22;
5. Performance bonds in accordance with Section 79-23;
6. Fees in accordance with Section 79-24; and,
7. Executed Development Agreements.

C. Pursuant to § 62.1-44.15:40 of the Code of Virginia, the Administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this Ordinance, to furnish, when requested, such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of the permittee's discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance.

Sec. 79-18. Stormwater Pollution Prevention Plans

A. The Stormwater Pollution Prevention Plan (SWPPP) required by the general permit, shall comply with the requirements set forth in 9VAC25-870-54 and shall also comply with the requirements and general information set forth in Section 9VAC25-880-70, Section II [stormwater pollution prevention plan] of the general permit.

The SWPPP shall include:

1. An approved erosion and sediment control plan;
2. An approved stormwater management plan, or agreement in lieu of a stormwater management plan;
3. A pollution prevention plan for regulated land disturbing activities; and

4. Description of any additional control measures necessary to address a TMDL.
- B. The SWPPP shall be amended, by the operator, whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters, which is not addressed by the existing SWPPP.
- C. The SWPPP shall be maintained at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public and Town review in accordance with Section II of the general permit, either electronically or in hard copy.

Sec. 79-19. Pollution Prevention Plans

- A. A Pollution Prevention Plan, required by 9VAC25-870-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants.
- B. At a minimum, such measures must be designed, installed, implemented, and maintained to:
 1. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 2. Minimize the exposure of all materials, including, but not limited to building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
 3. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.
- B. The pollution prevention plan shall include effective best management practices to prohibit the following discharges:
 1. Wastewater from washout of concrete, unless managed by an appropriate control;
 2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
 3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
 4. Soaps or solvents used in vehicle and equipment washing.
- C. The pollution prevention plan shall prohibit discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate controls.

Sec. 79-20. Stormwater Management Plans

- A. No application for land-disturbing activity will be approved unless it includes a stormwater management plan or agreement in lieu of a stormwater management plan, as required by this Ordinance, detailing how runoff and associated water quality impacts resulting from the activity will be controlled or managed.
- B. Submittal, review, approval, and resubmittal of stormwater management plans, and agreements in lieu of stormwater management plans shall comply with the requirements set forth in this Ordinance and the Town/County Stormwater Management Design Manual.
- C. The stormwater management plan shall apply the stormwater management technical criteria set forth in Section 79-6 of this Ordinance to the entire land-disturbing activity. Individual lots in new residential, commercial, or industrial developments shall not be considered to be separate land-disturbing activities.
- D. A stormwater management plan that is approved for a residential, commercial, or industrial subdivision shall govern the development of the individual parcels, including those parcels developed under subsequent owners
- E. The stormwater management plan must consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to surface runoff.
- F. If an operator intends to meet the water quality and/or quantity requirements set forth in 9VAC25-870-63 or 9VAC25-870-66 through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by §62.1-44.15:35 of the Code of Virginia.
- G. Elements of the stormwater management plans that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.
- H. Where a stormwater management plan is required, a construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator and approved prior to the release of bonds. The construction record drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth, certifying that the stormwater management facilities have been constructed in compliance with the approved plan. Stormwater management facilities include all storm drain structures, storm drain pipes, culverts, open channels, BMPs, and all other facilities used to convey, control, or treat stormwater runoff.
- I. The stormwater management plan shall include the following information:

1. Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the pre-development and post-development drainage areas;
2. Contact information including the name, address, and telephone number of the owner and the tax reference number and parcel number of the property or properties affected;
3. A narrative that includes a description of current site conditions and final site conditions;
4. A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete;
5. Information on the proposed stormwater management facilities, including:
 - i. The type of facilities;
 - ii. Location, including geographic coordinates;
 - iii. Acres treated; and
 - iv. Surface area, volume, depth, and width of facilities, if applicable;
 - v. The surface waters or karst features, if present, into which the facility will discharge ;and
 - vi. The Hydrologic Unit Code (HUC) into which the facilities drain.
6. Hydrologic and hydraulic computations, including runoff characteristics;
7. Documentation and calculations verifying compliance with the water quality and quantity requirements.
8. A map or maps of the site that depicts the topography of the site and includes:
 - i. All contributing drainage areas;
 - ii. Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - iii. Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;
 - iv. Current land use, including existing structures, roads, and locations of known utilities and easements;
 - v. Sufficient information (such as grades) on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - vi. The limits of clearing and grading, and the proposed drainage patterns on the site;
 - vii. Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and
 - viii. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.

J. An agreement in lieu of stormwater management plan shall conform to the Regulations and the County Stormwater Management Design Manual.

Sec. 79-21. Comprehensive Stormwater Management Plans and Regional Stormwater Management Facilities

A. The Town may develop comprehensive stormwater management plans in accordance with 9VAC25-870-92 as a means to more effectively and efficiently address water quality objectives, quantity objectives, or both; through the implementation of regional stormwater management facilities.

B. Once a comprehensive stormwater management plan is adopted by the Town and approved by the Director of the Virginia Department of Environmental Quality, it is enforceable under this Ordinance.

C. Stormwater management plans for land disturbing activities located in areas that have a comprehensive stormwater management plan, adopted by the Town and approved by the Director of the Virginia Department of Environmental Quality, shall comply with the requirements of the comprehensive stormwater management plan.

D. If a proposed regulated land-disturbing activity is located in a watershed that has a regional stormwater management facility currently constructed, and if the regional stormwater management facility is in accordance with a comprehensive stormwater management plan, the Town shall have the option to require the payment of a fee-in-lieu of providing a portion or all of the proposed regulated land-disturbing activities stormwater management requirements. The fee-in-lieu shall be based on the reasonable proportion of stormwater impacts from the proposed regulated land-disturbing activity compared to the total stormwater impacts that the regional stormwater management facility is designed to mitigate, multiplied by the total estimated project costs. The reasonable proportion of project costs shall be solely determined by the Town. Project costs include, but are not limited to, the costs of land, professional services for investigations, studies, design, environmental permitting, surveying, construction phase services, legal services, and construction. Project costs may also include Town staff costs for project development, design, construction, permitting, oversight, or other project activities; and other direct costs. Project costs shall also include the present value of the estimated operation and maintenance costs for the next 20 years, if the Town is responsible for the regional stormwater management facility's operation and maintenance.

E. The Town and any other party(ies) may mutually agree to share the costs of a regional stormwater management facility, in the absence of a comprehensive stormwater management plan. The fee-in-lieu shall be based on project costs apportioned to each party in reasonable proportion of each party's contribution to the total stormwater impacts that the regional stormwater management facility is designed to mitigate, as mutually negotiated.

Sec. 79-22. Stormwater Management Facility Maintenance Agreements

- A. Maintenance of all stormwater management facilities shall be ensured through the creation of a formal maintenance agreement that is executed by the property owner and submitted prior to plan approval and recorded by the Town in the County land records prior to permit termination. The maintenance agreement shall be binding on all subsequent property owners.
- B. The property owner of the site shall execute an access easement agreement, prior to plan approval, to provide for access to stormwater management facilities at reasonable times for periodic inspection by the Town, or their contractor or agent, to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this Ordinance. The easement agreement shall be recorded in the County land records by the Town and it shall be binding on all subsequent property owners.
- C. A stormwater management facility that serves more than one parcel shall be located on its own, separate parcel. The land owners of each parcel served by the stormwater management facility shall be jointly and severally responsible for the maintenance of the stormwater management facility through a formal maintenance agreement with the Town.
- D. Responsibility for the operation and maintenance of stormwater management facilities, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor or owner. If portions of the land are to be sold, legally binding arrangements, acceptable to the Town, shall be made to pass the responsibility to successors in title. These arrangements shall designate for each land owner, governmental agency, or other legally established entity to be permanently responsible for maintenance.
- E. As part of the maintenance agreement, a schedule shall be developed identifying anticipated routine maintenance, to be performed by the property owner, needed for proper function of the stormwater management facility. The maintenance agreement shall also include a schedule for periodic inspections, to be performed by the property owner, to ensure proper performance of the facility between scheduled routine maintenance activities, and it shall require repairs when needed for proper function of the SWMF. The maintenance agreement shall require that the property owner document routine maintenance, repair, and periodic inspection activities, maintain said documentation for five (5) years, and submit said documentation to the Town, if requested.
- F. The maintenance agreement shall also include "failure to maintain" provisions. In the event that maintenance or repair is neglected, or the stormwater management facility becomes a danger to public health, safety, or the environment, the Town reserves the authority to perform the necessary maintenance or repair work and to recover the costs from the property owner. Nothing in this Ordinance shall be construed to mean that the Town has the responsibility to maintain privately-owned SWMFs.
- G. Prior to the release of the performance security or bond, the developer shall either (1) transfer the maintenance responsibilities of the stormwater management facilities to a Home Owners Association or (2) provide the Town with a maintenance security.
1. Requirements for Transfer of Maintenance Responsibilities to the Home Owners Association (HOA):

- i. Submission of acceptable record drawings.
- ii. Acceptable final inspection of the stormwater management facility by the Town or their contractor or agent.
- iii. Transfer of the necessary property to the HOA.
- iv. Organize and hold a meeting attended by the developer, the Town, the County, and members of the HOA. Provide evidence to the Town that each member of the HOA was provided prior notice of the meeting. The meeting shall be held at a place and time convenient for members of the HOA.
- v. Provide a copy of the recorded documents establishing the Home Owners Association to the Town.
- vi. Provide the Town with evidence that the Home Owners Association is funded. Minimum funding shall be based on the following schedule:

1-20 lots = \$1,000
21-50 lots = \$1,500
51 and over = \$1500 + \$30 per lot over 50

2. Requirements for Posting Maintenance Security.

- i. The Town shall require a maintenance guaranty in the amount of twenty (20%) percent of the construction costs of the stormwater management facility.
- ii. The maintenance security shall contain forfeiture provisions for failure, after proper notice, to complete work within the time specified, or to initiate or maintain appropriate actions which may be required of the permittee in accordance with the approved stormwater management plan.
- iii. If the Town takes such action upon such failure by the permittee, the Town may collect from the permittee the difference should the amount of the reasonable cost of such action exceed the amount of the security held.
- iv. The maintenance agreement and security will be the responsibility of the permittee or owner until such time as the permittee or owner provides the Town with the necessary requirements for Transfer of Maintenance Responsibilities to the Home Owners Association as outlined above in (1).

Sec. 79-23. Performance Securities

- A. The Town may, at its discretion, require the submittal of a performance security or bond with surety, cash escrow, letter of credit, or other acceptable legal arrangement, all of which shall be in a form approved by the Town, prior to plan approval, in order to ensure that the stormwater practices are installed by the permittee, as required by the approved stormwater management plan.
- B. Until July 1, 2017, the amount of the performance security shall be the total estimated construction cost of the storm drainage systems and stormwater management facilities approved under the permit, plus 10% contingency. After July 1, 2017, the amount of the performance security shall be the total estimated construction cost of the storm drainage systems and stormwater management facilities approved under the permit, plus 25% contingency. The amount of contingency is in accordance with Title 15.2, Chapter 22, Article 41 (§ 15.2-2241 et seq.) of the Code of Virginia (1950), as amended.

- C. The performance security shall contain forfeiture provisions for failure, after proper notice, to complete work within the time specified, or to initiate or maintain appropriate actions which may be required of the permittee in accordance with the approved stormwater management plan.
- D. If the Town takes such action upon such failure by the permittee, the Town may collect from the permittee the difference should the amount of the reasonable cost of such action exceed the amount of the security held.
- E. Within 60 days of the completion of the requirements of the permit conditions, including request for permit termination by the operator, such bond, cash escrow, letter of credit, or other legal arrangement, or the unexpended or unobligated portion thereof, will be refunded to the permittee or terminated.

Sec. 79-24. Fees

- A. Fees to cover costs associated with implementation of a VSMP related to land disturbing activities and issuance of general permit coverage and VSMP authority permits shall be imposed in accordance with the appropriate fee schedule established, updated and revised from time to time by the Vinton Town Council by resolution. VSMP costs include Town costs associated with stormwater management plan review, VSMP registration statement review, permit issuance, state-coverage verification, inspections, reporting, and compliance activities associated with land-disturbing activities, as well as state program oversight costs.
- B. Fees for providing coverage under the General Permit for Discharges of Stormwater from Construction Activities shall be imposed in accordance with the appropriate fee schedule established, updated and revised from time to time by the Vinton Town Council by resolution. Fifty percent (50%) of the total fee shall be paid by the applicant at the time that a stormwater management plan, or agreement in lieu of a stormwater management plan, is submitted for review. The remaining total fee is to be paid by the applicant prior to issuance of coverage under the General Permit for Discharges of Stormwater from Construction Activities.
- C. When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees in accordance with the disturbed acreage of their site or sites according to the fee schedule established, revised and updated from time to time by the Vinton Town Council by resolution.
- D. Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with the fee schedule established, revised and updated from time to time by the Vinton Town Council by resolution. If the permit modifications result in changes to stormwater management plans that require additional review by the Town and County, such reviews shall be subject to the fee schedule established by the Vinton Town Council, as amended. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied

for the total disturbed acreage in accordance with the fee schedule established, revised and updated from time to time by the Vinton Town Council by resolution.

- E. General permit maintenance fees: Annual permit maintenance fees required by 9VAC25-870-830 shall be imposed in accordance with the fee schedule established, revised and updated from time to time by the Vinton Town Council by resolution, including fees imposed on expired general permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated. General permit coverage maintenance fees, for permits issued in a previous calendar year, shall be paid by April 1st of each year that it is in effect. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a Notice of Termination is effective.
- F. Persons whose coverage under the general permit has been revoked shall apply to the Department for an Individual Permit for Discharges of Stormwater from Construction Activities.
- G. No permit application fees will be assessed to:
 - 1. Permittees who request minor modifications to permits as defined in Section 23-2 of this Ordinance. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the Administrator shall not be exempt pursuant to this section.
 - 2. Permittees whose permits are modified or amended at the initiative of the Department or Administrator, excluding errors in the registration statement identified by the Administrator or errors related to the acreage of the site.
- H. All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in §58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent (over 90 days past due) account. The Town shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.
- I. In addition to the fees contained on the fee schedule established, revised and updated by the Vinton Town Council by resolution the Town may collect convenience fees associated with processing credit card payments.

Sec. 79-25. Permit Application Procedure

- A. Permit applications and the stormwater management plan, or agreement in lieu of a stormwater management plan, shall include all of the information required by this Ordinance and the Town/County Stormwater Management Design Manual.
- B. No VSMP authority permit shall be issued until the maintenance agreement required in Section 79-22 is approved, performance securities required in Section 79-23 have been submitted and accepted, and fees required to be paid, pursuant to Section 79-24, are received.

C. All applications will be processed in accordance with procedures set forth below and in the Town/County Stormwater Management Design Manual.

1. The Administrator shall determine the completeness of a plan in accordance with Section 79-17 of this Ordinance and shall notify the applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification will contain the reasons the plan is deemed incomplete.
2. The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed above, then plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan.
3. The Administrator shall review any plan that has been previously disapproved, within 45 calendar days of the date of resubmission.
4. During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the applicant or his/her designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Ordinance.
5. If a plan meeting all requirements of this Ordinance is submitted and no action is taken within the time provided above, the plan shall be deemed approved.

D. Approved stormwater management plans may be modified, as follows:

1. Modification to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.
2. The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.

E. The Administrator shall require the submission of a construction record drawing for permanent stormwater management facilities.

Division 4. Exceptions to Stormwater Management Requirements

A. The Administrator may grant exceptions to the technical requirements of Part II B or Part II C of the Regulations, provided that (i) the exception is the minimum necessary to afford relief, (ii) reasonable and appropriate conditions are imposed so that the intent of the Act and this Ordinance are preserved, (iii) granting the exception will not confer any special privileges that are denied in other similar circumstances, and (iv) exception requests are not based upon conditions or circumstances that are self-imposed or self-

created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Ordinance.

1. Exceptions to the requirement that the land-disturbing activity obtain the required VSMP authority permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, unless it is duly approved by the Director of Environmental Quality.
 2. Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 9VAC25-870-69 have been considered and found not available.
 3. Nothing in this section shall preclude an operator from constructing to a more stringent standard at their discretion.
- B. The Administrator may grant an exception from provisions contained in the County Stormwater Management Design Manual when not reasonably achievable, provided that acceptable mitigation measures are provided.
- C. Requests for an exception to the stormwater technical requirements shall be submitted in writing to the Administrator.

Division 5. Property Owner Responsibilities for Drainage Ways

- A. Drainage ways consist of natural watercourses, storm sewers, gutters, manmade channels, and other natural or manmade drainage paths.
- B. Every person owning property through which a drainage way passes, or such person's lessee, shall keep and maintain that part of the drainage way within the property free of trash, debris, yard wastes, and other obstacles that could pollute, contaminate, or significantly retard the flow of water.
- C. No person shall sweep, wash, or otherwise place dirt, trash, debris, yard wastes, or other materials in drainage ways where they could be picked up and carried off the person's property by stormwater runoff.
- D. The property owner or such person's lessee shall maintain healthy vegetation to protect the drainage way from excessive erosion during storm events. Particular care shall be taken to maintain healthy bank vegetation along watercourses.

Division 6. Construction Inspection

Sec. 79-26. Notice of Construction Commencement

The permittee shall notify the Town in advance before the commencement of land disturbing activities. In addition, the permittee shall notify the Town in advance of construction of critical components of a stormwater management facility.

Sec. 79-27. Periodic Construction Inspection

- A. The Administrator and/or his/her authorized agent shall periodically inspect the land-disturbing activity during construction for:
1. Compliance with the approved erosion and sediment control plan;
 2. Compliance with the approved stormwater management plan, or executed agreement in lieu of a stormwater management plan;
 3. Development, updating, implementation with the pollution prevention plan;
 4. Development and implementation of any additional control measures necessary to address a TMDL.
- B. If the Town inspections find any violations, the permittee shall be notified in writing of the nature of the violation and the required corrective actions. No additional construction or land-disturbing activity in the area of the violation shall proceed until any violations are corrected and all work previously completed has received approval from the Town and County. The permittee is responsible for maintenance and repair for all stormwater management facilities during construction.
- C. The person responsible for implementing the approved plan is required to provide adequate inspection monitoring and reports to ensure compliance with the approved plan, to determine whether the measures required in the plan provide effective stormwater management and to allow the registered professional to certify the record documents in accordance with Section 79-20. All permittee inspections shall be documented and written reports prepared that contain the following information:
1. The date and location of the permittee inspection;
 2. Whether construction is in compliance with the approved stormwater management plan;
 3. Variations from the approved construction specifications;
 4. Corrective actions that have been taken to correct previous violations;
 5. Any violations that exist; and.
 6. The name and signature of the person who performed the inspection.
- Permittee inspection documentation shall be organized chronologically and be stored with the SWPPP.
- D. If the Town and County determine that there is a failure to comply with the plan, notice shall be served upon the permittee or person responsible for carrying out the plan in accordance with Article IX of this Ordinance.

Sec. 79-28. Final Inspection and Record Documentation

- A. The permittee shall submit record drawings and supporting documentation for all stormwater management facility and storm drainage system associated with the project before final Town and County inspection. Record drawings and supporting documents shall comply with the requirements contained in the Town/County Stormwater Management Design Manual.
- B. Receipt of record drawings and supporting documentation, final inspection and approval by the Town and County, execution and recordation of maintenance agreement, and permit termination is required before the release of performance securities.
- C. If it is determined from the record drawings, or inspections, that the storm drainage systems and the stormwater management facilities have not been constructed in accordance with the approved stormwater management plan, then corrective action will be taken to comply with the approved Plan or the permittee shall provide studies and information required by the Town and County to demonstrate that the constructed system will function equivalent to the approved Stormwater Management Plan, and that all regulatory requirements are met.

Division 7. Post-Construction Inspection, Maintenance, and Repair of Stormwater Management Facilities

Sec. 79-29. Maintenance Inspections of Stormwater Management Facilities

- A. Following the completion and acceptance of construction, the property owner is responsible for the maintenance and repair of stormwater structures and stormwater management facilities. The property owner shall ensure that proper maintenance and repair of stormwater structures and stormwater management facilities occur and that periodic inspection, maintenance, and repair are performed so that the structures and facilities operate properly. All inspection, maintenance, and repair activities, performed by the property owner shall be documented. Documentation shall be submitted to the Town, if requested.
- B. Stormwater structures and stormwater management facilities that have recorded stormwater facility maintenance agreements shall be operated, inspected, maintained and repaired in conformance with the applicable performance requirements contained in the approved stormwater facility maintenance agreement.
- C. Existing stormwater structures and stormwater management facilities that do not have a recorded stormwater facility maintenance agreement shall be operated, inspected, maintained and repaired as required for proper operation of the structures and facilities. Following are the minimum requirements for stormwater structures and stormwater management facilities that do not have a recorded stormwater facility maintenance agreement:
 - 1. Stormwater structures and stormwater management facilities shall be inspected, by the property owner, after significant rainfall events that cause localized flooding, and at least annually.
 - 2. All structures and slopes shall be kept in a safe condition.

3. The stormwater management facility shall be kept clear of grass clippings, cut brush, and other debris.
 4. All pipes and structures shall be kept clean and clear of debris that could decrease flow capacity.
 5. Sediment and silt that washes into stormwater management facilities shall be removed and properly disposed of when the sediment and silt builds up to the point that they adversely impact the facility's proper operation.
 6. Trees and other woody plants shall be cut and removed from embankment slopes annually.
 7. Trees and woody plants shall be cut and removed from non-embankment areas of a stormwater management facility as needed to avoid buildup of debris in the facility and to avoid a nuisance. Periodic cutting and brush removal shall occur at a frequency of at least once in three years.
 8. Landscaping and grass cover shall be maintained for proper operation and erosion control. Replace landscaping as required. Repair erosion and replace grass cover as required.
- D. In addition to the inspections performed by the property owner, the Town and/or County will periodically inspect stormwater management facilities. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety, public health, or the environment, the Town shall notify the property owner by registered or certified mail. The notice shall specify the measures needed to comply and shall specify the time within which such measures shall be completed. If the responsible party fails or refuses to correct the violation, the Town, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition, and recover the costs from the property owner.
- E. If stormwater management facility inspection requires entry into a confined space, or special equipment or training, then the Town may hire licensed professionals to perform the inspection, or it may require the property owner to hire a licensed professional to perform the inspection. The cost for any licensed professionals to perform the required inspection shall be paid by or recovered from the owner.
- F. The Town and/or County will conduct post-construction inspections of stormwater management facilities pursuant to the Town's developed, and State Board's approved inspection program and will inspect each stormwater management facility at least once every five (5) years.

Sec. 79-30. Records of Inspection, Maintenance, and Repair

- A. Property owners responsible for the operation and maintenance of stormwater management facilities shall make records of all inspections, maintenance, and repairs, and shall retain the records for at least five (5) years.

B. Upon request from the Town, property owners shall provide copies of records documenting property owner inspections, maintenance, and repairs.

Sec. 79-31 –79-35. Reserved.

Division 8. Hearings and Appeals

Sec. 79-36. Hearings

A. Any permit applicant or permittee, or person subject to the requirements of this Ordinance, who is aggrieved by any action, of the Town in approving or disapproving any plans required by this Ordinance, or by any enforcement action taken pursuant to Article IX, shall have the right to request, in writing, a hearing to the Town Manager or his/her designee provided a petition requesting such hearing is filed with the Administrator within 30 days after notice of such action is given by the Administrator.

B. The hearing shall be held provided that the Town Manager and the aggrieved party has at least thirty (30) days prior notice.

C. A verbatim record of the proceedings of such hearings shall be taken and filed with the Vinton Town Council. Depositions may be taken and read as in actions at law.

D. The Town Manager, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of any witness without legal excuse to appear or to testify or to produce documents shall be acted upon by the Town Manager whose actions may include the procurement of an order of enforcement from the Roanoke County Circuit Court. Witnesses who are subpoenaed shall receive the same fees and reimbursement for mileage as in civil actions.

E. During its review, the Town Manager shall consider evidence presented by all parties. After considering the evidence, the Town Manager's decision shall be final.

Sec. 79-37. Appeals

Final decisions of the Town Manager, under this Ordinance, shall be subject to judicial review by the Roanoke County Circuit Court, provided an appeal is filed within thirty (30) days from the date of any written decision adversely affecting the rights, duties, or privileges of any permit applicant, permittee, or person subject to any enforcement action under this Ordinance.

Division 9. Enforcement and Penalties

Sec. 79-38. Violations

Any land-disturbance activity that is commenced or is conducted contrary to this Ordinance or the approved plans or agreements and permit, may be subject to the enforcement actions outlined in this section and the Virginia Stormwater Management Act.

Sec. 79-39. Notice of Violation

- A. If the Administrator determines that there is a failure to comply with the VSMP authority permit conditions, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, consent special orders, and notices to comply.
- B. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.
- C. If there is no permittee, the notices shall be issued to the property owner.
- D. The notice of violation shall contain:
1. The name and address of the permittee, or if there is no permittee, the property owner;
 2. The address when available or a description of the building, structure, or land upon which the violation is occurring;
 3. A statement specifying the nature of the violation;
 4. A description of the remedial measures necessary to bring the land-disturbing activity into compliance with this Ordinance and a time schedule for the completion of such remedial action;
 5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed;
 6. A statement that the determination of violation may be appealed by filing a written notice of appeal within 30 days of service of notice of violation.

Sec. 79-40. Stop Work Orders

- A. If a permittee fails to comply with a notice issued in accordance with Section 79-39 within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all construction land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed.
- B. However, if the Administrator finds that any such violation presents an imminent and substantial danger of causing harmful stormwater runoff impacts to its MS4 system or waters within the watersheds of the Commonwealth, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued an order is not

complying with the terms thereof, the Administrator may request the County Attorney to institute a proceeding for an injunction, mandamus, or other appropriate remedy.

C. This “stop work order” shall be in effect until the County confirms that the land-disturbing activity is in compliance with the requirements of this Ordinance and the violation has been satisfactorily addressed. Upon failure to comply within the time specified, the permit may be revoked and the applicant shall be deemed to be in violation of this article and upon conviction shall be subject to the penalties provided by this Ordinance.

Sec. 79-41 Civil and Criminal Penalties

A. Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the Administrator may be compelled in a proceeding instituted in the Roanoke County Circuit Court to obey same and to comply therewith by injunction, mandamus, or other appropriate remedy.

B. Any person who violates any provision of this Ordinance or who fails, neglects, or refuses to comply with any order of the Administrator, shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.

C. Violations for which a penalty may be imposed under this Subsection include, but are not limited to the following:

1. No state permit registration;

2. No SWPPP;

3. Incomplete SWPPP;

4. SWPPP not available for review;

5. No approved erosion and sediment control plan;

6. Failure to install stormwater BMPs or erosion and sediment controls;

7. Stormwater BMPs or erosion and sediment controls improperly installed or maintained;

8. Operational deficiencies;

9. Failure to conduct required inspections;

10. Incomplete, improper, or missed inspections; and

11. Discharges not in compliance with the requirements of Section 9VAC25-880-70 of the general permit.

- D. The Administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.
- E. In imposing a civil penalty pursuant to this Subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.
- F. Any civil penalties assessed by a court as a result of a summons issued by the Town shall be paid into the Town treasury to be used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the Town and abating environmental pollution therein in such manner as the court may, by order, direct.
- G. With the consent of any person who has violated or failed, neglected or refused to obey this Ordinance or any condition of a permit, the Town may provide, in an order issued by the Town against such person, for the payment of civil charges for violations in specific sums, not to exceed the limit specified in subdivision B of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under subdivision B.
- H. Notwithstanding any other civil or equitable remedy provided by this Section or by law, any person who willfully or negligently violates any provision of the Ordinance, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not more than \$2,500, or both.

Sec. 79-42. Restoration of Lands

- A. Any violator may be required to restore land to its undisturbed condition or in accordance with a notice of violation, stop work order, or permit requirements.
- B. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary corrective action, the cost of which shall be covered by the performance security, or become a lien upon the property until paid, or both.

Sec. 79-43. Holds on Certificate of Occupancy

Final certificates of occupancy may not be granted until corrections have been made in accordance with the approved plans, notices of violation, stop work order, or permit requirements, and accepted by the Town and County.

ARTICLE II. EROSION AND SEDIMENT CONTROL AND STEEP SLOPE DEVELOPMENT

Sec. 79-44. Title, purpose and authority.

This chapter shall be known as the "Erosion and Sediment Control and Steep Slope Development Ordinance of the Town of Vinton, Virginia." The purpose of this chapter is to conserve the land, water, air and other natural resources of the county by establishing requirements for the control of erosion and sedimentation, and by establishing requirements for development of steep slopes, and by establishing procedures whereby these requirements shall be administered and enforced.

This Chapter is authorized by the Code of Virginia, title 10.1, chapter 5, article 4 (§ 10.1-560 et seq.), known as the Virginia Erosion and Sediment Control Law.

Sec. 79-45. Applicability of chapter in town.

The provisions of this chapter shall be applicable within the corporate limits of the town. Administrative procedures and review fees may be established to accommodate the review of plans for development located within the town.
(Ord. No. 847, 4-3-2007)

Sec. 79-46. Definitions.

As used in this chapter, unless the context requires a different meaning:

“Agreement in lieu of a plan” means a contract between the plan-approving authority and the owner which specifies conservation measures which must be implemented in all construction disturbing between 2,500 square feet and 5,000 square feet and/or 250 to 500 cubic yards; this contract may be executed by the plan-approving authority in lieu of a formal site plan.

“Applicant” means any person submitting an erosion and sediment control plan for approval or requesting the issuance of a permit, when required, authorizing land-disturbing activities to commence.

“Board” means the state soil and water conservation board.

“Certified inspector” means an employee or agent of a program authority who holds a certificate of competence from the board in the area of project inspection.

“Certified plan reviewer” means an employee or agent of a program authority who:

1. Holds a certificate of competence from the board in the area of plan review;
2. Is licensed as a professional engineer, architect, certified landscape architect or land surveyor pursuant to article 1 (Code of Virginia, § 54.1-400 et seq.) of chapter 4 of title 54.1.

“Certified program administrator” means an employee or agent of a program authority who holds a certificate of competence from the board in the area of program administration.

“Clearing” means any activity which removes the vegetative ground cover including, but not limited to, root mat removal or top soil removal.

“Conservation plan”, “erosion and sediment control plan” or “plan” means a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory, and management information with needed interpretations and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to assure that the entire unit or units of land will be so treated to achieve the conservation objectives.

“County” means the County of Roanoke.

“Denuded” means a term applied to land that has been physically disturbed and no longer supports vegetative cover.

“Department” means the department of conservation and recreation.

“Development” means a tract of land developed or to be developed as a single unit under single ownership or unified control which is to be used for any business or industrial purpose or is to contain three or more residential dwelling units.

“Director” means the director of community development or his assignee.

“District” or “soil and water conservation district” refers to the Blue Ridge Soil and Water Conservation District.

“Dormant” refers to denuded land that is not actively being brought to a desired grade or condition.

“Erosion impact area” means an area of land not associated with current land disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

“Excavating” means any digging, scooping or other methods of removing earth materials.

“Filling” means any depositing or stockpiling of earth materials.

“Geotechnical report” means a report provided at the applicant's expense, prepared and stamped by a professional engineer, that communicates site conditions, and recommends design and construction methods.

1. The geotechnical report shall include any or all of the following basic information, as determined by the professional engineer:
 - a. Summary of all subsurface exploration data, including subsurface soil profile, exploration logs, laboratory or in situ test results, and ground water information;
 - b. Interpretation and analysis of the subsurface data;
 - c. Specific engineering recommendations for design;
 - d. Discussion of conditions for solution of anticipated problems; and
 - e. Recommended geotechnical special provisions.
2. For guidance in investigating site conditions and preparing geotechnical reports, the professional engineer may refer to all applicable sections of: "Checklist and Guidelines for Review of Geotechnical Reports and Preliminary Plans and Specifications", US Department of Transportation, Federal Highway Administration Publication No. FHWA ED-88-053, as amended.
3. The geotechnical report shall be submitted to the plan-approving authority and included in site development files prior to issuance of a land disturbing permit.

“Grading” means any excavating or filling of earth material or any combination thereof, including the land in its excavated or filled conditions.

“Land-disturbing activity” means any land change which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the commonwealth, including, but not limited to, clearing, grading, excavating, transporting and filling of land, except that the term shall not include:

1. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;
2. Individual service connections;
3. Installation, maintenance, or repairs of any underground public utility lines when such activity occurs on an existing hard-surfaced road, street or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard-surfaced;
4. Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;
5. Surface or deep mining;
6. Exploration or drilling for oil and gas including the well site, roads, feeder lines, and off-site disposal areas;
7. Tilling, planting, or harvesting of agricultural, horticultural, or forest crops, or livestock feedlot operations; including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of chapter 11 (Code of Virginia § 10.1-1100 et seq.) of this title or is converted to bona fide agricultural or improved pasture use as described in subsection B of Code of Virginia § 10.1-1163;
8. Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities and other related structures and facilities of a railroad company;
9. Agricultural engineering operations including but not limited to the construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the Dam Safety Act, article 2 (§ 10.1-604 et seq.) of chapter 6 of the Code of Virginia, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation;
10. Disturbed land areas for all uses of less than 2,500 square feet and/or less than 250 cubic yards in size;
11. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
12. Emergency work to protect life, limb or property, and emergency repairs; provided that if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the plan-approving authority.

“Land disturbing permit” means a permit issued by the county for the clearing, filling, excavating, grading, transporting of land or for any combination thereof or for any purpose set forth herein.

“Local erosion and sediment control program” or “program” means an outline of the various methods employed by the county to regulate land-disturbing activities and thereby minimize erosion and sedimentation in compliance with the state program and may include such items as local ordinances, policies and guidelines, technical materials, inspection, enforcement, and evaluation.

“Owner” means the owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a property.

“Permittee” means the person to whom the permit authorizing land-disturbing activities is issued or the person who certifies that the approved erosion and sediment control plan will be followed.

“Person” means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the commonwealth, any interstate body, or any other legal entity.

“Plan-approving authority” means the department of community development which is responsible for determining the adequacy of a conservation plan submitted for land-disturbing activities on a unit or units of lands and for approving plans.

“Post-development” refers to conditions that may be reasonably expected or anticipated to exist after completion of the land development activity on a specific site or tract of land.

“Pre-development” refers to conditions at the time the erosion and sediment control plan is submitted to the plan-approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time the erosion and sediment control plan for the initial phase is submitted for approval shall establish pre-development conditions.

“Program authority” means the county which has adopted a soil erosion and sediment control program approved by the board.

“Responsible land disturber” means an individual from the project or development team, who will be in charge of and responsible for carrying out a land-disturbing activity covered by an approved plan or agreement in lieu of a plan, who:

1. Holds a responsible land disturber certificate of competence;
2. Holds a current certificate of competence from the board in the areas of combined administration, program administration, inspection or plan review;
3. Holds a current contractor certificate of competence for erosion and sediment control; or

4. Is licensed in state as a professional engineer, architect, certified landscape architect or land surveyor pursuant to article 1 (§ 54.1-400 et seq.) of chapter 4 of title 54.1.

“Single-family residence” means a noncommercial dwelling that is occupied exclusively by one family.

“Steep slope” means a slope greater than 3:1, or 33.3 percent.

“Stabilized” means an area that can be expected to withstand normal exposure to atmospheric conditions without incurring erosion damage.

“State waters” means all waters on the surface and under the ground wholly or partially within or bordering the commonwealth or within its jurisdictions.

“Tow” means the incorporated Town of Vinton.

“Transporting” means any moving of earth materials from one place to another place other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

Sec. 79-47. Administration of chapter in conjunction with subdivision and zoning ordinances.

This chapter shall be administered, where applicable, in conjunction with the county's subdivision and zoning ordinances wherein such apply to the development and subdivision of land within the county or where such apply to development on previously subdivided land within the county.

Sec. 79-48. Local erosion and sediment control program.

A. Pursuant to Code of Virginia § 10.1-562, the county hereby adopts the regulations, references, guidelines, standards and specifications promulgated by the state soil and water conservation board and those more stringent local stormwater management criteria which the county board of supervisors, may adopt by resolution and incorporate into the manual of regulations and policies entitled "Design and Construction Standards Manual" for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources. Said regulations, references, guidelines, standards and specifications for erosion and sediment control are included in but not limited to the "Virginia Erosion and Sediment Control Regulations" and the Virginia Erosion and Sediment Control Handbook, as amended.

B. The county hereby designates the director of community development or his assignee as the plan-approving authority.

C. The program and regulations provided for in this chapter shall be made available for public inspection at the office of the department of community development.

D. Pursuant to Code of Virginia § 10.1-561.1, an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer. Inspections of land-disturbing activities shall be conducted by a certified inspector. The erosion control program of the county shall contain a certified program administrator, a certified plan reviewer, and a certified inspector, who may be the same person.

Sec. 79-49. Regulated land-disturbing activities; submission and approval of plans; contents of plans.

A. Except as provided herein, no person may engage in any land-disturbing activity until he or she has submitted to the department of community development an erosion and sediment control plan for the land-disturbing activity and such plan has been approved by the plan-approving authority. Where land-disturbing activities involve lands under the jurisdiction of more than one local control program, an erosion and sediment control plan, at the option of the applicant, may be submitted to the board for review and approval rather than to each jurisdiction concerned.

1. Where the land-disturbing activity results in between 2,500 square feet and 5,000 square feet and/or 250 to 500 cubic yards of disturbed area, an "agreement in lieu of a plan" may be substituted for an erosion and sediment control plan if executed by the plan-approving authority.
2. Where the land-disturbing activity results in between 5,000 square feet and 10,000 square feet and/or 500 to 750 cubic yards of disturbed area, either a plot plan prepared by a certified responsible land disturber or an engineered plan prepared by a professional engineer showing the erosion and sediment control measures must be submitted and executed by the plan-approving authority. A certified responsible land disturber must be named.
3. Where the land-disturbing activity results in 10,000 square feet or more and/or 750 cubic yards or more of disturbed area, an erosion and sediment control plan must be submitted which has been prepared by a professional engineer. For disturbed areas of less than 10,000 square feet, refer to the chart below to determine requirements for the site.

<u>Square Feet</u>	<u>And/Or</u>	<u>Cubic Yards</u>	<u>Requirements</u>
<u>2,500</u>		<u>0</u>	<u>Exempt from E&S Plan; *building permit plot plan required</u>
<u>2,500—5,000</u>		<u>250—500</u>	<u>"Agreement in Lieu" of a plan; permit fee; *building permit plot plan required</u>
<u>5,000—10,000</u>		<u>500—750</u>	<u>Certified RLD, *building permit plot plan by a certified RLD or a P.E.; permit fee</u>
<u>10,000</u>		<u>>750</u>	<u>RLD, Erosion and sediment control plan prepared by a P.E.; agreement; surety;</u>

			*building permit plot plan, if required by the building commissioner
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- B. *Refer to the Virginia Uniform Statewide Building Code for Building Permit Plot Plan Requirements.
- C. If lots in a subdivision are sold to another owner, that person is responsible for obtaining a certified responsible land disturber and submitting a plot plan for each lot to obtain an erosion and sediment control permit.
- D. The standards contained with the "Virginia Erosion and Sediment Control Regulations," and The Virginia Erosion and Sediment Control Handbook and those more stringent local stormwater management criteria which the board of supervisors of the county, may adopt by resolution and incorporate into the manual of regulations and policies entitled "Design and Construction Standards Manual" are to be used by the applicant when making a submittal under the provisions of this chapter and in the preparation of an erosion and sediment control plan. In cases where one standard conflicts with another, the more stringent applies. The plan approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations and guidelines. The plan approving authority may waive or modify any of the regulations that are deemed inappropriate or too restrictive for site conditions by granting a variance under the conditions noted in 4VAC50-30-50 of the Virginia Erosion and Sediment Control Regulations.
- E. The plan approving authority shall grant written approval within 45 days of the receipt of the plan, if it is determined that the plan meets the requirements of the local control program, and if the person responsible for carrying out the plan certifies that he or she will properly perform the erosion and sediment control measures included in the plan and will conform to the provisions of this chapter.

When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant within 45 days. The notice shall specify the modifications, terms and conditions that will permit approval of the plan. If no action is taken by the plan-approving authority within the time specified above, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.

- F. Responsible land disturber requirement. As a prerequisite to engaging in the land-disturbing activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of an individual holding a certificate of competence, to the program authority, as provided by section 10.1-561, of the Virginia Erosion and Sediment Control Law, who will be in charge of and responsible for carrying out the land-disturbing activity (the responsible land disturber). Failure to provide the name of an individual holding a certificate of competence prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this chapter.

However, the plan-approving authority may waive the certificate of competence for an "agreement in lieu of a plan" for construction of a single-family residence meeting the requirements in 15.21-3 of this chapter. If a violation occurs during the land-disturbing activity,

then the person responsible for carrying out the "agreement in lieu of a plan" shall correct the violation and provide the name of an individual holding a certificate of competence, as provided by section 10.1-561 of the Virginia Erosion and Sediment Control Law. Failure to provide the name of an individual holding a certificate of competence shall be a violation of this chapter and may result in penalties provided in this chapter.

G. An approved plan may be changed by the plan approving authority when:

1. The inspection reveals that the plan is inadequate to satisfy applicable regulations; or
2. The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this chapter, are agreed to by the plan approving authority and the person responsible for carrying out the plan.

H. In order to prevent further erosion, the county may require approval of a conservation plan for any land identified in the local program as an erosion impact area.

I. When land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion control plan shall be the responsibility of the owner.

J. Electric, natural gas and telephone utility companies, interstate and intrastate natural gas pipeline companies and railroad companies shall file general erosion and sediment control specifications annually with the Board for review and written comments. The specifications shall apply to:

1. Construction, installation or maintenance of electric transmission, natural gas and telephone utility lines, and pipelines; and
2. Construction of the tracks, rights-of-way, bridges, communication facilities and other related structures and facilities of the railroad company.

Individual approval of separate projects within subdivisions (1) and (2) of this subsection is not necessary when board approved specifications are followed, however, projects included in subdivisions (1) and (2) must comply with board approved specifications. Projects not included in subdivisions (1) and (2) of this subsection shall comply with the requirements of the county erosion and sediment control ordinance.

The board shall have 60 days in which to approve the specifications. If no action is taken by the board within 60 days, the specifications shall be deemed approved. The board shall have the authority to enforce approved specifications.

K. State agency projects are exempt from the provisions of this chapter, pursuant to Code of Virginia, § 10.1-564.

L. If the grade of a site is more than 33.3 percent, refer to the International Building Code for steep slope development requirements.

- M. Cut slopes or fill slopes shall not be greater than 2:1 (horizontal:vertical), unless a geotechnical report is provided for the proposed slopes.
- N. Cut slopes or fill slopes shall not be greater than 25 vertical feet in height, unless a geotechnical report is provided for the proposed slopes. Cut slopes or fill slopes less than or equal to 3:1 (horizontal:vertical) may exceed 25 vertical feet in height and shall not require a geotechnical report.
- O. For any cut slopes or fill slopes greater than or equal to 2:1 (horizontal:vertical) and greater than or equal to 25 vertical feet in height, as-built plans showing that the finished geometry is in substantial conformity with the design shall be provided to the plan-approving authority.
- P. Fill materials, compaction methods and density specifications shall be indicated on the site development plans. Fill areas intended to support structures shall also be indicated on the site development plans. Compaction test results (per VDOT standards) shall be submitted to the plan approving authority.
- Q. Development plans for all new subdivisions shall show proposed lot grades to ensure positive drainage.

Sec. 79-50. Permits; fees; bonding; etc.

- A. Agencies authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities may not issue any such permit unless the applicant submits with his application an approved erosion and sediment control plan and certification that the plan will be followed.
- B. No person shall engage in any land-disturbing activity until he has acquired a land-disturbing permit, unless the proposed land-disturbing activity is specifically exempt from the provisions of this chapter, and has paid the fees and posted the required bond.
- C. Fees. An applicant requesting permission to begin land-disturbing activity pursuant to this article shall pay the following fees to cover the administrative expense of review, permitting, and inspection.

<u>Square Feet</u>	<u>And/Or</u>	<u>Cubic Yards</u>	<u>Fees</u>	<u>Cap</u>	<u>Requirement</u>
<u><2,500</u>		<u><250</u>	<u>\$0.00</u>		<u>None</u>
<u>2,500—5,000</u>		<u>250—500</u>	<u>\$25.00</u>		<u>In lieu of agreement</u>
<u>5,000—</u>		<u>500—750</u>	<u>\$50.00</u>		<u>Responsible land disturber</u>

<u>10,000</u>					
<u>>10,000</u>		<u>>750</u>	<u>\$100.00 + \$100/disturbed acre or portion</u>	<u>\$500.00</u>	<u>Certified inspector for project</u>
<u>>10,000</u>		<u>>750</u>	<u>\$100.00 + \$100/disturbed acre or portion</u>		<u>No certified inspector for project</u>

D. Bond. All applicants for permits shall provide to the county a performance bond, cash escrow, or an irrevocable letter of credit acceptable to the director of community development or his assignee, to ensure that measures could be taken by the county at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him as a result of his land-disturbing activity. Should it be necessary for the county to take such conservation action, the county may collect from the applicant any costs in excess of the amount of the surety held.

Within 60 days of adequate stabilization and completion of all other site requirements, as determined by the director of community development or his assignee, such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated.

E. These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

Sec. 79-51. Monitoring, reports, and inspections.

A. The county may require the person responsible for carrying out the plan and/or the responsible land disturber to monitor and maintain the land-disturbing activity. The responsible land disturber will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.

B. The department of community development shall periodically inspect the land-disturbing activity as required under the state program to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection. If the director of community development or his assignee determines that there is a failure to comply with the plan or if the plan is determined to be inadequate, notice shall be served upon the permittee, person responsible for carrying out the plan or the responsible land disturber by registered or certified mail to the address specified in the permit application or in the plan certification, or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed. Upon failure to comply within the specified time, the permit may be revoked and the permittee shall be deemed to be in violation of this chapter and, upon conviction, shall be subject to the penalties provided by this chapter.

C. Upon determination of a violation of this chapter, the director of community development or his assignee may, in conjunction with or subsequent to a notice to comply as specified in this chapter, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan or proper permits, the director of community development or his assignee may, in conjunction with or subsequent to a notice to comply as specified in this chapter, issue an order requiring that all of the land-disturbing and/or construction activities be stopped until an approved plan or any required permits are obtained. Failure to comply will result in civil penalties as outlined in section 15.1-9 of this chapter.

Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the commonwealth, or where the land-disturbing activities have commenced without an approved plan or any required permits, such an order may be issued without regard to whether the permittee has been issued a notice to comply as specified in this chapter. Otherwise, such an order may be issued only after the permittee has failed to comply with such a notice to comply. The order shall be served in the same manner as a notice to comply, and shall remain in effect for a period of seven days from the date of service pending application by the enforcing authority or permit holder for appropriate relief to the circuit court.

If the alleged violator has not obtained an approved plan or any required permits within seven days from the date of service of the order, the director of community development or his assignee may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained. Such an order shall be served upon the owner by registered or certified mail to the address specified in the permit application or the land records of the county.

The owner may appeal the issuance of an order to the circuit court of the county. Any person violating or failing, neglecting or refusing to obey an order issued by the director of community development or his assignee may be compelled in a proceeding instituted in the circuit court of the county to obey same and to comply therewith by injunction, mandamus or other appropriate remedy. Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the order shall immediately be lifted. Nothing in this section shall prevent the director of community development or his assignee from taking any other action authorized by this chapter.

Sec. 79-52. Penalties, injunctions, and other legal actions.

A. Violators of this chapter shall be guilty of a class I misdemeanor.

B. Civil penalties:

1. A civil penalty in the amount listed on the schedule below shall be assessed for each violation of the respective offenses:
 - a. Commencement of land disturbing activity without an approved plan as provided in section 8.6-1 shall be \$1,000.00/day.
 - b. Vegetative measures—Failure to comply with items (1), (2) and (3) of the minimum standards shall be \$100.00/violation/day.
 - c. Structural measures—Failure to comply with items (2), (4), (9), (10), (11), (15) and (17) of the minimum standards shall be \$100.00/violation/day.
 - d. Watercourse measures—Failure to comply with items (12), (13) and (15) of the minimum standards shall be \$100.00/violation/day.
 - e. Underground utility measures—Failure to comply with item (16)a. and/or c. shall be \$100.00/violation/day.
 - f. Failure to obey a stop work order shall be \$100.00/day.
 - g. Failure to stop work when permit revoked \$100.00/day.

2. Each day during which the violation is found to have existed shall constitute a separate offense. However, in no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of \$3,000.00, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of \$10,000.00. The assessment of civil penalties according to this schedule shall be in lieu of criminal sanctions and shall preclude the prosecution of such violation as a misdemeanor under subsection (a) of this section.

C. The director of community development or his assignee may apply to the circuit court of the county to enjoin a violation or a threatened violation of this chapter, without the necessity of showing that an adequate remedy at law does not exist.

D. In addition to any criminal penalties provided under this chapter, any person who violates any provision of this chapter may be liable to the county in a civil action for damages.

E. Civil penalty enumerated. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000.00 for each violation. A civil action for such violation or failure may be brought by the county. Any civil penalties assessed by a court shall be paid into the treasury of the county, except that where the violator is the locality itself, or its agent, the court shall direct the penalty to be paid into the state treasury.

F. With the consent of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this chapter, the county may provide for the payment of civil charges for violations in specific sums, not to exceed the limit specified in subsection (b)(2) of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under subsection (b) or (e).

G. The county's attorney shall, upon request of the county or the permit issuing authority, take legal action to enforce the provisions of this chapter.

H. Compliance with the provisions of this chapter shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion, siltation or sedimentation that all requirements of law have been met, and the complaining party must show negligence in order to recover any damages.

Sec. 79-53. Appeals and judicial review.

Any applicant under the provision of this chapter who is aggrieved by any action of the county or its agent in disapproving plans submitted pursuant to this chapter shall have the right to apply for and receive a review of such action by the county board of supervisors. In reviewing the agent's actions, the board of supervisors shall consider evidence and opinions presented by the aggrieved applicant and agent. After considering the evidence and opinions, the board of supervisors' decision shall be final, subject only to review by the circuit court of the county. Any applicant who seeks an appeal hearing before the board of supervisors shall be heard at the next regularly scheduled board of supervisors' public hearing provided that the board of supervisors and other involved parties have at least 30 days prior notice.

Final decisions of the county under this chapter shall be subject to review by the county circuit court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Sec. 79-54. Civil violations, summons, generally.

A. The director shall prepare an appropriate erosion and sediment control civil violation summons for use in enforcing the provisions of this chapter.

B. Any inspector of the plan approving authority charged with enforcing this chapter shall serve upon any owner or permittee in violation of this chapter, a summons notifying the owner or permittee of said violation. If unable to serve the owner or permittee in person, the inspector may notify by summons an owner or permittee committing or suffering the existence of a violation by certified, return receipt requested mail, of the infraction. The county sheriff's office may also deliver the summons. The summons shall contain the following information:

1. The name and address of the person charged.
2. The nature of the violation and chapter provision(s) being violated.
3. The location, date, and time that the violation occurred, or was observed.
4. The amount of the civil penalty assessed for the violation.
5. The manner, location, and time that the civil penalty may be paid to the county.
6. The right of the recipient of the summons to elect to stand trial for the infraction and the date of such trial.

C. The summons shall provide that any person summoned for a violation may, within five days of actual receipt of the summons or, within ten days from the date of mailing of the summons, elect to pay the civil penalty by making an appearance in person, or in writing by mail to the county treasurer's office and, by such appearance, may enter a waiver of trial, admit liability, and pay the civil penalty established for the violation charged and provide that a signature to an admission of liability shall have the same force and effect

as a judgment in court; however, an admission shall not be deemed a criminal conviction for any purpose.

- D. If a person charged with a violation does not elect to enter a waiver of trial and admit liability, the county shall cause the sheriff of county to serve the summons on the person charged in the manner prescribed by law. The violation shall be tried in general district court in the same manner and with the same right of appeal as provided for in title 8.01 of the Code of Virginia. In any trial for a scheduled violation authorized by this section, it shall be the burden of the county to show the liability of the violator by the preponderance of the evidence. Any admission of liability, or finding of liability shall not be a criminal conviction for any purpose.
- E. The remedies provided for in this section are cumulative, and are not exclusive and, except as provided above, shall be in addition to any other remedies by law.
- F. The owner or permittee may pay the civil penalty to the treasurer prior to the trial date, provided he also pays necessary court costs in addition to the civil penalty.
- G. Within the time period prescribed in (c), above, the owner or permittee, may contest the violation by presenting it to the director, who shall certify the contest in writing, on an appropriate form, to the general district court.
- H. Failure to pay the civil penalty, or to contest the violation, within the time period prescribed in (C), above, shall result in the immediate issuance of a stop work order and the revocation of the permit, if any.

ARTICLE III. ILLICIT DISCHARGE

Division 1. General Provisions

Sec. 79-55. Title and Authority

- A. This ordinance shall be known as the “Illicit Discharge Ordinance of the Town of Vinton, Virginia.”
- B. This ordinance establishes the Town’s illicit discharge program that regulates non-stormwater discharges to its regulated MS4, consistent with state regulations promulgated pursuant to the law.
- C. The Town of Vinton hereby designates the Town Manager as the Administrator of the illicit discharge program.

Sec. 79-56. Purpose

The purpose of this ordinance is to promote the general health, safety, and welfare of the citizens of the Town by protecting property and state waters through the prohibition of illicit discharges of non-stormwater within the Town’s regulated MS4 area; subject to certain exceptions.

Sec. 79-57. Applicability

This ordinance is applicable to any non-stormwater discharge that enters, or has the potential of entering, the Town's regulated MS4 area.

Sec. 79-58. Compatibility with Other Requirements

This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this ordinance shall be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall apply.

Sec. 79-59. Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this ordinance.

Sec. 79-60 - 79-65. Reserved

Division 2. Definitions

The following words and terms as used in this ordinance shall have the following meanings, unless the context clearly indicates otherwise:

“Administrator” means the position responsible for administering the illicit discharge program on behalf of the Town of Vinton. The Administrator shall be the **Town Manager or his/her designee.**

“Best Management Practice or BMP” means schedules of activities, prohibitions of practices, including both structural or non-structural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

“Clean Water Act or CWA” means the federal Clean Water Act (33 United States Code 1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

“Control measure” means any best management practice or other method used to prevent or reduce the discharge of pollutants to surface waters.

“County” means the County of Roanoke, Virginia.

“Department” means the Virginia Department of Environmental Quality (DEQ).

“Discharge” means to dispose, deposit, spill, pour, inject, dump, pump, leak, or place by any means, or that which is disposed, deposited, spilled, poured, injected, dumped, pumped, leaked, or placed by any means.

“Illicit discharge” means any discharge to the Town’s MS4 that is not composed entirely of stormwater, except discharges pursuant to a VPDES or VSMP permit (other than the VSMP permit for discharges from the MS4), discharges resulting from firefighting activities, and discharges identified by and in compliance with 9VAC25-870-400 D 2 c (3).

“Municipal separate storm sewer” means a conveyance or system of conveyances otherwise known as a municipal separate storm sewer system or “MS4,” including roads with drainage systems, municipal streets, catch basins, drop inlets, curbs, gutters, ditches, man-made channels, storm drainage pipes, or other drainage structures:

1. Owned or operated by Town of Vinton;
2. Designed or used for collecting or conveying stormwater;
3. That is not a combined sewer; and
4. That is not part of a publicly owned treatment works (POTW).

“Municipal separate storm sewer system” or **“MS4”** means all municipal separate storm sewers that are located within the Town of Vinton.

“National Pollutant Discharge Elimination System” (NPDES) means the federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pre-treatment requirements under the Clean Water Act (CWA).

“Person” means any individual, firm, organization, partnership, association, organization or other entity, including governmental entities, or any combination thereof, or any agent or employee of any such entity.

“State waters” means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

“Stormwater” means precipitation that is discharged across the land surface or through conveyances to one or more waterways, which may include rainfall runoff, snow melt runoff, and surface runoff and drainage.

“Town” means Town of Vinton, Virginia.

“Virginia Pollutant Discharge Elimination System” (VPDES) means the program issued by the Commonwealth of Virginia for imposing and enforcing pre-treatment requirements pursuant to the Clean Water Act (CWA).

“Virginia Stormwater Management Program” (VSMP) means a program approved by the State Board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities, which shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

Division 3. Prohibited Discharges

- A. It shall be unlawful and a violation of this ordinance to allow any discharge that is not composed entirely of stormwater, except as described in subsection C below, that enters, or has the potential of entering, the MS4.
- B. Illicit discharges include, but are not limited to:
1. Discharging, or causing or allowing to be discharged, sewage, industrial wastes, yard wastes, or other wastes, into the storm sewer system, or any component thereof, or onto driveways, sidewalks, parking lots, the ground, or any other areas draining to the storm sewer system.
 2. Connecting, or causing or allowing connection of any sanitary sewer to the storm sewer system, including any sanitary sewer connected to the storm sewer as of the date of the adoption of this ordinance.
 3. Connecting, or causing or allowing any connection to the storm sewer system, without a valid VSMP, VPDES, or NPDES permit, any structure that conveys any liquid other than stormwater or discharges listed in subsection C, including, but not limited to, pipes, drains, sanitary sewer lines, washing machine drains, or floor drains.
 4. Prohibitions 2 and 3 listed in this subsection expressly include, without limitations, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connection.
 5. Throwing, placing, or depositing, or causing to be thrown, placed, or deposited in the storm sewer system anything that impedes or interferes with the free flow of stormwater therein, or adversely affects water quality.
- C. The following non-stormwater discharges are allowable under this ordinance:
1. Discharges or flows covered by a separate individual or general VPDES or VSMP permit for non-stormwater discharges;
 2. Individual non-stormwater discharges or flows that have been identified in writing by the Virginia Department of Environmental Quality as de minimis discharges that are not significant sources of pollutants to state waters and do not require a VPDES permit;
 3. Non-stormwater discharges or flows as listed in the following categories, unless they are identified by the Administrator or Virginia Water Control Board, as significant contributors of pollutants.
 - a. Water line flushing;
 - b. Landscape irrigation;
 - c. Diverted stream flows or rising groundwater;

- d. Uncontaminated ground water infiltration;
- e. Uncontaminated pumped groundwater;
- f. Discharges from potable water sources;
- g. Foundation drains;
- h. Air conditioning condensate;
- i. Irrigation water;
- j. Springs;
- k. Water from crawl space pumps;
- l. Footing drains;
- m. Lawn watering;
- n. Individual residential car washing;
- o. Flows from riparian habitats and wetlands;
- p. Dechlorinated swimming pool discharges;
- q. Street wash water; and
- r. Firefighting activities

4. The discharge of material resulting from a spill that is necessary to prevent loss of life, personal injury, or severe property damage. The responsible party shall take all reasonable steps to minimize or prevent any adverse effect on human health or the environment. This provision does not transfer liability for the spill itself from the party(ies) responsible for the spill, nor relieve the party(ies) responsible for a spill from the reporting requirements of 40 CFR Part117 and 40 CRF Part 302 (2001).

D. In the event any of the activities listed in sub-paragraph C.3. of this section are found to be a significant contributor of pollutants to be discharged into the MS4, the Administrator shall so notify the person performing such activities, and shall order that such activities be ceased or be conducted in such a manner as to avoid the discharge of pollutants into the MS4. The failure to comply with any such order shall constitute a violation of the provisions of this ordinance.

Division 4. Inspections and Monitoring

A. The Administrator and/or his/her authorized agent shall have the authority to carry out all inspections and monitoring procedures necessary to determine compliance and/or noncompliance with this ordinance, and to enforce the requirements of this ordinance.

B. The Administrator and/or his/her authorized agent shall have the authority, at his/her sole discretion, to require a Stormwater Pollution Prevention Plan (SWPPP) from any person whose property discharges, or has the potential to discharge, to the MS4.

C. The Administrator and/or his/her duly authorized employees, agents, or representatives of the Town, bearing proper credentials and identification, shall be authorized to enter any public property or to request entry into private property at any reasonable time for the purpose of enforcing this ordinance, including, but not limited to taking samples of discharges, inspecting monitoring equipment, inspecting and copying documents relevant to the enforcement of this ordinance, and such other items as may be deemed necessary for the enforcement of this ordinance.

If the person in charge of the property refuses to allow the Administrator and/or his/her authorized agent to enter in accordance with subsection C, then the Administrator and/or his/her authorized agent may present sworn testimony to a magistrate or court of competent jurisdiction and request the issuance of an inspection warrant to enter the property for the purpose of making such inspections and investigations. The Administrator and/or his/her authorized agent shall make a reasonable effort to obtain consent from the owner or person in charge of the property prior to seeking the issuance of an inspection warrant under this section.

- D. The Administrator and/or his/her authorized agent shall have the authority to require any person responsible for a discharge to the MS4 to document that such discharge meets and is in compliance with the requirements of this ordinance. This includes, but is not limited to, the ability of the Administrator and/or his/her authorized agent to require such person to provide monitoring reports, test results, and such other matters as may be deemed necessary to show that such discharge is in compliance with the requirements of this ordinance. The cost of any required documentation shall be the responsibility of the person responsible for the discharge.
- E. The failure of any person to comply with any of the requirements of this section shall constitute a violation of this ordinance.

Division 5. Enforcement and Penalties

- A. Any person who violates any of the provisions of this ordinance shall be guilty of a Class I misdemeanor and, upon conviction, is subject to punishment by a fine of not more than two thousand five hundred dollars (\$2,500.00) per violation per day and confinement in jail for not more than twelve (12) months, either or both.
- B. Each day during which a violation of this ordinance occurs or continues shall be deemed a separate and distinct violation of this ordinance.
- C. Any person who commits any of the acts prohibited by this ordinance or violates any of the provisions of this ordinance shall be liable to the Town for all costs of testing, containment, cleanup, abatement, removal, disposal, and any other related costs or expenses that the Town may incur in connection with the enforcement of this ordinance and/or the prohibition and/or correction of a violation of this ordinance.
- D. The Administrator and/or his/her authorized agent may bring legal action to enjoin a violation of this ordinance and the existence of any other remedy shall be no defense to any such action.
- E. In addition to any of the remedies set forth above, the Administrator and/or his/her authorized agent may seek to impose, or have imposed by the appropriate authority, any of the remedies provided for by § 62.1-44.15:48, Code of Virginia (1950), as amended, which are incorporated herein by reference.
- F. In any court action that may result from enforcement of this ordinance, a judge hearing the case may direct the person responsible for the violation or the property owner to correct the violation and each day that the violation continues shall constitute a separate violation of this ordinance.

G. Any person who knowingly makes any false statements, representations, or certifications in any record, report, or other document, either filed or requested pursuant to this ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required or used by the administrator and/or his/her authorized agent under this ordinance in monitoring discharges, shall be guilty of a violation of this ordinance.

H. The remedies set forth in this section shall be cumulative, not exclusive, and it shall be no defense to any action that one (1) or more of the remedies set forth in this section has been sought or granted.

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 1, 2014.

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

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Town Council Agenda Summary

Meeting Date

May 20, 2014

Department

Finance/Treasurer

Issue

Financial Reports for periods ending March 31, 2014 and April 30, 2014

Summary

The Financial Reports for the periods ending March 31, 2014 and April 30, 2014 have been placed in the Town's Dropbox and on the Town's Website. The Finance Committee will meet on Monday, June 2, 2014 at 5:30 pm to discuss this report and will make a presentation to Council.

Attachments

March 31, 2014 Financial Report
April 30, 2014 Financial Report

Recommendations

Motion to approve the March 31, 2014 and April 30, 2014 Financial Reports

**Financial Report Summary
Month Ending March 31, 2014**

THE TOWN OF
VINTON
V I R G I N I A



	Adopted Budget	Revised YTD Budget	MTD	YTD Posted	REMAINING BALANCE	%
General Fund 200						
Revenues	7,905,867	5,279,571	737,998	5,016,505	(263,066)	95%
Accrued Revenue Adjustment			241,549	241,549		
Total Adj. Revenues	7,905,867	5,279,571	979,547	5,258,054	(21,517)	100%
Expenditures	7,905,867	6,103,856	447,757	5,184,433	(919,423)	85%
Revenues over/(under) Expenditures		(824,285)	531,791	73,621		
Utility Fund 300						
Revenues	3,429,380	2,298,649	107,662	2,223,989	(74,660)	97%
Less: Tinker Creek Project Revenue		0	0	0		0%
Less: Bond Series 2013		0	0	0		
Operating Revenues	3,429,380	2,298,649	107,662	2,223,989	(74,660)	97%
Expenditures	3,429,380	2,579,359	348,479	2,871,667	292,308	111%
Less: Tinker Creek Project Expenditures		0	0	0	0	0%
Less: Bond Series 2013		0	98,686	705,222		
Operating Expenditures		2,579,359	249,792	2,166,444	(412,914)	84%
Revenues over/(under) Expenditures		(280,710)	(142,130)	57,545		
Total All Funds						
Revenues	11,335,247	7,578,220	1,087,209	7,482,043	(96,177)	99%
Expenditures	11,335,247	8,683,215	697,549	7,350,877	(1,332,337)	85%
Revenues over/(under) Expenditures		(1,104,995)	389,660	131,166		

*excludes Tinker Creek Project

*excludes 2013 Bond Issue

**Financial Report Summary
Month Ending April 30, 2014**

THE TOWN OF
VINTON
V I R G I N I A



	Adopted Budget	Revised YTD Budget	MTD	YTD Posted	REMAINING BALANCE	%
General Fund 200						
Revenues	7,905,867	5,655,163	466,297	5,482,801	(172,362)	97%
Accrued Revenue Adjustment			301,376	301,376		
Total Adj. Revenues	7,905,867	5,655,163	767,673	5,784,177	129,015	102%
Expenditures	7,905,867	6,668,933	614,708	5,799,142	(869,791)	87%
Revenues over/(under) Expenditures		(1,013,770)	152,965	(14,964)		
Utility Fund 300						
Revenues	3,429,380	2,775,953	427,946	2,651,935	(124,018)	96%
Less: Tinker Creek Project Revenue		0	0	0		0%
Less: Bond Series 2013		0	0	0		
Operating Revenues	3,429,380	2,775,953	427,946	2,651,935	(124,018)	96%
Expenditures	3,429,380	2,889,765	551,493	3,423,160	533,395	118%
Less: Tinker Creek Project Expenditures		0	0	0	0	0%
Less: Bond Series 2013		0	114,606	998,984		
Operating Expenditures		2,889,765	436,887	2,424,176	(465,589)	84%
Revenues over/(under) Expenditures		(113,812)	(8,941)	227,759		
Total All Funds						
Revenues	11,335,247	8,431,116	1,195,619	8,436,112	4,996	100%
Expenditures	11,335,247	9,558,697	1,051,595	8,223,318	(1,335,380)	86%
Revenues over/(under) Expenditures		(1,127,581)	144,024	212,795		

*excludes Tinker Creek Project

*excludes 2013 Bond Issue