

Bradley E. Grose, Mayor  
Matthew S. Hare, Vice Mayor  
Keith N. Liles, Council Member  
Sabrina McCarty, Council Member  
Janet Scheid, 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, September 6, 2016**

**AGENDA**

Consideration of:

- A. 7:00 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM**
- B. MOMENT OF SILENCE**
- C. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**
- D. UPCOMING COMMUNITY EVENTS/ANNOUNCEMENTS**
- E. REQUESTS TO POSTPONE, ADD TO OR CHANGE THE ORDER OF AGENDA ITEMS**
- F. CONSENT AGENDA**
  - 1. Consider approval of minutes of regular Council meeting of August 16, 2016.
- G. PROCLAMATIONS, AWARDS, RECOGNITIONS, PRESENTATIONS**
  - 1. Proclamation for National Preparedness Month
- H. CITIZENS' COMMENTS AND PETITIONS** - This section is reserved for comments and questions for issues not listed on the agenda.
- I. BRIEFING**
  - 1. Briefing on the petition of County of Roanoke and Waukeshaw Development, Inc., for a rezoning of the former William Byrd High School properties, from R-2 Residential to MUD Mixed Use Development District, in order for the properties to be redeveloped to residential units with supporting recreational and civic uses. The properties are located at 100 and 156 Highland Road, Vinton, Virginia, Tax Map Numbers 060.11-04-17.00 and 060.11-04-20.00 - **Anita McMillan**
- J. TOWN ATTORNEY**

**K. ITEMS REQUIRING ACTION**

1. Consider adoption of an Ordinance reiterating findings as to the Western Virginia Regional Industrial Facility Authority and authorizing the Town Manager to execute the First Amended and Restated Agreement creating such Authority.
2. Consider adoption of a Resolution transferring funds in the amount of \$14,694.00 from 200.8900.407 (Contingency) to three Salaries and Wages line items for the Reclassification of Positions – **Anne Cantrell**

**L. TOWN MANAGER**

**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 COUNCIL/COMMITTEE MEETINGS:**

**September 12, 2016** – 3:00 p.m. – Finance Committee meeting – TOV Conference Room

**September 20, 2016** – 6:00 p.m. - Work Session followed by – Regular Council meeting – Council Chambers

**September 27, 2016** - 7:30 a.m. – Public Works Committee meeting – Public Works Conference Room, 804 3<sup>rd</sup> Street



## **Town Council Agenda Summary**

### **Meeting Date**

September 6, 2016

### **Department**

Town Clerk

### **Issue**

Consider approval of minutes of the Regular Council meeting of August 16, 2016

### **Summary**

None

### **Attachments**

August 16, 2016 minutes

### **Recommendations**

Motion to approve minutes

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, AUGUST 16, 2016, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

MEMBERS PRESENT: Bradley E. Grose, Mayor  
Matthew S. Hare, Vice Mayor  
Keith N. Liles  
Sabrina McCarty  
Janet Scheid

PLANNING COMMISSION  
MEMBERS PRESENT: David R. Jones  
Dawn M. Michelson  
Keith N. Liles  
William E. Booth

PLANNING COMMISSION  
MEMBER ABSENT: Robert A. Patterson

STAFF PRESENT: Barry W. Thompson, Town Manager  
Susan N. Johnson, Executive Assistant/Town Clerk  
Theresa Fontana, Town Attorney  
Richard W. Peters, Assistant Town Manager/Director of Economic Development  
Anne Cantrell, Interim Finance Director  
Joey Hiner, Public Works Director  
Donna Collins, Human Resources Director  
Christopher Linkous, Deputy Chief, Fire/EMS  
Tom Foster, Police Chief  
Mark Vaught, Lieutenant-Police

**The Mayor called the regular meeting to order** at 7:00 p.m. The Town Clerk called the roll with Council Member Liles, Council Member McCarty, Council Member Scheid, Vice Mayor Hare and Mayor Grose present. Anita McMillan called the roll for the Planning Commission with Chairman David Jones, Vice Chairman Keith Liles, William Booth and Dawn Michelson present. Robert A. Patterson was absent.

Roll call

After a Moment of Silence, members of Boy Scout Troop 235 led the Pledge of Allegiance to the U.S. Flag. After leading the Pledge, the Scout Master introduced the Scout members.

**Under upcoming community events, Council Member McCarty announced the next Mingle will be September 10<sup>th</sup> back at the Farmers' Market**

with Superhold as the band. She also reminded everyone of the fundraiser yard sale at Vinton History Museum on September 17<sup>th</sup> and that they are now collecting items to sale and are asking for volunteers.

The Roanoke Valley Greenway annual picnic will be on October 23<sup>rd</sup> in the area of the Twin Creek Brewery and the Farmers' Market. Lieutenant Vaught announced a Safety for Faith-based Organizations training to be held on August 25<sup>th</sup> at Vinton Baptist Church.

**The next item on the agenda was the approval** of the Consent Agenda. The Town Clerk noted corrections to the July 19<sup>th</sup> minutes on Page 8 to the motion to adopt Resolution No. 2162 and on Page 9 to the motion to adopt Resolution No. 2163. Vice Mayor Hare made a motion to approve the Consent Agenda with the noted corrections; the motion was seconded by Council Member Liles and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

**The next item on the agenda was a presentation** to the Police Department by Shirley Patsel. Ms. Patsel first commented that she is making the presentation on behalf of the Vinton Citizens Police Academy which she has been a part of for 12 years. Ms. Patsel then read and presented to Chief Foster and the officers present a plaque and trophy expressing appreciation to the Department.

**The next item on the agenda was a report on** the Vinton Volunteer First Aid Crew for July. Chief Guffey reported the volunteer truck hours were 517 out of a possible 516 for 100%. The truck was marked up 72% for ALS and 28% BLS. They responded to 95 out of 119 calls and handled 87. The fractile response time was 9.22 and they had 1,654 man hours for the month.

**The next item on the agenda was the** consideration of public comments regarding amendment to the Town of Vinton 2004 – 2024 Comprehensive Plan, as amended, by amending Chapter V. Land Use and Transportation Plan of the Comprehensive Plan including the Future Land Use and Transportation Map, dated September 7,

Approved minutes of the Regular meeting of June 21, 2016, Regular meeting of July 5, 2016 and Regular meeting of July 19, 2016

2004; Map 31 Vinton Area Corridor Plan: Future Land Use Scenario 4 Map; dated February 16, 2010, by incorporating and designating Urban Development Areas (UDA) section and boundaries; and Traditional Neighborhood Design (TND) concepts and revised population data based on 2010 Population Census. The Mayor opened the Public Hearing at 7:15 p.m.

Public Hearing opened

Anita McMillan first commented on the history of the grant received from VDOT to provide the professional consulting services for the establishment of Urban Development Areas (UDAs) within the Town. A Steering Committee was established comprised of members of Council, Planning Commission, Board of Zoning Appeals, property/business owners and staff from the Town, Roanoke County and the Roanoke Valley Alleghany Regional Commission.

Four meetings were held with the Committee and an Open House for the public was also held on June 28<sup>th</sup>. A summary of the process was given on July 19<sup>th</sup> at a joint work session with Council and the Planning Commission. After any additional comments are received, the UDA Plan will be adopted and made available to the public in the Planning and Zoning Department and on the Town's website. She then turned the meeting over to Sachin Kalbag with Michael Baker International.

Sachin Kalbag shared a shorter version of the PowerPoint presentation that was given on July 19<sup>th</sup> in connection with the Town of Vinton Urban Development Areas (UDA) Comprehensive Plan Amendment. (A copy of the presentation is on file in the Town Clerk's Office and will be made a part of the permanent record.)

There were no public comments.

Council Member Scheid commented on the process and expressed appreciation to the Planning Department. She then asked what were some ideas for implementation of the long-range vision and guidelines for the Town. Anita McMillan responded that when the Vinton Area Corridor Plan was adopted, a list of goals and objectives was created. When Council had their strategic planning session, they along with staff prioritized the items that could be achieved in five to 10 years based on available funding. Also, they looked to see if there

were any grants available to apply for. For example, the downtown façade grant came from the Comprehensive Plan. There have been piece mill amendments to the zoning ordinance, but Council has approved funding for the hiring of a consultant which will be about an 18 month process. These are the type of guidelines that can be incorporated when the zoning ordinance is amended.

After further discussion, the Mayor closed the Public Hearing at 7:45 p.m.

Planning Commission Vice Chairman Liles made a motion to recommend the adoption of the Ordinance as presented; the motion was seconded by Planning Commission Member Michelson and carried by the following vote, with all members voting: Vote 4-0-1; Yeas (4) – Jones, Liles, Booth, Michelson; Nays (0) – None; Absent (1) – Patterson.

Council Member Scheid made a motion to adopt the Ordinance as presented; the motion was seconded by Council Member McCarty and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) - None.

**The next item on the agenda was the consideration of public comments regarding the proposed granting of a lease to VINDOS LLC. for a certain lot lying to the rear of the former Vinton Branch Library on the southeast side of Meadows Street and below the storm water detention basin for the Vinton War Memorial identified as 060.16-06-33.00-000, all of which is located in the Town of Vinton, Virginia, said lease to be for a one-year period with no more than four additional one-year renewal terms. The Mayor opened the Public Hearing at 7:47 p.m.**

Pete Peters commented that as a part of the recent Performance Agreement with VINDOS LLC, the parking lot formerly used by the old library that sits adjacent to the War Memorial is being considered for overflow parking for patrons and employee parking for the newly proposed Macado's

Public Hearing closed

Adopted Ordinance No. 976 to amend Ordinance No. 806, as amended, Town of Vinton 2004–2024 Comprehensive Plan, Chapter III. Community Facilities and Services, and Chapter V. Land Use and Transportation Plan of the Comprehensive Plan including the Future Land Use and Transportation Map, dated September 7, 2004; and Ordinance No. 897, as amended, Vinton Area Corridors Plan, Map 31 Vinton Area Corridor Plan: Future Land Use Scenario 4 Map; dated February 16, 2010, by incorporating and designating by reference, Urban Development Areas (UDA) sections and boundaries; goals and strategies; population projections data; and Traditional Neighborhood Design (TND) principles

Public Hearing opened

restaurant. The term of the lease will be for up to five one-year periods. VINDOS LLC will be responsible for the ongoing landscaping and daily upkeep of the lot throughout the duration of the lease.

There were no public comments. Vice Mayor Hare asked if the lease would preclude the Town from using the parking and Pete Peters responded it does not.

Hearing no further comments, the Mayor closed the Public Hearing at 7:50 p.m.

Council Member Liles made a motion to adopt the Resolution as presented; the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) - None.

**The next item on the agenda was to consider** adoption of a Resolution awarding a bid and authorizing the Town Manager to execute a contract with Combs Land Solution, DBA Summit Contracting, in an amount not to exceed \$173,091.00 for the construction of Phase I of the Glade Creek Greenway. Anita McMillan commented that Notice of Invitation for Sealed Bids was advertised. A pre-bid meeting was held on July 21<sup>st</sup> with four contractors attending the meeting after which two addendums were posted on the website.

Two bids were received and opened on August 4<sup>th</sup>, one from Combs Land Solutions, LLC, DBA Summit Contracting in the amount of \$173,091 and one from Holt, Inc. for \$220,438. Staff recommends that Council accept the bid from Combs Land Solutions, the low bidder for the project and authorize the Town Manager to execute the contract.

Ms. McMillan further commented that the Town did receive grant funding from VDOT in the amount of \$162,000; \$50,000 donation from Novozymes; \$20,000 match from Roanoke County; \$32,000 from the Town and \$10,000 from the Pathfinders for Greenway for this project. This will be the first paved Greenway in the Town and the first Glade Creek Greenway. Also Precision Fabrics donated

Public Hearing closed

Adopted Resolution No. 2164 granting of a lease to VINDOS LLC for a certain lot lying to the rear of the former Vinton Branch Library on the southeast side of Meadows Street and below the storm water detention basin for the Vinton War Memorial identified as 060.16-06-33.00-000, all of which is located in the Town of Vinton, Virginia

a portion of their property in order for the Greenway to go under the Dale Avenue Bridge without patrons having to cross Virginia Avenue.

The Mayor asked if someone from Public Works would be overseeing the project and Ms. McMillan commented that Bo Herndon would be doing that.

Ms. McMillan commented that we have also received RSTP funding for the Glade Creek Greenway Phase II from VDOT.

Council Member Scheid asked how long the project would take. Ms. McMillan responded that the contractor said if the work was started in October, it should be completed by December. The contract is for 120 days.

Council Member Scheid made a motion to adopt the Resolution as presented; the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

**The next item on the agenda was to consider** adoption of a Resolution re-appropriating \$1,600.00 received from the American Association of Retired Persons (AARP) to utilize the SNAP/EBT program at the Vinton Farmers' Market. Anne Cantrell commented that in April of last fiscal year the donation was received and at the end of year only \$87 had been utilized. The balance of \$1,513 needs to be re-appropriated to be used in this fiscal year.

Vice Mayor Hare made a motion to adopt the Resolution as presented; the motion was seconded by Council Member Liles and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

**The next item on the agenda was the Financial Reports for May and June 2016.** Vice Mayor Hare Began by commenting that the Finance Committee met last week to review the financial reports. The June report is preliminary at this point because items are still being posted. When it is closed out, it will probably look a lot like the May report showing very strong numbers in revenue and expenditures. In May the revenues

Adopted Resolution No. 2165 awarding a bid and authorizing the Town Manager to execute a contract with Combs Land Solution, DBA Summit Contracting, in an amount not to exceed \$173,091.00 for the construction of Phase I of the Glade Creek Greenway

Adopted Resolution No. 2166 re-appropriating \$1,600.00 received from the American Association of Retired Persons (AARP) to utilize the SNAP/EBT program at the Vinton Farmers' Market

were up 111% and expenditures were only at 98%.

The three items that are the indicators of the health of the local economy are sales tax, meals tax and business licenses. We exceeded the budget on those items by two percent. The cash in May was up over \$400,000 year to year.

Vice Mayor Hare next commented that the Committee also did a further review of the compensation study and realized that it created some compression issues in some of the classification bands. Staff has come up with some suggestions of ways to address these issues from an administrative standpoint by adjusting the bands. Council will be requested at the next meeting to adopt a Resolution to transfer funds from contingency back to salaries and wages. The Town Manager commented that this will be effective with the first pay period in September.

Vice Mayor Hare made a motion to approve the Financial Reports for May and June 2016; the motion was seconded by Council Member Scheid and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Approved financial reports for May and June 2016

**The Mayor commented on the success of the special recognition service for Vinton's first responders at Thrasher Memorial United Methodist Church on August 7<sup>th</sup>.** He also commented on the open house and tour of the old William Byrd High School.

**Comments from Council: Council Member Scheid** commented on the work by staff on the compensation study. Council Member McCarty commented on the success of the National Night Out event. Council Member Liles commented on the open house and tour of the old William Byrd High School.

**Planning Commission Member Michelson** made a motion to adjourn the Planning Commission from the meeting; the motion was seconded by Planning Commission Member Booth and carried by the following vote, with all members voting: Vote 4-0-1; Yeas (4) – Jones, Liles, Booth, Michelson; Nays (0) – None; Absent

(1) – Patterson. The Planning Commission was adjourned at 8:10.

Planning Commission adjourned

**The next item on the agenda was a request to go into Closed Session Pursuant to § 2.2-3711 (A) of the 1950 Code of Virginia, as amended, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body as authorized by subsection 3 and discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community as authorized by subsection 5.**

Vice Mayor Hare made a motion that Council go into Closed Session; the motion was seconded by Council Member McCarty and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None. Council went into Closed Meeting at 8:11 p.m.

At 9:26 p.m., the regular meeting reconvened and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Vice Mayor Hare; seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Certification of Closed Meeting

**Following the closed session and in open session, discussion was had regarding the preparation of a Proclamation to be presented to Roanoke County at one of their upcoming meetings in September.**

**Council Member Scheid made a motion to adjourn the meeting; the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None. The meeting was adjourned at 9:30 p.m.**

Meeting adjourned

APPROVED:

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Bradley E. Grose, Mayor

ATTEST:

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Susan N. Johnson, Town Clerk



## **Town Council Agenda Summary**

### **Meeting Date**

September 6, 2016

### **Department**

Fire

### **Issue**

Proclamation - National Preparedness Month

### **Summary**

**National Preparedness Month** reminds our citizens the importance of being prepared encase of an emergency and having a way to get reunited with your family encase you are separated during an emergency.

### **Attachment**

Proclamation

### **Recommendations**

Read Proclamation



## PROCLAMATION

- WHEREAS,** the Town of Vinton is committed to ensuring the safety and security of all those living in our town; and
- WHEREAS,** September is recognized as National Preparedness Month that serves to remind all citizens the importance of being prepared encase of an emergency, now or throughout the year, for any and all types of emergencies that could affect us where we live, work or even visit; and
- WHEREAS,** Due to the success of last year's theme "Don't wait, Communicate. Make Your Emergency Plan Today", will be returning this September as well with the continuing emphasis on preparedness. Particularly for the youth, elderly and persons with disabilities; and
- WHEREAS,** Emergencies can happen at any time. Before an emergency happens, have a family meeting to determine who would be your point of contact- preferably the same family member or it might be easier to reach someone who is out of Town and;
- WHEREAS,** where would you meet if away from your home- both in the neighborhood and within the Town; and
- WHEREAS,** Per FEMA and Ready.Gov, have a information form that is already filled out with important information such as Out of Town Contact, Neighborhood Meeting Place & Regional Meeting Place, Work Information, School Information, Family Information, Medical Information as well as Insurance Information; and
- WHEREAS,** Vinton's citizens should keep information and copies in a safe place such as your wallet, purse, briefcase, car, office and inside your disaster kit; and
- WHEREAS,** Vinton's citizens should know Text, don't talk! Unless you are in danger, send a text to your contact person. Texts may have an easier time getting through than phone calls and you don't tie up phone lines needed by emergency workers; and.
- WHEREAS,** These forms as well as other ideas for preparedness for your family can be found at [WWW.Ready.Gov/make-a-plan](http://WWW.Ready.Gov/make-a-plan).

**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 the month of September 2016, as "**NATIONAL PREPAREDNESS MONTH**" in the Town of Vinton and urges all the people of the Town of Vinton to be prepared encase of an emergency that is created by man or nature.

**IN WITNESS WHEREOF,** I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 6th day of September, 2016.

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Bradley E. Grose, Mayor



## **Town Council Agenda Summary**

### **Meeting Date**

September 6, 2016

### **Department**

Planning and Zoning

### **Issue**

Briefing on the petition of County of Roanoke and Waukeshaw Development, Inc., for a rezoning of the former William Byrd High School properties, from R-2 Residential to MUD Mixed Use Development District, in order for the properties to be redeveloped to residential units with supporting recreational and civic uses. The properties are located at 100 and 156 Highland Road, Vinton, Virginia, Tax Map Numbers 060.11-04-17.00 and 060.11-04-20.00.

### **Summary**

The proposed redevelopment of the upper lot consists of the two existing vacant buildings; the main two-story structure along Highland Road and the annex building located adjacent to the main building. These two buildings are to be redeveloped into approximately 77 but not to exceed 84 of one, two, and three-bedroom upscale market rate apartment units. It is anticipated that 68 units will be one-bedroom; seven units will be two-bedroom; and 2 will be three-bedroom units. The existing auditorium located in the main building will not be converted into apartments but the proposed use of it has not been determined. Additionally, the renovation status is undetermined for the maintenance/manual arts building and the school bus operation located on the lower lot. No new additions or new buildings being planned for either lot. Additionally, no changes are planned for the recreational field located on the property adjacent to the proposed Glade Creek Greenway Phase II.

### **Attachments**

1. Staff Report and Supporting Materials
2. List of Property Owners Notified and Map

### **Recommendations**

No action required

## STAFF REPORT

**PETITIONER:** Roanoke County and Waukeshaw Development, Inc.  
**PREPARED BY:** Anita J. McMillan  
**CASE NUMBER:** 2-8-16  
**DATE:** July 28, 2016

### A. NATURE OF REQUEST

A joint petition of Roanoke County Board of Supervisors and John McCormack, DBA Waukeshaw Development, Inc., requesting a rezoning of the former William Byrd High School and Roanoke County Career Center, from R-2 Residential to Mixed Used Development (MUD) District. The proposed redevelopment of the upper lot consists of the two existing vacant buildings; the main two-story structure along Highland Road and the annex building located adjacent to the main building. These two buildings are to be redeveloped into approximately 77 but not to exceed 84 of one, two, and three-bedroom upscale market rate apartment units. It is anticipated that 68 units will be one-bedroom; seven units will be two-bedroom; and 2 will be three-bedroom units. The existing auditorium located in the main building will not be converted into apartments but the proposed use of it has not been determined. Additionally, the renovation status is undetermined for the maintenance/manual arts building and the school bus operation located on the lower lot. No new additions or new buildings being planned for either lot. Additionally, no changes are planned for the recreational field located on the property adjacent to the proposed Glade Creek Greenway Phase II. The two parcels are located at 100 and 156 Highland Road, tax map numbers 060.11-04-20 and 060.11-04-40.17.

### B. APPLICABLE REGULATIONS

The property is currently zoned R-2 Residential District which does not allow apartment/multi-family dwellings with 3 or more units and/or mixed uses to be located in the same building. Multi-family dwellings are only allowed in the R-3 Residential District with a Special Use permit, and by right in the PD Planned Development and MUD Mixed Use Districts. Mixed residential and business uses within the same building are currently only allowed in the business districts such as GB General Business (under certain conditions), CB Central Business (under certain conditions), PD Planned Development, or MUD Mixed Use.

Mixed use is intended as an improvement over traditional, segregated-use zoning. Mixed use is a way of creating a multi-use, multi-purpose building or set of buildings, incorporating some combination of residential, commercial, industrial, office, institutional, or other land uses as part of the overall environment. The Town's Mixed Use Development (MUD) district was adopted on April 21, 2015. The intent of the Mixed Use Development district is to encourage the orderly development of mixed residential/commercial sites and to encourage innovative development patterns that create a desirable environment, particularly for several vacant parcels, buildings, and underutilized properties located throughout the Town, which contain a number of constraints to conventional development.

## **C. ANALYSIS OF EXISTING CONDITIONS**

### Background

The former William Byrd School building was constructed in 1930, and was used as an educational and vocational training facility from 1930-2010. The two-story main building consists of 62,760 square feet with an adjoining annex building having 6,980 square feet. The school's condition assessment study was completed in August 2006, and an environmental study was completed in 2012. In May 2014, Roanoke County advertised a Request for Proposals for the sale and redevelopment of the property. The County received and accepted a proposal from Waukeshaw Development, Inc., to purchase and redevelop the property into a mixed-use residential development. To facilitate the redevelopment and historic preservation of the building, the County of Roanoke has submitted an application to the Virginia Department of Historic Resources (VA DHR) to determine the facility's eligibility for inclusion in the National Register of Historic Places and the Virginia Landmarks Register. The County has been informed that their application has been tentatively approved by the VA DHR.

As stated above the property is currently zoned R-2 Residential District which does not allow apartment/multi-family dwellings with 3 or more units and/or mixed uses to be located within the same building. Multi-family dwellings are only allowed in the R-3 Residential District with a Special Use permit, and by right in the PD Planned Development and MUD Mixed Use Districts. Mixed residential and business uses within the same building are currently only allowed in the business districts such as GB General Business (under certain conditions), CB Central Business (under certain conditions), PD Planned Development, or MUD Mixed Use.

Prior to the rezoning application being submitted, several pre-filing discussions were held on May 8, 2016, May 11, 2016, June 30, 2016, and July 14, 2016, between Dave McCormack with Waukeshaw Development, Inc., Jill Loope, County of Roanoke Economic Development Director, as well as Town personnel. On July 21, 2016, a flyer regarding an open house on the proposed redevelopment of the former school property was mailed to the property owners of the neighborhood adjacent to the school. The flyer was emailed to local media outlets and advertised on the Town's social media pages and website.

On August 15, 2016, a tour of the former school property by the members of the Town Council, Planning Commission, and interested citizens took place. The tour was followed by an open house for the general public from 6:00 p.m. to 7:30 p.m. at the Vinton War Memorial. Dave McCormack, with Waukeshaw Development Inc., along with staff from Roanoke County and Town of Vinton were on hand at the open house held on August 15, 2016, at Vinton War Memorial, from 6:00 p.m. to 7:30 p.m. About 32 people, including members of the Vinton Town Council, Planning Commission, Town and County personnel, representatives from Waukeshaw Development, Inc., property owners from Highland Road, and other interested citizens attended the open house. A few of the attendees of the tour and open house were excited about the proposed project since they either attended the school or know someone who attended the school. Additionally, according to many of those who attended the open house, the former school building needs to be reused soon instead of being left vacant like it has been for quite some time.

On August 18, 2016, a letter was mailed to surrounding property owners to notify them of the rezoning request and to inform them of the dates and times of the Planning Commission and Town Council public hearings. Additionally, the notice for the public hearings has been advertised in The Vinton Messenger and on RVTV-3. The public hearing by the Planning Commission will be held on September 8, 2016, and the Town Council public hearing will be held on September 20, 2016, respectively.

Location – The two parcels are located at 100 and 156 Highland Road, and are identified by tax map numbers 60.11-4-20, and 60.11-4-17. The upper 6.494 acres parcel is identified as 100 Highland Road and is occupied by the former main school, and the annex building, and parking areas,. The majority of this parcel is located outside the special flood hazard areas. The lower 11.335 acres parcel is occupied by the maintenance/manual arts building and a school bus operation facility that includes a fuel station, a parking area for school buses, and recreational fields. The lower parcel is identified as 156 Highland Road with the maintenance/manual arts building located outside the special flood hazard areas and the remaining parcel is located either in the floodplain or floodway areas of Glade Creek. Both parcels can be accessed from Highland Road and Gus Nicks Boulevard.

Topography/Vegetation – The lower lot is level and developed with a vacant maintenance/manual arts building, fueling/school bus operation center, paved and graveled parking areas, and recreational fields. The upper level is developed with two buildings, concrete sidewalks, paved and graveled parking areas, a grassy front lawn and a few mature trees.

Adjacent Zoning and Land Uses –The areas to the west of the parcels are either zoned R-2 or R-3 Residential District are developed with triplexes and single-family dwellings. The areas to the north are separated by Glade Creek are located in the City of Roanoke. The County of Roanoke has donated an eighty feet wide greenway easement along Glade Creek for the construction of Glade Creek Greenway Phase II. Gus Nicks Boulevard, a four-lane main thoroughfare is situated to the east of the property. The area to the south is separated by Highland Road, and are zoned either M-1 Limited Industrial or R-1 Residential District, and are developed with single-family dwellings and an auto service center.

#### **D. ANALYSIS OF PROPOSED DEVELOPMENT**

Site Layout/Architecture – Please see attached survey, property map, aerial photography, conceptual site plan including parking areas, and floor plans of the former main school and annex buildings, which were included with the rezoning application. As indicated in the rezoning application, the renovation status is undetermined for the maintenance/manual arts building and school bus operation that are located in the lower lot. The preliminary conceptual plan is showing that the proposed parking areas for the Project are located at the upper and lower lots. and upper lots. If the rezoning request for the parcels is approved by the Town Council, a formal site plan for the Project must be submitted for review and approval by the Town of Vinton and County of Roanoke. The property line adjustment plat submittal or formal agreement regarding the parking areas will be addressed during the site plans review process.

Based on the preliminary floor plans submitted by Waukeshaw Development, Inc. the former main building and the annex buildings will be redeveloped into 77 residential apartments with the following breakdown; (1) Basement floor of both buildings – 27 one-bedroom and 3 two-bedroom apartments, (2) First floor level of both buildings – 29 one-bedroom and 4 two-bedroom apartments, (3) Second floor of the main building – 12 one bedroom and 2 three-bedroom apartments. The existing auditorium of the main school building will not be converted into apartments, with civic/community uses to be determined. As indicated in the rezoning application, the number of apartments shall not exceed 84 units. As shown in the submitted conceptual plan, 127 off-street parking spaces will be provided.

At this time, the exact use of the existing auditorium, the maintenance/manual arts building, and the status of the school bus operation are undetermined. There are no plans for new additions or new buildings for the properties. As indicated by the Petitioners, there will no changes planned for the recreational fields that are located within special flood hazard areas. There will be a paved greenway trail be constructed along Glade Creek within the 80 feet wide greenway easement that was donated by the County of Roanoke to the Town of Vinton in April 2016.

The Petitioners have indicated that the project consists of a total historic rehabilitation of the former main school and the annex buildings to upscale, market rate residential units, which will remove the potential for blight at the subject property, and improve an important “gateway” building coming into Vinton, as well as in the neighborhood and to Downtown Vinton.

The County of Roanoke has submitted an application for all three buildings; main school building, annex building, and the maintenance/manual arts building to the Virginia Department of Historic Resources (DHR) for the National Register of Historic Places and the Virginia Landmarks Register. As of August 15, 2016, DHR has informed the County that the Evaluation Team of the DHR of the Virginia’s historic preservation office has considered the eligibility of the buildings for potential inclusion in the National Register of Historic Places and the Virginia Landmarks Register. The meeting of the State Review Board to consider the evaluation team’s recommendation will be held on Thursday, September 15, 2016. Further, Roanoke County will be pursuing the National Register Historic District nomination for the two parcels to allow all of the structures to be eligible for the National Register under two different owners (Waukeshaw Development Corporation, Inc., and Roanoke County). Waukeshaw Development Corporation, Inc., intends to use historic tax credits to rehabilitate the existing main and annex buildings to residential apartments; therefore, the property will be redeveloped in accordance with the Secretary of the Interior’s Standards for Rehabilitation.

Most of the existing trees, front lawn, sidewalk connections, surrounding walls, stairs, and the original flagpole will be retained. The asphalt and graveled parking areas located to the west and north of the property will be redeveloped and landscaped for 127 off-street parking spaces. According to the Petitioner, the historic building will be preserved and sensitively adapted for housing. In using historic tax credits, the building will retain its architectural character and its environmental setting in the residential neighborhood. Changes to the exterior of the property and building will be minor. The property will remain primarily in residential in use. The classrooms will become individual apartments. The existing auditorium will be retained with

civic/community uses to be determined. The existing maintenance/manual arts building proposed use has not yet been determined. The Mixed Use Development District will allow this space and the maintenance/manual arts building to be used for small business flex space offering opportunities for community activities, art/exercise classes, special events, and perhaps business services (e.g. coffee/snack bar, personal service concierge, shared co-working spaces, etc.).

Site Access – The site can be accessed from Highland Road and Gus Nicks Boulevard. The primary access to the main and annex buildings will be from Highland Road. The primary access to the maintenance/manual arts building and the parking areas to the north will be from Gus Nicks Boulevard.

Utilities – The developed parcels are served by public water and sewer services. An interior sprinkler system installation is being proposed during the redevelopment of the buildings.

## **E. COMPREHENSIVE PLAN/FUTURE LAND USE**

The 2004-2024 Town Comprehensive Plan designated the developed parcels parks and recreation; community facilities and high density residential uses. The properties to the west and south are designated as high density residential, and the property to the southeast as general commercial. The Comprehensive Plan also recognizes that the Town does not contain a Historic Overlay District. The Town of Vinton 2004-2024 Town Comprehensive/Economic and Community Development Plans noted that during the public input prioritization process, the former William Byrd High School property as one of the two former school buildings to be adaptively reuse for elderly housing or an assisted living facility, was ranked as the third highest out of six categories presented.

## **F. STAFF CONCLUSION**

Approval of the proposed rezoning from R-2 Residential District to Mixed Use Development (MUD) District would allow the existing vacant school buildings to be adaptively reused as residential and recreational/small business flex space. The proposed redevelopment of the school buildings would be consistent with the existing uses of the adjoining properties to the immediate west and south, which are developed with single-family and multi-family dwellings.

As indicated by the Petitioners, the redevelopment of the property will promote and encourage the economic vitality of the community and preserve a historic building while providing increased economic investment. The Petitioners further indicate that the redevelopment of the properties for the proposed use will not adversely affect adjoining properties and will enhance the neighborhood by taking vacant buildings and repurposing them for a suitable alternative use that maintains the historic architecture and setting of the buildings. Adequate utilities and public facilities are already in place to serve the proposed apartments.

## **G. CITIZEN'S COMMENTS**

At the open house about the proposed rezoning of the properties held on August 15, 2016, at the

Vinton War Memorial, several adjoining property owners along Highland Road voiced their concerns and offered their recommendations pertaining to the proposed redevelopment of the property, as listed below:

1. Decrease speed limit from 35 MPH to 25 MPH along Gus Nicks Boulevard, to minimize accidents at the intersection of Highland Road and Gus Nicks Boulevard. The residents stated that they have had incurred vehicle damage due to accidents at this location.
2. Consider installing flashing signs to warn motorists on Gus Nicks Boulevard of vehicles entering traffic from and onto Highland Road.
3. Highland Road is a narrow road; therefore, the developer should consider providing another access for egress and ingress to the properties off Gus Nicks Boulevard.
4. One resident pointed out that there was a road that went through the middle of the two parcels, which ran from Highland Road to Gus Nicks Boulevard. The resident felt that having another access from Gus Nicks Boulevard instead of just Highland Road, will provide better traffic circulation, minimize traffic along the narrow right-of-way of Highland Road, and provide better access for emergency vehicles.
5. Ask Roanoke Gas Company to extend gas line along Highland Road.

**TOWN OF VINTON**  
**APPLICATION FOR REZONING**

Applicant's name: John McCormack, Waukeshaw Development, Inc. & Roanoke County Board of Supervisors

Phone: (804) 677-5728 & 540-772-2124

Address: 230 E. Bank St., Petersburg, VA Zip Code: 23803

Date: \_\_\_\_\_ Public Hearing: \_\_\_\_\_ PC Date: \_\_\_\_\_ TC Date: \_\_\_\_\_

Owner's name: Roanoke County Board of Supervisors c/o Jill Loope Phone: (540) 772-2124

Address: 5204 Bernard Drive, Roanoke, VA Zip Code: 24018

Location of Property: 100 and 156 Highland Rd., Vinton, VA 24179

Tax Map Number: 060.11-04-20  
~~060.16-06-32~~ and 060.11-04-17

Request Property be rezoned from: R-2 to: MUD

Size of parcel(s): 6.494 and 11.335 acres Existing land use: former public school

Proposed land use: multi-family residential/commercial Future land use map: Community Facilities / Parks and Recreation

The Planning Commission will study rezoning request to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

1. Describe briefly the type of use and improvements proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

The project consists of a total historic rehabilitation of the former William Byrd High School. The entirety of the existing buildings (2) will be rehabilitated (planned renovations include the main two story structure along Highland Rd. and the annex building immediately adjacent to the main structure). At this time, the renovation

status is undetermined for the maintenance building and school bus operation located on the lower lot. No new additions or new buildings are planned, and no changes are planned for the recreation field located in the floodplain adjacent to the greenway.

2. Why does the applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?

Currently the school is unused, and obsolete as a school building. The developer plans upscale, market rate residential units which will remove the potential for blight at the subject property, and improve an important "gateway" building both in the neighborhood and to Downtown Vinton.

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3. Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation, and fire/rescue.

The property shall be completely improved, windows replaced, new roof, new mechanical systems.

There will be no negative impact to the adjoining properties. The school will be put back into use, and does not create an impact to any town or county service that was not there when the property was in use as a school building.

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4. Attach **Concept Plan** of the proposed project. Plan must be 8 1/2" by 11". Plan shall show boundaries and dimensions of property; location, widths, and names of all existing or platted streets within or adjacent to the development; all buildings, existing and proposed, dimensions, floor area and heights; dimensions and locations of all driveways, parking spaces and loading spaces; existing utilities (water, sewer) and connections at the site; landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and if available, should be filed with the application.

5. It is proposed that the property will be put to the following use:

The property will be used for multi-family residential, with approximately 78 one and two bedroom market rate apartments. The number of units shall not exceed 84. The auditorium will not be converted into apartments, with civic/community uses to be determined. Additionally, the Manual Arts Building on the lower level has been included in the DHR application with future uses to be determined.

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6. It is proposed that the following buildings will be constructed:

This will be an adaptive reuse project, converting the existing property into the new use. All historic features of the property will be preserved, or replaced in kind with the exception of new, efficient fixtures and mechanical systems, sprinkler, alarm systems, and controlled access.

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7. Please submit any proffered conditions at the site and show how they are addressed.

The Developer agrees to preserve the historic features of the building under the Guidelines and supervision of the Department of Historic Resources and the National Park Service. The Developer also agrees to construct market rate apartments, not to exceed 84 units at the subject property. The property has been submitted to the Department of Historic Resources and has received approval of the Preliminary Information form (PIF) to date.

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\*The Developer also requests that the parking requirement be dropped to 1.5 spaces per dwelling unit.

*I hereby certify that I am the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.*

Owner/Authorized Agent: 

Date: May 15, 2016

*I hereby certify that I am the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.*

Owner/Authorized Agent:  Date: 1/14/2016

- NOTE:**
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT BY A LICENSED ATTORNEY, THEREFORE, THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY THAT MAY NOT BE SHOWN HEREON.
  - REFERENCE: RESUBDIVISION PLAT FOR COUNTY SCHOOL BOARD OF ROANOKE COUNTY BY BALZER AND ASSOC. DATED OCTOBER 3, 2012 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ROANOKE, VIRGINIA IN INSTRUMENT No. 201212052
  - AS DENOTED ON RECORDED PLAT, INSTRUMENT No. 201203791, PROPERTY LINES SHOWN HEREON ALONG GLADE CREEK ARE APPROXIMATE AND ARE FOR ACREAGE CALCULATION. DEEDS AND PLATS OF RECORD INDICATE THAT THE PROPERTY FOLLOWS THE CENTERLINE OF GLADE CREEK.
  - THIS PLAT IS NOT BASED ON A CURRENT FIELD SURVEY. PROPERTY LINE BEARINGS AND DISTANCES WERE DERIVED FROM RECORDED PLATS AND DEEDS. ALL OTHER FEATURES, TO INCLUDE UTILITIES, BUILDINGS AND PAVEMENT, WERE DERIVED FROM ROANOKE COUNTY DIGITAL TOPOGRAPHY.
  - THE SUBJECT PROPERTY LIES WITHIN THE LIMITS OF THE FLOODWAY AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP, 51161C0167G, MAP REVISED SEPTEMBER 28, 2007.
  - THE RECORDATION OF THIS PLAT OF SUBDIVISION DOES NOT CONSTITUTE A CONVEYANCE OF LAND. ANY LOT, PARCEL OR TRACT OF LAND SHOWN HEREON THAT IS INTENDED FOR SALE AND/OR CONVEYANCE MUST BE CONVEYED BY DEED AND SAID DEED MUST BE RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF THE COUNTY OF ROANOKE.

TOTAL AREA= (89,718 S.F.) 2.0596 Ac.

- LEGEND**
- GREENWAY EASEMENT
  - FLOODWAY
  - 100 YR FLOOD PLAIN
  - 500 YEAR FLOOD PLAIN
  - SAN. SEWER EASEMENT
  - ACCESS EASEMENT

**CURVE "C1"**  
 R=141.91'  
 L=56.33'  
 Tan=28.54'  
 D=22°44'41"  
 CH=S13°19'30"E  
 CHORD DIST.=55.97'

**CURVE "C2"**  
 R=141.91'  
 L=71.26'  
 Tan=36.40'  
 D=28°46'16"  
 CH=S39°04'59"E  
 CHORD DIST.=70.51'

**CURVE "C3"**  
 R=547.48'  
 L=59.25'  
 Tan=29.85'  
 D=6°12'02"  
 CH=S50°03'33"E  
 CHORD DIST.=59.22'

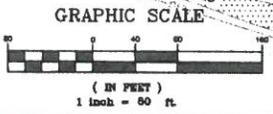
LINE TABLE FOR NEW 80' GREENWAY EASEMENT

1-2	N42°29'49"E	288.00'
2-3	N10°42'07"E	328.31'
3-4	N07°55'25"E	119.30'
4-5	N19°19'08"E	66.42'
5-6	N40°20'16"E	41.09'
6-7	N49°40'47"E	156.89'
7-8	N58°21'26"E	96.08'
8-9	N75°16'39"E	9.28'

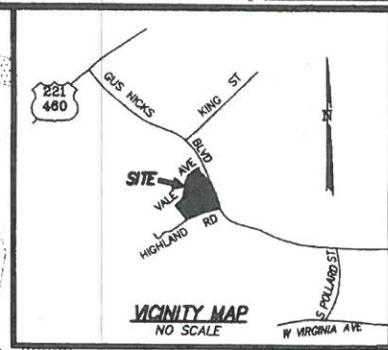
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ROANOKE, VIRGINIA, THIS MAP WAS PRESENTED WITH THE CERTIFICATE OF ACKNOWLEDGEMENT THERETO ATTACHED, ADMITTED TO RECORD AT 10:15 A.M. ON THIS 26 DAY OF FEBRUARY, 2016.

TESTE: STEVEN A. MCGRAW  
 CLERK

BY: Jay DEPUTY CLERK



TAX No. 60.11-04-17.00  
 DATE: FEBRUARY 24, 2016  
 CALC. CLH CHK'D FBC  
 CLOSED. CLH



PROPERTY OF TOWN OF VINTON  
 TAX No. 60.11-04-21.00  
 PORTION OF ABANDONED RIGHT OF WAY  
 VDOT PROJECT #1000-128-114  
 DATED 2-24-1980  
 SHEETS 7 & 8



THIS PLAT DOES NOT CONSTITUTE A SUBDIVISION UNDER THE ROANOKE COUNTY SUBDIVISION ORDINANCE

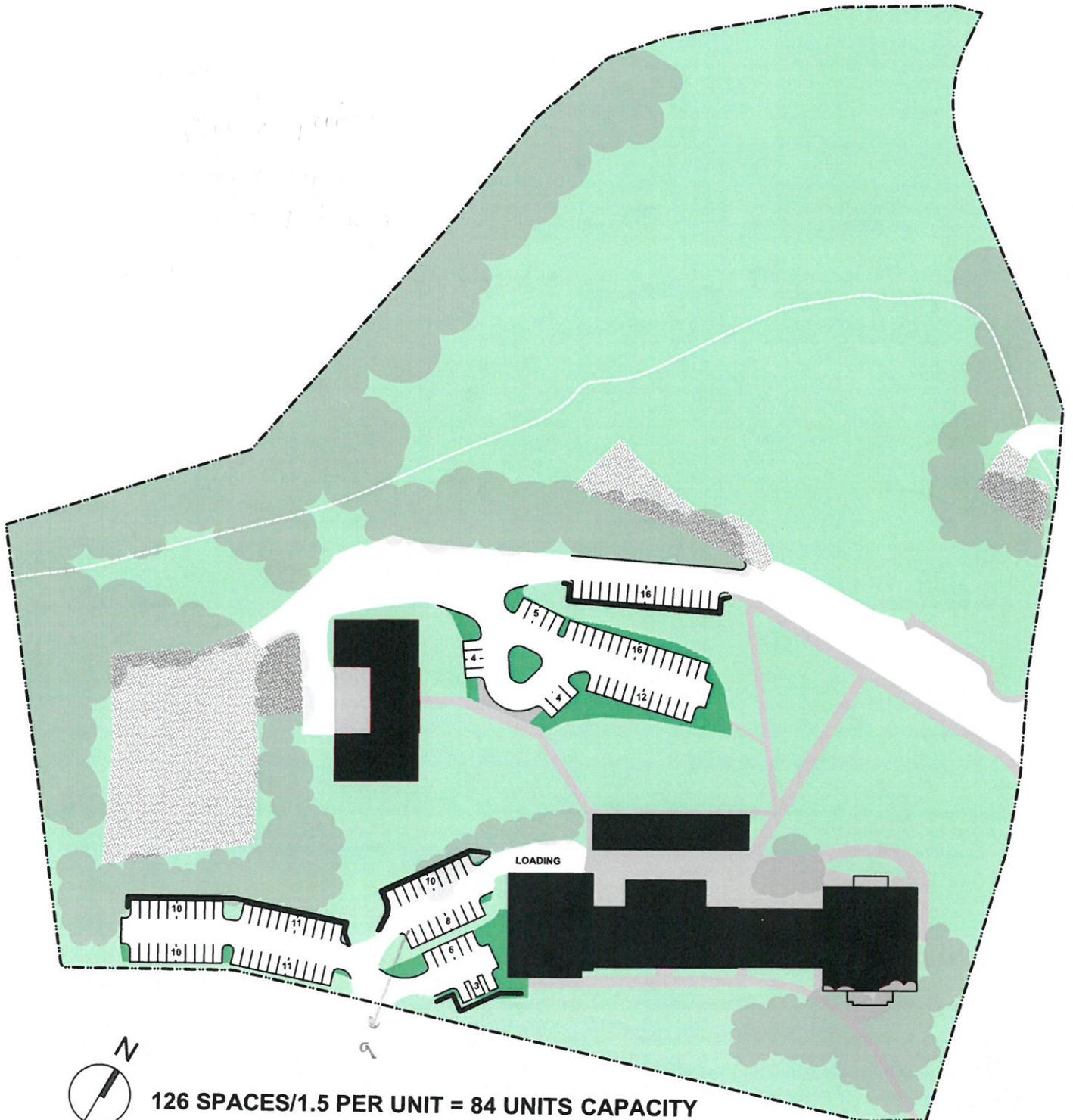
**BOARD OF SUPERVISORS ROANOKE COUNTY**

SHOWING 80' GREENWAY EASEMENT  
 (89718 Sq.Ft. 2.0596 Ac.)  
 CONVEYED TO  
**TOWN OF VINTON**  
 SITUATE ALONG VALE AVENUE, N.E.  
 COUNTY OF ROANOKE, VIRGINIA  
 VINTON MAGISTERIAL DISTRICT

**CWA CALDWELL WHITE ASSOCIATES**  
 ENGINEERS / SURVEYORS / PLANNERS

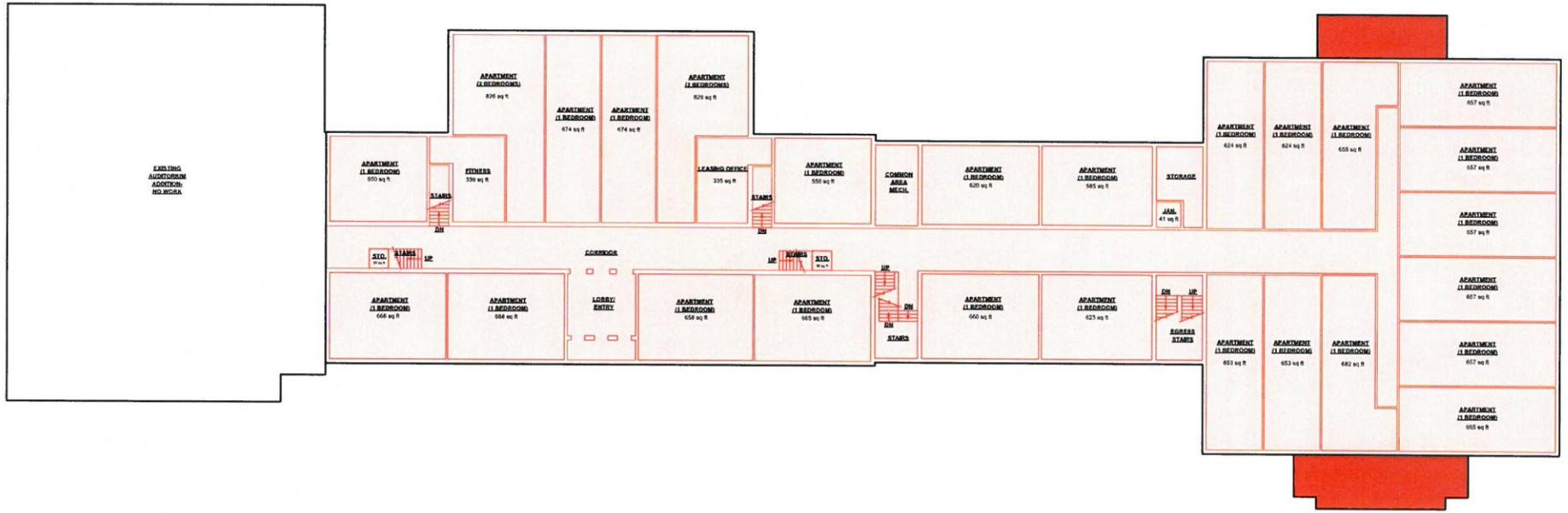
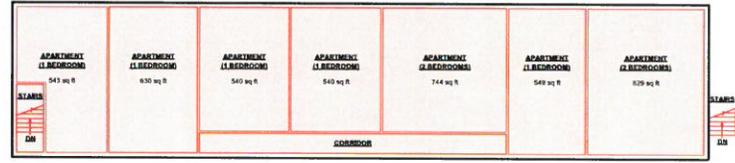
4805 MELROSE AVENUE, N.W., P.O. BOX 4800  
 ROANOKE, VIRGINIA 24017-0800  
 Telephone: (800) 596-8400 Fax: (800) 596-8708  
 E-Mail: cwa@caldwelwhite.com

SCALE: 1"= 80'  
 DRAWN: CLH  
 W.D.: 16-0009



126 SPACES / 1.5 PER UNIT = 84 UNITS CAPACITY

PROPOSED APARTMENTS	NO. APT	NO. BDR
BASEMENT 1 BEDROOM APT:	27	27
BASEMENT 2 BEDROOMS APT:	3	6
FIRST FLOOR 1 BEDROOM APT:	29	29
FIRST FLOOR 2 BEDROOMS APT:	4	8
SECOND FLOOR 1 BEDROOM APT:	12	12
SECOND FLOOR 3 BEDROOMS APT:	2	6
<b>TOTAL APARTMENTS:</b>	<b>77</b>	<b>-</b>
<b>TOTAL BEDROOMS:</b>	<b>-</b>	<b>88</b>



1

FLOOR PLAN - 1ST FLOOR

NTS

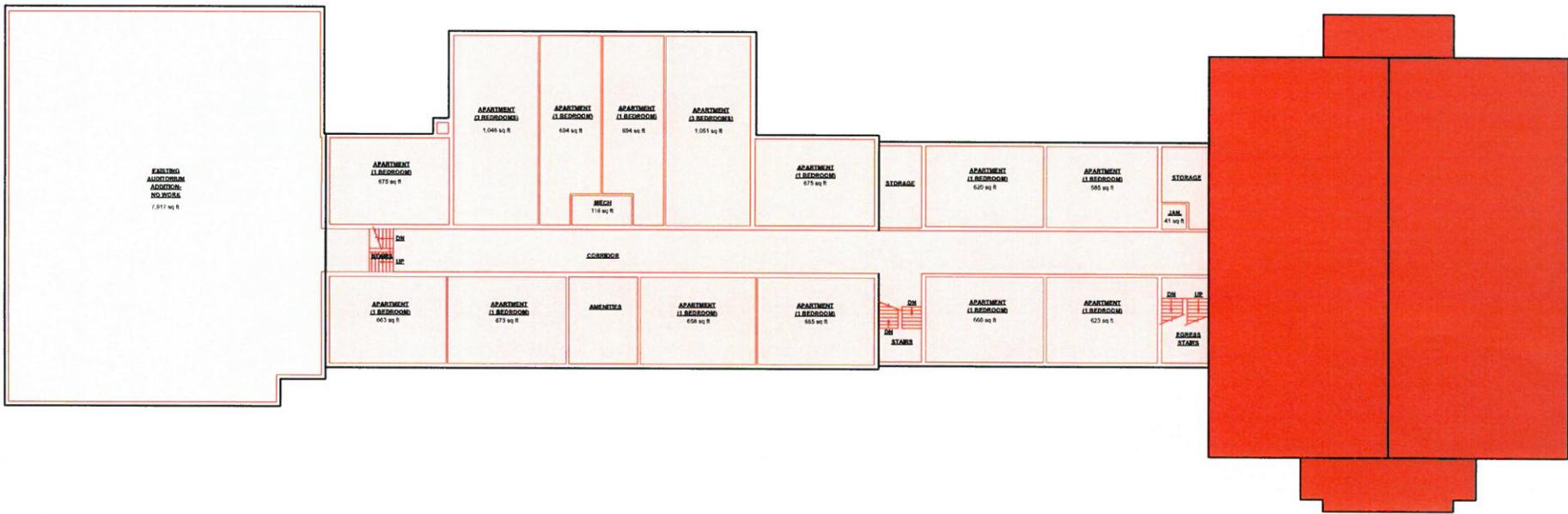
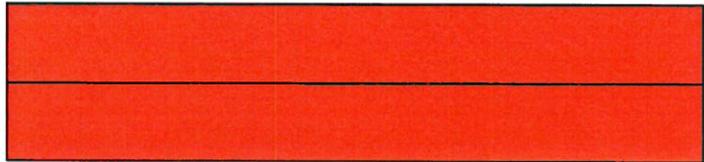
SK-02  
6/7/2016  
PROJECT NO.: 01616.PP

1ST FLOOR PLAN  
WILLIAM BYRD H.S. APARTMENTS

XXX. XXX



<b>PROPOSED APARTMENTS</b>	<b>NO. APT</b>	<b>NO. BDR</b>
BASEMENT 1 BEDROOM APT:	27	27
BASEMENT 2 BEDROOMS APT:	3	6
FIRST FLOOR 1 BEDROOM APT:	29	29
FIRST FLOOR 2 BEDROOMS APT:	4	8
SECOND FLOOR 1 BEDROOM APT:	12	12
SECOND FLOOR 3 BEDROOMS APT:	2	6
<b>TOTAL APARTMENTS:</b>	<b>77</b>	<b>-</b>
<b>TOTAL BEDROOMS:</b>	<b>-</b>	<b>88</b>



1

FLOOR PLAN - 2ND FLOOR

NTS

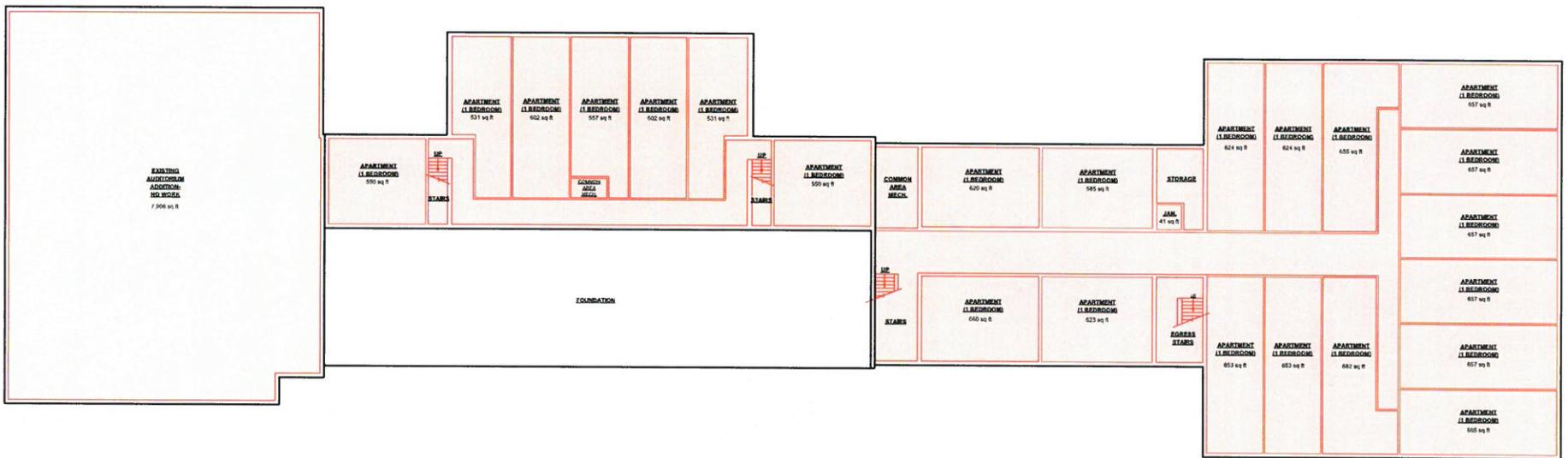
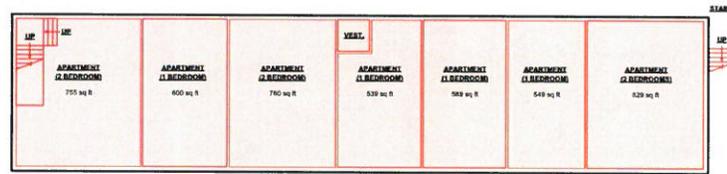
SK-03  
6/7/2016  
PROJECT NO.: 01616.PP

2ND FLOOR PLAN  
WILLIAM BYRD H.S. APARTMENTS

XXX, XXX



PROPOSED APARTMENTS	NO. APT	NO. BDR
BASEMENT 1 BEDROOM APT:	27	27
BASEMENT 2 BEDROOMS APT:	3	6
FIRST FLOOR 1 BEDROOM APT:	29	29
FIRST FLOOR 2 BEDROOMS APT:	4	8
SECOND FLOOR 1 BEDROOM APT:	12	12
SECOND FLOOR 3 BEDROOMS APT:	2	6
<b>TOTAL APARTMENTS:</b>	<b>77</b>	<b>-</b>
<b>TOTAL BEDROOMS:</b>	<b>-</b>	<b>88</b>



1

FLOOR PLAN - BASEMENT

NTS

SK-01  
6/7/2016

PROJECT NO.: 01616.PP

BASEMENT PLAN  
WILLIAM BYRD H.S. APARTMENTS

XXX. XXX



AddressPoints: 100 HIGHLAND RD  
FORMER WILLIAM BYRD HIGH  
SCHOOL

Pictometry Map Auto

1 / 34

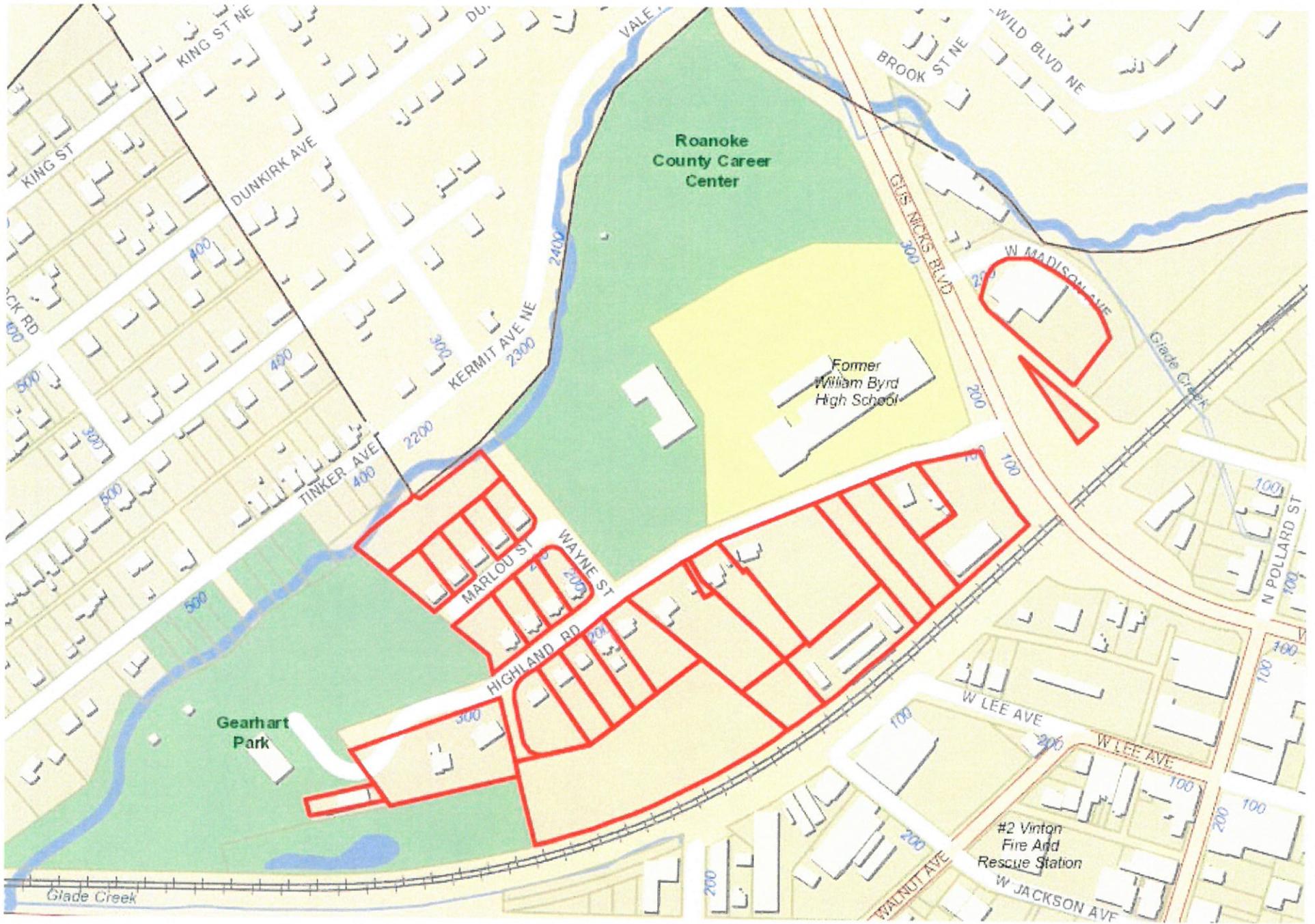
Gus Nicks Boulevard

Highland Road



## MAILING LIST OF PROPERTY OWNERS FOR PUBLIC HEARINGS

Tax Parcel ID	Site Address	Owner Name	Owner Mailing Address	Owner City/State	Owner Zip
060.11-04-12,13,14,15.16.00	200 through 226 MARLOU ST	MOUNTAIN CREST LAND CO	23 FRANKLIN RD	ROANOKE VA	24011
060.11-04-24.01	232 W MADISON AV UNIT 234	LESLIE CHARLES E	2146 FEATHER RD	VINTON VA	24179
060.11-04-27.00	101 HIGHLAND RD UNIT 103	STCLAIR THOMAS&TERRI	3972 BLANFIELD DR	VINTON VA	24179
060.11-04-28.00	107 and 111 HIGHLAND RD	PAXTON MITZI KIM	111 HIGHLAND RD	VINTON VA	24179
060.11-04-29.00	117 HIGHLAND RD	CLEMENTS M;POWELL S;HOWELL J;ETAL	3008 BELLE AVE	ROANOKE VA	24012
060.11-04-30.00	127 HIGHLAND RD	CLEMENTS M;POWELL S;HOWELL J;ETAL	127 HIGHLAND RD	VINTON VA	24179
060.11-04-31.00	151 HIGHLAND RD	YOUNG JEFFREY&JOYCE	151 HIGHLAND RD	VINTON VA	24179
060.11-04-32+33.00	0+161 HIGHLAND RD	JAMES LINDA M	161 HIGHLAND RD	VINTON VA	24179
060.15-01-22.01+22.02	251 HIGHLAND RD	US SPRINT COMM CO LP C/O TAX DEPT	PO BOX 12913	SHAWNEE MISSION KS	66212
060.15-01-24.00	329 HIGHLAND RD	PALMER JEAN C	329 HIGHLAND RD	VINTON VA	24179
060.15-01-25.00	222 HIGHLAND RD	ROBINSON AUDLEY C JR	222 HIGHLAND RD	VINTON VA	24179
060.15-01-26.00	216 HIGHLAND RD	ROBINSON BRENDA A	1717 WARNER PL	VINTON VA	24179
060.15-01-27.00	210 HIGHLAND RD	BRALLEY VICTOR L	210 HIGHLAND RD	VINTON VA	24179
060.15-01-28.00	204 HIGHLAND RD	HALE ALAN&KATYE	204 HIGHLAND RD	VINTON VA	24179
060.15-01-29.00	227 HIGHLAND RD	STANLEY BARRY J	227 HIGHLAND RD	VINTON VA	24179
060.15-01-30.00	221 HIGHLAND RD	BURTON SHENAN MICHELE	221 HIGHLAND RD	VINTON VA	24179
060.15-01-31.00	215 HIGHLAND RD	FLOWERS DANIELLE L	215 HIGHLAND RD	VINTON VA	24179
060.15-01-32.00	209 HIGHLAND RD	BRYANT WALLACE&AVONDA	209 HIGHLAND RD	VINTON VA	24179
060.15-01-33.00	181 HIGHLAND RD	HATCHER JACKIE BOYD	181 HIGHLAND RD	VINTON VA	24179
060.15-01-34.00	0 HIGHLAND RD	FULLER ROBERT GARLAND	1523 EANES RD SE	ROANOKE VA	24014
060.15-01-35.00	177 HIGHLAND RD	HODGES JONATHAN MARK	177 HIGHLAND RD	VINTON VA	24179
060.15-01-36.00	0 W LEE AV	EAST WILLIAM E	2722 RHODES AVE	VINTON VA	24179
060.15-01-38.00	145 RAILROAD AV	WINTER PROP PARTNERSHIP	3640 COLONIAL COURT DR	ROANOKE VA	24018
CITY OF ROANOKE	CITY OF ROANOKE	PLANNING BLDG DEV/ATTN: C.CHITTUM	215 CHURCH AVENUE SW	ROANOKE VA	24011
COUNTY OF ROANOKE	COUNTY OF ROANOKE	PLANNING&ZONING/ATTN:P.THOMPSON	PO BOX 29800	ROANOKE VA	24018





## **Town Council Agenda Summary**

### **Meeting Date**

September 6, 2016

### **Department**

Administration

### **Issue**

Consider adoption of an Ordinance reiterating findings as to the Western Virginia Regional Industrial Facility Authority and authorizing the Town Manager to execute the First Amended and Restated Agreement creating such Authority.

### **Summary**

The governing bodies of Botetourt County, Franklin County, the City of Roanoke, the City of Salem, the Town of Vinton and Roanoke County adopted ordinances creating the Western Regional Industrial Facility Authority. The Town's Ordinance No. 941 was adopted on September 17, 2013. This Ordinance authorized the execution of an agreement which establishes the respective rights and obligations of the member localities consistent with the provisions of Section 15.2-6400 et seq. of the 1950 Code of Virginia, as amended.

The member localities of the Western Regional Industrial Facility Authority desire to amend and restate the original Agreement which created the Authority. Staff received the final agreement on Thursday, September 1<sup>st</sup>. The Town Attorney has reviewed the agreement and will be preparing a Memo with regard to the major changes for Council's consideration.

### **Attachments**

First Amended and Restated Agreement  
Ordinance

### **Recommendations**

Motion to adopt Ordinance

**FIRST AMENDED AND RESTATED AGREEMENT CREATING THE  
WESTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY**

**WHEREAS**, the Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400, et seq., Code of Virginia, 1950, as amended (**the "Act"**) was enacted by the General Assembly of the Commonwealth of Virginia to enhance the economic base for member localities of a regional authority by actions of such an authority to develop, own, and operate one or more facilities on a cooperative basis involving its authority member localities, and

**WHEREAS**, the exercise of the power granted by the Act is to be in all aspects for the benefit of the inhabitants of the geographic region included within the Member Localities, as defined below (**the "Region"**) for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity; and,

**WHEREAS**, the governing bodies of the Member Localities (as defined below) have determined that joint action through a regional industrial facility authority will facilitate the development of needed and desired industrial and commercial facilities in the Region; and

**WHEREAS**, pursuant to the Act, the governing bodies of the County of Botetourt, the County of Franklin, the County of Roanoke, the City of Roanoke, the City of Salem and the Town of Vinton (**each, a "Member Locality" and collectively, the "Member Localities"**) have created, by adoption of concurrent ordinances, the Western Virginia Regional Industrial Facility Authority (**the "Authority"**) for the purpose of enhancing the economic base for the Member Localities by developing, owning, and operating one or more facilities on a cooperative basis involving its Member Localities, which concurrent ordinances were filed with the Secretary of the Commonwealth causing the creation of the Authority ; and

**WHEREAS**, the Member Localities entered into an "Agreement Creating the Western Virginia Regional Industrial Facility Authority" dated as of December 11, 2013 (**the "Original Agreement"**) establishing and describing the respective rights and obligations of the Member Localities with respect to the Authority and the Member Localities now desire to enter into this Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority (**this "Agreement"**) to clarify, amend, restate and replace the Original Agreement with this Agreement.

**NOW THEREFORE**, in consideration of the mutual promises of the parties and other good and valuable consideration the Member Localities hereto amend, restate and replace the Original Agreement with this Agreement as follows:

**ARTICLE I.  
NAME AND OFFICE**

The name of the authority shall be the Western Virginia Regional Industrial Facility Authority and the address of its initial office is C/O Roanoke Regional Partnership, 111 Franklin Road, S.E., Roanoke, VA 24011.

**ARTICLE II.  
PARTIES TO THE WESTERN VIRGINIA REGIONAL  
INDUSTRIAL FACILITY AUTHORITY AGREEMENT**

The initial Member Localities of the Authority are:

Botetourt County, Virginia  
Franklin County, Virginia  
Roanoke County, Virginia

Roanoke City, Virginia  
Salem City, Virginia  
Town of Vinton, Virginia

The governing body of each of the Member Localities shall appoint members to the Authority pursuant to Section 15.2-6403 (A) of the Act. Each of the Member Localities shall appoint two (2) members to the Authority. The members of the Board shall be elected in accordance with Article IV hereof.

Each Member Locality may appoint two alternate board members, to be selected in the same manner as board members and shall perform all duties including voting in the member's absence. Each board member, and alternate, of the Authority before accepting their appointment and begin discharge of their office duties, shall take and subscribe to the oath prescribed in Section 49-1 of the Code of Virginia, 1950, as amended.

At any time subsequent to the creation of this Authority, the membership of the Authority may, with the approval of the Authority Board, be expanded to include any locality within the region that would have been eligible to be an initial member. The governing body of a locality seeking to become a member shall evidence its intent to become a member by adopting an ordinance proposing to join the Authority that conforms, to the requirements consistent with Section 15.2-6402, clauses i, ii, iii and iv of the Code of Virginia.

**ARTICLE III.  
FINDING; PURPOSE; AND GOVERNMENTAL  
FUNCTIONS OF THE AUTHORITY**

Member Localities agree that this Authority has been established for the following purpose and function.

1. The Member Localities agree that the economy of the Region has not kept pace with the rest of the Commonwealth. The respective individual Member Localities may lack the financial resources to assist in the development of economic development projects and the creation of the Authority provides a mechanism for the Member Localities to cooperate in the development of facilities which will assist the Region in overcoming this barrier to economic growth.

2. The exercise of the powers granted by the Act shall be in all aspects for the benefit of the inhabitants of the Region for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity. The Authority shall be nonprofit and

no part of its earnings remaining after payment of its expenses and fulfillment of commitments in furtherance of the Authority's purposes shall inure to the benefit of any individual, firm or corporation, and if the Authority is dissolved in accordance with the provisions of the Act the title to all funds and other property owned by the Authority shall vest in the Member Localities which have contributed to the Authority in proportion to their respective contributions as provided by the Act.

3. The Act provides the six Member Localities with many powers by which the Member Localities may interact as one body or as individual participating groups consisting of one or more Member Localities of the Authority which the members believe will give each local government an opportunity to establish successful partnerships for the development of economic projects which will serve the region.

#### **ARTICLE IV. BOARD OF THE AUTHORITY**

All powers, right and duties conferred by the Act, or other provisions of law, upon the Authority shall be exercise by a Board of Directors (the "Board"). The Board shall consist of two board members from each Member Locality. The governing body of each Member Locality shall appoint two board members to the Board. Except for the provision for staggered terms for the initial board members as provided hereinafter, each board member of the Board shall serve for a term of four years and may be reappointed for as many terms as the governing body desires. During the establishment of the Authority, the Member Localities agree to stagger terms. Each governing body shall appoint their initial board members to serve and designate one of its board members to serve for two years and the other board member to serve for four year terms. After the initial appointment of these board members, each succeeding director shall serve four year terms. If a vacancy occurs by reason of death, disqualification or resignation, the governing body of the Member Locality that appointed the Authority board member shall appoint a successor to fill the unexpired term.

The governing body may appoint up to two alternate board members. Alternates shall be selected in the same manner as board members, and may serve as an alternate for either board member from the Member Locality that appoints the alternate. Alternates shall be appointed for terms that coincide with one or more of the board members from the Member Locality that appoints the alternate. If a board member is not present at a meeting of the Authority, the alternate shall have all the voting and other rights of the board member not present and shall be counted for purpose of determining a quorum.

Each board member of the Authority before entering upon the discharge of the duties of his office shall take and subscribe to the oath prescribed in Section 49-1, Code of Virginia, 1950, as amended.

A quorum shall exist when a majority of the Member Localities are represented by at least one board member. The affirmative vote of a quorum of the Board shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all rights and perform all duties of the Board. The Board shall determine

the times and places of its regular meetings, which may be adjourned or continued without further public notices, from day to day or from time to time or from place to place, but not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Board special meetings shall be held when requested by board members of the Board representing two or more Member Localities. A request for a special meeting shall be in writing, and the request shall specify the time and place of the meeting and the matters to be considered at the meeting. A reasonable effort shall be made to provide each board member with notice of any special meeting. No matter not specified in the notice shall be considered at such special meeting, unless all the board members are present. Special meetings may be adjourned or continued, without further public notice, from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

The Board shall elect from its membership a chair, vice chair, treasurer, and secretary for each calendar year. The Board may also appoint an executive director and staff who shall discharge such functions as may be directed by the Board. The executive director and staff may be paid from funds received by the Authority.

No board member shall receive compensation.

The Board promptly following the close of the fiscal year (July 1 thru June 30), shall submit an annual report of the Authority's activities of the preceding year to the governing bodies of the Member Localities. The Annual Report shall set forth a complete operating and financial statement covering the operation of the Authority during such reporting year.

The Board may establish dues or other annual financial fees as may be approved by all Member Localities.

## **ARTICLE V. POWERS OF THE AUTHORITY**

The Authority is vested with the powers of a body corporate, including the powers to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient.

The Authority shall be vested with all powers and authority to the fullest extent allowed under the Act as it currently exists or may be amended. These powers currently include the power to:

1. Adopt bylaws, rules and regulations to carry out the provisions of the Act.
2. Employ, either as regular employees or as independent contractors, consultants, engineers, architects, accountants, attorneys, financial experts, construction experts and

personnel, superintendents, managers and other professional personnel, personnel, and agents as may be necessary in the judgment of the authority, and fix their compensation.

3. Determine the location of, develop, establish, construct, erect, repair, remodel, add to, extend, improve, equip, operate, regulate, and maintain facilities to the extent necessary or convenient to accomplish the purposes of the Authority.

4. Acquire, own, hold, lease, use, sell, encumber, transfer, or dispose of, in its own name, any real or personal property or interest therein.

5. Invest and reinvest funds of the authority.

6. Enter into contracts of any kind, and execute all instruments necessary or convenient with respect to its carrying out the powers of the Act to accomplish the purpose of the Authority.

7. Expend such funds as may be available to the Authority for the purpose of developing facilities, including but not limited to (i) purchasing real estate; (ii) grading sites; (iii) improving, replacing and extending water, sewer, natural gas, electrical and other utility lines; (iv) constructing, rehabilitating, and expanding buildings; (v) constructing parking facilities; (vi) constructing access roads, streets, and rail lines; (vii) purchasing or leasing machinery and tools; and (viii) making any other improvements deemed necessary by the Authority to meet its objectives.

8. Fix and revise from time to time and charge and collect rates, rents, fees, or other charges for the use of the facilities or for services rendered on connection with the facilities.

9. Borrow money from any source for any valid purpose, including working capital for its operations, reserve funds, or interest, mortgage, pledge, or otherwise encumber the property or funds of the Authority, and contract with or engage the services of any person in connection with any financing, including financial institutions, issuers of letter of credit, or insurers.

10. Issue bonds under the Act.

11. Accept funds and property from the Commonwealth, person, counties, cities, and towns and use the same for any of the purposes for which the authority is created.

12. Apply for and accept grants or loans of money or other property from any federal agency for any of the purposes authorized in the Act and expend or use the same in accordance with the directions and requirements attached thereto or imposed thereon by any such federal agency.

13. Make loans or grants to, and enter into cooperative arrangements with, any person, partnership, association, corporation, business or governmental entity in furtherance of the purpose of the Act, for the purposes of promoting economic and workforce development,

provided that such loans or grants shall be made only from revenues of the Authority that have not been pledged or assigned for the payment of any of the Authority's bonds, and to enter into such contracts, instruments and agreements as may be expedient to provide for such loans, and any security therefor. The word "revenues" as used includes grants, loans, funds and property, as enumerated herein.

14. Enter into agreements with any other political subdivision of the Commonwealth for joint or cooperative actions in accordance with Section 15.2-1300, Code of Virginia, 1950, as amended.

15. Do all things necessary or convenient to carry out the purposes of the Act.

#### **ARTICLE VI. PARTICIPATION AGREEMENTS FOR INDUSTRIAL FACILITIES**

The Authority may enter into participation agreements with one or more Member Localities by which industrial facilities may be constructed and developed in the Region ("**Participation Agreements**"). Such Participation Agreements may include participation by public and private entities not Member Localities of the Authority.

Each Member Locality may consider its terms in the participation in each proposed project. The cost for such Participation Agreements and any remuneration from the creation of a Participation Agreement shall only be shared by the Member Localities that participate in the Participation Agreement in accordance with the participating agreements for that project. The Authority may from time to time finance an economic development project (a "**Project**") pursuant to a Participation Agreement through the issuance of notes and bonds by the Authority ("**Bonds**"). Such Bonds shall be limited obligations of the Authority to be paid solely from revenues and receipts of that particular economic development Project and from revenues that may be received pursuant to any Participation Agreement or other agreement related to the Project being financed, and may be secured by collateral encumbered or pledged in support of the financing ("**Project Based Financing**"). Project Based Financing is approved and consented to by the Member Localities. Any individual Member Locality may, at its discretion and as allowed by law, choose to enter into or not enter into a specific Project Based Financing arrangement in support of any particular Project. Any Member Locality not entering into an agreement in support of a Project shall have no monetary obligation or other duty or responsibility in relation to that Project.

#### **ARTICLE VII. DONATIONS TO AUTHORITY; REMITTANCE OF TAX REVENUE**

1. Member Localities are hereby authorized to lend, or donate money or other property to the Authority for any of its purposes. The Member Locality making the grant or loan may restrict the use of such grants or loans to a specific facility owned by the Authority, within or without that Member Locality.

2. The governing body of the Member Locality in which a facility owned by the Authority is located may direct, by resolution or ordinance that all tax revenues collected with respect to the facility shall be remitted to the Authority. Such revenues may be used for the payment of debt service on bonds of the Authority and other obligations of the Authority incurred with respect to such facility. The action of such governing body shall not constitute a pledge of the credit or taxing power of such Member Locality.

## **ARTICLE VIII. REVENUE SHARING AGREEMENTS**

Notwithstanding the requirements of Chapter 34 of Title 15.2 of the Code of Virginia (Section 15.2-3400 *et seq.*), the Member Localities may agree to a revenue and economic growth sharing arrangement with respect to tax revenues and other income and revenues generated by any facility owned by the Authority. The obligations of the parties to any such agreement shall not be construed to be debt within the meaning of Articles VII, Section 10, of the Constitution of Virginia. Any such agreement shall be approved by a majority vote of the governing bodies of the Member Localities reaching such an agreement, but shall not require any other approval.

## **ARTICLE IX. BOND ISSUES**

The Authority may at any time and from time issue bonds for any valid purpose, including the establishment of reserves and the payment of interest. According to the Act, “bonds” includes notes of any kind, interim certificates, refunding bonds or any other evidence of obligation. Any such bonds issued pursuant to the Act shall comply with all terms and conditions identified in Sections 15.2-6409, 15.2-6410, 15.2-6411 and 15.2-6412 of the Code of Virginia.

## **ARTICLE X. ACCOUNTS AND RECORDS**

The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes, provided that such accounts correspond as nearly as possible to the accounts and records for such matters maintained by corporate enterprises. The accounts and records of the Authority shall be subject to audit pursuant to Section 30-140, and the costs of such audit services shall be borne by the authority. The Authority’s fiscal year shall be the same as the Commonwealth’s.

## **ARTICLE XI. DISSOLUTION OF AUTHORITY**

Any Member Locality of the Authority may withdraw from the Authority (i) upon dissolution of the authority as set forth herein *or* (ii) with majority approval of all other Member Localities of the Authority, upon a resolution adopted by the governing body of such Member Locality and after satisfaction as such Member Locality’s legal obligation, including repayment

of its portion of any debt increased with refund to the Authority, or after making contractual provisions for the repayment of its portion of any debt incurred with refund to the Authority, as well as pledging to pay any general dues for operation of the Authority for the current and preceding fiscal year following the effective date of withdrawal.

No Member Locality seeking withdrawal shall retain, without the consent of a majority of the remaining Member Localities, any rights to contributions made by such Member Locality, to any property held by the Authority or to any revenue sharing as allowed by the Act.

Upon withdrawal, the withdrawing Member Locality shall also return to the Authority any dues or other contributions refunded to such Member Locality during its membership in the Authority.

Whenever the Board determines that the purpose for which the Authority was created has been substantially fulfilled or is impractical or impossible to accomplish and that all obligations incurred by the Authority have been paid or that cash or sufficient amount of approved securities has been deposited for their repayment, or provisions satisfactory for the timely payment of all its outstanding obligations have been arranged, the Board may adopt resolutions declaring and finding that the Authority shall be dissolved.

Appropriate attested copies of such resolutions shall be delivered to the Governor so that legislation dissolving the Authority may be introduced in the General Assembly. The dissolution of the Authority shall become effective according to the terms of such legislation. The title to all funds and other property owned by the Authority at the time of such dissolution shall vest in the Member Localities which have contributed to the Authority in proportion to their respective contributions.

## **ARTICLE XII. AUTHORITY OPERATIONS**

The Member Localities shall establish and approve By-laws by which the Authority shall be operated for the benefit of all Member Localities. The Authority may also establish Policies and Procedures and/or a User Agreement in order to manage its daily operations.

## **ARTICLE XIII. MISCELLANEOUS**

The parties to this Agreement shall have the right to amend from time to time any of this Agreement's terms and conditions consistent with the provisions of the Act and other applicable law, provided that all amendments shall be in writing and shall be signed by or on behalf of each party to this Agreement.

The title of and article headings in this Agreement are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meaning, construction or effect.

This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument. This Agreement shall amend and supersede the Original Agreement.

If any clause, provision or section of this Agreement shall be held illegal or invalid by any court, the illegality or invalidity of such clause, provision or section shall not affect the remainder of this Agreement which shall be construed and enforced as if such illegal or invalid clause, provision or section had not been contained in this Agreement. If any agreement or obligation contained in this Agreement is held to be in violation of law, then such agreement or obligation shall be deemed to be the agreement or obligation of the parties hereto only to the extent permitted by law. In the event that the General Assembly amends the Act in a manner that conflicts herewith, the provision of this Agreement are hereby amended in conformity with such amendment.

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing on this \_\_\_ day of \_\_\_\_\_, 2016.

SIGNATURE PAGES OF MEMBER LOCALITIES TO FOLLOW.

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**COUNTY OF ROANOKE, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Roanoke County Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**COUNTY OF BOTETOURT, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Botetourt County Attorney**

**ATTEST:**

**CITY OF ROANOKE, VIRGINIA**

\_\_\_\_\_

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

\_\_\_\_\_  
**Printed Name and Title**

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Roanoke City Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**CITY OF SALEM, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Salem City Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**COUNTY OF FRANKLIN, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Franklin County Attorney**

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Printed Name and Title**

**TOWN OF VINTON, VIRGINIA**

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

\_\_\_\_\_  
**Printed Name and Title**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Vinton Town Attorney**

**ORDINANCE NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, SEPTEMBER 6, 2016 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA 24179**

**ORDINANCE REITERATING FINDINGS AS TO THE WESTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY AND AUTHORIZING EXECUTION OF FIRST AMENDED AND RESTATED AGREEMENT CREATING SUCH AUTHORITY**

**WHEREAS**, pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia of 1950, as amended (the "Act") the governing bodies of Botetourt County, Franklin County, Roanoke County, the City of Roanoke, the City of Salem and the Town of Vinton (the "Member Localities") each adopted an ordinance for the creation of the Western Virginia Regional Industrial Facility Authority (the "Authority") in order to enhance the economic base of each such locality through the developing, owning and operating of one or more facilities on a cooperative basis; and

**WHEREAS**, pursuant to the Act such ordinances were filed with the Secretary of the Commonwealth and the Secretary of the Commonwealth has issued his certificate as to such filing; and

**WHEREAS**, such ordinances also authorized the execution of an agreement establishing the respective rights and obligations of the Member Localities with respect to the Authority consistent with the provisions of the Act (the "Original Agreement") which Original Agreement was duly executed on behalf of each Member Locality and was entitled "Agreement Creating the Western Virginia Regional Industrial Facility Authority"; and

**WHEREAS**, each Member Locality desires to amend and restate the Original Agreement to clarify and amend the Original Agreement in accordance with the attached First Amended and Restated Agreement Creating the Western Virginia Regional Industrial Facility Authority (the "First Amended and Restated Agreement"); and

**WHEREAS**, the Act defines facilities as including real estate and improvements for manufacturing, warehousing, distribution, office or other industrial, residential, recreational or commercial purposes.

**THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VINTON, VIRGINIA AS FOLLOWS:**

1. It is reiterated that the name of the Authority is the Western Virginia Regional Industrial Facility Authority.
2. It is reiterated that the member localities of the Authority are Botetourt County,

Franklin County, Roanoke County, the City of Roanoke, the City of Salem and the Town of Vinton.

3. It is reiterated that the economic growth and development of the Town of Vinton and the comfort, convenience and welfare of its citizens require the development of facilities as defined in the Act and that joint action through a regional industrial facility authority by the Member Localities will facilitate the development of the needed facilities.

4. The Town Manager is authorized to execute the First Amended and Restated Agreement establishing the respective rights and obligations of the Member Localities with respect to the Authority consistent with the purposes of the Act in substantially the form attached hereto and to take any other actions confirming the creation of the Authority.

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

AYES:

NAYS:

APPROVED:

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

ATTEST:

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



## **Town Council Agenda Summary**

### **Meeting Date**

September 6, 2016

### **Department**

Finance

### **Issue**

Consider adoption of a Resolution transferring funds in the amount of \$14,694.00 from 200.8900.407 (Contingency) to three Salaries and Wages line items for the Reclassification of Positions.

### **Summary**

By recommendation of the Finance Committee, staff researched possible solutions for the compression issue within several Town of Vinton departments. In order to address the compression concern, several positions were reclassified. The anticipated increase for the reclassification is approximately \$37,600. Staff recommends allocating the available General Fund Contingency to the affected departments and to adjust any remaining balances at the end of the fiscal year.

### **Attachments**

Resolution

### **Recommendations**

Motion to adopt Resolution

**RESOLUTION NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, SEPTEMBER 6, 2016, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA**

**WHEREAS,** a reclassification of salaries was completed to address compression issues in the departments; and

**WHEREAS,** the anticipated increase for the reclassification is approximately \$37,600; and

**WHEREAS,** funds in the amount of \$14,694.00 can be allocated from the contingency account (200.8900.407) to the Salary Accounts with the remaining balances to be allocated at the end of the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED** that the Vinton Town Council does hereby approve the following transfer:

<b>FROM:</b>	<b>200.8900.407</b>	<b>Contingencies</b>	<b>\$14,694.00</b>
<b>TO:</b>	<b>200.3101.101</b>	<b>Salaries and Wages</b>	<b>\$ 6,547.00</b>
<b>TO:</b>	<b>200.3205.101</b>	<b>Salaries and Wages</b>	<b>\$ 6,547.00</b>
<b>TO:</b>	<b>200.3501.101</b>	<b>Salaries and Wages</b>	<b><u>\$ 1,600.00</u></b>
		<b>TOTAL</b>	<b>\$14,694.00</b>

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