MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, JULY 7, 2015, 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
I. Douglas Adams, Jr.
Sabrina M. Weeks

STAFF PRESENT:
Christopher S. Lawrence, Town Manager
Theresa Fontana, Town Attorney
Susan N. Johnson, Town Clerk
Donna Collins, Human Resources Specialist
Barry Thompson, Finance Director/Treasurer
Gary Woodson, Public Works Director
Anita McMillan, Planning & Zoning Director
Joey Hiner, Assistant Public Works Director

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

Roll call

The Mayor announced for the record that Council Member William "Wes" Nance resigned from Council effective July 2, 2015. Mr. Nance's resignation was required due to the fact that on July 2, 2015 he and his family became residents of Bedford County and he is no longer a resident of the Town of Vinton. There will be a reception for Mr. Nance at 5:45 p.m. on July 21st, prior to the next Council meeting.

After a Moment of Silence, Council Member Weeks led the Pledge of Allegiance to the U.S. Flag.

Under upcoming community events/ announcements, the Mayor announced the next Mingle at the Market on July 11th with Seven Mile Ford.

Council Member Adams made a motion to approve the Consent Agenda as presented; the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – Adams, Weeks, Hare, Grose; Nays (0) - None.

Approved minutes for the regular meetings of June 2, 2015 and June 16, 2015

Under awards, recognitions and presentations, Lieutenant Chad Helms introduced Andrew McClaugherty and Chad Dailey. Council made comments and welcomed them to the Town.

The Town Attorney announced that Judge Dorsey entered a Writ of Election today declaring that the election to replace Council Member Nance will be held in May of 2016.

The next item considered was the adoption of a Resolution authorizing the Town Manager to execute a Waterline Extension Agreement with D. H. Griffin Wrecking Co., Inc. for the installation of a new waterline to serve a fire hydrant being placed in the vicinity of 819 Third Street, Vinton, Virginia. The Town Manager briefly commented that the subject business is expanding its operations in the Town. The Fire Marshal has required the installation of an additional fire hydrant within 200 feet of the proposed new building along with a new water line.

The Town recommended that this be a public waterline with a publicly owned and maintained fire hydrant, which the business agreed to with some financial assistance from the Town toward the cost. Council was briefed on the matter at a work session earlier in the year and gave their consensus for the Town Manager to negotiate an agreement.

The business agreed to accept a $10,000 contribution from the Town, which amounts to approximately 50% of the total cost. We agreed to pay $5,000 at the completion of the waterline installation, which has been done. The other $5,000 will be paid after they have been in business for 12-consecutive months from the date of the agreement. We are requesting that Council authorize the Town Manager to execute the subject Waterline Extension Agreement. The Town Attorney commented that the waterline and the fire hydrant will be dedicated to the Town so that we own it.

Vice Mayor Hare made a motion to approve the Resolution as presented; the motion was seconded by Council Member Weeks and carried by the following roll call vote, with all members voting: Vote 4-0; Yeas (4) – Adams, Weeks, Hare, Grose; Nays (0).

Adopted Resolution No. 2115 authorizing the Town Manager to execute a Waterline Extension Agreement with D. H. Griffin Wrecking Co., Inc. for the installation of a new waterline to serve a fire hydrant being placed in the vicinity of 819 Third Street, Vinton, Virginia

The next item on the agenda was a briefing on the availability of Virginia Department of Transportation (VDOT) Office of Intermodal Planning and Investment Urban Development Areas (UDA) Planning Grant funding. Anita McMillan began by commenting that VDOT had advised Town staff that in the future for each locality to have better opportunities to apply for VDOT grant funds, there will be certain requirements. One of those requirements is the designation of urban development areas. There is a planning assistance grant that the Town can apply for and we would fall under Tier 1 for up to $65,000 to assist the Town evaluate and analyze what areas in the Town that could be considered as urban development areas.

The characteristics of urban development areas are having a traditional neighborhood design with walkable neighborhood centers, interconnected streets and blocks, diversity of land uses and easy access to jobs, housing and recreation by a variety of travel options. Vice Mayor Hare asked what areas would meet some of these characteristics and Ms. McMillan responded our downtown area.

Ms. McMillan next commented that VDOT is trying to be fair to every locality by developing these criteria. There are currently 77 UDAs in Virginia, with seven being in cities, 54 in counties and 16 in towns. The average size is 3.41 square miles with an average population of 3,921. There have been 27 recipients for the Tier 1 funding with the most recent locality being the City of Salem.

If we decide to pursue this grant application, VDOT has a team of consultants that will help a locality to analyze their existing ordinances, visit the Town and then do a projection growth based on the land use for 10-20 years in the future. The five factor areas to be considered are congestion mitigation, economic development, accessibility, safety and environmental quality. The sixth area is land use coordination in areas with over 200,000 populations which would not apply to the Town.

One of the requirements of the grant is for the Town to appoint one member of the Planning Commission and one member of Council to serve on the committee. Another is to amend our comprehensive plan to state that we have identified certain areas as urban development areas. Along with the

application that is due by August 31st, we will need to file a letter from the Town Manager stating that we will comply with these requirements. She was told that the majority of those who apply for the grant are awarded the funds.

Council gave their consensus to proceed with applying for the grant.

The next item on the agenda was a briefing on the possibility of entering into a Memorandum of Understanding (MOU) with the County of Roanoke for the County to administer the Virginia Stormwater Management Program (VSMP) for the Town. Anita McMillan first reviewed the history of the new requirement effective July 1, 2014 that all MS4 localities, such as the Town, have to enforce the new Virginia Stormwater Management Program (VSMP) regulations and become the VSMP Authority.

Ms. McMillan next reviewed the program's administrative requirements. Now the Town has to accept registration statements for construction activities that are an acre or more or single-family family development that is not an acre, but part of a common plan development. With all construction projects, there must be an erosion and sediment control plan and to ensure compliance with Stormwater Pollution Prevention and Stormwater Management and Pollution Prevention Plan. Other requirements are inspecting and monitoring by the VSMP operator, long-term inspection and maintenance of SWM facilities, collection and use of fees, enforcement procedures and penalties, policies and procedures to obtain and release bonds and reporting and record keeping. Every year, just like the MS4, we have to submit a report about our VSMP Program that lists all of these nine requirements.

In 2014, we adopted the Stormwater Ordinance that had all of these requirements. At that time, we were told that we could not transfer the authority to a County. Since then, there has been a lot of correspondence between us, Roanoke County and the State because the County has been our erosion and sediment control agent since 1984. In September of 2014, the State changed the requirement and now allows a Town that is an MS4 operator to transfer the authority to a County.

Prior to 2013, all the Town's site plan reviews for the stormwater were done by a private consultant. Since we received a lot of complaints from property owners and developers that we should not sub this out, we negotiated and entered into a Memorandum of Understanding with the County to review our site plans and in 2014 we renewed that MOU as well as an MOU for the County to do our inspections for stormwater facilities.

Ms. McMillan next commented that since this requirement came into effect, the Town has not received any VSMP permit other than the one for the new library. This permit was prior to 2014 and was submitted directly to DEQ. We currently do not have a direct link to DEQ, but if we receive one, we will have to go to Roanoke County. Even though the localities are accepting the registration statements and reviewing them, the DEQ is still issuing the permit. This is why the locality is allowed to keep 72% of the fee and the State gets 28%.

The MS4 cannot be transferred, so we are still responsible for the six components—public education and outreach, public involvement, illicit discharge detection and elimination, construction site runoff control, post-construction controls and good housekeeping. Roanoke County is covering the construction site runoff control by being our erosion and sediment control agent. If we turn over the VSMP authority to the County, they will then handle the post construction controls as well.

Ms. McMillan further commented that another requirement is to have a staff member who is a certified Stormwater Administrator, which we currently do not have.

Vice Mayor Hare commented on the discussions across the region regarding how to pay for the new stormwater requirements. The City of Roanoke has implemented a stormwater management fee and Roanoke County had said they are going to fund it out of their existing budget. Ms. McMillan responded that since 2003 the County has been putting $200,000 a year into their stormwater program. They have at least $2.5 million for all of their stormwater CIP projects. Vice Mayor Hare then asked who pays for the work that has to be done in Town that a utility fee would be paying for. The Town Manager commented that it will not be Roanoke

County and Vice Mayor Hare then commented that we still have to come up with a revenue stream.

Ms. McMillan commented that she is concerned with the requirements to ensure compliance with the illicit discharge detection and elimination and good housekeeping. If there is any deficiency, it must be corrected. Now, DEQ requires in writing when the inspection was done and what the findings were. Recently she attended a required EPA forum and the EPA representative commented that Virginia is not doing well and they will be visiting localities to do an inspection.

As a side note, Ms. McMillan stated that we were able to get our Nutrient Management Plan done for the War Memorial for $450 and it does not have to be renewed for another two years.

Roanoke County plans to take the matter of becoming the Town's VSMP authority to the Board of Supervisors for their approval on July 14th.

After comments by the Mayor regarding the pond at the Lancerlot, the Town Manager stated that Chris McCarty and Henry Brabham, paid $20,000 as a business expense, to get the pond back up to the required standards. If we are going to require that private ponds be brought up to regulations, we are going to need to address the Town-owned ponds. As part of our FY2017 budget process, we are going to need to do a full analysis of all the stormwater requirements and demands.

Ms. McMillan further commented that she is thankful for the assistance she receives from Roanoke County. One of the requirements was to map all of our outfall and they gave us two interns four years ago to complete all the mapping. We just have to make updates as needed of any new outfall.

Council gave their consensus to move forward with allowing Roanoke County to be the VSMP authority for the Town. Ms. McMillan said the matter would possibly be brought back to Council for formal action at their second meeting in August.

Gary Woodson, Public Works Director, commented with regard to the road maintenance program. The resurfacing program has begun with prepping of the streets and the contractor will start

tomorrow with crack sealing operations. Notifications will be given to all of the residents in the affected neighborhoods. After about 30 days, the contractor will return and do the chip sealing with slurry being put down 30 days after that. Some road sections will have crack sealing only, some will have chip sealing and slurry and some a combination of all three. There is a list of the roads that he can furnish to Council and it amounts to just under four miles.

Vice Mayor Hare asked about the weeds in the roads, medians and sidewalks. Mr. Woodson commented that they are going to have to get a contractor to do some of the weeding. Because of the new stormwater regulations, a special permit is required to apply any type of chemicals. One of our employees has been going through the process to be certified, but it has not been obtained yet.

The Mayor commented on the advertisement to fill the vacancy by Mr. Nance's resignation. Our charter requires us to fill that vacancy within 45 days, which means August 15th. If people are interested that should submit a letter to the Town Clerk. They must meet the requirements also of the State of Election Certificate.

The Mayor also commented on the success of the Tinker Creek Canoe Launch ribbon cutting. He also mentioned that the Breakfast Host Lions Club is cleaning up an old cemetery in the Gladetown community and we should recognize all those involved at some point at a Council meeting.

The Mayor also commented that a donation has come in toward the purchase of new banners that will be installed on the new light poles from Vinton Roofing of $500.00. Also, the July 4th event was also a huge success.

The next item was to consider an appointment to the Greater Roanoke Transit Company Board. Council Member Adams made a motion to appoint Christopher S. Lawrence, Town Manager to the Greater Roanoke Transit Company Board for a one-year term to expire June 30, 2016; the motion was seconded by Council Member Weeks.

The Town Manager commented that he felt it would be beneficial for him to serve since we are working

closely with Valley Metro to make some improvements and to have some public meetings in early summer or late fall to hear from our ridership.

The motion and second was carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – Adams, Weeks, Hare, Grose; Nays (0).

Appointed Christopher S. Lawrence, Town Manager, to the Greater Roanoke Transit Company for a one-year term to expire June 30, 2016

Comments from Council Members: Vice Mayor Hare commented on the canoe launch and the July 4th event; Council Member Weeks reminded everyone of the Mingle at the Market this Saturday; Council Member Adams commented on the canoe launch site and the 76th installation banquet of the Vinton First Aid Crew.

Council Member Adams made a motion that Council go into a Closed Meeting pursuant to § 2.2-3711 (A)(1) of the 1950 Code of Virginia, as amended, for the purpose of discussing the resignation of Council Member Wes Nance and to discuss the appointment of an interim Council Member. The Town Attorney commented that discussing the process does not meet the requirements of a Closed Session. If there are specific appointees that Council wishes to discuss, that would apply. The Town Manager commented that we have received no applications at this point.

Council Member Adams then withdrew his motion.

Council had further discussion and additional comments. The Town Attorney suggested that Council interview all of the applicants which will eliminate the need for an extra meeting to decide who to interview. Regarding the interview process, the Town Manager suggested the interviews be 45 minutes each with 15 minutes in between.

After discussion and additional comments, Council set the following schedule for the process to appoint the replacement for Mr. Nance:
July 22nd at 6:00 p.m. – Special Meeting-Closed Session – interview applicants
July 23rd at 6:00 p.m. – Special Meeting-Closed Session – interview applicants
August 5th at 6:00 p.m. – Special Meeting-Closed Session – interview applicants (if necessary), discussion
August 10th at 6:00 p.m. - Special Regular Meeting to make the appointment

The Town Clerk commented that she can have a package with all of the applications delivered on Monday evening, July 20th, to all Council Members so they will be apprised of who has applied before she schedules the interviews.

The Mayor made closing comments regarding his experience with this process when they had to appoint someone to replace Mr. Obenchain.

Vice Mayor Hare made a motion to adjourn the meeting; the motion was seconded by Council Member Adams and carried by the following vote, with all members voting: Vote 4-0; Yeas (4) – Adams, Weeks, Hare, Grose; Nays (0) – None. The meeting was adjourned at 8:50 p.m.

Meeting adjourned

APPROVED:

Bradley E. Grose

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson

Susan N. Johnson, Town Clerk