

The regularly scheduled meeting of the Norton City Council was held on Tuesday, December 6, 2011 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Joseph Hunnicutt, William Mays, Joseph Fawbush, and Terry Roop

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by Rev. John Ellington, followed by the pledge of allegiance led by Police Chief James Lane.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Roop, and passed by unanimous vote, Council moved to adopt the minutes of the November 15, 2011 meeting as presented.

25242

There was no response to the Mayor's call for visitors.

25243

The City Manager advised that a lot of work has been done on the Fox Run Slide since the last meeting and this will probably be the last time it will be on the agenda. A PowerPoint presentation was shown with various pictures showing the work that has been done. He further advised that the contractor will be back in within the next ten days to put in the guard rail.

Councilman Caruso stated he had been by the site and it appears to him that the road is still sloped at one location and the curb is not all the way up the hill. Water is still running. He feels that the asphalt and curb needs to be put up to the top of the hill. He further stated that behind the h-piles there is still a dirt pile. He stated that gravel needs to be put behind the h-piles along with the above-mentioned 30-35 feet of asphalt curbing.

25244

Councilman Roop stated the area needs to be paved from the top to the bottom and sloped.

Mr. Ward advised he would check on these items.

In their packets, Council had a request by the Wise County Board of Supervisors to approve an Agreement Assigning Wastewater Transmission to the Wise County PSA. The request is to transfer the wastewater flow of 100,000 gallons per day from the Wise County Board of Supervisors to the Wise County P. S. A. by the above mentioned agreement. Mr. Wayne Watts and Gordon Scott of the Wise County P. S. A. were present.

Mr. Watts advised that they are in the midst of a project which will supply sewer to 74 homes and 2 businesses in the Rt. 757 area. Their financing is from Rural Development and they require that the aforementioned agreement be in place for funding purposes. Once the project is completed, they will transfer sewage thru the City's line.

25245

The City Attorney advised that this transfer does not affect the agreement with Wise County and it is non-controversial as to the City's rights.

Mr. Ward advised that the transfer of funds has been made; however, the flow has to be metered and that is not currently ready.

Mr. Watts also asked that Council consider allowing New Peoples Bank, which is located in this area, to become a PSA sewer customer rather than remain a City sewer customer. Mayor Mays asked Mr. Watts to submit this request to Council in writing.

Councilman Caruso questioned the indemnification clause in the agreement and wanted to make sure the City is covered under this clause. The City Attorney advised him that the City is protected and there is not problem with the agreement.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the request by the Wise County Board of Supervisors to approve the Agreement Assigning Wastewater Transmission to the Wise County PSA. (Insert)

Council was in receipt of a request from Anna Leho Baker asking for a revocable permit to use city right-of-way near her property located at the corner of 9<sup>th</sup> and Ridge. She wishes to cross City right-of-way to get to her property where she plans on placing a home.

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to allow Ms. Baker to use City right-of-way to develop her lot. She will need to work with the City Building Official and keep him advised of her plans in order to proceed to obtain a revocable permit from City Council.

A request from William C. Witt, Jr. was received by Council seeking their support for him to develop a primitive horse camp on private property near High Knob.

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council advised the City Manager to prepare a letter of support for a primitive horse camp to be developed by Mr. Witt on private property near High Knob.

Mr. Ward advised that the City had received a letter from Mr. Jack McClanahan of the Southwest Regional Recreation Authority requesting assistance with certain payroll and/or fringe benefit services.

The City Manager advised this would not be an imposition on the City; however, we do not know the scope of the work.

The City Attorney advised it was no problem legally if the Administration is in favor.

Upon a motion by Councilman Caruso, seconded by Councilman Roberts, and passed by unanimous roll call vote, Council approved the request from the Southwest Regional Recreation Authority for assistance with certain payroll and/or fringe benefit services.

In their packets, Council had a request for two refunds for 2011 taxes. The first is for 2011 real estate taxes to be reimbursed to Lost Creek Development in the amount of \$114.16. The second is for 2011 personal property taxes to be reimbursed to Mrs. Hazel Ramey in the amount of \$156.49.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the refund of the above 2011 taxes as stated.

Council had copies of a transfer to the Norton City Schools dated November 29, 2011 in the amount of \$465,000 to cover payroll and fringes and a check made payable to the Norton Industrial Development Authority dated November 16, 2011 in the amount of \$122,004.25 covering a quarterly payment on the Norton Commons Project.

25250

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to approve the transfer and check as stated above. (Insert – Councilman Roop’s Disclosure Statement)

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No. 2.2-3711 (A) (l) of the Code of Virginia as amended and discussion of the acquisition of real property for a public purpose as per Section 2.2-3711 (A) (3) of the Code of Virginia as amended.

25251

Mayor Mays declared Council in closed meeting.

Due to health issues, Councilman Hunnicutt left the closed meeting and the regular meeting early.

25252

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to go back into open meeting.

25253

Mayor Mays declared Council back in open meeting.

The Clerk polled each member of Council as to the Certification of Closed Meeting with each answering yes. The Clerk then read A Resolution of the Certification of Closed Meeting.

Upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by the following vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

25254

Mayor Mays opened the floor for nominations to the Appalachian Juvenile Commission for a two year term to expire on November 30, 2013.

Councilman Roop nominated James C. Lane to be appointed to this Commission.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, Council moved that the nominations cease.

25255

Mayor Mays declared James C. Lane appointed to the Appalachian Juvenile Commission for a two year term to expire on November 30, 2013.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to hire Fred L. Ramey, Jr. as City Manager for the City effective April 1, 2012.

25256

Mayor Mays expressed congratulations to Mr. Ramey on his appointment and also to Mr. Ward on his upcoming retirement.

In comments from the City Manager, Mr. Ward advised:

Closing on the Comprehensive Sewer Project will be December 15, 2011.

Paving for the year is almost completed. West Park Avenue, Fox Run, the Elementary School/Community Center Road has been done as well as some drainage work in Saw Mill Hollow, and the parking lot behind City Hall will be paved this week.

Disclosure forms were mailed out this week and are due back in with the Clerk by January 16, 2012.

Warmest holiday wishes are extended to City Council and City employees.

In comments from the City Attorney, Mr. Bradshaw advised that the last easement that is needed for the sewer project is ready for Council's approval.

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to accept this easement and authorized the Mayor to sign same.

In comments from Council:

Councilman Caruso extended congratulations to both Mr. Ramey and Mr. Ward and extended Christmas and New Year's greetings.

Councilman Fawbush extended happy holiday wishes to all.

Councilman Roop congratulated Mr. Ramey on his appointment of City Manager. He also noted that the School Board had adopted a resolution in support of public education in Virginia requesting that a portion of the budget surplus be given to restore funds cut from K-12 public education in 2009, 2010, and 2011. He feels that the City should send one also. Mr. Ward advised he would prepare a resolution covering funds in general.

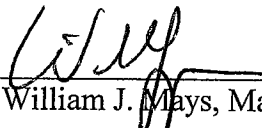
He stated that the light is being removed on Hawthorne Drive to allow for the addition of a turn lane.

He also expressed holiday wishes to all.

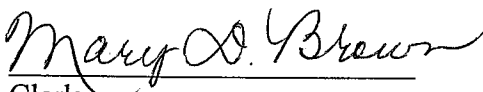
Mayor Mays extended congratulations to Mr. Ramey and advised he looked forward to his ideas and thoughts. He further advised Mr. Ramey has done a tremendous job for the City.

There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA

  
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William J. Mays, Mayor

ATTEST:

  
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Clerk