



# **CITY OF EMPORIA**

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**AGENDA**  
**EMPORIA CITY COUNCIL**  
*Regular Meeting*  
**TUESDAY, August 6, 2013 - 6:30 P.M.**

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**OPENING PRAYER**

**ROLL CALL**

**APPROVAL OF MINUTES**

July 16, 2013 ~ Regular Minutes

**APPROVAL OF AGENDA**

**UNFINISHED BUSINESS**

13-39. District 19 Community Services Board – Term Expiration (George W. Pugh)

13-40. Southside Community Criminal Justice Board Expirations – William S. Newsome/Dr. Philip L. Worrell/F. Woodrow Harris

**NEW BUSINESS**

**PUBLIC COMMENT**

**CLOSED SESSION**

Closed Meeting pursuant to Virginia Code § 2.2 3711 (A) (1) Personnel matters regarding job assignments of specific employees and (A) (7) Legal matter requiring the advice of counsel pertaining to Wastewater Treatment and Social Services funding.

**MINUTES  
EMPORIA CITY COUNCIL  
CITY OF EMPORIA MUNICIPAL BUILDING  
July 16, 2013**

*Note to Reader: Although the printed agenda document for this City Council meeting is not part of these minutes, the agenda document provides background information on the items discussed by City Council during the meeting. A copy of the agenda document for this meeting may be obtained by contacting the Office of the City Clerk.*

Emporia City Council held a regular meeting on Tuesday, July 16, 2013 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Carolyn S. Carey, Council Member offering the invocation.

**ROLL CALL**

The following City Council members were present:

Councilman F. Woodrow Harris  
Councilman James E. Ewing, III  
Councilwoman Doris T. White  
Councilwoman Deborah D. Lynch  
Councilwoman L. Dale Temple  
Councilwoman Carolyn S. Carey  
Councilwoman Carol Mercer

Others present: Mary L. Person, Mayor  
C. Butler Barrett, City Attorney  
Brian S. Thrower, City Manager  
Tessie S. Wilkins, City Clerk  
W. S. Harris, Jr., Treasurer  
Joyce E. Prince, Commissioner of the Revenue  
Don Wyatt, Chief of Police

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, May 1, 2, 14, 15, and 21, 2013, Budget Work Session and Tuesday, June 18, 2013 City Council and Public Hearing Regular meeting minutes as presented, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye

Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

## **APPROVAL OF BILLS**

A listing of the July 16, 2013 bills was presented to City Council members.

General Fund	\$	331,389.60
Utility Fund	\$	293,704.46

Councilwoman Temple moved to approve the July 16, 2013 bills as presented, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

## **FINANCIAL AND TAX REPORTS**

Honorable W. S. Harris, Jr., City Treasurer provided City Council members with highlights of the City's financial position. He requested that City Council members authorize the treasurer to submit a listing of all delinquent taxes, as of July 1<sup>st</sup>, to the local newspaper for publishing in accordance with § 58.1-3924 of the Code of Virginia. He also requested that the treasurer be authorized to omit individual names from the delinquent tax list, prior to submission to the local newspaper, if respective delinquencies have been satisfied.

Councilman Harris moved to approve that the delinquent tax listings be published once in the local newspaper with the provision that individuals satisfying respective tax obligations, prior to submission to the local newspaper, be stricken from the listing by the treasurer, Councilman Ewing seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

## **COMMISSIONER OF THE REVENUE REPORT**

Honorable Joyce E. Prince, Commissioner of the Revenue provided her report to City Council members. There were no questions regarding her report.

## **PERMIT AND INSPECTION REPORT**

Randy C. Pearce, Building/Fire Official provided his report to City Council members. There were no questions concerning his report.

## **POLICE REPORT**

Don Wyatt, Chief of Police provided his report to City Council members. There were no questions concerning his report.

## **CITY SHERIFF REPORT**

Sam C. Brown, Sheriff provided his report to City Council members. There were no questions concerning his report.

## **CITY ATTORNEY REPORT**

C. Butler Barrett, City Attorney had no matters to report to City Council members.

## **AGENDA APPROVAL**

Councilwoman Temple moved to approve the agenda as presented, seconded by Councilwoman Lynch, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

## **UNFINISHED BUSINESS**

### ***13-39. District 19 Community Services Board – Term Expiration (George W. Pugh)***

Mr. Thrower stated that on June 30, 2013, Mr. George W. Pugh's three-year term on the District 19 Community Service Board would expire. He also stated that Mr. Pugh had indicated that he does not wish to be considered for reappointment.

Mayor Person stated that this item be held until the August 6, 2013 Council meeting.

### ***13-40. Southside Community Criminal Justice Board Expirations – William S. Newsome/Dr. Phillips L. Worrell/F. Woodrow Harris***

Mr. Thrower stated that on June 30, 2013, the four-year term of Mr. William Newsome, Council Member F. Woodrow Harris and Dr. Philip Worrell on the Southside Community Criminal Justice Board will expire. He also stated that Dr. Worrell and Council Member Harris had indicated that they do wish to be considered for reappointment. He further stated that Mr. Newsome had indicated that he does not wish to be considered for reappointment.

Mayor Person stated that the appointment for William Newsome's term on the Southside Community Criminal Justice Board be held until the August 6, 2013 Council meeting.

***13-41. Southside Community College Board – Term Expiration (Peggy Jones)***

Mr. Thrower stated that on June 30, 2013, Ms. Peggy Jones' three-year term on the Southside Community College Board expired. He also stated that Ms. Jones had indicated that she does not wish to be considered for reappointment.

Councilman Harris nominated Betsy Sharrett to serve a three-year term on the Southside Community College Board.

Councilman Harris made a motion to appoint Betsy Sharrett to serve a three-year term on the Southside Community College Board, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

**NEW BUSINESS**

***13-42. October 15, 2013 City Council Meeting – Request to Cancel***

Mr. Thrower stated that the Virginia Municipal League (VML) Annual Conference would be held Sunday, October 13, 2013 through Tuesday, October 15, 2013. He also stated that he was recommending that Council cancel the Tuesday, October 15, 2013 meeting.

Councilman Harris made a motion to cancel the October 15, 2013 meeting due to the VML Annual Conference, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

***13-43. Liaison Committee – Request for Appointments***

Mr. Thrower stated that he was requesting Council to make appointments to the City/County Liaison Committee. He also stated that Councilman Harris currently sits on the Committee and has indicated he wishes to continue serving on the committee, if asked to do so.

He further stated that the purpose of the committee is for elected officials of both the City of Emporia and Greensville County to discuss issues of mutual concern.

Councilwoman Temple nominated Councilman Harris to continue serving on the City/County Liaison Committee.

Councilman Harris nominated Mayor Person to serve on the City/County Liaison Committee.

Councilwoman Temple made a motion to appoint Councilman Harris and Mayor Person to serve on the City/County Liaison Committee, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	abstained
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

#### ***13-44. Fire Committee – Request for Appointments***

Mr. Thrower stated that he was requesting Council to make appointments to the Fire Committee. He also stated that White and Harris currently sit on the Committee. He further stated that Councilwoman White had indicated that she wishes to continue serving on the Committee. He stated that Councilman Harris had indicated that he wishes to continue serving on the Committee, if asked to do so. He reported that Mayor Person also attended the last Fire Committee meeting. He stated that the purpose of the committee is for officials from the City of Emporia, Greensville County, and the Emporia Volunteer Fire Department to discuss issues of mutual concern.

Councilman Harris nominated Councilwoman White to continue serving on the Fire Committee.

Councilwoman Temple nominated Councilman Harris to continue serving on the Fire Committee.

Councilwoman Temple nominated Councilman Ewing to serve on the Fire Committee.

Councilwoman Temple made a motion to appoint Councilman Harris, Councilman Ewing, and Councilwoman White to serve on the Fire Committee, seconded by Councilwoman Lynch, which passed as follows:

Councilman F. Woodrow Harris	abstained
Councilman James E. Ewing	abstained
Councilwoman Doris T. White	abstained
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye

Councilwoman L. Dale Temple                      aye

***13-45. VJCCCA Program – Appropriation Ordinance***

Mr. Thrower stated that the City annually receives grant funds from the Department of Juvenile Justice for the Virginia Juvenile Community Crime Control Act (VJCCA) Program. He also reported that in the FY14, the City of Emporia will receive an additional \$6,779.00 in grant funds from the State for this program. He stated that Council would need to appropriate the additional revenue of \$6,779.00 into the FY14 Operating Budget so that these grant funds may be utilized for the VJCCA Program.

Councilwoman Temple made a motion to adopt **Ordinance No. 13-12** appropriating the sum of \$6,779.00 in Grant Funds from the Department of Juvenile for the VJCCCA program, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	abstained
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Doris. T. White	aye

***13-46. Justice Assistance Grant (JAG) – Appropriation Ordinance***

Mr. Thrower stated that the City of Emporia has been awarded an Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice. He also stated that this \$9,717.00 grant would be used in conjunction with \$1,080.00 in matching funds from the FY14 budget to purchase and install two in car camera systems in new patrol vehicles.

Councilwoman Temple made a motion to adopt **Ordinance No. 13-13** appropriating the sum of \$9,717.00 in DOJ Justice Assistance Grant (JAG) Funds, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Doris T. White	aye

***13-47. Paving – Appropriation Ordinance***

Mr. Thrower stated that Council approved \$150,000 in the FY13 budget for annual paving projects. He also stated that the paving projects had been awarded and that the work has begun, the projects were not completed as of June 30, 2013, and the funds were not expended.

Councilman Ewing made a motion to adopt **Ordinance No. 13-14** appropriating the sum of \$150,000.00 from the Unappropriated Fund balance of the General Fund for Paving, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Doris T. White	aye

## **PUBLIC COMMENT**

Mayor Person asked if anyone wished to bring a matter before City Council members adhering to the three minute time limitation.

*Lynwood Matthews, 766 Courtland Road*, addressed Council inquiring if the City of Emporia is still doing research on a boat launch for the Meherrin River.

Mr. Thrower stated that yes a plan was in the works.

*Christine Dubose, 206 Lowground Road*, addressed Council with concern of her water being disconnected. She also stated that she paid her water bill on June 14 and on June 25, she was turned off for non-payment because she was \$.40 short on her water bill. She further stated that she was charged a \$15.00 penalty plus a cut on/off fee of \$60.00 to have her water restored because she honestly misread her water bill.

Mr. Thrower stated that the City Code was equally enforced.

Mayor Person stated that this matter would be discussed between Council and staff to see if any changes need to be made.

Councilman Harris stated that this was the type of issue that Council has discussed in the past stating that the utility collections need to be more customers friendly. He also stated that water should not be cut off for \$.40. He further stated Council changed the policy of granting two months to pay a water bill because too many customers were abusing the grace period. He stated that the City needed a way to adjust this in a way that it is fair to all citizens who are making a good-faith effort to pay.

It was the consensus of Council for the City administration to research language that could be included in City Ordinances that would allow some flexibility in utility's collection.

With there being no further comments to come before City Council, Mayor Person closed the public comment portion of the meeting.

## **ADJOURNMENT**

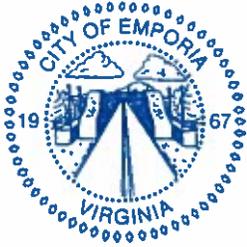
With no further business to come before City Council, Mayor Person adjourned the meeting.

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Mary L. Person, Mayor

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Tessie S. Wilkins, City Clerk



# **CITY OF EMPORIA**

## **MEMORANDUM**

June 14, 2013

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S Thrower, City Manager *BST*  
**SUBJECT:** District 19 Community Services Board – Term Expiration (George W. Pugh)  
**ITEM:** 13-39

On June 30, 2013, Mr. George W. Pugh's three (3) year term on the District 19 Community Service Board will expire. Mr. Pugh has indicated that he does *not* wish to be considered for reappointment.

**Recommendation:**

This information is provided for your consideration.

**Attachment:**

By-Laws

*BST/tsw*

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§ 37.2-501. Community services board; appointment; membership; duties of fiscal agent.

A. Every city or county or any combination of counties and cities, before it shall come within the provisions of this chapter, shall establish a community services board with no less than six and no more than 18 members. When any city or county singly establishes a community services board, the board shall be appointed by the governing body of the city or county establishing the board. When any combination of counties and cities establishes a community services board, the board of supervisors of each county or the council of each city shall mutually agree on the size of the board and shall appoint the members of the community services board. Prior to making appointments, the governing body shall disclose the names of those persons being considered for appointment.

Appointments to the community services board shall be broadly representative of the community. One-third of the appointments to the board shall be individuals who are receiving or who have received services or family members of individuals who are receiving or who have received services, at least one of whom shall be an individual receiving services. One or more appointments may be nongovernmental service providers. Sheriffs or their designees also shall be appointed, when practical. No employee of the community services board or employee or board member of an organization that receives funding from any community services board shall be appointed a member of that board.

No community services board shall be composed of a majority of local government officials, elected or appointed, as members, nor shall any county or city be represented on a board by more than two officials, elected or appointed.

The board appointed pursuant to this section shall be responsible to the governing body of each county or city that established it.

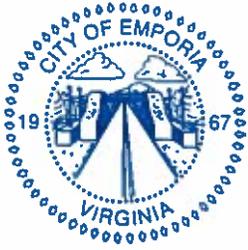
B. The county or city or any combination of cities and counties that establishes an operating or administrative policy board shall receive an independent annual audit of the total revenues and expenditures of that board, a copy of which shall be provided to the Department, and designate an official of one member city or county to act as fiscal agent for the board. The county or city whose designated official serves as fiscal agent for the board in the case of boards established by more than one city or county shall review and act upon the independent audit of the board and, in conjunction with the other cities and counties, arrange for the provision of legal services to the board. When a single county or city establishes an operating or administrative policy board, it shall arrange for the provision of legal services to the board.

C. The county or city that establishes a policy-advisory board shall provide an annual audit of the total revenues and expenditures of the city or county government department to the board and the Department, carry out the responsibilities and duties enumerated in subsection A of § [37.2-504](#) and § [37.2-505](#), and provide legal services to the board. When any combination of cities and counties establishes a policy-advisory board, those cities and counties shall designate which local government shall operate the city or county government department. This local government shall provide an annual audit of the total revenues and expenditures of that department to the board and the Department, carry out the responsibilities and duties enumerated in subsection A of § [37.2-504](#) and § [37.2-505](#), and, in conjunction with the other cities and counties, arrange for the provision of legal services to the board.

(1968, c. 477, § 37.1-195; 1970, c. 346; 1972, c. 498; 1973, c. 78; 1976, c. 671; 1978, c. 11; 1980, c. 582; 1988, c. 285; 1989, c. 254; 1994, c. [939](#); 1996, c. [412](#); 1997, c. [323](#); 1998, cc. [667](#), [680](#); 1999, c. [653](#); 2005, c. [716](#); 2012, cc. [476](#), [507](#).)

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# CITY OF EMPORIA

## MEMORANDUM

June 14, 2013

**TO:** Honorable Mayor and City Council Members

**FROM:** Brian S. Thrower, City Manager *BST*

**SUBJECT:** Southside Community Criminal Justice Board Expirations – William S. Newsome/Dr. Philip L. Worrell/F. Woodrow Harris

**ITEM:** 13-40

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On June 30, 2013 the 4-year terms of Mr. William Newsome, Council Member F. Woodrow Harris and Dr. Philip Worrell on the Southside Community Criminal Justice Board will expire. Dr. Worrell and Council Member Harris have indicated that they do wish to be considered for reappointment. Mr. Newsome has indicated that he does not wish to be considered for reappointment.

### **Recommendation**

This information is provided for your consideration.

### **Attachments**

Current Southside Community Criminal Justice Board Roster  
By-Laws

*BST/tsw*

# SOUTHSIDE COMMUNITY CRIMINAL JUSTICE BOARD

## **Term of Office: 2 Years**

*(David M. Holland, Executive Director, Southside Community Criminal Justice Board, 201 Uriah Branch Way, Emporia, Virginia 23847 - 434/348-4269 or 434/348-1035 - Sherry)*

Don Wyatt Emporia Police Department 310 Budd Street Emporia, Virginia 23847 (W) 434/634-2121	Chief of Police	Term
William S. Newsome 503 Jefferson Street Emporia, Virginia 23847 (H) 434/634-3641 (W) 434/634-5141		06/30/2013
Dr. Philip L. Worrell 300 Shore Drive Emporia, Virginia 23847 (H) 434/634-5802		06/30/2013
F. Woodrow Harris 1105 West End Drive Emporia, Virginia 23847 (H) 434/634-2725 (W) 434/348-3645	City Council Member	06/30/2013

# SOUTHSIDE COMMUNITY CRIMINAL JUSTICE BOARD

(Continued) ....

Honorable Patricia Watson 202 Hicksford Avenue Emporia, Virginia 23847 (W) 434/634-4285		Term
Allan Sharrett 301 Jefferson Street Emporia, Virginia 23847 (H) 434/634-6950 (W) 434/634-2167		Term

**RESOLUTION ESTABLISHING THE SOUTHSIDE COMMUNITY CRIMINAL  
JUSTICE BOARD AND SOUTHSIDE COMMUNITY CORRECTIONS AND PRETRIAL  
SERVICES**

**WHEREAS**, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible Offenders (Section 53.1-180 of the Code of Virginia) and the Pretrial Services Act (Section 19.2-152.2 of the Code of Virginia), both of which were effective July 1, 1995; and

**WHEREAS**, Section 53.1-82.1 of the Code of Virginia requires that the City of Emporia submit a Community Based Corrections Plan to the Department of Corrections in order to receive reimbursement of eligible cost of jail construction; and

**WHEREAS**, the Comprehensive Community Corrections Act and the Pretrial Services Act both mandate that any locality required to submit a Community Based Corrections Plan is further required to establish Community Corrections Programs and Pretrial Services Programs; and

**WHEREAS**, Sections 53.1-183 and 19.2-152.5 of the Code of Virginia require that each county and city participating in Community Corrections Programs and Pretrial Services Programs establish a Community Criminal Justice Board; and, in the case of multi-jurisdictional efforts that each jurisdiction mutually agree upon the appointments to said board; and

**WHEREAS**, Section 53.1-185.1 requires that any city, county, or combination thereof, which elects to, or is required to establish programs shall participate in a local community-based probation program by ordinance or resolution of its governing authority. In cases of multi-jurisdictional participation, each ordinance or resolution shall identify the chosen administrator and fiscal agent.

**NOW, THEREFORE, BE IT RESOLVED** by the Emporia City Council, meeting in regular session on this the 3rd day of October, 2000 that:

1. The City of Emporia with the Counties of Brunswick, Greensville, and Sussex shall implement the Comprehensive Community Corrections Act for Local Responsible Offenders and the Pretrial Services Act as provided therein, and that Greensville County shall act as the administrator and fiscal agent, and that Southside Community Corrections and Pretrial Services shall be responsible for the implementation of the cited legislation, and
2. That the Southside Community Criminal Justice Board (the Board) be established pursuant to Section 53.1-183 of the Code of Virginia (as amended July 1, 2000) to include the following mandatory members:
  - A member from each governing body or a city or county manager, county administrator or executive, or assistant or deputy appointed by the governing body;
  - A judge of the general district court;
  - A circuit court judge;
  - A juvenile and domestic relations district court judge;
  - A chief magistrate;
  - One chief of police or the sheriff in a jurisdiction not served by a police department to represent law enforcement;
  - An attorney of the Commonwealth;

- A public defender, and /or an attorney who is experienced in the defense of criminal matters;
- A sheriff or the regional jail administrator responsible for jails serving those jurisdictions involved in the local pretrial service and community-based probation program;
- A local educator;
- and a community services board administrator, and

3. That this resolution shall be effective provided that the Counties of Brunswick, Greenville, and Sussex all adopt a similar resolution creating the Board.

Done this third day of October, 2000.

  
Samuel W. Adams, III, Mayor

  
Andrea S. Hines, City Clerk