

PUBLIC HEARING

1. Greensville-Sussex-Emporia Regional Water Supply Plan

Emporia's City Council held a public hearing on Tuesday, May 4, 2010, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Adams presided over the public hearing.

The following City Council members were present:

Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple

Others present:

Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Steven B. Hall, Assistant City Manager
Brian S. Thrower, City Manger
Lori R. Jarratt, Interim City Clerk

1. Greensville-Sussex-Emporia Regional Water Supply Plan

Mr. Hall reported that the Greensville-Sussex-Emporia Water Supply Plan final draft has been completed. He also reported that the Virginia General Assembly passed legislation in 2003 or development of a comprehensive statewide water supply planning process. He further reported that the Virginia Department of Environmental Quality (DEQ) subsequently developed Local and Regional Water Supply Planning Regulations (9VAC 25-780) to implement the mandates. He stated that In 2006, the Planning Region entered into a cooperative agreement to prepare a WSP that meets the requirements of the DEQ regulations. He also stated that the Planning Region (abbreviated GSE) consists of the following localities: Counties of Greensville and Sussex, the City of Emporia, and Towns of Wakefield, Waverly, Jarratt and Stony Creek.

He advised that the WSP addresses for the Planning Region the available water resources, type and quantity of water supplies, current water use, current and future water demand, deficits or surpluses, methods to attenuate demand through management techniques, drought response and contingency planning, alternatives for enhancing existing sources, or developing new sources of water. He also advised that Council adopted a Drought Ordinance on August 28, 2009.

He stated that the recommended assumptions included in the plan which are specific to the City include:

- Emporia is projected to experience a population decrease, with an assumed result being a decrease in water demand

- It is recommended that the City of Emporia conduct at least 5-year assessments of the Emporia Reservoir storage volume due to siltation. If the reservoir storage capacity reduces to 500 acre-feet, the City should prepare for dredging and refurbishment of the Reservoir
- The City may also take advantage of this activity to enhance the reservoir intake, dam and banks to optimize sediment reduction, water storage and reduce nutrient loading. If refurbishment is not feasible, the City may then consider development of a pumped storage or side-stream reservoir.

He stated that the City is aware of issues surrounding the reservoir and is taking actions to address some of the recommendations contained within the plan. He also stated that currently, the construction of a new intake structure further into the reservoir is planned and an up-to-date assessment of the reservoir and river is being conducted by the Army Corps of Engineers in the Chowan Basin Reconnaissance Study.

He advised that it is worth nothing that while these and other recommendations appear in the plan, the City of Emporia is not legally required to implement any of the recommendations. He also advised that practically speaking, if dredging the reservoir becomes absolutely necessary this will only be accomplished with the assistance of the Army Corps of Engineers or other federal dollars. He further advised that the City does not possess the resources to undertake a project of this magnitude.

He advised that after the plan is adopted, formal submission to the State Water Control Board will occur for final review and approval. He also advised that it is anticipated that the project will be fully complete by July 2010. He further advised that James Warf, Utilities Superintendent was present to answer any specific questions relating to the plan or planning process.

Mayor Adams welcomed Mr. James Warf to the meeting. Mr. Warf addressed Council stating the he appreciated the City's support. He thank Steve Hall, Assistant City Manager, Brian Thrower, City Manager, Tom Delbridge, Water Treatment Plant Superintendent and other staff for their help and support during this project.

Mayor Adams asked if there was anyone who wished to make any comments regarding this matter.

With there being no comments, Mayor Adams declared the public hearing closed.

Samuel W. Adams, III, Mayor

Lori R. Jarratt, Interim City Clerk

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
May 4, 2010**

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 May 4, 2010, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the meeting with James C. Saunders, Council Member offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple

Others present: Samuel W. Adams, III, Mayor
Brian S. Thrower, City Manger
Steve B. Hall, Assistant City Manager
Lori R. Jarratt, Interim City Clerk
Bernard Richardson, Chief of Police
C. Butler Barrett, City Attorney

MINUTES APPROVAL

Councilwoman White moved to approve the minutes from the April 2, 2010 and April 30,201 Retreat and April 20,2010 Public Hearing and Regular Meeting, as presented, seconded by Councilwoman White, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

AGENDA APPROVAL

Mayor Adams stated that there was one addition to the agenda as requested by Councilman Saunders, Item 10-43~ *Water Bill Payments and Penalties ~ Dana Snow*. Councilman Harris moved to approve the agenda as amended, seconded by Councilman Saunders, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

NEW BUSINESS

10-39. *Greensville – Sussex – Emporia Regional Water Supply Plan*

Mayor Adams stated that this item was in reference to the public hearing previously held.

Mr. Hall recommended Council approve the resolution adopting the Greensville-Sussex-Emporia Regional Water Supply Plan.

Councilman Saunders made a motion adopt **Resolution No. 10-04** adopting the Greensville-Sussex-Emporia Regional Water Supply Plan, seconded by Councilwoman Temple, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

10-40. *Farmers' Market Site – Request to Solicit Proposals for Purchase of Property*

Mr. Thrower advised that as Council was aware, the City is currently developing a new site for the Farmers' Market located beside the Post Office at 107 South Main Street. He also advised that contractor bids for completion of site work and installation of the Farmers' Market structure are due on Friday, May 7, 2010. He further advised that the current home of the Farmers' Market is located on North Main Street between Valley Street and Virginia Avenue. He stated that the two city-owned parcels are identified as Tax Map numbers 162-A-12 and 142-A-103.

He stated that once the new site is completed, the City will have no identified use for the two parcels and recommended that Council authorize soliciting proposals from parties interested in purchasing the property. He also stated that if authorized, proposals submitted must include an

offer price and the intended use of these parcels. He further stated that should the offer be accepted, the property will be subject to all applicable zoning and building code requirements, including landscaping regulations. He advised that proposals will be due no later than Friday, June 11, 2010 by 4:00PM. He also advised that per state code requirements, a public hearing must be held before selling these parcels.

Mayor Adams inquired as to when the public hearing would be held. Mr. Thrower advised that he recommended advertising for proposals for the purchase of the old Farmers' Market Property, return the proposals to Council at the June 15, 2010 meeting and hold a public hearing at the first meeting in July.

Mayor Adams stated that he would emphasize in the solicitation for bids the fact that the purchase of this property includes landscaping regulations.

Councilman White made a motion approve the solicitation of proposals for purchase of old Farmers' Market site, seconded by Councilman Harris, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

10-41. NEAT Initiative Update – Lowground Road Area Neighborhood

Mr. Thrower stated that as part of the City's focus on property maintenance, crime deterrence, and neighborhood beautification, the Neighborhood enforcement Action Team (NEAT) will be turning its focus to the Lowground area neighborhood in Council Member Carey's District. He also stated that NEAT will be conducting a neighborhood walk-through on Friday May 7, 2010 starting at 9:00AM. He further stated that the team will be holding a neighborhood clean-up day Saturday, May 15, 2010 starting at 9:00AM. He advised that children, church members, and civic organizations are encouraged to help with the clean-up efforts.

He advised that the neighborhood clean-up day will be held in conjunction with the City's annual Spring Clean-up commencing May 10th and ending May 21st. He also advised that all City residents are encouraged to dispose of any bulky waste that may constitute a code violation.

This item was for Council's information.

10-42. Homeland Security Grant (DCJS) – Appropriation Ordinance

Mr. Thrower advised that the City of Emporia was awarded a State Homeland Security Program Grant by the Virginia Department of Criminal Justice Services (DCJS). He also advised that the \$17,000 grant is designated for the purchase of a license plate reader. He further advised that the license plate reader, also known as an automated license plate recognition system (ALPR), consists of three cameras mounted to the light bar of a patrol car and is capable of checking 3,600

license plates per minute. He stated that an officer on patrol is notified when the system detects a stolen/wanted car.

He stated that the funds were not include in the FY10 operating budget, as the availability of grant funds is unknown each year. He also stated that utilizing this award requires adoption of an ordinance to appropriate the funds into the City's FY10 operating budget. He further stated that DCJS will reimburse the City's General Fund Revenue Account for \$17,000 once all expenditures are submitted to DCJS for approval. He advised that the City will provide a \$482 match.

He recommended Council adopt the Ordinance to appropriate the funds into the FY10 budget.

Bernard Richardson, Chief of Police, stated that there would be three cameras on one car pointing in different directions.

Councilman Harris made a motion approve **Ordinance No. 10-23** appropriate the sum of \$17,000 into the FY10 operating budget, seconded by Councilwoman Temple, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

10-43. Water Bill Payments and Penalties ~ Dana Snow

Councilman Saunders stated that during the April 20, 2010 regular meeting of Council, Dana Snow brought a matter before Council regarding an issue she had with her water bill. He also stated that such issues as this were in conjunction with what was discussed at City Council's Retreat of trying to figure out a way to have some allowance by the Treasurer to make decisions in unusual circumstances.

He stated that that he did not think that Ms. Snow's water should not have been turned off for the \$10 late fee which was actually \$4.33, after an overpayment was applied. He also stated that the bill was paid but the late fee did not get paid. He further stated that some of the verbiage on the water bill may need to be updated so that it is a little more user friendly.

Mayor Adams inquired of Mr. Saunders if he was aware of the number of individuals that may be in the same circumstance as Ms. Snow and what the financial impact would be if Council sets a precedence of refunding fees. Councilman Saunders advised that he was not aware of how many other individuals may be in the same situation as Ms. Snow. He also advised that in Ms. Snow's situation, he felt that it was unfair that the bill was paid but the penalties were not paid in full.

Councilman Harris stated that a small majority of the individuals, on the cut-off list each month, are going to be a result of someone having paid their water bill but not the late fee.

Mr. Saunders made a motion to credit Ms. Snow's current bill, \$30 initial cut-off fee for late payment and \$30 to have the water turned back on for a total of \$60, seconded by Councilman Lankford seconded the motion which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

PUBLIC COMMENT

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

Dana Snow, 1182 Newsome Lane, addressed Council stating that she would like to know when the City began requiring individuals to pay the \$10 late fee the same month the bill was late. She also stated that prior to 2006, a citizen had to pay their bill in the current month or service was disconnected. She also advised that she always paid her bill between the 20th and 25th of the month which would have created a \$10 late fee and her water was never disconnected. She inquired as to when this policy changed and how was the public notified of the change.

She stated that she had an issue of her water not being turned off when she requested. She further stated that she moved from her residence on January 8th and received another bill for January 27th through February 26th.

She stated that she appreciated Council approving the \$60 credit but feels like she should not have to pay the bill from January 27th to February 26th when she had not been living at that residents for three weeks.

*****Closed Session*****

Councilman White move that Closed Session be entered for the purpose of discussing Virginia Code §2.2-3711(A) (1) **Personnel matter pertaining to the appointment of City Clerk and (A) (5) Discussing of prospective business where no previous announcement has been made.** Councilman Saunders seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

*****Regular Session*****

Councilman Harris moved that the meeting be returned to Regular Session. Councilwoman White seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

CERTIFICATION

Councilman Saunders moved to certify the following:

1. only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Session to which this certification applies, and
2. only such public business matter as were identified in the motion by which the Closed Session was convened were heard, discussed, or considered by City Council.

Councilman Lankford seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

ADJOURNMENT

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

Samuel W. Adams, III, Mayor

Lori R. Jarratt, Interim City Clerk