

CITY OF EMPORIA

PUBLIC HEARING

- 1. General Obligation Bond Issuance – Citizens National Bank Building**
- 2. FY13 Budget Amendment – Citizens National Bank Building**

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, November 20, 2012 - 7:30 P.M.

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

October 16, 2012 ~ Regular Meeting

APPROVAL OF BILLS

REPORTS

Financial and Tax Reports
Commissioner of the Revenue Report
Permit and Inspection Report
Police Report
Sheriff Report
Fire Report
City Attorney Report

APPROVAL OF AGENDA

NEW BUSINESS

- 12-92. Administrative Permit Fee Waivers
- 12-93. Stormwater Management Ordinance Amendment – Request to Hold Public Hearing
- 12-94. Farmers Market Rules and Regulations – Request to Allow Fine Arts and Crafts
- 12-95. VML Risk Management Grant Funds – Appropriation Ordinance
- 12-96. 2013 Highway Safety Project Grant (DMV) – Appropriation Ordinance
- 12-97. Drug Seizure Fund – Appropriation Ordinance
- 12-98. Boards and Commissions – Unexpired Terms (John W. Barrows)
- 12-99. Farmers Market Advisory Board Expirations – Bill Howell/Samuel Adams, III

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- 1. General Obligation Bond Issuance – Citizens National Bank Building**
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AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, November 20, 2012 - 7:30 P.M.

PUBLIC COMMENT

CLOSED SESSION

Closed Meeting pursuant to Virginia Code § 2.2 3711 (A) (5) Discussion of a prospective business.

* NOTICE *

Supporting documentation is currently being prepared for your review/consideration and will be distributed to you at the meeting.

Public Hearings

1. General Obligation Bond Issuance – Citizens National Bank Building
2. FY13 Budget Amendment – Citizens National Bank Building

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
October 16, 2012**

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, October 16, 2012 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 Minister Bruce Caper offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman L. Dale Temple
Councilwoman Carolyn S. Carey
Councilwoman Deborah D. Dixon
Councilwoman Doris T. White
Councilwoman Beverly White

Others present:

Samuel W. Adams, III, Mayor
Brian S. Thrower, City Manager
C. Butler Barrett, City Attorney
Steve B. Hall, Assistant City Manager
Tessie S. Wilkins, City Clerk
Joyce E. Prince, Commissioner of the Revenue
Don Wyatt, Chief of Police
W. S. Harris, Jr., Treasurer
Ken Ryals, Emergency Service Coordinator
Royal Jones, Public Works Director

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, October 2, 2012, City Council Regular meeting minutes as presented, seconded by Councilwoman D. White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

APPROVAL OF BILLS

A listing of the October 16, 2012 bills was presented to City Council members.

General Fund	\$	971,362.70
Utility Fund	\$	84,755.35

Councilwoman Temple moved to approve the October 16, 2012 bills as presented, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

FINANCIAL AND TAX REPORTS

Honorable W. S. Harris, Jr., City Treasurer provided his report to City Council members. There were no questions regarding his report.

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

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

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

NEW BUSINESS

12-90. Southside Regional Medical Center – Presentation by Mike Yungmann, CEO

Mr. Thrower reported that Mike Youngman, CEO of Southside Regional Medical Center (SRMC) would be in attendance to brief Council on the hospital's recent Certificate of a Public Need (COPN) application for Open Heart Surgery.

Mr. Mike Yungmann, CEO of Southside Regional Medical Center, reported that in 2008, SRMC applied to the Virginia State Health Commissioner for a Certificate of Public Need (COPN) to establish an open heart surgery program with two cardiac ORs. He also reported that the application was recommended for approval by the Central Virginia Health Planning Agency, the Division of Certificate of Need staff and the Commissioner's own Adjudication Officer.

Mr. Yungmann stated that in June 2009, for the first time in the history of the COPN program, the Commissioner denied the project with unanimous approvals from all reviewing agencies. He also stated that the Commissioner stated that she did consider the reduced travel times for residents of the Petersburg area and of the Southside Virginia area having access to open heart surgery services "much less important than protecting" the open heart surgery volumes of the Richmond area hospitals. He further stated that SRMC strongly disagrees with this reasoning, but the appeals were rejected by Virginia courts that relied on the Commissioner's discretion.

Mr. Yungmann reported that in 2012, SRMC filed a second application and had addressed the Commissioner's concerns. He also reported that SRMC proposed to have one operating room dedicated specifically to open heart surgery in order to serve patients in its cardiac service area, enabling them to remain closer to home for this life saving treatment. He further reported that SRMC is a regional referral hospital with 300 beds in the most populated area of Planning District 19.

Mr. Yungmann stated that SRMC already have a successful and highly regarded cardiac catheterization program (with tow labs) that is growing at an average rate of sixteen percent per year. He also stated that SRMC's cardiac catheterization program had been nationally recognized for its high quality of care. He further stated that the population growth is likely to continue. He reported that the over-55 population in SRMC's service area continues to grow at a healthy rate, and the over-65 population is expected to increase by 19.67% between 2010 and 2015.

Mr. Yungmann reported that SRMC's cardiac service area includes Prince George, Sussex, Surry, Southampton, Greenville, Dinwiddie, Nottoway, Mecklenburg, and Brunswick Counties, as well as the Cities of Petersburg, Colonial Heights, Hopewell, Emporia, and Franklin, and the Towns of Lawrenceville, South Hill, Blackstone, Courtland, Waverly, and Wakefield. He stated that many of the patients living in SRMC's cardiac service area are living in underserved, rural counties, and must travel distances up to sixty minutes, and some as much as eighty to ninety minutes, to access open heart surgery. He also stated that the families also face long travel times and added expenses to provide needed support to patients.

Mr. Yungmann stated that nearly half of all open heart surgery procedures are emergent or urgent. He also stated that travel time is critical. He reported that in 2010, approximately 229 patients traveled from SRMC's cardiac service area to Richmond for open heart surgery services. He stated that SRMC conservatively projects that it will perform 228 open heart surgeries by 2015, or by the second year of operation, which studies have shown will promote quality. He also stated that all Richmond area open heart facilities are operating at acceptable volume levels, and many of the facilities have seen their number of open heart surgery procedures increase since 2008. He further stated that SRMC's planning district has no open heart surgery providers. He stated that this was simply unacceptable and was not consistent with the state planning guidelines. He also stated that without open heart services, the scope of SRMC's cardiac services will be unfairly limited.

Councilman Harris stated that he find it interesting that you are here asking for the City support when you want to expand something, but when the City had a great deal of difficulty getting any kind of response at all from that corporation when they closed the OB facilities in the City of Emporia. He also stated that all of those points was excellent that you have raised, and we also raised at that time in consideration of our citizen here who were very much in need of that and were told you would not have to travel that much farther for what you need. He further stated that he doesn't object or oppose to what you are asking for at all. He stated that he just find it interesting that what we was told was an issue with the OB services is apparently not an issue with something that is maybe a little less insurance averse and perhaps more profitable for the hospital.

Mayor Adams stated that he find it quite ironic that the corporation that sent you down here to solicit support for something for them, when they took a service away from this hospital and would not even speak to us. He also stated that we will support you, even though your corporation would not support us in our fight to keep the OB open.

Councilman Saunders made a motion to adopt **Resolution No. 12-20** to support the application of Southside Regional Medical Center to establish an Open Heart Surgery Program seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris aye

Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

12-85. Crater Youth Care Commission Service Agreement Amendment – Request to Approve Resolution

Mr. Thrower stated that the Crater Youth Care Commission (CYCC) is requesting that each participating locality approve an amendment to the CYCC Service Agreement pertaining to the definition of “quorum.” He also stated that the proposed amendment states, “A majority of Commission members, or alternates present and voting in the place of absent members, shall constitute a quorum of the Commission for the transaction of business.”

Mr. Thrower reported that the reason behind the proposed amendment stems from the fact that Dinwiddie County has been granted another seat on the Commission due to its population growing to over 25,000. He also reported that this brings the membership count to a total of ten seats. He further stated that the current agreement states “Five members or alternatives present and voting in place of absent members shall constitute a quorum of the commission for the transaction of business.” He stated that the fact that the Commission is now comprised of ten members renders the current language inadequate since five is no longer a majority of the members.

He recommended that Council adopt the resolution.

Councilman Saunders made a motion to adopt **Resolution No. 12-17** approving the second amendment to the Crater Youth Care Commission service agreement, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

12-86. MAMaC Tobacco Commission Grant Application – Request to Adopt Resolution

Mr. Thrower reported that the City of Emporia, Greensville County, and Mecklenburg County had formed the Mid-Atlantic Advanced Manufacturing Center (MAMaC) Regional Industrial Facility Authority (RIFA), with the primary purpose of developing the MAMaC site. He also reported that the participating localities plan on submitting a joint grant application to the Tobacco Commission in the near future to complete property acquisition and to precede with site readiness activities.

Mr. Thrower stated that the resolution states that Emporia City Council supports the development of the MAMaC as a regional economic development opportunity, agrees to be a co-applicant in the upcoming Tobacco Commission grant application, and supports the Regional Industrial Facility Authority (RIFA) commitment of \$111,100 to further clear and mulch the site. He also stated that the RIFA commitment of \$111,100 will be borne entirely by the respective counties. He further stated that the Emporia's commitment to the project continues to be the Water Treatment Plant and Distribution System upgrade.

He recommended that Council approve the resolution supporting the Tobacco Commission grant application.

Councilman Saunders made a motion to adopt **Resolution No. 12-18** to support the Tobacco Commission grant application, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

12-87. City School Board/Greenville County School Board – Term Expirations

Mr. Thrower reported that on December 31, 2012 Ms. Janey Bush's four year terms on the Greenville County and City School Boards will expire. He stated that a notice will be published in the local newspaper indicating that a public hearing will be conducted on December 4, 2012 concerning the matter. He also stated that Ms. Bush has indicated that she does wish to be considered for reappointment.

Mr. Thrower reported that no action is required at this time. He also reported that Council will be requested to appoint an individual to this term on December 18, 2012.

12-88. FY13 Budget – Request to Hold Review Session

Mr. Thrower stated that he would like to hold a budget review session before the regularly scheduled meeting on Tuesday, November 20, 2012 at 6:30 p.m. to review FY13 revenue and expenditure figures.

He recommended that Council approve holding the session on this date and time.

Councilman Saunders made a motion to approve holding a budget review session before Council regularly scheduled meeting on Tuesday, November 20, 2012 at 6:30 p.m. to review FY13 revenue and expenditure figures, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye

Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

12-89. VDOT Revenue Sharing Program Application – Request to Approve Resolution

Mr. Hall stated that the FY13-18 VDOT Six Year Improvement Program (SYIP) contains three active projects for the City of Emporia; 1-95 Bridge Replacement, Halifax Street Bridge improvement and East Atlantic Street Reconstruction.

Mr. Hall reported that the VDOT Revenue Sharing Program is a 50/50 matching program with the goal of completing and fully funding SYIP projects. He also reported that these are given top priority for funding.

Mr. Hall stated that as it currently stands the City will need to provide \$455,800 of local funds to fully fund the East Atlantic project. He also stated that this figure is based on the difference between the current estimate of \$683,422 and the current available VDOT funding of \$227,622. He further stated that under the Revenue Sharing Program, the City may apply up to \$227,900 in funding (1/2 of City’s portion) to go toward completion of the project. He stated that it is worth noting any leftover funds from the Halifax Street Bridge project (estimated cost of \$979,000) may lessen the impact to the City and in turn lower the amount of requested funds through the Revenue Sharing Program.

Mr. Hall stated that the tentative schedule for UPC 93307 is as follows:

- 50% plan review: 12/3/12
- Environmental Document Submission: 1/18/13
- 90% plan review: 3/3/13
- Public Involvement: N/A – plan to hold a hearing prior to construction
- Advertisement: 7/1/13 (same as prior)
- Construction: 12/31/13 (same as prior, but hoping for construction to commence sooner)

Mr. Hall reported that in order to proceed, a resolution must first be approved by the local governing in support of the project.

He recommended that Council approve the resolution authorizing submittal of the application for VDOT funds up to \$227,900 for the East Atlantic Street Reconstruction project.

Councilman Saunders made a motion to adopt **Resolution No. 12-19** authorizing submittal of the application for VDOT funds up to \$227,900 for the East Atlantic Street Reconstruction project, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye

Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

12-91. Airport Commission – Request by Council Member Carolyn Carey

Mr. Thrower stated that Council Member Carolyn Carey requested this issue be put on tonight's agenda.

Councilwoman Carey stated that she was speaking on behalf of the concerned citizens on the Navy coming to Emporia Airport.

Councilwoman Carey made a motion that the City reject and oppose the utilization of the Emporia-Greenville Regional Airport as the Navy's E-2/C-2 field carrier landing practice operation which is better know as touch and go, seconded by Councilwoman D. White.

Councilman Harris stated that he understood the sentiments raised by the citizens that have understandable concerns about the Touch and Go. He also stated that he think it is premature to oppose something when all of the facts and the specifics of the proposal are not even known. He further stated that it would be advisable first to find out more facts about it. He stated that he would like to see a request made by the City to the Navy for immediate scheduling of fly over simulations, so that instead of believing what one group has said vs. what another group has said about how loud it's going to be, we can see for ourselves. He also stated that then we will have some factual basis to understand what it is that we are discussing and acting on before any such decision are made.

Councilman Harris made a motion that the City requests a simulation of the Navy as soon as it can be scheduled and that we table this motion until such time as we meet again in November.

Mayor Adams stated that Councilman Harris motion denied.

Councilwoman Carey made a motion that the City reject and oppose the utilization of the Emporia-Greenville Regional Airport as the Navy's E-2/C-2 field carrier landing practice operation which is better know as touch and go, seconded by Councilwoman D. White, which passed as follows:

Councilman F. Woodrow Harris	nay
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman 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.

Jessie O'Neary, 1912 Sunnyside Road, addressed Council stating that he didn't think that any more investigation needed to be done. He also stated that Council was supposed to be here to protect the citizens, and the citizens are concerned. He further stated that he wanted to take time to thank Council for thinking of the citizens.

Lori Poole, 4431 Southampton Parkway, addressed Council stating that the citizens are not complaining about the normal usage of the airport, but they are complaining about the excessive amount of usage.

Terri Doyle, 1626 James Junction, addressed Council by stating that she expresses her sincere appreciation for support of the Touch and Go and for listening to your constituents.

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

*****CLOSED SESSION*****

Councilman Saunders moved that Closed Session be entered for the purpose of discussing Virginia Code Sections § 2.2 3711 (A) (7) **Legal matter pertaining Shared Services and Social Services funding** seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

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

Councilwoman Dixon moved that the meeting be returned to Regular Session. Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

CERTIFICATION

Councilwoman Dixon 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.

Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

ADJOURNMENT

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

Samuel W. Adams, III, Mayor

Tessie S. Wilkins, City Clerk

Review of Bills

November 20, 2012

GENERAL FUND

LEGISLATIVE

Beverly White	75.00
Telpage, Inc.	79.90
Tessie S. Wilkins	72.95
Treasurer of Virginia - VITA	6.18
Verizon	14.05
Xerox Corporation	180.94

EXECUTIVE

Brunswick Times Gazette	621.00
City of Emporia - Petty Cash	7.27
Daily Herald	821.93
Elvin Hicks - Richmond Times	14.00
Greenberg & Associates	1,400.00
Independent Messenger	1,509.00
Pembroke Occupational Health	714.00
Pitney Bowes	1,551.99
Sadler Brothers Oil Company, Inc.	58.03
Sussex-Surry Dispatch	198.00
Telpage, Inc.	84.95
The Tidewater News	963.00
Treasurer of Virginia - VITA	14.96
Verizon	249.74
Verizon Wireless	49.62
Virginia Assoc. of Chiefs of Police	232.50
Xerox Corporation	192.01

LAW

Barrett Law Office, PC	1,454.33
C. Butler Barrett	834.94
LGA of Virginia, Inc.	300.00

REGISTRAR

Postmaster	180.00
Treasurer of Virginia - VITA	0.66
Verizon	14.05

SHERIFF

Sadler Brothers Oil Company, Inc.	629.94
Treasurer of Virginia - VITA	7.17
Verizon	92.95
Verizon Wireless	105.68
Virginia Sheriffs' Association	450.00

VICTIM WITNESS

VJCCCA/FAMILY VIOLENCE PREVENTION

Behavioral Interventions	19.95
Regina Gordon	150.00
Sadler Brothers Oil Company, Inc.	90.29
Telpage, Inc.	49.95
Treasurer of Virginia - VITA	13.65
Verizon	88.37
Verizon Wireless	440.14

SHARED SERVICES

County of Greensville	417,387.50
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FINANCE

Blue Cross/Blue Shield of Virginia	39,469.52
Telpage, Inc.	247.50
Treasurer of Virginia - VITA	5.88
Treasurer of Virginia - VRS	36,755.68
United Parcel Service	5.89
Verizon	41.90
Xerox Corporation	199.08

DEBT SERVICE

BB&T Governmental Finance	5,845.96
Carter Bank & Trust	23,554.09
First Citizens Bank	1,722.00
USDA Rural Development	5,000.00

NON-DEPARTMENTAL

Emporia-Greens. Local Law Library	146.00
Greensville-Emporia Health Dept.	15,424.75
Meherrin Regional Library	7,711.25
Meherrin River Arts Council	10,000.00
Treasurer, Virginia Tech	9,815.30

EMERGENCY SERVICES

Sadler Brothers Oil Company, Inc.	94.38
Treasurer of Virginia - VITA	5.18
Verizon	28.10
Verizon Wireless	49.62
Xerox Corporation	0.35

Review of Bills November 20, 2012

COMMISSIONER OF REVENUE/ASSESSOR

Commissioners of the Rev. Assoc.	100.00
Joyce Prince	51.62
Treasurer of Virginia - VITA	422.56
Verizon	60.07
Xerox Corporation	12.52

COURTS

Connie Louise Edwards, P.C.	120.00
Crater Youth Care Commission	13,942.00
Law Ofc. Of W. Wm. Robinson, III	120.00
Southside Regional Jail	119,073.00
Treasurer of Virginia - VITA	6.42
Verizon	83.57

FIRE

Amerigas Propane	641.67
Cintas Corporation	50.00
Dominion Virginia Power	1,077.36
Emporia Medical Associates, PC	1,750.00
Fire-X Corporation	168.00
Mecklenburg Electric Cooperative	26.72
Parker Oil Company, Inc.	338.67
Prince Squire Medical Center, PC	2,800.00
Sadler Brothers Oil Company, Inc.	147.44
Telpage, Inc.	39.95
Treasurer of Virginia - VITA	12.96
Verizon	112.40
Verizon Wireless	181.38

PARKS & RECREATION

Cintas Corporation	75.98
Jasper Engines & Transmissions	2,104.00
Sadler Brothers Oil Company, Inc.	92.66

ECONOMIC DEVELOPMENT

Jan Harrell	20.00
Sadler Brothers Oil Company, Inc.	88.65
Treasurer of Virginia - VITA	8.97
Verizon	14.05
Verizon Wireless	49.62
Xerox Corporation	2.34

ANIMAL CONTROL

Animal Hospital of Emporia	18.00
Holiday Inn	263.07
Joey Turner	178.53
Sadler Brothers Oil Company, Inc.	206.30
Verizon Wireless	30.23
Virginia Animal Control Association	150.00

TREASURER

City Directories	245.00
M & W Printers, Inc.	380.23
Treasurer of Virginia - VITA	412.91
University of Virginia	150.00
Verizon	129.59
Xerox Corporation	12.65

FACILITIES

Cintas Corporation	141.60
Commonwealth Exterminators, Inc.	220.66
County of Greensville	1,448.80
David W. Fladung	318.47
Dominion Virginia Power	3,993.45
Fidelity Engineering Corp.	1,431.49
Gary Edwards, Inc.	5,200.00
Independent Messenger	214.80
Lorenzo Cain	560.00
Mecklenburg Electric Cooperative	717.19
Morris Refrigeration Company, Inc.	1,301.16
Parker Oil Company, Inc.	151.37
Saunders & Ojeda, P. C.	1,700.00

PLANNING AND ZONING

American Housing Specialist	2,474.75
Azatak LLC	291.50
Barrett Law Office, PC	26,272.58
City Auto Hardware Appliance	1,528.47
Community Planning Partners, Inc.	1,105.69
Condor Construction & Development	28,975.00
Cynthia Batts	241.80
Emporia Inn, LLC	428.55
Emporia Storage	120.00
Independent Messenger	187.96
John L. Walston	606.10
Kyle Green	194.52
Patsy A. Brown	177.80
Russell Fence Company, Inc.	2,802.50
S. L. Hill Construction, Inc.	16,625.00
Sadler Brothers Oil Company, Inc.	266.27
Slate Enterprises, Inc.	663.83
Stantec Consulting Services, Inc.	8,115.00
Stephen T. Edwards	400.00
The Walston Group	347.58
Topping Enterprises	2,417.18
Treasurer of Virginia - VITA	6.78
Verizon	45.77
Verizon Wireless	123.40
William Chambliss	1,600.00
WorldView Solutions, Inc.	2,000.00
Xerox Corporation	199.55

Review of Bills November 20, 2012

POLICE

City of Emporia - Petty Cash	21.41
Department of Motor Vehicles	10.00
Dustan Jarratt	52.30
Emporia Medical Associates, PC	2,450.00
Glenn Garnes	193.00
Hilton Virginia Beach Oceanfront	559.96
Jasper Engines & Transmissions	3,131.05
Jerome Parker	54.00
Prince Squire Medical Center, PC	525.00
Rawlings Brothers Garage & Towing	150.00
Sadler Brothers Oil Company, Inc.	8,204.38
Sheehy Ford of Richmond	7,243.42
Stan Allen	193.00
Telpage, Inc.	59.95
The Wyndham Virginia Beach	1,149.12
Travis Allen	193.00
Treasurer of Virginia - VITA	2,066.84
United Parcel Service	3.69
Verizon	1,096.44
Verizon Wireless	652.78

PUBLIC WORKS

Archie Johnson	50.00
Chester Hydraulics, Inc.	1,647.45
Cintas Corporation	1,282.57
Commercial Ready Mix	1,810.50
Dominion Virginia Power	6,992.61
Fuel Freedom Card	5,015.65
Greensville County Landfill	14,273.70
Independent Messenger	275.31
Mecklenburg Electric Cooperative	1,530.38
Ogburn Sign Co., LLC	285.00
Rightmyer Machine Rentals	1,084.94
Sadler Brothers Oil Company, Inc.	2,804.67
Southside Regional Jail	791.00
Telpage, Inc.	39.95
Toter, Inc.	11,417.00
Treasurer of Virginia - VITA	11.44
Verizon	250.93
Verizon Wireless	225.78
Virginia Employment Commission	1,752.64

TOTAL GENERAL FUND \$928,681.54

UTILITY FUND

Aquionics, Inc.	996.46
Blue Cross/Blue Shield of Virginia	8,037.52
Brenntag Southeast, Inc.	352.24
Carter Bank & Trust	52,123.59
Cintas Corporation	771.84
Cobb Technologies, Inc.	78.00
Dewberry & Davis, Inc.	32,777.50
Dominion Virginia Power	4,511.19
Fortiline Waterworks	4,046.97
Fuel Freedom Card	456.72
Hach Company	945.00
Hampton Roads Sanitation District	376.89
Independent Messenger	53.70
Mecklenburg Electric Cooperative	6,252.94
Miller Supply Company	497.00
Parker Oil Company, Inc.	1,935.22
Postmaster	708.00
Rawlings Brothers Garage & Towing	250.00
Sadler Brothers Oil Company, Inc.	1,783.38
Sash & Door Building Supply, Inc.	25.00
Suffolk Solutions	2,824.86
Telpage, Inc.	79.90
Total Products Company	93.69
Treasurer of Virginia - DEQ	5,208.00
Treasurer of Virginia - VITA	19.68
Treasurer of Virginia - VRS	8,921.21
United Parcel Service	36.13
Univar USA, Inc.	7,051.20
Verizon	767.82
Verizon Wireless	181.38
VUPS	42.19
Xerox Corporation	0.08

TOTAL UTILITY FUND \$142,205.30

**CITY OF EMPORIA
CITY COUNCIL MEETING
November 20, 2012
AGENDA MEMORANDUM**

**SUBJECT: FINANCIAL STATEMENT
COLLECTIONS 2010-2012
COLLECTIONS 2007-2009
DELINQUENT TAX SUMMARY-ALL YEARS
2012 PPTRA ALLOTMENT-COMPARISON
SALES & USE TAX COMPARISON
MONTHLY UTILITY DEPT. COMPARISON
CUT OFFS FOR UTILITY CUSTOMERS
UNCOLLECTED UTILITY BILLS
BOOT COLLECTIONS**

W. S. HARRIS, JR., TREASURER

Financial Statement

October 31, 2012

CHECKING / DAILY INVESTMENT

General Fund

Utility Fund

703,883.91

580,187.48

CERTIFICATES OF DEPOSIT / INVESTMENTS

FIRST COMMUNITY BANK	\$384,235.98	MMF @ .10%	NA	GF
FIRST COMMUNITY BANK	\$1,500,000.00	12 Mos @ .45%	1/6/2013	GF
CARTER BANK & TRUST	\$1,003,986.02	6 Mos @ .45%	1/10/2013	GF
CARTER BANK & TRUST	\$1,003,986.02	6 Mos @ .45%	1/10/2013	GF
CARTER BANK & TRUST	\$213,590.73	12 Mos @ 1.05%	2/3/2013	GF
CARTER BANK & TRUST	\$517,121.13	12 Mos @ 1.05%	2/3/2013	GF
CARTER BANK & TRUST	\$517,121.13	12 Mos @ 1.05%	2/3/2013	GF
CARTER BANK & TRUST	\$517,121.13	12 Mos @ 1.05%	2/3/2013	GF
FIRST COMMUNITY BANK	\$504,240.72	MMF @ .10%	NA	UT
FIRST COMMUNITY BANK	\$500,000.00	12 Mos @ .45%	1/6/2013	UT
CARTER BANK & TRUST	\$501,743.45	6 Mos @ .45%	1/10/2013	UT

Oct-12

RECAP OF 2010 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE (F)
				(Cols. A+B-C) (D)	TO DATE (E)	
Real Estate	2,976,993.81	0.00	3,324.20	2,973,669.61	2,951,364.58	22,305.03
Personal Property	1,141,435.34	99,940.97	55,984.84	1,185,391.47	1,166,935.42	18,456.05
Decals	107,658.50	9,563.00	5,294.15	111,927.35	108,081.57	3,845.78
Personal Property Relief	578,916.57	34,959.61	27,737.21	586,138.97	577,178.83	8,960.14
Public Service	165,731.98	0.00	8,167.59	157,564.39	157,564.39	0.00
TOTAL	4,970,736.20	144,463.58	100,507.99	5,014,691.79	4,961,124.79	53,567.00
<u>2010 Real Estate Tax Collections</u>		<u>99.25%</u>	<u>2010 Personal Property Tax Relief</u>		<u>98.47%</u>	
<u>2010 Personal Property Tax Collections</u>		<u>98.44%</u>	<u>2010 Public Service Tax Collection</u>		<u>100.00%</u>	

RECAP OF 2011 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE (F)
				(Cols. A+B-C) (D)	TO DATE (E)	
Real Estate	2,984,406.93	0.00	3,000.24	2,981,406.69	2,944,744.41	36,662.28
Personal Property	1,244,373.63	26,690.75	32,656.82	1,238,407.56	1,227,332.99	11,074.57
Decals	111,029.00	8,475.00	5,728.43	113,775.57	106,855.28	6,920.29
Personal Property Relief	557,964.29	30,384.27	28,863.55	559,485.01	545,104.44	14,380.57
Public Service	156,479.42	0.00	0.00	156,479.42	156,479.42	0.00
TOTAL	5,054,253.27	65,550.02	70,249.04	5,049,554.25	4,980,516.54	69,037.71
<u>2011 Real Estate Tax Collections</u>		<u>98.77%</u>	<u>2011 Personal Property Tax Relief</u>		<u>97.43%</u>	
<u>2011 Personal Property Tax Collection</u>		<u>99.11%</u>	<u>2011 Public Service Tax Collection</u>		<u>100.00%</u>	

RECAP OF 2012 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE (F)
				(Cols. A+B-C) (D)	TO DATE (E)	
Real Estate	3,019,463.59	0.00	541.94	3,018,921.65	449,306.34	2,569,615.31
Personal Property	1,224,318.90	59,906.91	27,959.20	1,256,266.61	1,202,375.96	53,890.65
Decals	104,243.00	5,794.00	3,387.50	106,649.50	82,846.40	23,803.10
Personal Property Relief	560,183.75	51,751.59	36,748.90	575,186.44	491,512.48	83,673.96
Public Service	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	1,888,745.65	117,452.50	68,637.54	4,957,024.20	2,226,041.18	2,730,983.02
<u>2012 Real Estate Tax Collections</u>		<u>14.88%</u>	<u>2012 Personal Property Tax Relief</u>		<u>85.45%</u>	
<u>2012 Personal Property Tax Collections</u>		<u>95.71%</u>	<u>2012 Public Service Tax Collection</u>		<u>0.00%</u>	
<u>2012 License Fee Collections</u>		<u>77.68%</u>				

Oct-12

RECAP OF 2007 TAXES

<i>TYPE OF TAX</i>	<i>BAL. FWD.</i> (A)	<i>SUPPLEMENTS</i> (B)	<i>ABATEMENTS</i> (C)	<i>ADJUSTED LEVY</i> (Cols. A+B-C) (D)	<i>COLLECTIONS</i> TO DATE (E)	<i>BALANCE DUE</i> (F)
Real Estate	2,673,531.26	29,166.22	14,468.19	2,688,229.29	2,683,631.34	4,597.95
Personal Property	1,270,481.69	232,305.66	109,391.44	1,393,395.94	1,389,263.18	4,132.73
Decals	444,139.00	30,539.61	8,576.33	466,102.28	463,228.60	2,873.68
Personal Property Relief	549,911.50	5,471.39	137,247.89	418,135.00	411,934.36	6,200.64
Public Service	140,577.17	4,462.35	0.00	145,039.52	145,039.52	0.00
TOTAL	5,078,640.62	301,945.23	269,683.85	5,110,902.00	5,093,097.00	17,805.00
2007 Real Estate Tax Collections		99.83%	2007 Personal Property Tax Relief		99.38%	
2007 Personal Property Tax Collections		99.70%	2007 Public Service Tax Collection		100.00%	

RECAP OF 2008 TAXES

<i>TYPE OF TAX</i>	<i>BAL. FWD.</i> (A)	<i>SUPPLEMENTS</i> (B)	<i>ABATEMENTS</i> (C)	<i>ADJUSTED LEVY</i> (Cols. A+B-C) (D)	<i>COLLECTIONS</i> TO DATE (E)	<i>BALANCE DUE</i> (F)
Real Estate	2,703,731.80	15,916.97	11,236.65	2,708,412.12	2,701,212.04	7,200.08
Personal Property	1,288,745.41	42,594.01	82,647.30	1,248,692.12	1,241,985.15	6,706.97
Decals	110,269.50	9,823.17	6,545.00	113,547.67	108,994.73	4,552.94
Personal Property Relief	548,290.97	39,726.80	28,914.65	559,103.12	548,510.95	10,592.17
Public Service	149,011.30	5,341.13	5,341.13	149,011.30	149,011.30	0.00
TOTAL	4,800,048.98	113,402.08	134,684.73	4,778,766.33	4,749,714.17	29,052.16
2008 Real Estate Tax Collections		99.73%	2008 Personal Property Tax Relief		98.11%	
2008 Personal Property Tax Collection		99.46%	2008 Public Service Tax Collection		100.00%	

RECAP OF 2009 TAXES

<i>TYPE OF TAX</i>	<i>BAL. FWD.</i> (A)	<i>SUPPLEMENTS</i> (B)	<i>ABATEMENTS</i> (C)	<i>ADJUSTED LEVY</i> (Cols. A+B-C) (D)	<i>COLLECTIONS</i> TO DATE (E)	<i>BALANCE DUE</i> (F)
Real Estate	2,942,633.61	3,808.18	6,400.94	2,940,040.85	2,925,730.04	14,310.81
Personal Property	1,214,926.66	219,196.50	219,483.52	1,214,639.64	1,209,428.34	5,211.30
Decals	110,991.50	6,951.00	7,526.50	110,416.00	105,737.97	4,678.03
Personal Property Relief	524,152.89	38,891.54	17,349.89	545,694.54	537,000.06	8,694.48
Public Service	121,797.85	0.00	0.00	121,797.85	121,797.85	0.00
TOTAL	4,914,502.51	268,847.22	250,760.85	4,932,588.88	4,899,694.26	32,894.62
2009 Real Estate Tax Collections		99.51%	2009 Personal Property Tax Relief		98.41%	
2009 Personal Property Tax Collection		99.57%	2009 Public Service Tax Collection		100.00%	

DELINQUENT TAX SUMMARY - FY 2012-2013

October-12

REAL ESTATE TAXES

Tax Year	Balance July 1	Supplements Added	Abatements	Bankruptcy Charge-Offs	Credit Card Collections	Collected to This Month	Collected This Month	Balance
2006	\$4,778.82	\$0.00	\$0.00	\$0.00	\$0.00	\$815.89	\$0.00	\$3,962.93
2005	\$2,874.35	\$0.00	\$0.00	\$0.00	\$0.00	\$48.14	\$8.15	\$2,818.06
2004	\$1,552.93	\$0.00	\$0.00	\$0.00	\$0.00	\$48.14	\$0.00	\$1,504.79
2003	\$1,301.16	\$0.00	\$0.00	\$0.00	\$0.00	\$52.08	\$0.00	\$1,249.08
2002	\$815.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$815.64
2001	\$668.89	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$668.89
2000	\$378.84	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$378.84
1991-1999	\$2,183.52	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,183.52
TOTAL	\$14,554.15	\$0.00	\$0.00	\$0.00	\$0.00	\$964.25	\$8.15	\$13,581.75

PERSONAL PROPERTY TAX

Tax Year	Balance July 1	Supplements Tx Relief	Abatements	Bankruptcy Charge-Offs	Credit Card Collections	Collected To This Month	Collected This Month	Balance
2006 Net Tax	\$4,268.98	\$0.00	\$0.00	\$0.00	\$0.00	\$18.68	\$0.00	\$4,250.30
2005 Net Tax	\$5,828.49	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11.67	\$5,816.82
2004 Net Tax	\$2,144.97	\$0.00	\$0.00	\$0.00	\$0.00	\$73.87	\$19.34	\$2,051.76
2002-2003	\$6,116.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,116.99
TOTAL	\$18,359.43	\$0.00	\$0.00	\$0.00	\$0.00	\$92.55	\$31.01	\$18,235.87

Grand Total of All Delinquent	\$32,913.58	\$0.00	\$0.00	\$0.00	\$0.00	\$1,056.80	\$39.16	\$31,817.62
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2012 PPTRA ALLOTMENT - COMPARISON

TOTAL ALLOTMENT FROM STATE - \$570,316.00

TOTAL PPTRA ASSESSED - 63.00% **\$560,183.75**

COLLECTIONS THRU PAID BILLS

Jun-12	\$77,473.15
Jul-12	\$213,837.12
Aug-12	\$143,904.62
Sep-12	\$30,290.88
Oct-12	\$23,006.71

ABATEMENTS **-\$36,748.90**

SUPPLEMENTS **\$51,751.59**

TOTAL REMAINING FROM UNPAID BILLS **\$83,673.96**

1st Payment from State **\$145,727.85** **07/31/12**

2nd Payment from State **\$169,836.72** **08/15/12**

Local Sales & Use Tax Collection Comparison

Local Sales & Use Tax

Month	2010 Calendar Year	2011 Calendar Year	2012 Calendar Year	2013 Calendar Year
	Collected	Collected	Collected	Collected
January	\$123,188.30	\$110,239.00	\$127,062.93	
February	\$124,584.85	\$125,876.99	\$126,296.95	
March	\$98,553.01	\$104,593.90	\$102,337.33	
April	\$101,965.72	\$119,737.24	\$137,369.57	
May	\$116,312.04	\$123,865.11	\$135,414.13	
June	\$113,585.83	\$131,026.53	\$110,435.22	
July	\$117,703.51	\$180,490.56	\$116,536.54	
August	\$126,634.72	\$53,547.37	\$117,795.21	
September	\$124,733.84	\$119,307.80	\$125,411.89	
October	\$121,693.93	\$123,419.00	\$111,125.40	
November	\$121,716.50	\$119,256.67		
December	\$101,874.52	\$117,432.90		
Yearly Total	\$1,392,546.77	\$1,428,793.07	\$1,209,785.17	\$0.00

State Sales & Use Tax Collection Comparison

State Sales & Use Tax

Month	2010 Calendar Year	2011 Calendar Year	2012 Calendar Year	2013 Calendar Year
	Collected	Collected	Collected	Collected
January	\$81,853.28	\$76,745.66	\$81,464.16	
February	\$84,478.90	\$92,440.02	\$91,897.24	
March	\$65,632.54	\$63,957.82	\$72,512.86	
April	\$57,976.52	\$69,216.00	\$70,609.86	
May	\$77,024.82	\$78,000.40	\$85,665.32	
June	\$80,105.98	\$85,721.72	\$85,637.98	
July	\$68,470.08	\$72,832.12	\$78,791.66	
August	\$86,929.30	\$84,321.66	\$89,692.72	
September	\$73,798.74	\$74,027.06	\$80,905.18	
October	\$70,426.24	\$78,763.86	\$83,390.34	
November	\$77,002.46	\$77,775.18		
December	\$76,745.66	\$77,868.98		
Yearly Total	\$900,444.52	\$931,670.48	\$820,567.32	\$0.00

**Monthly Comparison of
Collected Utility Fund Revenue & Completed Service Orders**

FY12-13

	July	August	September	October	November	December
Water	90,099.63	101,686.13	113,727.66	103,298.73		
Sewer	98,186.35	105,530.11	114,139.91	106,162.32		
Meter Charge	4,442.98	4,539.38	4,562.68	4,431.23		
Water Taps	0.00	3,000.00	0.00	0.00		
Sewer Taps	0.00	4,000.00	0.00	0.00		
Sale of Materials	0.00	57.00	42.25	0.00		
Penalties	5,178.78	5,241.93	5,660.54	4,340.84		
Cut on/off Fees	4,320.00	2,610.00	4,350.00	3,420.00		
Water Sales-Bulk Water	367.23	646.70	11.79	0.00		
Sewer Services	535.01	15,603.87	0.00	0.00		
Miscellaneous	0.00	1,000.00	50.00	0.00		
Total Revenue For the Month	203,129.98	243,915.12	242,544.83	221,653.12	0.00	0.00

	January	February	March	April	May	June	YTD Category Ttl
Water							408,812.15
Sewer							424,018.69
Meter Charge							17,976.27
Water Taps							3,000.00
Sewer Taps							4,000.00
Sale of Materials							99.25
Penalties							20,422.09
Cut on/off Fees							14,700.00
Water Sales-Bulk Water							1,025.72
Sewer Services							16,138.88
Miscellaneous							1,050.00
Total Revenue for the Month	0.00	0.00	0.00	0.00	0.00	0.00	

	July	August	September	October	November	December
Service Orders						
Ttl Off/On Requests	59	60	54	47		
Ttl Leak Inquiries	15	17	23	31		
Ttl Service Orders For the Month	74	77	77	78	0	0

	January	February	March	April	May	June	YTD Order Totals
Service Orders							
Ttl Off/On Requests							220
Ttl Leak Inquiries							86
Ttl Service Orders For the Month	0	0	0	0	0	0	

YTD Revenue Total All Depts. **911,243.05** YTD Service Order **306**

**REPORT OF CUT OFFS TO UTILITY ACCOUNTS SINCE
EXTENSION OF PAYMENTS TO NEXT MONTH**

JULY 06 STARTED CHANGE-DID NOT CUT WATER OFF THIS MONTH

AUGUST	24
SEPTEMBER	55
OCTOBER	45
NOVEMBER	27
DECEMBER	77

2007		2008		2009		2010	
JANUARY	58	JANUARY	45	JANUARY	62	JANUARY	103
FEBRUARY	32	FEBRUARY	63	FEBRUARY	56	FEBRUARY	44
MARCH	35	MARCH	71	MARCH	74	MARCH	46
APRIL	49	APRIL	44	APRIL	28	APRIL	63
MAY	63	MAY	71	May	56	MAY	86
JUNE	66	JUNE	82	June	86	JUNE	58
JULY	76	JULY	67	JULY	53	JULY	74
AUGUST	67	AUGUST	86	AUGUST	90	AUGUST	78
SEPTEMBER	75	SEPTEMBER	94	SEPT	49	SEPTEMBER	66
OCTOBER	93	OCTOBER	43	OCTOBER	72	OCTOBER	86
NOVEMBER	51	NOVEMBER	39	NOVEMBER	46	NOVEMBER	54
DECEMBER	71	DECEMBER	71	DECEMBER	130	DECEMBER	44

2011		2012	
JANUARY	86	JANUARY	68
FEBRUARY	30	FEBRUARY	45
MARCH	31	MARCH	48
APRIL	48	APRIL	70
MAY	83	MAY	43
JUNE	281	JUNE	79
JULY	130	JULY	80
AUGUST	85	AUGUST	75
SEPTEMBER	83	SEPTEMBER	63
OCTOBER	66	OCTOBER	68
NOVEMBER	86	NOVEMBER	
DECEMBER	61	DECEMBER	

UNCOLLECTED UTILITY BILLS

BEGINNING BALANCE JULY 2006	54043.62	54043.62
BALANCE ADDED AFTER 2 MONTHS EXT	31012.65	85056.27
BALANCES ADDED FOR 2009	10028.85	95085.12
COLLECTIONS 2009	-4577.96	90507.16
BALANCES ADDED FOR 2010	56074.78	146601.94
COLLECTIONS 2010	-21349.82	125252.12
BALANCES ADDED FOR 2011	43729.33	168981.45
COLLECTIONS 2011	-30063.76	138917.69
BALANCES ADDED JAN. 2012	3654.19	142571.88
COLLECTIONS JAN. 2012	-899.57	141672.31
BALANCES ADDED FEB 2012	1744.45	143417.06
COLLECTIONS FEB. 2012	-5820.42	137596.64
BALANCES ADDED MAR. 2012	1306.93	138903.57
COLLECTIONS MAR. 2012	-1411.41	137492.16
BALANCES ADDED APRIL 2012	1861.07	139353.23
COLLECTIONS APRIL 2012	-2583.37	136769.86
BALANCES ADDED MAY 2012	1819.82	138589.68
COLLECTIONS MAY 2012	-1846.15	136743.53
BALANCES ADDED JUNE 2012	2046.65	138790.18
COLLECTIONS JUNE 2012	-2410.73	136379.45
BALANCES ADDED JULY 2012	1567.99	137947.44
COLLECTIONS JULY 2012	-1688.30	136259.14
BALANCES ADDED AUGUST 2012	2905.09	139164.23
COLLECTIONS AUGUST 2012	-901.35	138262.88
BALANCES ADDED FOR SEPTEMBER 2012	2364.19	140627.07
COLLECTIONS SEPTEMBER 2012	-3061.59	137565.48
BALANCES ADDED FOR OCTOBER 2012	4431.95	141997.43
COLLECTIONS OCTOBER 2012	-1999.46	139997.97

BOOT COLLECTIONS

STARTING DATE 1-25-12

GOOD THRU 09-30-12

AMOUNT COLLECTED FOR CITY \$73,971.18

RE TAX 42464.84

PP TAX 19809.02

UTILITY 5521.25

OTHER(DEMO/WEED 6175.47

AMOUNT COLLECTED FOR VAC \$28,565.03

TOTAL \$102,536.21



Commissioner of the Revenue
P. O. Box 956
Emporia, Virginia 23847
TELEPHONE (434) 634-5405

November 8, 2012

JOYCE E. PRINCE
COMMISSIONER

LISA D. COUNCIL
DEPUTY COMMISSIONER

The Honorable Mayor
City Council
City Manager

Dear Members of Council:

During the month of October a total of \$1,960.03 was processed for City Business License.

Transient tax totaled \$69,940.48 for the month of September and processed during October.

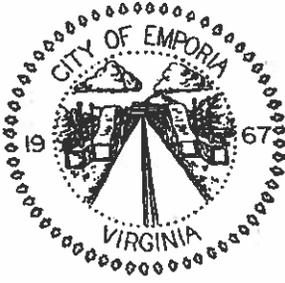
Meal tax processed during the month of October totaled \$129,943.38 with an additional \$6,952.31 for prior years.

The usual comparison of meal and transient tax processed during October to the same time period last year is as follows:

	<u>September 2011</u>	<u>September 2012</u>
Meal Tax	\$ 136,711.53	\$ 129,943.38
Transient Tax	\$ 81,863.96	\$ 69,940.48

Respectfully,

Joyce E. Prince



CITY OF EMPORIA

DEPARTMENT OF INSPECTIONS

**October - 2012
Code Enforcement Monthly Report**

Notices Issued

Resolved

Inoperable Vehicles - 1

2- By Owner

Weeds / Grass - 3

**3- By Owner
10- By City Contractor**

Property Maintenance - 4

12- By Owner

Zoning - 0

0- By Owner

Cases Turned Over To City Attorney – 3

Total Notices Issued – 8

Invoiced Notices- 10

**Weeds / Grass – 10
Inoperable Vehicle- 0
Demolition- 0**

**Total- Weeds/ Grass- \$2000.77
Inoperable Vehicles- 0
Demolition- 0
Total Amount- \$2000.77**

Signature :

A handwritten signature in black ink, appearing to be "D. Spivey", written over a horizontal line.

Supervisor :

A handwritten signature in black ink, appearing to be "D. Spivey", written over a horizontal line.

**Emporia Police Department
Arrests by Race**

October 2012

	Black	%	White	%	Other	%
Criminal Arrests	53	82%	11	17%	1	2%
Selective Tickets	297	37%	431	54%	72	9%
Regular Tickets	37	69%	15	28%	2	4%

IBR Offense Counts 10/1/2012-10/31/2012 Emporia Police Department

1	120-Robbery
1	13A-Aggravated Assault
8	13B-Simple Assault
3	13C-Intimidation
5	220-Burglary/Breaking & Entering
6	23C-Shoplifting
5	23F-Theft From Motor Vehicle
1	23G-Theft of Motor Vehicle Parts or Accessories
6	23H-All Other Larceny
4	240-Motor Vehicle Theft
1	26B-Credit Card/Automatic Teller Machine Fraud
10	290-Destruction/Damage/Vandalism of Property
6	35A-Drug/Narcotic Violations
1	520-Weapon Law Violations
1	90B-Curfew/Loitering/Vagrancy
3	90D-Driving Under the Influence
5	90E-Drunkenness
2	90G-Liquor Law Violations
36	90Z-All Other Offenses
	36 Unclassified 90Z

105	Total Offenses Reported
122	Total Incidents Reported

CONSENT SEARCHES

DATE	RACE	REASON	RESULTS	ARREST
10/25/12	b/m	Suspicious Person	Marijuana	yes
10/31/12	b/m	Loud music	Marijuana	yes

Criminal Arrestees

October 2012

Resident – 54

Non-resident - 11

**Noise complaints
October 2012**

Loud Music from Vehicle – 2	1 summons issued
Loud Music from Residence – 2	no summons

Schools

October 2012

C. Clary attended Peer Support Training at Crater October 9-11.

J. Turner attended VACA School in Charlottesville October 17-19.

S. Allen, T. Allen, and G. Garnes attended Gang Conference October 23-26.

City of Emporia Sheriff's Office



201 South Main Street
P. O. Box 511
Emporia, VA 23847
Phone: (434) 634-4671



November 1, 2012

From the Office of:

Sheriff Sam C. Brown

**The Honorable Mayor
City Manager
Honorable Members of City Council**

Dear Members of City Council:

The Emporia Sheriff's Office spent approximately 217 hours in General District and Juvenile & Domestic Relations Court in October, 2012. We served a total of 458 civil papers. These are broken down as follows:

Change in Payee	1
Detention Order	7
Debt	16
Detinue	6
Emergency Custody	1
Emergency Removal	1
Garnishments	12
Interrogatories	2
Misdemeanor Warrants	36
Notice of Lien	3
Notice	5
Protective Order	9
Show Cause	27
Subpoena duces tecum	8
Support Order	3
Summons	295
Transportation	13
Unlawful Detainer	8
Writ of Possession	5

We collected \$72.00 Sheriff Fees for the month of October, 2012. We had 12 transports for the month.

Sincerely,

A handwritten signature in cursive script that reads "Sam C. Brown".

Sam C. Brown, Sheriff

Detailed Selected Statistics & Management Activity

Selected Coded Field: Basic: Incident Type

Report Period: From 10/01/2012 to 10/31/2012

CODE	DESCRIPTOR	FREQUENCY	FREQ. PERCENT	EXPs	AVG # SUPPR PERS	AVG # EMS PERS	AVG # OTHER PERS	AVG # SUPPR APPR	AVG # EMS APPR	AVG # OTHER APPR	AVERAGE # MAN HOURS	TOTAL MAN HOURS	AVERAGE RESPONSE TIME (min)
142	Brush, or brush and grass mixture fire	1	4.76 %	0	15.00	0.00	1.00	3.00	0.00	1.00	20.80	20.80	14.00
170	Cultivated vegetation, crop fire, other	1	4.76 %	0	2.00	0.00	1.00	1.00	0.00	1.00	2.25	2.25	13.00
322	Vehicle accident with injuries	5	23.81 %	0	10.80	0.00	0.80	2.00	0.00	0.80	10.33	51.63	9.80
324	Motor vehicle accident with no injuries	4	19.05 %	0	9.00	0.00	1.00	2.00	0.00	1.00	4.45	17.80	6.50
531	Smoke or odor removal	3	14.29 %	0	13.33	0.00	1.00	3.00	0.00	1.00	6.70	20.10	8.33
611	Dispatched & canceled en route	6	28.57 %	0	5.67	0.00	1.00	1.17	0.00	1.00	1.64	9.83	12.00
700	False alarm or false call, other	1	4.76 %	0	18.00	0.00	1.00	4.00	0.00	1.00	9.82	9.82	8.00
Totals		21	100.00 %	0	9.48	0.00	0.95	2.00	0.00	0.95	6.30	132.23	9.19
Mutual Aid Given Incidents		0											



CITY OF EMPORIA

Memorandum

November 16, 2012

TO: Honorable Mayor and City Council

FROM: Steven B. Hall, Assistant City Manager *SH*

SUBJECT: Administrative Permit Fee Waivers

ITEM #: 12-92

This item originated and was referred to staff for research at your September 5, 2012 Regular Meeting due to continual requests from various groups and organizations for permit fee waivers (building, zoning, sign, etc.) and the City's existing policy of bringing all such requests before Council individually for consideration.

Per your direction, eleven Virginia localities were contacted regarding fee waiver "policies." Ten localities provided feedback. In summation, there exists a blend between no waivers (3), governing body waivers (5) and administrator waivers (2). None of the localities I contacted have a written policy or code section regarding fee waivers, only in instances of Enterprise Zone incentives is a policy in writing.

Recommendation

I recommend one of two options. One; continue to bring individual requests to City Council for determination or two; implement a policy of no fee waivers regardless of use/applicant unless a project is located in the proposed enterprise zone and/or as part of a larger economic development deal. Your direction is requested.

Attachments

Locality Research – Permit Fee Waivers

Administrative Permit Fee Waivers

Greenville County (Board) – Per Lin Pope, Planning Director: nothing written, present to Board, Board waives, Natalie through the Enterprise Zone can – only place it is written, same for any other fee waiver

Brunswick County (Board) – Per Dawn Washburn, Planning & Building Services Technician, waive permit fees for churches and CDBG nothing else, any other waivers have to go to Board for approval. Nothing in Code pertaining to church fee waivers, only in Board minutes.

Dinwiddie County (Board) – Per Mark Bassett, Planning Director: nothing written, referred to County Administrator, he takes to Board, they make determination – Water Authority addresses their own – based on the Authority Board

Southampton County (Admin) – Per John Jenkins, Community Development: fees are waived at times – through County Administrator office – no written code, non-profits/churches decision made solely by County Administrator. Trash fee waiver only if qualified (based on income).

Sussex County (Admin) – Per Administrative Assistant: Building Dept. waive building fees agricultural zoned areas, but still must pay zoning fee – any other fee waivers would have to go the County Administrator for determination. No written code.

Mecklenburg County (Board) – Sent electronic request. Response: The Mecklenburg County Board of Supervisors has approved Churches and Housing Rehab Projects be exempt from Building Permit fees. Any additional fee exemptions are taken to the Board of Supervisors as they arise. For example, the BOS has, in the past, waived Zoning Permit fees for Rescue Squads and Fire Departments but that has been done on a case by case basis. Wayne Carter, County Administrator, says that Churches exempt from Building Permits is State Code. Mecklenburg County exempting Housing Rehab Projects or any other permit fee waivers are reflected in the Board Minutes.

Town of South Hill (None) – Per Kim Callis, Town Manager: Town does not waive fees. Civic Organizations pay fees. South Hill has an enterprise zone – waiver of a portion of fees contingent upon jobs and other – limit of up to \$5,000.

City of Martinsville (None) – Per Wayne Knox, Director of Community Development, if in an enterprise zone – waived, if not in zone nothing is waived unless “special” incentives for deals to work.

City of Suffolk (None) – Per Patrick Roberts, Deputy City Manager – no fee waivers in City Code, City of Suffolk does not waive fees. Apply all fees evenly unless incentives in place.

City of Franklin (Board) – Per Administrative Assistant

City of Bedford (N/A) – Per Deborah Administrative Assistant: deposit fees waived by upper management for utilities, no written policy for fee waivers – left voicemail for Bart Warner, Assistant City Manager/Director of Planning and Community Development for additional information.



CITY OF EMPORIA

Memorandum

November 16, 2012

TO: The Honorable Mayor and City Council

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

SUBJECT: Stormwater Management Ordinance Amendment – Request to Hold Public Hearing

ITEM #: 12-93

Attached are proposed amendments to the City's Stormwater Management ordinance. In particular, the proposed amendments serve to clarify that the City retains the authority to maintain existing ditches and driveway pipes located within the right of way in order to ensure adequate drainage flow and to minimize damage to surrounding property.

The proposed amendments also clarify that the City will maintain existing manmade stormwater drainage systems or facilities (pipes, culverts, etc.) on private property that were previously constructed by the City which convey street drainage. In some instances going back decades, it appears the City has not obtained easements from property owners when installation of such structures initially occurred. As such, it is in the City's best interest to maintain these existing manmade structures in order to ensure adequate conveyance of street drainage. In these circumstances, the City will obtain an easement from the property owner(s).

Recommendation

I recommend you authorize conducting a public hearing at your December 4, 2012 meeting regarding the proposed ordinance amendments.

Attachment

Proposed Amendments to Ordinance

ARTICLE IV. - STORMWATER MANAGEMENT

DIVISION 1. - GENERALLY

Sec. 78-300. - Definitions.

Sec. 78-301. - Maintenance of stormwater drainage systems or facilities on city property, right-of-way, or stormwater drainage easements.

Sec. 78-302. - Private stormwater drainage systems or facilities.

Secs. 78-303—78-310. - Reserved.

Sec. 78-300. - Definitions.

As used in this article, the word:

Director shall mean the director of the department of public works.

Driveway pipe shall mean pipe used to convey water from a natural drainage system or a stormwater drainage system or facility under a driveway.

Natural drainage system shall mean the path along which surface or ground water would flow under natural conditions, including storm conditions.

Stormwater conveyance channel shall mean a permanent, designed waterway, shaped and lined with appropriate vegetation or structural material to convey excess stormwater runoff away from a developing area.

Stormwater drainage system or facility shall mean any natural, or manmade, system or facility conveying or intended to convey stormwater, including but not limited to stormwater conveyance channels, ditches, streams, pipes, culverts, and other drainage systems or facilities.

(Ord. No. 09-51, 8-18-09)

Sec. 78-301. - Maintenance of stormwater drainage systems or facilities on city property, right-of-way, or stormwater drainage easements.

Any stormwater drainage system or facility installed or located on city property, right-of-way, or within a stormwater drainage easement will be maintained by the city at its sole expense to insure adequate flow and to minimize damage to surrounding public or private property, ~~with the exception of driveway pipes and ditches located within the city right-of-way.~~ With the exception of a driveway over

driveway pipe, construction of any kind over such a stormwater drainage system or facility without the consent of the city is prohibited.

(Ord. No. 09-51, 8-18-09)

Sec. 78-302. - Private stormwater drainage systems or facilities.

Unless the installation, alteration, repair, or replacement of a stormwater drainage system or facility is made by the city at its sole expense pursuant to division 2 or involves city participation pursuant to division 3, such installation, alteration, repair, or replacement will be made at the sole expense of the owner or owners of the land on which the stormwater drainage system or facility is or will be located or at the expense of any other interested person or persons. This includes maintenance and cutting of grass, weeds, and brush along ditches. All such work must meet city specifications and receive final approval from the director.

(Ord. No. 09-51, 8-18-09)

Secs. 78-303—78-310. - Reserved.

DIVISION 2. - INSTALLATION, ALTERATION, REPAIR, OR REPLACEMENT OF STORMWATER SYSTEMS OR FACILITIES BY THE CITY WITHOUT PRIVATE PARTICIPATION

Sec. 78-311. - Criteria for decision by the city to install, alter, modify, repair, or replace stormwater drainage system or facility.

Secs. 78-312—78-320. - Reserved.

Sec. 78-311. - Criteria for decision by the city to install, alter, modify, repair, or replace stormwater drainage system or facility.

(a) The installation, alteration, repair, or replacement of stormwater drainage system or facilities will be made by the city without private participation, except as outlined in chapter 62, Streets, sidewalks, and other public places, when:

(1) The stormwater drainage system or facility is or will be located on city property, right-of-way, or within a stormwater drainage easement, ~~with the exception of driveway pipes and ditches located within the city right-of-way;~~ or

(2) There is a failure of an existing manmade stormwater drainage system or facility on private property previously constructed by the city which conveys street drainage.

(23) The stormwater drainage problem has been caused by inadequately designed or functioning stormwater drainage improvements made on a city right-of-way or on public property, including but not limited to undersized culverts; or

(34) The stormwater drainage or flooding is causing damage to city-owned utilities, bridges, streets, or other city-owned property; or

(45) The stormwater drainage or flooding is interfering with the flow of traffic on a city street or highway; or

(b) In determining the priority of the installation, alteration, repair, or replacement of any specific stormwater drainage system or facility to be accomplished solely with city funds, the city manager shall consider the funds appropriated and available, the cost of the project, the frequency of flooding, the severity of the flooding or erosion, the number of persons who will benefit, and the extent of the threat to the safety of persons or the damage to the property.

(c) If the installation, alteration, repair, or replacement of a stormwater drainage system or facility pursuant to the provisions of this division requires the acquisition of an easement through, under, or across private property, such easement will be acquired.

(d) The city shall make an installation, alteration, repair, or replacement of a stormwater drainage system or facility only to the extent needed for adequate resolution of any erosion or flooding problem and only in the manner that will result in the least cost to the city.

(Ord. No. 09-51, 8-18-09)

Secs. 78-312—78-320. - Reserved.

DIVISION 3. - JOINT PARTICIPATION BY THE CITY IN THE INSTALLATION, ALTERATION, REPAIR, OR REPLACEMENT OF STORMWATER DRAINAGE SYSTEMS OR FACILITIES ON PRIVATE PROPERTY

Sec. 78-321. - When the city may jointly participate in the installation, alteration, repair, or replacement of stormwater drainage system facilities on private property.

Sec. 78-323. - Agreement required.

Sec. 78-324. - Limitation on city's participation.

Sec. 78-325. - Property owners required to share in the cost.

Sec. 78-326. - Availability of funds as prerequisite.

Secs. 78-327—78-340. - Reserved.

Sec. 78-321. - When the city may jointly participate in the installation, alteration, repair, or replacement of stormwater drainage system facilities on private property.

- (a) Subject to the provisions of the other sections in this division, the city manager and the director shall review and recommend whether the city should jointly participate in the installation, alteration, repair, or replacement of a stormwater drainage system or facility located on private property where one or more of the following circumstances exist:

(1) There ~~is a failure of an existing natural stormwater drainage system or facility on private property which conveys street drainage~~ ~~are severely eroding stream banks~~ causing or threatening significant damage to improvements on private property resulting from stormwater runoff from city streets and/or private development.

~~(2) There is a failure of an existing stormwater drainage system or facility on private property which conveys street drainage where the stormwater drainage system or facility had been installed under a stormwater drainage system or facility written agreement or a storm sewer written agreement.~~

~~(3)~~ In order to correct a flooding or erosion problem, the extension onto private property of an existing stormwater drainage system or facility which conveys street drainage is necessary.

The city may participate in such installation, alteration, repair, or replacement only to the extent needed for adequate resolution of any erosion or flooding problem and only in the manner that will result in the least cost to the city.

(b) In reviewing and recommending the priority of the installation, alteration, repair, or replacement of any stormwater drainage system or facility pursuant to the provisions of this division, the city manager and director shall consider the funds appropriated and available, the cost of the project, the frequency of the flooding, the severity of the flooding or erosion, the number of persons who will benefit, the extent of the threat to the safety of persons or the damages to property, and the date on which such request for participation was made in relation to other similar requests. All requests must be approved by city council in order for the city to participate in the installation, alteration, repair, or replacement of any stormwater drainage system or facility pursuant to the provisions of this division.

(c) If the installation, alteration, repair, or replacement of a stormwater drainage system or facility pursuant to the provisions of this division requires the acquisition of an easement through, under, or across private property, such easement will be acquired.

(Ord. No. 09-51, 8-18-09)

Sec. 78-323. - Agreement required.

The city will not participate in the installation, alteration, repair, or replacement of any stormwater drainage system under this division until a stormwater drainage system or facility agreement has been executed between the city and all parties having an ownership or other interest in the land on which the stormwater drainage system or facility is or will be located.

(Ord. No. 09-51, 8-18-09)

Sec. 78-324. - Limitation on city's participation.

The city shall not be responsible for more than 50 percent of the actual cost of installing, altering, repairing, or replacing any stormwater drainage system or facility referred to in this division. However, if the property owner or owners or other person or persons requesting city participation desires to construct a stormwater drainage system or facility that exceeds the estimated cost of a system or facility the city deems to be adequate, the city will only pay 50 percent of the estimated cost of a system or facility the city deems adequate.

(Ord. No. 09-51, 8-18-09)

Sec. 78-325. - Property owners required to share in the cost.

Prior to the city or its contractor beginning any work relating to the correction of a stormwater problem on private property, the property owner or owners or person or persons requesting city participation shall deposit with the treasurer one-half of the estimated cost of such work, including the cost of both labor and materials.

Should the actual cost of the project be less than the estimated cost, the city shall refund any excess funds deposited with the city. Should the actual cost of the project be more than the estimated cost, the property owner or owners shall be responsible for that portion.

As to any project where the work is to be done by a private contractor, if the bid received by the city exceeds the initial estimate made by the city then the property owner shall be notified of the private contractor's bid and shall be required to deposit any additional amount necessary to make the deposit equal his 50 percent share of the total cost.

(Ord. No. 09-51, 8-18-09)

Sec. 78-326. - Availability of funds as prerequisite.

The city shall not participate in the installation, alteration, repair, or replacement of any stormwater drainage system or facility referred to in this division unless funds have been appropriated and are available for such purposes.

(Ord. No. 09-51, 8-18-09)

Secs. 78-327—78-340. - Reserved.

DIVISION 4. - DRIVEWAY PIPES

Sec. 78-341. - Installation, alteration, repair, or replacement of driveway pipe.

Sec. 78-341. - Installation, alteration, repair, or replacement of driveway pipe.

(a) If a person installs, alters, repairs, or replaces driveway pipe on private property, he will use pipe of sufficient size and material, as authorized by the director, to accommodate the flow of such stormwater as may reasonably be expected in the city.

(b) If the driveway pipe will be located within street right-of-way, the city department of public works may install, alter, repair, or replace the driveway pipe, at the request of the property owner. In this circumstance, the property owner will be responsible for paying the costs to do such work. The property owner may get a contractor to do the work or do the work themselves; however, all such work must meet city specifications and receive final approval from the director.

(Ord. No. 09-51, 8-18-09)



CITY OF EMPORIA

Memorandum

November 16, 2012

TO: The Honorable Mayor and City Council

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

SUBJECT: Farmers Market Rules and Regulations – Request to Allow Fine Arts and Crafts

ITEM #: 12-94

At its October 2, 2012 meeting, members of the Farmers Market Advisory Board (FMAB) discussed the possibility of allowing crafts to be sold at the Farmers Market. Although a quorum was not in attendance, the recommendation of those present was to request that Council approve allowing crafts to be sold at the Farmers Market.

The proposed amendment lists “Fine Arts and Crafts” as products eligible for sale at the market. The amendment reads:

Fine Arts and Crafts- A Fine Art and Craft Vendor is defined as a person who creates, primarily through the use of their own hands, the products they offer for sale. Such products include, but are not limited to, quilts, baskets, jewelry, woodcrafts, floral arrangements and other products involving weaving, pottery, carvings, sculpture, photography, and painting. Sale of garage and flea market type items, manufactured, used, or imported goods are prohibited. Crafts will be evaluated by the Farmer’s Market Manager prior to display and permission may be revoked upon his/her discretion.

In researching other localities’ policies, it appears there is a mix of those who allow crafts to be sold and those who do not. Furthermore, some of those who do allow crafts to be sold regulate the product mix in order to achieve an optimal balance of both food and crafts. As this new initiative progresses, City staff and the FMAB will monitor the vendor mix and make adjustments and/or recommendations via policy amendments as necessary in order to ensure there is a balance of both food and crafts for sale.

Recommendation

I recommend you approve the proposed amendments to the Farmers Market Rules and Regulations in order to allow vendors to sale fine arts and crafts at the market.

Attachments

Memo from Jan Harrell, Farmers Market Manager
Proposed Amendments to Farmers Market Rules and Regulations



CITY OF EMPORIA

To: Brian Thrower

From: Jan Harrell, Farmers Market Manager

Date: October 18, 2012

Subject: Farmer's Market Crafts

The benefit to adding craftsmen at the Emporia Farmer's Market includes:

- Increased traffic at the market
- Highlight the local talented artisans of the area
- Bring life into the market by encouraging social interaction through consumers and craftsmen
- Stimulate the local economy by increasing local business and thus keeping the local dollar in our community

Please note that this addition to the market may be a trial process and can be revoked if the service does not meet the City Council or Farmer's Market Board's expectations.



CITY OF EMPORIA FARMERS MARKET RULES AND REGULATIONS



Adopted by City Council: July 20, 2010
Amended: January 18 and August 2, 2011
Amended: November 20, 2012

Mission

It is the mission of the City of Emporia Farmers Market to provide the opportunity for residents and visitors to purchase locally grown and produced products.

Goals

The City of Emporia Farmers Market:

1. Increases access to fresh, locally produced, nourishing, and safe foods for all people.
2. Encourages, supports, and promotes the entrepreneurial efforts of local, independent, and small-scale farmers, growers and artisans, who seek to sell their products directly to consumers.
3. Creates an opportunity for people to congregate and share stories, recipes, and knowledge in a place dedicated to the cultivation of local products and talents.
4. Strives to create an atmosphere that serves not only the Market, but also contributes to a prosperous rural area and promotes a sense of community in downtown Emporia.

Participation

Participation is open to growers, harvesters, bakers, makers of prepared food, and artisans (hereinafter, “vendors”) who produce goods within a 50 mile radius of the City of Emporia (see pages 3 and 4). The Market strives to be a producers-only Market. All vendors shall participate in production of the product they sell.

Use of Market by Other Organizations

Organizations not directly affiliated with the City of Emporia and not an approved vendor at the Farmers Market may be permitted to use the facility and property at the discretion of the City Manager or his/her designee. In these instances, the outside organization shall complete a Hold Harmless Agreement prior to using the facility (see number 11 below under “Miscellaneous”). The City of Emporia holds the right to charge a reasonable fee for use of the facility.

Location and Times of Operation

Location: 107 South Main Street, Emporia, Virginia 23847
Market season: Open Year-Round, Primary Season: April 1 – November 1
Day(s) of the week: Monday – Sunday
Hours of operation: 6:00 a.m. – 7:00 p.m.

Management – Advisory Board

City Council shall appoint seven persons to the Farmers Market Advisory Board (hereinafter “Board”). Each member shall serve a four year term with an unlimited number of reappointments. Initial appointments shall be made in a staggered format (i.e. two members serve a two year term, three serve a three year term, two serve four year term). The Board may include representatives from the following organizations: City Council, Emporia Downtown Development Association, Planning Commission, Virginia Cooperative Extension, Health Department, media outlet, Chamber of Commerce, Virginia Department of Agriculture and Consumer Services, farmers/vendors and other related groups and organizations.

The Board shall serve in an advisory capacity to the City Council and recommend revisions or additions to the Rules and Regulations. City Council shall hold the authority to amend the Rules and Regulations as it deems necessary. The Board and City of Emporia staff shall enforce all the rules and regulations contained herein and work with the vendors to assist in their success. City staff is available to assist in answering policy questions on a daily basis. Any dispute between vendors or potential violation of Market rules and regulations shall be reported in writing to the City immediately. Depending on the severity of the claim, the report may be forwarded to the Board for action. In this instance, the Board will consider the reported dispute and/or violation at its next regular meeting. Minor violations will be addressed by City Staff. Any vendor found to be in noncompliance shall receive a warning letter from the City and/or Board. Willful/continued violation of Market rules and regulations may subject the vendor(s) to exclusion from further participation in the Market.

Vendor Eligibility

The City of Emporia Farmers Market is a producer-only Market. A producer is defined as the person who grows or makes the product and may also include the producer’s immediate family, partners, employees, or local cooperatives.

Vendor Information

1. Application – Permanent vendors must submit a Market application annually to the City of Emporia. Applications may be modified or updated during the season. Daily vendors must submit a Market application to the City of Emporia prior to or on the day of their participation. Included within the permanent and guest vendor application is a “hold harmless” agreement that the vendor must sign. This agreement means the producer will hold the City of Emporia Farmers Market and its representatives harmless concerning

product liability or other factors that relate specifically to the vendor's business practice. Permanent vendors must commit to the entire primary Market season (see above) and participate on a regular basis (a minimum of 70 percent of the primary season). Produce availability and other concerns may limit Market beginning and ending dates. Guest vendors will participate based on the discretion of the COE and availability of display stalls.

2. Fees – Vendors may be charged fees to cover the operating costs and related expenses to assure the viability and quality of the Market. Depending on the annual demand for paid, reserved stalls, the City of Emporia reserves the right to designate certain stalls, otherwise known as vendor spaces, on a “first-come/first-served” basis. Fees are payable to the City of Emporia. All fees shall be paid before use of the Market. The current fee structure is as follows:
 - a. Full Season: \$50 per vendor space
 - b. Monthly: \$25 per vendor space
 - c. Daily: \$5 per vendor space
3. Space Assignment – The City of Emporia will make vendor space assignments in a fair and equitable manner based on the needs of the Market, seniority, previous attendance, sales volume, and term of commitment. A vendor space is defined as a designated area in between two (2) adjacent posts on either side of the Market structure.
4. Sales Time – Vendors may begin to set-up at 5:30 a.m. and are required to be completed by 7:00 p.m. Vehicles shall not be parked overnight at the Market. During set-up, farmers must reverse into their respective stall and unload products onto their display(s) (see below for display rules). At no time shall vehicles be parked underneath the pavilion roof. Trucks that are not actively being unloaded shall be parked in the gravel lot behind the structure or in a paved parking space. Vendors may unhitch trailers and leave only within their designated stall. Stalls must be left clean and displays/trucks shall be removed by 7:30 p.m. Vendors shall not sell before the opening hour of the Market.
5. Displays – Tables, tents, canopies, pop-ups, umbrellas, signs (see below), and display items must be in good condition. At no time shall the safety or convenience of customers or vendors be compromised by any vendor's display. Any display shall be limited to the respective designated stall and shall not protrude further than two feet into the pedestrian walkway under the pavilion roof. The use of nails, screws, staples or similar hardware driven into the wood beams that designate stalls is not permitted.
6. Signs – Temporary signs outside any individual vendor space are prohibited. This shall include any “A” or “T” frame sign detailing goods available for sale posted along Main Street, outside the pavilion area, etc. Signage shall only be posted by a vendor offering goods for sale at their respective vendor space. Signs shall only be affixed to the Market structure using string or rope. Hardware driven into the wooden beams is not permitted. Any questions shall be directed to City of Emporia staff.

7. Additional Information

- a. Vendors will clearly display prices of all items and post their farm name and location.
- b. Posting of current licenses, certifications, and inspections is highly recommended. At a minimum, vendors should have copies available at their sites.
- c. The collection and filing of all related taxes is the responsibility of the individual vendor.
- d. The restroom will only operate during normal Market hours. A restroom key will be registered to each paid full season vendor. It is the responsibility of the vendor to ensure proper use and cleanliness of the facility.

Market Product Guidelines

The City of Emporia Farmers Market strives to be a regional, producer-only Market with an emphasis on agricultural products. It is understood that some ingredients such as spices, sugar, and other minor ingredients used in the preparation of products may not be available for purchase locally. However, the final product must be locally produced in its entirety. Local production shall be defined as occurring within a 50-mile radius of the City of Emporia. Along with this goal is the aim of the Market to meet the expectations of the customers with the appropriate mix of products suitable for the Market, which will be determined by the Board.

Product Origin

1. Complete grower/producer origin – These goods must be personally grown/produced only by the vendor, vendor's employees, or primary family members.
2. Limited grower/producer origin – These goods must originate within a 50-mile radius but may be grown/produced by partners on land or facilities not owned by the vendor. This includes crops harvested by the vendor from "you-pick" farms.
3. **The City of Emporia, Board or its designee(s) shall have the right to confirm the origin of products. To ensure this, inspections and yearly farm visits shall be accommodated and allowed as deemed necessary. At no time shall any goods sold at the Market originate outside the 50-mile radius.**

Eligible Products

- Vegetables, Fruits, Nuts, Herbs - Produce must be fresh, of the best quality, and locally grown – preferably by natural principles. Overripe vegetables and fruits must be labeled and marked as suitable for sauce or preserves.
- Processed Fruits and Vegetables-Jams, Preserves, Fruit Syrups and Purees, Pestos, Flavored Oils, Mustards, Vinegars, Salsas and Relishes, Dehydrated Foods and Seasonings, and Frozen Dairy or Fruit Products - Products should highlight local produce, seasonal ingredients, and be freshly prepared by the vendor.
- Honey - Honey and bee pollen must be from the beekeeper's own hives but may be processed and bottled off-farm.

- Eggs - Eggs must be from the farmer's own fowl. Eggs must be cleaned and labeled according to VDACS instructions. Labels that include the name of the farm and date of collection are recommended.
- Plants, Fresh-Cut Flowers, and Greens - The grower must grow potted plants and cut material. Potted plants and cut plant material must not be on the state or federal list of invasive or rare and endangered plants published by the Division of Natural Heritage.
- Seasonal and Holiday Products - Dried flower or herb bouquets, decorative berries, fruit, pods, cones, pumpkins, and wreaths should be produced from materials grown or gathered on the vendor's property.
- Processed/Prepared Goods – Any recipe that has been approved by the Virginia Department of Agriculture and Consumer Services in partnership with the New Visions/New Ventures initiative may be sold at the Market. New Visions/New Ventures shall be responsible for the administration of the program and oversight of the assigned stall.
- Baked Goods – products such as cookies, cakes, breads and similar products may be sold at the Market if prepared by the vendor only. This shall include candied items such as toffee, peanut brittle and coated peanuts. In addition to required standard labeling (name of product, name/address of manufacturer, net weight and ingredients) the product label MUST include the statement, “NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION.” If this statement does not appear on the label, a VDACS inspection shall be required. A copy of the inspection certificate shall be provided to the City of Emporia prior to selling baked goods.
- Fine Arts and Crafts- A Fine Art and Craft Vendor is defined as a person who creates, primarily through the use of their own hands, the products they offer for sale. Such products include, but are not limited to, quilts, baskets, jewelry, woodcrafts, floral arrangements and other products involving weaving, pottery, carvings, sculpture, photography, and painting. Sale of garage and flea market type items, manufactured, used, or imported goods are prohibited. Crafts will be evaluated by the Farmer's Market Manager prior to display and permission may be revoked upon his/her discretion.

Product Labeling and Pricing

All home-prepared consumable products must meet Virginia Department of Agriculture and Consumer Services (VDACS) Rules and Regulations. Vendors set their own prices and are responsible for accurately representing their products. All scales or weighing devices must have a current and valid certification sticker signed by the Virginia Department of Weights and Measures.

Real Liability Insurance

Vendors are required to ensure that their insurance will cover off-site sales.

Health, Sanitation, and Safety

Each vendor must abide by all state and federal regulations that govern the production, harvest, preparation, preservation, labeling, or safety of products offered for sale at the Market. Vendors are liable for their own products. Any products not on a display table shall be placed in baskets and not directly on the ground.

Miscellaneous

1. Vendors will be held responsible for any damages to the pavilion structure.
2. Vendors will be responsible for the collection and removal of all refuse generated from sales at their space.
3. Vendors shall not drive any form of hardware including nails, screws, staples or similar into the wooden beams or any part of the Market structure.
4. The use of alcohol or illegal substances is not permitted at the Market.
5. Behavior by vendors or customers judged to be disruptive or detrimental to the peaceful operation of the Market will not be tolerated and may result in permit termination.
6. Small children brought to the Market by vendors must be kept under the supervision of a designated adult.
7. Any unsafe or unsanitary conditions should be brought to the immediate attention of the City of Emporia.
8. No live animals, fowl, or fish may be sold at the Market.
9. Any serious accident or injury must be immediately reported to the City of Emporia and to 911.
10. The City of Emporia is not responsible for any damage or loss of any personal belongings.
11. Anyone who participates in the Market – whether vendor, customer, or otherwise – attends at his/her own risk. Vendors will operate at their own risk and assume liability from the customers (see “Hold Harmless Agreement”).



CITY OF EMPORIA

Memorandum

November 16, 2012

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: VML Risk Management Grant Funds – Appropriation Ordinance
ITEM #: 12-95

The City has received a safety grant from VML Insurance Programs in the amount of \$3,971.00 to be used for safety. The City will use these funds to pay for the purchase of traffic cones and barricades. In order for the City to utilize these funds for this purpose, you must appropriate them into the FY13 operating budget. An ordinance is enclosed for your consideration that will accomplish this.

Recommendation

I recommend that you adopt the attached ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of \$3,971.00 In Grant Funds From The Virginia Municipal League Insurance Programs For The Risk Management Grant Program

BE IT ORDAINED by the Council of the City of Emporia, Virginia as follows:

1. That the sum of \$3,971.00 in grant funds from the Virginia Municipal League Insurance Programs be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2012-2013.
2. Said appropriation shall be reflected in the 2012-2013 Operating Budget as the sum of \$3,971.00 appropriated to General Fund Revenues and the sum of \$3,971.00 appropriated to General Fund Expenditures, Account Number 41200-6007 Repair & Maintenance Supplies.
3. The City Manager is hereby authorized to do all things necessary to implement this ordinance.
4. This ordinance shall be in effect on and after its adoption.

Adopted: November 20, 2012

City of Emporia, Virginia

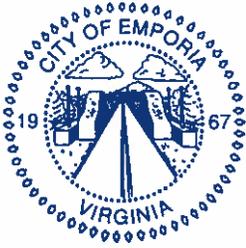
By _____
Samuel W. Adams, III
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

November 16, 2012

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: 2013 Highway Safety Project Grant (DMV) – Appropriation Ordinance
ITEM #: 12-96

The City of Emporia made application and was awarded a Highway Safety Project Grant by the Virginia Department of Motor Vehicles. This grant consists of \$16,521 in pass through funds from USDOT/NHTSA for the federal fiscal year 2013. The money is designated for traffic enforcement equipment and training (two digital in-car cameras, three radar units, and traffic safety training).

These funds were not included in the FY13 operating budget. As such, utilizing this award requires adoption of the attached ordinance to appropriate funds into the City's FY13 operating budget. DMV will reimburse the City's General Fund Revenue Account for \$16,521 once all expenditures are submitted to it for approval. The City will provide a \$8,260.50 in-kind match.

Recommendation

I recommend that you adopt the attached ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of \$16,521
in DMV Highway Safety Grant Funds

BE IT ORDAINED by the Council of the City of Emporia, Virginia as follows:

1. That the sum of \$16,521 in Highway Safety Grant funds from the Department of Motor Vehicles be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2012-2013.
2. Said appropriation shall be reflected in the 2012-2013 Operating Budget as the sum of \$16,521 in anticipated General Fund Revenues and the sum of \$16,521 appropriated to General Fund Expenditures for expenses related to the City's highway safety enforcement activities, Account Number 31100-8111 DMV Highway Safety Grant.
3. The City Manager is hereby authorized to do all things necessary to implement this ordinance.
4. This ordinance shall be in effect on and after its adoption.

Adopted: November 20, 2012

City of Emporia, Virginia

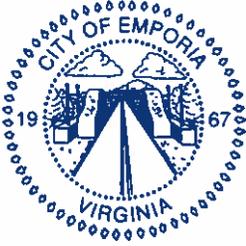
By _____
Samuel W. Adams, III
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

November 16, 2012

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *bst*
SUBJECT: Drug Seizure Fund - Appropriation Ordinance
ITEM #: 12-97

The City of Emporia Police Department seizes money, by court order, determined to have been used in drug transactions. Before spending these funds, they must first be appropriated into the General Fund Operating Budget for the current year.

The Police Department wishes to use \$40,000 in seized funds for the purchase of a marked patrol vehicle. An ordinance is required to appropriate and expend these funds.

Recommendation

I recommend that you adopt the attached ordinance.

Attachment

Ordinance

Ordinance No. _____

Ordinance

An Ordinance To Appropriate The Sum Of \$40,000
in Drug Seizure Funds

BE IT ORDAINED by the Council of the City of Emporia, Virginia as follows:

1. That the sum of \$40,000 in funds seized through the Asset Forfeiture statutes be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2012-2013.
2. Said appropriation shall be reflected in the 2012-2013 Operating Budget as the sum of \$40,000 in General Fund Revenues and the sum of \$40,000 appropriated to General Fund Expenditures for expenses related to the drug enforcement activities, Account Number 31100-5871 Drug Seizure A/C Expenditures.
3. The City Manager is hereby authorized to do all things necessary to implement this ordinance.
4. This ordinance shall be in effect on and after its adoption.

Adopted: November 20, 2012

City of Emporia, Virginia

By _____
Samuel W. Adams, III
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

MEMORANDUM

November 16, 2012

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager
SUBJECT: Boards and Commissions – Unexpired Terms (John W. Barrows)
ITEM: 12-98

Planning Commission – Due to the recent passing of John W. Barrows, there is a vacant seat on the Planning Commission. This vacant seat on the Planning Commission serves a four (4) year term with the current expiration date being June 30, 2014.

Board of Zoning Appeals – Due to the passing of John W. Barrows, there is a vacant seat on the Board of Zoning Appeals. This vacant seat on the Board of Zoning Appeals serves a five (5) year term with the current expiration date being February 28, 2014. As a result, City Council needs to make a nomination(s) to fill the vacant seat and submit the result(s) to the Greensville County Circuit Court for consideration and appointment.

Recommendation

This information is provided to City Council for its consideration.

Attachments

Current Planning Commission Roster
Current Board of Zoning Appeals Roster

BST/tsw

PLANNING COMMISSION

Term of Office: 4 Years

Woodrow L. Bryant, Jr. 604 South Oak Hill Drive Emporia, Virginia 23847 (H) 434/634-4791	06/30/2014
William S. Newsome 503 Jefferson Street Emporia, Virginia 23847 (H) 434/634-3641 (W) 434/634-5141	06/30/2013
James Ewing 221 East York Drive Emporia, Virginia 23847 (C) 434/594-4319 (F) 434/348-4850	06/30/2016
William C. Slate, Jr. 1501 Walnut Drive Emporia, Virginia 23847 (H) 434/634-5075 (W) 434/634-3045	06/30/2016
Chris Thompson 1400 Wiggins Road Emporia, Virginia 23847 (H) 434/634-9407 (C) 434/594-6394 (W) 434/634-3217 ext 3044	06/30/2015
John W. Barrows 316 Echols Street Emporia, Virginia 23847 (H) 434/634-9461	06/30/2014
Richard Short 205 Tall Oaks Drive Emporia, Virginia 23847 (H) 434/634-5369	06/30/2013
Edward V. Lankford, IV 104 Beech Tree Lane Emporia, Virginia (H) 434/348-7254 (W) 434/634-6131	06/30/2015

Nancy B. Squire
428 Laurel Street
Emporia, Virginia 23847
(H) 434/634-5096

01/06/2013

BOARD OF ZONING APPEALS - CIRCUIT COURT APPOINTED

(Continued)...

Joseph Carey
6502 East Atlantic Street
Emporia, Virginia 23847
(H) 434/634-4803

02/28/2017

R. W. Little, Jr.
105 Goodwyn Street
Emporia, Virginia 23847
(H) 434/634-2590

02/28/2013

Marva J. Dunn
272 Astrio Street
Emporia, Virginia 23847
(H) 434/348-3122

02/28/2014

BOARD OF ZONING APPEALS - CIRCUIT COURT APPOINTED

Term of Office: 5 Years
(Council Recommendation - 30 days Notice)

John W. Barrows
316 Echols Street
Emporia, Virginia 23847
(H) 434/634-9461

02/28/2014

Doug Jessee, Jr.
1501 Sunset Lane
Emporia, Virginia 23847
(H) 434/634-5090

Chairman

02/28/2013



CITY OF EMPORIA

MEMORANDUM

November 16, 2012

TO: Honorable Mayor and City Council Members
FROM: Brian S. Thrower, City Manager
SUBJECT: Farmers Market Advisory Board Expirations – Bill Howell/Samuel Adams, III
ITEM: 12-99

On November 30, 2012 the 4-year terms of Mr. Bill Howell and Mayor Samuel Adams, III on the City's Farmers Market Advisory Board will expire. Mayor Adams has stated that he does not wish to be considered for reappointment. Mr. Howell has stated that he does wish to be considered for reappointment.

Recommendation

This information is provided to City Council members for consideration and action.

Attachments

Current Farmers Market Advisory Roster

BST/tsw

FARMERS MARKET ADVISORY BOARD

Term of Office: 4

(Notify Steven Hall of City Manager Office of updates)

Samuel W. Adams, III ~ Mayor 532 Ingleside Avenue Emporia, Virginia 23847 (H) 434/634-3768	Mayor	11/30/12
Doris T. White 501 Gowin Street Emporia, Virginia 23847 (H) 434/634-4085	Council Member	11/30/14
Bill Howell 429 S. Main Street Emporia, Virginia 23847 (W) 434/634-3286		11/30/12
Hannah Barrett 323 Halifax Street Emporia, Virginia 23847 (H) 434/634-6115		11/30/13
Morris White 302 Broad Street Emporia, Virginia 23847 (W) 434/348-4233		11/30/13
Jean Cobb 315 Echols Street Emporia, Virginia 23847 (H) 434/348-3509		11/30/13
Mike Allen 205 Ruritan Drive Emporia, Virginia (C) 434/594-4144		11/30/14

GREENSVILLE