

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 Minster 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