

Pearisburg Town Council met in Regular Session jointly with Planning Commission on October 18, 2016 at 7:30 p.m. at the Pearisburg Town Hall. Present for the meeting was: Mayor Dickerson; Council Members Williams (Planning Commission Member), Munsey, Journell and Clark; Planning Commission Members Collins and Moye; Town Attorney Hartley; Town Manager Vittum; Town Clerk Harless; Town Engineer Tawney, Building Official Wilson and Police Chief Martin. Also present were citizens Troy Williams, Todd Meredith, Jeffrey L. Morris, Brian Headley, Jason Ballard, Sherry Legard, Richard Legard and Richard Lavinder and Zach Guynn, Virginian Leader.

Munsey made a motion to approve and accept the Regular September 12, 2016 Minutes; and the Special September 20, 2016, September 27, 2016 and October 13, 2016 Minutes. Journell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Mayor Dickerson opened the Public Hearing on a Conditional Use Permit application submitted by Kelli Ribbe to construct and operate a Bed and Breakfast at 201 Woodrum Street. Vittum stated that the applicant desires to have a Bed and Breakfast with up to 7 rooms and a separate apartment for owner. He stated that the applicant plans to have the required amount of parking spaces and adhere to sign regulations. The property is in the R-3 District and borders on the B-2. The R-3 zone allows for a Bed and Breakfast with a conditional use permit. Vittum stated that the hearing had been properly advertised and proper notice given.

Sherry Legard of 204 Woodrum Street addressed Council. She asked if there was a definition for Bed and Breakfast. She did not feel that Pearisburg needed more accommodations. She is concerned it will become a long-term place to stay. Hartley stated that Planning Commission and Council will set a limit of how long a person could stay. She has concerns about the possibility of increased noise. She wanted to know if it will be pet friendly accommodations and how the town will monitor the barking situation. She stated that Woodrum Street is already a super highway. She felt that any parking along the side of the residence would be an issue.

Richard Legard of 204 Woodrum Street addressed Council. He asked what their plans for parking included. Vittum stated that the parking requirements for the occupancy level requires approximately 12 parking spaces. He stated that Building Official Wilson felt they could get a minimum of 12 to 15 off-street parking spaces. Vittum stated that he would need to

look up the code section to get a more specific answer. He stated that on-street would be for loading and unloading only and could be included in the conditions set by Planning and Council. Legard asked for a definition of a Bed and Breakfast. Vittum stated that he would need to get that from the Zoning Book. He stated that Planning and Council planned to look at the limitations on the number of nights stay. There were no more comments. Mayor Dickerson closed the Public Hearing.

Mayor Dickerson opened the Public Hearing on a Conditional Use Permit Application submitted by Troy Williams to construct and operate a Self-Storage on 40A-10-M-6A. Vittum stated that a Storage Facility is allowed under a Conditional Use Permit. He stated that Williams plans to use the same signage and same entrance to the property. He stated that there would be 4 to 5 exterior storage spaces for a mobile home or boat trailer. Vittum stated that the hearing had been properly advertised and proper notice given. Munsey asked Williams if he had any problems with the conditions on the lights, signage and tree line. Williams stated that it would not be a problem. There were no more comments. Mayor Dickerson closed the Public Hearing.

Mayor Dickerson opened a Public Hearing on a Conditional Use Permit application submitted by Headley Law LLC to operate a Law Office at 1409 Wenonah Avenue. Vittum stated that commercial uses in the R-8 Zone are Conditional Uses. The building has been approved in the past for a doctors, real estate and loan office. Staff has looked at existing signage that follows the existing ordinance as is parking. Vittum stated that the hearing had been properly advertised and proper notice given. Brian Headley introduced himself and stated that the plan was for Jason Ballard to run his satellite office and then start his own practice. Mayor Dickerson closed the Public Hearing.

Mayor Dickerson opened the Public Hearing on Pinewood Subdivision Zoning Map Amendment. Vittum stated that the subdivision was originally filed through Giles County prior to annexation. The Town set the R-2 Zone before the lots were developed for manufactured homes. Prior to annexation several lots were developed under county regulations. He stated that Non-Conforming manufactured homes do not currently conform with the regulations of this district. He stated that the Planning Commission felt that re-zoning would help conform to current zoning for the other lots. This would allow the sale of a lot and be consistent with other lots in that subdivision. Vittum stated that the hearing had been properly advertised and proper notice given. He stated that a few individuals had approached informally. They just wanted to

know the purpose and discussed non-conforming vs. conforming uses. Vittum said that if they move a manufactured home under state law they can put one back on. There were no more comments. Mayor Dickerson closed the Public Hearing.

Mayor Dickerson opened the Public Hearing. Vittum stated that the Regional Planning Commission had sent some information on Urban Development Areas (UDA). They felt it would be good if the town established a UDA for Pearisburg. They suggested we use the Town limits line as the boundary for the UDA. He explained that this was a law that was put in place in 2015. For instance, if the Town pursued a project under the VDOT 6-Year Plan having a UDA helps with obtaining the funding. UDA would help with improvements to Route 100 development. It does not connect to a Metropolitan Planning Area like Route 460 to Blacksburg and currently does not qualify for VDOT funds. Vittum stated that the hearing had been properly advertised and proper notice given. Mayor Dickerson closed the Public Hearing.

Council recessed for Planning Commission to meet.

Council returned to regular session.

Chair Collins stated that Planning Commission recommended that Council approve the Conditional Use Permit application submitted by Kelli Ribbe to construct and operate a Bed and Breakfast at 201 Woodrum Street. Vittum stated that the Planning Commission recommends approval with the following conditions:

1. Minimum of twelve (12) off street parking spaces will be designated and maintained;
2. Maximum of seven (7) rooms will be available for overnight rentals;
3. Maximum of ten (10) square feet of on premise signs advertising the facility will be allowed;
4. Occupancy by any single party will be limited to no more than seven (7) consecutive days.

Munsey made a motion that Council table any decision until the next Council meeting. Williams seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Planning Commission adjourned.

Vittum stated that Planning Commission recommended Council approve the Conditional Use Permit submitted by Troy Williams to construct and operate a Self-Storage on 40A-10-M-6A with the following conditions:

1. The existing screen of trees will be left in place on the west (Main Street) and east side of the property as a buffer from adjoining properties;
2. Security lighting will be required on this property;
3. Exterior storage of recreational vehicles, RV's, and boat trailers will be allowed on this part of the property only and will be limited to no more than five (5) such spaces;
4. No additional signage or entrances will be allowed in addition to the current entrance to the business.

Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Vittum stated that Planning Commission recommended Council approve the Conditional Use Permit submitted by Headley Law LLC to operate a Law Office at 1409 Wenonah Avenue with no conditions. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Vittum stated that Planning Commission recommended Council approve Re-Zoning of Pinewood Subdivision (Lots 1-10) from Residential (R-2) to Mixed Residential (R-7). Vittum stated that the subdivision was originally filed through Giles County prior to annexation. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Vittum stated that the Planning Commission recommended Council approve the creation of an Urban Development Area (UDA). Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Vittum reported on the Public Safety Committee. Vittum stated that full Council needs to approve the Police Department destroying surplus shot guns. Williams made a motion that Council approve of the Police Department destroying six surplus shot guns at the direction of the Police Chief and direct him to keep one shot gun as a back-up once the new shot guns are placed in service. Munsey inquired as to whether they could be surplus to the department. Hartley stated that the barrel is too short and the gun is illegal for citizens. Munsey seconded the motion.

Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Journell reported on the Property and Recreation Committee. The Committee discussed the leak in the auditorium at the Community Center.

Williams made a motion that a policy be put into place for anyone booking the Community Center that they must cancel within 30 days for a full refund or 2 weeks for a partial refund of 50%. Munsey seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Clark reported on the Finance Committee. On the delinquent tax properties, ready for sale staff has set up five payment plans.

The Committee recommended that Council direct staff to refund 2013, 2014, and 2015 Personal Property Taxes in the amount of \$867.72 to U.S. Bank National Association that were paid in error. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

The Committee recommended that Council approve the write-off on Uncollectable 2009 and 2010 Personal Property Taxes. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Town of Pearisburg
Delinquent 2009 Personal Property

<u>NAME</u>	<u>AMOUNT</u>
Anderson, Sabrina Ann Dean	\$ 68.09
Armstrong Amanda Hope	\$ 60.96
Bailey Jerry W	\$ 49.74
Bailey Jerry W	\$ 11.49
Bailey Robert L Jr	\$ 13.46
Belcher Buford B	\$ 4.08
Binkley Peter Hawthorn	\$ 24.52
Bowles Robert L & Karen W	\$ 23.87
Bradley Matthew & Adrienne	\$ 45.00
Brillhart Kathryn Myers	\$ 6.57
Bryant Michael David	\$ 55.93
Buchanan Megan Frances	\$ 37.00
Cain Jerry D & Dusty G	\$ 126.58
Carter Christopher Lee & Gina Dawn	\$ 53.08
Chapman Jennifer Crockett	\$ 68.74
Conley David L	\$ 69.29
Conley Robert Leslie & Dulcie Melinda	\$ 82.20
Cook Christina Marie	\$ 109.90
Crews Thomas Edward Jr	\$ 25.51
Cumbee Melissa Yvonne	\$ 36.24
Cumbee Rebecca J	\$ 65.18
Dalton David R	\$ 48.40
Devault Michael Dean	\$ 29.12
Ervin Jason Darrell	\$ 78.27
Freeman Tony J	\$ 21.24
Groves Deborah Lynn & James Edward	\$ 111.09
Groves Deborah Lynn & Mason Lee Hall	\$ 37.00
Harless Kimberly H	\$ 25.18
Harman Shannon Ray	\$ 50.45
Harrell Nancy T	\$ 21.24
Hatcher Cynthia Conner	\$ 23.54
Henson Phillip Daniel	\$ 31.09
Hicks Ehron Kavan & Melissa Anne Adams	\$ 58.99
Higgs Clarence Edward 2nd	\$ 38.31
Hughes Sandra Pauleet / Price Pauline Woodyard	\$ 15.00
Hutchens Anne Marie	\$ 30.10
Hylton Phillip L Jr & Sarah C	\$ 75.63
Jennelle Bertha Ann & Thomas Junior	\$ 58.76
Johnson Patricia W	\$ 110.76
Johnston James Lee Jr	\$ 20.91
Judge Businesses LLC / Pearisburg Gas & Food Mart	\$ 427.80
Justus James E II	\$ 37.00

Keffer Linda K	\$	23.78
Kirkpatrick Michael Norman	\$	85.35
Kirkpatrick Michael N & Susan K	\$	37.32
Lambert Cindy Lynn	\$	21.24
Lester Deborah L	\$	26.49
Lindsey Earl D	\$	51.24
Lovely Nails / Tuan That Ton	\$	206.36
Lucas Angela Morris	\$	27.47
Lucas Edward J	\$	91.24
Machincia Bradley John Ray	\$	41.59
Mann Carlin Paige	\$	24.19
Marshall Victor B	\$	20.58
McCraw Jessica Lynn	\$	82.20
McNeer Christopher P	\$	75.96
Meadows Floyd Jr	\$	106.39
Medley Kaila Condrey	\$	24.52
Meredith-Hite Aldenia D	\$	96.55
Mitchell Amanda Ellen	\$	45.86
Montgomery Obstetrics & Gynecology Inc	\$	52.54
Myers Christopher Corey	\$	20.25
Neice Anthony Eugene	\$	52.98
Neice Ashley Marie	\$	22.55
Neice Robert Steven	\$	24.10
Padgett William Randolph	\$	29.12
Parsons Amanda Elizabeth Cherish	\$	26.16
Peck Michael L	\$	27.80
Perdue Lois Faye	\$	24.85
Perkins Aimee Leann & Anthony Ray	\$	28.13
Perkins Andrea Michelle	\$	21.89
Perkins Vanessa D & Jeffery A	\$	79.25
Peyton Matthew Shane	\$	66.54
Peyton Matthew Shane & Cecilia King	\$	77.71
Pitman Joann Marie	\$	39.95
Price Pauline W	\$	24.52
Ratcliffe Michael Joseph	\$	25.83
Ratcliffe Miranda Paige	\$	30.43
Ratcliffe William E	\$	20.25
Reece Troy A	\$	90.04
Ribbe David Paul	\$	15.00
Ribbe David P & Kelly L	\$	78.78
Riffey Shaun E	\$	45.10
Riggs Carly R & Travis A	\$	34.37
Riggs Charles D	\$	80.89
Robertson David L	\$	67.83
Sadler Douglas W	\$	111.42
Sadler Douglas Wayne & Heather Lynn	\$	59.32

Sasser Lewis Elwood	\$	13.13
Shue Beulah Virginia	\$	29.12
Skidmore Vance Edward & Vikki Mullins	\$	45.20
Sprint United Mgmt CO	\$	43.96
Stanley Steven Michael	\$	23.21
Stephens Miranda Sue	\$	29.44
Sterling Payphones LLC / Cassandra McQuirter	\$	0.70
Stevens Douglas E Sr	\$	22.88
Tebault Michael G & Marysue G	\$	68.19
Thompson Minnie Akers	\$	30.43
Thornhill Walter Alphonso Jr	\$	99.69
Ton Tuan That	\$	55.38
Turpin James Michael	\$	35.68
Warehouse Carpet & Timothy C Blankenship	\$	5.46
Wheeler Philip Lee & Amy Jo	\$	43.23
Wheeler Philip Lee	\$	26.49
Whitaker Alma B	\$	68.30
Willard Sarah Marie	\$	25.51
Wills Kevin Andrew	\$	46.85
Wright Kenneth F	\$	49.14
Wright Wesley Allen	\$	23.54
Young Emanuel Lynn	\$	30.02
Young Rachel Mann & Emanuel L	\$	68.84
Young Rachel Mann	\$	77.61

<u>Total</u>	\$	5,715.24
---------------------	----	----------

Town of Pearisburg
Delinquent 2010 Personal Property

<u>NAME</u>	<u>AMOUNT</u>
Adventure Entertainment Inc / Movie Starz Video	\$ 185.01
Anderson Sabrina Ann Dean	\$ 66.59
Arnold Ean D & Rita M	\$ 61.17
Auto Specialties	\$ 13.55
Bailey Robert L Jr	\$ 24.85
Baker Rocky Wayne	\$ 21.75
Belcher Buford B	\$ 3.10
Benson Amanda Gail	\$ 30.76
Benson Joshua Robert	\$ 59.91
Berryman Ellen Francis & William Greenwood	\$ 48.77
Berryman Ellen Francis & William Greenwood	\$ 150.07
Boettner Craig Alex	\$ 26.54
Boettner Tina L	\$ 29.35
Bowden Roy William Jr & Linda Faye Webb	\$ 20.35
Bradley Matthew & Adrienne	\$ 104.50
Brillhart Estial Craig	\$ 15.00
Britton Crystal Dawn	\$ 27.10
Brohard David Ernest	\$ 20.63
Brown Frank T	\$ 44.07
Brown Rhonda R	\$ 7.32
Bryant Michael David	\$ 15.00
Butler Amy R	\$ 40.39
Collegiate Carpet & Hardwood	\$ 24.39
Condrey Cody Ryan	\$ 21.75
Conley David L	\$ 47.17
Cook Christina Marie	\$ 126.13
Craighead Stephen Leroy & Norma Jean	\$ 54.11
Crain Barbara A	\$ 7.88
Cumbee Sherri Lynn	\$ 27.38
Dalton David R	\$ 25.13
Dill Charlesanna	\$ 37.51
Dunford Rose M	\$ 37.51
El Ranchero #7 El Dorado / Alvaro Limon	\$ 234.50
Epling Jamie Lee	\$ 21.75
Ervin Tracy S	\$ 9.28
Flack Virginia Elisabeth	\$ 24.28
Flanigan Steven Anthony	\$ 70.44
Freeman Tony J	\$ 20.63
Giles Shoe Center / Harvey Wilburn	\$ 81.27
Golden Michah Alex Mordecai	\$ 15.00
Gusler Christopher Wayne	\$ 28.23
Hamilton Starr D	\$ 31.88
Hardwick Fred Crum III & Amanda Michele	\$ 47.92
Hatcher Cynthia Conner	\$ 23.16

Hatfield Douglas Dean Jr	\$	41.17
Hatfield Douglas Dean Jr & Brooke Courtney	\$	52.15
Henson Phillip Daniel	\$	27.94
Hoback Rodney Lee Jr	\$	30.19
Holdren Laura M	\$	30.19
Huffman James Ralph & Hazel Sanders Phillips	\$	2.81
Huffman James Ralph	\$	0.94
Hughes Andrea Darlene	\$	28.50
Ishaq Muddassar	\$	27.66
Jennelle Pamela G	\$	54.96
Jennings Brittani Shae	\$	46.23
Johnson Patricia W	\$	35.00
Jones Ashley / Southern Style	\$	4.69
Kemp Jacqueline Marie	\$	23.72
Kempinski Denise Frances	\$	192.28
Kirkpatrick Michael Norman	\$	74.09
Kirkpatrick Michael Norman & Susan K	\$	34.98
Lambert Cindy Lynn	\$	20.91
Lambert Steven Allen	\$	26.26
Lilly James Kevin	\$	24.57
Lucas Angela Morris	\$	21.19
Macdonald Pamela Jeanette	\$	99.50
Mahaffey Betty S	\$	16.47
Marshall James Matthew	\$	33.29
Mascaro Dorothy Jean	\$	46.51
McGraw Laura R	\$	48.77
Miller Linda Gail	\$	25.41
Mullins Douglas McArthur Jr	\$	35.12
Myers Christopher Corey	\$	30.19
Neely Arnold Ray Jr	\$	15.00
Neice Robert Lee Jr	\$	29.63
Neice Robert Steven & Teresa Higgs	\$	24.57
Neice Teresa Higgs	\$	24.57
Padgett William Randolph	\$	27.94
Perkins Aimee Leann	\$	26.26
Perkins Amanda Lynn	\$	24.85
Perkins Andrea Michelle	\$	21.47
Perkins Anthony Walter & Leslie Sparks	\$	34.98
Perkins Anthony Walter	\$	28.97
Peyton Matthew Shane	\$	61.43
Peyton Matthew Shane & Cecilia King	\$	69.03
Pitman Joann Marie	\$	38.35
Pomeroy Laura Elizabeth	\$	25.69
Powers Marvin Lewis	\$	22.88
Price William David Allen	\$	95.00
Quesenberry Daniel Lee	\$	20.35
Raike Sarah Willard	\$	24.01

Ratcliff Kelli Jennifer	\$	24.59
Ratcliff William Cody	\$	20.06
Ratcliff William F & Kelli Jennifer	\$	33.29
Ratcliffe Sandra Ann & Richard Eugene Doyle	\$	76.15
Reece Troy A	\$	15.00
Reed Cory Joseph	\$	43.50
Richmond Phillip James	\$	31.60
Riffey Shaun E	\$	15.00
Robertson Brenda Sue	\$	22.60
Robertson David L	\$	40.99
Rodgers Katherine Leigh	\$	49.96
Ruiz De Carrilo Nely / Carrillo Munoz J Guadalupe	\$	37.51
Rummel Annie Ruth	\$	26.82
Sasser Lewis Elwood	\$	13.13
Scott Jocelyn Rane	\$	23.72
Shama Said Mahmoud Mohamed	\$	26.82
Shrewsbury Tammy & Anthony	\$	58.13
Smith Douglas R Jr	\$	15.00
Snider Kimberly Bird & Estil Ray	\$	84.78
Snyder Lori Beth & Timothy Lee	\$	16.70
Sparks Ashley Paige	\$	23.72
Sprint United Mgmt Co	\$	48.35
Stafford Betty Jo	\$	67.15
Stafford Eric Lyndell	\$	15.00
Stephen Jason M	\$	2.81
Stephens Melissa Carol	\$	25.97
Sterling Payphones LLC / Cassandra McQuirter	\$	0.78
Stevens Theodore Malcolm	\$	62.36
Stevens Theodore Malcolm & Mildred Thompson	\$	50.17
Stevens Bonnie G	\$	26.82
Stump Debra K & Jimmy D	\$	50.17
Stump Jimmy Dale	\$	38.88
Suttle Paula Beatrice	\$	45.95
Taylor Robert Lee & Catherine	\$	50.46
Thornhill Walter Alphonso Jr	\$	56.17
Thornton Mary D	\$	32.45
Ton Tuan That	\$	49.89
Venice Italian Restaurant/ Mohamed Hamis	\$	68.32
Wenrich Jason Matthew	\$	0.75
Wilburn Harvey G	\$	10.31
Widdison Geoffrey Milton	\$	32.94
Williams Anna G	\$	22.03
Wills Kevin Andrew	\$	45.95
Wright Wesley Allen	\$	64.98

Total	\$	5,166.47
--------------	----	----------

The Committee recommended that council approve a Budget Amendment 2017-02 to allocate forfeiture funds received in June 2016. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

BUDGET AMENDMENT FY 2016-2017-02

REVENUE	Current Budget	New Amount	Difference
	\$0.00	\$ -	\$ -
		TOTAL	\$ -
EXPENDITURES	Current Budget	New Amount	Difference
101500.9010 DCJS Seizure	0.00	964.00	964.00
		TOTAL	\$ 964.00
Current Amended Total	Revenue	Expenditures	Difference
	\$ 4,372,070.00	\$ 4,346,142.00	\$ 25,928.00
	\$ -	\$ 964.00	\$ (\$964.00)
	\$ 4,372,070.00	\$ 4,347,106.00	\$ 24,964.00

For Council Action on October 18, 2016

The Committee recommends that council approve a six-month subsidy for Suzanne Whittaker for the larger commercial space in Shelton Place as stated in the memo from the Town Manager. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.



TOWN OF PEARISBURG
112 TAZEWELL ST.
PEARISBURG, VIRGINIA 24134

Robert L. Dickerson
Mayor

Council:
Colin Munsey
Vice-Mayor
Jimmie R. Williams
Kristi Eaton
Judy R. Harrell
Susie Journell
Cathy Clark

Kenneth F. Vittum
Town Manager
 kvittum@pearisburg.org

Rick C. Tawney
Town Engineer/Public Works Director

Jackie C. Martin
Chief of Police

Lorrie A. Mitchell
Finance Director

Regina H. Harless
Town Clerk

Birdie Moya
Librarian

Rodney F. Wilson
Building Official

Recreation Director
Danielle Martin

Telephone:
(540) 921-0340

Website:
www.pearisburg.org

TO: Mayor Dickerson and Town Council

FROM: Kenneth Vittum, Town Manager *KFV*

RE: Alykat's Kitchen

DATE: October 17, 2016

Attached is a proposal from Suzanne Whittaker for a six-month lease on the Shelton Place space last occupied by Dahlia's Delight's. I spoke to Tera Lockley of VCDC and she is open to a short term lease with option to renew. Tera will be in Pearisburg on Friday and I have set a tentative meeting for that afternoon with her and Ms. Whittaker. The equipment and furnishings in the building are being sold by Mary Gillespie to Ms. Whittaker. There are two oak display cases, one in the building and one in storage that are owned by the town and I would suggest allowing Ms. Whittaker to use.

The lease is \$1250 per month and would be broken out as follows:

Month	Whittaker	Town
November	\$350	\$850
December	350	850
January	450	750
February	450	750
March	550	650
April	550	650
Total	\$2,700	\$4,500

I would recommend that council approve this arrangement. It will result in the building being occupied and cut the subsidy of the empty space by \$2,700. I hope that it will also result in a longer term lease after the initial trial period. Please let me know if you have any questions.

Munsey reported on the Public Works Committee. Clark asked if we have an agreement on the traps. Tawney stated that staff would like to change the paperwork on the 1st and 15th then it would be in non-conformance after 3 times town would cut their water off.

The Committee recommends that Council approve Mrs. Elliott's request to remove the Pine Tree and Walnut Tree provided Mrs. Elliott plants two Dogwood trees for each tree removed in the same area. Hartley felt Council should designate a height and time-period to plant them and maintain them. Munsey made an amendment to the recommendation that the trees must be 4-foot tall and be maintained for 5 years. Williams seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Munsey made a motion to approve the Christmas Parade Permit. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Council discussed the Art Challenge Grant. Vittum explained the request for Council to approve a Sub-Grant to the Arts Council for Art in Public Places Project which would include murals, music and kid's art programs. Council reviewed the proposed murals for the PATS Building. Munsey was not in favor of the mural where the gazebo was split. Council would like to see it all on one panel. Vittum stated that the Arts Council revise plans based on the suggestions from Council. Tawney stated that the windows would need to be re-enforced. Journell felt Council might want to wait and see what Virginia Tech (VT) comes up with in their design. She felt we might be wasting our time and money until we hear back from VT.

Munsey made a motion that Council table any decisions on the Art Challenge Grant until a representative could attend a Council Meeting. Williams seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Council discussed the Mutual Aid agreement between Pearisburg Police Department and the other departments in the County. Chief Martin stated that some language needed to be changed about assisting if it's not a hot call. Martin has been talking with Hartley about the language needed. He stated that the County can make a request but Town does not have to respond. The 911 Center must first explain what call is about before town officers will provide mutual aid. Martin stated that he does not want to strain the relationship with the County. He

stated that Pearisburg Police will not be going too far out of town. Hartley stated that it's a request. Hartley stated that it's a situation where law enforcement will be stating their reputation on what is deemed important. He stated that he has reviewed the Mutual Aid Agreement and finds it ready to be passed by Council.

Munsey made a motion that Council approve and adopt the Mutual Aid Agreement between Pearisburg Police Department and the other departments in the County. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

MUTUAL AID AGREEMENT
for law enforcement pursuant to Virginia Code Section 15.2-1736

THIS AGREEMENT entered as of the _____ day of _____, 2016, by and among: County of Giles (the County) and the Towns of Pembroke, Glen Lyn, Pearisburg, Narrows and Rich Creek (the Towns), all in the State of Virginia, provides as follows:

Pursuant to Virginia Code Section 15.2-1736 and in consideration of the mutual covenants contained herein, the parties agree as follows:

1. The County will endeavor to provide law enforcement assistance to the Towns, and the Towns will endeavor to provide law enforcement assistance to the County, and the respective individual Towns will endeavor to provide law enforcement assistance to the other Towns, either collectively or individually, within their respective capabilities available at the time such request for assistance is made and within the terms of this agreement. Any request for such assistance will be made by the 911 Communications Center dispatcher on duty or by any law enforcement official of the respective Town or the County requesting assistance. All requests for law enforcement assistance shall to the extent feasible be logged and recorded by the communications dispatcher on duty at the time such request for assistance is made, however the failure to log and record such request shall have no affect on the validity of the request made pursuant to this Agreement. A request for law enforcement assistance may be made in the event of an emergency, the need for additional personnel or equipment or in the event of the lack of availability of personnel or equipment to adequately respond to an incident or for any other reason deemed necessary by the person requesting assistance.
2. Upon request for assistance received as provided for in paragraph (1), the law enforcement officer of the responding agency will respond as follows:
 - (a) Each of the parties to this agreement will attempt to provide the requested personnel and equipment, subject to the needs of the responding jurisdiction. Nothing contained in this agreement should in any manner be construed to compel any of the parties hereto to respond to a request for law enforcement support or to continue to provide such support when its law enforcement personnel or equipment in the opinion of the requested jurisdiction are needed for other duties within the boundaries of its jurisdiction.

- (b) When law enforcement personnel are responding to another jurisdiction pursuant to this agreement, the jurisdiction, authority, rights, privileges, and immunities, including coverage under the Workers' Compensation Laws, which they have in the sending law enforcement Department shall be extended to and include any geographic area necessary as a result of the request when these personnel are acting within the scope of the authority conferred by this agreement.
- 3. The party who requests mutual aid shall in no way be deemed liable or responsible for the personal property of the members of the law enforcement department of the responding party that may be lost, stolen, or damaged while performing their duties in responding under the terms of this agreement.
- 4. The party responding to the request for mutual aid under the terms of this agreement assumes all liabilities and responsibility as between the parties for damage to its own equipment. The party responding also assumes all liability and responsibility between the parties for any damage caused by the negligence of its personnel while en route to or returning from a specific location.
- 5. The party responding under the terms of this agreement assumes no responsibility for liability for property damages or bodily injury at the actual scene of any incident or emergency due to lawful actions that are taken in responding under this agreement. This liability and responsibility as between the parties shall rest solely with the party requesting aid and within whose jurisdiction the property exists or the incident occurs. No liability is assumed for acts which are not authorized by applicable law and nothing contained in this agreement shall be deemed to impose any greater liability upon any party to this agreement than would otherwise exist under applicable law.
- 6. No compensation will be paid by the parties under this agreement for mutual aid law enforcement assistance rendered.
- 7. The respective parties agree that no claim for compensation will be made by either against the other for loss, damage, or personal injury occurring in consequence of mutual aid law enforcement assistance rendered under this agreement, and all such rights or claims are hereby expressly waived.
- 8. The law enforcement officer in whose community the emergency exists, and who places the request for assistance, shall in all instances be in


command of the emergency as to strategy, tactics, and overall direction of the operations. All orders or directions regarding the operations of the responding party shall be relayed to the responding law enforcement officer or officers of the responding party. Notwithstanding any other provision contained in this agreement, however, the ultimate control of the personnel of any party rendering assistance shall rest with the supervisors of such personnel.

9. This agreement shall continue from year to year unless written notice of termination is given by either party hereto at least sixty (60) days prior to termination. ~~No further obligation or liabilities shall be imposed upon the withdrawing party after termination and either party may terminate this agreement without cause.~~
10. The services performed and expenditures made under this agreement shall be deemed for public and governmental purposes and all immunities from liability enjoyed by the local government within its boundaries shall extend to its participation in rendering assistance outside its boundaries. It is understood that for the purpose of this agreement, the responding party is rendering aid once it has entered the jurisdictional boundaries of the party receiving assistance.
11. This agreement repeals and supersedes all previous written and oral agreements or understandings relating to the provision of mutual aid of law enforcement services. Furthermore, this agreement represents the sole document regulating the provision of mutual law enforcement services between the Towns and the County.
12. This agreement shall be valid only when it is executed by the Mayor/County Administrator and Sheriff/Chief of Police of the respective political jurisdictions pursuant to resolution of each jurisdiction authorizing the Mayors/County Administrator and Sheriff/Chief of Police to execute it. A certified copy of each such authorizing resolution shall be attached to this Agreement.

WITNESS THE FOLLOWING SIGNATURES ON THE DATE SET FORTH HEREON:

TOWN OF PEARISBURG

10-18-16 date


Mayor


Chief of Police

TOWN OF NARROWS _____ date

Mayor Chief of Police

TOWN OF RICH CREEK _____ date

Mayor Chief of Police

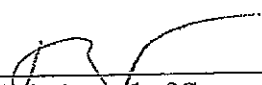
TOWN OF GLEN LYN _____ date

Mayor Chief of Police

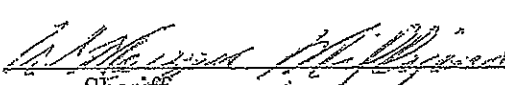
TOWN OF PEMBROKE _____ date

Mayor Chief of Police

COUNTY OF GILES September 22, 2016 date



Chair, Board of Supervisors



Sheriff 09/27/2016

Munsey made a motion to adopt and accept a Resolution for an allocation of funds up to \$60,000 to be matched through the Virginia Department of Transportation Fiscal Year 2017-18 Revenue Sharing Program. Williams seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Munsey, Journell and Clark. The motion carried by a vote of 5 to 0.

Vittum briefed Council on the DHCD Planning Grant. The grant is looking at ways to tie the New River with the Towns for economic development. The Town will be hosting planning sessions soon. He urges Council as well as citizens and business owners to attend. This will be a 6-month process. Tawney has been asked to sit in on these meetings since Vittum will not be here to finish out the grant process. This would allow for Tawney to update the new manager the first of next year. Vittum stated that Giles County is the recipient of the Grant.

On a motion by Williams, seconded by Munsey, passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, absent; Munsey, yes; Harrell, absent; Journell, yes; Clark, yes; Council went into Executive Session as permitted by Virginia Code § 2.2-3711(A) (1), for discussion, consideration or interviews of candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town of Pearisburg: Town Manager, Town Council, Town Clerk and Building Official.

On a motion by Williams, seconded by Munsey passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, absent; Munsey, yes; Harrell, absent; Journell, yes; Clark, yes; Council returned to regular session.

On a motion by Clark, seconded by Munsey, and passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, absent; Munsey, yes; Harrell, absent; Journell, yes; Clark, yes; Council certified that the subject discussed in this Executive Session was the subject identified in the motion to go into Executive Session and only that subject, and that Council discussed no other subject while in Executive Session.

Clark read a thank you card sent by the family of Mayor Dickerson following the death of his wife's sister.

Munsey discussed a potential proposal from the PSA to develop a transfer station in the town. The industrial site being considered would allow this as a Conditional Use only. Vittum indicated that he had sent Kevin Belcher a letter including this information and the process for applying for a permit.

Vittum informed council that former council member Rebecca Moses' husband, Buddy, had passed away. A memorial is being planned for November.

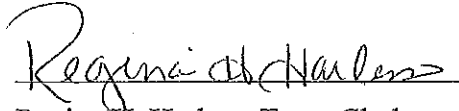
There being no further business, the meeting was adjourned.

APPROVED:



Mayor Robert L. Dickerson

ATTEST:



Regina H. Harless, Town Clerk

