

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA
Council Chambers – Municipal Building
7:00 pm CLOSED SESSION **7:30 pm regular session**
Tuesday, May 14, 2013

7:00--Closed Session

1. Items to be considered in Closed Session, in accordance with the Code of Virginia, Title 2.2, Chapter 37—Freedom of Information Act, Section 2.2-3711(A)—Closed Meetings, the following:
 - A. Appointments to Boards & Commissions as authorized by Subsection 1.
 - B. Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7.

7:30—Regular Session

Invocation & Pledge to the American Flag– Council Member Mark Stroud

1. [Consider approval of minutes of March 20, 2013, March 26, 2013, April 8, 2013 tour and April 8, 2013 meetings.](#) (2 mins)
2. [Presentation of Proclamation-Elks Club 65th Anniversary.](#) (2 mins)
3. [Presentation of Proclamation-National Missing Children’s Day.](#) (2 mins)
4. [Conduct public hearing regarding FY2013-2014 Budget and approve ordinance, on first reading, establishing the City’s budget and tax rates FY14.](#) (30 mins)
5. [Consider setting a public hearing for May 28, 2013 for the purpose of receiving/interviewing citizens interested in appointment for one 3-year position beginning July 1, 2013 and ending June 30, 2016 to the City’s School Board.](#) (2 mins)
6. [Consider approval of revisions to Electric Terms & Conditions to reflect the addition of a Time of Day rate to the City’s rate schedules and an increase in the fee charged for returned checks and returned bank drafts.](#) (15 mins)
7. [Consider approval of Beaver Creek Reservoir Rules and Regulations Governing Use.](#) (10 mins)
8. [Consider approval of consent agenda.](#) (2 mins)
9. [Consider approval of ordinance on second reading for an organization requesting a local tax exemption.](#) (5 mins)
10. Business from the Floor
This section of the Council meeting provides citizens the opportunity to discuss matters, which are not listed on the printed agenda. In that the Council meetings are broadcast on Martinsville Government Television, the City Council is responsible for the content of the programming. Thus, any person wishing to bring a matter to Council’s attention under this Section of the agenda should:
 - (1) come to the podium and state name and address;**
 - (2) state the matter that they wish to discuss and what action they would like for Council to take;**
 - (3) limit remarks to five minutes;**
 - (4) refrain from making any personal references or accusations of a factually false and/or malicious nature.****Persons who violate these guidelines will be ruled out of order by the presiding officer and will be asked to leave the podium.**
Persons who refuse to comply with the direction of the presiding officer may be removed from the chambers.
11. Comments by members of City Council. (5 minutes)
12. Comments by City Manager. (5 minutes)



City Council Agenda Summary

Meeting Date: May 14, 2013

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes of City Council meetings March 20, March 26, April 8 tour, and April 8, 2013.

Summary: None

Attachments: [March 20, 2013](#)
[March 26, 2013](#)
[April 8, 2013 tour](#)
[April 8, 2013](#)

Recommendations: Motion to approve minutes as presented

March 20, 2013

A special meeting of the Council of the City of Martinsville, Virginia, was held on March 20, 2013, in Council Chambers, Municipal Building, at 6:00PM, to conduct a worksession regarding capital expenses with Mayor Kim Adkins presiding. Council Members present included: Mayor Adkins, Vice Mayor Gene Teague, Sharon Brooks Hodge, Danny Turner, and Mark Stroud. Staff present included: Leon Towarnicki, Interim City Manager, Brenda Prillaman, Linda Conover, Mike Rogers, Ashby Pritchett, Esther Artis, Steve Draper, Eddie Cassidy, Mike Scaffidi, Andy Lash, Dennis Bowles, Cindy Dickerson, Kris Shrader, Durwin Joyce, and Cindy Barbour.

Mayor Adkins opened the meeting and called on school personnel for their presentation regarding capital needs. Superintendent Pam Heath distributed the following 5 year plan for review and advised no additional capital funding is being requested for FY14 by the schools:

Martinsville City Public Schools										
Capital List										
Location	Project	PRIORITY	ESTIMATE	FY14	FY15	FY16	FY17	FY18+	NOTES	
Martinsville High School	Lighting Upgrade	Needed	Re-evaluating	R					Energy Audit	
Martinsville High School	Breaker Box	Necessary	Re-evaluating	R						FY14 \$ 258,168
Martinsville High School	Renovate D&F	Necessary	Re-evaluating	R						FY15 \$ 181,350
Martinsville High School	Transformer Replacement	Desired	Re-evaluating	R					Energy Audit	FY16 \$ 219,045
Food Services	Double Convection Oven	Necessary	\$ 14,000	x					Albert Harris	FY17 \$ 85,000
Food Services	Stainless Workstation	Necessary	\$ 16,000	x					Clearview	FY18+ \$ 1,544,401
Food Services	Kitchen/Dining	Renovation		x					MHS	
Albert Harris Elementary	Security Doors	Urgent	\$ 1,000	x					Safety & Security; HS Reno	R Renovation
Albert Harris Elementary	Camera Upgrade	Urgent	\$ 2,500	x					Safety & Security	
Albert Harris Elementary	Handicap Shower	Necessary	\$ 10,000	x					Special Education	
Albert Harris Elementary	Roof Recoat	Urgent	\$ 50,000	x					Preventative Maintenance	
Albert Harris Elementary	Green House	Desired	\$ 17,000	x					Harvest	
Albert Harris Elementary	Roof Recoat	Urgent	\$ 23,000	x					Preventative Maintenance	
Clearview Early Learning Center	Door Hardware	Urgent	\$ 4,500	x					Safety & Security	
Clearview Early Learning Center	Security Doors	Urgent	\$ 20,000	x					Safety & Security	
Clearview Early Learning Center	Cameras	Urgent	\$ 2,500	x					Safety & Security	
Maintenance	Dump Bed Trailer & Truck	Desired	\$ 17,000	x						
Martinsville High School	Remove Undergrnd Tank	Needed	\$ 10,000	x					Safety	
Martinsville High School	Auditorium Canopy	Desired	\$ 4,000	x						
Martinsville High School	Green House	Desired	\$ 17,000	x					CTE	
Martinsville Middle School	Security Doors	Urgent	\$ 4,668	x					Safety & Security	
Martinsville Middle School	Remove Classrm Door	Urgent	\$ 25,000	x					Safety & Security	
Patrick Henry Elementary	New Classroom	Necessary	\$ 10,000	x					Programming	
Martinsville Middle School	Marqui	Desired	\$ 10,000	x					PTO	
Albert Harris Elementary	Replace School Marquee	Desired	\$ 10,000		x					
Albert Harris Elementary	EMS Upgrade	Necessary	\$ 20,625		x				Efficiency	
Clearview	Breaker Box	Necessary	\$ 20,000	x						
Martinsville High School	Press Box Roof	Necessary	\$ 15,000	x						
MHS & MMS	Concrete Repair	Necessary	\$ 13,500	x					Safety	
Patrick Henry Elementary	Move Playground	Desired	\$ 5,000	x						
Vocational	Lighting Upgrade	Desired	\$ 73,725	x					Energy Audit	
Maintenance	Snowplow Pump	Necessary	\$ 3,500	x						
Patrick Henry Elementary	Add Parking Lot Section	Desired	\$ 20,000		x					
Albert Harris Elementary	Sound & Screen	Desired	\$ 16,000			x				
Clearview Early Learning Center	Pave & Extend Parking	Desired	\$ 18,000			x				
Martinsville High School	Tennis Courts - Surfacing	Necessary	\$ 50,000			x				
Albert Harris Elementary	Roof Repair	Urgent	\$ 79,535			x				
Martinsville Middle School	EMS Upgrade	Desired	\$ 55,510			x			Energy Audit	
Druid Hills	Boiler Replacement	Desired	\$ 85,000				x		Energy Audit	
Albert Harris Elementary	Transformer Replacement	Desired	\$ 69,558				x		Energy Audit	
Albert Harris Elementary	Lighting Upgrade	Desired	\$ 231,217				x		Energy Audit	
Clearview Early Learning Center	Roof Recoat	Necessary	\$ 78,695				x			
Clearview Early Learning Center	Lighting Upgrade	Desired	\$ 85,075				x		Energy Audit	
Druid Hills	Roof Recoat	Necessary	\$ 78,000				x			
Druid Hills	Lighting Upgrade	Desired	\$ 156,099				x		Energy Audit	
Martinsville Middle School	Gym Roof Replacement	Necessary	\$ 134,000				x			
Martinsville Middle School	Roof Replacement	Necessary	\$ 150,000				x			
Martinsville Middle School	Transformer Replacement	Desired	\$ 71,488				x		Energy Audit	
Martinsville Middle School	Lighting Upgrade	Desired	\$ 206,123				x		Energy Audit	
Patrick Henry Elementary	Lighting Upgrade	Desired	\$ 73,146				x		Energy Audit	
Patrick Henry Elementary	Roof Replacement	Necessary	\$ 211,000				x			
Transportation	Bus Replacements	Necessary	Evaluating						New Schedule/Debt Service	
Transportation	Move Bus Garage	Desired	Evaluating							
Martinsville High School	Parking Lots	Desired								
			\$ 2,287,964							

March 20, 2013

City Departments and Constitutional offices presented information on their capital needs and Council reviewed the spreadsheets outlining 5-year capital needs as well as long-term capital needs for city. Following is the 5-year capital spreadsheet:

CAPITAL REQUESTS FOR FY14 - FY18													
DEPARTMENT:	CMT RANK	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIOR	
REFUSE FUND:													
replace '94 GMC front loader garbage truck	1	230,000	230,000	230,000					09424301 508205	Y	12,13	H	
90 1/2 T pickup #5183 - refuse collection		22,000			22,000				09424301 508205				
replace '99 International/Hell rear load #6383		150,000				150,000			09424301 508205				
replace '00 Ford/PakMor F750 #9827		130,000						130,000	09424301 508205				
replace '00 Volvo Front load #6406		250,000						250,000	09424301 508205				
TOTAL REFUSE FUND:		782,000	230,000	230,000	22,000	150,000	0	380,000					
MINET/FIBER OPTIC SYSTEM FUND													
Succession Upgrade (Terminal Numbers)	1	30,000	30,000	30,000									
Cisco Core Routers for Internet Management	1	35,000	35,000	35,000									
87 Chevy C1500 pickup	1	22,000	22,000	22,000					16575365 508012	N		H	
Telecom/Fiber Optic/Minet System	1	600,000	120,000	120,000	120,000	120,000	120,000	120,000					
TOTAL MINET/FIBER OPTIC FUND:		687,000	207,000	207,000	120,000	120,000	120,000	120,000					
WATER FUND													
Replace #1 Flocculator	1	21,000	21,000	21,000					12541311 508220	N		M	
Replace Caustic Soda Tank - WTP	1	30,000	30,000	30,000					12541311 508201	N		M	
Replace Main Valve - WTP	1	45,000	45,000	45,000					12541311 508220	N		H	
Paint Summitview Tank	1	90,000	90,000	90,000					12542132 508220	N		M	
Meter Replacement/Upgrade - Maintenance	1	400,000	100,000	100,000	100,000	100,000	100,000		12542312 508205	N		H	
Pick-Up - 1/2 T - Reservoir	3	25,000	25,000						12541311 508205	Y	FY11	H	
Pick-Up - 1/2 T - Water maint	3	25,000	25,000						12542312 508220	N		H	
Reservoir Road Repairs	3	30,000	30,000						12543313 508205	Y	FY11	H	
Service Truck - Maintenance	3	40,000	40,000						12541311 508203	N		H	
SCADA/Radio System Upgrades - WTP		25,000			25,000								
Replace Finish Pump #1 - WTP		50,000			50,000								
Rebuild Filters		625,000			250,000	375,000							
Paint Bethel Lane Steel Tank		130,000				130,000			12541311 508220	N		H	
Replace Hypochlorite Tank - WTP		15,000					15,000						
Paint Tank Street Tank #1		120,000					120,000		12541311 508220	N		H	
Paint New York Tank		130,000						130,000	12541311 508220	N		H	
TOTAL WATER FUND:		1,801,000	406,000	286,000	425,000	605,000	235,000	130,000					

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
SEWER FUND											
Manhole Replacements - Inflow Red - Maint	1	75,000	15,000	15,000	15,000	15,000	15,000	13551326 508220	N		H
Contract Sewer Replacement - Inflow Red - Maint	1	250,000	50,000	50,000	50,000	50,000	50,000	13551326 508220	Y	08-11	H
Close Coupled Primary Pumps	1	25,000	25,000	25,000							
Sewer & Storm Drain Jet-Vacuum trailer (split PW/W/S 40K)	1	120,000	120,000	120,000							
Inspection/Engineering Report for Main Intercept	1	276,875	276,875	276,875							
Sludge Mixers	1	27,073	27,073	27,073							
Air Tank for Sludge Building	2	10,000	10,000								
Sewer Jet Truck	2	98,000	98,000					13551326 508205	Y	07-12	H
ATV with dump/could share w/electric 50-50)	3	9,500	9,500								
Dismantle Old Aeration Basin - WWTP	3	30,000	30,000					13550325 508220	Y	08-12	H
Sewer Relining Equipment		500,000		500,000							
Sewer TV Inspection Camera - Maint		8,000			8,000						
Relocate Sewer - Commonwealth Blvd - Constr		120,000			120,000			13552327 508220	Y	2008	L
3 Chlorine Contact Renovation - WWTP		350,000			350,000						
6" Portable Pump WWTP		25,000				25,000					
2 ton Dump Truck - constr		60,000				60,000					
Utility Truck - WWTP		40,000					40,000				
Engineering for WWTP Upgrade		50,000					50,000				
Rebuilt #3 Secondary Clarifier		135,000					135,000				
TOTAL SEWER FUND:		2,209,448	661,448	513,948	565,000	543,000	150,000	290,000			
ELECTRIC FUND											
Painting exterior steel structure on dam & plant	1	30,000	30,000	30,000				14563338 508220	N		H
Replace Substation Regulators	1	216,150	66,000	66,000	71,500	78,650		14563338 506007	N		H
Uptown Street Lights	1	245,270	74,100	74,100	81,510	89,660		14564339 506430	Y	11,12,13	H
Line Replacement & New Projects	1	500,000	100,000	100,000	100,000	100,000	100,000	14594338 508220	N		H
1400 & 1500 Mulberry (overhead to underground)	1	120,000	120,000	120,000				14563338 508220	N		H
Single bucket truck T-2	1	185,000	185,000	185,000				14562337 508205	Y	13	H
replace '97 1/2 T 4x4 pickup	3	33,000	33,000					14564339 508205	Y	13	H
replace '97 1020 Ditch Witch (walk behind)		13,500			13,500						
tri-reel trailer		43,400			43,400						
replace '03 3/4 T pickup Chevy 4x4		47,000			47,000						
Refacing Dam Downstream Face		95,000			50,000	45,000		14561336 508220	N		
*** Disaster Recover Funds (70,000) from prior year will complete this proj of 165,000											
Replace Walkway Boards at Hydro		20,000				10,000	10,000				
replace '05 1/2 T pickup Ford F-150 (T-5)		36,500				36,500					
Ditchwitch & Trailer		86,000				86,000					
Tri-annual Substation Maintenance		115,000				115,000		14563338 506007	N		H
Single bucket truck T-24		190,000					190,000				
TOTAL ELECTRIC:		1,975,820	608,100	575,100	406,910	560,810	300,000	100,000			
TOTAL ALL UTILITIES:		7,455,268	2,112,548	1,812,048	1,538,910	1,978,810	805,000	1,020,000			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIO
SHERIFF											
Renovations to Isolation Cell	1	5,000	5,000	5,000							
Live Scan Replacement Jail	1	9,815	9,815	9,815							
Replace Barn at Annex	1	13,000	13,000	13,000							
vehicle replacement (car) *may remove if can cover fy13*	1	227,500	32,500	32,500	65,000	32,500	65,000	32,500	16575365	508085	Y partial H
Additional Jail Space	3	1,396,705	279,341	279,341	279,341	279,341	279,341		16577367	508085	
Industrial Washer & Dryers		20,000			10,000				16572362	508085	Y 2008 H
Plumbing repairs at Annex		25,000			25,000				16577367	508085	N H
Replace Roof at Annex (3 bldgs)		27,595			27,595				16577367	508052	
SUV (4x4) on call/civil inclement weather		30,000			30,000				1657365	508085	
Repair Cell Block Doors - Jail		96,000			96,000				16577367	508085	N H
Security Upgrade - Jail		150,000			150,000						
TOTAL SHERIFF:		2,000,615	339,656	60,315	682,936	311,841	354,341	311,841			
UTILITY BILLING:											
1/2 T compact pickup 2x4 (#6314 - Ronald)	1	20,000	20,000	20,000					16576366	508051	N H
Customer Billing Software System		20,000			20,000						
Fireproof file cabinets		7,000				7,000					
Office Desks (2)		5,800					5,800				
TOTAL UTILITY BILLING:		52,800	20,000	20,000	20,000	7,000	5,800	0			
PARKS & RECREATION:											
Replace zero turn Toro Zmaster mower #9932	1	6,500	6,500	6,500					16572362	508127	N H
replace outdated playground equipment	1	60,000	20,000	20,000	20,000		20,000		16577367	508127	Y N
replace '86 Chev 1/2-T pickup #1580	2	22,000	22,000						16575365	508127	N M
replace '99 New Holland 60" mower w/cab		27,000			27,000						
restroom facility @ Baldwin (ADA compliant)		30,000			30,000						
pave Southside parking lot (top & bottom)		70,000			70,000						
replace '78 JD 850 tractor/mower		16,000				16,000			16572362	508127	N M
replace '72 JD 820 tractor/bush hog		19,000				19,000					
pave BB courts @ Southside & Chatham Hts		20,000				20,000					
restroom facility @ Hooker (ADA compliant)		45,000				45,000					
replace shelter picnic tables		35,000					35,000				
upgrade a/c at Armory (central air)		120,000					120,000				
JD Gator for Hooker Field		7,200						7,200			
replace lights at Southside ballfields		300,000						300,000			
TOTAL PARKS & RECREATION:		777,700	48,500	26,500	147,000	120,000	155,000	307,200			
PUBLIC WORKS/GARAGE:											
No equipment requested.									16577367	508100	Y 11,12,13 H
TOTAL PWGARAGE:		0	0	0	0	0	0	0			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
PUBLIC WORKS:											
10' snow plow w/brackets & mounting hrdr	1	6,000	6,000	6,000					16572362	508112	Y 13 L
replace '90 F700 2 T dump truck #5180	1	65,000	65,000	65,000					16575365	508112	Y 13 M
replace '96 bobcat skid steer loader #0139	1	45,000	45,000	45,000					16572362	508112	Y 12 H
replace '94 F800 2 T dump truck #5740	1	65,000	65,000	65,000					16575365	508112	N M
replace '92 JCB Backhoe #5719		75,000			75,000						
replace '94 F800 2 T dump truck #5739		67,000			67,000				16575365	508112	
replace '92 Chev 2 T Flatbed dump truck #6717		65,000			65,000				16575365	508112	
refurbish '98 FMC sprayer #1331- keep tank		16,000			16,000						
replace '96 F350 crew cab util truck/concrete #0142		52,000				52,000					
replace '87 Sullair air compressor #1335		20,000				20,000					
replace '87 F800 chassis for tar distributor #6372		55,000				55,000					
replace '96 F800 2T dump truck #0141		70,000				70,000					
replace '03 Elgin Sweeper #9882		190,000					190,000		16572362	508112	N H
replace '90 Michigan loader #5184		150,000					150,000				
replace '99 NH tractor w/idearm mower #8402		45,000					45,000				
replace '88 Lee Boy paving machine #1436		85,000					85,000				
replace '95 Chevy Utility Body Traffic #0105		50,000						50,000			
TOTAL PUBLIC WORKS:		1,121,000	181,000	181,000	223,000	197,000	470,000	50,000			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
INSPECTIONS:											
Uptown Loft Apartment Survey		20,000			20,000						
Electronic Bldg File/Plan Conversion		30,000			30,000						
Online Permitting Equipment		10,000			10,000				16575365	508090	N H
4x4 SUV - Fire Marshall (FY2019)											
2x4 1/2 T Pickup - Inspections (FY2025)											
Mid-size car - Inspections (FY2021)											
TOTAL INSPECTIONS:		60,000	0	0	60,000	0	0	0			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
COMMISSIONER OF REVENUE:											
Real Estate Assessment Program	2	161,452	82,420	40,510	49,510						
**71,688 software;76,860 labor;12,904 annual maint. FY14 includes 1st year maint, software & installation											
replace '04 Ford - assessors/auditors car	3	23,535	23,535						16575365	508035	Y 11,12,13 L
(2) PC's & (2) printers	3	5,658	5,658								H
(coverage through MIS if funding available)											
TOTAL COMMISSIONER OF REVENUE:		29,193	29,193	0	0	0	0	0			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
SENIOR SERVICES:											
Kitchen Renovations - counter/sink/cabinets		5,000	5,000						16577367	508141	Y 11,12,13 H
Painting of Bldg - inside & outside		9,000	9,000						16577367	508141	Y 11,12,13 H
**roof desperately needs painting - min \$1,600											
This can be done through Gen Fund budget - repairs/maint											
replace '06 Dodge Van with manual ramp (City share)	1	8,950	8,950	6,950					16575365	508120	N H
replace '02 Dodge 13-pass van		8,000			8,000				16575365	508120	N M
Roof Replacement		10,000				10,000			16577367	508141	N M
Matching funds - replace '06 18-pass bus w/lift		10,000				10,000			16575365	508120	N M
TOTAL SENIOR SERVICES:		48,950	20,950	6,950	8,000	20,000	0	0			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
INFORMATION SERVICES:											
Communications-Audio/Video equipment-upgrade Council Ch	1	50,000	50,000	50,000				16574364	508140	N	H
Computer Replacement Program (ongoing)	1	750,000	150,000	150,000	150,000	150,000	150,000	16576366	508055	Y	PARTIAL
TOTAL INFORMATION SERVICES:		800,000	200,000	200,000	150,000	150,000	150,000				
DEPARTMENT:											
POLICE DEPARTMENT:											
Police Cars-1 mark/1 unmark/2 4wh dr vehicles	1	575,662	\$ 116,000	\$ 116,000	\$ 135,353	\$ 93,107	\$101,202	\$130,000	16575365	508075	Y 09 & 10
**marked/unmarked @ 30641; 4wd @ 27,359											
(8) Portable Radios	1	80,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	16574364	508075	N
(4) Mobile Radios-2 currently inoperable	1	38,000	\$ 10,000	\$ 10,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000	16574364	508075	N
In Car Cameras	1	77,500	\$ 16,500	\$ 16,500	\$ 33,500	\$ 16,500	\$ 5,500	\$ 5,500	16575365	508075	Y
Crime Scene Van	3	180,000	\$ 180,000						16576366	508075	N
(4) MDT Laptops		28,000	\$ -	\$ -	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000			
MDT Server		10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000			
IBR Server		11,000				11,000					
TOTAL POLICE DEPARTMENT:		980,162	334,500	154,500	194,853	146,607	132,702	171,500			
DEPARTMENT:											
FIRE DEPARTMENT:											
Heavy technical rescue equipment		10,000			5,000	5,000			16572362	508080	N
Replace Engine Room Heaters - Station 1		5,100			5,100						
Trailer Shelter		10,000			10,000						
Thermal Imaging Camera		10,000			10,000						
Replace Floors - Station 1		19,346			11,161	8,185			16577367	508050	N
Feasibility Assessment on Fire Stations		18,000			18,000						
Replace Windows - Station 2		6,000				6,000			16577367	508050	N
Replacement Floors at Station 2		15,000				10,000	5,000				
SCBA Fill Station		40,000				40,000			16572362	508080	N
Paint Station 1 & 2		10,000									M
4x4 1 T pickup - Truck 1		36,000									36,000
Engine 2 - (FY2020)		0									
Engine 3 - (FY2015)		0									
Ladder 1 (FY2025)		0									
4x4 SUV - Chief (FY2023)		0									
4x4 SUV - Operations (FY2021)		0									
New Fire Station (4M over 20 years)		0									
Renovate Existing Bldg as Fire Station		0									
Relocate CO2 (house/station style)		0									
TOTAL FIRE DEPARTMENT:		179,446	0	0	59,261	69,185	5,000	46,000			

DEPARTMENT:	ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
EMS:											
EKG/Defibrillators		60,000			60,000						
Replace Medic 1		210,000			210,000						
Replace Medic 3		210,000				210,000					
TOTAL EMS:		480,000	0	0	270,000	0	210,000	0			
DEPARTMENT:											
SAFETY											
Public Warning System - Sirens - Grant Match	1	17,336	17,336	17,336	0	0	0	0	16574364	508080	N
*total project 5192,599 - may be approved by VDEM in 2013.											
4x4 SUV - Emerg. Mgmt. (FY2019)		17,336	17,336	17,336	0	0	0	0			
TOTAL SAFETY FUND:		17,336	17,336	17,336	0	0	0	0			
DEPARTMENT:											
CITY HALL PROJECTS:											
Renovation/Replacement of Elevators		50,000				50,000					
TOTAL:		50,000	0	0	0	50,000	0	0			
DEPARTMENT:											
TREASURER:											
Computer/Printer Replacement **only if IT cannot cover		25,000	5,000	5,000	5,000	5,000	5,000	5,000	01124042	508014	Y
TOTAL:		25,000	5,000	5,000	5,000	5,000	5,000	5,000			
DEPARTMENT:											
FINANCE:											
Copier		7,000	0	0	7,000						
TOTAL:		7,000	0	0	7,000	0	0	0			
DEPARTMENT:											
HUMAN RESOURCES:											
No requests.		0									
TOTAL:		0	0	0	0	0	0	0			
DEPARTMENT:											
PURCHASING:											
No requests.		0									
TOTAL:		0	0	0	0	0	0	0			
DEPARTMENT:											
GARAGE/WAREHOUSE COMPLEX:											
replace (2) 12'x10' garage doors	1	12,400	12,400	12,400					16577367	508100	Y
repair/replace roof on salt shed at shop	1	20,000	20,000	20,000					16577367	508112	Y
Replace Upper Roof	1	125,000	125,000	125,000					16577367	508670	Y
Upgrade Electric @ Warehouse		15,000			15,000				16577367	508670	Y
Warehouse Parking Lot Paving		50,000			50,000				16577367	508670	Y
Security Card System		25,000			25,000				16577367	508670	N
Pave Back Lot		40,000			40,000				16577367	508670	Y
Replace Water Lines @ warehouse		0							16577367	508670	N
TOTAL:		287,400	157,400	157,400	130,000	0	0	0			

March 20, 2013

DEPARTMENT:		ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018				
CIRCUIT COURT CLERK:												
Network upgrade	1	7,500	7,500	7,500								
computer server	1	15,000	15,000	15,000								
computers/printers	1	6,325	1,725	1,725	1,150	1,150	1,150	1,150				
hidensity mobile storage system		18,000				18,000						
TOTAL:		46,825	24,225	24,225	1,150	19,150	1,150	1,150				
DEPARTMENT:		ITEM COST	REQUESTED 2014	#1 RANKING FOR FY14	PLANNED 2015	PLANNED 2016	PLANNED 2017	PLANNED 2018	LINE ITEM #	DENIED PREV?	WHEN?	PRIORITY
HOUSING/COMMUNITY DEVELOPMENT:												
Security Upgrades @ Housing Office	2	7,500	7,500						16577367	508135	N	H
Housing Choice system update (Elite)	3	20,000	20,000						49535280	508208	N	M
TOTAL:		27,500	27,500	0	0	0	0	0				
TOTAL GENERAL GOV'T:		6,990,927	1,405,260	853,226	1,958,200	1,095,783	1,488,993	1,042,691				
GRAND TOTALS:		14,446,195	3,517,808	2,665,274	3,497,110	3,074,593	2,293,993	2,062,691				

There was lengthy discussion on each department and their needs. No formal action was taken by Council at this worksession. There being no further business, the meeting adjourned at 8:30pm.

Brenda Prillaman, Clerk of Council

Kim Adkins, Mayor

March 26, 2013

The regular meeting of the Council of the City of Martinsville, Virginia, was held March 26, 2013, in Council Chambers, Municipal Building, at 7:30 PM, Closed Session beginning at 7:00PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Vice Mayor Gene Teague, Mark Stroud, Sharon Brooks Hodge and Danny Turner. Staff present included: Leon Towarnicki, Interim City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Dennis Bowles, and Mike Rogers.

Mayor Adkins called the meeting to order and advised Council will go into Closed Session. In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Danny Turner, seconded by Sharon Brooks Hodge, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matters: (A) A personnel matter as authorized by Subsection 1. (B) Consultation with legal counsel and briefings by staff members, attorneys, or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during Session. On a motion by Mark Stroud, seconded by Sharon Brooks Hodge, with the following recorded 5-0 vote: Adkins, aye; Hodge, aye; Teague, aye; Stroud, aye; and Turner, aye, Council returned to Open Session.

Action: On a motion by Gene Teague, seconded by mark Stroud, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council agreed to enter into the employment agreement with Leon Towarnicki as City Manager. On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council approved the following ordinance 2013-U-1 on first reading, which puts into place the job duties and salary of the City Manager:

City of Martinsville, Virginia ORDINANCE 2013-U -1 [uncodified]

WHEREAS, the Council of the City of Martinsville has this day appointed Leon E. Towarnicki as City Manager, and desires to enact an ordinance fixing his compensation as required by Chapter 5, Section 1 of the City Charter,

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on March 26, 2013, that the City Manager shall receive the following compensation:

The City agrees to provide the following compensation to the City Manager during the term of his employment:

A. Compensation & Required Employer Costs

(1) **Base Salary**

(a) The annual salary for the position of City Manager shall initially be one hundred fifteen thousand dollars (\$115,000.00).

(b) The City Manager will be eligible for annual salary adjustments based on the City Manager's annual performance evaluation, and at the sole discretion of the City Council. The salary adjustments may be based, in part, on the accomplishment of specific goals set by the City Council that are achieved by the City Manager.

(c) The City Manager shall be paid at the same intervals and in the same manner as regular City employees.

(d) Subject to the provisions of his Employment Agreement, the City shall not at any time during the term of this Agreement reduce the base salary, compensation or other financial benefits of the City Manager, unless as part of a general City management salary reduction, and then in no greater percentage than the average reduction of all City department heads whose salaries are reduced.

(2) **Required Employer Costs.** The City shall pay:

(a) Federal Insurance Contributions Act (FICA) (if applicable to the same extent provided other City employees)

(i) Old Age Survivor and Disability Income (OASDI)

(ii) Medicare

(b) Unemployment Compensation to the same extent provided other City employees.

(c) The City contracts with the Virginia Retirement System (VRS) for retirement benefits. The City Manager will be treated as any other employee with regard to City contributions to and the vesting of said retirement benefits.

(d) The cost of any fidelity or other bonds required by law for the City Manager.

(e) Workers Compensation to the same extent provided other employees of the City.

B. Basic Benefits

(1) **Health Insurance.** The parties acknowledge that City Manager will receive health insurance benefits at the same level as all other City employees in accordance with City approved health insurance contribution rates.

(2) **Annual and Sick Leave.** Notwithstanding the policies regarding leave set forth in the City of Martinsville's Employee Handbook, as amended from time to time, the City Manager shall accrue annual leave and sick leave in conformance with City approved policies. The

March 26, 2013

City Manager shall not be entitled to compensatory time. The City Manager shall coordinate his leave with the Mayor and shall schedule leave in such a fashion as to minimize absences from Council meetings.

- (3) Other Benefits. With the exception of those benefits specifically addressed in his Employment Agreement, the City Manager shall be entitled to all employee benefits as are currently provided to him and further provided in the City of Martinsville's Employee Handbook as amended from time to time or such benefits as to which the City Council and City Manager agree from time to time. To the extent such amendments of the City of Martinsville's Employee Handbook may result in increased or additional benefits to the City Manager, such amendments are subject to the express ratification of the City Council for their application to the City Manager.

Comments were made by Council members congratulating Mr. Towarnicki for his excellent work while serving as Interim City Manager for past 15 months. Mr. Towarnicki thanked Council for their support and confidence and pointed out that the city has a great staff and there are tough challenges and unique opportunities ahead for our city.

Following the invocation by Mayor Adkins and Pledge to the American Flag, the Mayor welcomed everyone to the meeting.

Minutes: On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the minutes of the February 12, 2013 meeting.

Proclamation-Child Abuse Prevention Awareness: Mayor Adkins presented a proclamation to Exchange Club representative, Nancy Kennett, for Child Abuse Preventions Awareness Month.

Proclamation-Sexual Assault Awareness: Mayor Adkins presented a proclamation to Citizens Against Family Violence Sexual Violence Case Manager, Sandy Dawson, for Sexual Assault Awareness Month.

West Piedmont Workforce Investment Board update: Executive Director of the West Piedmont Workforce Investment Board, Kim Adkins, gave a comprehensive quarterly update on the WPWIB activities.

Resolution for NCI required by DHCD: On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the following resolution:

Be it resolved that, pursuant to two public hearings, **THE CITY OF MARTINSVILLE** wishes to apply for **\$700,000.00** of Virginia Community Development Block Grant funds for **the NEW COLLEGE EXPANSION – BUILDING ON BALDWIN PROJECT.**

Whereas **\$815,540 of other funds** will also be expended on this project, it is projected that through this \$1,515,540 investment, that 5,600 SF of Classroom Space will be completed and 2,612 SF of Support Space. This space will serve as the Center for Innovation and Entrepreneurship and be located on the second floor of the New College Building.

It is further projected that 60 percent or 300 individuals served over the next three years will be low-and moderate income persons.

Be it further resolved that **LEON E. TOWARNICKI, CHIEF ADMINISTRATIVE OFFICIAL**, is hereby authorized to sign the application and documents for the submission of this Virginia Community Development Block Grant proposal.

Duly adopted at the regular meeting of the Martinsville City Council on **March 26, 2013.**

Kim Adkins, Mayor, Martinsville City Council
Chief Elected Official

Set public hearing for local tax exemption request: Commissioner of Revenue Ruth Easley briefed Council on the tax exemption request from STEP, Inc. On a motion by Mark Stroud, seconded by Gene Teague, with a 5-0 vote, Council set the public hearing for April 23, 2013 for consideration of the request.

Consent agenda: On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with a 5-0 vote, Council approved the following consent agenda:

BUDGET ADDITIONS FOR 3/26/13				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY13				
General Fund:				
01101917	442810	Categorical Other - State - Highway Projects		598,012
01413151	503193	Thorofare Construction - Prof.Serv. -Inspections/Fees	50,281	
01413151	508220	Thorofare - Physical Plant Expansion	430,179	
01413151	508234	Thorofare Construction - Utility Relocation	117,552	
		Reimbursement-Liberty St Project		
01102926	443157	Categorical Federal - Safe Routes to School		5,704

March 26, 2013

01413146	503140	Street Marking - Prof. Services - Engineering Reimbursement-Safe Routes to School Project	5,704	
Total General Fund:			603,716	603,716
SCHOOL FUND				
18101918	418308	State Grants - Project Graduation		18,286
71501100	561120	Instructional S&W	15,000	
71501100	565800	Miscellaneous Expense	1,500	
71501100	566013	Instructional Materials and Supplies	1,786	
Total School Fund:			18,286	18,286

Semi Annual reports from outside agencies: Council briefly discussed outside agency reports submitted. No action was taken.

Business from floor: Ural Harris, 217 Stuart St.—EDC comments and comments regarding expenses for city manager job search. Mayor Adkins recognized members of a class from National College attending the Council meeting as part of their class requirements. Class members Sam Cooke, Melvin Hairston, and Sharon Kent spoke to Council about their studies. Chad Martin-thanked the police chief for the PHCC Safe Schools dialogue assuring there were people in place to protect kids. Mike Rogers, Police Chief-commented on one of his valuable employees, Coretha Gravely, noting that she lives in the county and glad that did not prohibit him from hiring her. He commented on what a good decision maker that Leon Towarnicki is and he is proud to work for him, noting that Leon always stays calm and collected and stays positive which makes a good work environment.

Council comments: Turner-reminded citizens NASCAR fans will soon be coming to our area; Stroud-Council put a lot of effort in hiring the right person for the city manager position; Hodge-appreciative of quick turn-around on concerns she voiced about a dumping issue and reminded citizens to avoid littering and keep our city attractive; Teague-commented on funding formula for EDC and pointed out he welcomes solutions and ideas to help us grow when problems are pointed out; Adkins-pointed out Council is sensitive to the fact that unemployment rates have been reported as rising again and advised that Council is constantly looking at immediate ways to get people back to work.

City Manager comments: thanked everyone for the nice comments and reminded Council the next meetings will be on April 8 and April 9. City Attorney Eric Monday reminded citizens that cats are required to have collars and vaccinations.

There being no further business, the meeting adjourned at 8:35 pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor

April 8, 2013

The City Council of the City of Martinsville, Virginia, assembled on April 8, 2013 at 5:30 P.M. to tour the Westside area neighborhoods prior to their quarterly Neighborhood Focus Meeting scheduled for April 8, 2013 at 7:30pm at Albert Harris School, 710 Smith St.

Council Members present for the tour included: Mayor Kim Adkins, Vice Mayor Gene Teague, Council Member Sharon Brooks Hodge and Council Member Mark Stroud. Council Member Danny Turner was absent. Others present included: Leon Towarnicki, Andy Powers, Mike Rogers and Martinsville Bulletin reporter.

No other business was conducted during the tour and immediately after the tour ended, Council members disbursed.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor

April 8, 2013

Martinsville City Council Neighborhood Meeting for the Westside area was held on April 8, 2013, at Albert Harris School, 710 Smith St., Martinsville, VA at 7:30 PM, with Vice Mayor Gene Teague calling the meeting to order. Council members present included Mark Stroud, Sr., Sharon Brooks Hodge and Danny Turner. Mayor Adkins arrived late due to another commitment and then led the meeting from that point on. Staff present: Leon Towarnicki, Brenda Prillaman, Eric Monday, Mike Rogers, and Andy Powers. Three citizens were present.

Andy Powers was asked to present his property maintenance report, and then the floor was opened for public comment.

City Attorney Eric Monday reported on a complaint he received about car wash water being discharged in the street and advised he will research the issue and bring a recommendation to Council at the April 23 meeting. Lawrence Mitchell--asked Council to comment on what they saw on their 5:30 tour today; expressed concern that more of the community was not present and noted that the majority of people live below Commonwealth Boulevard; reported wires hanging from poles on Second Street; at corner of B & Second Street that there is sewage runoff after hard rains; inquired on planned development across from Academy Place, safety concerns with Beaver Street; and paving inquiry on Second St. Council member Hodge pointed out she had talked to several community leaders and pastors and Mr. Mitchell expressed his desire to know who these community leaders were. City staff will address specific properties and concerns as pointed out during the meeting.

There being no further business, Mayor Adkins adjourned the meeting at 8:02 pm.

Brenda Prillaman
Clerk of Council

Kim E. Adkins
Mayor



City Council Agenda Summary

Meeting Date: May 14, 2013

Item No: 2.

Department: City Manager

Issue: Presentation of proclamation regarding Martinsville Elks Lodge 65th Anniversary.

Summary: Neal McCubbins and others will be present to accept the proclamation.

Attachments: [Proclamation](#)

Recommendations: Presentation only



PROCLAMATION

WHEREAS, the Martinsville Elks Lodge #1752 is a service organization with a rich history of giving since 1948;

WHEREAS, the Martinsville Elks Lodge #1752 was chartered June 11, 1948, with 88 members;

WHEREAS, the Benevolent & Protective Order of Elks, is a group of men and women working together to make their communities better places to live through programs of service in Americanism, Community Service, Youth Activities, and Veterans Support and Activities;

NOW, therefore, I, Kim Adkins, Mayor of the City of Martinsville, Virginia, do hereby proclaim June 11, 2013, as a day to celebrate and honor the

Martinsville Elks Lodge #1752 on its 65th Anniversary

And further, congratulate the Martinsville Elks Lodge #1752 for its continued success in igniting the spirit of community service in our City.

Kim Adkins
Mayor



City Council Agenda Summary

Meeting Date: May 14, 2013

Item No: 3.

Department: City Manager

Issue: Presentation of proclamation regarding National Missing Children's Day.

Summary: Lura Woodley will be present to accept the proclamation.

Attachments: [Proclamation](#)

Recommendations: Presentation only



PROCLAMATION
National Center for Missing & Exploited Children®
National Missing Children's Day

WHEREAS, according to the U.S. Department of Justice, an estimated 800,000 children are reported missing each year; and

WHEREAS, on average, approximately 2,000 children are reported missing to law-enforcement agencies daily; and

APPROXIMATELY, 58,200 of these children are victims of non-family abductions and more than 200,000 are the victims of family abductions; and

WHEREAS, the National Center for Missing & Exploited Children® (NCMEC) exists as a resource to help prevent child abduction and sexual exploitation, help find missing children, and assist victims of child abduction and sexual exploitation, their families, and the professionals who serve them; and

WHEREAS, this special day is a time to remember those children who are missing and give hope to their families; and

WHEREAS, the City of Martinsville urges the participation of local government, law enforcement, and communities in the protection of children and educating children about child abduction and sexual exploitation and how to respond and seek help from law enforcement, social services, and NCMEC; and

WHEREAS, the City of Martinsville encourages all individuals to take 25 minutes to help children stay safer.

THEREFORE, BE IT FURTHER RESOLVED that the City of Martinsville, in partnership with NCMEC and its supporters, proclaims

May 25, 2013 as National Missing Children's Day

and encourages continuing efforts to prevent the abduction and sexual exploitation of children.

Kim Adkins
Mayor



City Council Agenda Summary

Meeting Date: May 14, 2013

Item No: 4.

Department: City Attorney

Issue: Conduct public hearing regarding FY2013-2014 Budget and approve ordinance, on first reading, establishing the City's budget and tax rates for FY14.

Summary: Attached is the summary of the 2013-14 Budget in Ordinance Form.

Attachments: [Ordinance](#) #2013-U-2

Recommended Action: Conduct a public hearing and a motion to adopt ordinance on first reading with a roll call vote.

City of Martinsville, Virginia
ORDINANCE NO. 2013- U-2
The Budget for Fiscal Year 2013-2014

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled May 14, 2013, that the following sums of money be and hereby are appropriated – by specified Fund – for the City’s fiscal year ending June 30, 2014, from the following Fund sources of estimated revenue:

SUMMARY STATEMENT OF BUDGET ESTIMATES, 2013-2014

	Projected Fund Balance 06/30/13	Projected Revenues FY13-14	Budgeted Exp/Transfers FY13-14	Budgeted Depreciation	Projected Fund Balance 06/30/14	Net (Decrease) Increase
General Fund	\$6,183,809	\$29,332,826	\$30,393,005		\$ 5,123,630	\$ (1,060,179)
Meals Tax	\$ 801,197	\$ 1,900,250	\$ 1,900,250		\$ 801,197	0
Capital Reserve	\$ 37,887	\$ 710,809	\$ 710,809		\$ 37,887	0
TOTAL CAPITAL FUNDS	\$ 839,084	\$ 2,611,059	\$ 2,611,059		\$ 839,084	0
Refuse	\$2,070,034	\$ 1,797,000	\$ 2,097,136	\$ 150,000	\$ 1,919,898	\$ (150,136)
MINET/Fiber	\$ 0	\$ 561,601	\$ 561,601	\$ 0	\$ 0	0
Water	\$ 720,181	\$ 3,306,040	\$ 3,779,567	\$ 250,000	\$ 496,654	\$ (223,527)
Sewer	\$1,245,051	\$ 4,010,012	\$ 4,841,109	\$ 400,000	\$ 813,954	\$ (431,097)
Electric	\$4,979,375	\$17,426,072	\$18,821,027	\$ 400,000	\$ 3,984,420	\$ (994,955)
TOTAL UTILITY FUNDS	\$9,014,641	\$27,100,725	\$30,100,440	\$1,200,000	\$ 7,214,926	\$(1,799,715)
Cafeteria	\$ 815,490	\$ 1,701,710	\$ 1,701,710		\$ 815,490	0
Schools	\$ (108,298)	\$21,318,895	\$ 21,318,895		\$ (108,298)	0
School Grants	\$ 23,061	\$ 0	\$ 0		\$ 23,061	0
TOTAL SCHOOL FUNDS	\$ 730,253	\$23,020,605	\$ 23,020,605		\$ 730,253	0
CDBG	\$(627,574)	\$ 216,362	\$ 216,362		\$(627,574)	0
Housing Choice	\$ (3,758)	\$ 2,357,275	\$ 2,357,275		\$ (3,758)	0
TOTAL SP REV FUNDS	\$(631,332)	\$ 2,573,637	\$ 2,573,637		\$(631,332)	0
TOTAL ALL FUNDS	\$16,136,455	\$84,638,852	\$88,698,746	\$1,200,000	\$13,276,561	\$ (2,859,894)

Tax Rates:

Real Estate: \$1.0621 per \$100 assessed value
Personal Property: \$2.30 per \$100 assessed value (unchanged)
Machinery & Tools: \$1.85 per \$100 assessed value (unchanged)

Meals Tax Rate:

Six and one-half (6.5) percent on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.

Proposed Refuse Rate Increases from Current Rates:

<u>Rate Class</u>	<u>Proposed Increase</u>
Residential Service	\$2.25/month = \$18.50/month
Commercial Service	\$1.50/month = \$26.00/month

BE IT FURTHER ORDAINED by said Council that this Ordinance shall be effective on and after July 1, 2013.

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective

Meeting Date: May 14, 2013

Item No: 5.

Department: Clerk of Council

Issue: Consider setting a public hearing for May 28, 2013 for the purpose of receiving/interviewing citizens interested in appointment for ONE 3-year position beginning July 1, 2013 and ending June 30, 2016 to the City's School Board.

Summary: None

Attachments: [Martinsville School Board](#)

Recommendations: According to State Law, only those citizens interviewed by Council or whose names were brought up during the Public Hearing can be considered for appointment, and appointments cannot be made until seven days after the Public Hearing, thus this item will be on Council's June 11, 2013 agenda for possible interviewing of candidates.

MARTINSVILLE SCHOOL BOARD

Three-Year Terms

CURRENT MEMBERSHIP

TERM EXPIRES

Bill R. Manning

6/30/13

Craig B. Dietrich

6/30/14

J. C. Richardson

6/30/14

Carolyn McCraw

6/30/15

Robert Williams

6/30/15

Meeting Date: May 14, 2013

Item No: 6.

Department: Electric

Issue: Consider approval of revisions to Electric Terms & Conditions to reflect the addition of a Time of Day rate to the City's rate schedules and an increase in the fee charged for returned checks and returned bank drafts.

Summary:

Time of Day Rate:

A Time of Day (TOD) rate, as the name implies, is an electric rate that varies according to the time of day. Staff is requesting the implementation of a TOD rate to encourage spreading system demand more evenly over a 24 hour period. The rate could offer certain commercial customers who presently have the ability to shift load from on-peak to an off-peak time frame during the day, some savings over their present bill. A TOD rate may possibly benefit customers such as movie theaters, athletic fields, gymnasiums and other facilities where the consumption of power for the facility mainly occurs after the on-peak hours of the day, usually before 7:00 a.m. and after 8:00 p.m. Additional information to follow.

Returned Checks and Bank Draft

In order to more adequately recover cost associated with returned checks or debit bills returned for insufficient funds related to Direct Payments by bank draft, staff requests an increase in the fees of \$20.00 currently charged to \$30.00 associated with the following sections of the Electric Terms and Conditions:

Article VI: Payments

1. Section 6.1, Regular, states the customer will be charged a service charge of \$20.00 for any check received by the City and returned by a bank.
2. Section 6.4, Direct Payment (Debit) by Bank Option, states in the event a bank returns a debit bill customers will be required to pay a \$20.00 service charge.

Attachments: [Revised Electric Terms and Conditions](#)

Recommendations: Motion to approve the Time of Day rate and increasing fees for returned checks and bank drafts in the City Electric Terms and Conditions as attached.

July 1, 2008

C I T Y O F M A R T I N S V I L L E , V I R G I N I A
E L E C T R I C S E R V I C E
T E R M S A N D C O N D I T I O N S

Approved by Council
Effective July 1, 2008

Revised by Council
Article VIII Section 8.1 C.
Effective February 10, 2009

Revised by Council
Outdoor Lighting Schedule
Effective February 10, 2009

Rates Schedule Revised
By Council July 1, 2010

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**CITY OF MARTINSVILLE
TERMS AND CONDITIONS
OF ELECTRIC SERVICE**

**ARTICLE I
Rates, Types of Service and Use of Energy**

Sec. 1.1 Rates

Rates charged to customers are established by the City Council and a surcharge or higher rate may be set at anytime. The current rates are reflected in Appendix A for all schedules and types of service.

Sec. 1.2 Types of Service

All services to customers will be rendered by contract according to the rate schedule, as shown in Appendix A, and classification as to type.

The types of service include the following:

- a. Residential (Schedule R.S.)
- b. Sanctuary Worship (Schedule S.W.S.)
- c. Small General (Schedule S.G.S.)
- d. Medium General Services (Schedule M.G.S.)
- e. Large General (Schedule L.G.S.)
- f. Large Capacity Power (Schedule L.C.P.)
- g. Outdoor Lighting (Schedule O.L.)
- h. Public Authority (Schedule P.A.)
- i. Commonwealth of Virginia (Schedule C.V.)

All definitions required to determine the applicable schedule for each customer and special conditions as to each type of service, if any, are to be found in the various schedules.

A customer may not change from one schedule to another except with the consent of the City. Should the City, under these terms and conditions, determine that a customer's schedule should be changed, the customer will be so advised in writing and given a reasonable opportunity to respond. In such event, the contract between the City and customer will be amended to reflect the change.

Sec. 1.3 Use of Energy

The service connections, transformers, meters and appliances applied by the City for each customer have a definite capacity and no additions to the equipment, or load connected thereto, that exceeds that capacity, will be allowed, except by consent of the City.

The customer shall install only motors, apparatus or appliances which are suitable for operation within the character of the service supplied by the City, and which shall not be detrimental to same, and the electric power must not be used in such a manner as to cause unprovided for voltage fluctuations or disturbances in the City's transmission or distribution system.

No attachment of any kind may be made to the City's lines, poles, crossarms, structures or other facilities without the written consent of the City.

All apparatus used by the customer shall be of such type as to secure the highest practicable commercial efficiency, power factor and proper balancing of phases. Motors which are frequently started or arranged for automatic control, must be of a type to give maximum starting torque with minimum current flow and equipped with controlling devices approved by the City. The customer agrees to notify the City of any increase or decrease in his connected load.

The City will not supply service to customers who have other sources of electric energy supply, except under a schedule which specifically provides for same.

The customer shall not be permitted to operate his own generating equipment in parallel with the City's service, except by written permission of the City.

ARTICLE II
Inspections

Sec. 2.1 Compliance with Applicable Regulations

It is to the interest of the customer to properly install and maintain his wiring and electrical equipment, and he shall at all times be responsible for the character and conditions thereof.

The City will withhold furnishing service to new installations until it has received evidence that all City inspection laws or ordinances have been complied with.

ARTICLE III
Determination of Schedule and Contract

Sec. 3.1 Determination of Schedule

Upon request of a prospective customer, the Billing Division of the City Finance Department will provide a copy of these Terms and Conditions; and the City shall determine the proper schedule under which service is to be rendered.

The proper schedule is that schedule for which the customer is qualified and which will provide the lowest possible rate for the customer.

Sec. 3.2 Contract

Each service will be provided under the terms of a written contract, signed by the customer in his capacity as the owner, the agent of the owner, or tenant of the property to be served. Samples of the various contracts are to be found in Appendix B.

A copy of the contract will be furnished the customer.

Where a single customer desires service at more than one point of delivery, each such point of delivery will require a separate contract and separate billing.

All customers may complete contracts by facsimile or electronically with proper identification.

For joint accounts, obtain individual social security numbers and/or identification numbers for collections.

ARTICLE IV
Deposits

Sec. 4.1 Required

a. As security for the payment of bills, a deposit will be required of a customer. Such deposit is set forth in Appendix F, and is due at the time the contract is executed. At the request of a residential customer, a schedule will be arranged to allow payment of the required deposit in no more than three (3) consecutive equal monthly installments. Failure to pay the deposit installments when due will result in discontinuance of service. In such cases, service will not be reconnected until the deposit is paid in full and all utility charges and reconnection fees have been paid.

In lieu of a deposit, a customer may present documentation demonstrating a satisfactory credit record.

An agency may pay a portion of the deposit equal to but not less than 1/3 of the deposit for a customer at which time service will be connected. The remaining balance of the deposit would be applied to customers account in one (1) or two (2) equal payments.

b. Industrial Service

As security for the payment of electric bills a deposit equal to the average 12 month billing times two (2). Such deposit shall be based upon the experience of the previous tenant unless the customer can demonstrate to the Electric Department the proposed use of the facility is substantially different from that of the previous tenant. In the case of a new facility the Electric Department or Utility Billing will establish a deposit based upon a survey of the facility and an assessment of its intended use. Such deposit is payable in full prior to connection. Additionally, the City reserves the right to require additional deposits if a customer's payment record and/or consumption experiences reflect that a higher deposit is necessary to protect the interest of the City.

c. Satisfactory residential credit can be used to waive deposit on Professional/Commercial/Industrial account. Deposits for second or third business may be waived if good credit exists on a City located business and the owner agrees to allow recourse against an existing business in case of non-payment. Also, a security bond or an irrevocable letter of credit from a lending organization will be accepted in lieu of such deposit.

Sec. 4.2 Interest

Deposits held for a minimum of twelve (12) months will receive simple interest at the rate of 3.00 percent for the total period of time that the deposit is held. Deposits held less than twelve (12) months will receive no interest.

Sec. 4.3 Refunds

Deposits and earned interest will ordinarily be refunded after the customer has maintained satisfactory payment practices for twelve (12) consecutive months. A customer with more than two (2) late payments in the preceding twelve (12) months is deemed to have an UNSATISFACTORY payment record. Should the customer terminate

service prior to refund of a deposit, the City will have a reasonable time to read the meter and determine that all obligations of the customer have been met before returning the deposit.

ARTICLE V
Service Connections

Sec. 5.1 Location

Service connections will be located at a point on the building designated by the City. Should a customer desire the delivery of service at a point other than that designated by the City, the customer shall pay any cost incurred by the City.

The customer's wiring must be grounded inside in accordance with the requirements of the National Electrical Code and brought outside the building wall nearest the City's service pole so as to be readily accessible. When service is from overhead, the customer's wiring must extend at least eighteen (18) inches beyond the building.

No customer shall restrict access to any City meter in any manner. The customer shall maintain easy access to all City meters; free of weeds, shrubbery, fences, parked vehicles, screened porches, locked doors (unless a key is permanently provided), dangerous dogs (in the opinion of the meter reader/animal warden) or any other obstruction. Failure to comply with this section will result in the monthly consumption being estimated followed by a written notice regarding the circumstances. The estimate will be the average of the previous 12 months bills of the specific customer affected. If the obstruction is not eliminated within 60 days of the written notice, the monthly estimate will be doubled. Prior billings will be adjusted when access is secured. If the service is new or less than a year old, the Utility Billing Division may establish an estimate based upon available data appropriate to the specific customer.

Sec. 5.2 Maintenance of Service Calls

The customer will be responsible for maintaining the service entrance cable from the meter up to the point of connection with the City's service line.

Sec. 5.3 Service Charge

A service charge of \$10 will be made whenever any service (other than temporary service) is resumed after temporary disconnection at the request of the customer. If a new service drop is required, the service charge will be \$25.

Unless the work is done for the benefit of the City, a charge of \$25 will be made upon a customer's request to temporarily loosen or remount existing entrance service facilities. A similar charge of \$25 will also be made if an existing service is found in an unfastened condition or loosened as a result of building remodeling and remounting is necessary.

ARTICLE VI
Payments

Sec. 6.1 Regular

Meters will be read and bills rendered monthly, except that readings may be estimated on occasions as necessary. All initial and final bills will be based on actual meter readings. In the event of the

stoppage of or the failure of any meter to register the full amount of energy consumed, the customer will be billed for such period on an estimated consumption based upon the customers use of energy in a similar period of like use.

A delayed payment service charge will be applied to all accounts under all schedules if a bill is not paid within twenty-two (22) days of the billing date. The delayed payment charge shall be ten (10) percent of any balance in arrears. The delayed payment charge shall not apply to any amount of the bill which the City collects as a consumer utility tax.

The customer will be charged a service charge of ~~\$20~~\$30 for any check received by the City and returned by a bank.

Regular payments are due by 5:00 PM of the due date, except Saturday, Sunday, and Holidays. Payments are then due the next business day by 5:00 pm in the Treasures Office.

Sec. 6.2 Budget Plan

Residential customers with a satisfactory payment record shall have the option of paying bills under the City's equal payment plan (Budget Plan), whereby the total electric service for the succeeding twelve-month period will be estimated in advance, and bills will be rendered monthly on the basis of one-twelfth of the twelve-month estimate. The City or customer may, at any time during the twelve-month period, adjust to the estimate to conform more nearly with the actual charge for service being experienced. The normal equal payment period will be twelve months, commencing in any month selected by the City, but in those cases where billing is commenced during a month which leaves less than twelve months until the beginning of the next normal equal payment period to which the customer is assigned, payments shall be calculated on the basis of the months in such period.

In case the actual service used during any equal payment period exceeds the bills as rendered on the equal payment plan, the amount of such excess shall be paid on or before the due date of the bill covering the last month of the equal payment period. In case the actual service used during the equal payment period is less than the amount paid under the equal payment plan during such period, the amount of such overpayment shall, at the option of the City, either be refunded to the customer or credited on his last bill for the period.

If the customer fails to pay bills as rendered on the equal payment plan, the City shall have the right upon written notice to withdraw the plan with respect to such customer, to restore the customer to regular billing, and to recover any amounts which may be in arrears at that time. Once enrolled, a customer may not disenroll from the budget plan until the end of the budget period. A customer who chooses to withdraw from the equal payment plan may not re-enroll in the plan for at least six months.

Sec. 6.3 Place of Payment

All bills are payable at the City Treasurer's Office. Drive through and night depository facilities are available for customer convenience.

Online payments are also available at:
<http://martinsville-va.munisselfservice.com>

Sec. 6.4 Direct Payment (Debit) by Bank Option

All customers with current paid in full accounts shall have the option to have their bills paid directly by any cooperating banks from either checking or saving accounts. Such an arrangement shall require execution by a customer of a standard authorization form to be supplied by the City. Upon acceptance of the authorization form by the City and the customer's bank, the customer's bill will be forwarded to the customer's bank for direct debiting to the customer's checking account.

The customer will receive a duplicate of the bill, stamped "Advisory Notice" three to five days before the original of the bill is processed by the bank.

Upon receiving the bill, the bank will handle it as though the bill were a check, debiting the account and forwarding payment to the City Treasurer within three working days. The customer's portion of the bill will be forwarded by the bank to the customer in accordance with the bank's standard procedures.

In the event a bank returns a debit bill, the customer will be required to pay a ~~\$20~~ \$30 service charge. Should a second such incident occur, a second charge will be incurred and the customer's option for Direct Payment (Debit) by Bank will be terminated.

ARTICLE VII
Meter Accuracy and Testing

Sec.7.1 Standards of Accuracy

The performance of a watthour meter is considered to be acceptable when the meter disk does not creep and when the percent registration is not more than 102%, nor less than 98%, based upon the simple average of light load and heavy load.

Whenever watthour meters are being tested for accuracy and found to be registering outside 1% on either light or heavy load or outside 2% on lag, the percentage registration of the meter shall be adjusted to within these limits of error or the meter shall be replaced.

The performance of a demand meter or register shall be acceptable when the error in registration does not exceed 4% in terms of full scale value when tested at any point between 25% and 100% of full load value.

Whenever demand meters or registers are being tested for accuracy and found to be registering outside +4% of full scale value, the demand meter or register shall be adjusted within +2% of full scale value or the meter shall be replaced.

Sec. 7.2 Requests for Tests

The City will, without charge, test the accuracy of any meter upon request of the customer, provided the customer does not request such tests more frequently than once in a twelve-month period. If more frequent tests are requested, the customer will be charged \$30 for each test, refundable only if the percentage registration of the meter exceeds 102%.

Meters will be replaced by the City only if found to be defective, according to the standards herein.

Sec. 7.3 Adjustments to Billing

Whenever a meter is tested and found to have an average error of registration of more than 2% fast, the City shall recalculate the monthly bills for a period equal to one-half the time lapsed since the last test; but this period shall not exceed twelve months, except in such cases where a meter error can be documented for periods longer than twelve months.

Whenever a meter is tested and found to have an average error of registration of more than 2% slow, the City shall adjust or replace such meter in accordance with Sec. 7.2, "Requests for Tests". In any instance of meter tampering which results in meter registering more than 2% slow, the City shall recalculate the monthly bills for a period of twelve months, except in those cases where a meter error can be documented for periods longer than twelve months. Additionally, the provisions of Sec. 8.2 "Disconnection for Fraud or Violation of the Rules" may be applied.

If the customer has been incorrectly billed because of errors other than meter accuracy, the electricity used during the entire period of incorrect billing will be estimated, based on all known relevant facts and the billing will be calculated based on the estimated use of the electricity.

ARTICLE VIII
Disconnection and Reconnection

Sec. 8.1 Disconnection for Non-Payment

A customer whose bill is unpaid after 22 days will receive by mail a "second notice", including, as a minimum, the following information:

- a. Name of customer.
- b. Account number.
- c. Billing address.
- d. Date of notice.
- e. Total amount due.
- f. Reason for disconnection.
- g. Date on which service will be disconnected in the absence of payment--no less than ten days after notice.
- h. Place of Payment
- i. Telephone number to call in order to dispute the disconnection notice.

A customer whose bill remains unpaid on the 10th day after the final notice will have his service disconnected, subject to the following conditions or exceptions:

- a. Service shall not be disconnected earlier than 8:00 a.m., nor later than 4:00 p.m.
- b. Service shall not be disconnected after 1:00 p.m. on a day preceding a day on which the City's offices are not open to accept payment and reconnect service.
- c. Service shall not be disconnected when the outside temperature is below 35 degrees or above 92 degrees or projected to be so by the National Weather Service, within: (1) the next 24 hour period; (2) weekend; or (3) City, State or Federal holidays.
- d. Service shall not be disconnected at a residence without making personal contact with the customer when a customer is emotionally

handicapped or provides documentation from a medical professional certifying a medical condition exists requiring the uninterrupted provision of utilities (water, sewer, electric). The documentation must state which specific utility or utilities are essential.

- e. Service shall not be disconnected at a residence where there is known to have been a death in the household during the preceding three days.
- f. Service shall not be disconnected when a written agreement concerning payment of any amount in arrears has been entered into between the customer and the City. The City's representative in all such cases will be the Director of Finance or his representative.
- g. Disconnection of delinquent final bills with more than one current account can be subject to disconnection of active locations.
- h. Payment agreements will be accepted up to two (2) times per twelve (12) month period. Exceptions to this will be at the discretion of the Billing Department Supervisor or Management.
- i. Arrangements should be made on or before the due date shown on bill.

Accounts that have had service terminated and that are over ninety (90) days past due may be referred to a private agency for collection.

Sec. 8.2 Disconnection for Fraud or Violation of Rules

Upon 72 hours written notice to customer, the City may disconnect the service for any violation of these terms and conditions, other than non-payment and as follows.

Where fraudulent use of electricity is detected or where the City's meters and/or equipment is tampered with, service may be discontinued without notice and criminal prosecution may be instigated. Service may also be disconnected without notice when a dangerous condition involving the service is known to exist on or within the customer's premises.

In cases where electric service is reconnected fraudulently to a residence after the City has disconnected service, the City will cut electrical power to the residence by any means necessary. The customer will be required to pay a \$100 reconnection fee per metered service and cost of reconnection of service. Additional cost may be incurred depending on severity of fraudulent actions or damages to equipment. Service will be reconnected within 24 hours.

Sec. 8.3 Reconnection

Where disconnection has occurred as a result of non-payment, service will be reconnected within eight (8) regular working hours after receipt of payment.

In cases of disconnection for non-payment, the City will levy a reconnection charge, as follows:

- a. For residential and small general service customers- a \$30.00 reconnection fee will be charged between 8:00 AM - 5:00 PM and \$60.00 after regular business hours.
- b. For all other customers - actual cost.
- c. Reconnection fees will only be applied to customers account after service has been disconnected for non-payment.

In all cases of disconnection, a deposit may be required (where none previously existed) prior to reconnection.

ARTICLE IX
Location, Maintenance and Relocation of Equipment

Sec. 9.1 Location

The City shall have the right to construct its poles, lines and other equipment within easements provided by the customer on his property. All meters and necessary apparatus will be located at the direction of the Electric Department, at a point or points convenient to that purpose and protected from injury by the elements or vandalism.

Illustrations of typical service installations for commercial, institutional and industrial customers are shown in Appendix C.

Sec. 9.2 Maintenance

The City shall have the right at all reasonable hours to enter the premises of the customer for the purpose of inspecting, installing, reading, testing, replacing or otherwise disposing of its apparatus and property, and to remove the City's property in the event of the termination of the contract for any cause.

Customers shall be held responsible for tampering with, interfering with, or breaking of seals of meters, or other equipment of the City installed on the customer's premises and may be criminally prosecuted. The customer shall allow no one except employees of the City to make an internal or external adjustments of any meter or any other piece of apparatus incidental to the service.

Sec. 9.3 Relocation

Relocation of poles, lines, meters or other apparatus to serve the convenience of the customer shall be requested in writing to the City. In such event, the customer will reimburse the City for the entire cost thereof.

ARTICLE X
Extension of Service

Sec. 10.1 General

The City will supply and meter service at one delivery point through the facilities of a kind and type of transmission or distribution line or substation equipment normally provided by the City. Whenever a customer requests the City to supply electricity in a manner which requires equipment and facilities other than that which the City would normally provide, or whenever such facilities are required to serve new or increased loads requiring an extension of primary and transmission facilities beyond one mile, the customer will pay the City a Contribution in Aid-of-Construction equal to the cost of all such additional facilities.

The City will, for one single phase service up to and including 25-KW estimated demand delivered under Schedules R.S. and S.G.S., extend service not more than 200 feet from adjacent existing primary line facilities where capacity is presently available, at no charge to the customer.

For service delivered under Schedules R.S., S.G.S., M.G.S., P.A., C.V., L.G.S., O.L., and L.C.P., requiring new facilities not covered above, the City will extend service under the following arrangements:

- a. Where the estimated revenue for one year exceeds the cost of installation of the new facilities required, service will be extended at no cost to the customer.
- b. Where the estimated revenue for one year is less than the cost of installation of the new facilities required, the customer will pay the difference. In no case, however, shall the customer pay more than the cost of installation.
- c. At the end of one year of service, the actual revenue will be calculated and compared with the original estimate. The difference over and above the Contribution in Aid-of-Construction will be charged to the customer.

In either case of a. or b. above, an additional \$25 service fee will be charged the customer for each single phase meter and/or a \$50 service fee will be charged the customer for each three phase meter installed on the job. Credit will be applied for cost of meters used during temporary construction.

Sec. 10.2 Temporary Service

Temporary service facilities will be extended upon a customer's request, and billing will be based on an applicable schedule. Charges for temporary service will be in accordance with Appendix D.

Sec. 10.3 Underground Installation

In a new residential subdivision, the City will, upon the request of a developer, extend its system wholly underground. Charges to the developer for such service will be according to Appendix E. Charges for underground service to other customers are also to be found in Appendix E.

ARTICLE XI
Power Factor of Lighting

Sec. 11.1 To Be Increased Where Lagging

When neon, fluorescent, or other types of lighting equipment having similar power factor characteristics are installed, the customer shall furnish, install and maintain at his own expense, corrective apparatus designed to increase the power factor of the individual units or the entire group of such units to not less than 90% lagging.

Sec. 11.2 If Relocated

When old equipment, including signs, is moved to a new location, it will, under this paragraph, be considered a new installation.

ARTICLE XII
Voltage Variation

Sec. 12.1 General Lights

All reasonable efforts will be made by the City to avoid undue fluctuations of voltage within its system. Except in cases beyond the control of the City, voltage level will be maintained as follows:

- a. For residential service in urban areas, the variation from nominal voltage to minimum voltage will not be more than 5% of the nominal voltage and the variation from nominal to maximum voltage will not be more than 5% of the nominal.

- d. For residential service in all other areas and for all other types of service, the variation from nominal voltage to minimum voltage will not be more than 7.5% of nominal voltage, and the variation from nominal voltage to maximum voltage will not be more than 7.5% of the nominal voltage.

ARTICLE XIII
Respective Liability of City and Customer

Sec. 13.1 City

The City shall use reasonable diligence in furnishing a regular and uninterrupted supply of energy but does not guarantee uninterrupted service. The City shall not be liable for damage resulting from the customer's use of his equipment or occasioned by the energy furnished by the City beyond the delivery point.

The City shall not be liable for any loss, injury or damage relating from a single phasing condition or any other fluctuation or irregularity in the supply of energy which could have been prevented by the use of such protective devices.

The City shall provide and maintain the necessary line of service connections, transformers (when same are required by conditions of the contract), meters and other apparatus which may be required for the proper measurement of and protection to its service. All such apparatus shall be and remain the property of the City.

Sec. 13.2 Customer

The customer shall provide and maintain suitable protective devices on his equipment to prevent any loss, injury or damage that might result from single phasing conditions or any other fluctuation or irregularity in the supply of energy.

In the event of loss or injury to the property of the City through misuse by or negligence of the customer, the cost of the necessary repairs or replacement thereof shall be paid to the City by the customer.

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A P P E N D I X A
SCHEDULES OF ELECTRIC SERVICE

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CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Residential

EFFECTIVE DATES: 07-01-10

Availability of Service

Available for full domestic electric service through one meter to individual residential customers.

Monthly Rate

Customer Charge----- \$9.74 per Month

Energy Charge

First 900 KWH----- .09075 per KWH

All over 900 KWH----- .07387 per KWH

Minimum Charge

Power Cost Adjustment (P.C.A.)

All metered KWH----- .0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

This Schedule is subject to a minimum monthly charge equal to the Customer Charge.

Special Terms and Conditions

1. This Schedule is available for single phase service only. However, at the City's option, and subject to the City's Terms and Conditions of Service relating to the extension of service, three phase service may be provided to individual residences under this Schedule, when all service on such Schedule is taken through one meter and usage is for domestic purposes. Where three phase power service is required and/or where motors or heating equipment are used for commercial or industrial purposes, the applicable power Schedule will apply to such power service.

2. Customer may not take service to two or more separate residences through a single point of delivery, irrespective of common ownership of the several residences.

3. An owner of an apartment house shall have the choice of providing separate wiring for each apartment so that the City may supply each apartment separately under this Schedule. Unless this separation of service occurs, the apartment house shall be served under the Schedule for Small General Service.

4. A customer operating a business in his residence classified as a "Home Occupation" as defined in the City's Zoning Ordinance and for which a business license is required by the Commissioner of Revenue may take service under this schedule provided that the maximum electrical capacity of equipment for portions of the residence used for business does not exceed 2.5 KW as determined by the Electric Department.

If the maximum electrical capacity of the equipment for the business portion of the residence exceeds 2.5 KW, the entire residence shall be served and charges made under the schedule for small general service (S.G.S.), unless the respective uses are metered separately; in such cases that portion of the residence used for residential purposes may take service under this schedule.

CITY OF MARTINSVILLE
SCHEDULE OF ELECTRIC SERVICE

Schedule: Sanctuary Worship (S.W.S)

EFFECTIVE DATES: 07-01-10

Availability Of Service

Available only to the synagogue or church building in which the sanctuary or principal place of worship is located.

Monthly Rate

Customer Charge----- \$9.74 per Month

Energy Charge

First 900 KWH----- .09075 per KWH

All Over 900 KWH----- .07876 per KWH

Minimum Charge

Power Cost Adjustment (P.C.A.)

All metered KWH ----- .0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Special Terms and Conditions

1. Auxiliary buildings, detached from the building in which the sanctuary or principal place of worship is located, shall be separately metered and shall be served under a schedule other than Schedule S.W.S.

CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Medium General (M.G.S.)

EFFECTIVE DATES: 07-01-10

Availability of Service

Available for medium general service customer, industrial and commercial operations, apartment houses with a single meter, and residences where businesses are conducted with a single meter, and where normal maximum electrical capacity requirements are less than 100 KW per month but more than 25 KW. Customers whose normal service requirements exceed 100 KW per month, but are less than 300 KW per month may be placed on the schedule if it is determined it will be less costly to the customer.

When a customer being served under this Schedule establishes or exceeds a normal, maximum requirement of 300 KW per month, the customer will be placed on the appropriate rate Schedule and required to contract for such capacity requirements.

Monthly Rate	Under 100 Volts	Over 1000 Volts
Customer Charge -----	\$14.16 per Month	\$19.82 Per Month
All KW of Billing Demand-----	\$5.37 per KW	\$ 5.37 Per KW
Energy Charge		
All Metered KWH-----	.07781 per KWH	.07645 Per KWH
<u>Minimum Charge</u>		

Power Cost Adjustment (P.C.A.)

All Metered KWH----- .0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Special Terms and Conditions

1. Service under this Schedule will normally be delivered through not more than one single phase or one polyphase demand meter, and the customer's demand will be taken monthly to be the highest registration for a 15-minute period on that meter.
2. Where a customer has more than one building or facility on the same site or where a single building is allowed more than one service, the monthly billing demand will be taken as the sum of all the separate meters involved.
3. This Schedule shall be used to serve apartment houses where the individual units are not separately metered. An apartment shall be defined as a building or portion thereof used or designed as a residence for two or more families living independent of each other. Families shall be considered to be living independently of each other where their respective units have separate ingress and kitchen facilities.
4. For the purpose of this Schedule, commercial operations are considered to include hotels, motels and boarding houses with more than five boarders.
5. This Schedule shall be used to service certain residences where businesses are conducted therein as defined in paragraph 4, page A-1 -- Schedule: Residential (R.S.) -- where the maximum electrical capacity of equipment for the portion of the residence used for business exceeds 2.5 KW when served by a single meter. If these services are separated, this schedule shall be used to service the business portion of such residences.

6. When the customer owns, operates, and maintains the complete substation equipment, including any and all transformers and/or switches and/or other apparatus necessary for the customer to take his entire service at the primary voltage of the transmission or distribution line from which said customer is to receive service, a credit of \$0.32 per KW of monthly billing demand will be applied to each monthly bill.

7. This Schedule shall be used for all temporary service installations.

CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Large General (L.G.S.)

EFFECTIVE DATES: 07/01/10

Availability Of Service

Available for large business, industrial and commercial operations whose normal service requirements exceed 300 KW. Customers whose normal service requirements exceed 100KW per month, but are less than 300 KW per month may be placed on this schedule if it is determined it will be less costly to the customer.

DELIVERY VOLTAGE

Monthly Rate	120 to 1000 Volts	Over 1000 Volts
Customer Charge-----	\$49.56 per Month	\$101.46 per Month
Demand Charge		
All KW of Billing Demand-----	\$13.77 per KW	\$12.77 per KW
Reactive Demand Charge		
All KVAR of Lagging Reactive Demand---	0.46 per KVAR	.46 per KVAR
Energy Charge		
All Metered KWH-----	.04266 per KWH	.04183 per KWH
<u>Minimum Charge</u>		

Power Cost Adjustment (P.C.A.)

All Metered KWH----- .0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

The minimum charge for a customer under this Schedule will be 60% of his contract capacity, but in no event shall this charge be for less than 100 KW.

Special Terms and Conditions

1. Customers under this Schedule shall be required to contract for a definite amount of electrical capacity in kilowatts, sufficient to meet normal maximum requirements. In no case shall the capacity contracted for be less than 100 KW, and the City may not be required to supply capacity in excess of that contracted for except by mutual consent. Contract capacities shall be in multiples of 25 KW.
2. Service under this Schedule will normally be delivered through not more than one single phase or one polyphase demand meter, and the customer's demand will be taken monthly to be the highest registration for a 15-minute period on that meter.
3. The reactive demand in KVAR shall be taken each month as the highest single 15-minute integrated peak in KVAR as registered during the month by a demand meter.
4. Where a customer has more than one building or facility on the same site or where a single building is allowed more than one service, the monthly billing demand will be taken as the sum of all the separate meters involved.

CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Small General Service (S.G.S.) EFFECTIVE DATES: 07-01-10

Availability of Services

Available for small general service customers with normal maximum electrical capacity requirements of 25 KW or less per month.

When a customer being served under this Schedule establishes or exceeds a normal maximum requirement of 25 KW per month for more than two months during the past twelve months, the customer will be placed on the appropriate rate Schedule.

Monthly Rate

Customer Charge -----\$15.00 per Month

Energy Charge

All Metered KWH----- .08581 per KWH

Minimum Charge

Power Cost Adjustment (P.C.A.)

All Metered KWH----- .0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Special Terms and Conditions

1. Service under this Schedule will normally be delivered through not more than one single phase or one polyphase demand meter, and the customer's demand will be taken monthly to be the highest registration for a 15-minute period on that meter.
2. Where a customer has more than one building or facility on the same site or where a single building is allowed more than one service, the monthly billing demand will be taken as the sum of all the separate meters involved.
3. This Schedule shall be used to serve apartment houses where the individual units are not separately metered. An apartment shall be defined as a building or portion thereof used or designed as a residence for two or more families living independent of each other. Families shall be considered to be living independently of each other where their respective units have separate ingress and kitchen facilities.
4. For the purpose of this Schedule, commercial operations are considered to include hotels, motels and boarding houses with more than five boarders.
5. This Schedule shall be used to service certain residences where businesses are conducted therein as defined in paragraph 4, page A-1 -- Schedule: Residential (R.S.) -- where the maximum electrical capacity of equipment for the portion of the residence used for business exceeds 2.5 KW when served by a single meter. If these services are separated, this schedule shall be used to service the business portion of such residences.
6. When the customer owns, operates, and maintains the complete substation equipment, including any and all transformers and/or switches and/or other apparatus necessary for the customer to take his entire service at the

Primary voltage of the transmission or distribution line from which said customer is to receive service; a credit of \$0.32 per KW of monthly billing demand will be applied to each monthly bill.

7. This Schedule shall be used for all temporary service installations.

CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Large Power Service (L.P.S.)

EFFECTIVE DATES: 07-01-10

Availability of Service

Available for large business, industrial and commercial operations whose normal service requirement exceeds 1000 KW?

Monthly Rate

DELIVERY VOLTAGE

2.4 - 40 KV

Customer Charge ----- \$432.58 per Month

Demand Charge

Each KW of monthly "on-peak"

Billing demand----- \$14.66 per KW

Each KW of "off-peak" excess

Billing demand 4.18 per KW

Energy Charge

All Billing KWH----- .03250 per KWH

Reactive Demand Charge

For Each KVAR of Lagging Reactive Demand in excess of 50% of the monthly

"on-peak" or "off-peak" billing demand,

Whichever is greater----- \$1.05 per KVAR

Power Cost Adjustment (P.C.A.)

All Billing KWH----- .0068 per KWH

The Charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Minimum Charge

The minimum charge for a customer under this Schedule will be 60% of his contract capacity, but in no event shall this charge be for less than 1000 KW.

Measurement and Determination of Billing Demand

The on-peak billing demand in KW shall be taken each month as the single highest 30-minute peak in KW as registered during the month in the on-peak period by a demand meter or indicator. The monthly on-peak billing demand established hereunder shall not be less than 60% of the greater of (a) the customer's on peak contract capacity, or (b) the customer's highest previously established monthly on-peak billing demand during the past 11 months.

The off-peak billing demand in KW shall be taken each month as the single highest 30-minute peak in KW as registered during the month in the off-peak period by a demand meter or indicator. The monthly off-peak billing demand established hereunder shall not be less than 60% of the greater of (a) the customer's off-peak contract capacity or (b) the customer's highest previously established off-peak monthly billing demand during the past 11 months.

The off-peak excess billing demand shall be the amount by which the monthly off-peak billing demand exceeds the monthly on-peak billing demand.

The reactive demand in KVAR shall be taken each month as the single highest 30-minute peak in KVAR as registered during the month by a demand meter or indicator.

Billing demands shall be rounded to the nearest whole KW and KVAR.

For the purpose of this Schedule, the on-peak billing period is defined as 7 a.m. to 9 p.m. all days of the week for the months of November through

April and 12 noon to 9 p.m. May through October. The off-peak billing period is defined the hours not defined as on-peak.

Special Terms and Conditions

1. Customers under this Schedule shall be required to contract for a definite amount of electrical capacity in kilowatts, sufficient to meet normal maximum requirements. In no case shall the capacity contracted for be less than 1000 KW, and the City may not be required to supply capacity in excess of that contracted for except by mutual consent. Contracts shall be in multiples of 100 KW.

2. Service under this Schedule will normally be delivered through not more than one single phase or one polyphase demand meter, and the customer's demand will be taken monthly to be the highest registration for a 30-minute period on that meter.

3. The reactive demand in KVAR shall be taken each month as the highest single 30-minute integrated peak in KVAR as registered during the month by a demand meter.

4. The rate set forth in this Schedule is based upon the delivery and measurement of energy at standard voltages established by the City of not less than 2.4 KV or more than approximately 40 KV. Where service is delivered from lines operated at a normal voltage of approximately 40 KV or less, service hereunder shall be delivered and measured at the primary voltage of the said line.

5. Where the customer owns, operates and maintains all equipment and apparatus beyond the delivery point of service which are necessary for receiving and purchasing electric energy at the primary voltage of lines operating at 34,500 volts or over, bills hereunder shall be subject to a credit of \$0.53 per KW of monthly billing demand. When the measurement of energy is at the secondary side of transformers owned by the customer with primary voltage at 34,500 volts or over, multiply actual KWH used by 1.04.

CITY OF MARTINSVILLE
SCHEDULE OF ELECTRIC SERVICE

Schedule: Outdoor Lighting (O.L)

EFFECTIVE DATES: 07-01-10

Availability of Service

Available for outdoor lighting to individual customers.

Monthly Rate

For each 9,500 high pressure sodium (100 watt)	\$13.81
For each 22,000 lumen, high pressure sodium Lamp (200 Watt)	\$17.50
For each 50,000 lumen mercury high pressure Sodium lamp (400 watt)	\$21.18

Minimum Charge

Power Cost Adjustment (P.C.A.)

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Special Terms and Conditions

1. Installation of outdoor lighting requires the customer to enter a special contract for a defined period of time--12 months for customers at the time of original installation. Subsequent tenants of such premises may assume the remainder of any such contracts in a private arrangement with the immediately preceding contractor, provided a copy of the written agreement is supplied to the Utility Billing Division. If the terms of the original contract have been met the new tenant may obtain the outdoor lighting by signing a contract and paying a \$10.00 connection/transfer fee.

Once a customer has fulfilled the initial contractual obligation of 12 months, as the individual circumstances dictate, service may be discontinued at the request of the customer for any period of time and later reconnected for a fee of \$10.00. This option is offered as a service to seasonal type customers but is restricted until the original contract is met.

2. All lamps shall burn from one-half hour after sunset until one-half hour before sunrise, every night and all night, burning approximately 4,000 hours per year.

3. Credit on a monthly billing will be given to customer in the event of outages in excess of three working days.

4. The City will provide, as part of this service, the lamp, photo-electric relay control equipment, luminaire and upsweep arm not over six (6) feet in length. This equipment will be mounted on an existing pole or on a new one to be installed by the City which can be connected to existing secondary circuits by one span of not over 150 feet.

CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Public Authority (P.A.)

EFFECTIVE DATES: 07-01-10

Availability of Service

Available for general service to all city, county, and town governmental authorities.

Monthly Rate

Customer Charge \$ 15.26 per service connection

Schools

All Metered KWH .09554 per KWH

Other Than Schools

All Metered KWH .081030 per KWH

Minimum Charge

Power Cost Adjustment (P.C.A.)

All metered KWH0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Special Terms and Conditions

1. Energy supplied hereunder will be delivered through not more than one single phase and/or one polyphase meter for each service connection.

CITY OF MARTINSVILLE

SCHEDULE OF ELECTRIC SERVICE

Schedule: Commonwealth of Virginia (C.V.) EFFECTIVE DATES: 07-01-10

Availability of Service

Available for general service to all Commonwealth of Virginia accounts.

Monthly Rates

Customer Charge \$13.06 per Month

All Metered KWH 0.12644 per KWH

Power Cost Adjustment (P.C.A.)

All metered KWH----- .0068 per KWH

The charges in the above Monthly Rate are subject to the provisions of the City of Martinsville's Schedule P.C.A., which is included herein by reference.

Minimum Charge

Each account to have an absolute monthly minimum of \$20.00 except for Department of Highways and Transportation traffic control signals, each account of which shall have an absolute monthly minimum of \$13.06. Minimum to include \$13.06 Customer Charge.

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| Reserved for Time of Day Rate

SCHEDULE P.C.A.
(Power Cost Adjustment)

APPLICABILITY

This clause is applicable to and becomes a part of each electric rate schedule in which reference is made to Schedule P.C.A.

FORMULA

The amount charged for each kWh of energy sold by the City of Martinsville may be increased in accordance with the following:

Error! Bookmark not defined.Where:

$$PCA = \frac{C - (B \times P)}{S}$$

- PCA = Power cost adjustment factor; provided, however, that such factor shall not be less than zero.
- C = The estimated total cost of power in dollars to be purchased by the City of Martinsville for the twelve-month period.
- P = The estimated total kilowatt-hours to be purchased by the City of Martinsville for the twelve-month period.
- S = The estimated total kilowatt-hours to be sold by the City of Martinsville for the twelve-month period.
- B = The average cost of wholesale power per kilowatt-hour purchased by the City of Martinsville which is recovered in the City of Martinsville's retail rate schedules, currently \$0.07006.

The PCA factor will be computed according to the above formula for a twelve-month period beginning July of each fiscal year. Should it appear at any time during the twelve-month period that continued use of the PCA factor then in effect for the remainder of the twelve-month period will result in a substantial under recovery of the power cost, the City of Martinsville may modify the existing PCA factor to recover the applicable power cost more accurately. However, the PCA factor will not be less than zero. ***Further, the PCA factor may be modified at the City of Martinsville's discretion to absorb a portion of the power cost recovered herein or to provide funds pursuant to the City of Martinsville's Rate Stabilization Plan, provided that after doing so the City of Martinsville's Electric Department will maintain a sound financial position.***

Power cost and kilowatt-hours used in the above formula may exclude such quantities applicable to certain customers billed under rate schedules not subject to the PCA factor.

Date of City Council Approval: May 27, 2008
Effective for All Bills Rendered On and After: July 1, 2008

A P E N D I X B
SAMPLE CONTRACTS FOR SERVICE

A P E N D I X C

ILLUSTRATION OF TYPICAL INSTALLATIONS

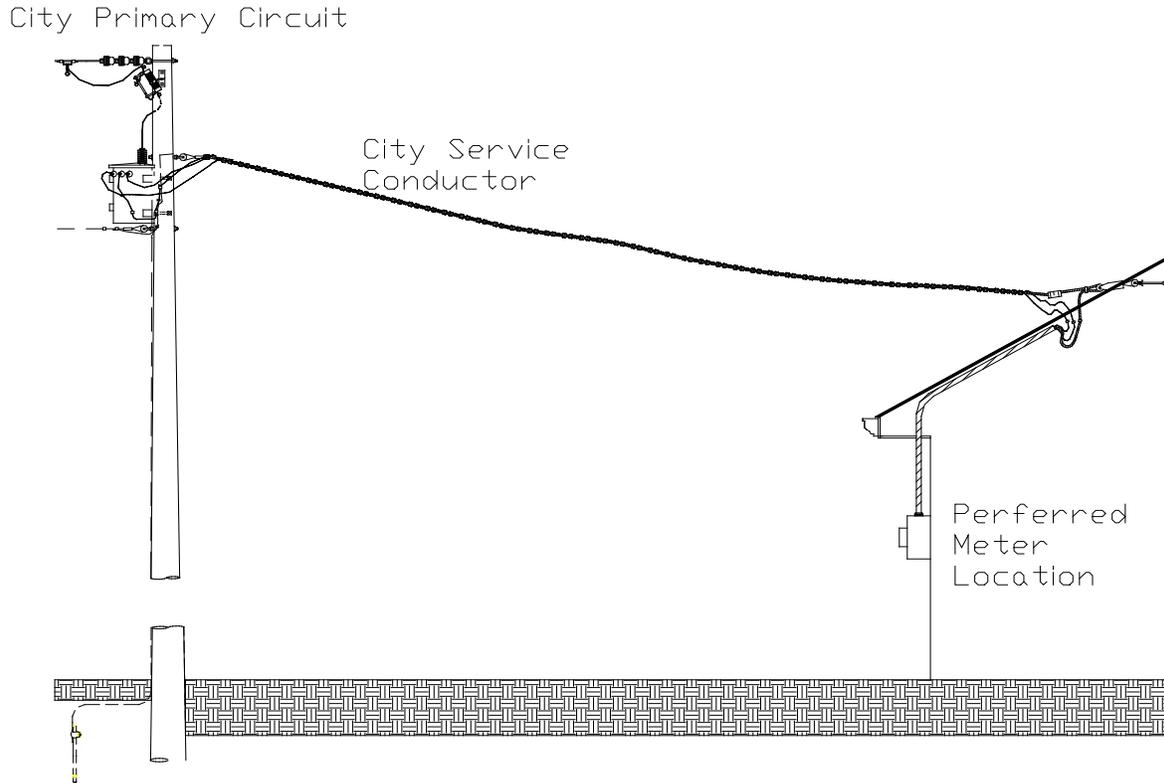
**CITY OF MARTINSVILLE
ILLUSTRATION OF TYPICAL INSTALLATIONS FOR
COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL CUSTOMERS**

This Appendix illustrates typical electric service installations for commercial, institutional and industrial customers. The sketches and related notes define responsibility between the City and customer as to required electric equipment under varied installation circumstances. The point at which the customer's facilities are connected to the City's facilities (delivery point) is established in cases of overhead service, underground service in overhead distribution areas and underground service in designated underground areas.

These illustrations may be used by customers, architects, consulting engineers, contractors and others involved in the design and installation of electric service facilities. However, before final design is completed on any specific installation, the designer should consult with the Electric Department of the City.

Service facilities will be sized in accordance with the customer's electrical demand.

ILLUSTRATION #1
OVERHEAD AREA - POLE MOUNTED TRANSFORMER
SECONDARY OVERHEAD SERVICE - SECONDARY METERING



CITY

Provides and installs pole, primary circuit, transformers and service drop.

Provides meter enclosure and (if required) provides and installs instrument transformers.

Provides connectors and connects customer's service entrance to service drop.

CUSTOMER

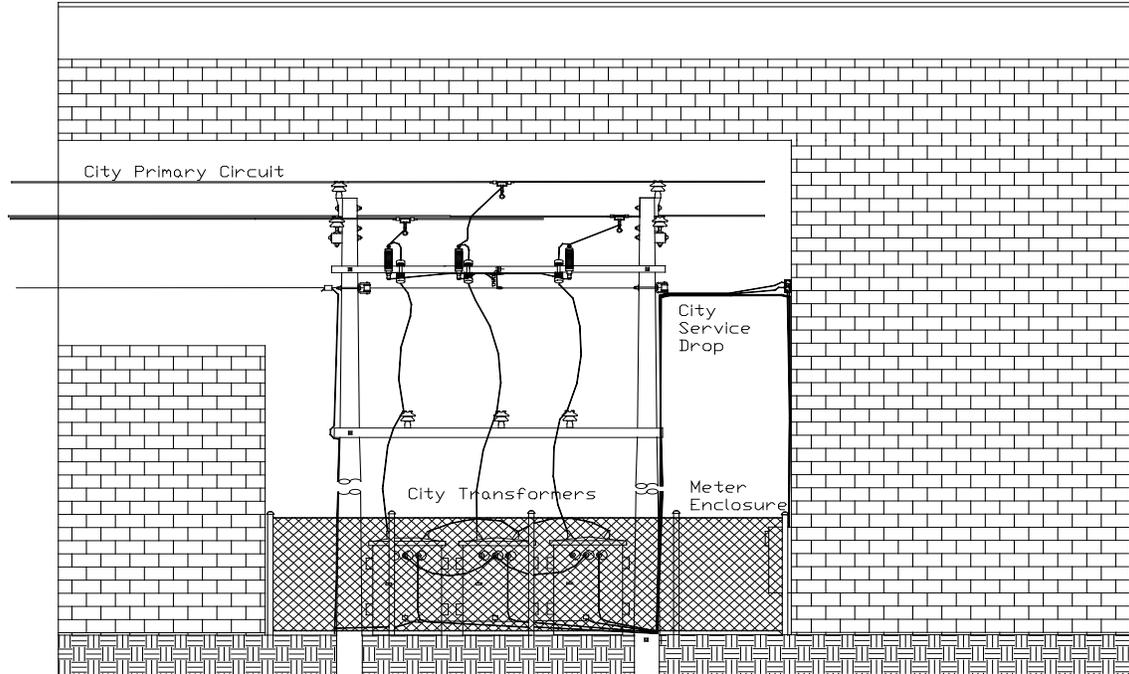
Provides and installs (if required) instrument transformer cabinet to City specifications on inside or outside of exterior building wall.

Provides and installs service entrance and protective equipment.

Installs service drop attachment furnished by City and provides and installs any wall reinforcing necessary to withstand pull of service drop. Attachment to be installed at a height which will provide adequate service drop clearance.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

ILLUSTRATION #2
OVERHEAD AREA - GROUND MOUNTED TRANSFORMERS
SECONDARY - OVERHEAD SERVICE 480 VOLTS OR LESS
SECONDARY METERING



CITY

Provides and installs primary circuit, station structure, fence, transformer pad, transformers and service drop.

Provides meter enclosure and (if required) provides and installs instrument transformers.

Provides connectors and connects customer's service entrance to service drop.

CUSTOMER

Provides space to City specifications for a ground mounted distribution transformer bank at a minimum of 25 feet from customer's building.

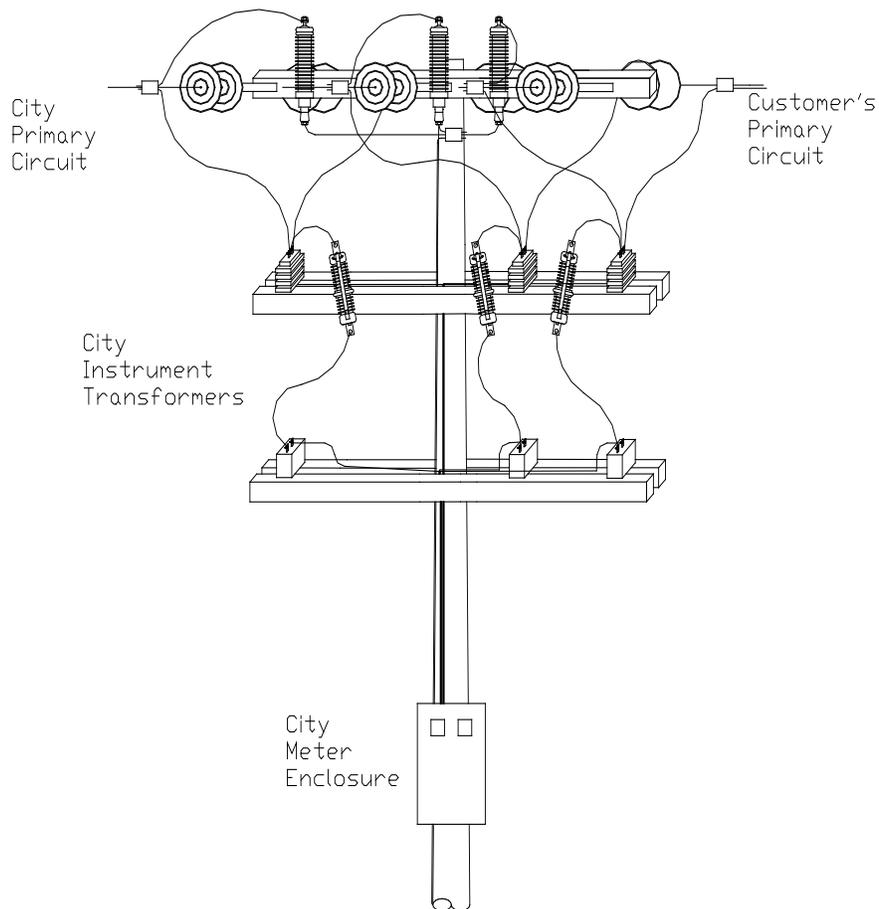
Provides and installs (if required) instrument transformer cabinet to City specifications on inside or outside of exterior building wall.

Provides and installs service entrance and protective equipment.

Installs service drop attachment furnished by City and provides and installs any wall reinforcing necessary to withstand pull of service drop. Attachment to be installed at a height which will provide adequate service drop clearance.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

**ILLUSTRATION #3
OVERHEAD AREA
PRIMARY OVERHEAD SERVICE - PRIMARY METERING**



CITY

Provides and installs primary circuit, meter pole, meter equipment and dead ends for customer's primary circuit.

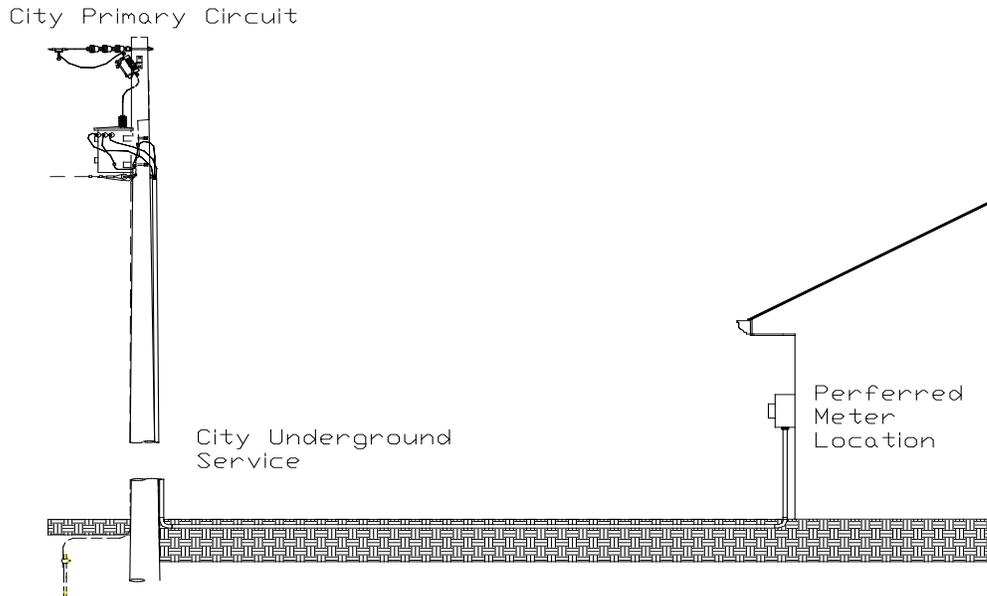
Provides connectors and make connections to customer's primary circuit.

CUSTOMER

Provides and installs primary circuit to City pole.

Provides and installs fuses or other protective devices coordinated with City.

ILLUSTRATION #4
OVERHEAD AREA - POLE MOUNTED TRANSFORMER
SECONDARY UNDERGROUND SERVICE - SECONDARY METERING



CITY

Provides and installs in accordance with City underground service plan, service lateral to inside or outside of exterior building wall. Service lateral will terminate in meter enclosure, junction box or instrument transformer cabinet.

Provides meter enclosure and (if required) provides and installs instrument transformers.

Provides connectors and connects customer's service entrance to service lateral.

CUSTOMER

Provides and installs (if required) instrument transformer cabinet or junction box to City specifications.

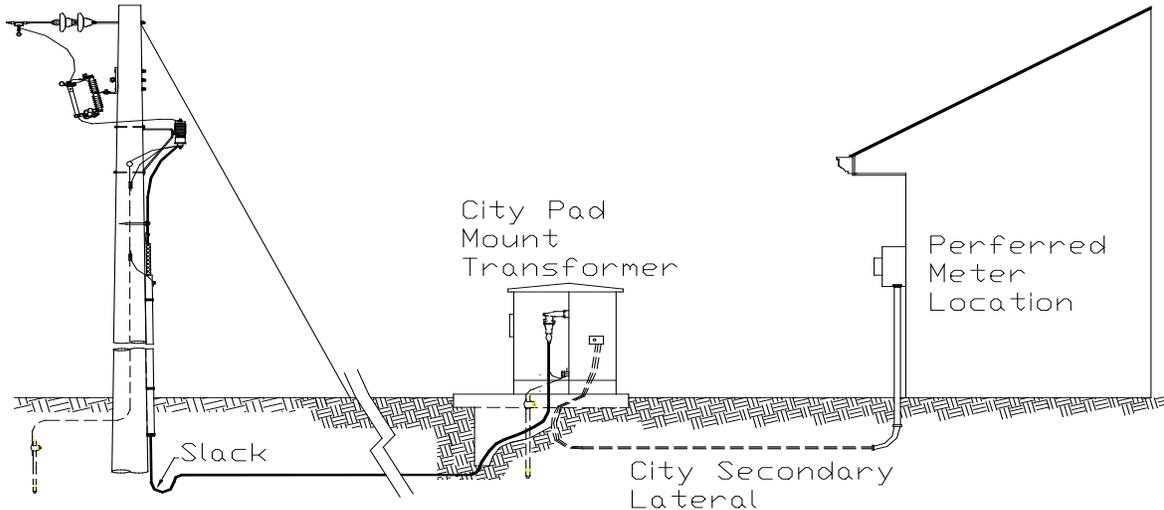
Provides and installs service entrance and protective equipment.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

Provides and installs necessary conduit from meter enclosure, instrument transformer cabinet or junction box to one foot below grade in service trench when conduit is located on outside wall. When conduit is extended down from inside of exterior wall, it must be turned out into trench two feet below grade with a 90 degree bend through building wall.

ILLUSTRATION #5
OVERHEAD AREA - PAD MOUNTED TRANSFORMER
SECONDARY UNDERGROUND SERVICE - SECONDARY METERING

City Primary Circuit



CITY

Provides and installs in accordance with City underground service plan, transformer pad, transformer, primary circuit and service lateral to inside or outside of exterior building wall. Service lateral will terminate in meter enclosure, junction box or instrument transformer cabinet.

Provides meter enclosure and (if required) provides and installs instrument transformers.

Provides connectors and connects customer's service entrance to service lateral.

CUSTOMER

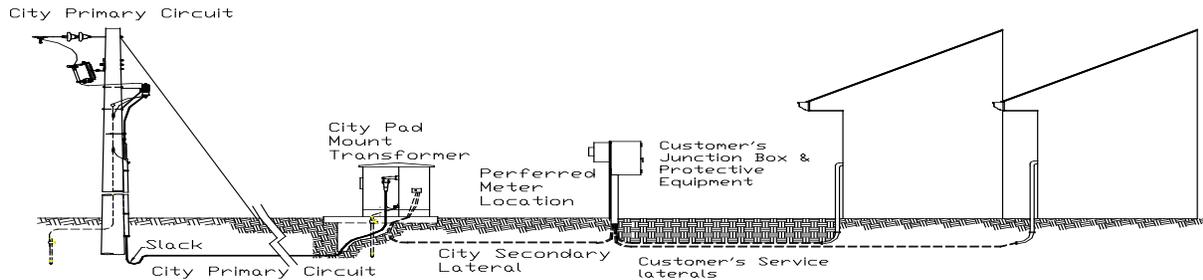
Provides and installs (if required) instrument transformer cabinet or junction box to City specifications.

Provides and installs service entrance and protective equipment.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

Provides and installs necessary conduit from meter enclosure, instrument transformer cabinet or junction box to one foot below grade in service trench when conduit is located on outside wall. When conduit is extended down from inside of exterior wall, it must be turned out into trench two feet below grade with a 90 degree bend through building wall.

ILLUSTRATION #6
OVERHEAD AREA - ONE BUILDING, MULTIPLE METERING
OR ONE METER - MULTIPLE BUILDING
PAD MOUNTED TRANSFORMER - SECONDARY METERING AT BUILDING



CITY

Provides and installs in accordance with City underground service plan, transformer pad, transformer, primary circuit and service lateral to outside of exterior building wall. Service lateral will terminate in meter enclosure, junction box or instrument transformer cabinet.

Provides meter enclosure if single metering is required, and (if required) provides and installs instrument transformers.

Provides connectors and connects customer's service entrance to service lateral.

CUSTOMER

Provides and installs (if required) instrument transformer cabinet to junction box to City specifications.

Provides and installs meter enclosure to City specifications if multiple metering is required.

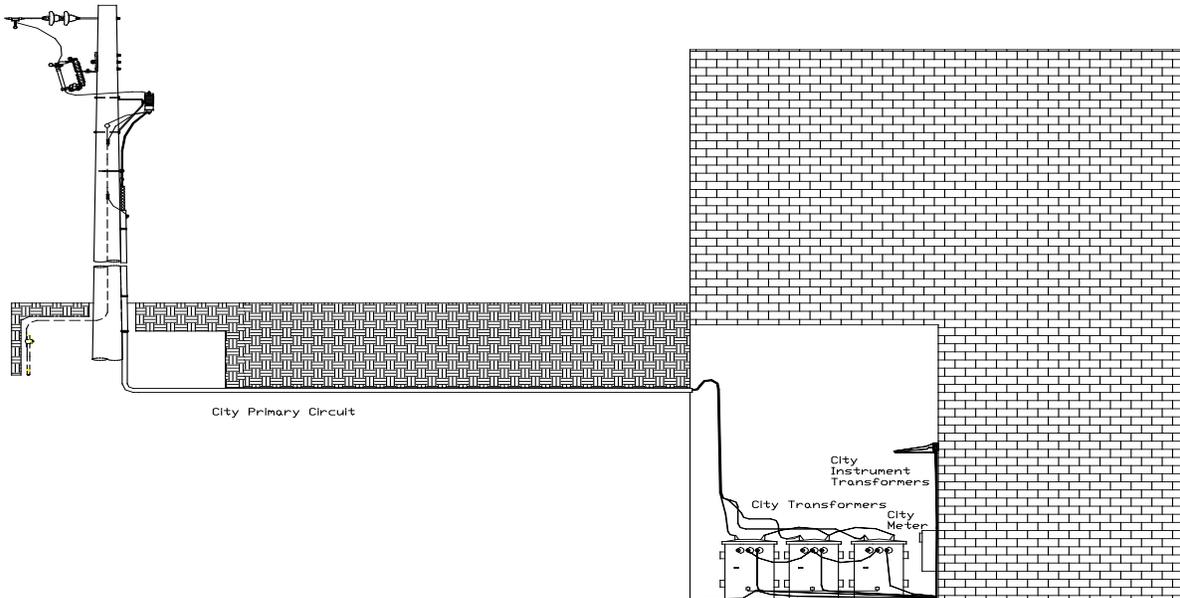
Provides and installs service entrance and protective equipment for service to each building.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

Provides and installs necessary conduit from meter enclosure, instrument transformer cabinet or junction box to one foot below grade in service trench when conduit is located on outside wall. When conduit is extended down from inside of exterior wall, it must be turned out into trench two feet below grade with a 90 degree bend through building wall.

ILLUSTRATION #7
OVERHEAD AREA - PRIMARY UNDERGROUND TO TRANSFORMER IN
CUSTOMER VAULT - SECONDARY SERVICE - SECONDARY METERING

City Primary Circuit



CITY

Provides and installs in accordance with City underground service plan, primary circuit into customer's vault.

Provides and installs transformers.

Provides meter enclosure and (if required) provides and installs instrument transformers.

Provides and installs (if required) secondary bus.

Provides connectors and makes all connections to transformers and/or secondary bus.

CUSTOMER

Provides transformer vault to City specifications. Vault location to be mutually agreed upon.

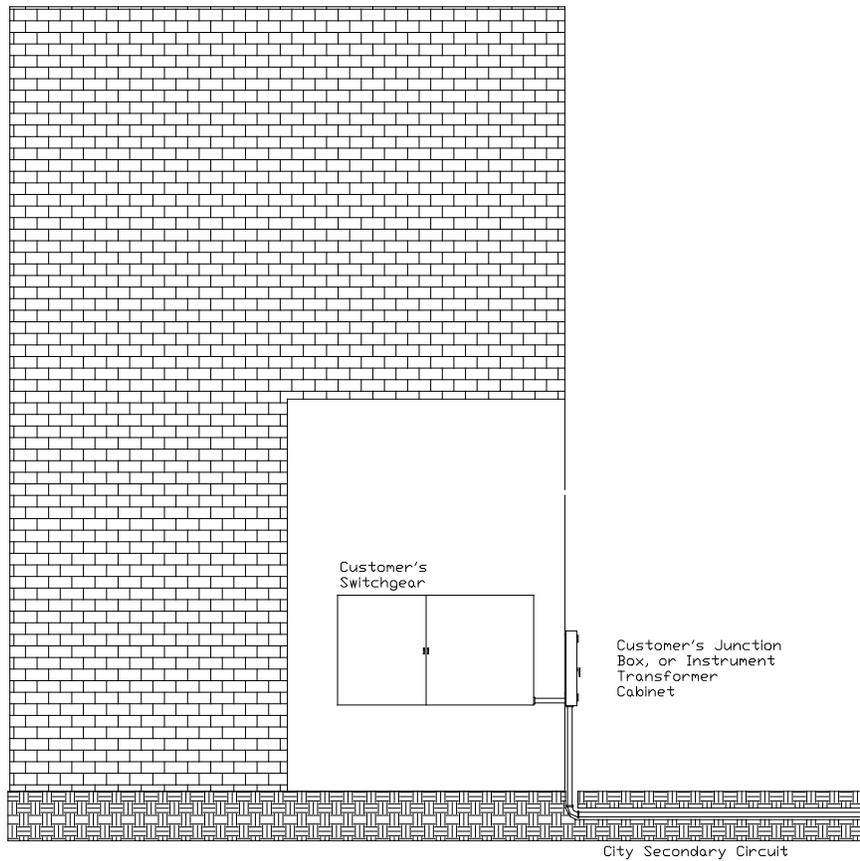
Provides and installs (if required) instrument transformer cabinet to City specifications.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

Provides and installs necessary conduits for primary circuit to enter building three feet below grade in service trench.

Provides and installs all secondary cable to transformers or (if required) to secondary bus.

ILLUSTRATION #8
DESIGNATED UNDERGROUND AREA
SECONDARY UNDERGROUND SERVICE - SECONDARY METERING



CITY

Provides and installs in accordance with City underground service plan, service to customer's junction box or (if required) instrument transformer to cabinet located immediately outside property line wall adjacent to secondary. Provides meter enclosure and (if required) provides and installs instrument transformers. Provides connectors and connects customer's service entrance to service lateral.

CUSTOMER

Provides and installs junction box or (if required) instrument transformer cabinet to City specifications.

Provides and installs necessary conduit to City specifications through building wall to property line. Consult City for depth below outside grade.

Provides space for metering and mounts meter enclosure. Provides and installs a 1-1/4 inch galvanized steel conduit between the meter enclosure and the instrument transformer cabinet.

A P P E N D I X D
C H A R G E S F O R T E M P O R A R Y S E R V I C E

**CITY OF MARTINSVILLE
CHARGES FOR TEMPORARY SERVICE**

This Appendix is to describe various construction and service charges to be made by the City upon the request of a customer for temporary electric service as follows:

1. For temporary service from an existing meter installation and where it is necessary to make field trips to read-in, read-out, connect and disconnect the meter, the charge shall be \$12.50.

2. For temporary service, not to exceed 100 amperes in capacity, and requiring one service drop and new meter installation off existing distribution facilities, the charge shall be \$25.00. No additional charges will be made by the City to convert such temporary service to permanent service.

3. Additional charges shall be made for any temporary service where the City incurs non-recoverable costs, according to the following schedule:

SINGLE PHASE TRANSFORMER ON EXISTING POLES:

Up to 25	KVA	\$ 204.00
37 1/2	KVA	247.00
50	KVA	254.00
75	KVA	273.00
100	KVA	343.00
167	KVA	394.00

SINGLE PHASE LINE WITHOUT TRANSFORMERS:

1 Pole Tap	\$ 316.00
2 Pole Tap	478.00
3 Pole Tap	640.00
4 Pole Tap	803.00

THREE PHASE TRANSFORMER BANK ON EXISTING
POLES - CLUSTER MOUNTED:

Up to 3 - 15	KVA Transformers	\$ 468.00
3 - 25	KVA Transformers	514.00
3 - 37 1/2	KVA Transformers	589.00
3 - 50	KVA Transformers	657.00
3 - 75	KVA Transformers	731.00
3 - 100	KVA Transformers	876.00
3 - 167	KVA Transformers	1,340.00

THREE PHASE LINE WITHOUT TRANSFORMERS:

1 Pole Tap	\$ 548.00
2 Pole Tap	783.00
3 Pole Tap	1,019.00
4 Pole Tap	1,243.00

PRIMARY METERING THREE PHASE: \$ 830.00

PRIMARY METERING SINGLE PHASE: \$ 503.00

SECONDARY METERING SINGLE
PHASE, SELF CONTAINED: \$ 25.00

<u>SECONDARY METER SINGLE PHASE</u> <u>WITH CURRENT TRANSFORMER:</u>	\$ 164.00
<u>SECONDARY METERING THREE</u> <u>PHASE, SELF CONTAINED:</u>	\$ 50.00
<u>SECONDARY METERING THREE PHASE,</u> <u>WITH CURRENT TRANSFORMER:</u>	\$ 179.00

A P E N D I X E
C H A R G E S F O R U N D E R G R O U N D S E R V I C E

**CITY OF MARTINSVILLE
CHARGES FOR UNDERGROUND SERVICE**

This Appendix is to describe the costs of underground service in new residential subdivisions and to individual customers otherwise.

1. In a new residential subdivision, the City will, upon the request of a developer, extend its system wholly underground. Charges to the developer for such installation will be as follows:

a. Where average lot width of all lots does not exceed 50 feet (determined by dividing the sum of the front and rear lot widths of all lots in the subdivision by two times the number of lots) and the average lot size does not exceed 5,000 sq. ft., the charge will be \$36.00 per lot.

b. Where the average lot width is greater than 50 feet, charges will be:

<u>More Than</u>	Lot Width	<u>Than</u>	But Less	Charge
			<u>Per Lot</u>	
	50 ft.	75 ft.	\$ 40.00	
	75 ft.	100 ft.	44.00	
	100 ft.	125 ft.	49.00	
	125 ft.	150 ft.	54.00	
	150 ft.	175 ft.	59.00	
	175 ft.	200 ft.	63.00	

c. Where the average lot width exceeds 200 feet, but average lot size is less than 45,000 square feet, the charge will be \$63.00, plus 20 cents per foot of average lot width in excess of 200 feet.

d. Where the average lot exceeds 45,000 square feet, the charge will be \$63.00, plus \$5.00 for each 5,000 square feet, or fraction thereof, in excess of 45,000 square feet.

2. At the request of any customer, the City will extend its system with underground laterals from overhead distribution. Charges to the customer for such service will be according to the following:

a. Where a secondary service lateral does not exceed 150 feet, the charge will be \$229.00 for each lot.

b. Where a secondary service lateral exceeds 150 feet, the charge will be \$229.00, plus \$1.00 for each foot in excess of 150 feet.

c. Where, due to the length of the extension or other conditions, a primary service lateral is required, the customer shall pay all the cost of a secondary service lateral of comparable length.

The length of the service lateral will normally be measured from the base of the pole carrying the overhead distribution to a point on the ground under the meter at the building. Where routing other than a direct line is requested or required, the length of service lateral will be that of the line as installed.

**APPENDIX F
RESIDENTIAL
ELECTRIC DEPOSITS**

RESIDENTIAL ELECTRIC DEPOSITS

A deposit will be required for all customers who cannot meet the credit requirements under section 4.1 in accordance with the following schedule:

Electric Heat	\$200
Gas/Oil Heat	\$100

Meeting Date: May 14, 2013

Item No: 7.

Department: Water Resources

Issue: Consider approval of revised Beaver Creek Reservoir; Rules and Regulations Governing Use

Summary:

Staff recently received a request to consider waiving boating fees at the Beaver Creek Reservoir for disabled military veterans. The fee schedule for boating at the reservoir is currently \$3.00 daily, or \$15.00 for an annual permit.

In recognition of present and former Military personnel's service and sacrifice to our country, staff has revised the Reservoir Rules and Regulations to waive boating fees for all military personnel – active, retired, and disabled. Revenue impact is estimated to be minimal.

Other minor changes in the Reservoir Rules and Regulations have been made as well, reflecting the current operational schedules and maintenance duties. Staff will review the changes at the meeting.

Attachments:

[Revised; Rules and Regulations Governing the Use of Beaver Creek Reservoir and the Adjacent Areas of Recreational Purposes](#)

Recommendations:

Staff recommends approval of the waiver of boating fees for active duty, disabled and retired military personnel and adoption other changes as noted in the Reservoir Rules and Regulations. Motion to approve.

RULES AND REGULATIONS
GOVERNING THE USE OF BEAVER CREEK RESERVOIR AND
THE ADJACENT AREAS FOR RECREATIONAL PURPOSES

Adopted: June, 1956

Revised: February, 1981; January, 1994; August, 1995; November, 2001;
November 2009; May 2013

GENERAL PROVISIONS:

1. **Departmental Jurisdiction.** Beaver Creek Reservoir, a primary water supply source for the City of Martinsville, and certain areas adjacent to the Reservoir are under direct control and supervision of the Water Resources Department.
2. **Designated Recreation Areas.** The water surface of the Reservoir and approximately 20 acres of adjacent land area are available to the general public for recreation purposes, subject to these rules and regulations.
3. **Types of Recreational Privileges.** Recreational activities shall be generally classified as picnicking, fishing, boating and hiking.
4. **Hours of Operation.** All activities shall be restricted to the period each day from sunrise until sunset, unless special permission is granted otherwise. The City reserves the right to modify these hours as may be deemed to be in the best interest of the City.
5. **Access.** Entrances to the water surface and recreation areas shall be controlled and limited to the gated entrance on Boat Ramp Drive. The designated access shall be strictly observed by the public. Vehicles parked on Reservoir premises after designated hours may be towed at owner's expense.
6. **Prohibited Acts.** No activity shall be allowed that would endanger the reservoir impoundment, contaminate the water, pollute the watershed, or in any other way be detrimental to the public interest. Specifically, no person shall:
 - a. Swim, wade or bathe in the reservoir.
 - b. Allow a pet or domestic animal to enter the water or run at large in the recreation areas.
 - c. Enter the area with ~~firearms or~~ fireworks, nor discharge

same while there.

- d. Engage in any commercial activity within the area, except pursuant to a specific contract with the City.
- e. Post, distribute or display private notices or advertisements, except those deemed necessary for the convenience and guidance of the public using the reservoir area for recreational purposes.
- f. Operate a boat in any manner so as to constitute a menace or hazard.
- g. Place in the reservoir any boat, trailer or bait container that has been in other water bodies within the previous week, or that has been in other water bodies within three weeks but not within the previous week unless first inspected and approved by the Lake Warden, in order to prevent the introduction of zebra mussels.
- h. Possess or consume alcohol within the area.
- i. Commit lewd or licentious acts or use profane language.
- j. Feed fowl.

7. **Suspension of Recreational Privileges.** By order of the City Manager or his designated agent, ~~the Director of Water Resources~~ recreational privileges may be suspended or discontinued in part or in full and for any length of time required to preserve the safety of the water supply, to abate hazardous conditions or for other appropriate reasons.

8. **Exemptions.** City Manager of his designated agent may make exemptions to these rules and regulations as may be deemed to be in the best interest of the city.

ENFORCEMENT OF REGULATIONS

1. **Responsibility.** Enforcement of these regulations shall be the primary responsibility of an officer of the City designated as the Lake Warden.
2. **Posting of Regulations.** These regulations shall be posted in a conspicuous place(s) at the Reservoir and shall otherwise be made available to all persons entering the area.
3. **Fees.** All fees required by these regulations shall be collected and accounted for by the Lake Warden.
4. **Denial of Admission.** The Lake Warden is empowered to revoke the recreation privileges described herein and/or to deny admission ~~and/or to arrest and take into custody to~~ any person who violates these regulations. All law enforcement situations will be

fulfilled by either Game Warden or Henry County Sheriff's Department.

PICNICKING

1. **Location.** Picnicking activities shall be permitted only in designated areas.
2. **Fires.** Fires shall be allowed only in designated picnic areas and shall be laid only in the cooking grills provided or in privately owned grills, or otherwise to strictly avoid uncontrolled conflagration.
3. **Garbage.** All garbage, rubbish and trash resulting from picnicking shall be deposited in receptacles provided.

FISHING

1. **Licensure.** Persons fishing the Reservoir must be in compliance with all Commonwealth of Virginia game and fish laws and must have in their possession valid state licenses. No other fees or permits shall be required.
2. **Where Allowed.** Fishing shall be allowed from boats, from the shore and from established fishing piers.
3. **Sale of Fish.** Fish taken from the Reservoir may not be sold commercially nor bartered.

BOATING

1. **Permits Required.** Any person desiring to place a boat upon the Reservoir, either for regular or temporary use, shall pay a fee and secure a permit from the Lake Warden.
2. **Permit Types, Terms and Fees.** All permits shall be valid only during the calendar year of issuance and fees shall not be prorated. A permit may be transferred to successive owners of a boat.
 - a. **Annual:** An annual permit may be issued to a boat to be placed on the Reservoir during normal hours of operation upon the payment of \$15.00 per year.
 - b. **Daily:** A one-day permit may be issued to a boat to be placed on the Reservoir during normal hours of operation upon the payment of \$3.00 per day.
 - c. **Disabled, Active Duty and Retired Military:** All Permit fees

shall be waived for Disabled, Active Duty and Retired Veterans with appropriate documentation.

3. **General Requirements.** Unless otherwise specifically provided herein, all boats must be equipped and operate in accordance with Virginia Boating Laws and Regulations. Permits will be issued only to boats of a substantial type and structure as determined by the Lake Warden.
- a. Capacity. Limited to two people unless a higher capacity or weight limit is specifically stated on the boat.
 - b. Juveniles. No boat shall be operated by a person under sixteen years of age. Persons under sixteen years of age may enter and be passengers in a boat only if accompanied by an adult.
 - c. Operating Near Spillways. No boat shall be taken into restricted areas adjoining the spillways and/or intake tower, or in any other area marked by signs as restricted. No boat shall be tied, anchored or moored to the intake tower or its support cable.
 - d. Passing. When two boats approach each other on the same course, the operator of each shall keep to his right (starboard), passing the other boat to his left (portside). Boats without power shall at all times have the right-of-way over power boats. No boat shall cross the bow of another boat within a distance of 50 yards.
 - e. Influence of Alcohol. No person under the influence of alcohol shall operate or be a passenger in a boat on the Reservoir at any time.
 - f. Ride the Gunwales. No person operating a boat shall allow any person to ride or sit on the gunwales or on the deck of the bow of the boat while underway.
 - g. Speed and Reckless Navigation. An operator of a boat shall at all times navigate in a careful and prudent manner, at a rate of speed and in such a way as not to endanger the property or physical well-being of any other person.
 - h. Accidents. The operator of any boat involved in a collision or other accident resulting in damage to property and/or injury or death of any person shall immediately stop the boat at the scene of the accident and shall give his name, address and permit number to the other parties involved; shall render reasonable assistance to any injured person; and shall immediately report the matter to the Lake Warden prior to leaving the Reservoir area.
 - i. All boaters should be aware of items 4 and 5 under General Provisions and end boating activities in order to exit

Reservoir property by sunset.

4. **Equipment.** All boats shall be equipped with the following:
 - a. Life Preservers. All boats shall be equipped with one U.S. Coast Guard approved wearable personal flotation device for each person aboard. In addition, all boats shall be equipped with one throwable personal flotation device.
 - b. Pails for Sanitary Purposes. Each boat shall be equipped with a pail or other suitable device to be used only for sanitary purposes.
 - c. Bailing Equipment. Each boat shall be equipped with an efficient pumping device or bailing bucket.
 - d. Oars. Each boat shall be equipped with one or more oars or paddles.

5. **Power Boats.** All boats equipped with a motor shall be specially regulated as follows:
 - a. The use of gasoline powered motors and the presence of gasoline in containers on the Reservoir shall be prohibited, except by the Lake Warden or other officials during emergencies or enforcement actions.
 - b. Battery powered trolling motors are permitted.

6. **Sailboats.** Permits may be issued to sailboats of small or medium size that are determined by the Lake Warden to be safe and of substantial construction. No person may operate or be a passenger aboard a sailboat unless wearing a U.S. Coast Guard approved life preserver.

7. **Canoes and Kayaks.** Permits may be issued to canoes or kayaks that are determined by the Lake Warden to be safe and of substantial construction. No person may operate or be a passenger in a canoe or kayak unless wearing a U.S. Coast Guard approved life preserver.
 - a. Waiver of Age Limit. For the purposes of training or organized excursions, the Lake Warden may authorize the operation of canoes or kayaks by persons under the age of sixteen, and without an adult aboard, when such persons are representing bona fide youth organizations (such as Boy Scouts, Girl Scouts, YMCA) and when such persons are under the immediate supervision of a recognized adult leader.

8. **Inflatable Boats.** Permits may be issued to inflatable boats complying with the following requirements. Rafts and floats are

not included.

- a. Air Compartments. Must have a minimum of four air compartments.
- b. Bottom. Must have a solid bottom.
- c. Capacity. Limited to two people unless a higher capacity is specifically stated on the boat.



City Council Agenda Summary

Meeting Date: May 14, 2013
Item No: 8.
Department: Finance
Issue: Consider approval of consent agenda.

Summary:

The attachments amend the FY13 Budgets with appropriations in the following funds:

FY13:

General Fund: \$8,756 – Federal, State & Local Reimbursements.

Attachments: [Consent Agenda](#) - 5-14-13.xls

Recommendations: Motion to approve

BUDGET ADDITIONS FOR 5/14/13

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY13</u>				
<u>General Fund:</u>				
01100909	490104	Advance/Recovered Costs		3,990
01331108	501300	Sheriff/Corrections - Part-time & Temporary Wages	2,900	
01331108	502100	Sheriff/Corrections - Social Security	180	
01331108	502110	Sheriff/Corrections - Medicare	42	
01331108	506008	Sheriff/Corrections - Vehicle Equipment & Maint.	580	
01331110	506200	Sheriff/Annex - Prisoner Allowance	288	
		Reimbursement from Henry County for litter pickup - February & March 2013		
01101917	442601	Categorical Other-State - EMS Four for Life		1,782
01322105	506114	Emergency Medical Services - EMS Four for Life	1,782	
		Additional Grant Funding		
01102926	443157	Categorical Federal - Safe Routes to School		1,007
01413146	503140	Street Marking - Prof. Services - Engineering	1,007	
		Reimbursement-Safe Routes to School Project		
01101916	434704	Categorical Shared Expenses - Clerk Circuit Ct - Off Exp		1,977
01216076	506001	Clerk of Circuit Court - Office Supplies	1,977	
		Additional Funding provided by State		
Total General Fund:			8,756	8,756



City Council Agenda Summary

Meeting Date: May 14, 2013
Item No: 9.
Department: City Manager, City Attorney, Commissioner of the Revenue
Issue: Consider approval of ordinance on second reading for an organization requesting a local tax exemption.

Summary: On April 23, 2013 Council approved an ordinance, on second reading, granting an exemption from local personal property tax for STEP, Inc. and designating that the organization qualified for the exemption as a charitable organization.

Attachments: Spreadsheet of [Revenue Impact of Applicant & Review Committee Recommendation Exemption Definitions Review Criteria Ordinance](#)

Recommendation: Motion to approve ordinance on second reading with a roll call vote.

Organization	Pers Prop Assessed Value	Rev Impact (Pers Prop)	Rev Impact (Real Estate)	Real Estate Assessed Value	Other City Assistance	Exemption Requested	Exemption Category Requested
Step, Inc.		\$1,382	\$31.79 Does not own real property.		\$0	Real & Personal Property	Other -- Community Action Agency
TOTALS		\$1,382	\$31.79	\$0.00	\$0	\$0	<div style="border: 1px solid black; padding: 5px;"> This is not a qualifying statutory exemption. Council could determine that the organization is benevolent or charitable and exempt by designation. </div>

Organization	Organization Mission Statement	Answers to Review Criteria	Committee Recommendation
Step, Inc.	<p>Mission Statement: To provide exceptional services for people seeking to improve their quality of life through community, economic, personal and family development.</p> <p>Purpose as stated in By-Laws: To plan and coordinate programs designed to combat problems of poverty and seek the elimination or reduction of conditions of poverty as they affect the inhabitants of the communities of Franklin and Patrick Co.</p>	<ol style="list-style-type: none"> 1. 501 (c) (3) designation 2. The organization does not have an annual special events ABC license 3. Employee compensation is not in excess of a reasonable salary for such services provided. 4. Net earnings of the organization does not inure to the benefit of any individual. Funding is primarily from grant revenues, local government support and donations. 5. The organization administers grant money to provide such services as Head Start, low-income housing weatherization, heating and cooling assistance, financial literacy classes and many more. 6. No substantial part of activities is to influence legislation or campaign on behalf of a political candidate. 7 Personal Property Tax Revenue Impact: \$31.79 8 The organization meets a general public need that exceeds the City's loss in revenue from taxes. 	<p>The Review Committee finds that the organization administers grant money to assist low income individuals through a variety of services which includes ex-offender services, homeless assistance and prevention services, education services such as Head Start, and other housing services. The committee recommends granting an exemption for personal property, but not real estate at this time. The organization does not currently own real estate. The committee suggests a local determination of exemption as a charitable organization.</p>

Organization

Council Action

Step Inc.

Moved to Exempt:

Designated:

City Code Section:

EXEMPTION CRITERIA TO CONSIDER

Pursuant to Code of Virginia §58.1-3651, the local governing body shall consider the following questions before granting an exemption from local taxation to any nonprofit organizations:

1. Whether the organization is exempt from taxation pursuant to § 501 (c) of the Internal Revenue Code of 1954;
2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property;
3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services which such director, officer, or employee actually renders;
4. Whether any part of the net earnings of such organization inures to the benefit of any individual, and whether any significant portion of the service provided by such organization is generated by funds received from donations, contributions, or local, state or federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services;
5. Whether the organization provides services for the common good of the public;
6. Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office;
7. The revenue impact to the locality and its taxpayers of exempting the property; and
8. Any other criteria, facts and circumstances that the governing body deems pertinent to the adoption of such ordinance.

Exemption Definitions

As Defined by Va. Courts

Benevolent – Philanthropic; humane; having a desire or purpose to do good to men; intended for conferring benefits, rather than for gain or profit. (Manassas Lodge No. 1380, Loyal Order of Moose, Inc. v. County of Prince William, 218 Va. 220, 237 S.E. 2d 102 (1977))

Charitable – Liberal in benefactions to the poor; beneficent. (City of Richmond v. United Givers Fund of Richmond, Henrico & Chesterfield, Inc., 205 Va. 432, 137 S.E. 2d 876 (1964))

NOTE: A charitable organization should be organized and conducted to perform some service of public good or welfare based on the above mentioned court cases.

As Defined by Va. Constitution Article X §6

Educational Exemption – Limited to institution of learning operated not for profit, provided the property is used for literary, scientific, or educational purposes or purposes incidental thereto.

As Defined by Webster's New Collegiate Dictionary

Cultural – Of or relating to enlightenment and excellence of taste acquired by intellectual and aesthetic training; acquaintance with and taste in fine arts, humanities, and broad aspects of science as distinguished from vocational and technical skills.

Educational – The field of study that deals mainly with methods of teaching and learning in schools.

Historical – Of or relating to a branch of knowledge that records and explains past events.

Museum – An institution devoted to the procurement, care, study, and display of objects of lasting interest or value; a place where objects are exhibited.

Patriotic – Befitting or characteristic of a patriot (one who loves his country and zealously supports its authority and interests.)

ORDINANCE 2013-2

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on April 23, 2013 and pursuant to Section 58.1-3651 of the Code of Virginia, that Section 21-12 of the City Code be amended to add a subsection N as follows:

N. Taxation exemption for STEP, Inc.

After convening a duly advertised public hearing and considering the factors set forth in Code of Virginia § 58.1-3651(B), the City Council of Martinsville Virginia hereby ordains the following:

1. STEP, Inc., a nonprofit organization, is hereby classified and designated as a charitable organization within the context of Section 6(a)(6) of Article X of the Constitution of Virginia.
2. Personal property owned by STEP, Inc, and used exclusively for charitable purposes on a nonprofit basis, as set forth in paragraph 1 of this subsection, is hereby determined to be exempt from local personal property taxation.
3. Continuance of the exemption shall be contingent on the continued use of the property in accordance with the purpose for which the organization is classified or designated.

Attest:

**Brenda Prillaman,
Clerk of Council**

Date Adopted

Date Effective