

**Town of Bluefield
Town Council
Minutes
November 27, 2018**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, November 27, 2018 at 7:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

PRESENT

Don Harris, Mayor
Jimmy Jones, Councilmember
Chuck Presley, Councilmember
Anglis Trigg Jr., Councilmember
Ron Holt, Councilmember

ALSO PRESENT

Mike Watson, Town Manager
Lesley Catron, Town Clerk
Shane Gunter, Police Chief
Matt Freedman, Town Attorney
33 Members of Public

ABSENT

Lee Riffe, Vice-Mayor
Billie Roberts, Comm. Dev. Coordinator

CALL TO ORDER

Mayor Harris called the meeting to order at 7:32 p.m.

INVOCATION AND PLEDGE

Gary Jakes, Bluefield First Church of the Nazarene led the Invocation. Mayor Harris led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Harris added the IDA Resolution to Attorney Report.

Councilmember Holt made a motion to approve the amended agenda. Councilmember Jones seconded the motion. The motion passed unanimously by voice vote.

CONSENT AGENDA

Councilmember Trigg made a motion to approve the consent agenda. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

CITIZEN REQUESTS & SPECIAL PRESENTATIONS

Special Presentation: Bluefield, Virginia Little League Sr. Softball Resolution – Delegate Will Morefield

Delegate Morefield express how proud he was of the girls and from what he understood this had never been achieved in Little League in the Town of Bluefield. He stated on behalf of the Commonwealth of Virginia he would like to recognize the Graham G-Girls of Bluefield, VA for their 2018 VA State Championship. He presented the coach with a resolution.

The team presented Delegate Morefield with a signed softball.

Jarried McFarland thanked Delegate Morefield.

Citizen Request: GHS Wrestling Request – Tim Woodward, Coach

Coach Woodward stated that since 1990, Bluefield, VA had supported Graham Wrestling with mat supplies, scraping the parking lots so that they could have their tournaments, etc. He stated that the most important thing was recognizing the kids for their accomplishments and that they really appreciated it. He stated that it had been turned over to his longtime assistant Ben Fritz. He thanked the Town for everything they had done and this request was to help Ben and the Wrestling Team purchase new mat tape. He stated that the mats could not be left down and they had probably gone through 2 boxes (48 rolls) of mat tape.

Mayor Harris thanked him for all of his hard work with the Wrestling Team and Graham High School. He stated that he and his dad had done so much for the program.

Mr. Watson stated that this was not a budgeted item.

Mr. Holt stated that he had friends with kids in the program and they all bragged about it.

Coach Woodward stated that the tournament was scheduled for the 8th.

Mr. Holt made a motion to approve the \$1,000 request for Wrestling. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg: Yes
 Councilmember Presley: Yes
 Councilmember Holt: Yes
 Mayor Harris: Yes
 Councilmember Jones: Yes
 Vice-Mayor Riffe: Absent

The motion passed unanimously by Roll Call Vote.

COMMITTEE REPORTS

None.

UNFINISHED BUSINESS & REPORTS

None.

NEW BUSINESS & REPORTS

Budget Amendments, VOTE – Lesley Catron

Mrs. Catron stated that the following Budget Amendments would need to be voted on:

PURPOSE: Security Services Payment – Highlands Fellowship

Revenue		Original Budget	Amended Budget	Change
Line Item				
0400-0413	Misc. Law	<u>\$56,386.52</u>	<u>\$57,025.52</u>	<u>\$639.00</u>
	Enforcement	<u>\$56,386.52</u>	<u>\$57,025.52</u>	<u>\$639.00</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				
3110-1200	Salaries OT	<u>\$14,253.25</u>	<u>\$14,892.25</u>	<u>\$639.00</u>
		<u>\$14,253.25</u>	<u>\$14,892.25</u>	<u>\$639.00</u>

PURPOSE: Security Services Payment – I.S.A.R. Picnic

Revenue		Original Budget	Amended Budget	Change
Line Item				
0400-0413	Misc. Law	<u>\$57,025.52</u>	<u>\$57,166.57</u>	<u>\$142.00</u>
	Enforcement	<u>\$57,025.52</u>	<u>\$57,166.57</u>	<u>\$142.00</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				

3110-1200	Salaries OT	<u>\$14,892.25</u>	<u>\$15,034.25</u>	<u>\$142.00</u>
		<u>\$14,892.25</u>	<u>\$15,034.25</u>	<u>\$142.00</u>

PURPOSE: Ice-Skating Rink Rental for Christmas Tree Lighting / Hugh Shott Grant

Revenue		Original Budget	Amended Budget	Change
Line Item				
3108-9903	Gifts & Donations	<u>\$2,000.00</u>	<u>\$8,095.00</u>	<u>\$6,095.00</u>
		<u>\$2,000.00</u>	<u>\$8,095.00</u>	<u>\$6,095.00</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				
8120-5657	Special Events	<u>\$10,000.00</u>	<u>\$16,095.00</u>	<u>\$6,095.00</u>
		<u>\$10,000.00</u>	<u>\$16,095.00</u>	<u>\$6,095.00</u>

Mr. Trigg made a motion to approve the Budget Amendments. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg: Yes
 Councilmember Presley: Yes
 Councilmember Holt: Yes
 Mayor Harris: Yes
 Councilmember Jones: Yes
 Vice-Mayor Riffe: Absent

The motion passed unanimously by Roll Call Vote.

TOWN MANAGER'S REPORT

Fire Truck Discussion, ROLL CALL VOTE

Mr. Watson stated that the Fire Department would like to replace their 1981 Pumper Truck with a 2019 3k gallon pumper tanker to allow them to carry water. He stated that the ladder truck would be paid off in February 2019 which would allow a payment for this. He stated that \$200k would come out of the Fire Department's savings towards this truck and they would finance around \$600k. He asked for a vote to proceed with negotiations.

Mr. Holt made a motion to approve staff proceeding with negotiations for the Fire Truck. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Absent

The motion passed unanimously by Roll Call Vote.

Governor Infrastructure Financing Conference, Dec 10th & 11th in Roanoke, VA

Mr. Watson stated that he and Mrs. Roberts would be attending the Governor Infrastructure Financing Conference in Roanoke on December 10th – 11th.

Bluefield, VA Christmas Parade

Mr. Watson stated that the Town's Christmas Parade would be on Saturday, December 15th.

Volunteer Christmas Dinner

Mr. Watson stated that the Volunteer Christmas Dinner would be held on Thursday, December 13th at 6:30 p.m. at Bluefield College, Shott Hall Cafeteria.

Employee Christmas Dinner

Mr. Watson stated that the Employee Christmas Dinner would be held on Monday, December 17th at 6:30 p.m. at Bluefield College, Shott Hall Cafeteria. He stated that there would also be a luncheon at La Fiesta at noon for those who could not attend the evening dinner. He stated that council was welcome to attend the luncheon as well.

Council Meeting Canceled

Mr. Watson stated that the December 25th Council meeting would be canceled.

Town Offices Closed

Mr. Watson stated that the Town Offices would be closed on Monday, December 24th through Wednesday, December 26th for Christmas. He thanked council for the days off.

CITIZENS COMMENTS

None.

ATTORNEY REPORT

Cemetery Draft Ordinance (attached at end of minutes)

Mr. Freedman stated that he brought back the Cemetery Draft Ordinance when the Town Manager was there for discussion to see if it was something they would like to move forward with or not.

Mr. Watson stated that the cemetery was owned by the Town but was operated by a Commission who did a great job. He stated that it was getting out of hand and that people were putting a lot of stuff out on the graves but that the Cemetery Commission had to approve it.

Mr. Presley asked how many was on it.

Mr. Watson stated that he believed it was 6-7.

Unsafe Buildings Draft Ordinance (attached at end of minutes)

Mr. Freedman stated the next one was the Unsafe Buildings Draft Ordinance. He stated that they had gone through a process to revise the Unsafe Buildings Ordinance. He stated that he hoped to streamline the process and make it easier.

Mayor Harris asked if the 90 days could be 60 days because it was just delaying the process.

Mr. Watson stated that he believed it was 30 days and asked council if they would like to do 30 days or 60 days.

Council agreed to 30 days.

Mr. Freedman stated that he could certainly change it to 30 days if that was what council wanted. He stated that he would look at it and make sure it could be 30 days and change it.

Mr. Watson stated that he misread it that Mr. Freedman was correct and even if it was changed to 60 days that it would be 90 days before it could be torn down. He stated that it took 30 days to notify them and then another 60 days before it could be torn down.

Mr. Freedman stated that the Building Official would send a letter to the owner stating that they had 30 days to fix the problem. He stated that if nothing was done after

that 30 days that it would be brought before council but he would change that to 60 days. He stated that he would bring it back with the changes.

Special Events Ordinance, VOTE – 2nd Reading (by Title Only), ROLL CALL VOTE (to Adopt)

Mr. Freedman stated that the Special Events Ordinance would be read by title only and he would need a motion and a Roll Call Vote.

Mr. Holt made a motion to approve the 2nd Reading by Title Only of the Special Events Ordinance. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Absent

The motion passed unanimously by Roll Call Vote.

Mr. Freedman read by title only: An Ordinance to create, by creating Article VII (Special Events) of Chapter 2 (Administration) of the Code of Ordinances, Town of Bluefield, Virginia.

Mr. Freedman stated that the next motion and Roll Call Vote would be to adopt the Special Events Ordinance.

Mr. Holt made a motion to adopt the Special Events Ordinance. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Absent

The motion passed unanimously by Roll Call Vote.

***Industrial Development Authority Ordinance, VOTE – 2nd Reading (by Title Only),
ROLL CALL VOTE (to Adopt)***

Mr. Freedman stated that this would be the 2nd Reading by Title Only for the Industrial Development Authority Ordinance. He stated that he would need a motion and Roll Call Vote to approve by title only.

Mr. Holt made a motion to approve the 2nd Reading by Title Only of the Industrial Development Authority Ordinance. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Absent

The motion passed unanimously by Roll Call Vote.

Mr. Freedman read by title only: An Ordinance to create an Industrial Development Authority under Article I of Chapter 4 of the Code of Ordinances, Town of Bluefield, Virginia.

Mr. Freedman stated that the next motion and Roll Call Vote would be to adopt the Industrial Authority Ordinance.

Mr. Holt made a motion to adopt the Industrial Development Authority Ordinance. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Absent

The motion passed unanimously by Roll Call Vote.

Industrial Development Authority Resolution (attached at the end of the minutes)

Mr. Freedman stated that the IDA Resolution was to appoint directors to the Industrial Development Authority of the Town of Bluefield to establish their terms of office.

Mr. Holt made a motion to approve the IDA Resolution. Mr. Presley seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Absent

The motion passed unanimously by Roll Call Vote.

Mayor Harris stated that there were some neighborhoods who had no concern for their fellow neighbors and asked if there was anything that could be done to fix or spruce up these homes that were neglected.

Mr. Freedman stated that it would depend on what it was but they could certainly do something about trash, rubbish, etc. He stated that as far as vehicles it would depend on the nature of the vehicle and he was not sure if they could do misdemeanor violations. He stated that he would have to talk to the Zoning Administrator to see if it had been an annoyance or was a danger. He asked what types of problems he was referring too.

Mayor Harris stated that it was a shame that neighbors had to look at it and that council adopted an ordinance about such vehicles a few years ago.

Mr. Freedman stated that if it were reasonably considered garbage in plain view then they could do something about it. He stated that the Town had been looking into a Rental Inspection Ordinance.

Mr. Trigg stated that some houses could be caught in time before water damage and asked if there was anything they could do about that.

Mr. Freedman stated that they could address something like that with a maintenance code but was not sure if it could be done if the house was vacant. He stated that it could be looked into.

Mr. Watson stated that the one problem was that it had to be identified and if it were not easily visible you could not just go in.

Mr. Holt stated that a Renter's Inspection Ordinance would help that

Mr. Freedman stated that he hoped to have a draft by the next meeting.

Mayor Harris stated that the City of Princeton was adopting a Rental Ordinance and suggested we get ideas from them.

COUNCIL COMMENTS

Mr. Jones state that the Town Employees did a great job decorating for Christmas and that the Town looked great.

Mr. Holt stated that there was a sewer odor in different areas of Town and asked if a letter could be sent listing the locations to the Sanitary Board to address them. He stated that it was in Sedgewood and at the Wal-Mart stop light. He stated concerning the properties they were discussing to get a part time employee to be more pro-active. He asked what Mr. Watson thought about it.

Mr. Watson stated that he had had been there for 15 years and done every job there. He stated that as a Town they worked with the citizens and when we directed someone to be pro-active then he expected them to be pro-active. He stated that he could put our guys on them more and that they had started getting onto people for paint. He stated that sometimes the citizens could not afford to fix the problems. He asked how aggressive they wanted staff to be.

Mr. Holt stated that it was admirable that the Town helped them but there was an attitude in certain areas and no respect and some of them did not care. He stated that he was getting complaints especially about rental properties.

Mr. Presley gave a shout out to the Police and Fire Department and also to the Graham G-Men.

Mr. Trigg asked if the sidewalk they were putting down in front of Pemco would stop there.

Mr. Watson stated that it was stopped due to weather but that it would go to the entrance of the intersection.

Mr. Trigg asked if anyone had looked into the lighting for Bullet Bill Drive.

Mr. Watson stated that he was working on it and we would probably put up LED lights ourselves and do it underground.

Mayor Harris stated that the Christmas Tree Lighting turned out great.

ADJOURN

Mr. Presley made a motion to adjourn the meeting at 8:26 p.m. Mr. Trigg seconded the motion. The motion passed unanimously by voice vote.

Don Harris, Mayor

Lesley Catron, Town Clerk

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA, ON THE ____ DAY OF _____, 2018.

AN ORDINANCE TO AMEND, BY AMENDING SECTION 14-4 (PENALTY FOR VIOLATION OF CHAPTER) OF CHAPTER 14 (CEMETERY), OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.

WHEREAS, on October 22, 2018, the Cemetery Commission of the Town of Bluefield, Virginia adopted general rules for visitors of Maple Hill Cemetery in Bluefield, Virginia; and

WHEREAS, the adoption of this ordinance is necessary to approve and enforce such rules.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, that Section 14-4 of Chapter 14 of the Code of Ordinances, Town of Bluefield, Virginia, is hereby amended to read as follows:

Sec. 14-4. Certain conduct of visitors of cemeteries prohibited; penalty.

Unless otherwise permitted by the Cemetery Commission of the Town of Bluefield, Virginia or the Cemetery Superintendent of the town, it shall be unlawful for a visitor of a cemetery owned or maintained by the town to:

- 1) plant flowers, trees, bushes, shrubs, or other vegetation;
- 2) operate any golf cart, go-kart, side by side, UTV, ATV, or other recreational vehicle;
- 3) operate a car, truck, vehicle, or similar equipment on areas not designated for such operation unless such operation is connected to an interment ceremony;
- 4) engage in any recreational activity other than walking, jogging, or cycling; or
- 5) between June 1 to October 31 of a calendar year, place any i) artificial flowers or plants; ii) wrought iron poles or metal rods; iii) solar lights; iv) wire or glass objects; or v) fences, gates, or barriers in a manner that obstructs cemetery maintenance activities.

A violation of this section shall be punishable as a Class 4 misdemeanor.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, that this ordinance is adopted on this ____ day of _____, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, that this ordinance shall be effective on the ____ day of _____, 2019.



TOWN OF BLUEFIELD

GENERAL RULES FOR VISITORS OF MAPLE HILL CEMETERY

1. Placing the below items in Maple Hill Cemetery in a manner that obstructs cemetery maintenance activities is prohibited between June 1 and October 31 of a calendar year.
 - ARTIFICIAL FLOWERS OR PLANTS
 - WROUGHT IRON POLES OR METAL RODS
 - SOLAR LIGHTS
 - WIRE OR GLASS OBJECTS OF ANY SORT
 - FENCES, GATES, OR BARRIERS OF ANY SORT
2. Planting flowers, trees, bushes, shrubs, or any other type of vegetation in Maple Hill Cemetery without the written permission of the Cemetery Superintendent is prohibited.
3. Operating recreational vehicles (e.g. golf carts, go-karts, side by sides, UTVs, and ATVs) in Maple Hill Cemetery is prohibited.
4. Operating cars, trucks, vehicles, and other similar equipment on any area in Maple Hill Cemetery not designated for such operation is prohibited. This prohibition shall not apply to equipment, cars, trucks, and/or vehicles necessary to interment ceremonies.
5. Recreational activities in Maple Hill Cemetery are prohibited. This prohibition shall not apply to walking, jogging, and/or cycling on areas suitable for such activities.

ADOPTED by an affirmative majority vote of the Cemetery Commission of the Town of Bluefield, Virginia on the 22nd day of October, 2018.

MOTION MADE BY: Ed Spurgeon SECOND MADE BY: Bill Mays
 MEMBERS PRESENT: Ed Spurgeon Ben Muncy Nancy Buchanan Bill Mays
 MEMBERS ABSENT: 0
 RESULT OF VOTE: 6 0 0
 AYES NAYES ABSTENTIONS

*Senda
Thomps
Gail Cook*

Ben A. Muncy
CHAIRMAN

Gail Cook
SECRETARY

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA ON THE _____ DAY OF _____, 2018.

AN ORDINANCE TO AMEND, BY AMENDING ARTICLE II (UNSAFE BUILDINGS) OF CHAPTER 10 (BUILDINGS AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Article II of Chapter 10 of the Code of Ordinances, Town of Bluefield, Virginia is hereby amended to read as follows:

ARTICLE II. UNSAFE BUILDINGS

Sec. 10-31. Purpose.

The purpose of this article is to provide a means of reasonably regulating the maintenance and condition of certain buildings, walls, or structures within the corporate limits of the town in order to preserve the health, safety, and welfare of the citizens of the town.

Sec. 10-32. Authority.

This article is adopted pursuant to the authority described in section 15.2-906 of the Code of Virginia (1950) as amended.

Sec. 10-33. Certain structures may be deemed unsafe.

Any building, wall, or structure which poses a danger to the public health or safety of the residents of the town shall be deemed unsafe by the building official of the town.

Sec. 10-34. Notice to be provided by building official.

The building official of the town shall provide written notice to a property owner whose property contains an unsafe building, wall, or structure. Such notice shall (i) identify the unsafe building, wall, or structure; (ii) require the unsafe building, wall, or structure identified to be removed, repaired, or secured within thirty (30) days of the postmark date of the notice; (iii) be posted in a conspicuous place upon the property containing the unsafe building, wall, or structure; and (iv) sent by certified mail with return receipt requested to the last known address of the property owner.

The building official of the town may take any action necessary to prevent unauthorized access to an unsafe building within seven (7) days of sending notice so long as such building poses a significant threat to public safety and such fact is stated in the notice provided.

Sec. 10-35. Town Council may require the removal, repair, or securing of structures.

In the event a property owner fails to remove, repair, or secure an unsafe building, wall, or structure after being requested to do so by the building official of the town, then the town council may authorize the town, its employees, and its authorized agents to remove, repair, or secure such building, wall, or structure.

Prior to an unsafe building, wall, or structure being removed, repaired, or secured by the town, its employees, or its authorized agents, written notice shall be provided by the town to the property owner and any lienholder of the property. Such notice shall (i) be sent by certified mail with return receipt requested to the last known addresses of the property owner and lienholder(s); (ii) be published once a week for two (2) successive weeks in a newspaper having general circulation in the town; (iii) be posted in a conspicuous place upon the property containing the unsafe building, wall, or structure; and (iv) be posted to the public bulletin board of the courthouse in Tazewell County, Virginia as defined under section 1-211.1 of the Code of Virginia (1950) as amended.

If the unsafe building, wall, or structure has **not** been removed, repaired, or secured after ninety (90) days have passed from the date all notices **required** hereunder have **been** provided, then the town, its employees, or its authorized agents may **proceed to remove, repair, or secure** the unsafe building, wall, or structure.

Sec. 10-36. Appeal.

Any decision rendered by the building official of the town or the town council pursuant to this article may be appealed by an aggrieved property owner or lienholder to the Board of Building Code Appeals of the Town of Bluefield, Virginia. Such appeal shall be perfected by providing a written notice of appeal to the building official of the town within thirty (30) days of the date such decision was made. Failure to note a timely appeal with the building official of the town shall constitute an absolute waiver to the right of appeal granted hereunder this section.

Sec. 10-37. Expenses, liens, and waiver.

In the event the town, its employees, or its authorized agents remove, repair, or secure an unsafe building, wall, or structure pursuant to this article, then any expense associated therewith shall be chargeable to and paid by the property owner of such property. Additionally, such expenses, if left unpaid, shall constitute a lien against the property and may be collected by the town as taxes and levies are collected.

The town manager of the town may waive any and all liens imposed hereunder to facilitate the sale of property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the property owner and who has no business association with the property owner subject to the lien. Additionally, such liens shall remain a personal obligation of the property owner at the time the liens were imposed.

Sec. 10-38. Violation by property owner; penalty.

It shall be unlawful for a property owner to fail to remove, repair, or secure an unsafe building, after being requested to do so by the building official of the town.

A violation of this section shall be punishable by a civil penalty of \$1,000.00.

Sec. 10-39. Indemnification.

Any officer, official, employee, or agent of the town charged with the enforcement of this article or assisting therewith shall not render himself personally liable in the discharge of his/her duties, and is hereby relieved of any and all personal liability for any damages which may accrue to any person or property as a result of any act required or permitted in the discharge of his/her duties. Any suit brought against any such officer, official, employee, or agent resulting from the enforcement of this article or assisting therewith shall be fully defended by the town.

Sec. 10-40. Severability.

If any section, provision, or portion of this article is held to be invalid by a court of competent jurisdiction, then that decision shall in no way affect the remaining sections, provisions, or portions of this article. The invalid section, provision, or portion thereof shall be severable.

Secs. 10-41 -- 10-70. Reserved.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance is hereby adopted on this ____ day of _____, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the ____ day of _____, 2019.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia authorizes Donald R. Harris, the Mayor of the Town of Bluefield, Virginia, to execute this ordinance on behalf of said Council.

IT IS SO ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA on this ____ day of _____, 2018.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

PUBLIC HEARING: NONE
 FIRST READING: _____
 SECOND READING: _____
 MOTION TO ADOPT MADE BY: _____
 MOTION TO ADOPT SECONDED BY: _____
 ADOPTION DATE: _____
 EFFECTIVE DATE: _____

Name of Councilman	Attendance (Present or Absent)	Vote (Aye, Nay, Abstain, or Absent)

RESULT OF VOTE:
 _____ AYES
 _____ NAYES
 _____ ABSTENTIONS

COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA

BY: _____
 DONALD R. HARRIS, MAYOR DATE
 TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

ATTEST:

 LESLEY CATRON, TOWN CLERK DATE
 TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA ON THE 27TH DAY OF NOVEMBER, 2018.

A RESOLUTION TO APPOINT DIRECTORS TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF BLUEFIELD, VIRGINIA, AND TO ESTABLISH THEIR TERMS OF OFFICE

WHEREAS, on November 14, 2005, the Council of the Town of Bluefield, Virginia adopted an ordinance which established the Industrial Development Authority of the Town of Bluefield, Virginia; and

WHEREAS, the records of the Town of Bluefield do not show the adoption of the aforesaid ordinance conformed to the requirements of Article VII Section 7 of the Virginia Constitution; and

WHEREAS, on June 12, 2018, the Council of the Town of Bluefield, Virginia adopted a resolution establishing and clarifying the directors' terms of the aforesaid Industrial Development Authority while relying on the validity of the aforesaid ordinance; and

WHEREAS, on November 27, 2018, the Council of the Town of Bluefield, Virginia re-created the aforesaid Industrial Development Authority, and amended and restated the appropriate sections of the Bluefield Code with retroactive effect to ensure the correction of any errors associated with the adoption of the 2005 ordinance; and

WHEREAS, the Council of the Town of Bluefield, Virginia, now intends to adopt this resolution in order to ensure the lawful appointment and terms of the directors to the Industrial Development Authority of the Town of Bluefield, Virginia to the extent such directors did not lawfully hold office upon the aforesaid authority prior to June 12, 2018, or November 27, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the below shown individuals are hereby appointed to serve as directors to the Industrial Development Authority of the Town of Bluefield, Virginia, with terms of office ending as follows:

<i>DIRECTOR</i>	<i>END OF TERM</i>
<i>Wayne Blevins</i>	<i>November 27, 2019</i>
<i>Scott Keim</i>	<i>November 27, 2019</i>
<i>W. David Bowers</i>	<i>November 27, 2020</i>
<i>Lisa Watkins</i>	<i>November 27, 2020</i>
<i>Brad Ayers</i>	<i>November 27, 2021</i>
<i>Greg Degray</i>	<i>November 27, 2021</i>
<i>VACANT</i>	<i>November 27, 2022</i>

