



**TOWN OF BLUEFIELD  
TOWN COUNCIL MEETING  
March 13, 2018  
AGENDA**

- 6:00 p.m.     **Work Session:** Term Limits, PIC Awards, Planning Commission Member, [Cigarette Tax](#)
- 7:15 p.m.     **Public Hearing:** [Amendment & Addition to the Business License Ordinance](#)
- 7:30 p.m.     **Call to Order**
- 7:31 p.m.     **Invocation and Pledge of Allegiance**
- Pastor Jim Drake, Parkview Baptist Church
- 7:41 p.m.     **Approval of Agenda**
- 7:42 p.m.     **Consent Agenda**
- [February 27, 2018 Work Session Minutes](#)
  - [February 27, 2018 Meeting Minutes](#)
  - [February 2018 Budget Report](#)
- 7:44 p.m.     **Citizen Requests & Special Presentations**
- Special Presentation: Introduction of new SWCC President & Executive Director – Ginger Branton, Richlands Area Chamber of Commerce
- 7:54 p.m.     **Committee Reports**
- 7:55 p.m.     **Unfinished Business & Reports**
- 7:56 p.m.     **New Business and Reports**
- [Wrestling Resolution for 3 GHS Wrestlers](#), **VOTE** – Kim Hernandez
- 7:59 p.m.     **Citizen Comments**

8:05 p.m.      **Town Manager's Report**

- [Budget Amendment](#), **VOTE**
- [Time off Request](#), **VOTE**
- Planning Commission Member Discussion, **POSSIBLE VOTE**

8:15 p.m.      **Council Comments**

8:27 p.m.      **Attorney Report**

- [Ordinance to Amend Section 50-96 of Town Code](#), **1<sup>st</sup> Reading - VOTE**
- [Ordinance to Create Section 50-109 of Town Code](#), **1<sup>st</sup> Reading – VOTE**
- [Ordinance to Amend Sections 50-214 & 50-215 of Town Code](#), **1<sup>st</sup> Reading, VOTE**
- [Ordinance to Repeal Sections 50-217 & 50-218 of Town Code](#), **1<sup>st</sup> Reading, VOTE**
- [Ordinance to Create Section 2-510 of Town Code](#), **1<sup>st</sup> Reading, VOTE**
- [Deed of Easement: Betty Watson Drainage Easement](#), **VOTE (Motion to Accept Deed and Interest and to Authorize Mayor to Execute Deed)**

8:39 p.m.      **Executive Session:** Section 2.2-3711-A-1.1

9:09 p.m.      **Unfinished Business**

- Bluefield, VA Fire Chief, **VOTE** – Mike Watson

9:14 p.m.      **Adjourn**

Town of Tazewell	0.15/pack
Town of Richlands	0.10/pack
Town of Wytheville	0.15/pack
Town of Blacksburg	0.30/pack
Town of Christiansburg	0.40/pack
Town of Pearisburg	0.10/pack
Town of Cedar Bluff	N/A
State of Virginia	0.30/pack
State of West Virginia	0.55/pack

NOTICE IS HEREBY GIVEN that the Council of the Town of Bluefield, Virginia will hold a **PUBLIC HEARING** on March 13, 2018, at 7:15 p.m. in the Council Chambers of the Town Hall at 112 Huffard Drive in Bluefield, Virginia. This said **PUBLIC HEARING** is being held to receive input on an amendment and addition to the license tax ordinance under the Code of Ordinances, Town of Bluefield, Virginia. The Town of Bluefield, Virginia is not increasing the license tax at this time, but is considering criminalizing certain conduct associated with willfully providing false information, willfully failing to file a return, and operating a business/profession without a valid license. A copy of the full text of the said amendment and addition to the said ordinance may be viewed prior to the said **PUBLIC HEARING** at the office of the Town Clerk of the Town of Bluefield, Virginia at 112 Huffard Drive in Bluefield, Virginia, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m. All interested persons are invited to appear at the said **PUBLIC HEARING** and present their views. Questions/comments may be referred to Lesley Catron, the Town Clerk of the Town of Bluefield, Virginia at (276) 322-4626 or [compton@bluefieldva.org](mailto:compton@bluefieldva.org).



## **Town of Bluefield**

### **Resolution**

### **JUSTIN FRITZ**

WHEREAS, Justin Fritz is a member of the Graham High School Wrestling Team; and

WHEREAS, he is in the 132 lbs. weight division and completed this year with a season record of 48-6 and an overall career record of 48-6 at Graham High School; and

WHEREAS, his tournament honors include receiving 1<sup>st</sup> place at the Carroll County Invitational, 2<sup>nd</sup> place at the Rural Retreat Invitational, 2<sup>nd</sup> place at the Highlander Invitational, 3<sup>rd</sup> place at the Bobby Bates Classic, 3<sup>rd</sup> place at the Agie Skeens Memorial Tournament, and 5<sup>th</sup> place at the Ed Cressell Classic; and

WHEREAS, he was the Champion in the 132lbs. weight division at the 2A Region D Tournament; and

WHEREAS, he was the Champion of the 2A VA State Tournament in the 132 lbs. weight division.

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF BLUEFIELD, VIRGINIA, hereby recognizes Graham High School Wrestler Justin Fritz on his successful season and applauds his wrestling career accomplishments.

Adopted the 13<sup>th</sup> day of March 2018. Presented the 27<sup>th</sup> day of March 2018.

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Donald R. Harris, Mayor

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Lesley L. Catron, Town Clerk



## **Town of Bluefield**

### **Resolution**

#### **CALEB FRITZ**

WHEREAS, Caleb Fritz is a member of the Graham High School Wrestling Team; and

WHEREAS, he is in the 113 lbs. weight division and completed this year with a season record of 43-5 and an overall career record of 140-27 at Graham High School; and

WHEREAS, his tournament honors include receiving 1<sup>st</sup> place at the Carroll County Invitational, 1<sup>st</sup> place at the Rural Retreat Invitational, 3<sup>rd</sup> place at the Highlander Invitational, and 2<sup>nd</sup> place at the Bobby Bates Classic, 2<sup>nd</sup> place at the Agie Skeens Memorial Tournament, and 2<sup>nd</sup> place at the Ed Cressell Classic; and

WHEREAS, he was Champion at the 2A Region D Tournament in the 113 lbs. weight division; and

WHEREAS, he received 4<sup>th</sup> place at the 2A VA State Tournament in the 113 lbs. weight division.

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF BLUEFIELD, VIRGINIA, hereby recognizes Graham High School Wrestler Caleb Fritz on his successful season and applauds his wrestling career accomplishments.

Adopted the 13<sup>th</sup> day of March 2018. Presented the 27<sup>th</sup> day of March 2018.

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Donald R. Harris, Mayor

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Lesley L. Catron, Town Clerk



## **Town of Bluefield**

### **Resolution**

#### **MASON RALEY**

WHEREAS, Mason Raley is a member of the Graham High School Wrestling Team; and

WHEREAS, he is in the 195 lbs. weight division and completed this year with a season record of 40-9 and an overall career record of 124-33 at Graham High School; and

WHEREAS, his tournament honors include receiving 2<sup>nd</sup> place at the Carroll County Invitational, 3<sup>rd</sup> place at the Rural Retreat Invitational, 3<sup>rd</sup> place at the Highlander Invitational, and 2<sup>nd</sup> place at the Agie Skeens Memorial Tournament; and

WHEREAS, he received 2<sup>nd</sup> place at the 2A Region D Tournament in the 195 lbs. weight division; and

WHEREAS, he received 4<sup>th</sup> place at the 2A VA State Tournament in the 195 lbs. weight division.

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF BLUEFIELD, VIRGINIA, hereby recognizes Graham High School Wrestler Mason Raley on his successful season and applauds his wrestling career accomplishments.

Adopted the 13<sup>th</sup> day of March 2018. Presented the 27<sup>th</sup> day of March 2018.

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Donald R. Harris, Mayor

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Lesley L. Catron, Town Clerk

## BUDGET AMENDMENT

2017 / 2018

**PURPOSE:** Reimbursement to Police Dept. for Narcan Purchase for Overdose Prevention

### Revenue

Line Item		Original Budget	Amended Budget	Change
0400-0413	Misc. Law	<u>\$93,497.97</u>	<u>\$101,597.97</u>	<u>\$8,100.00</u>
	Enforcement	<u>\$93,497.97</u>	<u>\$101,597.97</u>	<u>\$8,100.00</u>

### Expenditure

Line Item		Original Budget	Amended Budget	Change
3110-8106	Grants	<u>\$20,872.39</u>	<u>\$28,972.39</u>	<u>\$8,100.00</u>
		<u>\$20,872.39</u>	<u>\$28,972.39</u>	<u>\$8,100.00</u>



# Memo

**To: Town Council**

**From: Mike Watson**

**Date: 03/07/18**

**Re: Time-off Request**



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Council,

Staff continues to work very hard throughout the year. I would like to recommend that Council give staff a day off on Friday, March 30<sup>th</sup>. This is the Friday before the Easter holiday. Friday's trash would be collected on Thursday, March 29<sup>th</sup>.

Thanks,

Mike

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 MARCH, 2018.

**AN ORDINANCE TO AMEND, BY AMENDING SECTION 50-96 OF DIVISION 1 (GENERALLY) OF ARTICLE III (LICENSE TAXES) OF CHAPTER 50 (TAXATION) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that section 50-96 of Division 1 of Article III of Chapter 50 of the Code of Ordinances, Town of Bluefield, Virginia is hereby amended to read as follows:

**Sec. 50-96. Procedure for obtaining license; penalty for failure to obtain license.**

- (a) (1) Unless exempted by law, every person shall annually apply in writing for a license for each business or profession when engaging in a business in this jurisdiction if:
  - a. The person has a definite place of business in this jurisdiction;
  - b. There is no definite place of business anywhere and the person resides in this jurisdiction; or
  - c. There is no definite place of business in this jurisdiction but the person operates amusement machines or is classified as an itinerant merchant, peddler, carnival, circus, or contractor subject to § 58.1-3715 of the Code of Virginia (1950) as amended.
- (2) A separate license shall be required for each definite place of business and for each business.
- (3) A person engaged in two or more businesses or professions carried on at the same place of business may elect to obtain one license for all such businesses and professions if all the following criteria are satisfied:
  - a. Each business or profession is subject to licensure at the location and has satisfied all requirements imposed by state law or other provisions of the ordinances of this jurisdiction;
  - b. All of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest tax rate; and

- c. The tax payer agrees to supply such information as the town treasurer may require concerning the nature of the several businesses and their gross receipts.

(b) Upon receipt of such written application, the town treasurer shall furnish license application forms in triplicate, which forms shall state the following:

- (1) The definite place or house where the business, employment, or profession is to be prosecuted;
- (2) The name and residence address of the applicant;
- (3) Whether the applicant is an individual, a firm or a corporation, whether domestic or foreign, and if foreign, the date of its authority to do business in the state as issued by the state corporation commission;
- (4) The nature of the business, employment or profession for which the applicant for a license is made;
- (5) The number of years the applicant has prosecuted in this town such a business, employment or profession in appropriate cases, the amount of gross receipts of such business, profession, trade or occupation for the last preceding year, except as in the case of beginning business as defined in this article; and
- (6) Such other information as may be required by the town treasurer.

(c) Every applicant for a license shall have incorporated therein or annexed thereto the affidavit of the applicant to the effect that the statements contained in the application are true:

- (1) If the applicant is an individual, the affidavit must be made by him;
- (2) If the applicant is a firm, by one of the members; and
- (3) If the applicant is a corporation, by the officer having knowledge of the correctness of the statements made in the application.

(d) Upon the receipt of every application for a license, the town treasurer, if satisfied of its correctness, shall compute the tax and shall issue a license to the applicant to prosecute the business, employment, or profession named in the application. No license issued by the town treasurer shall be valid nor have any legal effect unless and until the tax prescribed by this article is paid to the town treasurer; proof of such payment shall appear on the face of the license. No license issued by the town treasurer shall be valid nor have any legal effect for a period greater than one year from the issue date. The town treasurer shall retain two copies of the completed license application form and furnish the applicant with the original, the license being noted thereon.

(e) The town treasurer shall furnish the license with such tag, button or sign as may be appropriate for display as evidence that a valid license has been issued.

(f) A separate license shall be obtained by each member of a firm or company of persons practicing any profession or calling which is regulated by the laws of the state for practicing of which professions or calling a license is required by this article.

(g) It shall be unlawful for any individual, person, business, or entity, who is not otherwise exempted by law, to transact, conduct, or engage in any activity for which a license tax is required under this article without first obtaining a valid license from the town treasurer, or after having obtained the necessary license, to continue to do so for longer than one month after the expiration thereof.

(1) A violation of this subsection shall constitute a Class 3 misdemeanor;

(2) Each day a violation hereunder occurs or continues shall constitute a separate and distinct offense; and

(3) A conviction for such offense shall not relieve any person from the payment of any license tax required by this article.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia adopts this ordinance on this 27th day of March, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 27th day of April, 2018.

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 27th day of March, 2018.

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PUBLIC HEARING: 03/13/2018  
FIRST READING: 03/13/2018  
SECOND READING: 03/27/2018  
ADOPTION DATE: 03/27/2018  
EFFECTIVE DATE: 04/27/2018

FINAL RECORDED VOTE: \_\_\_\_\_  
MEMBERS PRESENT: \_\_\_\_\_  
MEMBERS 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 MARCH, 2018.

**AN ORDINANCE TO CREATE, BY CREATING SECTION 50-109 OF DIVISION 1 (GENERALLY) OF ARTICLE III (LICENSE TAXES) OF CHAPTER 50 (TAXATION) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that section 50-109 of Division 1 of Article III of Chapter 50 of the Code of Ordinances, Town of Bluefield, Virginia is hereby created to read as follows:

**Sec. 50-109. Willful failure to file return; penalty.**

(a) Any individual, person, business, or entity, not otherwise exempted by law, who willfully fails or refuses to file a return as required under this article shall be guilty of (i) a Class 1 misdemeanor if the amount of the tax lawfully assessed in connection with the return is more than \$1,000.00 or (ii) a Class 3 misdemeanor if the amount of the tax lawfully assessed in connection with the return is \$1,000.00 or less.

(b) Any individual, person, business, or entity, with the intent to defraud, who willfully makes any false statement upon a return filed pursuant to this article shall be guilty of a (i) Class 1 misdemeanor if the amount of the tax lawfully assessed in connection with the return is more than \$1,000.00 or (ii) a Class 3 misdemeanor if the amount of the tax lawfully assessed in connection with the return is \$1,000.00 or less.

(c) Each violation of this section shall constitute a separate and distinct offense. Conviction of any such violation shall not relieve any person from the payment, collection, or remittance of the tax provided for in this article.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia adopts this ordinance on this 27th day of March, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 27th day of April, 2018.

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 27th day of March, 2018.

PUBLIC HEARING:	03/13/2018		
FIRST READING:	03/13/2018		
SECOND READING:	03/27/2018		
ADOPTION DATE:	03/27/2018		
EFFECTIVE DATE:	04/27/2018		
FINAL RECORDED VOTE:	_____		
MEMBERS PRESENT:	_____		
MEMBERS 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 MARCH, 2018.

**AN ORDINANCE TO AMEND, BY AMENDING SECTIONS 50-214 AND 50-215 OF ARTICLE V (MOTOR VEHICLE LICENSE TAX) OF CHAPTER 50 (TAXATION) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that sections 50-214 and 50-215 of Article V of Chapter 50 of the Code of Ordinances, Town of Bluefield, Virginia are hereby amended to read as follows:

**Sec. 50-214. Licensing of tractor-trailer, etc., combination.**

Under this article, in the case of a combination of a tractor-trailer or tractor-semitrailer, each unit constituting a part of such combination shall be licensed as a separate vehicle.

**Sec. 50-215. Tax paid annually; In addition to personal property tax.**

The tax imposed by section 50-212 shall be assessed and paid on an annual basis as an addition to the personal property taxes on a motor vehicle, trailer, or semitrailer.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia adopts this ordinance on this 27th day of March, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 27th day of April, 2018.

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 27th day of March, 2018.



PUBLIC HEARING: NONE  
FIRST READING: 03/13/2018  
SECOND READING: 03/27/2018  
ADOPTION DATE: 03/27/2018  
EFFECTIVE DATE: 04/27/2018  
FINAL RECORDED VOTE: \_\_\_\_\_  
MEMBERS PRESENT: \_\_\_\_\_  
MEMBERS 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

# MEMO

**To: Town Council**  
**From: Matthew Freedman**  
**Date: 03-07-18**  
**Re: Ordinance Changes – Motor Vehicle License Tax**



Council,

As requested, we have prepared two (2) ordinances to fulfill your desire of no longer requiring Town of Bluefield residents to maintain license decals on their respective vehicles.

The substance of the ordinances are as follows:

1. Sections 50-214 and 50-215 of the Code of Ordinances will be amended:

## CURRENTLY:

### **Sec. 50-214. Licensing of tractor-trailer, etc., combination.**

Under this article, in the case of a combination of a tractor-trailer or tractor-semitrailer, each unit constituting a part of such combination shall be licensed as a separate vehicle and separate license decals shall be issued therefor.  
(Code 1984, § 16-119)

### **Sec. 50-215. Term and procuring of license decals.**

For any motor vehicles, trailers or semitrailer owned by any resident of the town and intended to be operated over the streets of the town a permanent license decal shall be issued for that motor vehicle, trailer or semitrailer for a fee of \$5.00. The tax imposed by section 50-212 shall be assessed and paid on an annual basis as an addition to the personal property taxes on said motor vehicle, trailer or semitrailer.  
(Code 1984, § 16-120; Ord. 2-11-2014(3))

## AMENDED:

### **Sec. 50-214. Licensing of tractor-trailer, etc., combination.**

Under this article, in the case of a combination of a tractor-trailer or tractor-semitrailer, each unit constituting a part of such combination shall be licensed as a separate vehicle.

### **Sec. 50-215. Tax paid annually; In addition to personal property tax.**

The tax imposed by section 50-212 shall be assessed and paid on an annual basis as an addition to the personal property taxes on a motor vehicle, trailer, or semitrailer.

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 MARCH, 2018.

**AN ORDINANCE TO REPEAL, BY REPEALING SECTIONS 50-217 AND 50-218 OF ARTICLE V (MOTOR VEHICLE LICENSE TAX) OF CHAPTER 50 (TAXATION) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that sections 50-217 and 50-218 of Article V of Chapter 50 of the Code of Ordinances, Town of Bluefield, Virginia are hereby repealed.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia adopts this ordinance on this 27th day of March, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 27th day of April, 2018.

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.

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ADOPTION DATE: 03/27/2018  
EFFECTIVE DATE: 04/27/2018

FINAL RECORDED VOTE: \_\_\_\_\_

MEMBERS PRESENT: \_\_\_\_\_

MEMBERS 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

2. Sections 50-217 and 50-218 of the Code of Ordinances will be repealed.

**Sec. 50-217. License decal.**

A license decal shall be furnished by the town treasurer to each licensee, which decal shall be displayed on the right front windshield of the licensed vehicle. Failure to properly display a license shall subject the owner of the vehicle to the same penalty as the failure to obtain the license.  
(Code 1984, § 16-122; Ord. of 2-11-2014(4))

**Sec. 50-218. Duplicate license decal.**

A duplicate license decal shall be issued upon return of portion of old decal showing number along with the original receipt and information of new vehicle and upon payment of a \$2.00 transfer fee to the town treasurer. If decal is lost or proof of purchase previously stated is not satisfied then the duplicate decal will be \$10.00.  
(Code 1984, § 16-123; Ord. of 10-10-2005)

Sincerely,

Matt

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 MARCH, 2018.

**AN ORDINANCE TO CREATE, BY CREATING SECTION 2-510 OF ARTICLE VI (UNCLAIMED PERSONAL PROPERTY) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that section 2-510 of Article VI of Chapter 2 of the Code of Ordinances, Town of Bluefield, Virginia is hereby created to read as follows:

**Sec. 2-510. Unclaimed personal property of no monetary value.**

Unclaimed personal property of no monetary value, as determined by the chief of police of the Bluefield Police Department, which cannot be sold, destroyed, or otherwise disposed of pursuant to the applicable provisions of this article or the Code of Virginia (1950) as amended, may, with the prior written approval of the Commonwealth's Attorney, be destroyed by the Bluefield Police Department after thirty (30) days of the date such property came into possession of the Bluefield Police Department.

This section shall only be utilized upon the failure of the rightful owner, if any, to claim such property from the Bluefield Police Department within the stated time frame.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia adopts this ordinance on this 27th day of March, 2018.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 27th day of April, 2018.

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.

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EFFECTIVE DATE: 04/27/2018  
FINAL RECORDED VOTE: \_\_\_\_\_  
MEMBERS PRESENT: \_\_\_\_\_  
MEMBERS ABSENT: \_\_\_\_\_  
RESULT OF VOTE: \_\_\_\_\_  
AYES NAYES ABSTENTIONS

COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA

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

ATTEST:

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

\*THIS DEED PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION\*

THIS INSTRUMENT PREPARED BY:  
MATTHEW CHASE FREEDMAN (VSB #78496)  
TOWN ATTORNEY  
TOWN OF BLUEFIELD  
112 HUFFARD DRIVE  
P.O. BOX 1026  
BLUEFIELD, VA 24605

TAX MAP ID NO(S).  
PART OF 024B204 0003-0004

PURCHASE PRICE: \$0.00  
TAX ASSESSED VALUE: N/A

RETURN TO ADDRESS OF GRANTEE AFTER RECORDATION:

TOWN OF BLUEFIELD  
112 HUFFARD DRIVE  
BLUEFIELD, VA 24605

**THIS DEED OF EASEMENT** is made and entered into on the 6th day of March, in the year 2018, by and between, **BETTY WATSON**, unmarried, the **GRANTOR**, and the **TOWN OF BLUEFIELD**, a Virginia Municipal Corporation, the **GRANTEE**.

WHEREAS, the said Grantor and the said Grantee desire to control flooding and stormwater runoff affecting the lands of the said Grantor and the surrounding area; and

WHEREAS, the said Grantor and the said Grantee agree the conveyance of a permanent and perpetual drainage easement from the said Grantor to the said Grantee, for the purpose of permitting the said Grantee and its authorized agents to construct, install, and maintain a permanent and perpetual drainage system upon, under, over, along, and across the lands of the said Grantor, will assist in controlling flooding and stormwater runoff affecting the lands of the said Grantor and the surrounding area.

### NOW, THEREFORE, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR AND 00/100 (\$1.00), the terms, provisions, and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said Grantor does hereby grant and convey a permanent and perpetual drainage easement unto the said Grantee, with Covenants of General Warranty of Title, for the purpose of permitting the said Grantee and its authorized agents to construct, install, and maintain a permanent and perpetual drainage system upon, under, over, along, and across the lands of the said Grantor. This said easement being located on the southern part of Lot 4, Section 4, Mountain Lane, Mountain Lane Addition, Town of Bluefield, Tazewell County, Virginia, as shown upon a map entitled "MAP SHOWING LOTS 3, 4 & 5 SECT. 4 MOUNTAIN LANE ADDITION MOUNTAIN LANE BLUEFIELD, TAZEWELL COUNTY, VA" with a scale of 1" = 40', dated 11-21-16, as prepared by Appalachian Engineering & Surveying, Inc., 212 College Avenue, Bluefield, West Virginia, 24701, being of record in the Clerk's Office of the Circuit Court of Tazewell County, Virginia in Plat Book 52 at Page 26, with the said easement being more particularly bounded as follows, to wit:



BEGINNING at a point in the eastern right-of-way line of Mountain Lane, said point being the northwest corner of Lot 5 and the southwest corner of Lot 4 and the herein described tract; thence along said right-of-way N 17°15'00" W 10.00 ft. to a point; thence through Lot 4 N 72°45'00" E 200.00 ft. to a point; thence along the western line of Lot 12 S 17°15'00" E 10.00 ft. to a point; thence along the northern line of Lot 5 S 72°45'00" W 200.00 ft. to the point of BEGINNING and containing 2000 sq. ft. more or less.

And being located on a portion of the same property conveyed to the said Grantor by a certain deed dated November 15, 2017, and recorded in the land records of the Clerk's Office of the Circuit Court of Tazewell County, Virginia in Deed Book 2017 at Page 19241.

The easement conveyed by this deed is subject to all of the following terms, provisions, and covenants:

- A. The said Grantee and its authorized agents shall have the rights of ingress and egress upon, under, over, along, and across the lands of the said Grantor for purposes of accessing the area of the easement in its entirety.
- B. The said Grantee and its authorized agents shall have the right to inspect, construct, build, install, remove, repair, maintain, and store any equipment, system, or material within the area of the easement that is necessary to accomplish the stated purpose of the easement. Any equipment, system, or material constructed, built, installed, or stored by the said Grantee or its authorized agents within the area of the easement shall remain the property of the said Grantee or its authorized agents.
- C. The said Grantee and its authorized agents shall have the right to trim, cut, clear, and remove any trees, shrubbery, vegetation, or other obstructions within the area of the easement that interfere with accomplishing the stated purpose of the easement. The said Grantee and its authorized agents shall further have the right to remove for disposal, all brush, branches, and other debris that result from the said trimming, cutting, clearing, and removal within the area of the easement.
- D. The said Grantor may utilize the area of the easement for any purposes consistent with the stated purpose of the easement. The said Grantor shall place no permanent improvements within the area of the easement without the written permission of the said Grantee. The said Grantor agrees, that when requested by the said Grantee, the said Grantor shall remove any item, material, structure, landscaping, or vehicle located within the area of the easement within three (3) days of receipt of written notice requesting the removal thereof. In the event the said Grantor fails to remove the said item, material, structure, landscaping, or vehicle after the said written notice is received, then the said Grantee or its authorized agents may remove the said item, material, structure, landscaping, or vehicle. The said Grantor further agrees that the said Grantee, and its authorized agents, shall not be liable for any damage(s) whatsoever caused by the said removal of any such item, material, structure, landscaping, or vehicle.

- E. Any disturbance caused by the said Grantee or its authorized agents upon the area of the easement shall be restored by the said Grantee or its authorized agents as near as practicable to its previous condition. This restoration may include, but not be limited to, paving, filling trenches, reseeding, replacing landscape, and removing trash and debris. Trees, shrubs, and ground cover shall be replaced with immature landscaping. This restoration shall not include the removal of any permanently installed equipment, system, or material necessary to the permanent and perpetual drainage easement conveyed by this deed.

The easement conveyed by this deed, with the above stated terms, provisions, and covenants, shall constitute a covenant that runs with the land and shall inure to the benefit of and be binding upon the said Grantor, the said Grantee, and all their respective successors, assigns, administrators, executors, heirs, and estates.

The easement conveyed by this deed is subject to all the rights, privileges, easements, reservations, and restrictions of record in the Clerk's Office of the Circuit Court of Tazewell County, Virginia to the extent the same may lawfully affect the property subject to the said easement, and is also subject to such matters as would be revealed by a careful inspection of the premises subject to the said easement.

The said Grantee, by an affirmative majority vote of the Council of the Town of Bluefield, Virginia on the 13th day of March, 2018, and by joining in this deed through signature of its authorized representative, accepts this deed and the interest in real estate conveyed by this deed pursuant to section 15.2-1803 of the Code of Virginia (1950) as amended.

WITNESS the following signatures and seals.

 (SEAL)  
BETTY WATSON

COMMONWEALTH OF VIRGINIA  
COUNTY OF TAZEWELL, to wit:

The foregoing instrument was acknowledged before me by Betty Watson, the Grantor, on this 6<sup>th</sup> day of March, 2018.



  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
REGISTRATION NUMBER:

January 31, 2019  
7658697

TOWN OF BLUEFIELD  
A VIRGINIA MUNICIPAL CORPORATION

BY: \_\_\_\_\_ (SEAL)  
DONALD R. HARRIS

ITS: MAYOR

COMMONWEALTH OF VIRGINIA  
COUNTY OF TAZEWELL, to wit:

The foregoing instrument was acknowledged before me by Donald R. Harris, the Mayor of the Town of Bluefield, a Virginia Municipal Corporation, on this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_  
REGISTRATION NUMBER: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
LESLEY CATRON, TOWN CLERK

COMMONWEALTH OF VIRGINIA  
COUNTY OF TAZEWELL, to wit:

The foregoing instrument was acknowledged before me by Lesley Catron, the Town Clerk of the Town of Bluefield, a Virginia Municipal Corporation, on this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_  
REGISTRATION NUMBER: \_\_\_\_\_

THIS DEED APPROVED AS TO FORM BY:



MATTHEW CHASE FREEDMAN (VSB #78496)  
TOWN ATTORNEY  
TOWN OF BLUEFIELD  
112 HUFFARD DRIVE  
P.O. BOX 1026  
BLUEFIELD, VA 24605

COMMONWEALTH OF VIRGINIA  
COUNTY OF TAZEWELL, to wit:

The foregoing instrument was acknowledged before me by Matthew Chase Freedman, the Town Attorney of the Town of Bluefield, a Virginia Municipal Corporation, on this 6<sup>th</sup> day of March, 2018.



Brittnie C Hubbard

NOTARY PUBLIC

MY COMMISSION EXPIRES:

REGISTRATION NUMBER:

January 31, 2019  
7658697