



***GATE CITY TOWN COUNCIL MEETING MINUTES
JUNE 11, 2013
156 E. JACKSON ST.
6:30 PM***

- I. COUNCIL MEETING CALLED TO ORDER AT 6:31 P.M. BY: Mayor - Frances Perry**
- II. ROLL CALL – Town Clerk - Kathy Riley**

PRESENT: Mayor, Frances Perry
Vice Mayor, Allan “Cotton” Roberts
Council Member, Roger Cassell
Council Member, Robin Richards
Council Member, Wallace W. Ross, Jr.
Council Member, Walter Salyers

Others present: Town Manager, Greg Jones, Town Attorney, Michele Brooks, Chuck and Arletha Newton, Benny Reed, Andy Miles, Ron and Debbie Kindle, Frank Kibler

- III. INVOCATION Reverend Roland Hautz**
- IV. PLEDGE OF ALLEGIANCE Sergeant of Arms, Chuck Newton**

Mayor Perry – Announces the celebration of Flag Day on Friday, June 14, 2013, at the Park at 6:30 p.m. and welcomes everyone to attend.

V. APPROVAL OF AGENDA

Motion made to approve the agenda with an amendment to discuss authorizing the Town Attorney to contact Delegate Kilgore concerning the VDOT lease under new business.

Town Attorney, M. Brooks discussed a matter for unfinished business regarding the ordinance of identifying properties within the town. She has a report to give on that if it is acceptable to Council.

Vice Mayor, A. Roberts stated he has some items under unfinished business regarding bids on refinancing Town Hall, Form 990 status and lease with the Life Saving Crew.

Motion made to adopt the agenda as amended.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Cassell

VOTE:	Yeas,	5
	Nays,	0
	Absent,	0
	Abstain,	0

VI. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS.

Vice Mayor, A. Roberts – Recognized Kim Jenkins for planting flowers at the sidewalk.
Council Member, R. Cassell – Placed under proclamations of his attendance of the VML meeting of his being informed of how lucky the Town was to have Greg Jones as our Town Manager.

VII. APPROVAL OF MINUTES

Mayor Perry - Are there any corrections, as presented, to the minutes for:

- **Public Hearing – Meth Lab Clean-Up May 14, 2013**-Declared adopted as presented.
- **Council Meeting May 14, 2013**-Declared adopted as presented.

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for May, 2013

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE:	Yeas,	5
	Nays,	0
	Absent,	0
	Abstain,	0

IX. PUBLIC COMMENT

Benny Reed – Discussed the budget and his knowing it is not an easy job with no increases in taxes, his appreciation of the Council Members and for their commitment of doing it and expressed his desire to want what is best for Gate City.

Mayor Perry closed the public comment session at 7:42 P.M. and opened the consent agenda session.

X. COMMUNICATIONS – No communications.

XI. REPORTS

A. Engineer’s Status Report –

Andy Miles – Discussed:

- Bid opening for the sidewalk project has been extended to Friday, 2:00 p.m.
- The one bidder for the water plant project and provides numbers for each bid

- The three options from Health Dept
- Steve Pellei, Health Dept. of Richmond, possibility of additional money if needed.
- Block grant for Courthouse Hill with information for Frank Kibler regarding Back Street

Council Member, R. Cassell – Discussed letter from VRA regarding rates will not cover costs for F/Y Budget 2015-2016 requiring additional information before VRA can recommend loan.

Town Manager, G. Jones stated he would contact VRA.

B. Treasurer’s Report –

Vice Mayor, A. Roberts – Questioned the figure of \$3,666,946 of when it will come in from the revenue side.

Town Manager, G. Jones – Will ask the Treasurer to find out where he got that number from and explains how he is doing the budget of separating the operating expenses from the operating revenue.

C. Codification Committee/Property Maintenance –

Town Attorney, M. Brooks – Informs Council of her sending out the “draft” business license ordinance for their review.

Vice Mayor, A. Roberts – Informs Council of the meeting with him, Council Member, W.W. Ross, Jr. and Town Manager, G. Jones regarding the Brush Ordinance.

D. Police Department Report – No comments.

D. Council Reports –

Council Member, R. Cassell – Gave his at the beginning.

Council Member, R. Richards – Will be discussing an issue later on, other than that no reports.

Council Member, W.W. Ross, Jr. – No reports.

Council Member, W. Salyers – To be discussed during closed session.

Vice Mayor, A. Roberts – Discussed:

- Grass cutting on Kane Street, needing to focus on areas downtown with Council Member,
- Questioned recent event at Grogan Park, didn’t know about, did not see any advertisement, he thought an event like that had to go through Council and liability of such event against the Town.

Mayor Perry informed him she provided approval from the event while Acting Town Manager.

Town Attorney, M. Brooks – Addressed his liability question.

F. Economic Development Committee –

Vice Mayor, A. Roberts – Stated they met and discussed ways to improve advertising of Town events. Mark Freeman took the Chairman position. Jason McCully may resign. Brad McKee and Marvin Egan did not attend the meeting.

Mayor Perry – Stated the position would need to be filled if vacated.

G. Historical Committee –

Council Member, W. W. Ross, Jr. – Commented the 125th Anniversary of the Town needs to be part of the Grillin at the Gate and placed on the Town website.

Vice Mayor, A. Roberts – Informed Council it was being placed on the back of the t-shirts.

H. Manager-

Town Manager, G. Jones – Went over his report that was included in the Council packet.

Vice Mayor, A. Roberts – Comments on the slowing of traffic on Jackson Street with discussion of placing cones out in street at pedestrian walkways to try and slow traffic down and change the configuration at Kane and Jackson at Raymond's Odd's and Ends to make it more pedestrian friendly.

I. Park Committee – .

Vice Mayor, A. Roberts – Informed Council the Civitan representative was not there, nothing really to report.

Council Member, R. Richards – Expressed her concern about the deep rain water and children at the Gazebo.

Mayor Perry – Informed Council of citizen concern and legality to place no smoking signs at the park.

Town Attorney, M. Brooks – Stated we own it, but it may be an enforcement issue.

Council Member, R. Richards – Asked about the vandalism at the park with Chief Birchfield providing a status report and informing Council of another incident.

J. Planning Commission –

Council Member, R. Cassell – Discussed the revised lease on the King Ford property regarding petroleum residue with the Town being held responsible. Their request is to have Ms. Brooks talk to Delegate Kilgore who is on the Transportation Committee. Without any change regarding the petroleum residue the Planning Commission would recommend not accept the lease due to the risk to the Town.

K. Public Works –

Council Member, R. Cassell – Complimented Matt Ison's job performance regarding weed eating and informed Council of his ability to do masonry work.

L. Sanitation Authority – No comment.

M. Street Commission –

Council Member, W. W. Ross, Jr. – Nothing to report other than Back Street.

N. Safety Committee –

Council Member, W. W. Ross, Jr. – Questioned if the emergency contact list was placed in the Safety Manuals. He reiterated the need of a warning system to warn residents of storms.

Town Manager, G. Jones – Discussed benefit of reverse 911 for the Town.

Vice Mayor, A. Roberts – Questioned grants with **Town Manager, G. Jones** responded yes, for safety and emergency purposes.

Council Member, R. Richards – Stated there would be a lot of public notification to put the word out there.

O. Water Plant –

Vice Mayor, A. Roberts – Expressed his concern about the increase in water loss percentage.

Town Manager, G. Jones – Provided an explanation for increase.

Mayor Perry – Questioned the railroad getting water, if they have a meter? Need to look into it.

Town Manager, G. Jones – Suggested Water Development to come and check the lines.

P. Events Committee –

Vice Mayor, A. Roberts – Discussed:

- The committee has met twice, with posters, flyers, 5K and bands are lined up
- Letter for donations and t-shirt design and on the website
- Asked for volunteers with a form on line for volunteers to complete with Council Member, R. Cassell asking about Council Members as volunteers
- Summer concert in the parking lot on Saturday night, possibly the 4th of July weekend at no cost to the Town, with exception of some power from the pole
- Movie in parking lot, do a trial run and call it “Summer Concert Downtown Gate City”

Council Member, W. W. Ross, Jr. – Asked about having the Mountain Men (Sons of the American Revolution) at the Grillin’ at the Gate event.

XII. UNFINISHED BUSINESS

• **Sale of Town owned property**

Town Attorney, M. Brooks – Discussed the list of Town owned property, water tanks, her recommendation of three properties to put up for sale at Council’s approval, an ordinance she has drafted with an individual ordinance for each property to sell and the need to have a Public Hearing at next meeting or when Council decides of date.

Council Member, W. Salyers – Asked if appraisals would be done on the properties.

Mayor Perry – Stated to look at the tax appraisal on them with a minimum for the bid.

Town Attorney, M. Brooks – Explains the language from previous ordinance with wordage to include minimum bid, highest and best offer along with right of refusal.

Council Member, R. Cassell – Questioned the process of Public Hearing, appraisals for value of property then do the ordinance.

Town Attorney, M. Brooks – Explained the cost of appraisals which is an additional expensive and use the tax assessment as a guide.

Town Manager, G. Jones – Discussed salvage value of water tanks that are no longer being used and another option for value of property through insurance as another source to look at.

Town Attorney, M. Brooks – Suggested to possibly table this item until more information is gathered for next meeting.

Vice Mayor, A. Roberts – Agrees to table with possibility of a Workshop to discuss options with **Town Attorney, M. Brooks** suggesting photos of each property to better decide.

- **Decision for Chief and/or all Police Department to take vehicles home**

Vice Mayor, A. Roberts – Budget would dictate decision.

Mayor Perry – No action to be taken until Public Hearing Wednesday, June 12, 2013.

- **Municipal parking lot lighting**

Town Manager, G. Jones – Met with AEP representative about upgrades and costs.

Council Member, R. Cassell – Provided Council a breakdown of number of poles, costs and effects of additional lights.

Mayor Perry – Felt it was a mute issue.

Council Member, R. Richards – Suggested to stay with what is there.

- **Approval for a Public Hearing to revise Chapter 9 – Trash & Yard Waste Regulation Ordinance**

Motion made to have a Public Hearing to revise Chapter 9 – Trash & Yard Waste Regulation Ordinance preceding the Council Meeting of July 9, 2013.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W.W. Ross, Jr.

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

- **Approval for a Public Hearing for Flea Market Ordinance**

Town Manager, G. Jones – Discussed his research and his findings that a Flea Market Ordinance or a set a rules need to be in there and will drafting an Ordinance.

Motion made to have a Public Hearing for a Flea Market Ordinance preceding the Council Meeting of July 9, 2013.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Cassell

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

- **Fire Department/Municipal Parking lot lease**

Town Manager, G. Jones – Discussed a creation of a lease with the Fire Department to give authorization to do the Flea Market at the municipal parking lot with reference back to the Flea Market Ordinance. Informs Council this would provide the Town a fixed income coming in each week or month with a flat lease fee.

Council Member, R. Cassell – Discussed individuals using the private property across the street from Flea Market to sell produce.

Council Member, W. W. Ross, Jr. – Discussed the growth of weeds behind Tucker, Coleman building for Property Maintenance.

Council discussed area of sidewalk at Quillen's and Broadwater business of who was responsible for it.

- **Bids on Refinancing**

Vice Mayor, A. Roberts – Asked the current status of the refinancing.

Town Manager, G. Jones – Informed Council the RFP are prepared, it has been advertised and should close in about two weeks.

- **Form 990 Status**

Town Manager, G. Jones - Informed Council of his receipt of Form 990 from the Fire Department and American Cancer Society with no request made to the Life Saving Crew due to it being a lease and not a contribution. Carry over to next meeting.

Council discussed need to receive Form 990 from Little League, make mandatory for Form 990 be provided from all organizations who receive donations from the Town and to have organizations come before the Council before the budget is prepared for donation requests.

Vice Mayor, A. Roberts – Discussed the Life Saving Crew should come in to present their \$1.00 and to at least thank the Town for the use of the building.

Mayor Perry – Provided the history of how the lease was set up with the building and the Life Saving Crew.

Vice Mayor, A. Roberts – Discussed the money they make with bingo, with just \$1.00 rent, doesn't make sense to him.

Mayor Perry – Informed Council they now charge for their service where before they didn't charge.

Town Attorney, M. Brooks – Discussed the lease can be terminated with 30 day notice, possibly write a letter contemplating renegotiating the lease and have their representative come to the next Town Council meeting to discuss it.

XIII. NEW BUSINESS

Frank Kibler, Representative from LENOWISCO – Discussed:

- Provides an update on the Courthouse Hill project, with grant submitted in March with decision to be provided in July
- Explains items listed that need to be adopted to finish completion of the planning grant with the target date of June 15, but have until June 30th

Council and Frank Kibler discussed advertisement regarding the project, individual's purpose in the program and his and community confusion, atmosphere of previous meetings, eleven homes involved with possible extension, issues beyond renovations, going door to door of each home, if projects expends re-do the five assurances, concern about buying home for displacement of a

resident, paragraph regarding existing right of ways/easements purchased, grants versus loans, public meetings, questions presented at meeting, pay-back clause for loan, discussed two areas in Town considered for this project and involvement in the program is voluntary.

Mayor Perry – Stated this is a grant that enables homeowners to do upgrades on their home with help and home owners invest a small amount based on their ability to pay. Compares it to Mr. Robert’s participation in the Façade Grant where he received money, but had to match the same amount of funds.

- **Adoption of the following assurances as pre-contract conditions regarding Courthouse Hill Project:**

1. **Local Anti-Displacement/Relocation Plan**
2. **Non-Discrimination Policy**
3. **Section 3 Business and Employment Plan**
4. **Section 504 Grievance Procedure**
5. **Fair Housing Certification**

Motion made to adopt the following assurances as pre-contract conditions regarding the Courthouse Hill Project, Local Anti-Displacement/Relocation Plan, Non-Discrimination Policy, Section 3 Business and Employment Plan, Section 504 Grievance Procedure, and Fair Housing Certification.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas,	4
Nays,	1-W.W. Ross, Jr.
Absent,	0
Abstain,	0

Mayor Perry –Thanks Mr. Kibler and his patience with Council.

Frank Kibler - Informs Council if there are any question he would be happy to answer them.

Mayor Perry – Informed Council Member, W.W. Ross, Jr., to have those with questions to contact her and she would be glad to talk to them. She questioned Council Member, W. W. Ross, Jr., with all due respect, with his years of coming to Town Council his accusations with Council of always wanting to do something downtown, without spreading out. Now we want to come up into your neighborhood and help your neighbor and you voted again it, why? She asked if he is against his neighbors getting help? Yes or no?

Council Member, W. W. Ross, Jr. – Stated he could not answer yes or no. Residents didn’t want to be ripped off, wanted a guarantee. Stated there were some homes up there that they got a lot of money and it never did receive what they should. Stated same questions were asked before with how it would process be handled if adopted. Stated they had a lot of questions, he has been confused about it and does not support it because he thinks it has been unfair to the community.

Mayor Perry – Stated the questions where shot before an answer could be provided.

- **Town Attorney contact Delegate Terry Kilgore regarding VDOT lease**

Town Attorney, M. Brooks – Stated there is no down side to ask, with Mr. Kilgore’s connection and all they can say is no.

Council Member, R. Cassell – Provided Council an explanation of why the Town wanted to do it.

Council Member, W. W. Ross, Jr. – Provided his explanation of why he wanted to so the park area to stop for a little history.

Town Attorney, M. Brooks – Informed Council that VDOT will not agree to the movement of signs.

Mayor Perry – Informed Council of Judge Kilgore’s desire to move some of the historic signs to town with a call from VDOT requesting a letter of support of that. She stated she has left a message for Judge Kilgore to contact her to let her know what is it was he wanted moved so we can write that letter.

Vice Mayor, A. Roberts – Discussed the Scott County Tourism wants to move the “LOVE” sign due to no access to take pictures.

Motion made to authorize our attorney to contact Delegate Kilgore.

Motion by: Council Member, R. Cassell 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

XIV. PUBLIC COMMENT – NEW BUSINESS

Mayor Perry closed the public comment session for new business at 8:45 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

Motion made for Council to enter into closed session to discuss legal and personnel issues.

Motion by: Council Member, W. Salyers 2nd by: Vice Mayor, A. Roberts

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

Mayor Perry opened the closed session at 8:47 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 9:08 P.M.

Motion made for Council to return from closed session.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, W. Salyers

VOTE: Yeas,	5
Nays,	0
Absent,	0
Abstain,	0

CERTIFICATION OF CLOSED MEETING – Read by: Council Member, W.W.Ross, Jr.

WHEREAS, the Gate City Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-7312 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Council hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

VOTE:	Yeas,	6
	Nays,	0
	Absent,	0
	Abstain,	0

XVII. MOTIONS FROM CLOSED SESSION:

Motion made to adopt the job description for the Town Manager.

Motion by: Council Member, W. Salyers 2nd by: Vice Mayor, A. Roberts

VOTE:	Yeas,	5
	Nays,	0
	Absent,	0
	Abstain,	0

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Vice Mayor, A. Roberts 2nd by: Council Member, R. Richards

VOTE:	Yeas,	5
	Nays,	0
	Absent,	0
	Abstain,	0

*Mayor Perry adjourned the meeting at 9:10 P.M., until the next regularly scheduled Council Meeting on July 9, 2013, at 6:30 P.M.

Frances Perry – Mayor

Kathy Riley – Town Clerk

TOWN OF GATE CITY

LOCAL ANTI-DISPLACEMENT/RELOCATION PLAN

The Town of Gate City will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the Town of Gate City will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate- income households in the jurisdiction.

The Town of Gate City will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

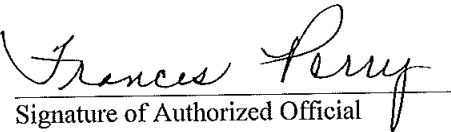
The Town of Gate City's project includes the following activities:

- Housing rehabilitation services to eleven (11) LMI residential units
- One (1) residential structure to be demolished

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The Town of Gate City will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

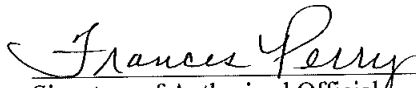
Adopted by the Gate City Town Council this 11TH day of JUNE, 2013.


Signature of Authorized Official

TOWN OF GATE CITY
NON-DISCRIMINATION POLICY

The Town of Gate City or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Adopted by the Gate City Town Council this 11TH day of JUNE, 2013.



Signature of Authorized Official

TOWN OF GATE CITY

SECTION 3 BUSINESS AND EMPLOYMENT PLAN

1. The Gate City Town Council designates as its Section 3 Business and Employment Project Area the County of Scott.
2. The Gate City Town Council, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies, the Town of Gate City, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
 - (a) The Gate City Town Council shall identify the contracts required to conduct the CDBG activities.
 - (b) The Gate City Town Council shall identify through various and appropriate sources including:

The Scott County Star, Gate City VA

the business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG.
 - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.
 - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. The Gate City Town Council and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:
 - (a) The Gate City Town Council, in consultation with its contractors (including design professionals), shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.

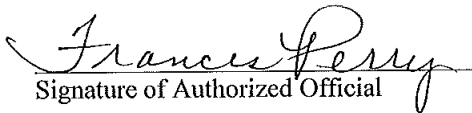
- (b) The Gate City Town Council shall advertise through the following sources

The Scott County Star, Gate City VA

the availability of such positions with the information on how to apply.

- (c) The Gate City Town Council, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquires and applications.
- (d) To the greatest extent feasible, the Gate City Town Council, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, the Gate City Town Council shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Adopted by the Gate City Town Council this 11TH day of JUNE, 2013.


Signature of Authorized Official

TOWN OF GATE CITY
SECTION 504 GRIEVANCE PROCEDURE

Required under Housing and Urban Development (HUD) Regulations (24 CFR Part 8.53(b))

GRIEVANCE PROCEDURE

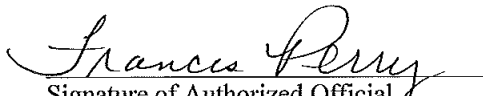
The Town of Gate City has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual ... shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. ..."

Complaints should be addressed to: Mr. Greg Jones, Town Manager, 156 E Jackson St, Gate City VA, (276) 386-3831, who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Mr. Greg Jones, Town Manager. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), the Town of Gate City need not process complaints from applicants for employment or from applicants for admission to housing.
4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mr. Greg Jones, Town Manager, and a copy forwarded to the complainant no later than thirty (30) days after its filing.
5. The Section 504 coordinator shall maintain the files and records of the Town of Gate City relating to the complaints filed.

6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) days to Mr. Greg Jones, Town Manager.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the Town of Gate City complies with Section 504 and the HUD regulations.

Adopted by the Gate City Town Council this 11TH day of JUNE, 2013.


Signature of Authorized Official

TOWN OF GATE CITY
FAIR HOUSING CERTIFICATION

Fair Housing Certification

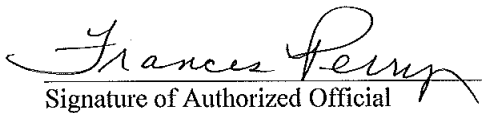
Compliance with Title VIII of the Civil Rights Act of 1968

Whereas, the Town of Gate City has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing;

Therefore, the Town of Gate City agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Adopted by the Gate City Town Council this 11TH day of JUNE, 2013.


Signature of Authorized Official