// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of December, 2008, at 1:00 P.M., Council Chamber, City Hall, Joan F. Foster, President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Absent: 0

// Representatives of Brown, Edwards & Company, the City's external auditor, presented a brief overview regarding the City's Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2008. In response to questioning, City Manager Kimball Payne stated that appropriate actions have been taken to address the City's audit findings. Mr. Payne informed that Schools representatives were present to address the Schools audit findings. School Board Chair Julie Doyle along with Schools Superintendent Dr. Paul McKendrick provided an overview regarding the issues and measures to be taken to address the audit finding showing that the Schools expenditures exceeded revenues by $440,000. Ms. Doyle stated that the shortfall is obviously a large concern and that the Schools do not want it to happen again. Ms. Doyle explained that at the next board meeting, School Board members will discuss formulating a request to transfer funds to cover the deficit and that they will likely take money from the textbook contingency fund, which currently has about $1.5 million. Ms. Doyle stated that the next step for the Schools Administration and the Board will be to take proactive measures to ensure that this does not happen again, i.e., creating a School Board Finance Committee and conducting a thorough review of the first six months of the current fiscal year to make sure the budget is on track. Ms. Doyle indicated that more information regarding steps to be taken to address this shortfall will be discussed with City Council at the January 27 work session.

// Project Manager Charles Grant provided an update regarding the Rivermont Avenue Bridge Rehabilitation project. Mr. Grant stated that Rivermont Avenue Bridge was constructed in 1974 with deck repairs on the lanes performed in 1998 and the rocker bearings adjusted in 2001. Mr. Grant explained that problems with the bridge include delaminating of deck, cracks in the median and substructure components, misalignment of bearings, failure of the expansion joint drainage collection system, deteriorating deck drainage system, and deteriorating paint on structural steel. Mr. Grant went on to say that the City retained a consultant to perform design work and that preliminary design and enhancement options were developed and that the next step will be to proceed with advertising/bid of the work to keep the project on schedule. Mr. Grant noted that a traffic study was performed to determine the impact of making lane changes to the bridge and based on that study and input from the Federal Highway Administration, no lane changes to the bridge are planned. Mr. Grant did note that a major renovation to the Rivermont Avenue bridge will include a safety fence more than six feet high and that the envisioned fence will have an old-fashioned design in keeping with the historical nature of the area, and will be made of either black wrought iron or a similar material. Mr. Grant informed that staff conducted meetings with the Lynchburg Depressive Disorder Association (LDDA) and Friends of Rivermont to receive their

concerns and recommendations. Mr. Grant explained that final design on this project will be completed in December 2008 with construction anticipated to begin in early 2009 with completion by December 2010. Mr. Grant stated that the total cost of this project is estimated to be $5,646,000.
// Mr. Grant then provided an update regarding the D Street Bridge Replacement project. Mr. Grant stated that the D Street Bridge was constructed in 1908 and closed in March of this year due to structural concerns. Mr. Grant explained that the City retained a consultant to perform design work and preliminary design is complete and that final design on this project will be completed in July 2009 with construction to begin in fall 2009 and completed by December 2010. Mr. Grant went on to say that the cost of this project is estimated to be $3,750,000 and that funding for the project was included in the adopted FY 2009 Capital Budget. Mr. Grant noted that two meetings have been held with the Daniels Hill neighborhood to report progress and receive input on design features.
// Human Resources Director Margaret Schmitt presented a power point presentation regarding Public Safety Recruitment and Retention, noting that the information indicates that voluntary turnover is not a significant problem.
// City Manager Kimball Payne stated that staff is in the early stages of preparing the Proposed FY 2010 Budget and is seeking input from City Council regarding issues, concerns, or initiatives that it would like to have considered during the budget process. Mr. Payne noted that in anticipation of significant budget cuts from the State and an uncertain economy, City departments have been asked to prepare a budget request equal to or less than their FY 2009 adopted budget, excluding any one-time expenses that were included in the FY 2009 appropriation. Council mentioned the Ericsson Road tunnel project under discussion by the Physical Development Committee, expanding youth sports facilities, Phase 2 of the Greenview Drive construction project, in addition to the potential focus of Community Development Block Grant funds for City infrastructure projects. Council Member Helgeson suggested that due to the recent economic slowdown that Council may want to reexamine some capital projects to see if they can be postponed. Council Member Garrett stated that he would like to explore a community wide dialogue similar to the recent Study Circles regarding dysfunctional families. Mr. Payne stated that a report regarding the Comprehensive Services Act is scheduled for the January work session and that staff could also prepare an approach to address Council Member Garrett's suggestion regarding dysfunctional families for discussion at the work session.
// Greater Lynchburg Transit Company (GLTC) General Manager Mike Carroll presented the power point presentation shown at the GLTC annual meeting of that organization's annual report. Mr. Carroll stated that with the recent action of the GLTC Board regarding changes to service on Cabell Street, staff was asked to include an explanation of those changes coincident with the presentation of GLTC's annual report. Mr. Carroll also presented information to address the following questions during his presentation:

- What is the "Demand Response service"?
- Do we currently utilize this construct elsewhere in the City?
- What is its cost?

- Do you intend to implement this service on a trial basis and re-assess in 3 months or so again?
- Are there any other viable alternatives to this proposal, such as a shuttle service (as has been suggested) or perhaps taxi vouchers?

Council discussion focused mainly regarding the upcoming changes to bus service on Cabell Street, which will be to offer a special Cabell Street Demand Response service beginning January 2, 2009. In response to Council questioning, Mr. Carroll stated that it was his understanding that federal regulations prohibits GLTC from "out sourcing" service via taxicab vouchers. Some Council Members questioned the workability of the "call" service but agreed that some type of bus service was needed for the Daniels Hill neighborhood.

// Community Dialogue on Race and Racism Director Leslie King along with Advisory Group member John Williamson provided an update regarding the Community Dialogue process and the work of the action groups.

// Council Member Michael Gillette provided an update regarding the "Sustainable City" initiative. Dr. Gillette stated that City staff involved in this endeavor has identified thirteen areas of focus ranging from the environment to development to arts and education and that the committee is currently working to create detailed definitions and goals for each focus area. Dr. Gillette went on to say that they will then explore how each issue weaves together and what steps should be taken to promote sustainability in a comprehensive, cohesive manner. Dr. Gillette stated that they hope to have the project's framework complete by late spring and then transition into the "action" phase over the summer.

// During roll call, Vice Mayor Dodson reminded everyone regarding the upcoming Lynchburg Christmas parade. Mayor Foster announced that the City will again be the host of the National Baseball League and Girls Softball League in July.

// On motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Community Development Advisory Committee, Planning Commission, Community Services Board, Sister City Liaison, Transit Company Board, Airport Commission and Design Review Board pursuant to Section 2.2-3711 (A) (1) of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7
Noes: 0

// The meeting was re-opened to the public.

// Council Member Perrow made the following motion:

WHEREAS, the Council of the City of Lynchburg 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 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Gillette, and Council by the following recorded vote adopted the motion:

Ayes:	Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:		0

// In the matter of Appointments, and on nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote appointed Jesse Adams-Doolittle, Walter M. Fore, Jr., and Karrie Wilson to serve on the Community Development Advisory Committee for terms to expire December 31, 2011:

Ayes:	Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:		0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote appointed Council Member Gillette (Chair), Council Member Helgeson (Vice Chair), and Celilia O. Hull to serve on the Community Development Advisory Committee for terms to expire December 31, 2012:

Ayes:	Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:		0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Sharon R. Oglesby, Rev. Meriwether A. Sale and Gerard E. Swienton to serve on the Lynchburg Planning Commission for terms to expire December 31, 2011:

Ayes:	Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:		0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Council Member Jeff Helgeson to serve on the Community Services Board for a term to expire December 31, 2011:

Ayes:	Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:		0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Frank C. Britt to serve as the Sister City Liaison for a term to expire December 31, 2011:

Ayes:	Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:		0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Donald Banker to serve on the Lynchburg Regional Airport Commission for a term to expire December 31, 2011:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote appointed Stewart Hobbs to serve on the Lynchburg Regional Airport Commission for a term to expire December 31, 2011:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote appointed Darren Gale to fill an unexpired term on the Lynchburg Regional Airport Commission ending December 31, 2010:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote appointed Donald Banker to serve as Chair and William V. Giles, Jr., to serve as Vice Chair of the Lynchburg Regional Airport Commission:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

On nomination of Council Member Gillette, seconded by Council Member Perrow, Council by the following recorded vote re-appointed Holly H. Frazier to serve on the Design Review Board for a term to expire December 31, 2011:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// The meeting was adjourned at 5:40 p.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of December, 2008, at 7:30 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Council Member Dodson gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7
Absent: 0

// Mayor Foster recognized Alex Jennings, a member of the Mayor's Youth Council.

// Mayor Foster and Vice Mayor Dodson presented a Certificate of Recognition to the 6th Annual Citizens Academy graduates.

// Copies of the minutes of the November 25 (2 meetings), 2008 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7
Noes: 0

// In the matter of Taxes, Resolution #R-08-139 amending the FY 2009 General Fund budget and appropriating $23,178 to refund an overpayment by Young Moving & Storage, Inc. in personal property taxes for calendar years 2005, 2006 and 2007, laid over from the November 25, 2008 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7
Noes: 0

// In the matter of Fire - General, Resolution #R-08-140 amending the FY 2009 City/Federal State Aid Fund budget and appropriating $108,494, with $99,814 reimbursement, for a regional training initiative, laid over from the November 25, 2008 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7
Noes: 0

// In the matter of Economic Development - General, Resolution #R-08-141 amending the FY 2009 City/Federal/State Aid Fund budget and appropriating $1,000,000, fully reimbursable, for the capital expansion of Areva NP, Inc, laid over from the November 25, 2008 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7
Noes: 0

// In the matter of Community Planning – General, Resolution #R-08-142 amending the FY 2009 City Capital Projects Fund budget and appropriating $487,000, fully reimbursable, for intersection improvements at Memorial Avenue/Park Avenue/Lakeside Drive, laid over from the November 25, 2008 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Community Planning - General, Resolution #R-08-143 amending the FY 2009 City Capital Projects Fund budget and appropriating $2,470,348, fully reimbursable, to reflect FY2009 funding allocation in the VDOT Six Year Improvement Plan to support projects in the Capital Improvement Program (CIP), laid over from the November 25, 2008 meeting, was again presented and read, and on motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Community Planning - Zoning Amendments, a public hearing was held regarding City Council Report #7 outlining the petition of Peter Jung to rezone 0.65 acre from B-3, Community Business District, and R-2, Low-Medium Density, Single-Family Residential District, to B-5C, General Business District (Conditional), at 5210 Fort Avenue to allow the use of an existing building as a mechanic body shop or other retail/office uses. City Planner Tom Martin provided a brief summary regarding the petition. Mr. Peter Jung outlined the request and asked for approval. There was no one else present who wished to speak to this item, and the public hearing was closed. In response to Council questioning, Mr. Martin explained that the petitioner has proffered that the mechanic and auto body shop would be the only uses permitted in addition to the normal retail shops that are typically allowed by right in a B-3 district. Mr. Martin also noted that the petition agrees with the Future Land Use Map which recommends a Community Commercial use in this area, and that the portion of R-2 property being rezoned will remain vacant per the proffered rezoning plan. On motion of Council Member Perrow, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #0-08-145, as presented, granting the petition:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Economic Development - General, a public hearing was held regarding City Council Report #8 regarding the transfer of approximately 0.156 acre of City-owned property at 120 Jefferson Ridge Parkway, Parcel ID 2311, to the Economic Development Authority for economic development purposes. City Manager Kimball Payne provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Council Member Johnson, Chair of the Physical Development Committee (PDC), stated that the request was considered by PDC and made a motion to approve the request. The motion did not require a second, and Council by the following recorded vote adopted Resolution #R-08-146, as presented, approving the transfer of approximately 0.156 acre of City-owned property at 120 Jefferson Ridge Parkway, Parcel ID 2311, to the Economic Development Authority for economic development purposes:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of City Council, City Council Report #9 regarding the City's 2009 Legislative Agenda was considered. City Manager Kimball Payne stated that the proposed 2009 Legislative Agenda has been modified as directed by Council during its November 25 work session. On motion of Council Member Gillette, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the City's 2009 Legislative Agenda:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:	0

// In the matter of Finance - General, City Council Report #10 regarding a request to reaffirm the City's Financial Management Polices was considered. Financial Services Director Donna Witt stated that the City's financial advisors, Davenport & Company, attended the November 25 Finance Committee meeting to answer questions regarding the financial policies. Council Member Helgeson, Chair of the Finance Committee, stated that the Finance Committee recommended additional minor changes in wording to the policies, and made a motion to approve the request. The motion did not require a second, and Council by the following recorded vote adopted Resolution #R-08-147, as presented, to reaffirm the City's Financial Management Policies:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:	0

// In the matter of City Code, City Council Report #11 regarding amending the City Code relating to the administration and organization of the City was considered. City Manager Kimball Payne provided a brief summary regarding the request. On motion of Council Member Perrow, seconded by Council Member Gillette, Council by the following recorded vote adopted Ordinance #0-08-148, as presented, amending the City Code relating to the administration and organization of the City:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster	7
Noes:	0

// The meeting was adjourned at 8:18 P.M. to December 18, 5:30 p.m., School Administration Building, to hold a joint meeting with the Lynchburg School Board.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg, adjourned from December 9, was held on the 18th day of December, 2008, at 5:30 P.M., School Administration Building, Joan F. Foster, President, presiding. The purpose of the meeting was to conduct a joint meeting with the School Board regarding several items. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Absent: 0

// Following dinner, Mayor Joan Foster and School Board Chair Julie Doyle welcomed everyone to the joint meeting.

// Mayor Foster thanked Senator Newman and Delegate Valentine for taking time out of their busy schedule to attend tonight's meeting.

// City Manager Kimball Payne provided an overview regarding the City's 2009 Legislative priorities, i.e., Accelerate Funds for Combined Sewer overflow (CSO) Construction, Arts and Cultural District, Comprehensive Services Act (CSA), Graffiti Removal, Local Law Enforcement Funding, Transportation and Utility Marking. Mr. Payne stated that the City was pleased to see that there was funding for CSA in the Governor's proposed budget, and commented that in light of the current budget situation the new policies and guidelines should be reconsidered or their costs borne solely by the State and not shifted to localities. Mr. Payne also noted that the Commonwealth should be equitable in its support for local law enforcement funding both to those localities with police departments and to those in which Sheriff's Departments provide law enforcement and that cities should not bear a disproportionate burden for law enforcement funding through continued reductions in funds provided by HB599.

// School Board Chair Julie Doyle along with Schools Superintendent Dr. Paul McKendrick provided an overview regarding the Lynchburg City Schools 2009 Legislative priorities, i.e., Compensation and Employee Relations, Instruction, and Funding.

// Linda Jones and Blair Smith provided a progress report regarding the construction of the new Sandusky Middle School, stating that the School is 15% complete, still on schedule and within budget. Ms. Jones also noted that the School will be 35% more energy efficient than minimum standards and that plans are to move into the new school in October 2010.

// Dr. McKendrick provided information regarding the top issues discussed at the recent School Board Retreat, i.e., Closing the achievement gaps, attendance and graduation rates, capital improvement plan, alternative education, math achievement, marketing and communications, schools for innovation and staff recruitment, retention and development. Following discussion, there was a suggestion that the Schools initiate a marketing plan to explain to the community what "closing the achievement gap" means.

// Dr. McKendrick stated that given the current economic situation, that almost all new initiatives requiring extra funding will have to be nixed, including a recent proposal for extending the day at three schools that have been historically challenged via SOL scores. Dr. McKendrick did note that the only new money the Schools is looking at spending would be to lease or buy new financial software at a cost of between $300,000 to $600,000. Council and School Board members also agreed that they needed to move forward as quickly as possible with looking at opportunities for greater collaborative efforts between the City and Schools operations/services.

// Council and School Board members reviewed information regarding the status of the Schools Accreditation. In response to Council Member Helgeson's question regarding increase in employees in light of the Schools declining enrollment, Dr. McKendrick explained that 250 pre-K students are not included in the enrollment numbers.

// City Council members were provided with the Schools Capital Improvement Plan for 2010 – 2013, in addition to a major project history (June 1996 – November 2008) for Heritage High School. Mr. Sonny Witt provided an overview of capital improvements for Heritage High School through 2013 at an estimated cost of $3.8 million. City Manager Payne stated that the biggest challenge right now is trying to find out how to pay for the new Sandusky Middle School and the new Courthouse and that the goal would be to have Heritage High School renovated or rebuilt by 2018. Mr. Payne went on to say that even that date would be a challenge. Some Council and School Board members expressed interest in forming a community taskforce to discuss Heritage High School's future, while others questioned the necessity when there is no money in the immediate future to pay for Heritage High School. City and Schools officials decided that further discussion regarding a community taskforce could be added to the agenda for the joint City Council/School Board meeting in late spring, when a tour of the new Sandusky Middle School is planned.

// Schools Superintendent McKendrick stated that after reviewing Governor Tim Kaine's proposed cuts to education, City Schools would lose about $3.8 million. Dr. McKendrick went on to say that there is some concern that once the budget process is finished the figure could be closer to $5 million or $6 million.

// Council and School Board members agreed that at the spring joint meeting, that more discussion was needed regarding the Schools financial software, City/Schools collaborative efforts, enrollment and Heritage High School.

// The meeting was adjourned at 8:45 p.m.

Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **January 13, 2009**		AGENDA ITEM NO.: 3
CONSENT:	REGULAR: **X**	CLOSED SESSION: (Confidential)
ACTION: **X**	INFORMATION:	
ITEM TITLE: **Public Hearing Regarding Vacating a Portion of Ericsson Drive**		

RECOMMENDATION: Receive public comment and schedule this item for discussion at City Council's January 27, 2009 work session.

SUMMARY:
Liberty University has requested that the City vacate the unopened portion of Ericsson Drive right-of-way located between Union Drive, a private street, and extending in a southwesterly direction approximately fifteen hundred eighty (1,580) feet to the end of the right-of-way within the Liberty University campus. City staff recommends that City Council not vacate this right of way because the city would no longer have the potential of connecting Wards Road to Candlers Mountain Road and U.S. Route 460. The Technical Review Committee comments have been incorporated into the proposed ordinance.

During the December 9, 2008 meeting of the Physical Development Committee (PDC), the PDC directed moving forward to a public hearing without a recommendation from the committee and taking this item to City Council's January 27, 2009 work session for further deliberation.

PRIOR ACTION(S):
November 4, 2008: Technical Review Committee review
December 9, 2008: Physical Development Committee review

BUDGET IMPACT:
None

CONTACT(S):
Tom Martin 455-3990

ATTACHMENT(S):

- Ordinance of Vacation (should Council so decide)
- Vicinity Map
- Subdivision Plat
- Technical Review Committee Report
- Application

REVIEWED BY: lkp

AN ORDINANCE VACATING A PORTION OF ERICSSON DRIVE

WHEREAS, Liberty University is petitioning to vacate the unopened portion of Ericsson Drive right-of-way located between Union Drive, a private street, and extending in a southwesterly direction approximately fifteen hundred eighty (1,580) feet to the end of the right-of-way within the Liberty University Campus; and

WHEREAS, the adjoining property owner, Thomas Road Baptist Church, is in agreement to the vacation of the unopened portion of Ericsson Drive; and

WHEREAS, City Council finds that no public inconvenience will result from vacating the unopened portion of Ericsson Drive;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described street be, and the same hereby is, discontinued and vacated, namely:

The unopened portion of Ericsson Drive right-of-way located between Union Drive, a private street, and extending in a southwesterly direction approximately 1,580 feet to the end of the right-of-way within the Liberty University Campus, currently providing access to 1005 Ericsson Drive, Parcel ID 131-01-001 and 1001 Ericsson Drive, Parcel ID 131-01-003.

Said vacation is contingent upon the following: (1) the vacation of the unopened portion of Ericsson Drive will leave 1005 Ericsson Drive, Parcel ID 131-01-001 without frontage on a public street which is not allowed under Chapter 24.1, Subdivision Ordinance, and Chapter 35.1, Zoning Ordinance, of the City Code,1981, as amended. Therefore, the property owner must record in the Office of the Clerk of the Lynchburg Circuit Court a plat vacating one of parcel 131-01-001's lot lines and combining parcel 131-01-001 with one of the property owner's adjacent lots that has street frontage to create a new lot that will have the required frontage on a public street; (2) that a public water easement be reserved through the vacated right-of-way and documented on the plat; and (3) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace, maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division; and (4) the plat required herein must comply with the requirements of Chapters 24.1 and 35.1 of the City Code, 1981, as amended and the failure to prepare, approve and record such plat within six months of the adoption of this resolution shall render the vacation of the above-described portion of Ericsson Drive null and void.

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified: ______________________________

Clerk of Council

002L

OWNERS:

LIBERTY UNIVERSITY, INC.
1971 UNIVERSITY BLVD.
LYNCHBURG, VA 24502

TM# 257-01-001
INST# 080007160, DB 774 PG 350 &
DB 774 PG 356

THOMAS ROAD BAPTIST CHURCH
PO BOX 542
FOREST, VIRGINIA 24551

TM# 131-01-001 & 130-01-003
INST# 040004047

CITY OF LYNCHBURG
900 CHURCH ST.
LYNCHBURG, VIRGINIA 24504

ERICSSON DR. RIGHT-OF-WAY
INST# 950002943
REF: PC 4 SLIDE 336

PLACE OF RECORD: CLERKS OFFICE
OF THE CITY OF LYNCHBURG

NOTES:

1. PARCELS "A", "B" AND "C" WERE ESTABLISHED BY A CURRENT FIELD SURVEY DONE AS OF THE DATE OF THIS PLAT. THE REMAINDER OF THIS PLAT WAS PREPARED FROM RECORD INFORMATION. PERKINS & ORRISON HEREBY CERTIFIES ONLY PARCELS "A", "B" AND "C", AS SHOWN HEREON.

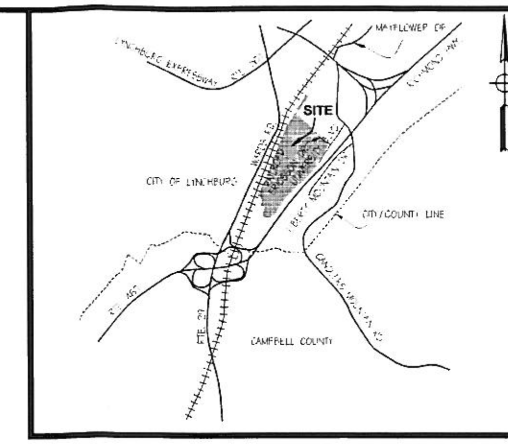
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL OF THE ENCUMBRANCES UPON THE PROPERTY.

3. PARCELS "A", "B" AND "C" ARE NOT IN THE 100 YEAR FLOOD ZONE AS DETERMINED BY FEMA ACCORDING TO PANEL # 5100930106D DATED JUNE 3, 2008.

4. THIS PROPERTY IS SERVED WITH PUBLIC WATER AND PUBLIC SEWER BY THE CITY OF LYNCHBURG.

5. IRON PINS ARE TO BE SET AT ALL CORNERS, WHERE POSSIBLE, OR AS OTHERWISE INDICATED ON THIS PLAT.

6. ALL EASEMENTS ASSOCIATED WITH THE VACATED PORTION OF ERICSSON DRIVE, AS SHOWN HEREON, ARE HEREBY ALSO VACATED.



VICINITY MAP
NTS

THE VACATION, AS SHOWN HEREON, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

CITY OF LYNCHBURG ____________ DATE

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA

COUNTY OF ________________

I, ____________________ A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED ABOVE HAVE ACKNOWLEDGED THE SAME BEFORE ME.

MY COMMISSION EXPIRES:________________

NOTARY PUBLIC ____________ NUMBER ____ DATE

LIBERTY UNIVERSITY, INC. ____________ DATE

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA

COUNTY OF ________________

I, ____________________ A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED ABOVE HAVE ACKNOWLEDGED THE SAME BEFORE ME.

MY COMMISSION EXPIRES:________________

NOTARY PUBLIC ____________ NUMBER ____ DATE

THOMAS ROAD BAPTIST CHURCH ____________ DATE

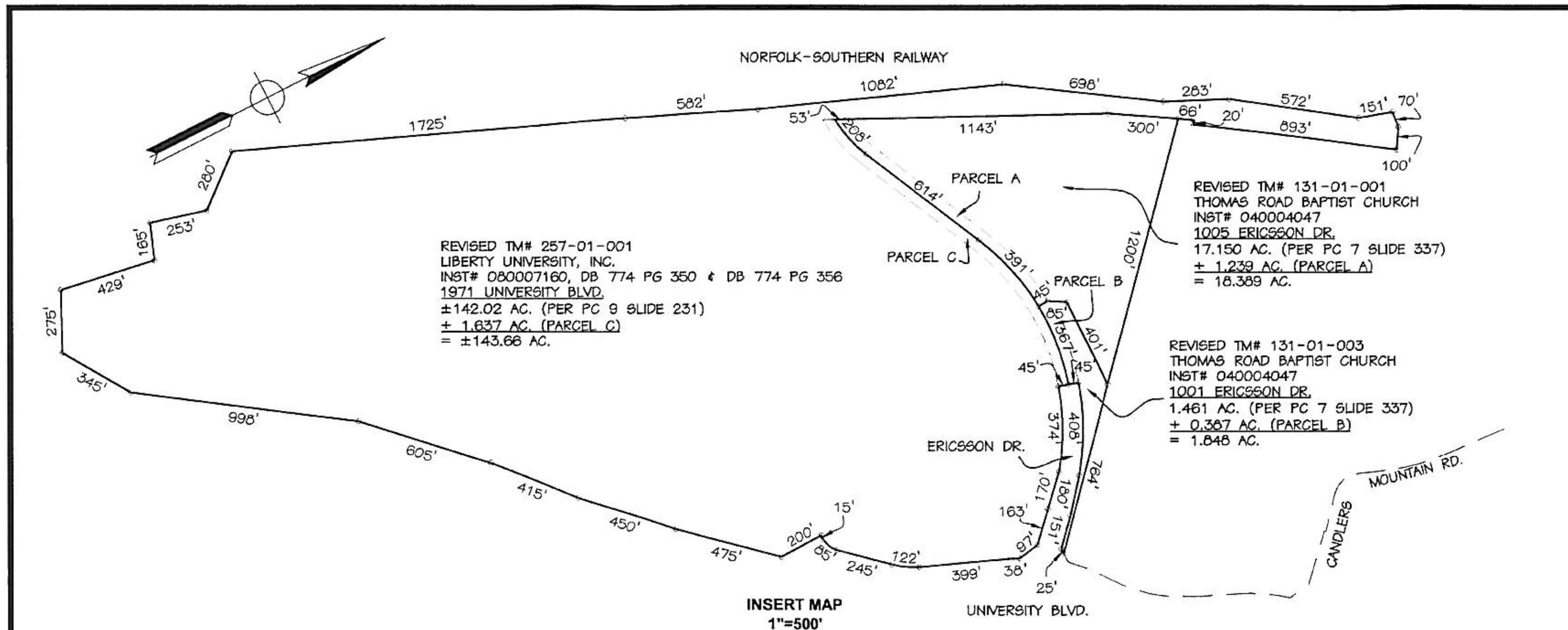
COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA

COUNTY OF ________________

I, ____________________ A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED ABOVE HAVE ACKNOWLEDGED THE SAME BEFORE ME.

MY COMMISSION EXPIRES:________________

NOTARY PUBLIC ____________ NUMBER ____ DATE



INSERT MAP
1"=500'

VACATION APPROVED:

CITY ENGINEER, LYNCHBURG, VIRGINIA ____________ DATE

CITY PLANNER, LYNCHBURG, VIRGINIA ____________ DATE

CLERK OF COUNCIL, LYNCHBURG, VIRGINIA ____________ DATE

SHEET 1 OF 2

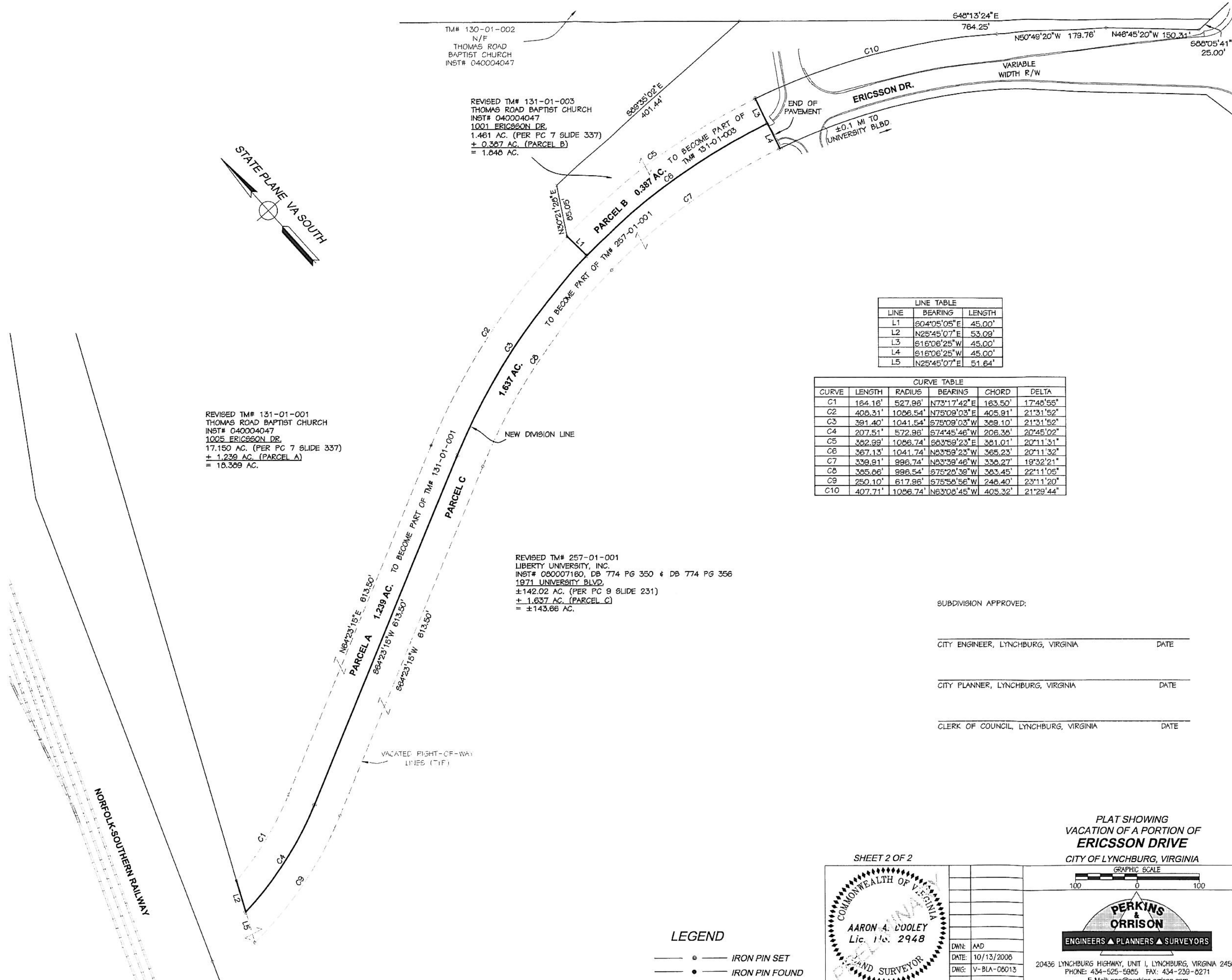
COMMONWEALTH OF VIRGINIA
AARON A. DOOLEY
Lic. No. 2948
LAND SURVEYOR

DWN:	AAD
DATE:	10/13/2008
DWG:	V-BLA-08013
JOB:	08013

PLAT SHOWING
VACATION OF A PORTION OF
ERICSSON DRIVE
CITY OF LYNCHBURG, VIRGINIA

PERKINS & ORRISON
ENGINEERS ▲ PLANNERS ▲ SURVEYORS

20436 LYNCHBURG HIGHWAY, UNIT I, LYNCHBURG, VIRGINIA 24502
PHONE: 434-525-5985 FAX: 434-239-8271
E-Mail: pno@perkins-orrison.com



LINE TABLE		
LINE	BEARING	LENGTH
L1	S04°05'05"E	45.00'
L2	N25°45'07"E	53.09'
L3	S16°06'25"W	45.00'
L4	S16°06'25"W	45.00'
L5	N25°45'07"E	51.64'

CURVE TABLE					
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	164.16'	527.96'	N73°17'42"E	163.50'	17°48'55"
C2	408.31'	1086.54'	N75°09'03"E	405.91'	21°31'52"
C3	391.40'	1041.54'	S75°09'03"W	389.10'	21°31'52"
C4	207.51'	572.96'	S74°45'46"W	206.38'	20°45'02"
C5	382.99'	1086.74'	S83°59'23"E	381.01'	20°11'31"
C6	367.13'	1041.74'	N83°59'23"W	365.23'	20°11'32"
C7	339.91'	996.74'	N83°39'46"W	338.27'	19°32'21"
C8	385.86'	996.54'	S75°28'39"W	383.45'	22°11'05"
C9	250.10'	617.96'	S75°58'56"W	248.40'	23°11'20"
C10	407.71'	1086.74'	N63°08'45"W	405.32'	21°29'44"

SUBDIVISION APPROVED:

CITY ENGINEER, LYNCHBURG, VIRGINIA DATE

CITY PLANNER, LYNCHBURG, VIRGINIA DATE

CLERK OF COUNCIL, LYNCHBURG, VIRGINIA DATE

PLAT SHOWING
VACATION OF A PORTION OF
ERICSSON DRIVE
CITY OF LYNCHBURG, VIRGINIA

GRAPHIC SCALE
100 0 100

SHEET 2 OF 2

COMMONWEALTH OF VIRGINIA
AARON A. DOOLEY
Lic. No. 2948
LAND SURVEYOR
PRELIMINARY

DWN: AAD
DATE: 10/13/2008
DWG: V-BLA-08013
JOB: 08013

PERKINS & ORRISON
ENGINEERS ▲ PLANNERS ▲ SURVEYORS
20436 LYNCHBURG HIGHWAY, UNIT I, LYNCHBURG, VIRGINIA 24502
PHONE: 434-525-5985 FAX: 434-239-8271
E-Mail: pno@perkins-orrison.com

TRC Report Date
11/10/2008

Project Number **SUB0810-0013**

Project Name **Portion of Ericsson Drive**

Site Address

Review Type	Contact	Notes
AEP	Tom G Woodford	No comments.
Assessor	Steve Boyer	No comments.
EngineeringAdm	Lee Newland	No comments.
EngineeringDesign	James Talian	1. This vacation would cause TM 131-01-001 to lose public access. We suggest that TM 131-01-001 and TM 131-01-003 be combined to resolve this issue. 2. A public water easement must be reserved through the vacated ROW by the City and documented on plat.
EngineeringMapRoom	Debbie Stinson	Correct Note #4 - Parcels A & B are not currently served by public water and sewer.
Fire	Greg Wormser	No comments.
Neighbor Svcs	Keith Wright	No comments.
Planning	Rebecca McCharen	The Subdivision Ordinance (Section 24.1 of the City Code) requires that every owner or proprietor of any tract of land who subdivides such tract prepare a subdivision plat in accordance with the regulations of this Ordinance. A copy of the plat must be recorded within six (6) months from the date of approval in the office of the Clerk of the Circuit Court where deeds conveying such land are required by law to be recorded. If the approved plat is not recorded within six (6) months, it will be voided. The Subdivision Ordinance requires that the following additional information be included on the plat: 1. The subject preliminary plat proposes the vacation of an unbuilt portion of Ericsson Drive. An application for the street vacation has been submitted to the Planning Division, and is scheduled for the November 25, 2008 Physical Development Committee meeting and the January 14, 2009 City Council meeting. 2. The surveyor must endorse all final copies of the plat with his/her original signature. 3. Show nearby buildings to right-of-way being vacated. 4. Show the approximate location of the pond at the western end of Ericsson Drive.

Project Number **SUB0810-0013**

Project Name **Portion of Ericsson Drive**

Site Address

Review Type	Contact	Notes
		5. Lot 131-01-001 would be landlocked as a result of the proposed street vacation. This parcel would need to be combined with another parcel with street frontage. 6. When the approved plat is recorded in the Clerk's Office (see the first paragraph above), submit a copy of the receipt verifying that the plat was recorded to me. 7. If you make additional changes to the revised plat that TRC did not review on the subject plat, submit a cover letter with the revised plat stating the changes.
PWStreets	Dave Owen	No comments.
Traffic	Gerry Harter	Some conditions and agreements are necessary before Engineering approval.
Utilities	Greg Poff	The City Utility Department plans to install a public waterline along this right of way in the future--extension of the new tunnel waterline up to University Boulevard. What are the plans for the vacated ROW? Can a waterline easement be reserved for future use without impeding future LU plans?
Verizon	George Almond	No comments.

APPLICATION FOR THE VACATION OF A

Ericsson Drive
(Street/Alley)

LOCATED BETWEEN

Open portion of Ericsson Drive and end of street

The undersigned applicant, Liberty University Inc. ______, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 35-77 of the City Code, 1981, as amended, respectfully makes application to the Lynchburg City Council for the vacation of that certain Ericsson Drive described as follows:

Unopen portion of Ericsson Drive from the end of the existing pavement
To the end of the right-of-way as shown in plat cabinet 4 slide 336 and
Further described as shown on the plat by Perkins & Orrison titled
"Plat showing vacation of a portion of Ericsson Drive City of Lynchburg, Virginia"

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on January 13, 2009, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which hearing to consider whether or not to vacate the above described Ericsson Drive.

RECEIVED
OCT 2 0 2008
COMMUNITY DEVELOPMENT

Given under my hand this 20th day of October, 2008.

[signature] Pres

Applicant (Liberty University)

1971 University Blvd, Lynchburg, VA 24502

Address

592-3315

Telephone Number

[signature] VP

Adjoining Owner(Thomas Rd Baptist Church)

1 Mountain View Rd, Lynchburg, VA 24502

Address

239-9281

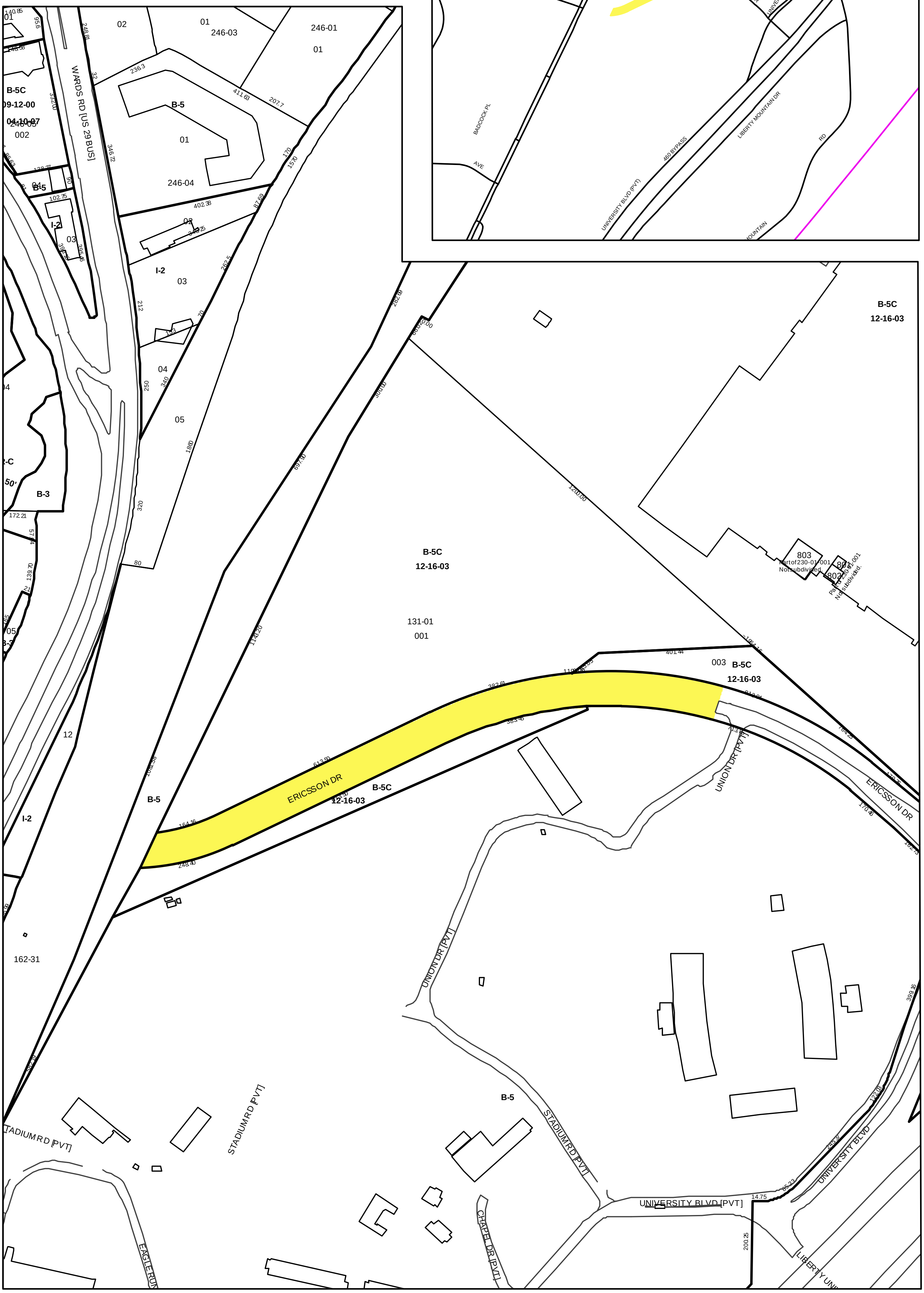
Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY:

ERICSSON DRIVE
STREET VACATION REQUEST

MAP PREPARED BY
THE DEPARTMENT OF COMMUNITY DEVELOPMENT

Proposed Street Vacation



LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **January 13, 2009** AGENDA ITEM NO.: **4**

CONSENT: REGULAR: **X** CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Public Hearing: Sale of Three Lots; 3104 Fulton Street, 3036 Forest Hills Circle, and 2600 Rainbow Circle.**

RECOMMENDATION: After a public hearing, authorize the sale of three lots located at 3104 Fulton Street, Tax Map No. 169-07-001, 3036 Forest Hills Circle, Tax Map No. 169-06-004, and 2600 Rainbow Circle, Tax Map No. 169-08-003 to Long Meadows, Inc. contingent on the finalization of a satisfactory development agreement with the City and adoption of a final resolution.

SUMMARY: An RFP was solicited for potential development of the above 3 lots, totaling approximately 6 acres, owned by the City. Proposals were received and reviewed with a recommendation given to PDC based on the highest overall return to the City. This proposal would develop this vacant property as residential.

PRIOR ACTION(S): 4/24/07 Physical Development Committee – Verbal Update
12/09/08 Physical Development – Closed Session

FISCAL IMPACT: Sales Price - $70,000

Estimated Taxes Over 5 Years

First Year –
Real Estate Taxes - $ 9,893.00
Personal Property Taxes 3,990.00

Second Year –
Real Estate Taxes - $32,723.00
Personal Property Taxes 12,540.00

Third Year –
Real Estate Taxes - $58,597.00
Personal Property Taxes 21,090.00

Fourth Year –
Real Estate Taxes - $71,534.00
Personal Property Taxes 26,790.00

Fifth Year –
Real Estate Taxes - $71,534.00
Personal Property Taxes 26,790.00

CONTACT(S): Steve Lawson – Real Estate Manager – 455-3945
Lee Newland, Director of Engineering – 455-3947

ATTACHMENT(S): Site Location Map, Aerial site location map, Preliminary Subdivision Plat

REVIEWED BY: lkp

003L

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (SEE TITLE BLOCK AND NOTES) IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS PROPRIETORS AND TRUSTEES, IF ANY. THE STATEMENT SHALL BE SIGNED BY SUCH PERSONS AND DULY ACKNOWLEDGED BEFORE AN OFFICER AUTHORIZED TO TAKE ACKNOWLEDGEMENT OF DEEDS.

THE UNDERSIGNED ALSO ACKNOWLEDGE BY THEIR SIGNATURES THAT THEY HAVE READ, REVIEWED AND UNDERSTAND THE NOTES AND CONTENTS SHOWN ON THIS PLAN AND THAT IT IS IN COMPLIANCE WITH THE SERVICES AS REQUESTED AND THAT THIS PLAN IS NOT VALID UNLESS SIGNED.

____
LONG MEADOWS, INC. / AGENT

TO WIT: STATE OF ________ CITY / COUNTY OF ________

I, ________________ A NOTARY PUBLIC IN AND FOR THE CITY / COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED HERETO HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS ____ DAY OF ________ 20____
MY COMMISSION EXPIRES ________________

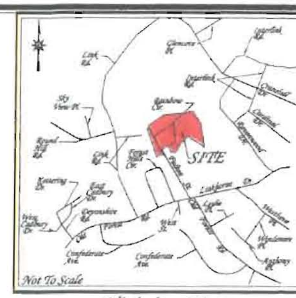
____
NOTARY PUBLIC

NOTES:

1. THIS CONCEPT PLAN WAS PREPARED FOR LONG MEADOWS, INC.
2. NO DETERMINATION OF WETLANDS WAS REQUESTED OF, NOR WAS ANY DETERMINATION/DELINEATION MADE BY ACRES OF VIRGINIA INC. OR THIS SURVEYOR . THIS PLAN DOES NOT ADDRESS THE EXISTENCE OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS IN OR AROUND THE BOUNDARIES OF THIS PROPERTY.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS CONCEPT PLAN. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
4. THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THIS CONCEPT PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES OR IMPROVEMENTS ON THIS PROPERTY. ALL ADJOINING OWNERS ARE NOW OR FORMER OWNERS.
5. THIS PROPERTY AS PLATTED FALLS WITHIN THE FLOOD ZONE "X" AS DETERMINED BY F.E.M.A. AND SHOWN ON THEIR MAP PANEL NO. 51009300370 DATED REVISION JUNE 3, 2008. NO CERTIFICATION BY THIS SURVEYOR IS MADE TO THE ACCURACY OF THE FLOOD INSURANCE RATE MAP.
6. IN PROVIDING THIS CONCEPT PLAN NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED.
7. IF THE SURVEYORS SIGNATURE ON THIS CONCEPT PLAN IS NOT SIGNED WITH BLUE INK, THIS PLAN IS A COPY AND COULD CONTAIN UNAUTHORIZED ALTERATIONS. CERTIFICATION APPLIES TO ORIGINAL COPIES AND IS CERTIFIED SOLELY THE PERSON(S) OR ENTITIES FOR WHOM THE PLAN WAS PREPARED.
8. ANY SUBAQUEOUS BEDS LOCATED WITHIN THE BOUNDARIES OF THIS PROPERTY MAY BE THE PROPERTY OF THE COMMONWEALTH OF VIRGINIA. THIS SURVEYOR HAS MADE NO ATTEMPT TO DETERMINE SAID OWNERSHIP. THEREFORE THE AREA SHOWN ON THIS CONCEPT PLAN IS PLUS OR MINUS AND IS INCLUSIVE OF ANY SUBAQUEOUS BEDS UNLESS OTHERWISE NOTED.
9. IT IS UNLAWFUL TO DISTURB ANY GRAVE OR GRAVE MARKER, ACCORDINGLY, ANY GRAVE OR ANY OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL IDENTIFIED DURING THE SURVEY, PROPERTY RESEARCH OR PLAT PREPARATION OR AS DENOTED ON THIS PLAN, ACRES OF VIRGINIA, INC. AND THIS SURVEYOR EXPRESSLY DISCLAIM ANY RESPONSIBILITY (MONETARY OR OTHERWISE) FOR THE DESTRUCTION, REMOVAL OR DISTURBANCE OF ANY GRAVES OR GRAVE MARKERS THAT MAY NOT HAVE BEEN DETECTED OR SHOWN ON THIS PLAN AS WELL AS ANY GRAVES OR GRAVE MARKERS THAT HAVE BEEN SHOWN.
10. PRIOR TO THE IMPROVEMENT OR DISTURBANCE OF ANY LOT IN THE CITY OF LYNCHBURG BY ANY PERSON(S) OR ENTITY THE PLANNING DEPARTMENT SHALL BE CONTACTED CONCERNING, BUT NOT LIMITED TO, THE CURRENT ZONING, BUILDING SETBACK REQUIREMENTS, WATER OR SEWER SYSTEMS, HEALTH DEPARTMENT REQUIREMENTS, EROSION AND SEDIMENT CONTROL REQUIREMENTS, AND PRIVATE STREETS, PERMITS, ETC. STATE AND FEDERAL AGENCIES SHALL ALSO BE CONTACTED PRIOR TO ANY IMPROVEMENT OR DISTURBANCE TO THE PROPERTY, BY ANY PERSON OR ENTITY, CONCERNING BUT NOT LIMITED TO ALL OF THE AFOREMENTIONED REASONS AND TO INSURE THAT THEY COMPLY WITH THE CURRENT LAWS GOVERNING THE DISTURBANCE OR IMPROVEMENT OF THE PROPERTY. THE AFOREMENTIONED TASKS ARE NOT THE RESPONSIBILITY ACRES OF VIRGINIA INC. AND THIS SURVEYOR BUT ARE SOLELY THE RESPONSIBILITY OF THE PERSON(S) OR ENTITY CONDUCTING THE IMPROVEMENT OR DISTURBANCE. WE WILL NOT BE HELD RESPONSIBLE OR LIABLE FOR ANY DAMAGES, FINES OR OTHER MONETARY/CIVIL/CRIMINAL PENALTIES RESULTING FROM NON-COMPLIANCE WITH LOCAL, STATE OR FEDERAL LAWS AND REGULATIONS.
11. NOTICE IS GIVEN TO ANY PERSON(S) OR ENTITY THAT BY USING THIS PLAN OR ANY PORTION THEREOF YOU ACKNOWLEDGE THAT YOU HAVE READ, REVIEWED AND UNDERSTAND THE NOTES AND CONTENTS SHOWN ON THIS PLAN AND AGREE TO HOLD HARMLESS AND FREE FROM ANY LIABILITY ACRES OF VIRGINIA INC. ITS EMPLOYEES AND THIS SURVEYOR FOR INFORMATION NOT SHOWN OR PROVIDED BEYOND THE SERVICES REQUESTED. IT IS UNDERSTOOD THAT THIS PLAN SHOWS AND REPRESENTS THE EXTENT OF SERVICES AS REQUESTED. THIS INCLUDES BUT IS NOT LIMITED TO ANY CONTRACT PURCHASER AND PERSON(S) OR ENTITY THAT REQUESTED OR RENDERED PAYMENT FOR THE SERVICES.
12. ALL LOTS WITHIN STONEHAVEN WILL BE SERVED BY CITY OF LYNCHBURG PUBLIC WATER AND SANITARY SEWER.
13. ALL LOTS WITHIN STONEHAVEN WILL BE SERVED BY UNDERGROUND UTILITIES.
14. FINAL SUBDIVISION PLATS MUST BE RECORDED WITHIN SIX (6) MONTHS FROM DATE OF APPROVAL IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LYNCHBURG. IF APPROVED PLATS ARE NOT RECORDED WITHIN SIX (6) MONTHS APPROVALS WILL BE VOID.
15. THE TOTAL SUBDIVIDED AREA OF LOTS WITHIN STONEHAVEN IS 8.202±ACRES

SOURCE OF TITLE: (169-08-003, 169-06-004 & 169-07-001)

THIS PROPERTY WAS CONVEYED TO THE CITY OF LYNCHBURG, A MUNICIPAL CORPORATION OF THE COMMONWEALTH OF VIRGINIA, BY DEED DATED NOVEMBER 10, 1958 AND RECORDED IN DEED BOOK 325 PAGE 358 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF LYNCHBURG, VIRGINIA.



Vicinity Map

= Phase I
= Phase II
700 = City Contours

THIS CONCEPT PLAN WAS PREPARED (OCTOBER 16, 2008) FROM ACTUAL AND CURRENT COURT HOUSE RESEARCH AND WAS MADE UNDER MY SUPERVISION

COMMONWEALTH OF VIRGINIA
THOMAS C. BROOKS SR.
Lic. No. 2048
10/16/08
LAND SURVEYOR

THOMAS C. BROOKS, SR., L.S. NO. 2048
(VIRGINIA ASSOCIATION OF SURVEYORS CONTINUING EDUCATION PROFESSIONAL)

Approved By: ________________
Director of Engineering / Date

Approved By: ________________
Clerk of Council / Date

GRAPHIC SCALE 1"=60'
0 60 120 180

ACRES OF VIRGINIA, INC.
SURVEYORS~ENGINEERS~PLANNERS & SOIL CONSULTANTS
email: Serco2@aol.com
www.acresofvirginia.com

LYNCHBURG OFFICE:
404 CLAY STREET
LYNCHBURG, VA 24504
OFFICE: (434) 528-4674
FAX: (434) 846-1048

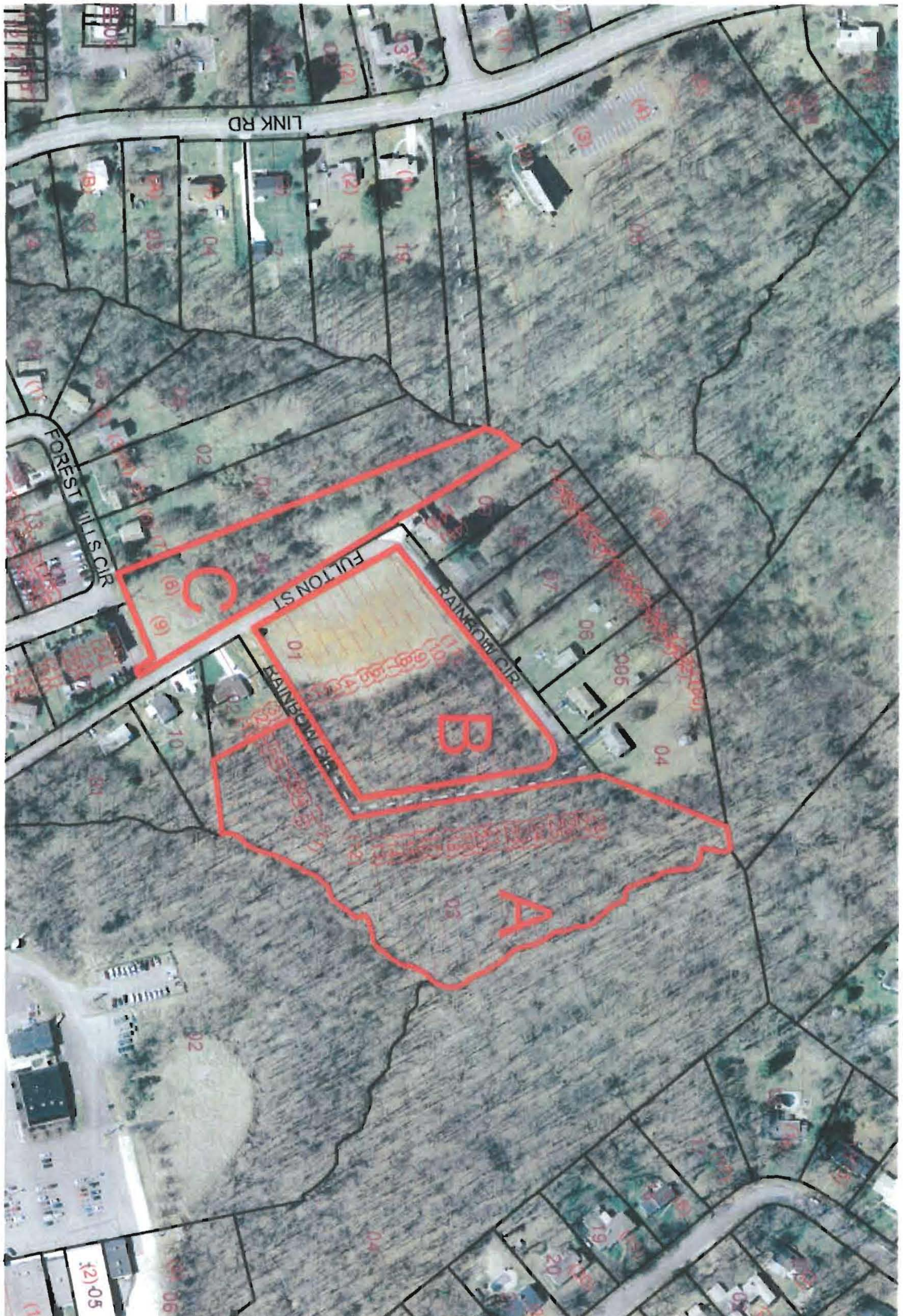
AMHERST OFFICE:
257 SOUTH MAIN STREET
AMHERST, VA 24521
OFFICE: (434) 946-0770
FAX: (434) 946-7942

CONCEPT PLAN SHOWING
PROPOSED RESUBDIVISION OF
PART OF LOTS 9 & 5, BLOCK 4, MAP OF FOREST HILL
& LOTS 1-28, BLOCK 1 & LOTS 4-28 BLOCK 2, W.D. FOSTER SUBDIVISION

Stonehaven

LYNCHBURG, VIRGINIA

SCALE: 1"=60' DATE: OCTOBER 16, 2008
COMM.NO. 081087/COLOR3-081087-SERVER-HEM/OCT2008
COPYRIGHT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LINKHORNE DR
RAVENWOOD DR
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B-1C
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B-5C
11-12-85
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B-1
B-1C
10-10-89
B-3C

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **January 13, 2009**		AGENDA ITEM NO.: 5
CONSENT:	REGULAR: **X**	CLOSED SESSION:
ACTION:	INFORMATION: **X**	

ITEM TITLE: **Presentation of Lynchburg City Family Violence Fatality Review Report #2**

RECOMMENDATION: No action required. Council's understanding of the problem of family violence in Lynchburg and its promotion of a pro-active response to the problem is appreciated.

SUMMARY: Lynchburg City Council was instrumental in developing and adopting a resolution in June 2002 establishing the Lynchburg City Family Violence Fatality Review Team to examine fatal family violence incidents and to create a body of information to help prevent future family violence fatalities.

The Team released and presented its first report in April 2006 and is pleased to announce the release of its second report "A Review of Family Violence Related Fatalities". The Team will present this report to Lynchburg City Council at its January 13, 2009 meeting. Heightened awareness and continuous attention to this very important issue are the keys to improving the community's response to domestic violence within the City.

PRIOR ACTION(S): June 11, 2002, Resolution authorizing the formation of a Family Violence Fatality Review Team for the City of Lynchburg (copy attached)

FISCAL IMPACT: N/A

CONTACT(S): Donna Nash, Grants Administrator, Program Developer (455-3770)
Susan Hartman, Assistant City Attorney, Susan Clark, Director Lynchburg Victim Witness Program

ATTACHMENT(S): Lynchburg City Family Violence Fatality Review Report, October 2008; June 11, 2002 Council Report with resolution.

REVIEWED BY: lkp

004L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: June 11, 2002		AGENDA ITEM NO.:
CONSENT: X	REGULAR:	CLOSED SESSION: (Confidential)
ACTION: X	INFORMATION:	

ITEM TITLE: Formation of a Family Violence Fatality Review Team for the City of Lynchburg

RECOMMENDATION:

Adopt resolution authorizing the formation of a Family Violence Fatality Review Team for the City of Lynchburg

SUMMARY:

In response to the growing number of family violence fatalities (four of which occurred in the City during 2001), and under the authority of Virginia Code Section 32.1-283.3, the Commonwealth's Attorney's Office, along with representatives from the public health and safety sector, have come together to form a multi-agency, multi-professional Family Violence Fatality Review Team for the City of Lynchburg. The formation of a Family Violence Fatality Review Team allows for a closer examination of instances of fatal family violence on an interagency level, creating a body of information, which can be shared, analyzed, and disseminated among participating members to promote a pro-active response to the problem of family violence in Lynchburg. Membership on the team includes representatives from the following organizations: Commonwealth's Attorney's Office, Juvenile and Domestic Relations Court, Adult Community Corrections Program, Community Corrections and Pre-trial Services, Forensic Nurse Examiner's Department—Lynchburg General Hospital, Lynchburg Police Department, City Attorney's Office, Court Services Unit—24th Judicial District, YWCA Domestic Violence Prevention Center, and Department of Social Services.

PRIOR ACTION(S):

04/29: Commonwealth's Attorney's Office met with Walter Erwin and Nora Dunn to discuss the formation of a Family Violence Fatality Review Team

05/07/02: City Attorney's Office drafts a resolution authorizing the formation of the Family Violence Fatality Review Team for Council's review

FISCAL IMPACT:

N/A

CONTACT(S):

William G. Petty, Commonwealth's Attorney	847-1593, ext. 225
Teresa A. Polinske, Deputy Commonwealth's Attorney	847-1593, ext. 242

ATTACHMENT(S):

- Resolution
- Background Information
- Virginia Code Section 32.1-283.3
- Interagency Participation Agreement

REVIEWED BY:

Resolution

#R-02-120

WHEREAS Section 32.1-283.3 of the Code of Virginia gives local governments in the Commonwealth of Virginia the authority to establish family violence fatality review teams to examine fatal family violence incidents and to create a body of information to help prevent future family violence fatalities; and;

WHEREAS the City of Lynchburg has experienced family violence fatalities, four of such fatalities having occurred during the 2001 calendar year; and;

WHEREAS, the Lynchburg Juvenile and Domestic Relations District Court, the Commonwealth's Attorneys Office, the Adult Community Corrections Program, the Lynchburg Community Corrections and Pre-trial Services Program, the Forensic Nurse Examiner's Department at Lynchburg General Hospital, the Lynchburg Police Department, the Court Service Unit for the Twenty-fourth Judicial Circuit, the YWCA Domestic Violence Prevention Center, the Lynchburg Department of Human Services and the City Attorney's Office are vested with the authority to promote and protect the public health and safety and to provide services which improve the well being of individuals and families residing within the City of Lynchburg; and,

WHEREAS, the above-named parties agree that the City of Lynchburg would benefit from the establishment of a multi-agency, multi-professional Family Violence Fatality Review Team, have pledged their support for the creation of a Family Violence Fatality Review Team for the City and have agreed to provide representatives from their respective agencies to serve on the Family Violence Fatality Review Team;

NOW, THEREFORE, BE IT RESOLVED that the Lynchburg City Council pursuant to the authority given to it by Section 32.1-283.3 of the Code of Virginia does hereby create a Family Violence Fatality Review Team for the City of Lynchburg and the goals of the Team shall be as follows:

1. To enhance awareness among the general public, community leaders, and policy makers of the causes of family violence through the understanding of why individuals batter and why individuals remain in relationships and/or families in which violence occurs.

2. To identify and describe the trends and/or patterns of behavior associated with instances of family violence that have ended in fatalities within the City of Lynchburg.

3. To identify and describe the high-risk factors associated with instances of family violence that have ended in fatalities within the City of Lynchburg.

4. To improve the methods by which data regarding instances of family violence is collected and disseminated by developing systems to share information between agencies and offices that work with victims of family violence.

5. To identify and describe the systemic responses to instances of family violence that have ended in fatalities which created barriers to the safety of individuals involved in family violence situations and that, when removed, will ultimately reduce the number of family violence fatalities.

6. To promote cooperation, communication, and coordination among agencies involved in responding to instances of family violence occurring within the City of Lynchburg by recommending policies, practices, and services that will achieve this end.

7. To initiate local prevention efforts designed to reduce the number of family violence fatalities occurring within the City of Lynchburg as indicated by team findings.

BE IT FURTHER RESOLVED that membership on the Family Violence Fatality Review Team may include, but shall not be limited to, representatives from the Lynchburg Juvenile and Domestic Relations District Court, the Commonwealth's Attorneys Office, the Adult Community Corrections Program, the Lynchburg Community Corrections and Pre-trial Services Program, the Forensic Nurse Examiner's Department at Lynchburg General Hospital, the Lynchburg Police Department, the Court Service Unit for the Twenty-fourth Judicial Circuit, the YWCA Domestic Violence Prevention Center, the Lynchburg Department of Human Services and the City Attorney's Office.

Adopted: June 11, 2002

Certified: Patricia W. Kost
Clerk of Council

129L

cc: W. G. Petty
C. W. Bennett

OFFICE OF THE
COMMONWEALTH'S ATTORNEY FOR THE CITY OF LYNCHBURG
MONUMENT TERRACE BUILDING
901 CHURCH STREET
P.O. BOX 1539
LYNCHBURG, VIRGINIA 24505
(434) 455-3760
FAX (434) 846-5038
WWW.OCALYNCHBURG.COM

MICHAEL R. DOUCETTE
COMMONWEALTH'S ATTORNEY

December 5, 2008

Ms. Joan Foster
Mayor
City of Lynchburg

Dear Mayor Foster:

Lynchburg's City Council was instrumental in developing and adopting a resolution in June 2002 establishing the Lynchburg City Family Violence Fatality Review Team to examine fatal family violence incidents and to create a body of information to help prevent future family violence fatalities. The Team released and presented its first report in April 2006. The Team is pleased to announce the release its second report "A Review of Family Violence Related Fatalities". The Team would like to present this report to Lynchburg City Council at the **January 13, 2009 meeting**. I have enclosed 17 copies of the report for you and council to review; the team is very pleased with the final product, and even more so with the report's potential to impact how the criminal justice, social service, and health systems can work toward further improving the community response to domestic violence. Should you have any questions, or need any further information about the report or the work of the Lynchburg City Family Violence Fatality Review Team, please do not hesitate to contact me at 455-3770.

Heightened awareness and continuous attention to this very important issue are the keys to improving the community's response to domestic violence within the City Thanks, again, for your continued support of domestic violence awareness initiatives in the City of Lynchburg.

With kindest regards,

Donna Nash

Donna Nash
Lynchburg City Family Violence Review Team

The full report “Stop the Silence, Stop the Violence!” can be viewed at the Commonwealth Attorney’s office.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **January 13, 2009** AGENDA ITEM NO.: 6

CONSENT: REGULAR: **X** CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Enhancement Program Funds – Appropriation**

RECOMMENDATION:
Adopt a resolution to appropriate $51,000 in grant funding, fully reimbursable, received from the Virginia Department of Transportation, Enhancement Program funds for improvements to the Sandusky Regional Visitor Center.

SUMMARY:
The Historic Sandusky Foundation, Inc. received a grant in FY 2004 in the amount of $51,000 for improvements to the Sandusky Regional Visitor Center. This grant will support the construction of sidewalks, improving accessibility, and installation of site lighting and landscaping.

The City agreed in 2004 to sponsor this application and, as such, serves as the fiscal agent and project owner.

PRIOR ACTION(S):
Council regular session, adoption of a resolution, February 24, 2004

FISCAL IMPACT:
None, Historic Sandusky Foundation, Inc. is responsible for all matching funds.

CONTACT(S):
Greg Starbuck, Executive Director, Historic Sandusky Foundation, Inc. 832-0162
Kay Frazier, 455-5868

ATTACHMENT(S):
Resolution
Award letter

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED that the FY 2009 City Capital Projects Fund budget is amended and $51,000 is appropriated with full reimbursement from the Virginia Department of Transportation, Enhancement Program funds, to provide funding for improvements to the Sandusky Regional Visitor Center.

Introduced: Adopted:

Certified: ________________________________
Clerk of Council

001L

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

PHILIP A. SHUCET
COMMISSIONER

MICHAEL A. ESTES, PE
DIRECTOR
LOCAL ASSISTANCE DIVISION

September 23, 2004

Mr. Greg Starbuck
Executive Director
Historic Sandusky Foundation, Inc.
757 Sandusky Drive
Lynchburg, VA 24502

SUBJECT: Enhancement Program – Sandusky Regional Visitor Center

Dear Ms. Starbuck:

Congratulations! On July 15, 2004 your application for Enhancement Program funds was approved by the Commonwealth Transportation Board in the amount of $51,000.

Meetings will be held early 2005 in several different areas of the state to discuss necessary steps for implementation of your enhancement project. You will receive a notification of those meetings once they have been scheduled.

As you may be aware, we currently do not have an authorized federal transportation bill, therefore we are not certain as to when these funds will become available. Please do not spend any funds or initiate any phase of your project, for which you wish to be reimbursed, until after this meeting and until you are authorized in writing to do so. Since this is a federally funded program, starting any project activities before securing proper authorization would jeopardize federal participation.

If you have any questions about your current application or the recent selections, please contact the members of our Enhancement Program Staff at 1-800-444-7832.

Thank you for your interest in Virginia's Enhancement Program.

Sincerely,

H. Wade Chenault, Jr.
Enhancement Program Section Manager

Cc: Mr. W. T. Ramey
Mr. Don Austin