

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Proposal for a Visitors' Center at the New Office Building of the Lynchburg Regional Chamber of Commerce**

RECOMMENDATION: Authorize staff to explore the provisions of a new tourism program contract with the Lynchburg Regional Chamber of Commerce that would include a new visitors' center at its new office building.

SUMMARY: The Lynchburg Regional Chamber of Commerce has acquired the building at 312 Border Street, formerly "Billy Joes, located behind the Kirkley Hotel, and intends to renovate the building as a replacement for its offices on Memorial Avenue. The Chamber has embarked on a capital building campaign to raise the funds necessary for the renovation.

For information on the capital campaign, go to this link: <http://www.lynchburgchamber.org/building-campaign>

As part of the planning for the renovated building the idea of a new visitors' center to support the tourism program has been raised and a concept of how the space would be laid out has been included in building design. Various stakeholders including the Tourism Advisory Board, the Chamber Board of Directors, Lynch's Landing and the hospitality community have been consulted and there is broad support for a visitors' center collocated at the Chamber's office building. It is believed that the new location would be more accessible to visitors coming to the City on either Route 29 or Route 460.

Chamber and tourism program representatives will attend Council's work session to further explain this concept and seek Council's support. If Council approves, discussion would continue to explore the provisions of a new tourism program contract that would include operation of a new visitors' center. A number of issues would need to be addressed, including:

- Funding for the center. The estimated capital cost for a 2350 square foot visitors' center is between \$400-500,000. An early stipulation was that any funding, either rent or capital, would have to come from the current allocation to the tourism program. Other arrangements could be considered.
- A continued mechanism for visitor contact downtown.
- The terms of a new tourism program contract that would include operation of a new visitors' center. The current contract expires in December 2013 and the terms of its renewal will need to be considered during FY 2014 Budget deliberations.

PRIOR ACTION(S): N/A

FISCAL IMPACT: Undetermined

CONTACT(S): Kimball Payne, 455-3990

ATTACHMENT(S): None

REVIEWED BY: lkp

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: **2**

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Proposed 2013 Legislative Agenda**

RECOMMENDATION: Provide input for the preparation of an amended Legislative Agenda for the 2013 session of the General Assembly.

SUMMARY: Attached is an annotated 2012 Legislative Agenda that suggests changes to update it for the 2013 session of the Virginia General Assembly. Some information is still being gathered by staff. Once that is complete and input received from Council a final draft will be prepared for adoption on November 27th.

PRIOR ACTION(S): November 8, 2011, Adoption of the 2012 Legislative Agenda.

FISCAL IMPACT: N/A

CONTACT(S): Kimball Payne, 455-3990; Walter Erwin, 455-3973

ATTACHMENT(S): Annotated 2012 Legislative Agenda with proposed changes.

REVIEWED BY: lkp

148L

CITY OF LYNCHBURG

2012-2013 LEGISLATIVE AGENDA

Adopted November ~~8~~, 20112012

The City of Lynchburg is a member of both the Virginia Municipal League and the Virginia First Cities Coalition and supports the legislative agendas of both organizations. The City of Lynchburg 2012-2013 Legislative Agenda is meant to highlight those issues of particular importance to the City.

The Lynchburg City Council understands the fiscal challenges facing the Commonwealth as the 2012-2013 session of the Virginia General Assembly convenes. Those challenges make it even more important that the legislators keep the following principles in mind as they evaluate and vote on legislation and the possible amendments to the biennial budget ~~for the upcoming biennium~~.

PRINCIPLES

- Local governments are instruments of the state, created in large measure to deliver state responsible services in a more efficient and effective manner. This state/local partnership requires an equitable allocation of costs between the two levels of government and across the various jurisdictions of the Commonwealth.
- The state must continue to meet constitutional and statutory responsibilities to adequately fund the state share of state/local services, especially in education, human services, and public safety. Any shortfall in state revenues should not be shifted to local governments.
- When the state experiences or anticipates a budget surplus, due to either increased revenues or reduced expenditures, it should relieve localities of funding responsibilities that have been shifted to them for state mandated/locally delivered serves.
- Rather than shifting responsibilities for programs that the state is unwilling to fund down to the localities, the state should consider eliminating those programs.
- The state should explore ways to increase the efficiency and effectiveness of the delivery of state services at the local level including the regionalization of service delivery (e.g. Social Services) and the elimination of inefficient structures such as the Compensation Board.
- The General Assembly should defeat proposed legislation that would erode local taxing authority, cap or reduce local revenue sources or that would impose unfunded mandates on localities.

- The General Assembly should support legislation that provides greater authority to localities in implementing sustainability initiatives especially with regard to land use and transportation planning.
- The General Assembly should preserve local zoning and land use authority, allowing flexibility to meet the needs of individual communities.

2012-2013 LEGISLATIVE PRIORITIES

State Aid to Localities: Eliminate the annual ~~\$60 million~~ reduction in State Aid to Localities (ATL). Although the reduction has been lessened for the current biennium, maintaining reduced state aid for mandated services while the Commonwealth experiences budget surpluses places an undue burden on local taxes. This across the board cut to local core services has been in effect for the last 4 years and has enabled the state to balance its budget during the recession and run a surplus for the last two years, even as local revenues continue to be depressed. The cost to the City of Lynchburg, in FY12 alone, was \$644,424. The four year cost to core services in all localities has been \$220 million dollars. Eliminating the ATL reduction would restore funds to fund state mandated local services.

Comprehensive Services Act (CSA): CSA funding continues to be a serious concern. Actions taken by the General Assembly have increased mandated services and shifted costs to the localities. The General Assembly should refrain from adding additional mandated services and should fund its full share of the CSA program.

Educational Funding: Jobs are the key to economic recovery and adequate education is essential for preparing the current and future workforce. The State should fully fund the Standards of Quality (SOQ), including support staff costs and categorical incentive funds for At-Risk students and restore funding from cuts to education over the last biennium. The state has a constitutional duty to meet its education funding obligations and should refrain from changes in methodology and the division of financial responsibility that result in a further shift of funding responsibility from the state to localities. These shifts do not change what it actually costs to provide education but simply transfer additional costs to local governments, and ultimately to the local real estate tax base.

Local Law Enforcement Funding: The Commonwealth should be equitable in its support for local law enforcement funding both to those localities with police departments (HB 599 funding) and to those in which Sheriff's Departments provide law enforcement (through the Compensation Board). Cities should not bear a disproportionate burden for law enforcement funding through continued reductions in funds provided by HB 599.

Transportation: The General Assembly should ensure that adequate dedicated, non-general fund revenues are available to maintain the current transportation infrastructure, especially street maintenance of bridges, key arterial and collector roadways and non-

automobile transportation modes such as public transportation, pedestrian and bikeways and airports.

- Identify a sustainable source of operating fundsThe State should continue its support for the Amtrak intercity passenger rail service from Lynchburg to Boston including continued funds for the Bus Bridge to Roanoke. In addition, support extension of passenger rail service from Lynchburg to Roanoke as part of the Trans Dominion Express.
- The City is seeking State funding to provide access to the new interchange that will be constructed on Route 460/29 at Oddfellows Road. Without improvements to the intersection of Oddfellows Road and Mayflower Drive and to Oddfellows Road from the Lynchburg Expressway (Rt. 29 Business) to the interchange access to the new interchange will be constricted, limiting the effectiveness of that facility.

Transit Funding: New formulae for transit funding should recognize the challenges of small transit systems, take into account geographic differences, focus on reasonable service metrics and not create a burdensome administrative process.

Virginia Retirement System: Support legislation that provides localities with greater flexibility in making adjustments to VRS benefits in order to reduce the increasing costs of the program, including but not limited to legislation to allow localities the option to require employees hired before July 1, 2010 to pay the 5% employee share of VRS.

Water Quality: The City's Combined Sewer Overflow (CSO) Program will cost an additional \$280 million to complete in addition to total expenditures to date of \$154 million. Additional water quality requirements related to the cleanup of the Chesapeake Bay and its tributaries will add as much as \$180 million in local costs for stormwater management and wastewater treatment plant upgrades. Further Federal and State assistance is required to avoid an unreasonable economic burden on City residents and businesses. The City urges support for the following positions:

- Provide \$5.0 million in each year of the biennium for Lynchburg and Richmond's CSO program (\$2.5 Million each year for each city). Provide one half of the funding required (\$30-\$50 million) to implement a new CSO Long Range Control Plan within the next decade.
- Continue to increase funding to the Virginia Revolving Loan (VCWRLF) program and earmark those funds for CSO abatement in order to qualify Lynchburg and Richmond for zero interest rates.
- Support expansion of Virginia's Nutrient Credit Exchange Program to include other sectors such as stormwater as long as it is not to the detriment of the established point source trading or risk a reduction in point source allocations.
- Provide local authority to charge connection and availability or facility fees for stormwater systems similar to those charged by water and wastewater utilities.

- Insist that any regulations enacted to implement the Total Maximum Daily Load (TMDL) in the Chesapeake Bay watershed be based on factual information, propose a reasonable schedule and are sensitive to the fiscal ability of local governments.
- Support reasonable and affordable implementation of any new stormwater management requirements. EPA storm water requirements should be reviewed and revised to avoid placing an unreasonable economic burden on communities.
- Oppose efforts to implement further point source (wastewater treatment plant) reductions of nutrient discharges beyond those allocations currently in the Chesapeake Bay Nutrient General Permit.
- Provide state or federal funding support for all water quality initiatives, as well as continued funding for the Water Quality Improvement Fund (WQIF).

OTHER LEGISLATIVE POSITIONS

Binding Arbitration: Oppose legislation that mandates binding arbitration, meet and confer requirements, and imposed grievance procedures for local employees.

Communications Sales and Use Tax: Support legislation to reclassify the communications sales and use tax as a local not a state tax.

Economic Development: Provide \$2 million for the Virginia Brownfield Redevelopment Assistance Fund, to continue the redevelopment of brownfield sites.

~~**Eminent Domain:** Oppose a constitutional amendment that would unreasonably restrict the local use of eminent domain. The City supports private property rights which are strictly protected by recent additions to state law that prevent a “Kelo” type taking in Virginia. However, the constitutional amendment currently under consideration goes far beyond current law and would impair the ability of local government to perform essential utility and transportation responsibilities at a reasonable cost. The proposed amendment could add significant costs to local taxpayers for CSO and other utility projects and for street improvements like the Crosstown Connector. It could also preclude utility or transportation improvements required to bring a major employer like Frito-Lay to the City. Landowners would no longer have to show that public improvements projects actually reduced the fair market value of their property in order to recover damages and could claim damages for lost profits resulting from the temporary closing of a street for such things as utility line projects, street repairs or even closing a street for community events such as the Lynchburg Ten Miler and the Christmas parade.~~

Exemptions: Oppose any legislation that would exempt churches and other religious and non-profit organizations from neutral, generally applicable local ordinances, and in particular local health, safety and zoning ordinances."

Employee Retirement and Benefits: Support the local option of participating in the Virginia Sickness and Disability Program.

Line of Duty Act: Support initiatives that return program funding responsibility to the state. Should this unfunded mandate continue, give localities the authority to establish these benefits rather than participate in the state program.

Mental Health/Mental Retardation Services: Community Service Boards (CSB's) should be required to provide mental health services to children as mandated by state law.

Prevention: Restore state funds for prevention services.

Region 2000: Maintain funding for the Center for Advanced Engineering and Research (CAER)

Social Services: Maintain funding for workforce re-training through appropriate agencies, retaining VIEW staff and funding in Social Services. This program has successfully helped TANF recipients secure and maintain jobs.

State Aid to Public Libraries: Retain state aid for libraries. Public libraries are experiencing unprecedented demand for their services due to the recession. In FY 2011 state aid was provided at a level of only 56% of that mandated by the Code of Virginia. Further cuts will threaten the future viability of local libraries.

Substance Abuse Treatment: Restore state funding for substance abuse treatment programs. Such funding could be provided to Community Service Boards, programs such as "The Healing Place" or other pilot programs.

Taxes on Local Services: Oppose the imposition of a state fee, tax or surcharge on water, sewer, and solid waste or on any other local government funds or services.

Taxes- Machinery and Tools: Oppose legislation that would reduce or eliminate a locality's authority to impose a machinery and tools or business license tax.

Taxes- Business License: Oppose legislation that would reduce or eliminate a locality's authority to impose a business license tax.

Taxes- Transient Occupancy and On-line Travel Companies: Support legislation to ensure that transient occupancy taxes are based on the cost of the room as paid by the consumer. On-line travel companies collect and remit transient occupancy taxes based on the wholesale room price hotels and motels paid by the travel companies not the room price paid by the consumer.

Telecommunications: Maintain local authority over zoning, land use, rights-of-way and taxation. Limit new state regulation preempting local authority regarding the use and compensation of local rights of way for telecommunications.

TDO Transports: Approve legislation to reduce the burden on local law enforcement agencies required to transport patients subject to temporary detention orders to treatment centers significant distances from the jurisdiction.

Trespassing Bans: Amend Section 15.2-1717.1 of the Code of Virginia to include language providing that a notarized form signed by the property owner will be admissible in court for the purpose of proving that the local law enforcement agency has the authority to enforce a trespassing ban.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: **3**

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Update on the CSO Long Term Control Plan**

RECOMMENDATION: No action required at this time.

SUMMARY: Director of Water Resources Tim Mitchell will brief Council on his staff's work to update the CSO Long Term Control Plan. Working with consultants Greeley & Hansen they have come up with a plan that, if accepted by the regulatory agencies, could result in the completion of the CSO program within the next decade and at a significantly reduced cost to the City.

Attached is the presentation that Mr. Mitchell will work from

PRIOR ACTION(S): N/A

FISCAL IMPACT: Undetermined but the savings could be significant.

CONTACT(S): Director of Water Resources Tim Mitchell, 455-4252

ATTACHMENT(S): Slide presentation.

REVIEWED BY: lkp

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CSO Long Term Control Plan Update



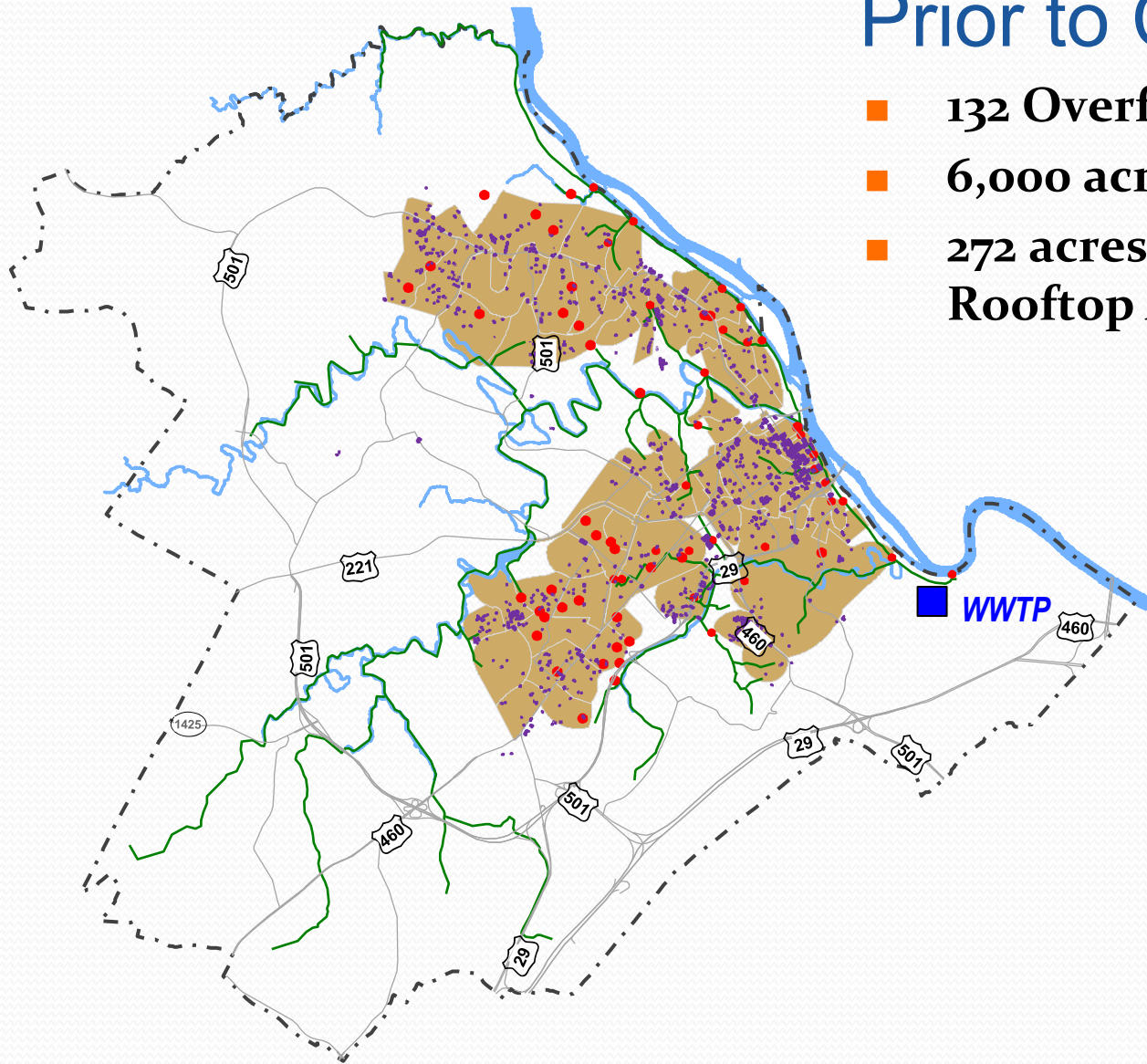
City Council Work Session 11-13-12

Lynchburg CSO LTCP History

Year	Detail
1974-1979	Infiltration and Inflow Evaluation Study (Original CSO Study) - Identified 132 overflow points
1989	CSO Program Update - CSS separation with option for conveyance/treatment for downtown - Interceptor replacement - Rain leader disconnection program
1994	Special Order of Consent
2000	CSO LTCP Update - recommended complete separation of entire CSS
September 2012	- 22 overflow points remain - \$233M spent to date - Replaced 26 miles of interceptors - 36 of 59 priority projects completed, designed, or under construction - About 189 acres of rooftop area disconnected (about 70%)

Prior to CSO Control

- 132 Overflow Points
- 6,000 acres CSO
- 272 acres of Connected Rooftop Area



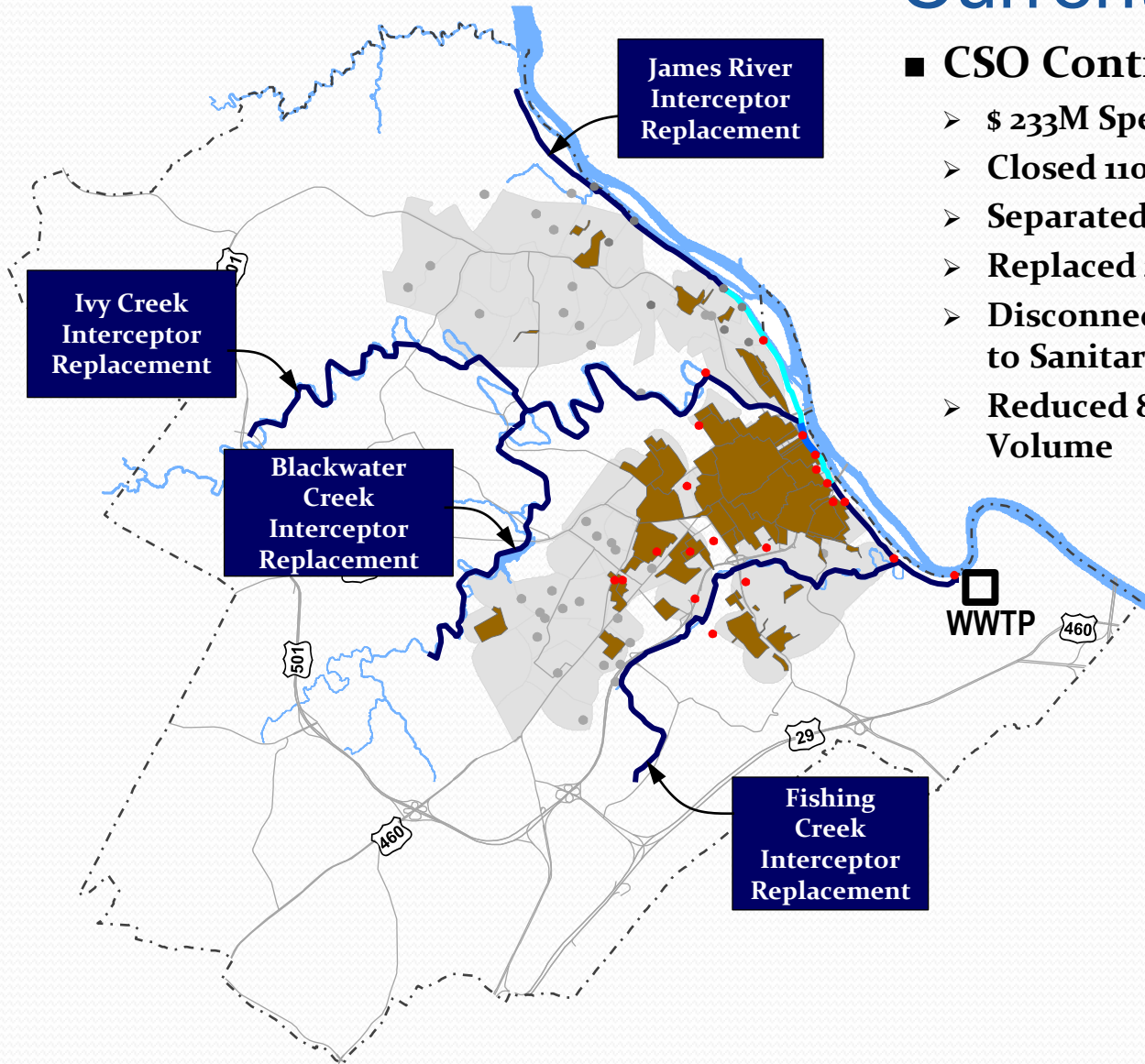
LEGEND

- CSO Area
- Connected Rooftop
- Active Overflow Points
- Interceptor

Current Status

■ CSO Controls to Date

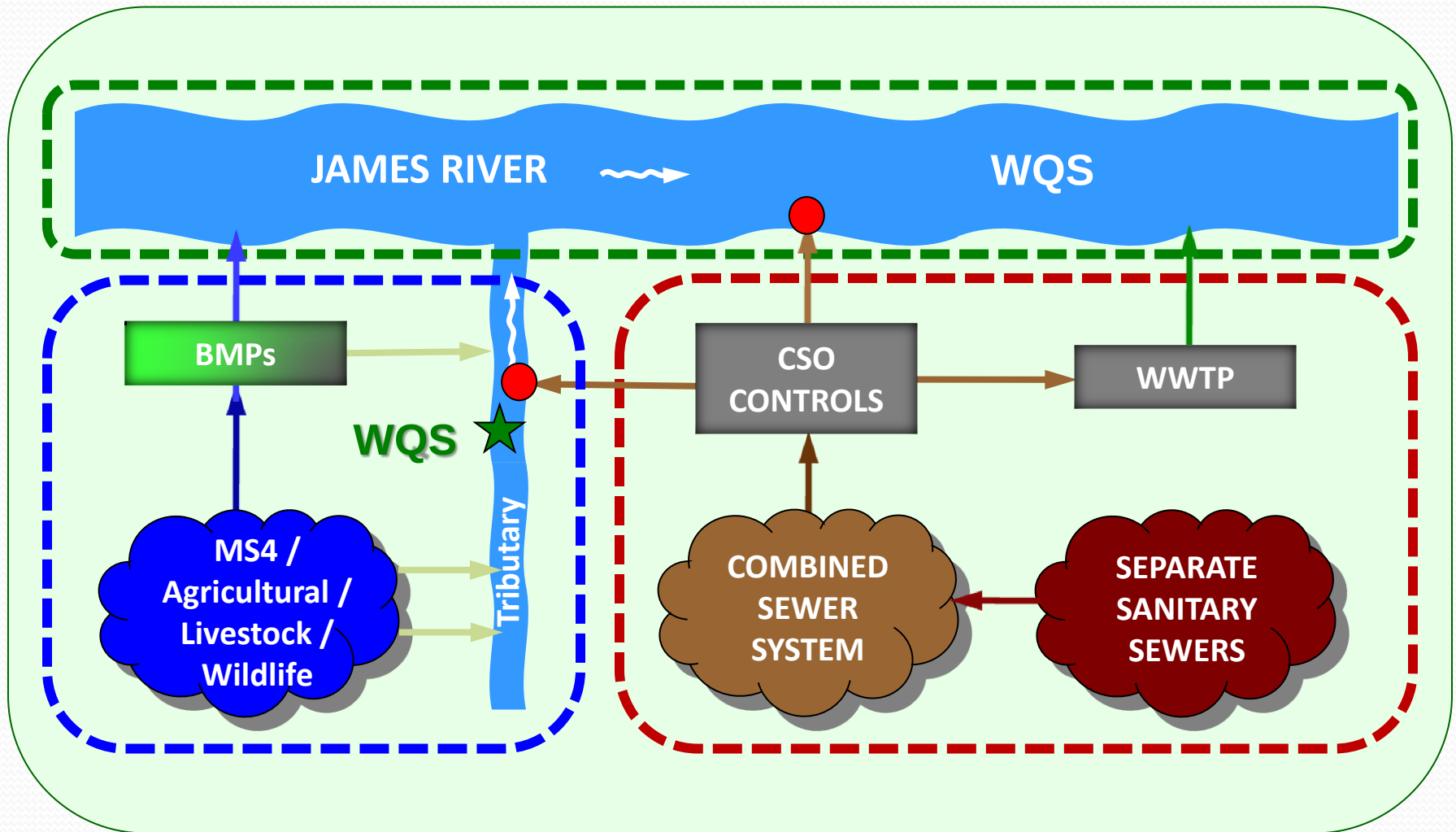
- \$ 233M Spent
- Closed 110 of Original 132 Overflow Points
- Separated 67% of Original CSO Area
- Replaced 26 miles of Interceptors
- Disconnected 70% of Rooftops Connected to Sanitary Sewers
- Reduced 80% of Annual Average Overflow Volume



LEGEND

- Separated CSO Area
- Remaining CSO Area
- Closed Overflow Point
- Remaining Overflow
- Replaced Interceptor
- Interceptor Under Construction
- Interceptor Under Design

Holistic Approach to LTCP Update



When CSO is complete?

EPA's "Presumption Approach" - Program is presumed to meet the Water Quality Requirements of the Clean Water Act if:

- **No more than an average of 4 overflow events per year; or**
- **Elimination and/or Capture for treatment no less than 85% of system-wide annual average CSO volume; or**
- **Elimination of the pollutants causing the impairment.**

If complete separation is not the chosen alternative, then other alternatives must be modeled and be determined to meet the Water Quality Standards.

What are Water Quality Standards?

The following are the bacteria criteria for primary contact recreational uses in fresh water:

- E.coli bacteria shall not exceed a monthly geometric mean of 126 colony forming units (CFU)/100 ml.
- A single sample maximum of 235 CFU/100 ml.

An alternative CSO program combined with bacteria reductions from other sources must meet the water quality standards.

Other sources such as: stormwater, livestock, pet waste, septic systems, etc. already have reduction goals in the current Bacteria TMDL.

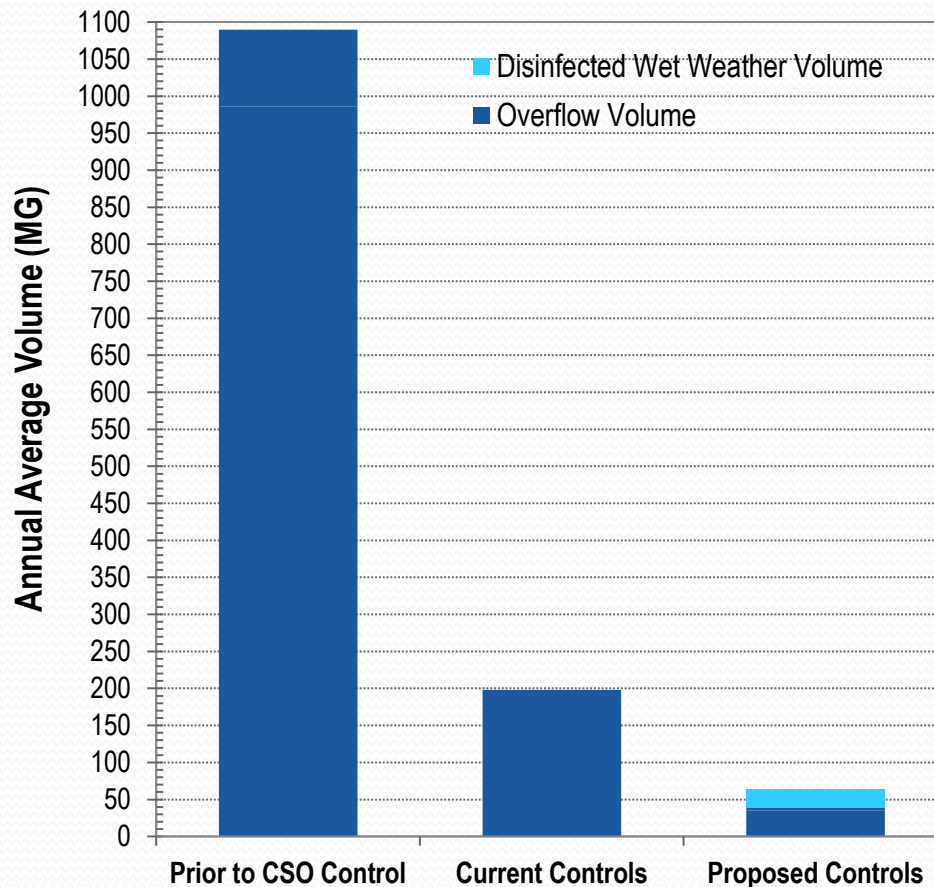
Comparison of Alternatives

The approach we took was based on reducing the average annual overflow volume and significantly reducing overflow frequency with a goal of better water quality faster and cheaper. As a result, over 20 combinations of alternatives were considered.

Alternatives include a combination of the following:

- Select CSO basin separation
- Green Infrastructure such as bioretention basins, permeable pavement, etc.
- Deep tunnel
- Storage basin(s) at the Garnet Street property and the WWTP
- Various interceptor improvements
- WWTP improvements including wet weather disinfection

Annual Overflow Volume



■ Proposed CSO Controls

- James River Interceptor Division 3B
- Other Interceptor Improvements (including: Fishing Creek Interceptor Phase III – Mayflower; Blackwater Creek Interceptor – Randolph & Savoy, Belfield Place, Jefferson Park, College Lake)
- Separation of CSO 125 and CSO 70
- CSO 61 Conveyance
- Continuing Rainleader Disconnection
- Maximizing Wet Weather Treatment at WWTP (including Potential Storage Facility and Wet Weather Disinfection Facility)

Additional CSO Controls

Completed

Construction

Design

Proposed

Blackwater
Creek
Interceptor
Replacement

James River
Interceptor
Replacement Div 4

James River
Interceptor
Replacement Div
3B

James River
Interceptor
Replacement Div 3A

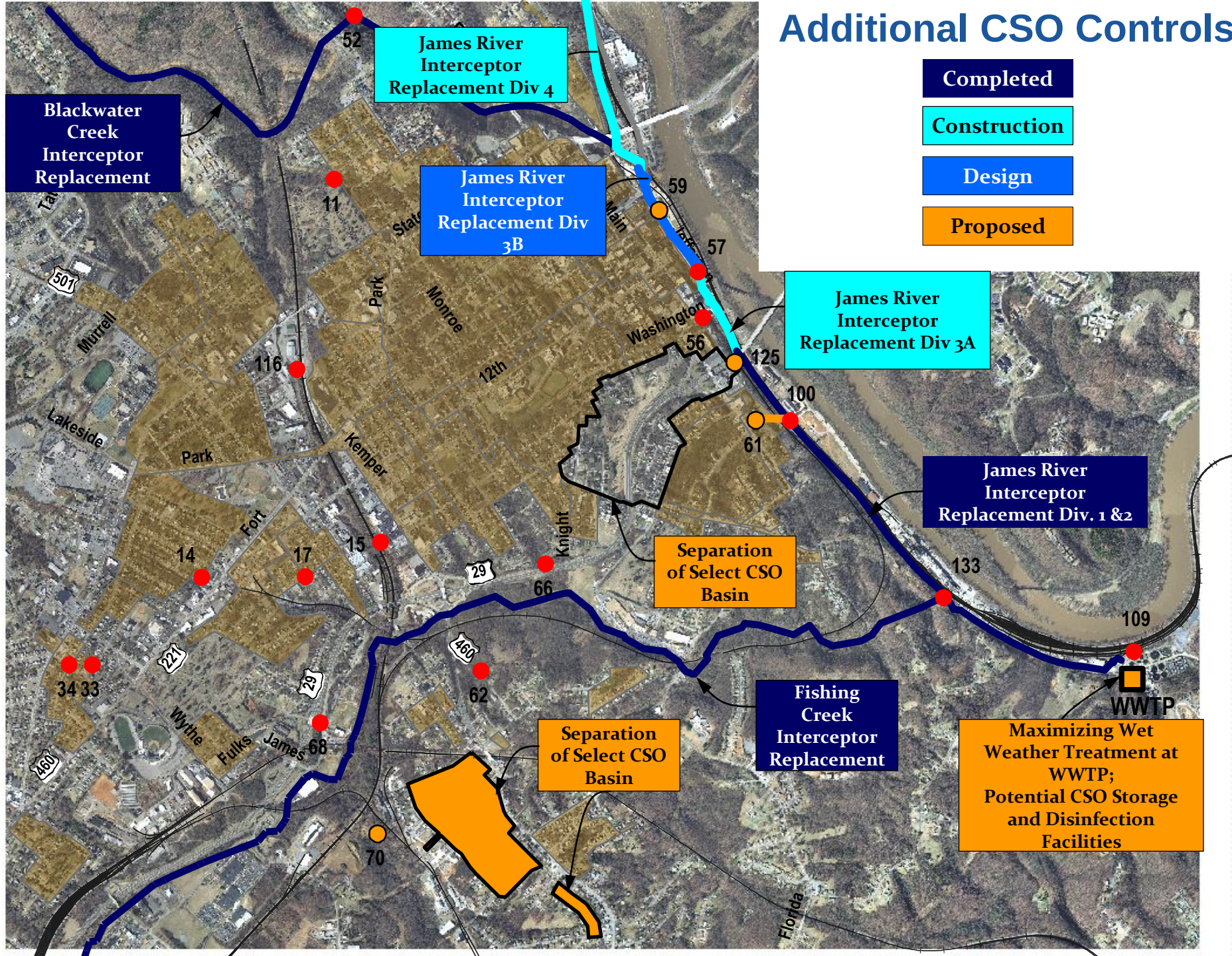
James River
Interceptor
Replacement Div. 1 & 2

Fishing
Creek
Interceptor
Replacement

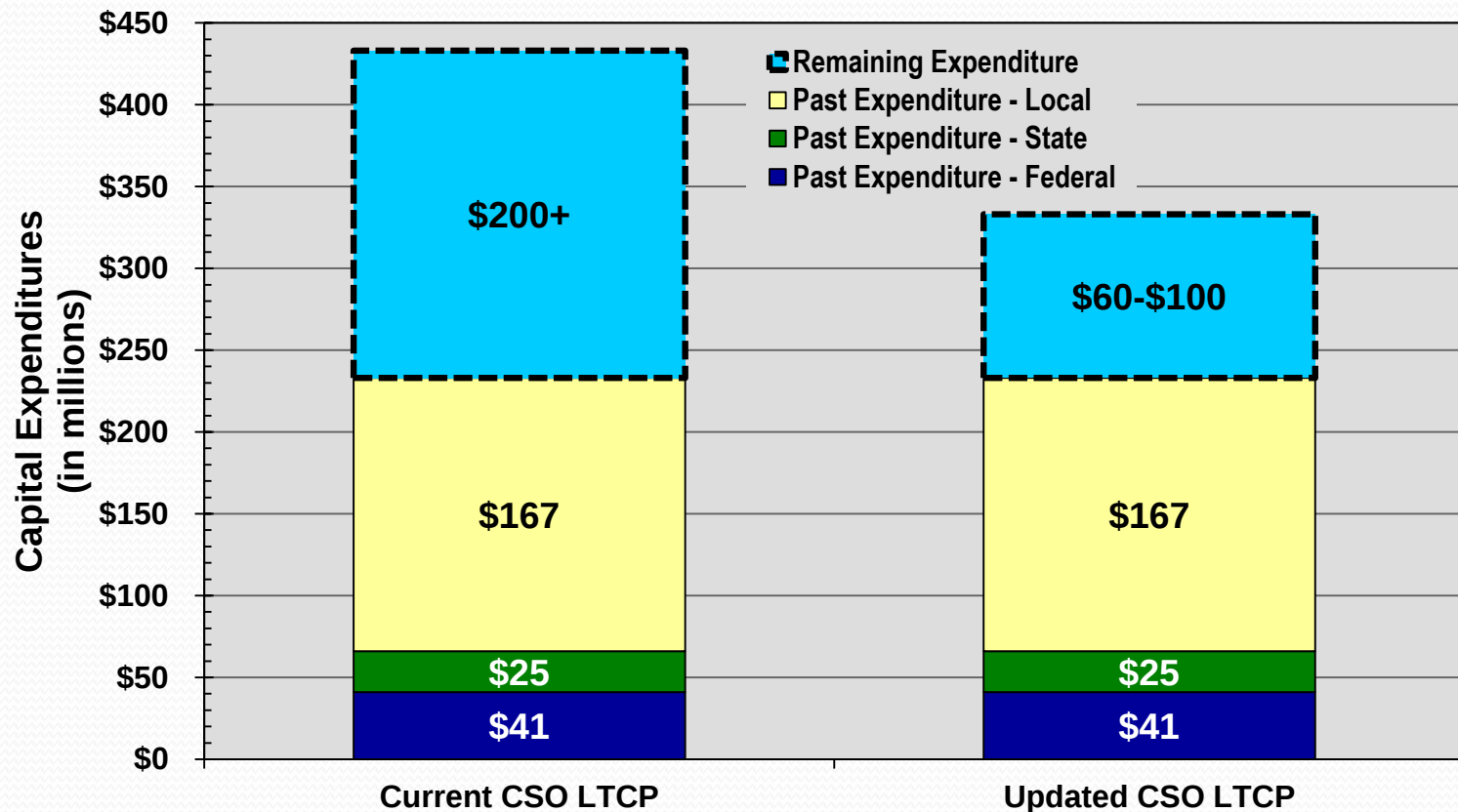
Separation
of Select CSO
Basin

Separation
of Select CSO
Basin

Maximizing Wet
Weather Treatment at
WWTP;
Potential CSO Storage
and Disinfection
Facilities



Preliminary Cost Estimate



Note:

(1) All costs are in 2012 dollars

(2) The shorter implementation time for the remaining controls of the Updated LTCP would achieve sooner compliance with the

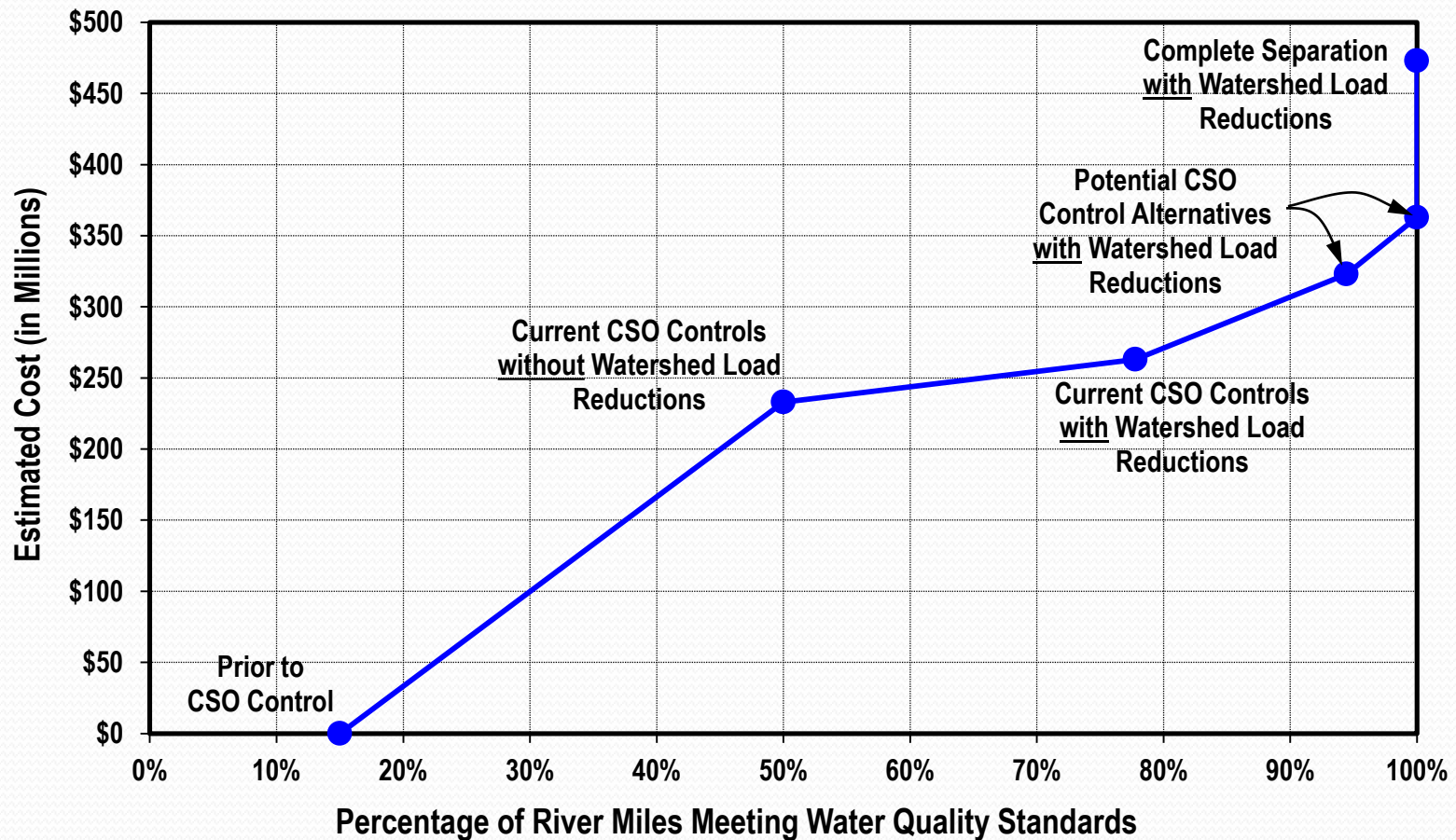
Additional Savings

In addition to saving at least \$100 million in the CSO Program savings from the following can potentially be realized:

- **At least \$10 million related to stormwater controls for bacteria in the combined area.**
- **Millions more for retrofits related to nutrient and sediment reductions which are required in the regulated MS4 (stormwater permit) area. As long as this area remains combined then it is not covered under the MS4 permit.**
- **Savings related to the time value of money.**

***Costs associated with rehabilitation and maintenance of the remaining combined system need to be considered.**

Preliminary Cost Performance Curve



Additional Benefits

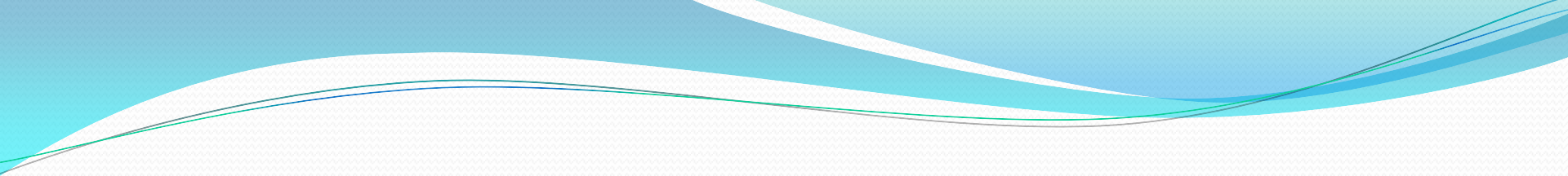
- While some CSOs will remain the overall Water Quality may be better because the “first flush” is treated at the WWTP. Actual results are pending final model calibration.
- The WWTP was chosen for the basin location because of the following: improves WWTP operations, easier maintenance, odors, can be utilized in conjunction with future nutrient related upgrades.
- Potentially able to meet water quality goals for CSO and complete the CSO Program within the next decade. Additional debt capacity will be available in the next 3 to 4 years due to old debt being retired.

Summary

- Revised LTCP would save \$100 to \$150 million.
- Meets Water Quality requirements faster.
- Cost to complete CSO Program \$60 - \$100 million.
- With debt service retirement within the next 3 or 4 years debt capacity may exist to complete within the next decade.
- Approximately 15 overflows will still remain active but at a greatly reduced overflow frequency.
- Updated plan includes possible storage but at the WWTP – also benefits future nutrient upgrades and plant operations.

Next Steps

- Currently waiting on DEQ's opinion related to amending our Consent Order – preliminary opinion was that it would need to go to State Water Control Board likely in July or August.
- EPA's level of involvement unknown at this time.
- Public participation in the revised plan is required – most likely in the spring.
- DEQ willing to work with the Governor's office to include some funding in next year's state budget plus budget language affirming State's financial participation.
- Both Richmond and Lynchburg have asked the administration to fund 50% of remaining programs.
- State may seek additional commitment from Cities to follow through and do our share to complete the program.



Questions?

// A special meeting of the Council of the City of Lynchburg was held on the 19th day of October, 2012, at 9:00 A.M. in the 2nd Floor Training Room, City Hall, Michael Gillette, President, presiding. The purpose of the meeting was to conduct a City Council Strategic Planning work session. The following Members were present:

Present: Cary, Foster, Johnson, Nelson, Perrow, Gillette

6

Absent: Helgeson

1

// City Manager Kimball Payne reviewed the agenda and expectations for the strategic planning session.

// City Manager Kimball Payne reviewed City Council's Vision Statement and after some discussion Council reaffirmed its Vision Statement by consensus.

// Council Member Helgeson arrived at 9:40 a.m.

// Bonnie Svrcek, Deputy City Manager, discussed the summary report that the Sustainable Lynchburg Working Group had prepared that lists the following for each of the eleven Sustainable Lynchburg elements that Council adopted in August, 2008:

1. major accomplishment during FY 2012,
2. major works in progress, and
3. critical issues and concerns for the future.

City Council suggested that the assessment metric be updated. Staff is to provide input, then to survey City Council and include discussion of the assessment metrics in a future work session.

// City Council took a short break at 11:00 a.m., reconvening at 11:10 a.m.

// Donna Witt, Financial Services Director, presented the Financial Indicators and Trends for a period of the last five years. The following items were discussed: real estate value; real estate defaults; personal property tax revenue; sales and meals tax; businesses by license classification; business by license tier; debt service (in millions); long-term debt (in millions); residential construction permit fees; commercial construction permit fees; employees per capita; water disconnects; monthly unemployment and median household income. During Council discussion a report was requested from City Assessor Greg Daniels on the relationship between assessed value change due to market conditions and growth due to development or redevelopment.

// Bonnie Svrcek, Deputy City Manager, provided a preliminary, high level overview of the FY 2014 Budget and Beyond highlighting areas of possible revenue reduction and anticipated expenditure increases. Council had a lengthy discussion regarding employee compensation and where it stood with respect to other priorities. Opinions varied on the matter and no consensus was reached. The City Manager announced that the Leadership Team was trying to identify \$2 million in ongoing savings, through restructuring, benefits reduction, service reduction, or outsourcing, and stated his hope that, if this initiative was successful, the funds would be used for compensation adjustments. The idea of a one-time bonus in lieu of a general raise was also mentioned.

After a brief discussion regarding citizen feelings regarding the budget, as demonstrated by past citizen surveys and budget outreach sessions, Council agreed to a staff proposal to reinstate periodic citizen surveys.

// City Council recessed at 12:10 p.m. for lunch and reconvened the meeting at 12:20 p.m.

// City Manager Kimball Payne gave an update on the unemployment/economic development initiative that had been raised by Council Member Cary. Mr. Payne suggested that an examination of the issue might address the following questions:

- What's the problem?
- Do we understand the data?
- What would "success" look like?

Mr. Payne went on to talk about some of the things that he had done so far such as have discussions with the City's Director of Economic Development and with the Region 2000 EDC Executive Director. Mr. Payne further stated that Lynchburg Economic Development Authority (LEDA) had engaged Garner Economics, LLC, to engage community stakeholders and produce a "Competitive Realities Report" which the LEDA will use to help formulate a Business Development Strategic Plan.

Council members were also given the opportunity to suggest other issues of interest to them for possible future discussion. Council Member Perrow mentioned re-addressing the matter of requiring deposits for water accounts held by renters. He also expressed a desire for the City to identify an area for and to facilitate the development of an upscale office park. Council Member Foster mentioned the downtown arts district and her hopes for its success. Council Member Nelson expressed concern about the possible impact of the proposed Constitutional amendment on eminent domain, if passed, on City sponsored events and construction projects.

// The meeting was adjourned at 1:25 P.M.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 23rd day of October, 2012, at 5:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Cary, Foster, Helgeson, Nelson, Gillette 5

Absent: Johnson, Perrow 2

// Mayor Gillette recognized the Lynchburg Rotary Club Open World Delegation of Russian Educators who visited area schools and colleges. Mr. Nate McClure, Lynchburg Rotary Club representative, stated it was the 11th year that the Rotary Club has hosted the Russian delegation.

// Mayor Gillette stated that the Tourism Program Third Quarter Report had been pulled. The report is attached and any questions regarding the report could be forwarded to the Tourism Program and a briefing of the report could be scheduled for a future Council meeting.

// Council Members Johnson and Perrow arrived at 5:17 p.m.

// City Attorney Walter Erwin provided City Council with a briefing on the ballot question regarding amending the Constitution of Virginia concerning eminent domain. City Council requested that the briefing be added to the City's website for the purpose of public education.

// During Roll Call Council Member Perrow mentioned that he received questions about the painting of the fire hydrants throughout the City and explained the new colors denoted the water pressure of the fire hydrants.

// Council Member Foster recognized the Greater Lynchburg Community Trust for their 40th anniversary of service and dedication in the Central Virginia area.

// Mayor Gillette recognized Belvac Company on their 50th year anniversary in the community.

// On motion of Council Member Nelson, seconded by Council Member Cary, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, i.e., Social Services Advisory Board, Board of Building Code Appeals, Dr. Martin Luther King, Jr./Lynchburg Community Council, Redevelopment and Housing Authority, Lynchburg Business Development Centre, Transit Company Board and the Lynchburg Parking Authority; pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

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

// Vice Mayor Johnson 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 Nelson, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Appointments, and on nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Dorothy S. Holmes, to serve another term on the Social Services Advisory Board for a term to expire September 30, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Harriet B. Jefferson, Stephen E. Klimas and Wistar M. Withers to serve on the Social Services Advisory Board for terms to expire September 30, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Jennipher B. Lucado and Walter G. Miles to serve another term on the Board of Building Code Appeals for terms to expire September 30, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed R. Schaefer Oglesby to serve on the Board of Building Code Appeals for a term to expire September 30, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Michael D. Moore to serve on the Dr. Martin Luther King, Jr./Lynchburg Community Council, due to a clerical error, for a new term to expire June 30, 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed William J. Sydnor, II, to serve another term on the Redevelopment & Housing Authority for a term to expire September 30, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Dorothy Garland to serve on the Redevelopment & Housing Authority Board for a term to expire September 30, 2016:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Mark H. Davis, Kaleb Matson and John M. Stone to serve a term on the Lynchburg Business Development Centre Board for terms to expire September 30, 2015:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote re-appointed Edward Koepenick to serve another term on the Lynchburg Parking Authority for a term to expire October 30, 2017:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Ivajean M. Jaeger, Thorne McCraw and Jackie Wilkes to serve on the Lynchburg Parking Authority for terms to expire October 30, 2017:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

On nomination of Vice Mayor Johnson, seconded by Council Member Foster, Council by the following recorded vote appointed Gabathuler Urs to serve on the Lynchburg Parking Authority to fill an unexpired term ending October 30, 2014:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// City Council recessed the meeting at 6:30 p.m.

// City Council reconvened the meeting at 7:30 p.m.

The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Absent: 0

Council Member Perrow gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the October 9, 2012 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Foster, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Public Works – General, Resolution #R-12-118 amending the FY 2013

City/Federal/State Aid Fund budget and the City Capital Projects Fund budget to transfer a \$376,796 Safe

Routes to School Grant from the City/Federal/State Aid Fund to the City Capital Projects Fund, laid over from the October 9, 2012 meeting, was again presented and read, and on motion of Council Member Foster, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Community Development – CDBG, a public hearing was held regarding City Council Report #7 regarding approving the FY 2012 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant (CDBG) and HOME Program.

Grant Manager Melva Walker provided a summary of the FY 2012 Consolidated Annual Performance and Evaluation Report. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Nelson, seconded by Vice Mayor Johnson, Council by the following recorded vote adopted Resolution #R-12-125, as presented, approving the FY 2012 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant (CDBG) and HOME Program:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Public Works – Monument Terrace, a public hearing was held regarding City Council Report #8 regarding the leasing of approximately 1,650 square feet of space located on the first floor of the Monument Terrace Building, located at 901 Church Street to CASA (Court Appointed Special Advocate). City Manager Kimball Payne gave a summary of the request. One individual spoke asking approval to lease space to CASA in the Monument Terrace building.

There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Foster, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-12-126, as presented approving the leasing of approximately 1,650 square feet of space located on the first floor of the Monument Terrace Building, located at 901 Church Street to CASA:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Library - General, City Council Report #9 was considered. Lynn Dodge, Director of Libraries and Museums, presented the proposed amendment to the City Code to Repeal the Lynchburg Library Annual Nonresident Fee. During Council discussion, several Council members voiced their concerns about the loss of revenue should the fee be repealed. City Manager Kimball Payne and Deputy City Manager Bonnie Svrcek stated that the repeal of the nonresident fee could be the first step in pursuing regionalism of Library Services with the surrounding counties. Council Member Perrow made a motion, seconded by Council Member Nelson to postpone this item indefinitely. Vice Mayor Johnson stated he would be supporting the repeal of the Nonresident Fee in the spirit of regionalization.

As suggested the motion was corrected with a second by Council Member Nelson, to table this item until November and to bring it back as part of a larger discussion on the regional library initiative. Council by the following recorded vote agreed to bring this item back to Council in November:

Ayes: Cary, Foster, Helgeson, Nelson, Perrow, Gillette

6

Noes: Johnson

1

// The meeting was adjourned at 8:18 P.M.

Clerk of Council

// An additional scheduled meeting of the Council of the City of Lynchburg was held on the 30th day of October, 2012 at 5:30 P.M., at the Paul Munro Elementary School, Michael Gillette, 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: Cary, Foster, Helgeson, Johnson, Perrow, Gillette

5

Absent: Helgeson, Nelson

2

// Mayor Michael Gillette and School Board Chair Charlie White welcomed everyone to the joint meeting.

// School Superintendent, Dr. Scott Brabrand, gave an overview of the Lynchburg City Schools Comprehensive Plan. Dr. Brabrand stated that the new Comprehensive Plan that was developed focused on Achievement, Behavior and Culture. The data showed positive trends in the following areas:

- AP enrollment continues to rise
- An increase in A's and B's, as well as a decrease in D's and F's;
- A decrease in students with 7 or more unexcused absences
- A decrease in students with at least one short term suspension; and
- An increase in the number of volunteer applications

// Lynchburg City Schools Chief Financial Officer, Anthony Beckles, reviewed the City Schools Draft FY 2013-2014 Budget calendar.

// Assistant Superintendent of Operations and Administration, Ben Copeland, provided Lynchburg City Schools 5 – 10 Year Capital Improvement Plan. Mr. Copeland discussed the following:

- Escalating Cost of Deferred Maintenance and Renovation
- Impact on Students Success related to Deferred Maintenance
- Estimated Useful Life of School Buildings
- Facility Condition Assessment
- Transportation Concerns

Mr. Copeland also gave a preliminary report on the estimated cost of renovating Sandusky Elementary School and renovating/constructing Heritage High School.

// Schools Superintendent, Dr. Scott Brabrand, gave an update on the City and Schools collaboration regarding Information Technology.

// Dr. Brabrand will also provide City Council with larger formatted powerpoint slides from Ben Copeland's presentation.

// The meeting was adjourned at 8:10 P.M.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 8

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit (CUP) – American Legion Post #16 – 1301 Greenview Drive**

RECOMMENDATION: Approval of the CUP petition.

SUMMARY: American Legion Post #16 is petitioning for a conditional use permit to allow a modified sign at 1301 Greenview Drive. The modified sign plan proposes the installation of a twenty-two (22) square foot sign which would include a seventeen and one-half (17.5) square foot digital reader board. The underlying R-1, Low Density, Single-Family Residential District permits signs up to eighteen square feet and allows illumination by shaded white lights only. The Planning Commission recommended approval of the petition because:

- The *Comprehensive Plan 2002-2020* recommends an Institutional use for the property.
- Although located in Campbell County, Tree of Life Pentecostal Holiness Church has a digital sign visible from Greenview Drive approximately one half mile from the site.
- Modified signs are permitted upon approval of a CUP by Council.

PRIOR ACTION(S):

October 10, 2012: Planning Division recommended approval of the CUP petition.

Planning Commission recommended approval (6-0, 1 absent, Hamilton) of the CUP petition.

FISCAL IMPACT: None

CONTACT(S): Tom Martin, City Planner – 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):

- Resolution
- Planning Commission Report – October 10, 2012
- Planning Commission Minutes – October 10, 2012
- Zoning Map
- Future Land Use Map
- Watershed Map
- Planimetric and Topographic Map
- Narrative
- Site Plan
- Sign Rendering
- Photo Simulation
- Property Photograph
- Speaker Sign-Up Sheet – October 10, 2012

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AMERICAN LEGION POST #16 TO ALLOW A MODIFIED SIGN AT 1301 GREENVIEW DRIVE IN AN R-1, LOW DENSITY, SINGLE-FAMILY RESIDENTIAL DISTRICT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of American Legion Post #16 for a conditional use permit to allow a twenty-two (22) square feet sign, of which seventeen and one-half (17.5) square feet is a digital reader board, is hereby approved subject to the following conditions:

1. The total sign area for the sign shall not exceed twenty-two (22) square feet.
2. The digital display shall not exceed eighteen (18) square feet.
3. The digital display shall not display running animation or displays of an intermittent light or lights.
4. The digital display shall not display an "off-premises" message.
5. The digital display shall change its message no more than once every six (6) seconds.
6. The digital display shall contain an "auto dimming" feature for night time operation.

Adopted:

Certified:

Clerk of Council

142L

The Department of Community Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: October 10, 2012
Re: **Conditional Use Permit (CUP) – American Legion Post #16 – Modified Sign - 1301 Greenview Drive**

I. PETITIONER

American Legion Post 16, 1301 Greenview Drive, Lynchburg, VA 24502

Representative: Mr. Trent Warner, P.E., Warner Engineering, 1511B Enterprise Drive, Lynchburg, VA 24502

II. LOCATION

The subject property is a tract of approximately one and four hundred forty-one thousandths (1.441) acres located at 1301 Greenview Drive.

Property Owner: American Legion Post #16 Trustees, 1301 Greenview Drive, Lynchburg, VA 24502

III. PURPOSE

The purpose of the petition is to allow a twenty-two (22) square foot modified sign which would include a seventeen and one-half (17.5) square foot digital reader board.

IV. SUMMARY

- The *Comprehensive Plan 2002-2020's Future Land Use Map (FLUM)* recommends an Institutional use for the subject property.
- Section 35.1-26.8, Signs in R-C, R-1, R-2, R-3, R-4 and R-5 Districts of the *Zoning Ordinance* permits signs up to eighteen (18) square feet. Signs may be illuminated by shaded white lights only.
- The proposed modified sign would contain a digital reader board and be four (4) square feet larger than permitted by the *Zoning Ordinance*.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2002-2020* recommends and Institutional use for the subject property. These uses include religious, educational and other nonprofit entities in the City. Examples include churches, cemeteries, private schools and universities, private nonprofit hospitals, service clubs and organizations and other nonprofit institutions. (*pg. 5.3*)

The surrounding land uses are primarily residential uses; however across Greenview Drive future development is slated for commercial as part of the Cornerstone Traditional Neighborhood Development. The *Campbell County Comprehensive Plan Land Use Map* displays a Medium-High Density Residential land use for the area of Campbell County that adjoins the subject property. This land use contains one to three (1-3) residential units per acre.

2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-1, Low Density, Single-Family Residential District was established in 1978. The American Legion

Post #16 has been granted conditional use permits by Council on February 13, 2001 and June 12, 2012.

3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances are needed for the development of the property as proposed.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On June 28, 1983, Council approved the CUP petition of Rainbow Church of God to allow the construction of a sanctuary at 1227 Greenview Drive.
 - On May 14, 1985, Council approved the CUP petition of CHA Construction Company to allow the construction of a recreation center and parking area at 8022 Timberlake Road.
 - On August 12, 1986, Council approved the CUP petition of Berean Baptist Church to allow the construction of a church and parking area at 1400 Greenview Drive.
 - On February 13, 2001, Council approved the CUP petition of American Legion Post #16 to allow the construction of a building addition at 1301 Greenview Drive.
 - On June 27, 2006, Council approved the CUP petition of JBO, LLC to allow the construction of a Traditional Neighborhood Development (Cornerstone) at 1207 & 1226 Greenview Drive.
 - On September 11, 2007, Council approved the CUP petition of Tree of Life Pentecostal Church to allow the expansion of parking facilities at 1101 Greenview Drive.
 - On February 12, 2008, Council approved the CUP request of JBO, LLC to amend the Cornerstone TND Master Plan at 100, 200, 300 Capstone Drive and 401 Cornerstone Street.
 - On April 13, 2010, Council approved the CUP petition of the Cornerstone Property Owners Association to allow the construction and operation of a community swimming pool at 1100 Greenview Drive.
 - On April 12, 2011, Council approved the CUP request of JBO, LLC to amend the Cornerstone Design Guidelines for Blocks, “A, B, C & D” at 100, 101, 200, 201, 209, 210, 215 and 216 Cornerstone Street, 302, 320, 420 Capstone Drive and 303 and 419 Rotunda Street.
 - On June 12, 2012, Council approved the CUP petition of American Legion Post #16 to allow the construction of a building addition at 1301 Greenview Drive.
5. **Site Description.** The subject property is a tract of one and four hundred forty-one thousandths (1.441) acres located at 1301 Greenview Drive. The American Legion Lodge was reportedly built circa 1976 and has been in operation at this site for many years. The one-story brick lodge is located approximately seventy (70) feet from Greenview Drive. An addition to the rear of the building was approved by Council on June 12, 2012. The majority of the property is relatively flat with a gentle slope to the south towards Campbell County. The City-County boundary line bisects the property traveling east-west approximately forty (40) feet from the rear of the building.

6. **Proposed Use of Property.** The purpose of this petition is to allow the construction of a modified sign consisting of one hundred thirty-two (132) square feet which is proposed to be constructed as part of a retaining wall for a new patio area fronting Enterprise Drive.
7. **Traffic, Parking and Public Transit.** The City's Transportation Engineer had no comments of concern regarding the modified sign plan.
8. **Stormwater Management.** N/A
9. **Emergency Services:** The City Fire Marshal and Police Department had no comments of concern regarding the modified sign plan.

The property is served by Greater Lynchburg Transit Company Liberty University Route 15.

10. **Impact.** The property is zoned R-1, Low Density Single-Family Residential District but has been used as the American Legion Post #16 meeting facility for many years. Council has granted conditional use permits allowing its expansion, most recently on June 12, 2012. Permitted uses within the R-1, Low Density, Single-Family Residential District are allowed one (1) sign per street frontage with up to eighteen (18) square feet in area. Only shaded white lights are allowed, thus necessitating a modified sign request to allow a digital display sign.

The petitioner is requesting to construct a modified sign which would include a total of twenty-two (22) square feet, seventeen and one-half (17.5) of which would be a digital display sign.

Digital sign technology is becoming more affordable and popular with institutions such as churches and schools. Since a majority of these institutions are located on property zoned residentially, the impacts of the sign on adjacent residential areas must be considered. The sign would front on Greenview Drive which is a major thoroughfare. A mixture of single-family attached homes (across Greenview Drive) and a single-family detached homed located adjacent and to the southeast of the subject property would potentially be the most impacted by the proposed digital sign. Strict adherence to the recommended conditions by the petitioner should prevent any negative impacts to surrounding property owners.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the conditional use permit on September 19, 2012. Comments related to the proposed use have or will be addressed prior to final site plan approval.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of the American Legion Post #16 to allow a modified sign at 1301 Greenview Drive subject to the following conditions:

1. The total sign area for the sign shall not exceed twenty-two (22) square feet.
2. The digital display shall not exceed eighteen (18) square feet.
3. The digital display shall not display running animation or displays of an intermittent light or lights.

4. **The digital display shall not display an “off-premise” message.**
5. **The digital display shall change its message no more than once every six (6) seconds.**
6. **The digital display shall contain an “auto dimming” feature for night time operation.**

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Ms. Bonnie M. Svrcek, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozarow, Lynchburg Police Department
Captain Thomas Mack, Acting Fire Marshal
Mr. Doug Saunders, Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Mr. Jacob Dorman, Environmental Reviewer
Mr. Robert Wood, American Legion
Mr. Trent Warner, Warner Engineering

VII. ATTACHMENTS

1. **Zoning Map**
2. **Future Land Use Map**
3. **Watershed Map**
4. **Planimetric and Topographic Map**
5. **Narrative**
6. **Site Plan**
7. **Sign Rendering**
8. **Photo Simulation**
9. **Property Photograph**

MINUTES OF THE OCTOBER 10, 2012 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

a. Petition of American Legion Post #16 for a conditional use permit at 1301 Greenview Drive to allow a modified sign which would include a “digital reader board” in an R-1, Low Density, Single-Family Residential District.

Mr. Martin explained that the *Comprehensive Plan* recommends an Institutional use for the property and the property is zoned R-1. This type of use is allowed up to eighteen (18) square feet of free standing signage. The signs in these areas are only permitted to be illuminated by shaded white lights. The request before them is to allow a twenty-two (22)-square foot sign, of which seventeen and a half (17.5) feet will be a digital reader board. Mr. Martin pointed out that the properties directly across from this property are part of the Cornerstone Traditional Neighborhood Development, the property to one side is a church and the property to the other side is a single-family residence. The Planning Division recommends approval of the conditional use permit petition. Mr. Martin mentioned that City Council has asked the Planning Commission to look at the signage process during the rewriting of the *Zoning Ordinance*.

Mr. Trent Warner with Warner Engineering came forward to represent the petitioner. The American Legion's previous sign was damaged in the recent derecho. The American Legion would like this digital reader board to draw in new members and to let the community know about upcoming events. Mr. Warner said he went to the neighbors that would be directly affected by the sign and they had no concerns. They each just wanted to know where the sign would be located and how it would look.

Vice-Chair Sale asked if there was anyone else who wished to speak in favor of the petition. No one came forward. He asked if there was anyone who wished to speak in opposition to the petition. No one came forward. He closed the public hearing portion of the petition.

Commissioner Barnes asked Mr. Martin what is meant by “intermittent lights” in condition number three. Mr. Martin said that would be something like fireworks, for example. The technology exists for these signs to do all types of animation, but our current ordinance calls for them to run static messages at no more than six (6)-second intervals. Mr. Warner said that Image Brite, the company that will be doing the sign, has indicated that is a feature they could do but they will make sure it is not available on this sign. The sign will also have an auto dimming feature on the sign for night.

Commissioner Swienton asked for clarification as to whether or not the structure around the sign is separate from the square footage of the allowed sign. Mr. Martin stated that the brick structure around the sign does not count toward the square footage but it cannot be more than twenty-five (25) percent per side of the entire sign.

Commissioner Swienton asked Mr. Warner if he is confident that the sight distance is sufficient for anyone existing and turning right. Mr. Warner said he will work with Image Brite on the placement of the sign but they will be well ahead of the turnout that is right before actually turning onto Greenview Drive. Mr. Warner mentioned that there was no problem with the previous sign and this one is going in the same vicinity. Commissioner Swienton noted that if the sign is in line with where the landscaping is on the property, then it should work fine. Mr. Warner said it will be.

Commissioner Hannon asked for clarification that the “side view” is actually facing the street, so that the message areas are actually facing at right angles to the building. Mr. Warner said that is correct.

Commissioner Sale commented that he noticed the Tree of Life has a very large sign and asked about its actual size. Mr. Martin and Mr. Warner both stated that sign is located in Campbell County.

Commissioner Coleman asked what would happen if the American Legion did not follow the conditions of this petition. For instance, what would happen if they did display messages with intermittent flashing lights or running animation? Mr. Martin stated that the Zoning Administrator would most likely go out and speak to the trustees of the American Legion. If they continued to do it, he would likely issue them a formal notice of violation. It could then go to court or City Council could revoke the conditional use permit.

Commissioner Hannon made the following motion, which was seconded by Commissioner Coleman:

“That the Planning Commission recommends to City Council approval of the petition of the American Legion Post #16 to allow a modified sign at 1301 Greenview Drive subject to the following conditions:

- 1. The total sign area for the sign shall not exceed twenty-two (22) square feet.**
- 2. The digital display shall not exceed eighteen (18) square feet.**
- 3. The digital display shall not display running animation or displays of an intermittent light or lights.**
- 4. The digital display shall not display an “off-premises” message.**
- 5. The digital display shall change its message no more than once every six (6) seconds.**
- 6. The digital display shall contain an “auto dimming” feature for night-time operation.”**

The motion passed by the following vote:

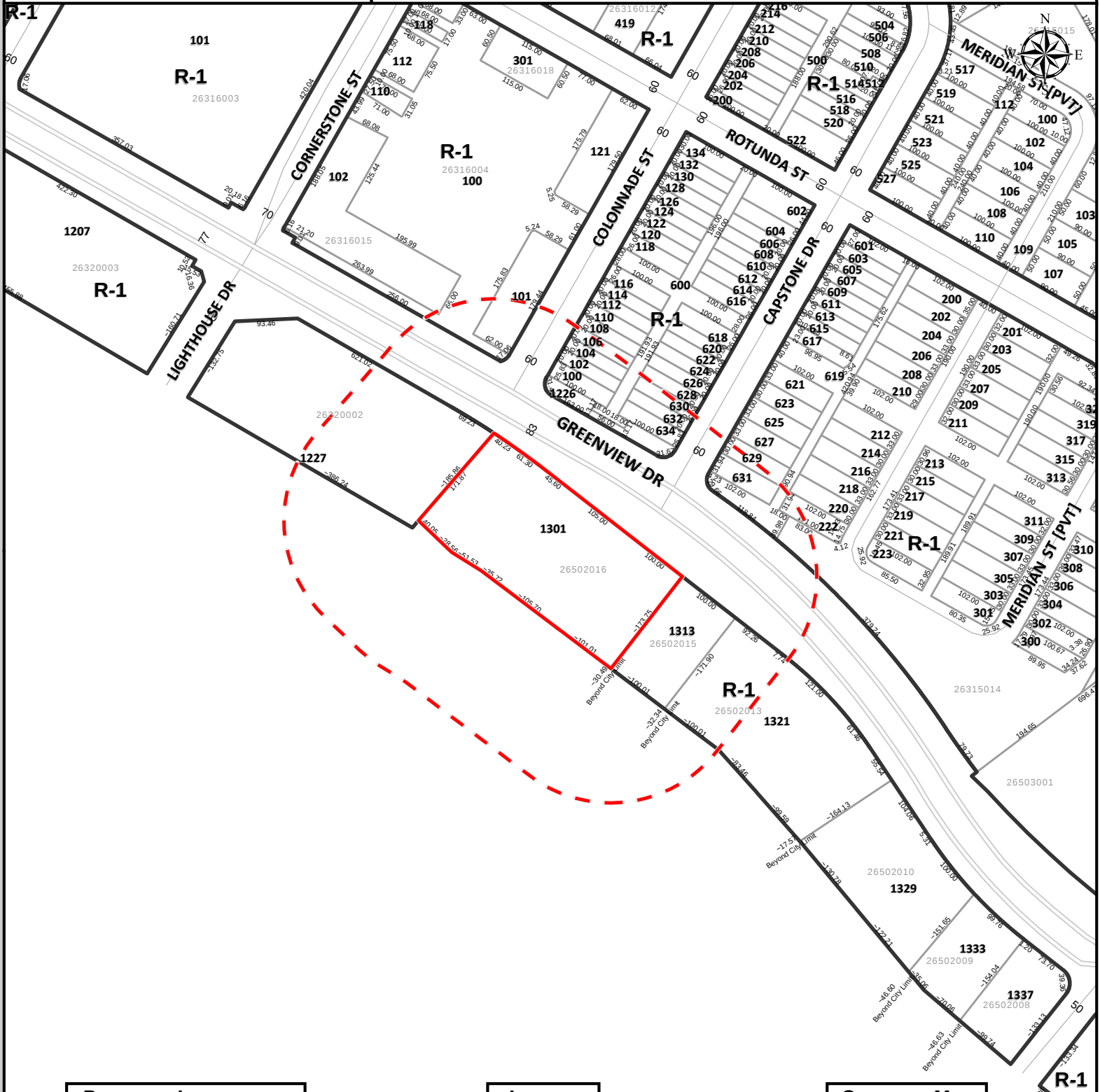
AYES:	Barnes, Coleman, Hannon, Hooper, Sale and Swienton	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Hamilton	1

Zoning Map

AMERICAN LEGION POST #16 DIGITAL SIGN

Conditional Use Permit

American Legion Post #16



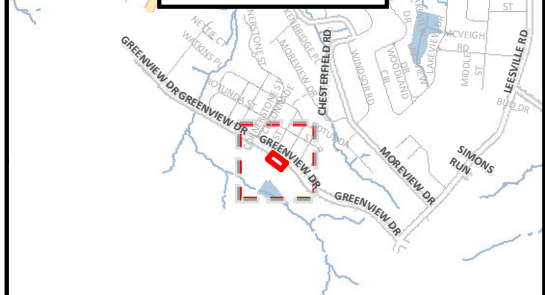
PROPERTY INFORMATION

PARCEL ID	ADDRESS
26502016	1301 GREENVIEW DR

LEGEND

- Subject Property
- 200' Buffer
- Zoning Boundary

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 09/26/2012

DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

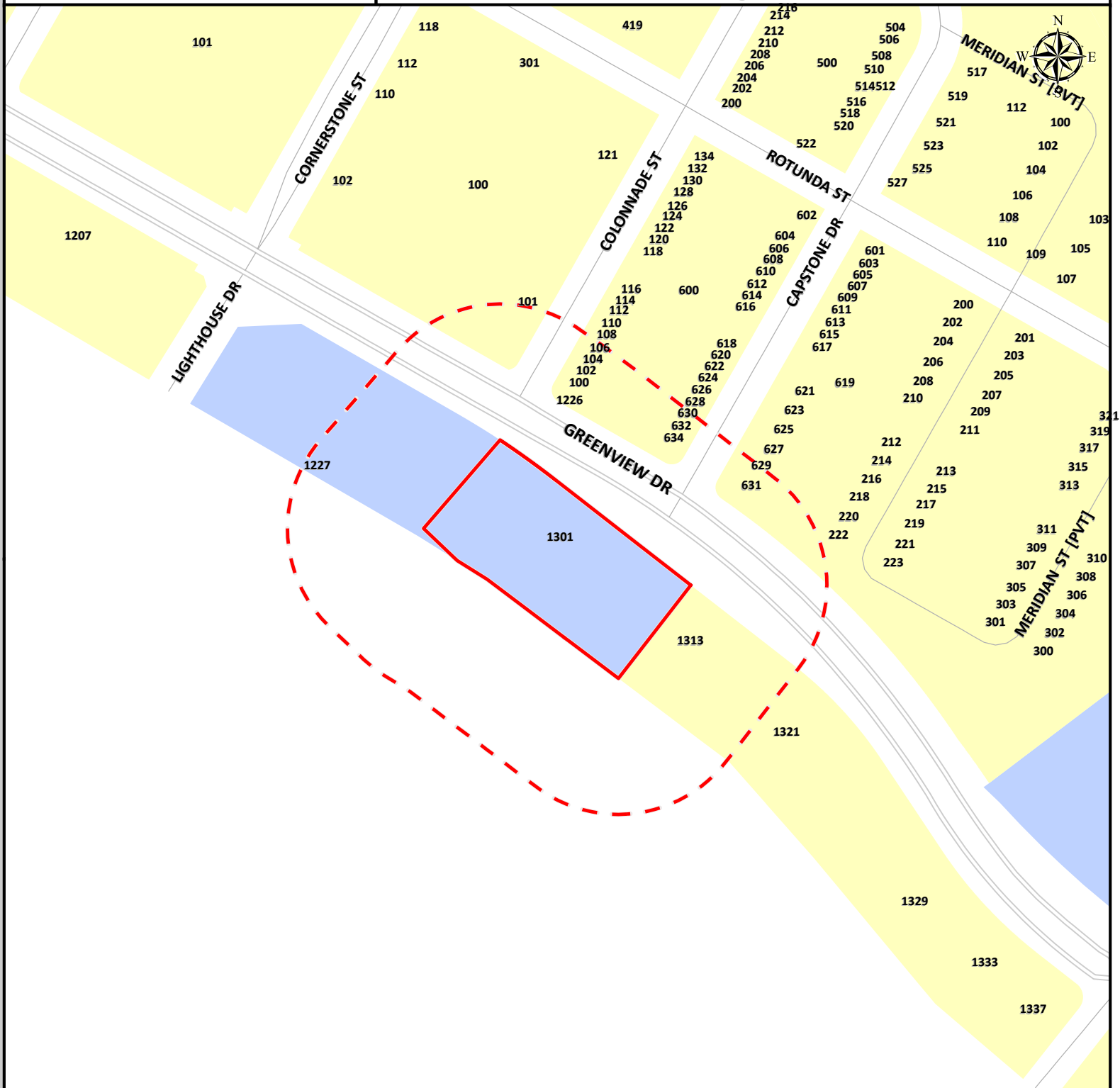
PIN	Local Address	Owner
26315322	100 COLONNADE STREET	AARON C & GREGORY E TURNER
26502016	1301 GREENVIEW DRIVE	AMERICAN LEGION POST #16 TRUSTEES
26502013	1321 GREENVIEW DRIVE	CLARENCE B & FRANCES B SAUNDERS
26315014	600 ROTUNDA STREET	CORNERSTONE PROPERTY OWNERS ASSOCIATION
26315409	619 CAPSTONE DRIVE	CORNERSTONE PROPERTY OWNERS ASSOCIATION
26315324	104 COLONNADE STREET	DRV CONSTRUCTION LLC
26320002	1227 GREENVIEW DRIVE	GREENVIEW CHURCH OF GOD
26315355	632 CAPSTONE DRIVE	JASON S MORRIS & W MINGXIN
26316020	101 COLONNADE STREET	JBO LLC
26316015	102 CORNERSTONE STREET	JBO LLC
26316004	100 CORNERSTONE STREET	JBO LLC
26502015	1313 GREENVIEW DRIVE	JOHN T & JOYCE W CHEATHAM
26315325	106 COLONNADE STREET	KEITH A & SUSAN B METZLER
26315356	634 CAPSTONE DRIVE	MOUNTAIN VISTA @ CORNERSTONE LLC
26315354	630 CAPSTONE DRIVE	MOUNTAIN VISTA @ CORNERSTONE LLC
26315353	628 CAPSTONE DRIVE	MOUNTAIN VISTA @ CORNERSTONE LLC
26315323	102 COLONNADE STREET	TIMOTHY R THOMAS II
26315013	600 CAPSTONE DRIVE	TYREE CONSTRUCTION INC
26315321	1226 GREENVIEW DRIVE	TYREE CONSTRUCTION INC
26315415	631 CAPSTONE DRIVE	VC DESIGN AND BUILD INC
26315456	222 MERIDIAN STREET	VC DESIGN AND BUILD INC
26315414	629 CAPSTONE DRIVE	VC RESIDENTIAL LLC

FLUM Map

AMERICAN LEGION POST #16 DIGITAL SIGN

Conditional Use Permit

American Legion Post #16



PROPERTY INFORMATION

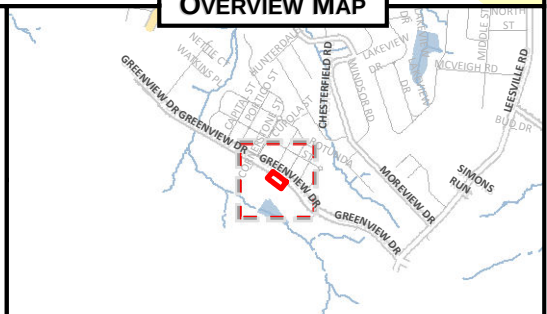
PARCEL ID **ADDRESS**
 26502016 1301 GREENVIEW DR

LEGEND

- | | |
|----------------------------|-----------------------|
| Local Historic District | Employment 1 |
| Traditional Residential | Employment 2 |
| Low Density Residential | Office |
| Medium Density Residential | Institution |
| High Density Residential | Downtown |
| Neighborhood Commercial | Public Use |
| Community Commercial | Public Parks |
| Regional Commercial | Resource Conservation |

MAP SCALE: 1" to 200' DATE PRINTED: 09/26/2012

OVERVIEW MAP



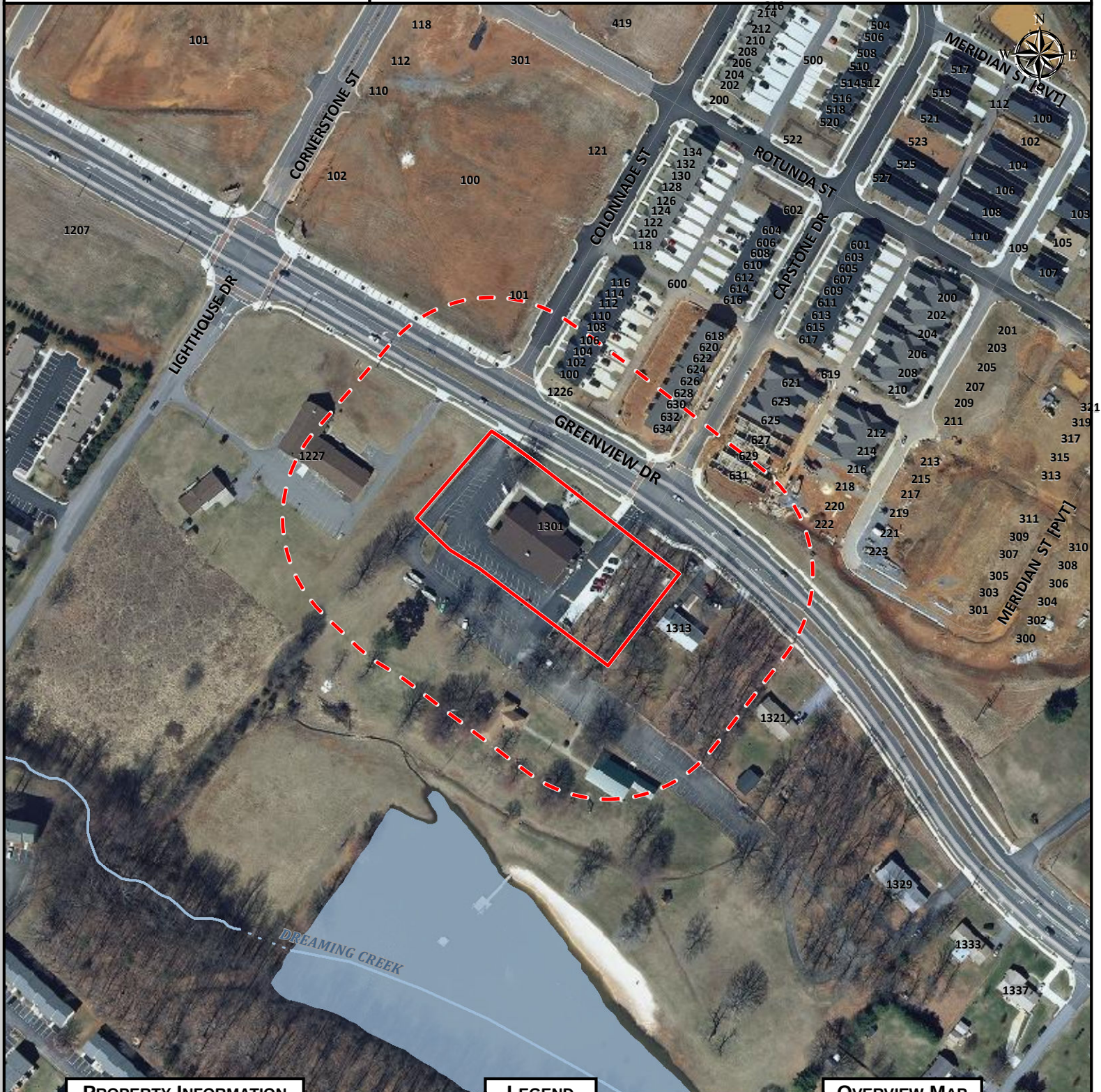
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Watershed Map

AMERICAN LEGION POST #16 DIGITAL SIGN

Conditional Use Permit

American Legion Post #16



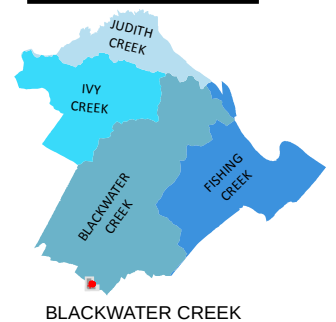
PROPERTY INFORMATION

PARCEL ID	ADDRESS
26502016	1301 GREENVIEW DR

LEGEND

- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

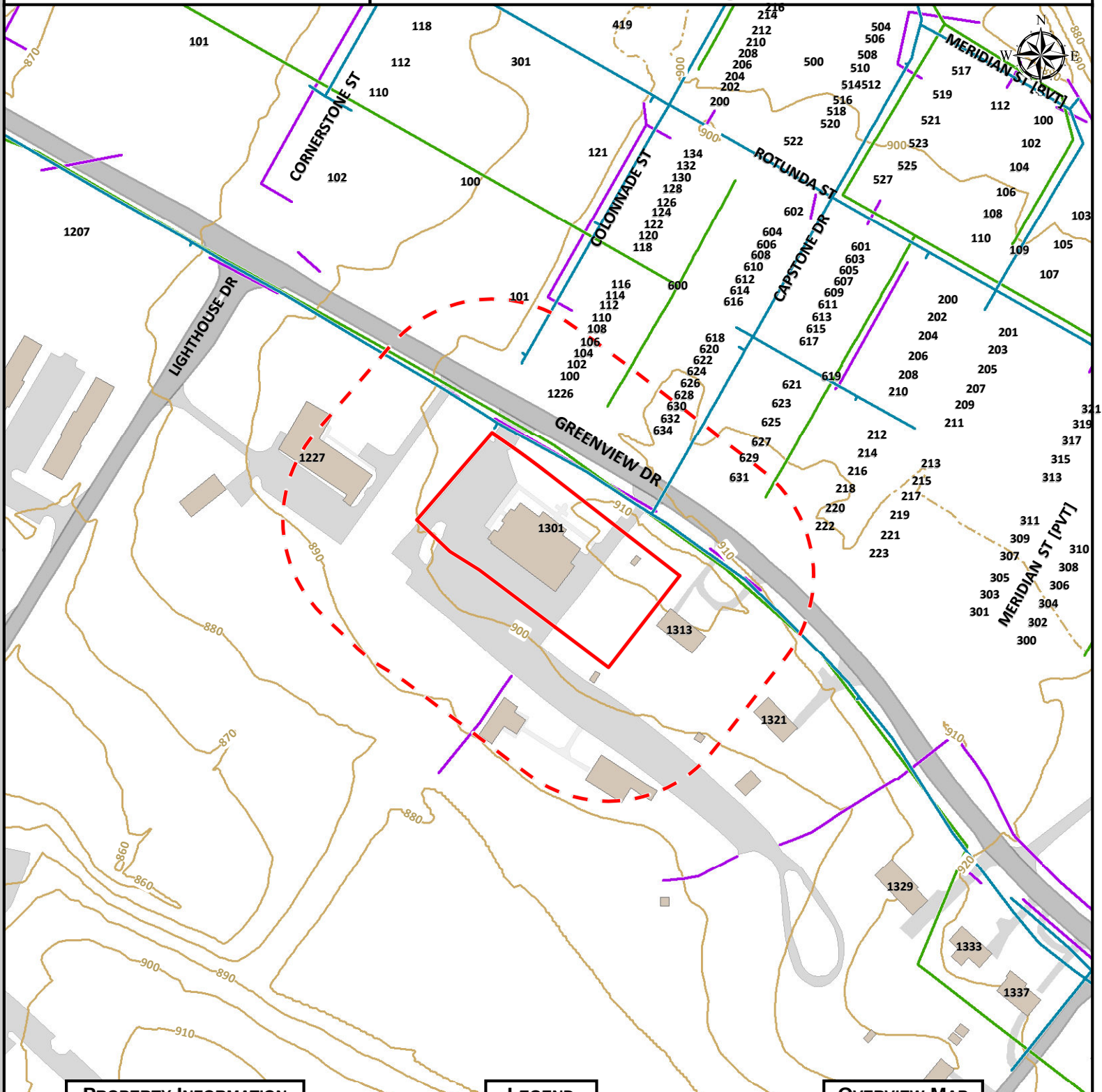
OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 09/26/2012

BLACKWATER CREEK

DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.



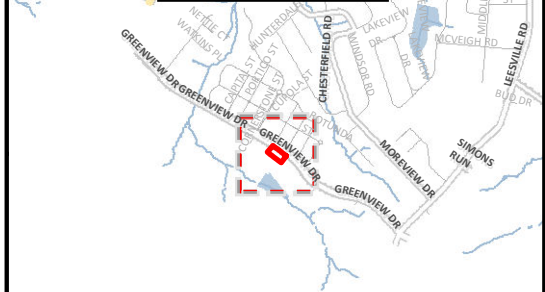
PROPERTY INFORMATION

PARCEL ID	ADDRESS
26502016	1301 GREENVIEW DR

LEGEND

	Active	Proposed	Abandoned
Utilities			
Water			
Sanitary			
Storm			
Planimetrics			
Structure			
Roadway			
Parking			
Sidewalk			
Driveway			
Topography			
Contour			

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 09/26/2012

WARNER
ENGINEERING
WE move the project forward

September 28, 2012

Tom Martin
City Planner
City of Lynchburg
Department of Community Development
900 Church Street
Lynchburg, Virginia 24501

RECEIVED
SEP 28 2012
COMMUNITY
DEVELOPMENT

RE: American Legion Digital Sign Narrative
City Project Number: CUP1209-0001
WE Project Number: 12035.00

Dear Tom,

On behalf of our client, the American Legion, and acting as their agent, we would like to offer the following narrative for the need for the sign being proposed for the subject conditional use permit. As you are aware, the American Legion is undergoing an expansion of their facilities in an effort to meet the needs of their current members and to attract new members.

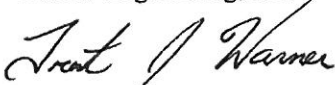
As a part of this effort to grow, they would like to add a digital sign that can inform the community of their programs that would entice new membership. In addition, the sign can have variable messages to inform the community of their upcoming community events.

The American Legion has worked with the City to ensure the sign meets the ordinance for size and display effects. The sign will have a nighttime feature that allows a reduction of light during evening hours.

We are pleased to entertain any questions the City or the neighbors may have during the public hearings and look forward to our continued joint efforts.

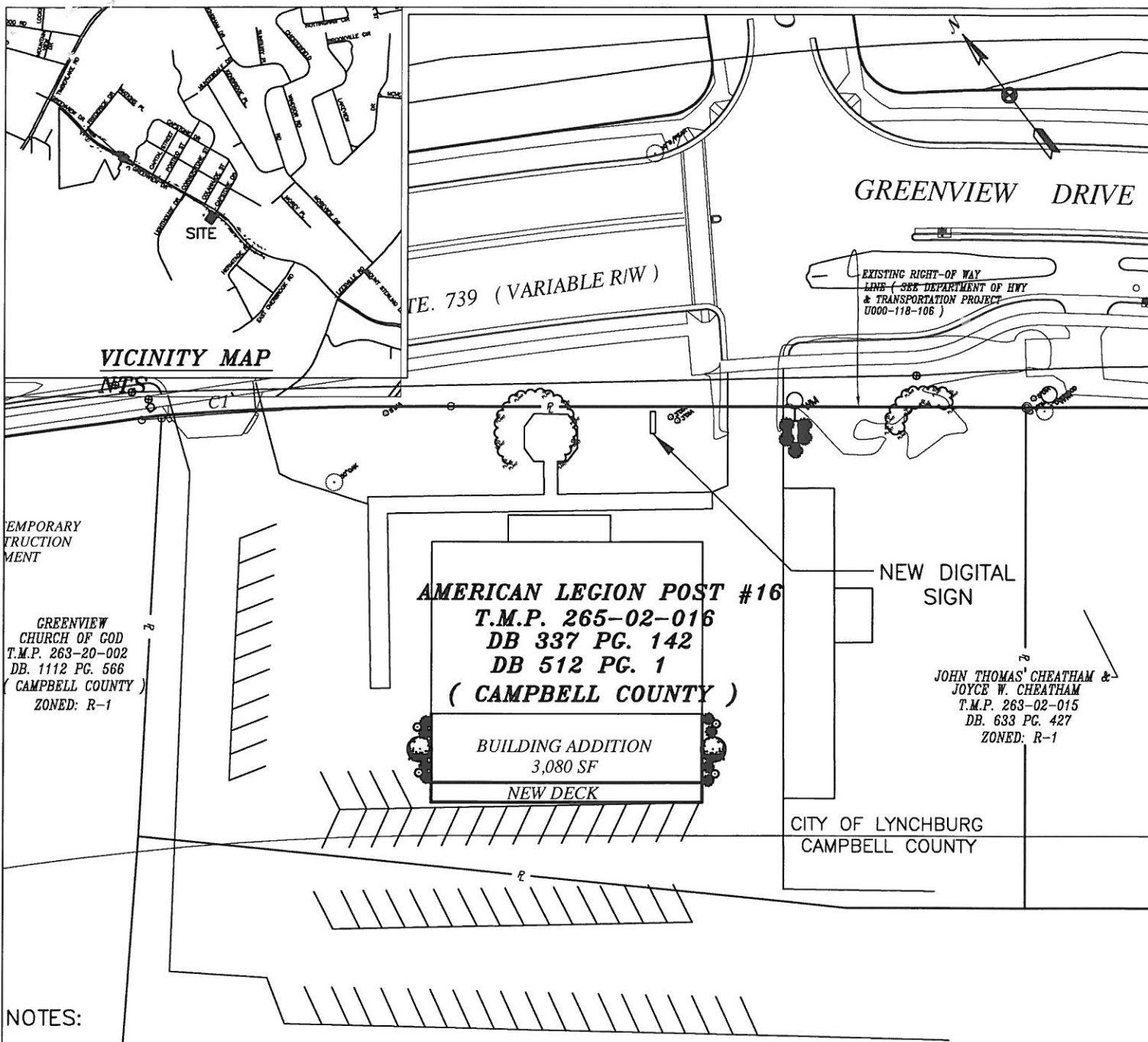
Sincerely,

Warner Engineering, Inc.



Trent J. Warner, PE
President

Cc: Bob Wood, American Legion



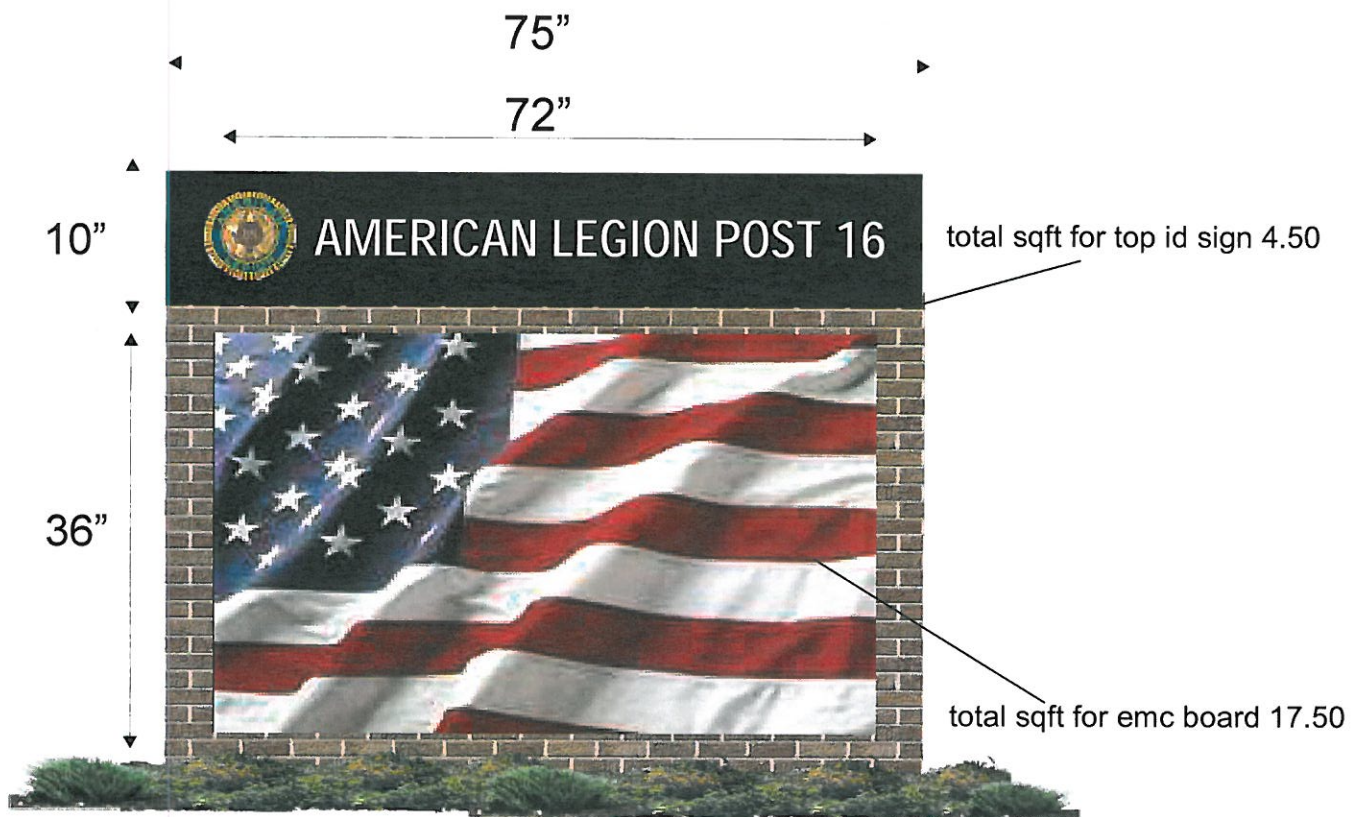
1. THIS PLAN IS TO SHOW THE NEW DIGITAL SIGN LOCATION THAT THE AMERICAN LEGION INTENDS TO BUILD.

RECEIVED
SEP 04 2012
COMMUNITY
DEVELOPMENT

WARNER ENGINEERING
WE move the project forward
1511B ENTERPRISE DRIVE
LYNCHBURG, VIRGINIA 24502
PHONE: 434-582-5007 FAX: 434-582-5008

PROJECT:
AMERICAN LEGION SIGN
AMERICAN LEGION POST 16
LYNCHBURG, VIRGINIA

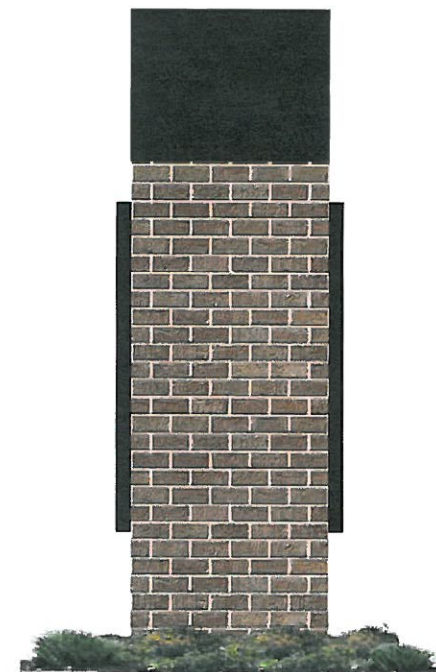
DATE:
9-4-12
SCALE:
1"=60'
SHEET No.
1 OF 1



FULL COLOR 19MM EMC BOARD

sign to have static display that changes in 6 second intervals

SIDE VIEW



RECEIVED

SEP 28 2012

COMMUNITY
DEVELOPMENT

 SIGNS • AWNINGS • ELECTRONIC DISPLAYS IMAGEBRITE INCORPORATED Office 540.587.8702 Cell 434.907.0557 Fax 540.587.8704 1075C Turnpike Road - P.O. Box 242 Bedford, Virginia 24523	Date		Client AMERICAN LEGION POST 16
	Scale		Address
			Customer Approval

THIS DESIGN/ENGINEERING PROPOSAL IS TO REMAIN IMAGE-BRITE INC. EXCLUSIVE PROPERTY UNTIL APPROVED AND ACCEPTED THRU PURCHASE BY CLIENT NAMED ON DRAWING



proposed new monument id sign with full color emc board

RECEIVED

SEP 28 2012

COMMUNITY
DEVELOPMENT

 SIGNS • AWNINGS • ELECTRONIC DISPLAYS IMAGEBRITE INCORPORATED Office 540.587.8702 Cell 434.907.0557 Fax 540.587.8704 1075C Turnpike Road - P.O. Box 242 Bedford, Virginia 24523	Date		Client AMERICAN LEGION POST 16
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October 10, 2012

PLEASE PRINT

[illegible]

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 9

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Public Street Renaming: “Bobbitt Place” to “Brenleigh Court”**

RECOMMENDATION: Approval of the street renaming.

SUMMARY: The request is to change the street name of the public street Bobbitt Place to Brenleigh Court. When Brenleigh Grove subdivision was established in 2009, the street leading into the subdivision was named Bobbitt Place. Within three hundred (300) feet, the name changes to Brenleigh Court; however, the point at which the street name changes is not a natural break in the street. Renaming this road will help avoid confusion for emergency responders as well as improve overall wayfinding within and around the neighborhood. No property addresses would be affected by the proposed renaming.

PRIOR ACTION(S):

September 26, 2012: The Technical Review Committee (TRC) reviewed the petition. If the application is approved, the TRC comments have been incorporated into the proposed resolution.

October 9, 2012: The Physical Development Committee (PDC) was unable to review the application because a quorum was not present.

FISCAL IMPACT: None

CONTACT(S): Kevin Henry, Planner II – 455-3900
Tom Martin, City Planner - 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):

- Resolution
- Street Renaming Maps

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION APPROVING THE RENAMING OF AN EXISTING PUBLIC STREET.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the name of an existing public street called Bobbitt Place be changed to "Brenleigh Court."

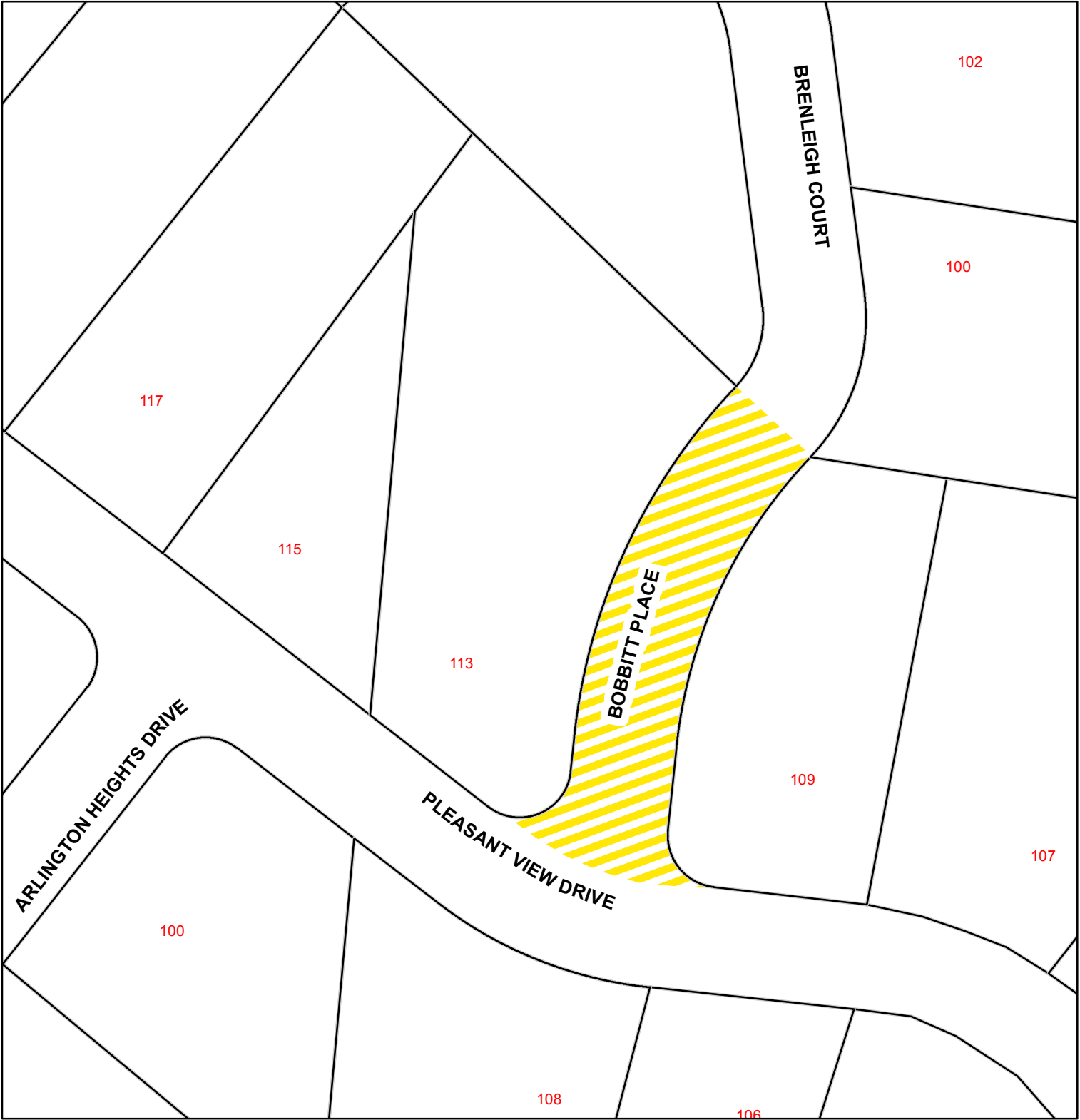
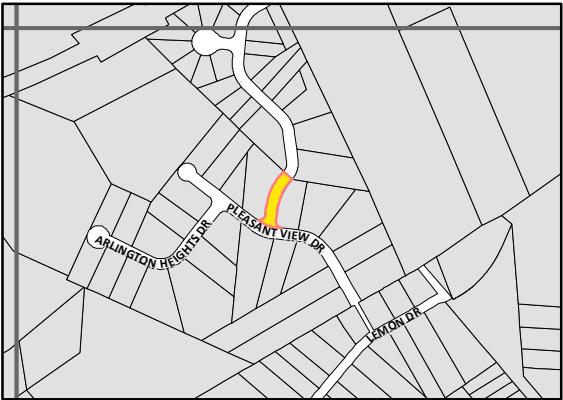
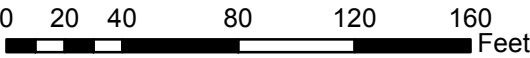
Adopted:

Certified: _____
Clerk of Council

143L

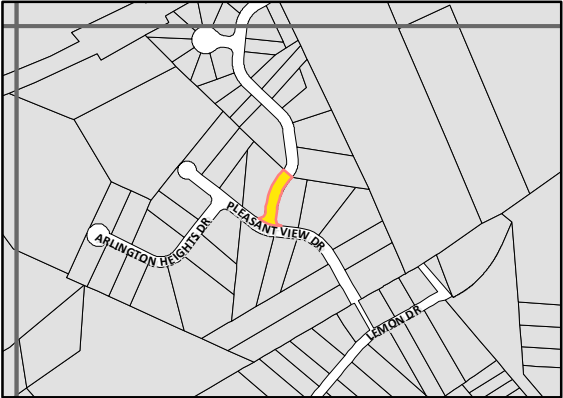
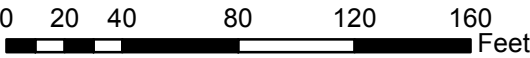
Bobbitt Place Renaming

-  Parcel
-  Bobbitt Place



Bobbitt Place Renaming

-  Parcel
-  Bobbitt Place



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 10

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **License Agreement for installation of private utility lines in City right-of-way by the Spring Hill Cemetery**

RECOMMENDATION: Approve the attached Resolution to grant Spring Hill Cemetery a License Agreement to place a private electrical line and water line in City-owned right-of-way.

SUMMARY: The Board of the Spring Hill Cemetery has made a request to install a privately owned electrical line and water line within the right-of-way of Rives Street. These lines will allow the Cemetery to consolidate their water service backflow assemblies into one device. The electrical line will provide power to the heated enclosure around the backflow device. The Board has determined this to be the most economical means to meet the City's Water Backflow requirements for one part of the Cemetery's irrigation system.

PRIOR ACTION(S): PDC – November 13, 2012

FISCAL IMPACT: None

CONTACT(S): Steve Lawson – Real Estate Manager – 455-3945
Lee Newland – City Engineer – 455-3947
David Owen – Public Works Director - 455-4469

ATTACHMENT(S): Resolution; Aerial Site Map

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED That the City Manager is hereby authorized to execute a license agreement with Spring Hill Cemetery allowing Spring Hill Cemetery to install a privately owned electrical line and water line within the right-of-way of Rives Street, near the intersection of James Street and Rives Street and running approximately 164 feet in a northern direction.

Adopted:

Certified:

Clerk of Council

145L

SPRING HILL CEMETERY (OLD SECTION)

(NEW SECTION)

APPROXIMATE LOCATION
OF PRIVATE WATERLINE
AND ELECTRICAL LINE BY
SPRING HILL CEMETERY

(TO REMAIN)

RPZ
VALVE

COL
2" H₂O METER
(TO REMAIN)

(TO BE REMOVED)

COL
3/4" H₂O METER

AFCO
POLE

RIVES ST

CITY
WATERLINE



Plan Notes:

1. Cemetery will install RPZ valves as required by City of Lynchburg.
2. Owner wishes to extend 2" water line and electric line across Rives St.
3. Owner will have new electric meter set at existing pole.
4. Owner will cut through asphalt or bore under to make specified connections; this operation will be done in accordance with City of Lynchburg standards.

Note: Owner desires to vacate Rives Street in coming years.

HDLA
Harvey Design Land Architects
OCT. 24, 2012 | NOT TO SCALE

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 11

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Vacating Right of Way between Lakeside Drive and Whitehall Road**

RECOMMENDATION: After a public hearing, approve the vacation of former excess Virginia Department of Transportation right of way for two parcels of property containing 0.398 acre and 1.318 acres located between Lakeside Drive and Whitehall Road

SUMMARY: The parcels in question were originally acquired by the Virginia Department of Transportation for the construction of a grade separated interchange. The Virginia Department of Transportation did not use the parcels and subsequently conveyed them to the City. In February of 2012 the City entered into a contract with S. J. Collins Enterprises, LLC, of Fairburn Georgia, a retail developer, to acquire the two parcels as well as a parcel containing 4.667 acres for the development of a specialty grocery store. S.J. Collins Enterprises, LLC, assigned its contract to acquire the three parcels to Lakeside Crossing Lynchburg, LLC, and by deed dated October 22, 2012, the City conveyed the three parcels to Lakeside Crossing Lynchburg, LLC;

An old plat has been discovered showing the existence of a 15-foot lane running along the southern boundary line of the 1.318 acres parcel that Lakeside Crossing Lynchburg, LLC, purchased from the City. Although there is no proof that this 15-foot lane is a public right of way or subject to a private easement, for the avoidance of all doubt and to prevent any complications with the future development of the property, the City has offered and Lakeside Crossing Lynchburg, LLC, has requested that City Council vacate any public interest that may have existed in the 0.398 acre and 1.318 acres parcels and any public interest in the 15-foot lane running along the southern boundary line of the 1.318 acres parcel.

PRIOR ACTION(S): On March 13, 2012, City Council adopted a resolution agreeing to sell three parcels of property containing 0.398 acre, 1.318 acres and 4.667 acres to S. J. Collins Enterprises, LLC, for the development of a specialty grocery store.

On April 10, 2012, City Council adopted a resolution vacating any public interest that may have existed in the parcel containing 4.667 acres.

FISCAL IMPACT: None

CONTACT(S): Walter Erwin, City Attorney's Office, 455-3973

ATTACHMENT(S): An ordinance vacating any public interest in the 0.398 acre and 1.318 acres parcels and the 15-foot lane running along the southern boundary line of the 1.318 acres parcel. Plats showing the area.

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO VACATE ANY PUBLIC INTEREST IN TWO PARCELS CONTAINING 0.398 ACRE AND 1.318 ACRES OF POSSIBLE EXCESS RIGHT OF WAY

WHEREAS, the City was the previous owner of a piece of property containing 6.378 acres (consisting of three individual parcels containing 0.398 acre, 1.318 acres and 4.667 acres for a total of 6.378 acres) of unused possible excess right of way that is located between Lakeside Drive and Whitehall Road, at 3901 Old Forest Road, Tax Parcel #2310200, in the City of Lynchburg, Virginia;

WHEREAS, the Virginia Department of Transportation originally acquired the property in question for the construction of a grade separated interchange and the property consists of the remnants of various parcels of property that were not used by the Virginia Department of Transportation and which the Virginia Department of Transportation subsequently conveyed to the City;

WHEREAS, by resolution duly adopted on March 13, 2012, City Council adopted a resolution finding that the City had no current use for the three parcels of excess right of way and had no plans to use such property in the future; that City's continued ownership of the three parcels of excess right of way was no longer necessary or required for the best interests of the City; and, the City Council found that no public inconvenience would result from vacating any public interest in the three parcels of excess right of way; and approving the conveyance of the three parcels containing a total of 6.378 acres to S.J. Collins Enterprises, LLC, for retail development;

WHEREAS, a certain Virginia Department of Transportation plat showed identified an old public right of way of undetermined width that connected Lakeside Drive to Whitehall Road on the 4.667 acre parcel and by ordinance adopted by City Council on April 10, 2012, the City Council vacated any public interest that may have existed in the 4.667 acre parcel and any public right of way that might have existed on such parcel;

WHEREAS, S.J. Collins Enterprises, LLC, assigned its contract interest to acquire the three parcels containing 6.378 acres to Lakeside Crossing Lynchburg, LLC, and by deed dated October 22, 2012, the City conveyed the three parcels containing a total of 6.378 acres to Lakeside Crossing Lynchburg, LLC;

WHEREAS, an old plat has been discovered showing the existence of a 15-foot lane running along the southern boundary line of the 1.318 acres parcel that Lakeside Crossing Lynchburg, LLC, purchased from the City. Although there is no proof that this 15-foot lane is a public right of way or subject to a private easement. For the avoidance of all doubt and to prevent any complications with the future development of the property, the City staff has offered and Lakeside Crossing Lynchburg, LLC, has accepted that City Council vacate any public interest that may have existed in the 0.398 acre and 1.318 acres parcels and any public interest in the 15-foot lane running along the southern boundary line of the 1.318 acres parcel.

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 Sections 35-71 through 36-77 of the City Code, 1981, as amended, that, to the extent that the following is a right of way, that it be, and the same hereby is, discontinued and vacated, namely:

0.398 Acre Parcel:

That certain lot or parcel of land, together with any buildings and improvements thereon and the privileges and appurtenances thereunto belonging, lying and being in that portion of the City of Lynchburg, Virginia, annexed from Campbell County, Virginia, effective January 1, 1976, shown and designated upon a plat titled "Plat of Survey of 3901 & 3903 Old Forest Road, City of Lynchburg, Va.", dated September 28, 1989, made by Willard T. Sigler, L.S., a copy of which plat is attached to and recorded with a deed from George F. Fralin, Jr., Special Commissioner, and others, to L. Barnes Brockman, Jr., dated October 19, 1989, of record in the Clerk's office of the Circuit Court for the City of Lynchburg, Virginia, in Deed Book 759, at page 201, and being described on said plat as Parcel 'A', containing 0.398 acre, more or less, and being more particularly described in accordance with said plat as follows, to-wit:

Beginning at a Virginia Department of Highways monument at the intersection of the easterly line of Old Forest Road with the southwesterly line of Whitehall Road and running thence with said line of Whitehall Road N 66° 2' 25" E. 22.06 feet to monument, thence N. 86° 51' 12" E. 21.33 feet to an iron and S. 67° 29' 25" E. 147.29 feet to an iron; thence S. 27° 2' 35" W. 100.71 feet to an iron; thence N. 67° 29' 25" W. 168.52 feet to an iron in the said easterly line of Old Forest Road; thence along a curve to the right having a radius of 818.83 feet a distance of 75.38 feet to the beginning.

1.318 Acres Parcel:

That certain lot or parcel of land, together with any buildings and improvements thereon and the privileges and appurtenances thereunto belonging, lying and being in that portion of the City of Lynchburg, Virginia, annexed from Campbell County, Virginia, effective January 1, 1976, shown and designated upon a plat titled "Plat of Survey of 3901 & 3903 Old Forest Road, City of Lynchburg, Va.", dated September 28, 1989, made by Willard T. Sigler, L.S., a copy of which plat is attached to and recorded with a deed from Nellie H. Middleton, widow, to L. Barnes Brockman, Jr., dated September 29, 1989, of record in the Clerk's office of the Circuit Court for the City of Lynchburg, Virginia, in Deed Book 758, at page 164, and being described on said plat as Parcel 'B', containing 1.318 acres, more or less, and being more particularly described in accordance with said plat as follows, to-wit:

Beginning at an iron in the easterly line of Old Forest Road, corner to the property of Fred Gene Davis, as shown on said plat, and running thence with said line of Old Forest Road in a northerly direction, on a curve to the right having a radius of 818.83 feet, a distance of 272.10 feet to an iron; thence S. 67° 29' 25" E 168.52 feet to an iron and continuing with said course 79.76 feet to an iron; thence with the line of property of the Commonwealth of Virginia (future Rt. 291), as shown on said plat, S. 21° 29' 5" W. 259.62 feet to an iron; thence N. 67° 41' 11" W. 177.69 feet to the beginning.

15-foot Lane:

Commencing at a Virginia Department of Transportation concrete monument found at the intersection of the easterly right of way of Old Forest Road and the southerly right of way of Whitehall Road, thence along a curve to the left having a central angle of 5 degrees 16 minutes 31 seconds, a length of 75.39 feet, a radius of 818.83, a chord of 75.36 feet and a chord bearing of south 14 degrees 13 minutes 15 seconds west to a 1/2 inch rebar found in the easterly right of way line of Old Forest Road; thence along said line along a curve to the left having a central angle of 17 degrees 52 minutes 37 seconds, a length of 255.48 feet, a radius of 818.83, a chord of 254.45 feet and a chord bearing of south 02 degrees 38 minutes 42 seconds west, to the true point of beginning, said point being on the easterly right of way line of Old Forest Road; thence leaving said line south 72 degrees 04 minutes 21 seconds east 184.41 feet to a point; thence south 17 degrees 12 minutes 40 seconds west 15.00 feet to a 1/2 inch rebar found; thence north 72 degrees 04 minutes 21 seconds west 177.67 feet to 5/8 inch rebar found in the easterly right of way line of Old Forest Road; thence along said line along a curve to the right having a central angle of 01 degrees 09 minutes 22 seconds, a length of 16.52 feet, a radius of 818.83 feet, a chord of 16.52 feet and a chord bearing of north 06 degrees 52 minutes 18 seconds west to the true point of beginning and containing approximately 0.062 acre.

Provided, however, that any previously existing easement of record 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.

BE IT FURTHER ORDAINED that the City of Lynchburg relinquishes any interest it may have acquired in the vacated right of way to Lakeside Crossing Lynchburg, LLC, 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

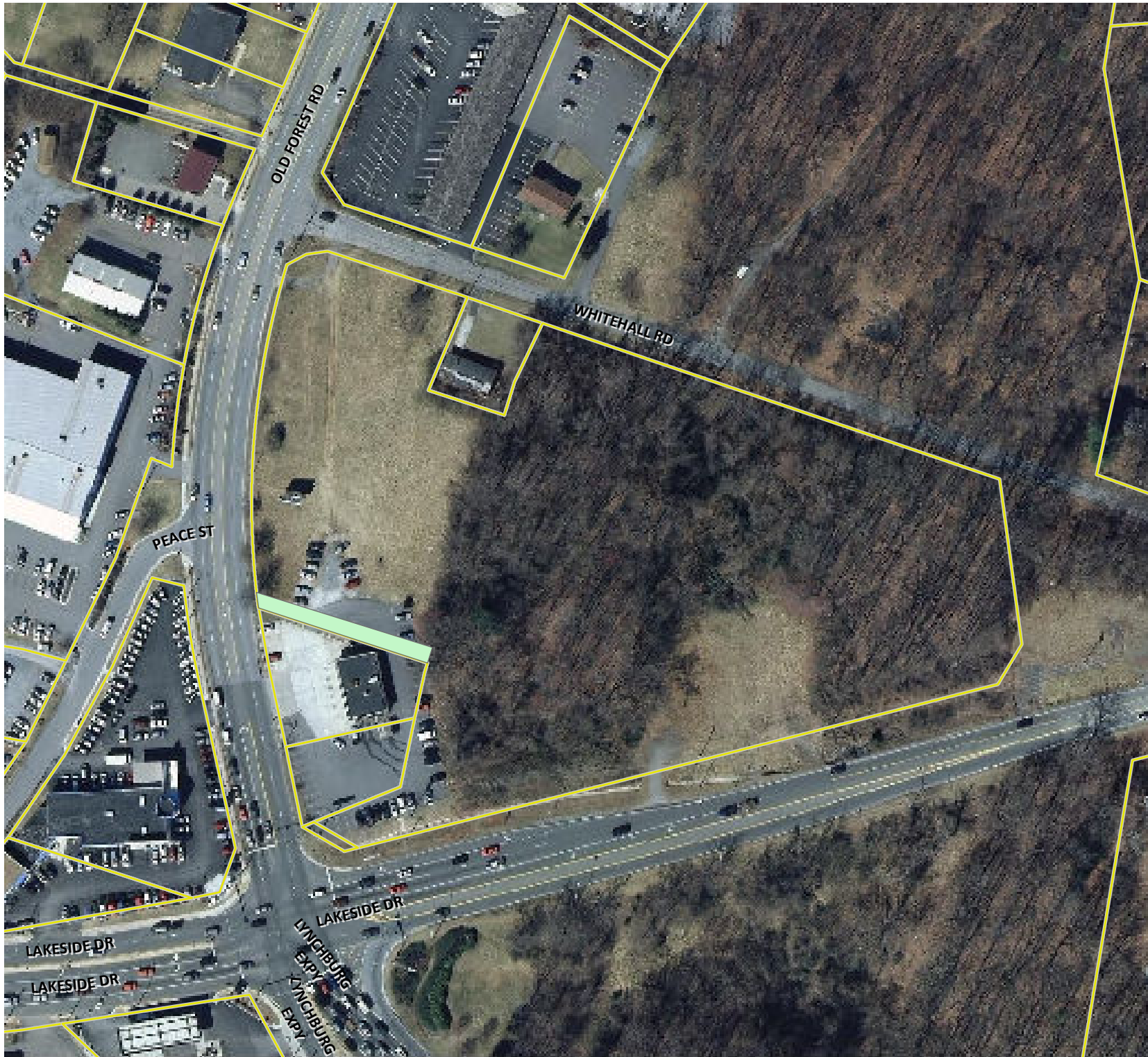
Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg, and the City Manager is hereby authorized to sign any documents that may be needed to complete the vacation of the right of way.

Adopted:

Certified:

Clerk of Council

147L



Legend

15' Lane



3901 Old Forest Road Excess Right of Way Vacation

1 in. = 50 ft.

SURVEYORS CERTIFICATION

TO FIRST AMERICAN TITLE INSURANCE COMPANY ITS SUCCESSORS AND/OR HEIRS, AND TO S.J. COLLINS ENTERPRISES, LLC. :

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 11(A), 13, 14 OF TABLE 'A' THEREOF. THE FIELD WORK WAS COMPLETED ON ??????????

DATE OF PLAT OR MAP : _____

MICHAEL W. CASSIDY, LS
VA LICENSE #2396

SOURCE OF TITLE

PARCELS 'A' AND 'B' WERE ACQUIRED BY CITY OF LYNCHBURG FROM COMMONWEALTH OF VIRGINIA PER INSTR. #090003373, DATED APRIL 3, 2009. COMMONWEALTH OF VIRGINIA ACQUIRED SAID PARCELS FROM DOCUMENTS LISTED BELOW:

L. BARNES BROCKMAN, JR BY DB 779 PG 148, DATED AUGUST 3, 1990 (SEE ALSO HWY PB 2 PG 320/321)

4.665 ACRE TRACT WAS ACQUIRED BY CITY OF LYNCHBURG FROM COMMONWEALTH OF VIRGINIA PER DB 1095 PG 111 DATED MAY 3, 1999. COMMONWEALTH OF VIRGINIA ACQUIRED AREA PER DOCUMENTS LISTED BELOW:

DB 460 PG 90 HWY PB 10 PG 198 (C.C.)

WILLIAM S. PATTERSON AND NANCY W. PATTERSON TO COMMONWEALTH OF VIRGINIA

DB 462 PG 836 HWY PB 10 PG 139 (C.C.)

NELLIE H. MIDDLETON TO COMMONWEALTH OF VIRGINIA

DB 455 PG 632 HWY PB 10 PG 162 (C.C.)

LEWIS A. JOHNSON & GRACE L. JOHNSON TO COMMONWEALTH OF VIRGINIA

DB 456 PG 399 HWY PB 1- PG 164 (C.C.)

APPLIED RADIAN ENERGY CORPORATION TO COMMONWEALTH OF VIRGINIA

DB 469 PG 169 HWY PB 11 PG 26 (C.C.)

GILES CREWS & MARJORIE CREWS TO COMMONWEALTH OF VIRGINIA

DB 463 PG 39 HWY PB 10 PG 240 (C.C.)

JOHN R HALL, JR & ETTA L. HALL TO COMMONWEALTH OF VIRGINIA

(C.C.) = CAMPBELL COUNTY CIRCUIT COURT CLERKS OFFICE

THE AREA SHOWN IS LOCATED IN FLOOD HAZARD ZONE 'X' AS INDICATED ON FLOOD INSURANCE RATE MAP BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), COMMUNITY PANEL NUMBER 5100930038D, DATED (REVISED) JUNE 3, 2008. ZONE 'X' IS DEFINED ON SAID MAP AS 'AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN'.

THIS SURVEY WAS COMPLETED AT THE REQUEST OF S. J. COLLINS ENTERPRISES OF FAIRBURN, GA AND BOHLER ENGINEERING OF WARRENTON, VA.

THERE ARE NO BUILDINGS ON SUBJECT PARCELS.

LEGAL DESCRIPTION FOR 4.655 ACRE PARCEL

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF OLD FOREST ROAD AND THE SOUTHERLY RIGHT OF WAY OF WHITE HALL ROAD, THENCE IN A SOUTHEASTERLY DIRECTION APPROXIMATELY 227 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A 1/2 INCH REBAR SET APPROXIMATELY 25 FEET SOUTH OF THE CENTERLINE OF WHITEHALL ROAD AND IN THE EXISTING RIGHT OF WAY LINE FOR THE PROPOSED ROUTE 291 RAMP 1; THENCE SOUTH 71 DEGREES 08 MINUTES 22 SECONDS EAST 483.21 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 07 DEGREES 44 MINUTES 41 SECONDS EAST 166.65 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 30 DEGREES 40 MINUTES 32 SECONDS WEST 46.62 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 75 DEGREES 40 MINUTES 32 SECONDS WEST 660.72 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 59 DEGREES 52 SECONDS 13 MINUTES WEST 51.22 FEET TO A MAG NAIL SET SET IN CONCRETE DITCH; NORTH 67 DEGREES 45 MINUTES 03 SECONDS EAST 93.40 FEET TO A MAG NAIL IN PAVEMENT; NORTH 11 DEGREES 56 MINUTES 57 SECONDS EAST 117.47 FEET TO A VIRGINIA DEPARTMENT OF HIGHWAYS CONCRETE MONUMENT FOUND, SAID MONUMENT HAVING A BROKEN TOP, NORTH 17 DEGREES 12 MINUTES 40 SECONDS EAST 303.90 FEET TO A VIRGINIA DEPARTMENT OF HIGHWAYS CONCRETE MONUMENT FOUND, THENCE NORTH 25 DEGREES 23 MINUTES 55 SECONDS EAST 64.89 FEET TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 4.655 ACRES.

LEGAL DESCRIPTION PARCEL 'A'

BEGINNING AT A VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION CONCRETE MONUMENT FOUND, SAID MONUMENT BEING AT ON THE EASTERLY RIGHT OF WAY LINE OF OLD FOREST ROAD AND THE SOUTHERLY RIGHT OF WAY LINE OF WHITEHALL ROAD, THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF WHITEHALL ROAD THE FOLLOWING COURSES, NORTH 61 DEGREES 45 MINUTES 36 SECONDS EAST 221.6 FEET TO A VIRGINIA DEPARTMENT OF TRANSPORTATION CONCRETE MONUMENT FOUND, THENCE NORTH 02 DEGREES 34 MINUTES 23 SECONDS EAST 21.33 FEET TO A 5/8 INCH REBAR FOUND; THENCE SOUTH 71 DEGREES 46 MINUTES 12 SECONDS WEST 177.67 FEET TO A 5/8 INCH REBAR SET; THENCE LEAVING SOUTHERLY RIGHT OF WAY LINE OF WHITEHALL ROAD NORTH 71 DEGREES 52 MINUTES 35 SECONDS WEST 168.68 FEET TO A 1/2 INCH REBAR SET IN THE EASTERLY RIGHT OF WAY LINE OF OLD FOREST ROAD; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF OLD FOREST ROAD ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 5 DEGREES 16 MINUTES 31 SECONDS, A LENGTH OF 75.39 FEET, A RADIUS OF 818.83, A CHORD OF 75.36 FEET AND A CHORD BEARING OF NORTH 14 DEGREES 13 MINUTES 15 SECONDS EAST TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 0.398 ACRES.

LEGAL DESCRIPTION PARCEL 'B'

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF OLD FOREST ROAD AND THE SOUTHERLY RIGHT OF WAY OF WHITE HALL ROAD, THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF OLD FOREST ROAD APPROXIMATELY 75.4 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A 1/2 INCH REBAR SET IN THE EASTERLY RIGHT OF WAY LINE OF OLD FOREST ROAD; THENCE LEAVING SAID LINE SOUTH 71 DEGREES 52 MINUTES 35 SECONDS EAST 248.42' TO A 1/2 INCH REBAR FOUND AS A 5/8 INCH PIPE, PASSING A 1/2 INCH REBAR FOUND AT 248.42' TO A 1/2 INCH REBAR SET; THENCE SOUTH 17 DEGREES 12 MINUTES 40 SECONDS WEST 259.62 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 72 DEGREES 04 MINUTES 21 SECONDS WEST 177.67 FEET TO A 5/8 INCH REBAR FOUND ON THE EASTERLY RIGHT OF WAY LINE OF OLD FOREST ROAD; THENCE ALONG SAID LINE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 19 DEGREES 01 MINUTES 59 SECONDS, A LENGTH OF 272.01 FEET, A RADIUS OF 818.13, A CHORD OF 270.76 AND A CHORD BEARING OF NORTH 02 DEGREES 04 MINUTES 00 SECONDS EAST TO THE TRUE POINT OF BEGINNING CONTAINING APPROXIMATELY 1.318 ACRES.

PRELIMINARY - FOR REVIEW ONLY
SEPTEMBER 27, 2012

SURVEY RELATED ITEMS LISTED UNDER 'SCHEDULE B - SECTION II' IN TITLE COMMITMENT BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT #12030259C DATED APRIL 13, 2012

SOURCE	DESCRIPTION	NOTES
DB 400 PG 182 (C.C.)	WATER AND SEWER UTILITY EASEMENT FOR CAMPBELL COUNTY UTILITIES AND SERVICE AUTHORITY ACROSS PROPERTY OF LEWIS A. JOHNSON AND GRACE LEWIS JOHNSON	LOCATION OF THIS EASEMENT IS BELIEVED TO BE IN WHAT IS NOW CITY OF LYNCHBURG R/W

CITY OF LYNCHBURG
INSTR. #090003373
AND/OR DB 1095 PG 111

PART OF TM #23102001
CITY OF LYNCHBURG
DB 1095 PG 111
4.655 ACRES (SURVEY)
SEE INSTR. #120003164 FOR CITY ORDINANCE TO VACATE EXCESS R/W. SAID INSTRUMENT SHOWS PROPERTY AS 4.667 3901 OLD FOREST ROAD

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	272.01'	818.83'	19°01'59"	270.76'	N02°04'00"E
C2	75.39'	818.83'	5°16'31"	75.36'	N14°13'15"E

LINE	BEARING	DISTANCE
L1	N59°52'13"W	51.22'
L2	N67°45'03"E	93.40'
L3	N11°56'57"E	117.47'
L4	N25°24'55"E	64.89'
L5	S30°40'32"W	46.62'
L6	N72°04'21"W	177.67'
L7	N61°45'36"E	22.16'
L8	N82°34'23"E	21.33'
L9	S71°46'14"E	147.29'
L10	S22°39'36"W	100.71'
L11	S71°52'35"E	79.74'

LEGEND

- VDH/VDHT MON FND CONCRETE HIGHWAY MONUMENT FOUND
- IPS 1/2" REBAR SET
- NS NAIL SET
- EDGE OF PAVEMENT
- OVERHEAD UTILITY LINE(S)
- GUY ANCHOR
- CMP CORRUGATED METAL PIPE
 CONC CONCRETE | MH MANHOLE | DI DROP INLET | U UTILITY POLE | WV WATER VALVE | HYD FIRE HYD |

VIRGINIA STATE PLANE GRID NAD83(86)
CURRENT CITY OF LYNCHBURG
CONTROL NETWORK

ALTA / ACSM LAND TITLE SURVEY

PROPERTY OF CITY OF LYNCHBURG AT INTERSECTION
LAKESIDE DRIVE, OLD FOREST ROAD, WHITEHALL ROAD & ROUTE 501

CITY OF LYNCHBURG, VIRGINIA



PROJECT NO. 2012-367

DRAWING NO. 2012-367-3

DATE ??????????

SCALE 1" = 50'



3831 OLD FOREST ROAD - SUITE 6
LYNCHBURG, VA 24501
434-426-9510
WWW.PIEDMONTSURVEYORS.COM

SHEET 1 OF 1

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 12

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Resolution to Join the Virginia Association of Counties Group Self Insurance Risk Pool**

RECOMMENDATION: Adopt a resolution authorizing the City to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide excess insurance coverage for the City's Workers' Compensation Program.

SUMMARY: The City's Workers' Compensation program is largely self-insured. Each year City Council appropriates the necessary funds to provide Workers' Compensation benefits to City employees who are injured during the course of their employment. However, the City supplements its self-insurance program with excess Workers' Compensation coverage in order to protect the City from catastrophic Workers' Compensation claims. The City's excess Workers' Compensation insurance covers Workers Compensation claims that exceed \$400,000. This year the insurance company that had been providing excess coverage for the City's Workers' Compensation program wanted to increase the limit for the coverage above \$400,000 and increase the City's insurance premium. By switching the City's coverage to the Virginia Association of Counties Group Self Insurance Risk Pool the City can keep the \$400,000 limit and save approximately \$25,000 to \$30,000 in premiums. In order for the City to join the Virginia Association of Counties Group Self Insurance Risk Pool it is necessary for City Council to adopt a resolution authorizing the City's membership.

PRIOR ACTION(S): None

FISCAL IMPACT: By joining the Virginia Association of Counties Group Self Insurance Risk Pool the City will save approximately \$25,000 to \$30,000 each year in insurance premiums.

CONTACT(S): Walter C. Erwin 455-3973

ATTACHMENT(S): A resolution to authorizing the City to join the Virginia Association of Counties Group Self Insurance Risk Pool.

REVIEWED BY: lkp

RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL

WHEREAS, the City of Lynchburg desires to protect against workers' compensation claims for which the City may be liable; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk Pool, has been established pursuant to Chapter 27 (Section 15.2-2700 et seq.) and Title 15.2 of the Code of Virginia, in order to provide a method of risk sharing for liability and workers' compensation claims and property losses; and

WHEREAS, it is desirable for the City of Lynchburg to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for the City's workers' compensation claims;

NOW, THEREFORE, BE IT RESOLVED that the Lynchburg City Council hereby agrees to the Member Agreement entitled "Member Agreement for Virginia Association of Counties Group Self Insurance Risk Pool" which creates a group fund to pay for liability and workers' compensation claims and property losses of the counties and other local agencies joining the Group, and hereby acknowledges that the City has received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that the Lynchburg City Council does hereby authorize the City Manager to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of the City in any other matter relative to the Group.

Adopted:

Certified:

Clerk of Council

141L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 13

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Approval of the July 1, 2009 Law Enforcement Mutual Aid Agreement**

RECOMMENDATION: Adopt the attached resolution approving the City's participation in the July 1, 2009 law enforcement Mutual Aid Agreement.

SUMMARY: For a number of years the cities, counties and towns in Central Virginia have participated in law enforcement mutual aid agreements. These mutual aid agreements (a) help promote regional corporation among law enforcement agencies (b) help participating jurisdictions provide necessary law enforcement services during emergencies and (c) help enhance the overall quality of law enforcement services in Central Virginia. From time to time the mutual aid agreements need to be amended to reflect amendments to the Virginia Code and to allow additional localities in Central Virginia to participate in the agreements.

By resolution adopted on September 12, 2006, City Council authorized the City of Lynchburg to enter into a written mutual aid agreement dated February 1, 2007, with the Amherst County Sheriff's Department, the Appomattox County Sheriff's Department, the Bedford County Sheriff's Department, the Campbell County Sheriff's Department, the Lynchburg Sheriff's Department, the Town of Altavista, the Town of Amherst, the Town of Brookneal, and the City of Bedford. The resolution also approved the City's participation in future mutual aid agreements with the cities, counties and towns in Central Virginia and provided that at such times as the mutual aid agreements needed to be updated and amended, the City Manager was authorized to sign such future mutual aid agreements on behalf of the City.

By a mutual aid agreement dated July 1, 2009, the September 12, 2006 Mutual Aid Agreement was amended to add the Nelson County Sheriff's Department and the Pittsylvania County Sheriff's Department as additional parties. As authorized by the resolution adopted by City Council on September 12, 2006, the City Manager signed the July 1, 2009 Mutual Aid Agreement on behalf of the City of Lynchburg.

Recently a member of the Lynchburg Police Department arrested an individual in Bedford County for the offenses of driving under the influence and resisting arrest. During the prosecution of such individual his attorney questioned whether or not Lynchburg's participation in the July 1, 2009 Mutual Aid Agreement was valid because the Lynchburg City Council had not specifically authorized the City Manager to sign the July 1, 2009 mutual aid agreement. It is recommended that City Council adopt the attached resolution to put to rest any issues surrounding the City of Lynchburg's participation in the July 1, 2009 Mutual Aid Agreement.

PRIOR ACTION(S): On September 12, 2006, City Council approved Lynchburg's participation in the February 1, 2007 and future law enforcement mutual aid agreements.

FISCAL IMPACT: None

CONTACT(S): Walter C. Erwin, City Attorney's Office 455-3973

ATTACHMENT(S): A resolution approving the City's participation in the July 1, 2009 Mutual Aid Agreement.

REVIEWED BY: lkp

RESOLUTION

WHEREAS, for a number of years the cities, counties and towns in Central Virginia and their law enforcement agencies have participated in mutual aid agreements; and,

WHEREAS, these mutual aid agreements have (a) helped promote regional cooperation among law enforcement agencies (b) helped participating jurisdictions provide necessary law enforcement services during emergencies and (c) helped enhance the overall quality of law enforcement services in Central Virginia; and,

WHEREAS, these mutual aid agreements need to be amended from time to time to reflect amendments to the Virginia Code and to allow additional localities in Central Virginia to participate in the mutual aid agreements; and,

WHEREAS, by resolution adopted on September 12, 2006, City Council authorized the City of Lynchburg to enter into a written mutual aid agreement dated February 1, 2007, with the Amherst County Sheriff's Department, the Appomattox County Sheriff's Department, the Bedford County Sheriff's Department, the Campbell County Sheriff's Department, the Lynchburg Sheriff's Department, the Town of Altavista, the Town of Amherst, the Town of Brookneal, and the City of Bedford and also approved the City's participation in future law enforcement mutual aid agreements with the cities, counties and towns in Central Virginia and their law enforcement agencies and provided at such times as the mutual aid agreements needed to be updated and amended, the City Manager was authorized to sign such future mutual aid agreements on behalf of the City; and,

WHEREAS, by mutual aid agreement dated July 1, 2009 the September 12, 2006 mutual aid agreement was amended to add as additional parties the Nelson County Sheriff's Department and the Pittsylvania County Sheriff's Department, and as authorized by the resolution adopted by City Council on September 12, 2006, the City Manager signed the July 1, 2009, mutual aid agreement on behalf of the City of Lynchburg; and,

WHEREAS, a member of the Lynchburg Police Department recently arrested an individual in Bedford County for the offenses of driving under the influence and resisting arrest and during the prosecution of such individual his attorney questioned whether or not Lynchburg's participation in the July 1, 2009 mutual aid agreement was valid because the Lynchburg City Council had not specifically authorized the City Manager to sign the July 1, 2009 mutual aid agreement on behalf of the City; and,

WHEREAS, it is City Council's intent to put to rest any issues surrounding the City of Lynchburg's participation in the July 1, 2009 mutual aid agreement;

NOW, THEREFORE, BE IT RESOLVED that the Lynchburg City Council hereby authorizes the City to enter into a written mutual aid agreement with the Amherst County Sheriff's Department, the Appomattox County Sheriff's Department, the Bedford County Sheriff s Department, the Campbell County Sheriffs Department, the Lynchburg Sheriff's Department, the Nelson County Sheriff's Department, the Pittsylvania County Sheriff's Department, the Town of Altavista, the Town of Amherst, the Town of Brookneal, the City of Bedford and the City of Lynchburg and hereby authorizes the City Manager to execute the July 1, 2009 mutual aid agreement on behalf of the City and this authorization by the Lynchburg City Council shall be retroactive and does hereby relate back to the 30th day of September 2009, when the City Manager signed the July 1, 2009 mutual aid agreement on behalf of the City, this resolution is being adopted now for then, and City Council does hereby ratify and affirm the City Manager's signature on the July 1, 2009 mutual aid agreement.

Adopted:

Certified: _____
Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 13, 2012**

AGENDA ITEM NO.: 14

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Exploration of Creating a Regional Library System**

RECOMMENDATION: Approve the further exploration of creating a Regional Library System

SUMMARY: Dominion Library Associates, LLC prepared a "Public Libraries Opportunities Analysis" in cooperation with the Region 2000 Local Government Council and the counties of Bedford and Campbell and the City of Lynchburg. Mr. John Moorman will present an overview of the results of the analysis as well as his recommendation, which is supported by staff, to further explore the more detailed possibilities regarding the creation of a regional library system.

As discussed at the last Council meeting, the item concerning the repeal of the library user fee for non-city residents is attached in the event that, after the presentation, Council wishes to reconsider this matter.

PRIOR ACTION(S): Elimination of the library user fee for non-city residents in order to facilitate discussion regarding the creation of a regional library system was discussed on October 23, 2012.

FISCAL IMPACT: To be determined.

CONTACT(S): Bonnie Svrcek, Deputy City Manager, 455-3987
Lynn Dodge, Director of Libraries and Museums, 455-6301

ATTACHMENT(S): Region 2000 Libraries' Initial Opportunities Discussion, April 2011
Public Libraries' Opportunities Analysis prepared by Dominion Library Associates, LLC;
May 15, 2012
Region 2000 Libraries' Discussion, October 22, 2012
October 23, 2012 Council Report

REVIEWED BY: lkp

Attachment

Region 2000 Libraries' Discussion

Initial Opportunities Discussion

December, 2010

(revised April, 2011)

This paper summarizes the discussions of the Region 2000 Librarians' Working Group in its efforts to identify opportunities for improving the current library service delivery practices, including costs, within the region.

This paper reflects the collective effort of the Work Group. It does not constitute an endorsement of any particular service delivery model.

Background

The Region 2000 Local Government Council (Council), through discussion in early 2010, identified regional library services as a concept to be studied as part of the Council's efforts to promote regional cooperation and more effective provision of public services. The Council directed a working group form, composed of Region 2000 staff and area library directors, to further investigate this concept.

Specifically, the working group was charged with organizing a review of current library service practices in the region, and determining the potential to improve on the status quo, if any. The working group was asked to:

- o Describe the state of current library operations;
- o Identify models of library operations;
- o Determine options and opportunities for cost reductions and/or service improvements; and
- o Recommend an approach to move forward with the effort, including resources needed, if advisable.

This initial discussion is a limited, high level review.

Participating on the working group are the following: Steve Preston, Director, Amherst County Public Library; Barry Morris¹, Director, Appomattox County Public Library; Peggy Bias, Director, Bedford Public Library System; Nan Carmack, Director, Campbell County Public Library; Lynn Dodge, Director, Lynchburg Public Library; and Bob White, Deputy Director, Region 2000 Local Government Council.

Current State of Library Operations

¹ Barry Morris retired during the course of the working group's discussions. At the time of this writing Appomattox County was in the process of filling the library director's position. As a result this report does not reflect the views of the Appomattox County Public Library Director.

Currently five library systems serve Region 2000: Amherst County Public Library, Appomattox County Public Library, Bedford Public Library System, Campbell County Public Library, and the Lynchburg Public Library. Jointly, the systems with their sixteen facility locations support a population of approximately 245,000. Together the Region 2000 libraries serve 1,067,444+ visitors annually, circulating 1,571,423+ books and related material.

In addition to the books and material circulation, area libraries provide 231,783+ computer access sessions per year, 979+ adult program activities with 17,590+ persons taking part, and 2,016+ youth programs with 50,535+ participants.

Clearly, the Region 2000 libraries are a significant cultural and educational asset to our community. This public service is provided by a staff of 92 with 25 professional positions, working with a cumulative budget of approximately \$6.5 million. Attachment A. Region 2000 Libraries' Profile provides a statistical snap shot of the area's libraries.

Models of Library Operations

Four base models of library operations were identified by the working group. These models are (1) the *individual library*, (2) the *library cooperative*, (3) the *regional library/cooperative*, and (4) *regional library-independent*.

Individual libraries serve a specific locality and are often identified by the locality's name. Under the *library cooperative* model, the member libraries remain independent, but contract with each other for selected joint services. With the *regional library/cooperative*, individual libraries form a regional library entity for specific services, while retaining their individual identities. The *regional library-independent* model transfers responsibility for providing public library service, including governance, to an independent regional library.

The Amherst, Appomattox, Campbell, and Lynchburg library systems are formed as individual libraries. Bedford is a regional system (Bedford City and County). All the libraries operate in some capacity as a library cooperative. A further description of the four library models is found in Appendix B.

Working Group Opportunity Discussion Summary

The working group has been meeting since May, and as part of its efforts held a series of in depth interviews with select librarians through out the state². The result of our discussion is summarized here.

² As part of the working group's discussions, it arranged a series of in depth interviews with a select group of Virginia librarians, whose collective experience and accomplishments were particularly valuable to our topic. These professionals are Diana Rosapepe, Director of Roanoke County Library Services; John Moorman, Director of Williamsburg Regional Library; John Halliday, Director of Jefferson-Madison Regional Library; Scott Firestine, Director of Appomattox Regional Library; Fran Freimarck, retired Director of Pamunkey Regional Library; and Cindy Church, Networking and Development, Library of Virginia.

- Each of our library systems faced budget cuts this past year, and the future is expected to remain challenging. This is not unique to Region 2000; libraries at all levels, local, state, and national, are experiencing the same fiscal environment.
- Interestingly, this fiscal crunch is coming at the same time that library usage is substantially increasing. The American Library Association reported in 2006 that 82% of public libraries across the country experienced a net reduction in funding while usage climbed at average rates of 6-9% annually. Further, a 2010 Harris Interactive Survey indicates net increases in usage of all library services, but particularly computer and internet access and job seeker resources. Appendix C. Library Usage Increases provides a brief discussion of this topic.
- With this expanding need for library services within this fiscally trying environment, a clear theme permeated every interview and most discussions the working group held: *the stronger a joint emphasis an area placed on library services the better positioned the library function will be to maintain services and respond to the inevitable growth in service demand and technological advancements.*

A key advantage emphasized is the inherent strength a unified management and program structure brings. A corollary to this theme is the concern individual library systems will struggle to remain viable in the current and anticipated fiscal environment.

- At the same time our discussions highlighted the benefits of strengthening a joint approach to library service delivery, equally strong was the conclusion that *a region cannot go into this initiative with an expectation of substantive system cost savings.* This realization is due to the nature of library functions with its fixed assets such as buildings and collection material.

Additionally, the libraries' integrated library systems (ILS), or collection management systems, are not uniform. Depending on the direction of any further cooperation, this issue would need to be addressed, including the cost of merging systems.

- Opportunities may exist however for program level cost savings, cost avoidance and or service improvements. The region's library systems are currently cooperating to jointly purchase e-books and downloadable audio books at a cost savings. A more unified system of library service can have benefits with administrative costs, such as human resources, information technology maintenance, subscriptions costs, purchasing, and program development. The regional community as a whole would have access to the entire catalog of materials and services currently provided by the individual systems. Coordinated use of existing facilities in adjoining localities can address underserved areas without the need to add facilities.
- Further exploring opportunities for joint cooperation is in the best interest of the region as a whole and its individual localities. The working group understands the challenge of overcoming the initial inertia of the status quo, especially within the context of not being able to realize any substantive cost savings. However, the stronger the joint emphasis our

community can place on library service provision the better positioned we will be to maintain and meet the growing service demands.

This opinion does not presume an authority is the ultimate outcome of this effort. It also does not presume a regional library.

Moving Forward

The form a strengthened level of joint cooperation can take is an open question. The working group recommends a continuing evaluation of opportunities be organized³. This evaluation would begin with a planning level or fatal flaw analysis to quantify the opportunities. This effort should be supported by a third party consultant to provide a more in depth analysis than this initial discussion can offer. If an opportunity(ies) is found to have merit the next step is a detailed financial and operational analysis. Finally, an implementation program would be put in place to effect merited improvements.

This approach allows for regular updates to the participating jurisdictions and allows for each participant to reaffirm its support of the initiative at key steps in the process. Funding for each successive step is addressed at the conclusion of each preceding step. The suggested approach is shown in Appendix D.

Additional Working Group Discussion Notes

1. Privatization

The working group did discuss privatization of libraries as an option for service. Privatization is defined as the *shifting of policy making and the management of library services or the responsibility for the performance of core library services in the entirety from the public to the private sector*. Privatization of libraries in the opinion of the working group is a philosophical issue rather than a structural or management decision. Privatization is often used to correct inefficiencies in library management and as a method to eliminate what are deemed to be excessive staff benefits, conditions that do not exist in this area.

Appendix E. provides reference citations for further reading on this topic.

2. 'Ideal Library Services'

The working group asked the question *if starting from scratch what would the region's ideal library service system look like?* Appendix F. 'Ideal Library Services' provides the working group's perspective to this question. This discussion helped inform the working group's deliberations.

³ Steve Preston, Director, Amherst County Public Library, abstained on this matter, deferring to the Amherst County Library Board of Trustees.

Appendix A
Region 2000 Libraries' Profile
1-Nov-10

	Amherst Co.	Appomattox Co.	Bedford Regional	Campbell Co.	Lynchburg (1)	Total
Population	32482	14100	72568	52016	72506	243672
Square Miles	475	335	754	511	50	2125
Locations	2	2	6	4	2	16
Door Count						
Annual	154381	*** (5)	351395	233606	328062	1067444
Daily	516	***	1058	792	1082	3448
Circulation						
Annual	222180	66000	459265	257650	566328	1571423
Daily	743	264	1383	874	1869	5133
Reference Services						
Annual	5083	5000	64834	18523	48842	142282
Daily	17	20	206	63	161	467
Public Computer Access						
Annual	16599	24000	81074	44792	65318	231783
Daily	56	96	252	152	216	772
Programs-Adult						
Number	83	***	554	302	40	979
Attendees	2678	***	4259	8055	2598	17590
Programs-Youth						
Number	228	***	1177	376	235	2016
Attendees	8698	***	18216	8359	15262	50535
Staff						
Professional	11	***	32	16	33	92
	4	***	7	4	10	25
Appropriated Budget	\$679,751	\$205,047	\$1,803,587	\$662,433	\$1,585,636	
Additional Assistance(2)	\$233,924	***	CIP	\$753,794	\$ 590,202	

Total Budget(3)

\$6,514,374

Note:

1. Lynchburg provides a public law library.
2. Additional assistance from parent organization, such as Campbell County IT Department or Accounting)
3. Total Budget includes Budget number and Additional Assistance.
4. Data reported by locality librarians and based on FY 10 statistics.
5. *** indicates data not reported.

Appendix B. Models of Library Operations

Individual Library

Individual libraries serve a specific locality and are often identified by the locality's name, for example the Campbell County Public Library. As a department of local government, the individual library is funded by local government and may also have a governing or advisory board. The roll of the governing body is to set policies and oversee the library program. The Library Director and staff are employees of the City or County and fall under the personnel policies and procedures of the local government. All payroll and fiscal management (processing of invoices, etc.) are handled through the local government's financial department.

Library buildings are owned by the locality and are maintained by a department of local government. Decisions to build new library buildings are made by local government and are considered along with their long-range plans for the area.

Technology is planned, administered, and supported either through the local government's technology staff or by the library staff, possibly supported by a private contractor. In addition, the library's materials are selected, ordered and processed by library staff. The library makes its collection available to the public and materials not available through the collection are borrowed via interlibrary loan. A non-resident borrowing fee may be charged.

Library programs and services are planned and carried out by library staff under the direction of the library director and as approved by the governing body. The City of Lynchburg and the counties of Amherst, Appomattox, and Campbell can be classified as individual libraries.

Library Cooperative

Under the Library Cooperative model, the member libraries remain independent, but contract with each other for selected joint services. For example, two or more libraries can open their collections to each other's residents by sharing the same library software. Nonresident fees are eliminated. A courier system is utilized to transport materials among the various facilities.

Management and operations remain as discussed with the Independent Library arrangement, except as modified by contract.

The Region 2000 libraries have a history of cooperation. All area libraries are members of SWING, the SouthWest (VA) Information Group, a consortium of over 130 public, academic, special, and school libraries. SWING has a contracts manager, who coordinates some 40 procurement contacts with library vendors, resulting in substantial discounts on books, periodicals, library supplies, library furnishings, and services.

The Lynchburg Public Library and the Amherst County Public Library, along with two area colleges, participate in the Lynchburg Information Online Network (LION) cooperative, an integrated library system (ILS). This arrangement is organized under a contract, allowing for the

shared use of an ILS central server and software along with technical support. The Roanoke Valley Area Libraries has a similar system with its joint library card, with a shared ILS.

Regional Library/Cooperative

Individual libraries form a regional library entity for specific services, while retaining their individual identities. These services can include maintaining the ILS, sharing access to their collections through the online catalog, cataloging and processing of library materials, and providing technical support for computers. In addition, supplemental services may be provided, such as e-rate filings, federal and state reports, payroll, and fiscal management. The library continues to have autonomy and be identified as the Campbell County Public Library or the Lynchburg Public Library, but could be further identified as a member of the Region 2000 Regional Library (example). The library buildings, as well as the responsibility for maintaining those buildings, remain with the local government.

An equitable funding mechanism is established to allow the local governments to fund the regional services as well as their local library. The library director continues working with his or her individual library board. One member from each board is appointed to the Regional/Cooperative Board that then makes decisions relating to all the member libraries. The level of authority is determined by the scope of services. Policies and procedures would be coordinated to the extent those policies impact joint services.

One of the libraries serves as the headquarters library and the regional/cooperative services are administered from that library. Materials ordering, cataloging, processing, and related matters are done at that site for all member libraries.

A single ILS serves all members. It is funded and supported centrally and policies and procedures are coordinated. A system administrator is employed to manage the ILS. Each locality provides network and PC support to its libraries, if that is stronger than the regional library can provide.

Library patrons would have borrowing privileges at all member libraries and have access to the larger, combined collection through the online catalog. A courier service would move the materials within the region. Library programs and services would be coordinated for efficiency and still allow autonomy for individual libraries to serve the varied needs of their community.

The State of West Virginia organizes its library systems along this model.

Regional Library-Independent

The Regional Library-Independent model transfers responsibility for providing public library service to an independent regional library. A governing board with representatives from each participating locality sets policy, hires staff, and otherwise manages the new library system. Public library services are marketed under the new name. Local identity ceases.

Each locality retains ownership and continues to be responsible for maintaining its library facilities. A locality would fund and maintain any new facility it chooses to establish, with the consent of the governing board. Facilities may be shared by localities, by means of a contract.

Collection development is coordinated centrally. The locality retains ownership of the materials it brings into the new regional library. At a later date, if a locality chooses to withdraw from the regional library, a pro-rated portion of the regional collection will be returned to the locality, according to a pre-determined plan.

A single ILS serves all members. It is funded and supported centrally and policies and procedures are coordinated. A system administrator is employed to manage the ILS. Each locality provides network and PC support to its libraries, if that is stronger than the regional library can provide.

Annually, the Board will determine a budget for the regional library and request funding from the member localities based on a predetermined formula for apportioning the costs. The Board will define the services it will provide for the amounts requested and will detail the services a locality will lose if it does not fund the full request. Each locality will appropriate funds as its governing board determines.

Typically, the regional library Board will contract with one of the member localities to provide accounting, payroll, purchasing, and audit services.

Programming is coordinated centrally, with the goal of addressing any unique needs a locality may have. New services are approved centrally.

The Bedford Public Library System is an example of this model. This system serves Bedford City and County.

Appendix C.

Library Usage Increases

The economic downturn has certainly been felt in all sectors of government. The public library, however, is in the unique position, shared possibly by only public safety and the department of social service, in which usage is increasing as resources are decreasing. Libraries have long been a cost-saving and cost-avoiding vehicle for citizens, as statistically presented by Mary Jo Lynch in *American Libraries* with the first recession of the century, noting an average 8% increase in usage over an 8th month period after recession was declared¹. The availability of computers, internet, recreational reading, periodicals, newspapers at the public library allow citizens to cut these items from their personal budgets. The localities have reported their increased usage as follows:

		2009	2010
Appomattox:	<i>Circulation</i>	<i>n/a</i>	<i>n/a</i>
	<i>Visits</i>	<i>n/a</i>	<i>n/a</i>
	<i>Computer Use</i>	<i>n/a</i>	<i>n/a</i>
Amherst:	<i>Circulation</i>	7%	8%
	<i>Visits</i>	5%	8%
	<i>Computer Use</i>	13%	23%
Bedford:	<i>Circulation</i>	-2%	2%
	<i>Visits</i>	4%	6.5%
	<i>Computer Use</i>	18%	26%
Campbell:	<i>Circulation</i>	2.3%	1.5%
	<i>Visits</i>	11%	6%
	<i>Computer Use</i>	54%	7%
Lynchburg ⁴ :	<i>Circulation</i>	0.47%	-6.2%
	<i>Visits</i>	-1.62%	-3.79%
	<i>Computer Use</i>	11.78%	19.35%

This is true not only in Region 2000 but across the Commonwealth and indeed the nation. The American Library Association reported in 2006 that 82% of public libraries across the country experienced a net reduction in funding² while usage climbed at average rates of 6-9% annually. Further, a 2010 Harris Interactive Survey indicates net increases in usage of all library services, but particularly computer and internet access and job seeker resources³.

¹ Lynch, Mary Jo (2002) *Economic Hard Times and Public Library Use Revisited*. *American Libraries*, August 2002, p. 61-62.

² Davis, Denise (2006) *Funding Issues in U.S. Public Libraries, Fiscal Years 2003-2006*. American Library Association. Accessed 10/3/10

<http://www.ala.org/ala/research/librarystats/public/fundingissuesinuspls.pdf>

³ American Library Association (2010) *State of America's Libraries*. Accessed 10/3/10

http://www.ala.org/ala/newspresscenter/mediapresscenter/americaslibraries/ALA_Report_2010-ATI001-NEW1.pdf

⁴ 2009 was Lynchburg Public Library's busiest year in its history.

Appendix D.

Recommended Steps for Furtherance of Library Service Discussion (supported by a consultant)

1. **Planning level analysis.** A planning level analysis will be undertaken to include the following:

- A thorough examination of all library facilities owned by participating library units. This examination would include:
 - a. Size and condition of structure
 - b. Interior arrangement
 - c. Use level
 - d. Accessibility including parking
- An examination of staffing levels at participating library units. This examination would include:
 - a. Number of staff
 - b. Education and experience of staff
 - c. Library organizational structure
- An examination of the fiscal resources available at participating library units. This examination would include:
 - a. Study of current funding for participating library units
 - b. Discussions with library directors and local government administrators on funding projections for the next five years.
 - c. Study of budgets for participating library units
 - d. Recommendation on feasibility of fiscal funding for regional service improvements
- An examination of the programs and services offered by participating library units.
 - a. Study of current programs and services offered by participating library units
 - b. Discussions with library directors and local government administrators on program and service needs and expectations
 - c. Recommendation on program and services for regional service improvements
- An examination of the commitment to proceed with regional service improvements. This examination would include:
 - a. Meeting individually with each public library director
 - b. Meeting individually with the local government administrator in each governmental entity
 - c. Meeting with Region 2000 staff involved in the project
 - d. Other meetings as determined necessary

This planning process is viewed as a fatal flaw analysis. The project deliverable would be a report indicating whether there is merit in pursuing further steps towards a greater level of regional cooperation and service improvements, including possibly a larger unit of service. If there is found to be merit the report would include recommendations to move forward, possibly including library locations and staffing structure for a larger unit of library service. Cost for the consultant services is estimated at \$15,000. A reasonable time frame for this planning analysis is four to six months.

2. **Detailed financial and operational analysis.** If it is determined by participating library units and their governmental entities that a greater level of regional service improvement is warranted, planning begins for the establishment of this enhanced service. This will be a detailed and

intensive process. The description of this process and budget will be determined at the conclusion of the previous step.

3. **Service implementation.** The description of this process and budget will be determined at the conclusion of the previous step

4.

Appendix E.

Privatization Articles of Interest

Martin, R., et al. (June 2000) *The Impact of Outsourcing and Privatization On Library Services and Management*. Texas Woman's University School of Library and Information Studies, Austin,

TX. http://www.ala.org/ala/aboutala/offices/oif/iftoolkits/outsourcing/outsourcing_doc.pdf

McCarron, J. (October, 2010) *Taking It Private*. Planning, American Planning Association

McElroy, J. (November, 2010) *When Bad Things Happen To Good Plans*. Planning, American Planning Association.

Savas, E.S. (September 2001) *Privatization Initiatives*. National Council for Public Private Partnerships

http://www.ncppp.org/resources/papers/savas_privatization.pdf

Strietfeld, D. (September 27, 2010) *Anger as Private Company Takes Over Library*, New York Times, New York.

Appendix F.

‘Ideal Library Services’

Goals Statement

Access: Citizens would have access to the collections, services and programs of any library located therein, regardless of residency, incurring no user fees at any location. One library card would offer borrowing privileges at locations. Materials could be returned or renewed at any location. Materials would be moved about to satisfy patron needs through a courier service.

Collection: The collection of all libraries would be coordinated for maximized depth and breadth for educational, informational, and recreational needs (print and electronic). Patrons would have access to expanded selection of databases and electronic resources.

Programming: Library programs would be tailored to individual community needs but benefit from centralized or collaborative planning and execution.

Staffing: Patrons would be assisted by professional, well-trained staff of librarians and assistants, adequate to meet each facility’s demand, supported by centralized administrative staff, including technology support, cataloging and processing, fiscal and human resource management.

Facilities: All library facilities would be built in high traffic areas with visibility. Buildings would be planned to make library access possible to all residents with a drive of twenty minutes or less, regardless of governmental boundaries. All buildings would be designed to meet the changing needs of the community and allow for current and future technological needs. A variety of meeting spaces would be made available for public use, from small collaboration to large gathering. All facilities will be well maintained.

Services: All library locations would have print and non print collections, electronic resources, programming, and training for its users. Library services would not be determined in cookie cutter design, but respond to the specific needs of its users.

Typical services would include:

- Programming
- Reference Provision
- Computer/Internet access-PC and wireless
- Loan of materials (courier, inter-library loan, and e-materials)
- Provision of electronic databases
- Computer instruction
- Children’s services & reference
- Fax and copy facilities
- Notary of the Public access
- Community room access
- Additional services as identified by public need.

Governance: Citizens would participate in the governance of the libraries through representation on a governing board.

Community Engagement: All libraries will engage their citizens through organizations such as Friends of the Library or other community partnerships.

Public Libraries' Opportunities Analysis

A Study of Three Public Libraries
For
Region 2000 Local Government Council

By
Dominion Library Associates, LLC.

May 15, 2012

Introduction:

Dominion Library Associates, LLC was employed by Region 2000 Local Government Council to provide the following services in completion of the Public Libraries' Opportunities Analysis:

- An examination of the fiscal resources available at participating library units. This examination will include:
 - a. Study of current funding for participating library units
 - b. Discussions with library directors and local government administrators on funding projections for the next five years.
 - c. Study of budgets for participating library units.
- An examination of the programs, services, and information technology support in place at the participating library units.
 - a. Study of current programs, services, and information technology support in place at the participating library units.
 - b. Level of public use to include systems totals, borrower, circulation, and other appropriate measures.
 - c. Discussions with library directors and local government administrators on program, service, and information technology needs and expectations.
 - d. Recommendations on program, service, and information technology support for cooperative service opportunities among two or more libraries, identifying the potential for cost savings.
- An examination of the commitment to proceed with collaborative service improvements. This examination will include:
 - a. Meeting individually with each public library director.
 - b. Meeting individually with the local government administrator in each government.
 - c. Meeting with Region 2000 staff involved in the project.
 - d. Meeting with Boards of Trustees/support organizations.
 - e. Feasibility of additional funding for cooperative service improvements.
 - f. Other meetings as determined necessary by Dominion Library Associates, LLC.
- A report to Region 2000
A written report will be presented to Region 2000 at the close of the project. While a report on best practices will not be a part of this report, references to best practices as found in the literature and the consultant's experience will be a part of any recommendations made in the report. The report will address findings in areas 1 – 3 above. It will indicate whether there is merit in pursuing further steps towards a greater level of cooperation and service improvements, including the possibility of development of a larger unit of service for the libraries involved in the study. If recommendations are made for development of new levels of cooperation or service unit consolidation, the recommendations will address the following areas:

- Administration
- Operations
- Tasks
- Schedule
- Costs

Up to four presentations of the final report and its recommendations will be provided to Region 2000.

The consultant for this project was John A. Moorman Ph.D. owner of Dominion Library Associates, LLC. Dr. Moorman has been a public library director since 1975 and a consultant since 1982.

This project is an outgrowth of the discussions of the Region 2000 Librarian's Working Group which began in 2010. Results of these discussions are found in the *Region 2000 Libraries' Discussion Initial Opportunities Discussion Document*, Revised April 2011. This document was very helpful to the consultant as background for this study.

Since beginning the project the consultant has gathered and examined data from the participating public libraries in the following areas:

- Budgets from both libraries and local government
- Staffing including personnel costs
- Programs
- Services
- Policies
- Integrated Library Systems and technology in use
- Library use data

The consultant has had interviews with the following individuals using questions found in the appendix as the basis for discussions:

- Ernest Bender – Campbell County Public Library Board Chair
- Libby Berry – Bedford Public Library System Board President
- Peggy Bias – Bedford Public Library System Director
- Nan Carmack – Campbell County Public Library System Director
- Lynn Dodge – Lynchburg Public Library Director
- Mary Guthrow – Friends of Lynchburg Public Library
- Michelle Jackson – Friends of Lynchburg Public Library
- Charles Kolakowski – Bedford City Manager
- David Laurrell – Campbell County Administrator
- Kimball Payne – Lynchburg City Manager
- Frank Rogers – Bedford County Acting County Administrator
- Bonnie Svrcek – Lynchburg Deputy City Manager
- Bob White – Region 2000

The consultant completed the interviews on Friday, February 24, 2012. Data gathering continued through the preparation of this report.

Data Presentation and Analysis:

Bedford County, Campbell County and the City of Lynchburg occupy the heart of Region 2000. According to population statistics released by the Weldon Cooper Center for Public Policy of the University of Virginia population for these entities as of July 1, 2011 is as follows:

Bedford County – 69,379
Bedford City - 6,222
Campbell County – 54,759
City of Lynchburg – 76,448

Each of the Libraries in this study has multiple locations.

Bedford Public Library System	6 locations
Campbell County Public Library	4 locations
Lynchburg Public Library	2 locations

A. General Characteristics and Population Data

There are three distinct but overlapping entities involved in this study.

Bedford County is the largest in area with population clusters around Bedford City, the western edge of Lynchburg, and the Timberlake area of Campbell County. There are small towns some with branch library locations scattered throughout the county. Otherwise it is a rural hilly/mountainous area where transportation is circuitous rather than direct.

Campbell County is a smaller version of Bedford County with population centers in Rustburg, Timberlake, Altavista, New London, and Brookneal. Much of the county is rural with the same topography as Bedford County.

The City of Lynchburg is an urban city whose recent growth is the result of the expansion of Liberty University and its student population. As an urban city it has the problems found in any long settled urban city in the country. Lynchburg is the major shopping, recreation, higher education and health center for the region.

The following chart gives basic population characteristics of the three areas. The data is from the 2010 U.S. Census quick facts file.

**Population
Statistics
2010**

<u>Item</u>	<u>Bedford County</u>	<u>Campbell County</u>	<u>Lynchburg</u>	<u>Bedford City</u>
Population	68,676	54,842	75,568	6,222
Persons Under 5 yrs	4.9%	5.5%	6.1%	6.4%
Persons Under 18	22.3%	22.0%	19.6%	20.5%
Persons 65 and over	16.2%	15.8%	14.0%	21.5%
Female	50.4%	51.3%	53.1%	53.8%
White Persons	91.4%	82.1%	64.4%	76.4%
Black Persons	5.7%	14.2%	29.3%	20.2%
High School Graduates	85.0%	82.6%	83.1%	84.5%
Bachelors Degree or higher	24.2%	16.3%	28.3%	20.8%
Homeownership rate	84.5%	75.7%	56.3%	66.6%
Median Household Income	\$54,110	\$43,478	\$37,058	\$32,262
Persons Below Poverty Level	8.7%	12.2%	22.7%	16.5%
Retail Sales Per Capita (2007)	\$7,029	\$9,742	\$23,171	\$19,848

These statistics indicate that there are a higher percentage of minority individuals in the City of Lynchburg than in the other jurisdictions. The difference between Bedford County's Median Household income of \$54,110 and the City of Bedford's \$32,262 is \$21,848. This and other statistics presented above indicate the differences often found within regional library systems. Lynchburg's 28.3% of residents having a Bachelor's degree or higher is higher than the other jurisdictions. This may be due to Lynchburg being the home to Liberty University, Lynchburg College and Randolph College. The rate of persons below poverty level is substantially higher in Lynchburg. However, this figure must take into consideration the close to 16,000 students at these institutions who are a part of Lynchburg's census data. Most of these students would fit into the persons below poverty level category. The retail sales per capita statistics indicates the role that Lynchburg plays in the economic life of the surrounding area.

B. Financial

It became apparent early in the project that governments in Bedford County, City of Bedford, Campbell County and the City of Lynchburg were funding their public libraries at a level that was less than recent years due to the recession that hit during the 2007 – 2008 period. In speaking with administrators in Bedford County, Campbell County and the City of Lynchburg there was a uniform agreement that there was not more funding available for public library

service at this time. There was also strong indication that library funding would not increase substantially if at all in the next few years. In its FY13 budget the City of Lynchburg is proposing further cuts to the Library's budget. The following chart indicates recent funding levels.

Libraries - Total Income	2007	2008	2009	2010	2011
Bedford Public Library System	\$1,690,517	\$1,801,536	\$1,873,371	\$1,846,025	\$1,690,137
Campbell County Public Library	\$978,365	\$980,733	\$945,341	\$990,334	\$893,524
Lynchburg Public Library	\$2,040,869	\$2,226,078	\$2,328,654	\$2,298,284	\$2,222,737

The above figures are from the Bibliostat Report filed with the Library of Virginia by each library. They reflect the reported total operating revenue for the fiscal year indicated. From this chart it is evident that each library has received funding cuts in FY10 and FY11. Campbell County Public Library received a 9.8% cut in FY11 the most severe of the three libraries during this period.

Another aspect of local financial support is the percentage of the local government's general fund that is spent on public library services. Standards documents and the consultant's experience indicate that a minimum 1% of localities general fund should be spent on public libraries. The percentage for each of the public libraries in the study is as follows:

Library	FY12	Average FY07 – FY12
Bedford Public Library System		
Bedford County	1.52%	1.54%
Bedford City	1.00%	1.04%
Campbell County Public Library	1.50%	1.54%
Lynchburg Public Library	.98%	1.01%

These statistics indicate all public libraries in this study are receiving the minimum recommended 1% of local government funding based on a six year average. It is important to note that the Lynchburg Public Library has fallen below the 1% for FY12 and their long term average is below that of Bedford Public Library System and the Campbell County Public Library.

Resource allocation is an important part of any library's operation. Essential to the operation of any public library is a collection of materials that meets the needs of its user community. The following chart indicates project library collection expenditures.

Libraries Collections - 2011	Collection Expenditures Per Capita	Total Collection Expenditures
Bedford Public Library System	\$2.20	\$152,809
Campbell County Public Library	\$2.21	\$121,000
Lynchburg Public Library	\$2.08	\$158,649

Combining this chart with the previous chart on library funding indicates that in 2011 project libraries were spending between 7.1% (Lynchburg) and 13.5% (Campbell County) of their budget on library materials. Bedford County was at 9.0%. Only Campbell County met the accepted desired minimum of 12% of budget being spent on library collections. This 12% figure is a standard found in many state library standards documents and is widely accepted in the library community.

C. Use Indicators

The chart below indicates the number of items added and withdrawn from the library's collections in 2011. It is important that the collection be weeded (indicated by the books withdrawn figure) on a regular basis or the collection will become stale and contain out of date materials.

Libraries Holdings - 2011	Books Added	Books Withdrawn	Total Holdings
Bedford Public Library System	11,865	24,087	206,818
Campbell County Public Library	9,483	6,936	231,017
Lynchburg Public Library	11,172	7,441	155,777

These figures indicate that on a per capita basis Bedford Public Library System has 2.98 items per capita, Campbell County Public Library has 4.21 items per capita and Lynchburg Public Library has 2.04 items per capita. While this figure indicates the number of items available for each resident, it does not indicate the quality of the collection as a whole. The consultant is impressed with the effort of the Bedford Public Library System in removing items no longer of value to library users due to condition, outdated information, or lack of use.

The next several charts will indicate library door count, the number of registered borrowers and the materials circulation for each library. It is important to note that registered borrowers may include individuals living outside of the jurisdictional area. Bedford Public Library System charges non-residents a reciprocal fee based on fees charged by the user's area of residence. Campbell County Public Library has no charge for the issuance of borrower's cards to individuals living outside of their service area. Lynchburg Public Library charges \$25.00 per

year for non-resident borrower's cards. Exclusions to this policy include residents of Amherst County and students at Central Virginia Community College. Students living on campus at any of the Lynchburg colleges are not eligible for Lynchburg Public Library borrower's cards unless they are registered to vote in the City of Lynchburg.

Libraries - Door Count	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Bedford Public Library System	310,935	319,955	332,707	351,395	333,274
Campbell County Public Library	188,364	208,999	219,840	233,606	231,091
Lynchburg Public Library	316,500	333,465	328,062	315,616	300,000

These statistics indicate that the door count since 2007 has increased at both the Bedford Public Library System and Campbell County Public Library although 2011 door counts were less than 2010 figures. Lynchburg Public Library's door count has decreased since 2008.

Libraries - Card Holders	2007	2008	2009	2010	2011
Bedford Public Library System	40,689	35,736	37,851	37,452	33,140
Campbell County Public Library	16,181	17,563	20,714	22,545	26,603
Lynchburg Public Library	28,500	28,273	29,286	30,158	29,824

These statistics show borrower's cards over a five year span beginning in FY2007. Despite having a smaller population base than Lynchburg, Bedford Public Library System has the most cardholders. When comparing cardholder statistics it is necessary to know how often the cardholder file is purged of inactive users. Both Bedford Public Library System and Campbell County use a three year purging schedule. Lynchburg Public Library uses a four year purging schedule. This means that any time the cardholder list contains individuals who have used the library within that time period. As a percentage of population 47.8% of Bedford County residents have a library card, 48.6% of Campbell County residents have a library card and 39% of Lynchburg residents have a library card.

Libraries - Circulation	2007	2008	2009	2010	2011
Bedford Public Library System	478,235	553,846	534,752	514,721	517,819
Campbell County Public Library	245,487	248,132	253,816	260,775	336,307
Lynchburg Public Library	540,245	563,687	566,328	531,210	511,596

Circulation per capita for FY 2011 indicates Bedford at 7.46, Campbell at 6.14 and Lynchburg at 6.69. None of these figures are high for public libraries serving similar populations.

D. Services

All three libraries provide the core services to their users. These services are:

- Materials Checkout and Return
- Reference Services including Readers Advisory
- Access to online databases
- Public Access Internet
- Wireless Internet Access
- Youth Services including Summer Reading Program
- Interlibrary Loan
- Public Meeting Rooms
- Copy Machines

All three libraries have Friends Organizations which provide financial and volunteer assistance in programs and services.

Additional services found in one or more of the libraries include:

- Assistance with Technical gadgets on a one-to-one basis
- Notary Service
- Fax Service
- Scanning Service
- Computer tutoring
- Public Art Gallery Space
- Courier Services
- Reciprocal Borrowing with other libraries

The consultant found that the service approach and emphasis varied from library to library. This is to be expected.

E. Programs

The three libraries provide a wide variety of programming. All libraries conduct story-times for ages ranging from babies up through the elementary years in the library and community settings. As the list below indicates library staff members exhibit their creativity and expertise on a daily basis in interacting with their communities:

- Adult Literacy Tutors
- Reading to Therapy Dogs (Paws to Read)
- Book Groups
- Fiber Arts Groups

- Winter and Summer Reading for children and adults
- Film series for youth and adults
- Computer literacy classes
- Technology classes
- Career assistance
- Lapsits for infants
- Community wide reading programs
- Family Craft Programs
- Age geared story-times

The consultant is sure that the above list is not all encompassing. It is amazing that these libraries with limited funding and staffing can provide this level and excellence in programming to their user communities.

The following chart indicates the number of programs held in the libraries from 2007 – 2011.

Libraries - Programs	2007	2008	2009	2010	2011
Bedford Public Library System	1,256	1,186	1,336	1,731	1,631
Campbell County Public Library	216	238	302	270	401
Lynchburg Public Library	460	330	316	362	388

How the libraries record programs may vary from library to library. In analyzing these figures it must be remembered that Bedford Public Library system has six locations, Campbell County Public Library has four locations and Lynchburg Public Library has two locations. Lynchburg Public Library's branch is not a programming location.

F. Technology

Technology includes both the software and hardware used in library operations and in serving the public. In 2011 libraries in this study had the following number of public access terminals:

Bedford Public Library System	- 49
Campbell County Public Library	- 34
Lynchburg Public Library	- 29

The libraries had the following number of Work Stations for staff use:

Bedford Public Library System	- 48
Campbell County Public Library	- 22
Lynchburg Public Library	- 28

Software used in staff and public access computers varies from library to library but include:

- Microsoft 2007
- Microsoft 2010
- Envisionware PC Management System
- Cassie Software Management System
- MS Office
- Firefox
- Internet Explorer 8/9
- A variety of programs installed on an as-needed basis such as Gimp, iTunes and Dreamweaver.
- Computer filtering software

Bedford Public Library System has an individual dedicated to the provision of IT services for the library. Both Campbell County Public Library and Lynchburg Public Library depend upon the IT Departments of their government for such service.

One of the most important aspects of the provision of public library service to the community is access to the library's collection. This access is provided through an automated network. This network enables the user to search the library's catalog and perform functions related to that search. Related functions include reserving and renewing materials, paying fines and fees and accessing ancillary services such as downloadable e-books, audiobooks and music. Staff may use the system for generating reports and the ordering and processing of materials.

Two automated network systems are used in the libraries in this study. Bedford Public Library System and the Campbell County Public Library recently merged their catalogs. The following is a description of the system from Peggy Bias, Bedford County Public Library System Director:

Bedford Public Library System and the Campbell County Public Library have recently (October 2011) merged catalogs. The merge resulted in a cost savings for each library and appears to be successful in that patrons are making use of the expanded collection. The physical servers that make up the ILS are housed at Bedford Central Library. CCPLS staff connect to the circulation and cataloging software via a remote desktop session to a terminal server also housed at Bedford Central. The TLC reports module is accessed over the Internet. BPLS is responsible for initiating trouble tickets with the ILS vendor and configuring the ILS settings. We are exploring an alternate access method that would allow CCPLS staff to use a web based (Internet) connection to access the circulation software, thereby minimizing their dependence on the terminal server.

Modules included in the TLC Library Solutions 4.2 (The Library Corporation) system are:

- LS2 Pac/Kids/Staff/Mobile
- LS2 Circulation software
- LS2 Cataloging software
- Reports Manager software

Other modules are available and might be a part of any unified catalog system discussed later in the report.

The Lynchburg Public Library along with the Amherst Public Library participates in LION, the Lynchburg Information On-Line Network. Below is a description of LION by Lynn Dodge, Lynchburg Public Library Director.

In 1991, a consortium of 4 libraries, Lynchburg College, Randolph-Macon Woman's College, Sweet Briar College, and Lynchburg Public, was established to form LION, the Lynchburg Information On-Line Network, using the DYNIX HORIZON software. In 1996, the 10,000- item collection of the Jones Memorial Library (a privately funded but open to the public, genealogical library) was added to Lynchburg's database and a few years later the much smaller book holdings of the Lynchburg Museum System were added.

In 2005, Lynchburg College withdrew from LION and Amherst County Public Library joined the consortium. At that time, the software was upgraded to SIRSI/DYNIX's Horizon platform. The contract was renewed for another 5 years in 2010. This has been a very successful and economical way to provide a high-quality service. Lynchburg can withdraw from LION by giving our partners 12 months notice.

The central server is located in Lynchburg's main library's computer room. Lynchburg IT provides a high-speed Internet connection at no cost. A full-time Randolph College librarian works part-time as our system administrator and a Sweet Briar librarian backs her up; both are paid by the hour. Lynchburg and Amherst librarians assist them by being in a weekly rotation to come in and do the daily back-up; they are not paid additionally for this.

The partnership with Amherst has been wildly successful. We do not have a joint library card, but we provide our cards free to each other's residents. A courier runs daily (M-F) among the public libraries' 4 locations and during the academic year also stops at each college, including Lynchburg College, which now pays a fee to be included. Public library items can be returned to any public library location and are checked in immediately.

Modules used in the current Sirsi/Dynix Horizon platform include:

- Cataloging
- Circulation
- HIP (Public Catalog)
- Kid's HIP
- Enriched content (for HIP)
- Acquisitions
- WebReporter
- Telecirc
- Self-serve checkout (with a SIP license)
- PC reservation (with a SIP license)

Hardware related licenses include:

- SQL server
- Red Hat Linux

Staffing

As the following charts indicate staffing levels vary between the three libraries.

Libraries Staff - FTE	2007	2008	2009	2010	2011
Bedford Public Library System	34.8	47.6	46.4	44	44
Campbell County Public Library	19.9	17.5	20	19	19
Lynchburg Public Library	31.89	32.39	31.89	32.95	32.96

The number of staff with graduate degrees in Library Science is as follows:

Bedford Public Library System	- 6
Campbell County Public Library	- 5
Lynchburg Public Library	- 9

The consultant has examined both job descriptions and salary information for the three libraries. They vary substantially in job titles, work descriptions and pay levels. A chart of the Full-Time Personnel salary ranges is in the appendix.

Observations:

During this study the consultant interviewed the individuals listed on page three, had detailed discussions with Peggy Bias, Nan Carmack and Lynn Dodge as they gave of their time in giving tours of library locations and met on several occasions with Bob White of Region 2000 Local Government Council. These interviews and discussions were extremely helpful in giving the consultant a background to the communities served, library operations and relationships among individuals involved in providing library service to the communities under study.

Without exception, individuals contacted were friendly, open, and willing to give the consultant their views on the current state of library service and possibilities for further cooperation among the three libraries in this study.

Those interviewed in Bedford and Campbell Counties spoke of the interconnections between their residents and the City of Lynchburg. Many individuals, who live in these counties work in the City of Lynchburg, see Lynchburg as the place to go to shop, to have recreation, and to take care of their health.

Government officials of the three entities stressed that there are many cooperative ventures that they participate in including:

- Solid Waste
- Water and Sewer
- Radio
- Juvenile Detention
- Metropolitan Planning Organization
- Regional Jail
- Local Government Council

Each of the government officials was open to further library cooperation up to and including the merger of the three libraries. It was mentioned that Boards of Supervisors and City Councils had not discussed further cooperation in any detail and that any effort toward further cooperation must meet the following criteria:

- How will it benefit each location?
- How is it sustainable?
- How will it provide additional value to residents of each jurisdiction?

In meeting with the Board of Trustee Chairs of Bedford Public Library System and The Campbell County Public Library, the consultant observed strong support and respect for their library systems. Each individual indicated that their libraries were benefiting from strong leadership and a staff that is providing quality service to their communities. Strengths mentioned for the Bedford Public Library System included advances in technology, outreach to other libraries, the merged catalog system with Campbell County Public Library, beautiful buildings with a café in each building, and the recent Overdrive agreement with area public libraries. Campbell County Public Library's strengths included board members that are supportive and proactive, and a system that meets the needs of the community. Weaknesses mentioned for Bedford County included barebones staff, reduced hours and lack of recent staff wage increases. Campbell County's major weakness was a lack of building space for a growing community.

As there is no Board of Trustees for the Lynchburg Public Library the consultant met with the President and Vice-President of Friends of Lynchburg Public Library and Lynn Dodge, Lynchburg Public Library Director for a dinner meeting. At that meeting the strengths indicated for the Lynchburg Public Library were the IT support received from the City of Lynchburg, the library's strong volunteer core, and the location of the main library. Weaknesses indicated were a lack of space, lack of visibility in the community, security issues with the main library and fiscal challenges from both the state and city.

The following are the views of representatives of each entity's board or advisory organization concerning further cooperation/consolidation.

Libby Berry, Chair of the Board of Trustees of the Bedford Library System mentioned the good relationship already in place with the Campbell County Public Library. She expressed concern about Lynchburg and the non-resident fee that Lynchburg charges out of city users (with the

exception of Amherst Public Library users as mentioned earlier). She indicated that human nature protects its own turf. She mentioned the following questions as part of any further consolidation consideration:

- How many chiefs?
- What control would be lost?
- Personnel issues.

She felt that there was interest in consolidation by the library board.

Ernest Bender, Chair of the Board of Trustees of the Campbell County Public Library also mentioned the good relationship with the Bedford Library System. Concern was expressed with the non-resident fee charged by the Lynchburg Public Library and he indicated a lack of knowledge as to how the Lynchburg Public Library operates. He indicated that support for further consolidation on his board was speculation at best. There are fears that a larger system will not allow the personal interaction with individual communities. He feels that consolidation can be accomplished but its success will depend on the details and its promotion to the community. He had a personal concern that in any further consolidation staff, directors and boards be dealt with fairly.

Mary Guthrow and Michelle Jackson, officers of Friends of the Lynchburg Public Library emphasized the centrality of the Lynchburg Public Library to their view of public library service. They indicated that they were not sure that individuals who live in the City know what goes on in the counties, that the adjoining counties were so far away, and memories of the resentment by surrounding communities of the 1974 annexation by Lynchburg of surrounding county areas was still strong. Both individuals indicated skepticism about future cooperative ventures. They asked the consultant; "What are you going to accomplish by such efforts and what is in it for the Lynchburg Public Library?" They felt that the City of Lynchburg has different demographics, needs and challenges and that a merger between Amherst Public Library and Lynchburg would be easier to accept.

In the interview with Peggy Bias, Director of the Bedford Public Library System, she indicated that strengths of the Bedford Public Library System included a professional staff, strong local government support and a community that is supportive of the services provided to them by the Library. She mentioned the bond issues passed by both Bedford County and Bedford City to build branches and expand the main library as examples of this support. Weaknesses included the unpredictability of state funding and the lack of administrative staff. The upcoming reversion to town status of the City of Bedford will mean the end of Bedford Public Library System as a regional library. She indicated that relationships in the community are positive to surrounding communities and that Bedford residents go to Lynchburg for shopping, doctors etc.

Nan Carmack, Director of the Campbell County Public Library system indicated that her library's strengths included a dedicated staff called to public library service, their literacy program, the high value placed on the library by the community, support from county government and the ability to have input into county government through weekly meetings of department heads. A major weakness was a library foundation that is struggling to establish its

identity. She indicated that Lynchburg is the primary employer of Campbell County residents. She expressed concern with the non-resident fee charged by the Lynchburg Public Library. In touring the library system with Nan the consultant agreed with her assessment of the Timberlake Branch Library which is located in a populated area near boundaries with both Bedford County and the City of Lynchburg. This library is experiencing heavy use and needs expansion.

Lynn Dodge, Director of the Lynchburg Public Library indicated that her library's strengths included a long lived staff, the technical support provided by the City of Lynchburg, membership in LION, the Friends of Library organization, and outstanding children's collection with excellent children's programming. Weaknesses include a long lived staff – when eligible staff retires much institutional knowledge will be lost, aging volunteer corps – with difficulty in replacing, and being a part of the current economic climate which includes strong fiscal constraints on the Library. She is pleased to be a part of the City and feels that the surrounding counties are not as well organized as the City of Lynchburg. The Library is the beneficiary of a \$500,000 HVAC replacement this year and a \$150,000 gift from a local church that will expand the children's area. Lynn expressed concern about policies and organization of any merged system but indicated that her employees are flexible and points to the recent Overdrive project which included Amherst, Bedford, Campbell, Appomattox, Lynchburg and Pittsylvania Libraries as an example of library cooperation.

Recommendations:

In discussions with Region 2000 Local Government Staff, and in the process of project definition and contract preparation the concept "Best Practices" was mentioned. A "Best Practice" is generally defined as a method or technique that has consistently shown results superior to those achieved with other means and that is used as a benchmark. The consultant has read considerably in library and other literature on the subject and observes that for libraries standard documents are the closest indicators of the Best Practices concept. These documents vary from state to state and are not applicable to the project at hand. The consultant does not feel that there can be a recommended practice that is best in all cases. For this report the consultant will base recommendations on the concept that what is being sought is the best possible library service for all users provided in a fiscally responsible manner.

The consultant recommends that efforts towards library consolidation continue. In these times of fiscal constraints and changing governmental expectations it is essential that options for the provision of larger units of public library service be thoroughly examined. This process has been begun by Region 2000 Local Government Council and this report urges the continuance of these efforts and presents recommendations to guide and aid this process.

Before any further discussions concerning further cooperation are held **it is strongly recommended** that the Lynchburg Public Library take the necessary steps to remove the \$25 non-resident user fee for all residents of Bedford County and Campbell County. According to Lynn Dodge's comments of March 27, 2012 there were 602 Bedford County residents with a Lynchburg card and 984 Campbell County residents with a Lynchburg card. Total income from all non-resident fees for FY2011 was \$8,025.00. The figure for the number of Bedford and Campbell County residents included many individuals in the same household. The \$25 buys a

family card and then individuals in the family are issued individual cards. The cost of collecting this fee, the small number of users involved, and the bad will that it extends to residents of adjoining areas many of whom work in the City of Lynchburg are other reasons for its removal. This fee removal has already been extended to residents of Amherst County because of their library's participation in LION and extending it to residents of the participating libraries in this project would be an expression of good will on the behalf of the Lynchburg Public Library and remove a service contention between the libraries in this study. There are 1,255 Lynchburg residents registered in the Bedford Public Library System where there is a reciprocal fee charged due to the policy of the City of Lynchburg. Of these 1,255 residents 1,214 are registered at the Forest Library which is the closest branch to the City of Lynchburg. There are 1,320 Lynchburg residents registered in the Campbell County Public Library where there is also no charge for out of county residents. During the period April 1, 2011 through March 31, 2012, Lynchburg residents checked-out/renewed 16,334 items from the Campbell County Public Library. During the same period 32,456 items were checked out at Bedford County Public Library System by non- resident card holders. Of that number 23,405 were checked out by non-residents from its Forest branch which is adjacent to the City of Lynchburg. During the course of this study the consultant has been given by Lynchburg Public Library staff numbers ranging from 8,000 to 17,000 to 23,107 as to the number of items checked out by Amherst Public Library residents from the Lynchburg Public Library during FY11. The consultant is not confident in the reliability of these numbers.

It is recommended that any further branch construction be put on hold by the libraries involved in this study. This action will enable further discussions on cooperation/consolidation to take place. These discussions should enable a new look at library locations and could provide an early opportunity for interlibrary and intergovernmental cooperation. This action could provide the basis for decisions that enhance the use of limited fiscal resources in the development of service locations throughout the region.

Program Sharing:

The consultant observed during the interview and visitation process that each of the libraries had strengths in programming and service provision that could benefit a wider audience. As an example, he was impressed with the traveling bags used by the Bedford Public Library System in the provision of children's programming. Thus, the consultant **recommends that a committee be formed consisting of representatives of the three libraries in this study with Region 2000 Local Government Council assistance to plan further sharing of resources among the participants in this study.** This committee should begin its work no later than July 1, 2012.

The committee should consider the following programs and services as beginning points where cooperation would benefit all library users. As the discussion continues the consultant is sure that other areas will be considered as well.

- A joint summer reading program where staff skills and resources could be shared among the three libraries.
- Expansion of individual library special programs and projects to include all libraries.

- Expansion of Community Wide Reading Programs to include all libraries working with the same book at the same time.
- Working together on Adult Literacy.
- Computer literacy efforts across library boundaries.
- Readers Advisory Services.

A quality resource sharing program in which individuals from all three libraries share their experiences and talents with staff and the public in other locations will not only enrich programming but enable staff to become better acquainted with their counterparts in the other libraries. As a part of this process when an individual library has a job vacancy at professional or high non-professional level, discussions should be held with the other two libraries before a hire is made. Through this process savings might accrue over time as more efficient use is made of specialized personnel.

Automated Network Development:

As indicated earlier in the report the Bedford Public Library System and the Campbell County Public Library share an automation network. The vendor for this system is TLC. The Lynchburg Public Library is a part of the LION automation network. The vendor for this system is Sirsi/Dynix and the platform used is Horizon. Members of LION are Amherst Public Library, Lynchburg Public Library, Randolph College and Sweet Briar College. However, public sharing of holdings on this network is limited to colleges sharing their resources among themselves and public libraries doing likewise. Thus for Lynchburg Public Library users the only advantage of this system is access to the holdings of the Amherst Public Library.

In gathering data for this report the consultant worked with all libraries in the project as well as Lisa Broughman, Technical Services Librarian for Randolph College who is the part-time administrator for the LION Network. Questions were asked about costs for Bedford Public Library System and Campbell County Public Library joining LION and Lynchburg Public Library joining the TLC Network operated by Bedford and Campbell County.

A discussion ensued among the directors of the LION libraries about the feasibility of adding additional members to LION. The result of this discussion is contained in a February 15, 2012 memo from Lisa Broughman from which I quote.

“After much discussion, the directors of the LION libraries concluded that it would not be financially advantageous to add additional member libraries to our consortium...Unfortunately, it’s simply not a cost effective option for us”.

The consultant believes that sharing of resources is an essential hallmark of the 21st century public library. Sharing of resources eliminates the unnecessary duplication of lesser used material, provides the public with availability and access to a wider range of materials and promotes interlibrary communication on materials purchasing as well as other library services.

As the addition of Bedford Public Library System and Campbell County Public Library's holdings to the LION network is not a possibility, the consultant sees three options:

1. Keep the situation the same as it is currently.
2. Consider a new network based upon open source software.
3. Integrating the holdings of the Lynchburg Public Library into the TLC Network operated by Bedford Public Library System and Campbell County Public Library.

Option 1

While option 1 has no initial additional financial cost, it does not improve the current materials access levels for users of the three libraries. It also hinders progress on the cooperative actions recommended above. The current Horizon platform used by LION has a limited life span and Sirsi/Dynix the platform's vendor has made no guarantees for how long they will provide support for this platform. The platform is already aging and is falling behind many other platforms in service provision and ease of use for library customers. Thus, the Lynchburg Public Library will be facing considerable costs in the near future as Horizon is upgraded to another Sirsi/Dynix platform or to a platform of another vendor.

Option 2

Open source systems are a new presence in the library automation scene. Most library automation systems are vendor based. This includes the Horizon platform used by LION and the TLC Library Systems 4.2 platform used by Bedford Public Library System and Campbell County Public Library. In vendor based systems the software is proprietary and is not shared with anyone including those using the platforms. Development and enhancement of the platforms is done in-house. The use of enhancements by participating libraries often comes at additional cost to the libraries involved.

Open source software as its name indicates is software that is shared with the user community at large. Thus open source automation systems are freely available automated systems available for libraries. They can be modified to meet the needs of specific libraries if technical skill and knowledge is available to do the modification.

The Library of Virginia is currently doing a pilot project with eight public libraries in Virginia to convert their holdings to Evergreen the major open source library system available at this time. The purpose of this project is to convert holdings of public libraries which have outgrown their school based automation systems to the Evergreen platform. In talking with Carol Adams who is coordinating this project for the Library of Virginia she emphasized that the project is directed towards libraries in desperate situations with their current automation system. She indicated that if a current automation system vendor is providing good service there is no reason to change to an open source system.

One major impetus to change to an open source automation system is the desire to have more control over its applications and services. However, unless the library is a large one with

dedicated staff for its maintenance and enhancement such control is more an illusion than a reality.

To effectively operate open source library systems libraries using them, particularly those without large and dedicated IT staff, have to contract with companies to provide support for system operations. This is no different from the current arrangement that libraries have with their automation vendor.

The consultant does not recommend the pursuit of any open source library system for any of the libraries in this study.

Option 3

The integration of the Lynchburg Public Library's holdings into the TLC automation network used by the Bedford Public Library System and the Campbell County Public Library is a viable option. While, as indicated below, there are costs involved for Lynchburg Public Library in this option, additional costs up to and possibly exceeding these costs will accrue to the Lynchburg Public Library in the next few years no matter what action they take. Thus, **the consultant recommends that ongoing discussions be held by the three libraries with assistance from Region 2000 Local Government Council on integrating the holdings of the Lynchburg Public Library into the TLC Automation Network. Should progress be made in these discussions then at an appropriate time the Lynchburg Public Library would give a 12 month notice of their intent to leave LION.**

Based upon figures provided by TLC through Jenny Novalis, Technology Librarian for the Bedford Public Library System, full integration in the TLC system will cost Lynchburg \$74,000 with \$9,200 annually for full support costs. As Lynchburg currently uses acquisitions and serials modules of LION which are not currently a part of the TLC network, the cost for their purchase will be \$14,998 with \$2,998 annually in support costs. These costs include training costs for staff on the various modules involved. Lisa Broughman indicates that LION would charge Lynchburg Public Library \$15,900 for extracting its data from LION.

Currently Lynchburg Public Library is paying \$20,353.93 annually for costs relating to their participation in LION. The total annual costs projected above for their participation in the TLC Network are \$12,198.00.

Additional costs that will need to be considered by all libraries involved in creating a new and expanded TLC system include the establishment of a full-time IT tech position for the network. Currently a 20 hour a week IT tech provides assistance. In addition delivery services will need to be expanded to include the Lynchburg Public Library. This could be accomplished by adding a Forrest Library stop to the Lynchburg Public Library's van schedule.

While the \$104,989 initial cost to Lynchburg Public Library for joining the TLC Network is a capital expense that is not programmed in any capital budget at this time, it is essential if effective long-term cooperation with Bedford Public Library System and Campbell County Public Library is to be achieved.

A benefit to Lynchburg Public Library users in joining the TLC Network is the increase in materials that will be available for their use. Currently these users have access to materials held by the Lynchburg Public Library and the Amherst Public Library. As indicated earlier the libraries in this study had the following collection holdings in 2011.

Libraries	Total Holdings
Amherst County Public Library	111,638
Bedford Public Library System	206,818
Campbell County Public Library	231,017
Lynchburg Public Library	155,777

This chart indicates that Lynchburg Public Library users currently have access to 267,415 items. With Lynchburg Public Library's participation in the TLC Network this access would increase to 593,612 items or an increase of 122%. This is a substantial addition to the resources available to Lynchburg Public Library card holders. With access to the quality collections held by the Bedford Library System and the Campbell County Public Library System Lynchburg Public Library users would have a substantially larger resource base with which to meet their information and reading needs.

In summary, what would the residents of Lynchburg receive from the integration of their holdings into the TLC automation system?

1. Quick and easy access to collections substantially larger in both number and quality than currently possible.
2. Participation in an automation system that is current, well supported by the vendor and is easy to use.
3. Lower annual costs for system maintenance.

The residents of Bedford and Campbell Counties would be able to access Lynchburg Public Library holdings and those who work in Lynchburg would find their access to the Lynchburg Public Library an easier part of their daily activities.

Merging of Libraries in the Study

Once cooperation in programming is becoming a reality and consideration of the integration of Lynchburg Public Library's holdings into the TLC Automated Network is underway it is only logical that consideration should be given to merging the libraries in this study.

Thus, the consultant **recommends that a committee be formed at an appropriate time, under the coordination of Region 2000 Local Government Council, of administrative representatives of the governments of Bedford County, Campbell County, and City of**

Lynchburg and public library representatives to consider merging the three libraries into a new library system.

As indicated earlier in the report most of the individuals interviewed indicated that there was interest in considering further cooperation up to and including merger for the libraries in this study. Only the Friends of Lynchburg Public Library indicated little interest in this process.

In this time of budget reduction and the desire for efficient use of government resources it is essential that a thorough examination be given to merging the three libraries. It is also an opportune time for such examination as the directors of both the Bedford Public Library System and the Lynchburg Public Library are eligible for retirement.

The consultant wishes to disabuse anyone of the notion that a merged system is a way to provide substantial financial savings. ***Rather this concept should be examined from the standpoint of whether it will provide better library service.*** In combining the three libraries into one unit of service there will be cost savings from no longer needing three directors. There will also be cost savings from the consolidation of materials ordering, processing and cataloging functions. There will be new costs for necessary personnel to implement and manage expanded operations. The problem of three different personnel schedules may result in additional initial cost increases. However, a merged system can provide participating localities with more effective and stable long-term financial planning.

State Aid to Public Libraries was developed to encourage larger units of public library service.

State Aid Funding			
<u>Library</u>	<u>Population</u>	<u>Regional Funding FY13</u>	<u>FY13 Estimate</u>
Bedford	75,099		\$204,873.00
Campbell	54,926		\$148,520.00
Lynchburg	75,826		\$149,455.00
Total	205,851	\$510,603.00	\$502,848.00

As the above chart provided by the Library Development and Networking Division of the Library of Virginia indicates if the three libraries were to become a region in 2013 their state aid would total \$510,603.00. As independent libraries the three libraries would receive \$502,848.00 in state aid. This is only a \$7,755.00 difference. The reason for Bedford's larger state aid figure in FY13 is that it currently is a regional library and benefits from the state aid formula for its status. However, the upcoming status change of the City of Bedford to town status could cost the Bedford Public Library System approximately \$81,000 due to the effects of the reversion and loss of regional library status. The merging of the three libraries could improve this funding to support a new regional library system.

Merging of the three libraries into a new system can provide the following long-term advantages:

1. Stability in funding through long-term operational planning and efficient use of available resources.
2. Better service to the user community through more efficient use of highly skilled individuals in program and service provision.
3. Cost savings through combining materials ordering, process and cataloging functions.
4. Better use of collection development funding to provide enhanced access to a wider variety of resources.

Issues to be considered during the work of this committee include:

- locations of service provision
- system governance
- policies of operation
- staffing levels
- staffing compensation and benefits
- local governments payment for library service

As indicated the list is long and complex. In gathering data for this study the consultant became aware of the differences in policies of the three libraries as well as in their job descriptions and compensation schedules. As indicated earlier, there is a chart indicating job titles and compensation ranges for the three libraries in the appendix.

The consultant in his tours of library facilities noted that the Bedford Library System have unassigned space in their main facilities which would be available for providing administrative and technical areas for a merged library system.

Suggestions for approaching this issue:

The consultant recommends that the following areas be covered in the merger discussions:

1. A detailed examination of the financial support of the three libraries. How is money being used in providing public library service? What differences in approach among the three libraries are found in this examination? What is the realistic expectation of future library support?
2. Consideration of how a merged library system would be funded and how the funding process would work? Would a merged library system keep all funds not expended during the Fiscal Year or would excess funds have to be returned to the funding entities? Which entity would be the merged system's fiscal agent? There are many approaches to determining cost allocation for regional library system operations. The consultant recommends that the committee consider using circulation of library materials for each

locality's cardholders from the previous fiscal year in allocating a government's responsibility for the coming fiscal year.

3. How would the merged system be governed? Within the Virginia Code requirements the committee will need to consider the number of Trustees and their allocation among the three funding entities. The consultant recommends having one Trustee from each governing entity be a member of the top administrative staff of that entity. The consultant has found that this assists in communication between the library and the governments that fund it.
4. Determining how current facilities are to be handled in a merged system. Do they automatically become the property of the new system or do they remain the responsibility of the government that currently owns them? If so responsibilities for upkeep and maintenance need to be clearly stated in any system contract.
5. Issues of any new branch locations and survival of current library locations need to be discussed during this process. What approval do new branches need? How will current locations fit into a broader service structure? Where should the headquarters of the new entity be located? The consultant recommends that current available space be considered for the headquarters location rather than new space being purchased or constructed.
6. Staffing issues is one of the more difficult issues to be discussed during the committee's work. Each library has differing job titles and salary schedules as well as employee benefits. How many staff do you need to operate the new system in an effective and efficient manner? What type of qualifications does this staffing level require? What salary and benefit schedule should be in place? How do you deal fairly with current staff as the merged system is being developed? How will human relations be dealt with? What services such as materials ordering, processing and cataloging can be combined and where would be the logical location for such service to be housed? The consultant recommends considering a contract for Human Relations related administration and service with one of the entities involved in the contract.
7. What policies should the merged library system have? Who will provide the system with legal advice and at what cost? These are items that need to be considered prior to the establishment of formal governance. Once governance is established the Board of Trustees can formally adopt policies for the new entity.
8. What are the roles of the director and the Board of Trustees in the new system? How does the director communicate and work with each of the governmental entities? The consultant would recommend that the director have the ability to attend administrative staff meetings of each entity so that they may be more knowledgeable about governmental operations and services and can better relate the library to each of these services.

9. How will technology be handled in a merged system? Will the merged system have its own IT staff? Will IT be handled by contracting with one of the entities involved in the system? How often will technology be upgraded? How will technology be backed up and where will databases be housed?

The above is directional guidance on issues relating to the creation of a merged library system. It is not all encompassing but presents essential aspects to be considered in any discussion of this subject.

The consultant hopes that this committee will be diligent in their study and base their actions and recommendations on fact and what is best for the provision of quality library service to all their residents.

Conclusion:

The provision of quality public library service in an era of financial constraint and constant change is a challenge. In the provision of this service it is essential that those responsible for this service examine ways to provide it in a fiscally responsible manner without loss of the individualized service that library users have come to expect from their public library. The recommendations in this study provide a road map for 21st Century library service for public libraries serving the Greater Lynchburg Metropolitan Area.

Through cooperative efforts in recent years under the guidance of Region 2000 Local Government Council, local governments have developed unified programs for a variety of governmental responsibilities. There is no reason that public library service should not be included in this mix.

The consultant does not underestimate the challenges to be faced if the recommendations in this study are followed. It takes knowledge, vision, courage and the ability to communicate effectively with each other and the community at large for any change of this substance and nature to take place. Regionalization has its benefits, as seen by other projects under the guidance of Region 2000 Local Government Council. There are benefits to public library consolidation and they should be considered as a part of the discussions proposed in this report.

The consultant wishes to thank all involved in this project for their time in gathering data, providing background information, sharing their wonderful communities through tours and discussions, and providing their visions of public library service for the communities they serve with love and dedication. It has been an honor to have worked with each of you.

Appendix:

Full-Time Salary Ranges

Region 2000			
Personnel Information			
Full - Time Personnel			
Job Title	Bedford	Campbell County	Lynchburg
Director	\$70, 216.00	\$50,879.00	\$92,580.00
Associate Director	\$34,236.80 - \$50,460.80		
Assistant Director	\$32,364.80 - \$45,614.40		
Librarian III	\$30,430.40 - \$42,931.20		\$40,227.20 - \$64,355.20
Librarian II	\$28,516.80 - \$40,185.60		\$36,524.80 - \$58,448.00
Librarian I	\$26,166.40 - \$36,940.80		\$30,201.60 - \$48,318.40
Professional Librarian		\$28,093.00 - \$41,439.00	
Program Manager		\$26,755.00 - 39,465.00	
Library Associate - Accounting	\$22,276.80 - \$31,387.20		
Financial Professional II			\$38,396.80 - \$61,443.20
Circulation Supervisor			\$33,213.40 - \$54,184.00
Volunteer Coordinator			\$27,456.00 - \$45,032.00
Administrative Assistant II		\$29,499.00 - \$43,513.00	
Office Manager		\$25,481.00 - \$37,590.00	
Library Assistant III		\$24,267.00 - \$35,798.00	\$24,980.80 - \$37,977.60
Library Assistant II	\$21,240.00 - \$29,921.20		\$22,692.80 - \$36,316.80
Library Assistant I	\$19,240.00 - \$27,144.00		\$20,633.60 - \$33,966.40
Administrative Services - Associate II			\$24,856.00 - \$39,769.60
Library Clerk II			\$20,633.60 - \$33,966.40
Library Clerk I		\$18,105.00 - \$26,717	\$17,056.00 - \$28,038.40
Custodian - Courier	\$17,451.20 - \$24,585.60		
Substitutes	\$16,640 - \$23,899.20		
Page	\$15,080.00 - \$19,177.60		

Region 2000 Libraries' Discussion: An Opportunity for Service Improvement in an Era of Fiscal Constraint

October 22, 2012

Request: The Region 2000 Libraries' working group is requesting support to further examine the possibilities surrounding opportunities to consolidate the library functions of the Bedford Public Library System, the Campbell County Public Library, and the Lynchburg Public Library.

Where have we been?

- The Region 2000 Local Government Council (Council), through discussion in early 2010, identified regional library service as a concept to be studied as part of the Council's efforts to promote regional cooperation and more effective provision of public service. The Council directed a working group, composed of Region 2000 staff and area library directors, form to further discuss this concept.
- The working group completed its initial conceptual discussions by December 2010. The attached Region 2000 Libraries' Discussion report summarizes the working group's efforts to identify opportunities for improving the current library service delivery practices within the region. A key conclusion of the discussion was *the stronger a joint emphasis an area placed on library services the better positioned the library function will be to maintain services and respond to the inevitable growth in service demand and technological advancements*.
- Based on the recommendation of the working group, the Bedford Public Library System (a regional system), Bedford County, Campbell County, and the City of Lynchburg agreed to further examine this opportunity. Dominion Library Associates, LLC. (Dominion) was contracted to accomplish a more detailed analysis directed to determining the merit of further efforts toward a greater level of service improvements through regional cooperation, including recommendations for moving forward. Dominion's report, Public Libraries' Opportunities Analysis, A Study of Three Libraries for Region 2000 Local Government Council, is attached.
- Dominion has recommended *that efforts towards library consolidation continue*, validating the working group's initial conclusion. Further, Dominion provides additional recommendations to advance this consolidation discussion, including the elimination of non-resident library user fees, merging the library collection management systems for all three libraries, and other related matters.

Why is this discussion appropriate now?

- The Bedford Public Library System, a regional system, has proven to be a successful model for delivering library services across jurisdictional lines. With the Bedford City reversion to town status approaching, maintaining this approach to public service delivery is worth discussing;

- The City of Lynchburg is facing a major upgrade to its library catalogue system in the near future. This provides the opportunity to merge with the Bedford and Campbell system (already combined); and
- Key leadership positions in the systems will be experiencing turnover in the immediate future, allowing for ease of transition to a different operating model.

What are the advantages for moving forward with this discussion?

- Libraries have developed, and will continue to develop, more methods to efficiently and effectively utilize technology to inform the citizens of our community. But, how well our citizens use this information, in all its different formats, depends in large part on the quality of the public library. Libraries have been able to meet the challenge through cooperative efforts such as forming a consortium to offer the Overdrive downloadable books and merging online catalogs. These efforts can be more effective and efficient with a structured, regional library approach.
- Libraries will always offer a collection of print books, magazines, and newspapers, but today's library users have come to expect a specific title from among the thousands available. No one public library in the area could select and purchase enough to adequately meet every need of today's citizens. By merging multiple library catalogs on-line, users will have access to a much larger collection within the region.
- In October of 2011, the Campbell County Public Library and the Bedford Public Library System merged catalogs. Immediately, access to books and materials increased from 206,818 for Bedford County residents and 231,017 for Campbell County residents to 437,835 for both. Adding Lynchburg's 155,777 unit collection increases this number to almost 600,000. The Bedford and Campbell merger also saw a reduction to the licensing fees paid for the collection management software.
- In addition to offering the public access to a larger collection, using a regional approach would open the existing libraries to a greater number of users. Books borrowed at one location could be returned at any other library location. Library patrons who live or work near a neighboring library could use that library's resources on the same basis as they would use their own locality's libraries. Library interfaces and procedures could be standardized and region-wide library cards issued.
- While use of libraries and collections would be standardized throughout the region and while all libraries would have the same access to user-oriented technology, individual community focus could be maintained to best serve each area's needs. Library service that meets the needs of the citizens of Lynchburg differs somewhat from the service to patrons in Montvale and Rustburg, and those differences can be retained through individualized programs at each location.

However, the programs that are relevant to all, such as pre-school story hour, summer read program, book clubs, computer instruction, could benefit from collaboration and resource sharing. For instance, having developed curriculum for computer training at one location, that

curriculum and equipment could be shared by the entire region. Plans developed for pre-school story hour, can be utilized by all library locations, saving staff time and allowing more and better programs. Joint planning of the Summer Reading Program would allow for more effective publicity, better coverage in scheduling programming, and make it easier for students to participate.

- A regional approach to managing libraries would allow for efficiencies that are always critical, but particularly in a depressed economy. The working group's discussions highlighted the conclusion *a region cannot go into this initiative with an expectation of substantive system cost savings*. However, cost savings can reasonably be expected by elimination of duplicative management functions, ordering books and materials, cataloging and processing materials, facilities maintenance, staff training, accounting, payroll, human resources, and more.
- While the region's libraries could be managed as a whole, the ownership and identity of each library would always remain as it is now. The Bedford, Campbell, and Lynchburg public library buildings would always belong to the citizens of that locality. Any new buildings, renovations, or upgrades would remain at the discretion and responsibility of the people to whom it belongs.

What may be affected is the need for new buildings and upgrades shifting as use patterns change. In this case questions arise, such as 'Why build a new library in one jurisdiction if another jurisdiction has a building fairly close by that can be used by all citizens?' For example, the densely populated area of Forest/Timbrook/Wyndhurst may be better served by expanding one of the current libraries than building an additional library building. The regional approach would allow those kinds of options to be explored.

- Boundaries are necessary and must be considered, but should they strictly be observed when providing critical, cost effective services to our citizens? This kind of cooperative, regional approach would send a positive message to any company or business considering relocating or expanding to this area. It would say that we work together to improve the quality of life for all our citizens.

What are the questions to be answered as we move forward?

- What does a collaborative library system look like?
- How is the system governed?
- What are the financial and operating arrangements?
- What is the budget?
- More than likely, any move to a collaborative regional library system will evolve through a number of steps. What are they?

The working group will provide quarterly progress updates. No formal action will be taken without the Boards of Supervisors and City Council approvals.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 23, 2012**

AGENDA ITEM NO.:

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Proposed Amendment to the City Code to Repeal the Lynchburg Public Library Annual Nonresident Fee**

RECOMMENDATION: Amend the City Code to eliminate the Lynchburg Public Library nonresident fee.

SUMMARY: The Lynchburg Public Library is the only public library in Region 2000 that charges a nonresident borrowers fee (the Bedford Public Library charges a reciprocal fee to Lynchburg residents). The Bedford Public Library has agreed to drop the reciprocal fee on the condition that Lynchburg eliminates the nonresident fee. A recent study of opportunities for regional library collaboration identified the fee as a major impediment to collaboration. The elimination of the fee will improve access to library resources for all citizens, spur increased library use across Region 2000, and lay the groundwork for increased cooperation among all area libraries, all at a minimal cost. Staff supports the recommendation in the study as a very first step for further discussion regarding regional collaboration. In November, staff will request City Council's endorsement of further exploring the possibilities associated with regional library services.

In FY 2012, Lynchburg collected \$7,000 in fees and currently has 1,310 active, paid nonresident cards. In FY 2012, 42,000 items were checked out of the Lynchburg library by fee paying users.

The annual nonresident library fee was instituted by City Council in 1982, to help defray the cost of renovating the new main library. Currently, the fee is \$25.00 annually for a family card or \$7.00 for three months. Amherst County residents are exempt from the fee because the Amherst County Public Library and Lynchburg Public Library are in a consortium and share resources freely.

Public library use is frequently driven by geographic location or convenience. Technology makes access to the collections easier and more transparent. Many Lynchburg residents living on the western edge of the City will benefit especially from the elimination of the nonresident fee. There is already a high demand for library service in that area. The Bedford Public Library serves 1,255 fee-paying Lynchburg residents, 1,214 (97%) are registered at the Forest Library, where 23,405 items were checked by nonresidents last year. The Campbell County Public Library, with no fee, has 623 active Lynchburg nonresident users, who checked out 16,334 items. Likewise, with free access to the Lynchburg's main library, many more nonresidents who work and shop in Lynchburg are expected to make use of that collection.

PRIOR ACTION(S): City Code: Sec. 24-14. Library Fees (Ord. No. 0-89-185 & 1,6-27-89)

FISCAL IMPACT: General Fund revenues will be reduced by an estimated \$7,000 annually; costs associated with the issuance and collection of the nonresident fee are difficult to quantify.

CONTACT(S): Lynn Dodge, Director of Libraries and Museums, 455-6301

ATTACHMENT(S): Ordinance

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LYNCHBURG, 1981, BY REPEALING SECTION 24-14, THE REPEALED SECTION RELATING TO THE ANNUAL NONRESIDENT LIBRARY FEE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended by repealing Section 24-14.

~~Sec. 24-14. Library fees.~~

~~The annual fee for obtaining a nonresident borrower's card shall be twenty-five dollars (\$25.00).~~

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council