



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

January 15, 2019

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS: James B. Buckner
L.G. "Larry" Campbell, Jr.
Dr. Gary P. Miller
Sherman M. Saunders

Fred O. Shanks, III
Adam J. Tomer
J. Lee Vogler, Jr., Vice Mayor
Madison J. Whittle

STAFF: Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address. Each individual speaker shall have five uninterrupted minutes. A representative of a group may have up to ten uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and

then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Sherman M. Saunders

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Presentation by Stuart Sutphin
Virginia Cooperative Extension

COMMUNICATIONS FROM VISITORS

Citizens who desire to speak on matters not listed on the agenda will be heard at this time. Citizens who desire to speak on agenda items will be heard when the agenda item is considered.

MEETING MINUTES

- A. Consideration of Approval of Minutes from Regular Council Meeting held on December 18, 2018.
Council Letter Number CL - 2056

NEW BUSINESS

- A. Consideration of Designating Ashlawn View, LLC, as Exempt from Local Real Property Taxation.
Council Letter Number CL - 2055
 - 1. Public Hearing
 - 2. An Ordinance Exempting Certain Real Property Owned by Ashlawn View, Inc. from Local Real Property Taxation.

COMMUNICATIONS FROM:

- A. City Manager
- B. Deputy City Manager

C. City Attorney

D. City Clerk

E. Roll Call

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2056

Meeting Minutes Item #: A.

City Council Regular Meeting

Meeting Date: 01/15/2019

Subject: Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/15/2019

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on December 18, 2018.

Council Letter Number CL - 2056

Attachments

Meeting Minutes

December 18, 2018

The Second Regular December meeting of the Danville City Council was held on December 18, 2018, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (9).

Staff Members present were: Deputy City Manager Earl B. Reynolds, Jr., City Attorney W. Clarke Whitfield Jr., and City Clerk Susan M. DeMasi. City Manager Ken F. Larking was absent.

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Council Member Gary P. Miller; the Pledge of Allegiance to the Flag followed.

Mayor Jones noted an Item would need to be added to the Agenda as New Business Item E, Declaring a Local Emergency. Council Member Campbell **moved** to add New Business Item E to the Agenda, the Motion was **seconded** by Council Member Shanks and the Motion was carried unanimously.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones read a Certificate of Recognition entitled: *Honoring the Former Mayors of the City of Danville for their Service and Continued Support*. Following the reading of the Certificate, Mayor Jones presented each Mayor with a copy of the Certificate and a Gift from the City. Past Mayors recognized included Mayors Linwood Wright, Seward Anderson, Sam Kushner, John Gilstrap, John Hamlin, and Sherman Saunders. Mayor Wayne Williams was not able to attend. Council Members thanked the former Mayors for being here tonight, for all they have done for the City, and their years of dedication, support and wisdom.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Louis Garnett, Jr., 1325 North Main Street, who noted he had appeared before Council on June 5th on two issues, one was his gas and electric which has been resolved. The other was driving his personal vehicle which was insured and inspected, and stated he did not have a license which he did not need. Mr. Garnett noted he wanted to resolve his issue without suing the City or a Judge.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Consent Agenda Budget Items. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 11, 2018. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of the following Consent Agenda items:

Minutes from the Regular Council Meeting held on November 20, 2018 and Minutes from the Special Work Session held on November 8, 2018; draft copies had been distributed prior to the meeting.

December 18, 2018

Amending the Fiscal Year 2019 Budget Appropriation Ordinance for Funds from HUD, and Estimated Program Income in the Amount of \$1,286,284.00

Ordinance No. 2018-12.04, Presented by its First Reading on December 4, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance for Projects to be or being Undertaken to Improve the Danville Community Financed with Community Development Block Grant, Home Investment Partnership Funds from the U.S. Department of Housing and Urban Development, and Estimated Program Income for a Total Appropriation of \$1,286,284.00.

Amending the Fiscal Year 2019 Budget Appropriation Ordinance for Funds from the Litter Control and Recycling Grant in the Amount of \$9,497

Ordinance No. 2018-12.05, Presented by its First Reading on December 4, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Anticipate Grant Funds from the Commonwealth of Virginia for Litter Control and Recycling Efforts in the Amount of \$9,597 and Appropriating Same.

Amending the Fiscal Year 2019 Budget Appropriation Ordinance for the 2018 Edward Byrne Memorial Justice Assistance Grant Program in the Amount of \$33,274

Ordinance No. 2018-12.06, Presented by its First Reading on December 4, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Increasing Revenue for the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award in the Amount of \$33,274 to be Used to Implement a Community Bicycle Patrol Project.

The Motion was **seconded** by Council Member Saunders and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

APPOINTMENTS

Vice Mayor Vogler **moved** for adoption of the following Appointment Resolutions:

Resolution No. 2018-12.02 - A Resolution Reappointing Samuel S. Thomas as a Member of the Building Code Board of Appeals.

Resolution No. 2018-12.03 - A Resolution Reappointing Jarrett White as a Member of the Building Code Board of Appeals.

Resolution No. 2018-12.04 - A Resolution Appointing Lawrence Meder as a Member of the Building Code Board of Appeals.

Resolution No. 2018-12.05 - A Resolution Reappointing Lenard Lackey as a Member of the Employee Retirement System Board of Trustees.

Resolution No. 2018-12.06 - A Resolution Reappointing Krystal Farmer as a Member of the Fair Housing Board.

December 18, 2018

Resolution No. 2018-12.07- A Resolution Appointing Matthew Bailey as a Member of the Fair Housing Board.

Resolution No. 2018-12.08 - A Resolution Reappointing Harold Garrison as a Member of the Planning Commission.

Resolution No. 2018-12.09 - A Resolution Appointing Sherman M. Saunders as a Member of the Staunton River Regional Industrial Facility Authority.

Resolution No. 2018-12.10 – A Resolution Appointing Fred O. Shanks, III, as a Member of the Staunton River Regional Industrial Facility Authority.

Resolution No. 2018-12.11 - A Resolution Appointing J. Lee Vogler, Jr., as an Alternate Member of the Staunton River Regional Industrial Facility Authority.

The Motion was **seconded** by Council Member Tomer and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

NEW BUSINESS

REVIEW OF GENERAL FUND FINANCIALS AS OF NOVEMBER 30, 2018

Director of Finance Michael Adkins gave the report on the General Fund Financial results through the end of November noting it was the fifth month and 42% of the fiscal year. The Revenues from the General Fund are comparing very favorably to the prior year, at or above where they are expected to be at this point in the fiscal year. As of November 30th, the City has received \$38.8M of their revenues, that is \$2M more than last year. There are three major components of this increase from last year, property taxes, local taxes and the investment earnings. The City had a Personal Property Tax rate increase that went into effect January 1, 2018; this is the first fall billing the City has had related to that and is pushing the property taxes over where they were last year. Under Local taxes, Sales, Meals and Lodging continue to exceed expectations. There was an increase in the Meals Tax rate from 6% to 6.5% that went into effect in July of this year; that is partially the reason for the increase in the local taxes. Under the City's Investment Earnings, the Treasury interest rates have been increased a few times over the last several months, this is favorable for the City since as the City's bond investments mature, the City reinvests those in higher rates as well the City's CDs. The City is seeing an increase in its investment earnings over last year as well. The collection of Delinquent Real Estate taxes is exceeding its budget expectations. At this point in the year, the City has collected over \$600,000, that is about \$236,000 more than last November. They had a public auction last month of abandoned properties and that was quite successful. Mr. Adkins reviewed the tables included in the packet noting a big portion of the local tax budget is business licenses; some entities pay those to the city quarterly, but for the most part, they are billed once a year in March, with a big influx of revenue in March. Looking at the three major components of local taxes, sales, meals and lodging, in each of those three cases the City it at or exceeding budget as well as being higher than last year in all three categories. With Meals Tax, that would be partially because of the rate increase, but with Sales and Lodging, there was no difference in the rate this year as compared to last year so that is

December 18, 2018

growth in those areas. Under Expenditures, the City has spent \$49M in Departmental Spending, that is a little less than 42% which is where the City expects to be right now; the City is on track and slightly above last year. The main component of that would be the cost of the retirement enhancement for Public Safety. Mr. Adkins reviewed the Fund Balance for the General Fund, the biggest portion is the Unassigned Fund Balance, money that is available for emergencies or whatever Council deems it should be used for. A lot of the City's State funding is a reimbursed on a reimbursement basis; there are Social Service programs and Constitutional Offices that are supported by state revenues. The City has to spend the money first, report it to the State and then get reimbursed; that reimbursement is always lagging behind the spending. Mr. Adkins noted the City is more than halfway through the month of December and have collected the first billing of real estate and personal property tax. The City would expect to collect about 50% of these taxes at this point. With Real Estate, the City has collected just over half of the budget for the year and is where it is expected to be, and surpassing the 50% mark slightly; collections this year were a little better than last year. Personal Property is not quite at 50% of budget, part of the Personal Property tax is paid for by the State, however, the City does not get equal installments from the State. More than half of that money comes later in the fiscal year and pushes the City's collection rate down at this point. The City does expect to be around the 43-45% mark at this time and are actually at the 46% mark at this point. Council had no questions for Mr. Adkins.

APPROVAL OF SUBMISSION OF THE CITY'S COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PROJECTS LIST

Council Member Buckner **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-12.12

APPROVING THE SUBMISSION OF THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PRIORITY PROJECTS FOR MAINTAINING DANVILLE'S STATUS AS A REDEVELOPMENT AREA UNDER THE ECONOMIC DEVELOPMENT ADMINISTRATION'S PROGRAM.

The Motion was **seconded** by Council Member Tomer and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

DECLARATION OF THE OPIOID CRISIS IN THE CITY OF DANVILLE A PUBLIC NUISANCE

Council Member Miller **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-12.13

RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA DECLARING THE OPIOID CRISIS IN THE CITY OF DANVILLE A PUBLIC NUISANCE WHICH MUST BE ABATED FOR THE BENEFIT OF DANVILLE AND ITS RESIDENTS AND CITIZENS PURSUANT TO VIRGINIA CODE SECTIONS 15.2-900 AND 48-5.

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The Motion was **seconded** by Council Member Whittle.

Council Member Miller noted this was a public safety hazard, 42,000 people died last year in this country of opioid overdoses, more than auto accidents and breast cancer. This is something that needs to be addressed; it is occurring in this community.

Vice Mayor Vogler thanked Dr. Miller for bringing this to Council's attention, there are a number of localities throughout the nation that are dealing with this and taking similar courses of action; it is a very serious issue across the nation and in the City's backyard. In 2016, drug overdoses claimed the lives of nearly 64,000 Americans, nearly 2/3 of those deaths involved prescription or illicit opioids. The CDC estimates the total economic burden of prescription opioid misuse in the US is \$78.5B a year; it impacts the workforce, schools and the communities in a devastating way.

The **Motion** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

**APPROVING AN ENGAGEMENT TO REPRESENT AGREEMENT TO AUTHORIZE
EMPLOYMENT OF OUTSIDE COUNCIL**

Council Member Miller **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-12.14

AUTHORIZING THE EMPLOYMENT OF JAMES C. PETERSON, ESQUIRE, OF THE LAW FIRM HILL, PETERSON, CARPER, BEE & DEITZLER, PLLC, TO FILE SUIT AGAINST THOSE LEGALLY RESPONSIBLE FOR THE WRONGFUL DISTRIBUTION OF PRESCRIPTION OPIATES AND DAMAGES CAUSED THEREBY.

The **Motion** was seconded by Council Member Buckner.

Council Member Shanks noted when this first came up, Council looked at using a firm that was heavily present at the Virginia Municipal League, and was proud that Council looked further into opportunities for local firms to be part of the team that represents the City. Although Council has no idea how this lawsuit will end up, Mr. Shanks stated it was in Council's best interest to make sure the City was represented locally and was proud that Council made that decision. City Attorney Clarke Whitfield explained three of the attorneys that will be working directly were at Council this evening, George Daniel and Jake Daniel of Daniel, Thomas and Mark Williams of Williams, Morrison, Light & Moreau.

Council Member Miller noted his agreement that it was important to have local representation. This was not costing the City anything up front, they will be paid on a contingency basis; Council Member Campbell noted his agreement with Dr. Miller. City Attorney Clarke Whitfield explained the retainer agreement he has been authorized to sign, stated that no public funds will be used in order settle any expenses or any other fees to the attorneys.

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The **Motion** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

RESOLUTION DECLARING A LOCAL EMERGENCY AS A RESULT OF WINTER STORM DIEGO

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-12.15

DECLARING A LOCAL EMERGENCY DUE TO SNOW, SLEET AND ICEY CONDITIONS AS A RESULT OF WINTER STORM DIEGO WITHIN THE CITY OF DANVILLE, VIRGINIA BEGINNING DECEMBER 9, AND ENDING DECEMBER 11, 2018.

The Motion was **seconded** by Council Member Shanks and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

COMMUNICATIONS

Deputy City Manager Earl Reynolds wished a Merry Christmas and Happy New Year to members of City Council, thanked them for all they do, and for their support of administration and staff. Mr. Reynolds asked everyone to keep the City Manager and his wife in their thoughts and prayers. City Attorney Clarke Whitfield wished everyone a Merry Christmas and noted that the first meeting of January will be on Thursday, January 3, 2019.

ROLL CALL

Council Member Tomer wished everyone a Merry Christmas, Happy New Year and a special time with their families and loved ones, and noted to the City Manager, he was in their thoughts and prayers.

Vice Mayor Vogler thanked everyone here tonight and watching on TV. Yesterday, Essel Propak announced a \$31M expansion in the City, adding forty-five jobs with an average salary of \$46,000; it was a tremendous announcement for the City. Thursday morning, the Governor will be in Danville to make an announcement and encouraged everyone to attend. Mr. Vogler wished everyone a Merry Christmas and Happy New Year.

Council Member Whittle noted he was grateful for the Essel Propak expansion, it was great news for the ending of the year, and wished everyone a Merry Christmas.

Council Member Buckner thanked all the former Mayors that were here tonight, it was a great event, and wished everyone a Merry Christmas and Happy New Year. Mr. Buckner noted he was looking forward to the big announcement on Thursday.

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Council Member Campbell thanked all the Public Works employees in the City of Danville who did an outstanding job during the snowstorm. Reverend Campbell wished everyone a Merry Christmas and Happy New Year; it was a wonderful event with the former Mayors.

Council Member Miller noted Council's prayers are with the City Manager. The Community Light Show is one of the top twenty events in the south in the winter and encouraged citizens to go out and see it. The Wendell Scott event last week was a great event and was looking forward to the time they can celebrate a Wendell Scott Museum. Dr. Miller wished everyone a Merry Christmas and Happy Holidays.

Council Member Saunders thanked Council for recognizing the former Mayors, and for the gift given to each Mayor. Mr. Moody, Director of Social Services, did an excellent job on his update and the good progress the City has made in that department. Mr. Saunders wished everyone a Merry Christmas.

Council Member Shanks thanked all the City employees for their dedication dealing with the last snowstorm; employees and their families were affected for several days and he was appreciative of those people that sacrificed their time to serve the City. Mr. Shanks noted there were six shopping days until Christmas and encouraged people to support local businesses in the region. Mr. Shanks wished a Merry Christmas to fellow Council Members and citizens and noted that Ascension Lutheran Church has the Chrismon Tree up and encouraged everyone to visit.

Mayor Jones thanked the media and congratulated Bruce Hedrick for his Showcase Magazine award. Mayor Jones noted many Council members will be at the Community Market on Christmas Day, will serve people at the Community Christmas Dinner, and encouraged citizens to come down and help out. Mayor Jones noted his prayers to the City Manager and wife and encouraged citizens to smile and be kind to one another.

The meeting adjourned at 8:08 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2055

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 01/15/2019

Subject: Request for Tax Exempt Status by Ashlawn View, Inc.

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/15/2019

SUMMARY

The City received an application for tax exempt status from Danville Pittsylvania Community Services for Ashlawn View, LLC in April, 2018. Ashlawn View, LLC provides elderly persons and/or handicapped persons with a four bedroom housing facility and services specially designed to meet their physical, social and psychological needs, and promotes their health, security, happiness and usefulness in longer living. Tax exempt status was granted for Parcel ID #58688 on June 19, 2018, however, the application had requested tax exempt status for Parcels #58256, #58257, #58684, and #58685, as well; these were omitted from the request in error. (Parcels #58686 and #58687 were also included in the request, but these parcels had been combined into #58688 in 2011.)

Parcel ID #58256 has an assessed value of \$400 - with \$3.20 in real estate taxes

Parcel ID #58257 has an assessed value of \$400 - with \$3.20 in real estate taxes

Parcel ID #58684 has an assessed value of \$500 - with \$4.00 in real estate taxes

Parcel ID #58685 has an assessed value of \$500 - with \$4.00 in real estate taxes

Parcel ID #58688 had an assessed value of \$313,300 and \$2,506.40 in real estate taxes - tax exempt status was granted on June 19, 2018.

BACKGROUND

The City received an application for tax exempt status from Danville Pittsylvania Community Services for Ashlawn View, LLC; several parcels were omitted in error from their request to Council. This item is to correct that omission and ask Council to consider granting Tax Exempt Status for the remaining parcels, #58256, #58257, #58684 and #58685 with a total assessed value of \$1,800 and real estate taxes of \$14.40.

Attachments

[Ordinance](#)

[Application](#)

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE EXEMPTING CERTAIN REAL PROPERTY OWNED BY ASHLAWN VIEW, INC. FROM LOCAL REAL PROPERTY TAXATION.

WHEREAS, Ashlawn View, Inc., has been providing services for the common good of the citizens of the City of Danville and other areas since 2010; and

WHEREAS, Ashlawn View, Inc., is a 501(c) (3) organization established for charitable purposes; and

WHEREAS, Ashlawn View, Inc., owns real property in the City of Danville and tangible personal property in the City of Danville; and

WHEREAS, Ashlawn View, Inc., does not have a current alcoholic beverage license for serving alcoholic beverages for use on any property being requested to be exempt from taxation; and

WHEREAS, Ashlawn View, Inc., asserts that no director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for other personal services which such director, officer, or employee actually renders; and

WHEREAS, the net earnings of Ashlawn View, Inc., do not inure to the benefit of any specific individual but are used for the benefit of individuals which qualify for their services; and

WHEREAS, Ashlawn View, Inc., provides mental health, intellectual disability, substance abuse, and prevention services to the citizens of our City and County; and

WHEREAS, a substantial part of the activities of Ashlawn View, Inc.,

does not involve carrying on propaganda or otherwise attempt to influence legislation and that Ashlawn View, Inc., does not participate or intervene in any political campaign on behalf of any candidate for public office; and

WHEREAS, the Council of the City of Danville, Virginia designated, Ashlawn View, Inc., as a charitable organization within the context of §6(a)(6) of Article X of the Constitution of Virginia at its June 19, 2018 meeting; and

WHEREAS, certain properties that Ashlawn View, Inc. requested to be exempted from real property taxation were omitted in error; and

WHEREAS, in accordance with Section 37-49.2 of the Code of the City of Danville and Section 58.1-3651 of the Code of Virginia 1950, as amended, the Council of the City of Danville has advertised and conducted a public hearing on the issue of granting an exemption from local property taxes to Ashlawn View, Inc.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia:

1. That the real properties located on Ashlawn Drive identified as Parcel ID# 58256, #58257, #58684 and #58685 are used for charitable purposes on a nonprofit basis and are hereby exempt from local property taxation; and

The effective date of these exemptions shall be the 1st day of July, 2018.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

City Attorney

Danville-Pittsylvania Community Services

"Unlocking Potential With Each Sunrise"

Executive Director
James F. Bebeau, LPC
434-799-0456

Services
Prevention Services
434-797-3981
Behavioral Health Services
434-793-4931
Developmental Services
434-799-0456

Operations
Finance Division
434-799-0456
Human Resources Division
434-799-0456
Compliance & Information Systems
434-799-0456

April 3, 2018

Susan M. DeMasi, City Clerk
City of Danville, Virginia
427 Patton Street, Room 428
Danville, Virginia 24541

Dear Ms. DeMasi,

Enclosed is an Application for Tax Exempt Status and supporting documentation for Ashlawn View, Inc. Please do not hesitate to contact me with any questions at (434) 799-0456, ext. 3018 or jbebeau@dpcs.org. We appreciate your review and consideration of our application.

Regards,



James F. Bebeau, LPC
Executive Director
Danville-Pittsylvania Community Services, Sponsoring Agency of Ashlawn View, Inc.

Enclosures



245 Hairston Street, Danville, Virginia 24540
434-799-0456 Fax 434-793-4201 TDD 434-799-0198
Gretna Office 111 Center Street, Gretna, Virginia 24557
From Gretna 434-656-8201 From Danville 434-797-2116 Fax 434-656-8204
www.dpcs.org



**CITY OF DANVILLE
OFFICE OF THE CITY MANAGER**

APPLICATION FOR PROPERTY TAX EXEMPTION

PROPERTY OWNER: Ashlawn View, Inc.
PARCEL TAX MAP NO.: 58256, 58257, 58684, 58685, 58686, 58687, 58688
PROPERTY ADDRESS: 119 Ashlawn Drive
MAILING ADDRESS: 245 Hairston Street, Danville, Virginia 24540
PERSONAL PROPERTY: No.
CONTACT NAME: James F. Bebeau, Executive Director
DAYTIME TELEPHONE: (434) 799-0456, Extension 3018
DAYTIME FAX NO.: (434) 793-4201

1. Is the property owner chartered or incorporated under the laws of the Commonwealth of Virginia?

Yes. (See Attachment #1)

If yes, attach a copy of the charter or Articles of Incorporation and Bylaws or any other documents governing the property owner entity.

2. For what purpose is the owner chartered, incorporated or otherwise in existence?

To provide elderly persons and/or handicapped persons with a four-bedroom housing facility and services specially designed to meet their physical, social, and psychological needs, and to promote their health, security, happiness and usefulness in longer living, the charges for such facilities and services to be predicated upon the provision, maintenance, and operation thereof on a nonprofit basis.

3. For what purpose is the property currently being used? Be specific. If there are several types of use, indicate such usages by areas of the buildings, floor locations and land allocations.

The property holds a single story, four-bedroom home which is handicapped equipped, and is currently occupied by four intellectually disabled individuals who receive 24-hour care.

4. Does any individual or entity other than the property owner occupy or use any part of the premises?

No.

5. Is any income received from the use of any portion of the property considered as rent or reimbursement for services incurred?

Yes.

If yes, provide details:

The property consists of a HUD-subsidized group home for individuals with intellectual disabilities. These individuals also receive clinical services to support the community residence.

6. Provide a copy of the application and supporting documents submitted to the Internal Revenue service (IRS) for 501(c) tax-exempt status, together with copies of all responses from the IRS.

(See Attachment #2)

7. Provide a copy of the Internal Revenue Service (IRS) Form 990, 990-EZ or 990PF together with any schedules and attachments most recently filed with the IRS for the previous calendar year or an explanation why such was not filed.

(See Attachment #3)

8. Attach your most recent financial statements; including where applicable, forms filed with the IRS, reflecting income and expenditures for the most current 12-month reporting period. All submitted documents will become part of this application.

(See Attachment #4)

9. Does the property owner hold a current Alcoholic Beverage License for use on the subject property?

No.

10. List by name, title and amount any director, officer or employee of the organization whose annual compensation is in excess of \$60,000.

None.

11. Does any part of the net earnings of the property owner insure to the benefit of any individual?

No.

ORGANIZATION: Ashlawn View, Inc.

BY: (Officer's Name) *James F. Bebeau, LPC*

Officer's Title: Executive Director & Assistant Secretary

Date: 3/29/18

COMMONWEALTH OF VIRGINIA
CITY OF DANVILLE

James F. Bebeau, LPC, being duly sworn, deposes and states that as Assistant Secretary of Ashlawn View, Inc. he/she has read this application and knows the contents thereof and that the matters stated are true.

James F. Bebeau, LPC
Signature of Officer

Subscribed and sworn to before me this 29th day of March, 2018

Carol Taylor Cundiff
Notary Public

My Commission Expires: 3-31-2022

Notary Registration Number: 199640

CAROL TAYLOR CUNDIFF
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #199640
My Commission Expires 3-31-22