

The Rural Retreat Town Council held a regular meeting on June 28, 2011, at 7:00 p.m. in the Rural Retreat Town Hall Council Chambers.

### **PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz, Ed Schaack, Scott Mecimore, Dale Yontz, Peggy Hash, Jerrell Hall

### **ABSENT**

Vice-Mayor Keith Crigger

### **ADMINISTRATION PRESENT**

Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

### **ADMINISTRATION ABSENT**

Raymond Matney, Town Manager

### **OTHERS PRESENT**

Deborah Porter; Elijah Sumner; Amanda Evans – Wytheville Enterprise; Chuck Sullins  
Pat Lamoureux – Rural Retreat Senior Citizens

### **DETERMINATION OF A QUORUM**

Mayor Litz called the meeting to order and determined a quorum was present.

### **INVOCATION**

The invocation was given by Rev. Ed Schaack.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Litz.

### **APPROVAL OF MINUTES**

A motion was made by Councilmember Yontz, seconded by Councilmember Hash to approve the minutes of the June 14, 2011 public hearing/regular meeting as written. The motion passed by a vote of three (3) for: Hash, Schaack, Yontz; zero (0) against; two (2) abstentions: Hall, Mecimore; one (1) absent: Crigger.

## **COUNCIL MEETING MINUTES – JUNE 28, 2011 – PAGE 2**

### **CITIZEN'S TIME**

Pat Lamoureux asked the Council if any work had been done toward an ordinance on exemptions for food vendors. Mayor Litz asked Mrs. Guynn if she would like to address this item now or during the town managers report. Mrs. Guynn explained the town's legal counsel had drafted this ordinance and it will be advertised for a public hearing on July 12<sup>th</sup>. She added Mr. Matney had stated in his written report that exempt vendors are required to obtain a permit from and will be inspected by the Wythe County Health Department; however, they will be allowed to sell food that is not prepared on site. This ordinance will be scheduled for a public hearing on July 12<sup>th</sup>.

Bob Lewis commented on the sale of drinks at Heritage Days. He asked why food vendors, other than the fire department aren't allowed to sell drinks. Mayor Litz stated this was an agreement entered into with Pepsi on behalf of the fire department. He also added this was mirrored after the agreement Pepsi has with the Chautauqua festival and was done for the good of the fire department. Mr. Lewis added he understood it was for the good of the fire department but it limits other vendors and he felt the town was wrong for entering into the agreement. Mayor Litz stated the food and drink limitations are included on the vendor applications. Mr. Lewis asked if drinks could be sold in the Community Center. Mrs. Lamoureux responded no. Mrs. Guynn clarified the limited drinks include soft drinks and Gatorade products. Mrs. Lamoureux questioned where the town found the law stating this restriction. Mayor Litz commented this was an agreement between Pepsi and the town. Mrs. Guynn added Mr. Matney had handled this agreement and would be better suited to address these concerns. Mr. Lewis then stated he is hearing rumors around town that the individual the Council offered the town manager position too has declined and the Council is considering offering it to a person with a limited background. He asked the Council to give this decision more consideration and to re-advertise the position as a town manager position not an assistant town manager which more applications would be received. Personnel Committee Chairman Schaack commented the advertisement with VML and through the VEC was for a town manager not an assistant and he asked Mr. Lewis if he had met the person he is referring too. Mr. Lewis replied he had not met him. Councilmember Hash added the people of the community haven't met the person so they don't know what he is like. Councilmember Hall stated a background check is part of the process of hiring a person. Mr. Lewis suggested the Council conduct a get together with the potential candidates for the town's people to meet them. Councilmember Mecimore commented that all of the meetings have been open meetings. Mr. Lewis further stated instead of the Personnel Committee handling the hiring of the position that a headhunter outfit should be hired so more applications will be received. Mr. Lewis thanked the Council for their time. Mayor Litz thanked Mr. Lewis for his comments and added the Council is doing as the town's people have elected them to do.

## **COUNCIL MEETING MINUTES – JUNE 28, 2011 – PAGE 3**

### **CORRESPONDENCE**

Mayor Litz read an invitation from the Wythe County Board of Supervisors for the ground breaking ceremony for the Wytheville to Rural Retreat water extension project on July 7 at 11 a.m. to be held at the Williams Packing House on West Lee Highway.

### **POLICE REPORT**

Chief Mitchell stated the activity for the month had been slow to date. He is currently assisting the Wythe County Sheriff's Office with investigations on incidents that occurred in town. Councilmember Yontz commented he had received complaints about aggressive dogs from people walking/running in which one thought they had been bitten. Another person had been chased near the Rural Retreat High School Agricultural building. Councilmember Yontz stated he had asked for the people to give him an address where the dogs are and he would contact Chief Mitchell. Chief Mitchell commented if the people don't contact him then he doesn't know about the dogs. Mayor Litz added the citizens need to contact the Wythe County Sheriff's Office dispatch office. Councilmember Schaack stated there is a big black dog near RRHS that stays loose.

### **UNFINISHED BUSINESS**

**ADOPTION OF 2011-2012 FISCAL BUDGET** – Councilmember Hall made a motion to adopt the 2011-2012 Fiscal Year Budget as advertised. The motion was seconded by Councilmember Yontz. Councilmember Mecimore commented the tax and utility rate changes will affect them as well as the citizens. Councilmember Hall noted the changes are minute. Mayor Litz thanked Mr. Matney, Mrs. Guynn and the Finance Committee for their work on preparing the budget. There being no further discussion, the motion passed by a vote of five (5) for: Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against; one (1) absent: Crigger.

**ADOPTION OF MEALS TAX ORDINANCE** – Mayor Litz asked Mrs. Guynn to address this ordinance. Mrs. Guynn explained this ordinance is an amendment to the current ordinance and will increase the town's meals tax rate from four percent (4%) to five percent (5%) effective July 1 and will replace Ordinance 40-A that was previously effective July 1, 2000. Councilmember Schaack made a motion to adopt the proposed amendment to the meals tax ordinance. The motion was seconded by Councilmember Hash and passed by a vote of five (5) for: Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against; one (1) absent: Crigger.

### **NEW BUSINESS**

NONE

## **COUNCIL MEETING MINUTES – JUNE 28, 2011 – PAGE 4**

### **COMMITTEE REPORTS**

HERITAGE DAYS – Chairman Yontz deferred to Chuck Sullins, co-chair. Mr. Sullins stated the posters will be available the first of the week. Mayor Litz also added the Dr. Pepper Corporation will be contributing \$4,500. He asked Mr. Sullins how much money had been raised thus far with the fundraising efforts. Mr. Sullins responded the total is approximately \$8,000-\$9,000. Chairman Yontz added this total does not include the items that will be raffled and given away at Heritage Day. Mrs. Guynn commented that Troy Harris with the Dr. Pepper Corporation had requested the town send an invoice for their donation which the invoice has been sent. She also stated the final details are being worked out for the Heritage Day Pageant and the Wytheville Department of Museums will be attending the festival on Saturday to sell the Dr. Pepper Christmas ornament and depot building. They will be located inside the Community Center. Councilmember Mecimore asked if the contractors for the sidewalk project will be returning to town to clean up and pave East Railroad Avenue. Mrs. Guynn responded W&L Construction is scheduled to pave on Tuesday, July 5 and Mr. Matney has told the contractors they need to have this area satisfactory before the festival.

PERSONNEL – Chairman Schaack reported the Committee met prior to the Council meeting to discuss a plan of action for hiring a town manager. He stated the Committee was disappointed with Robert “Andy” Morris’ rejection of the offer however there is a very high second choice, Michael James. Discussions were conducted on inviting Michael James to Rural Retreat on Wednesday, July 6 for a tour with Mr. Matney. Afterwards meet and greet reception with the full Council will be held at 6:00 p.m. Mayor Litz added pending Mr. James accepts the invitation. Chairman Schaack concurred and further stated if the meeting is positive then the Council could vote at the next regular meeting. If Mr. James is offered the position then he will have seven days to respond to the offer made, Chairman Schaack added. He continued by stating if the offer isn’t accepted then the Committee has decided to start from scratch.

### **TOWN MANAGER’S REPORT**

The Town Manager’s report is attached and is hereby made a part of these minutes. The following items were reported by Clerk/Treasurer Guynn in Mr. Matney’s absence and were discussed and/or acted upon:

2012 BUDGET – This item was previously addressed.

MEALS TAX ORDINANCE – This item was previously addressed.

FOOD VENDOR EXEMPTION ORDINANCE – This item was previously addressed. A public hearing will be held July 12.

PROPERTY MAINTENANCE ORDINANCE – Proposed ordinance to restrict grass to a maximum height of 12 inches will be scheduled for a public hearing on July 12<sup>th</sup>.

OUT-OF-TOWN WATER PROJECT, DIVISION I – The contractor has completed this project.

**COUNCIL MEETING MINUTES – JUNE 28, 2011 – PAGE 5**

OUT-OF-TOWN WATER PROJECT DIVISION III – The Council needs to recommend to the funding agency that this contract be awarded to the low bidder, Wells Construction Company of Vinton, Virginia for \$142,148.30, subject to concurrence by USDA Rural Development. A motion was made by Councilmember Hall to award the contract for the out-of-town water project, division III to Wells Construction Company for \$142,148.30 pending approval by USDA Rural Development. Councilmember Yontz seconded the motion and it passed by a vote of five (5) for: Hall, Hash, Mecimore, Schaack, Yontz and zero (0) against; one (1) absent: Crigger.

IN-TOWN WATER PROJECT – The contractor has completed Frye Avenue and is continuing construction on West Lee Highway. The bore under Cherry Street is scheduled for June 27<sup>th</sup>.

TEA-21 SIDEWALK PROJECT – W&L Construction Company is scheduled to patch East Railroad Avenue and Catron Street on July 5<sup>th</sup>. The contractor continues to work on the south side of East Buck Avenue between Catron Street and North Greever Street.

AEP LIGHTING PROGRAM – The contractors began work on this program on Friday, June 24<sup>th</sup>.

**TREASURER’S REPORT**

The bills for June 28, 2011 were read and approved.

**TALK OF THE TOWN**

No one was available to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning or call and decline.

**ADJOURNMENT**

There being no additional business for discussion, the meeting was adjourned upon a motion by Councilmember Schaack and was duly seconded and approved.

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Mayor

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Clerk

The Rural Retreat Town Council hosted a meet and greet reception with a candidate for the town manager position on July 6, 2011 at 6:00 p.m. in the Rural Retreat Town Hall Council Chambers.

**PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz, Ed Schaack, Scott Mecimore, Dale Yontz, Peggy Hash, Jerrell Hall

**ABSENT**

Vice-Mayor Keith Crigger

**ADMINISTRATION PRESENT**

Raymond Matney, Town Manager; Lori Guynn, Clerk/Treasurer

**ADMINISTRATION ABSENT**

Scott Mitchell, Police Chief

**OTHERS PRESENT**

Michael James; Bob Lewis; Jack Weaver

**INVOCATION**

The invocation was given by Rev. Ed Schaack.

Following the invocation those present enjoyed a meal and fellowship. After the meal, a roundtable question and answer session was conducted by those present with Mr. James. Following Mr. James' departure, Personnel Committee Chairman Schaack asked the councilmember's to be prepared to make a decision at the next regular Council meeting as to whether to offer Mr. James the town manager position or not. He added Mr. James will have seven days to respond, if an offer is extended to him. There being no additional comments, the meet and greet reception concluded.

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Mayor

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Clerk