

The Rural Retreat Town Council held a public hearing during the regular meeting on July 12, 2011, at 7:00 p.m. in the Rural Retreat Town Hall Council Chambers.

**PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz, Vice-Mayor Keith Crigger, Ed Schaack, Scott Mecimore, Dale Yontz, Peggy Hash, Jerrell Hall

**ABSENT**

NONE

**ADMINISTRATION PRESENT**

Raymond Matney, Town Manager; Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

**ADMINISTRATION ABSENT**

NONE

**OTHERS PRESENT**

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.

**PUBLIC HEARINGS**

**MEALS EXEMPTION ORDINANCE & GRASS/WEED HEIGHT LIMIT ORDINANCE -**  
Mayor Litz read the following public notice as published in the *Wytheville Enterprise*: The Rural Retreat Town Council will hold a public hearing on Tuesday, July 12, 2011 at 7:00 p.m. in the Town Council Chambers. The purpose of this hearing is to hear comments from citizens prior to the Council's consideration of an amendment to the Grass and Brush Cutting Ordinance that will restrict the height of grass and weeds to no more than twelve (12) inches in residential areas and an ordinance exempting designated non-profit organizations from meeting Virginia Health Department regulations in the Town of Rural Retreat. A copy of these ordinances may be

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reviewed at the Rural Retreat Town Hall during normal business hours or at [www.townofruralretreat.com](http://www.townofruralretreat.com) Citizens are encouraged to attend or submit comments concerning the ordinances.

Mayor Litz opened the public hearings for comments. There being no comments from the citizens present, Mayor Litz closed the public hearing.

### **APPROVAL OF MINUTES**

A motion was made by Councilmember Hall, seconded by Councilmember Yontz to approve the minutes of the June 28, 2011 regular meeting and July 6, 2011 meet and greet reception as written. The motion passed by a vote of six (6) for: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against.

### **CITIZEN'S TIME**

Pat Lamoureux addressed the meals exemption ordinance and stated it will cover the Rural Retreat Senior Citizens as a non-profit organization. Mr. Matney added the ordinance will not exempt the Senior Citizens from meeting the health department regulations or being inspected but will only allow them to prepare food at home to be served during Heritage Days which will still require a permit from the health department. Mrs. Lamoureux also commented that two people from their group will be attending a food handling course in Giles County to become certified.

### **CORRESPONDENCE**

Mr. Matney read an invitation for the Heartwood Homecoming on Saturday, July 23 at 3:00 p.m. in Abingdon. A response is requested by July 14. Mr. Matney also addressed a letter he had received from the Friends of Southwest Virginia requesting the town's participation in the 2011-2012 year by contributing \$2,500 to the program. Mr. Matney added this allocation was not budgeted therefore he assumed the Council had chosen to not participate in this program. Mayor Litz commented he felt the Council had given ample consideration to this request. Mr. Matney asked for permission to respond to the request to notify the Friends of Southwest Virginia that the town would not be participating. The councilmember's concurred.

Mayor Litz stated he had received an email from a person in reference to not being allowed to carry a handgun on Rural Retreat Lake property. Mayor Litz added this was out of the town's control because it is operated by Wythe County. He asked Mrs. Guynn to assist him in responding to the email.

### **POLICE REPORT**

Chief Mitchell explained his June monthly activity report. He noted he has received dog complaints around the Rural Retreat High/Middle School area. He has responded to the

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complaints when notified but has not found the dogs. Chief Mitchell added he is continuing to work on inoperative motor vehicles and has sent letters for new violations this week. The month has been slow and there were no problems on July 4<sup>th</sup>, he noted. Following Chief Mitchell's report, Mr. Matney encouraged the chief to provide feedback to him concerning items he may see while patrolling including damaged/missing street signs, un-mowed properties including right-of-ways, and street light outages. Mr. Matney also encouraged Chief Mitchell to interact more with the citizens and businesses in town so they know who to contact for emergencies and to build more rapport.

### **UNFINISHED BUSINESS**

**ADOPTION OF MEALS EXEMPTION ORDINANCE** – A motion was made by Councilmember Schaack to adopt the proposed Meals Exemption Ordinance and was seconded by Councilmember Hash. Vice-Mayor Crigger stated he wanted to clarify this ordinance and stated this allows home cooked meals to be served by non-profits. Mayor Litz replied yes but they are still subject to health department requirements. The being no additional discussion the motion passed by a vote of six (6) for: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against. This ordinance becomes effective immediately.

Mr. Matney explained the adoption of this ordinance also requires non-profit organizations to be recognized by ordinance or resolution in order to qualify for the exemption. He asked the Council to approve the Rural Retreat Senior Citizens and to consider including the Rural Retreat Volunteer Fire Department and Rural Retreat Volunteer Emergency Services for this exemption. Councilmember Mecimore asked if the town was liable if a person gets sick due to the exemption. Mr. Matney replied no, because health department requirements still have to be met. Councilmember Yontz made the motion to recognize by resolution the Rural Retreat Senior Citizens, Rural Retreat Volunteer Fire Department and Rural Retreat Volunteer Emergency Services as exempt food vendors per the adopted Meals Exemption Ordinance. The motion was seconded by Vice-Mayor Crigger and passed by a vote of six (6) for: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against.

**ADOPTION OF GRASS/WEED HEIGHT LIMIT ORDINANCE** – Mr. Matney referred to the draft ordinance and read a portion of the ordinance from section 2, paragraphs A and B which stated: “any parcel of land greater than one (1) acre in size which is (1) located in an agricultural zoning district or enrolled in the land use assessment program and (2) used principally for agricultural, silvicultural or horticultural purposes. Parcels which have been used for two successive years immediately preceding the adoption of the section for the purpose of harvesting hay. This exemption shall continue only so long as said property is used continuously and exclusively for the purpose of growing and harvesting hay.” Mr. Matney noted this addresses the people who make hay on their property and makes it easier to enforce on property used for agricultural purposes. Vice-Mayor Crigger commented this addresses the residential properties that don't get mowed. He added this will result in relying on Chief Mitchell to assist in enforcing the ordinance. Councilmember Mecimore commented he has received concerns with people losing their owner rights because zoning is already in place. A motion was made by

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Councilmember Schaack and seconded by Councilmember Hall to adopt the proposed Grass/Weed Height Limit Ordinance. The motion passed by a vote of five (5) for: Crigger, Hall, Hash, Schaack, Yontz: one (1) against: Mecimore. This ordinance becomes effective immediately.

### **NEW BUSINESS**

NONE

### **COMMITTEE REPORTS**

HERITAGE DAYS – Chairman Yontz reported Clela Roberts will be selling Rural Retreat magnets for \$5 each at the festival and the profits will go back into Heritage Days funds. He also presented a promotional poster for the festival and a poster of the orange water tanks that contains a spoof of the Joe Diffie song “John Deere Green”. Chuck Sullins reported the Bristol Herald Courier will have a full page feature to be printed the Thursday before Heritage Days. Chairman Yontz added he will be meeting with Danny Gordon at WYVE/WXBX next week and with Jim Mabe at FM94 the Friday before Heritage Days. To date, the money received, pledges and vendor spaces have resulted in \$10,995 but do not include money from the raffles. Co-chair Sullins asked if a follow-up contact should be made to Wythe County for the requested allocation. Mr. Matney replied the request was made but he was unsure of the results. Mrs. Guynn inquired if Blue Ridge Chiropractic is still planning to host a 5K. Chairman Yontz replied yes, it is being planned by Dr. Tommi Malavolti with proceeds being given to Heritage Days. He added Pizza Plus is planning to attend the festival to serve mini pizzas and will be donating a percentage of the sales to Heritage Days. Mr. Sullins commented on the fundraising efforts and stated they have come up with creative ways to raise money while also cutting expenses where needed. Mr. Matney commended Chairs Yontz and Sullins for their work on the festival. He asked they present a rough expense total at the next meeting. Mr. Sullins spoke about the Heritage Hall of Honor that will be recognizing those who have given their life to Rural Retreat. He explained the first group will include seven inductees. Mrs. Lamoureux questioned the availability of parking. Chairman Yontz stated vendors will be allowed to park near the fire house and some handicapped parking will be available. Mr. Matney asked if plans were still being made to use Wytheville’s transit buses and picnic tables. Mayor Litz questioned limiting people the ability to save space in front of the stage. Discussion ensued and it was decided to block off a section to keep people from being directly in front of the stage. Co-chair Sullins noted that some sponsoring levels included front row seats for Lou Vuto and/or Joe Diffie.

PERSONNEL – Chairman Schaack reported the Committee would like to recommend Michael James be hired for the town manager position. He added the offer made to Mr. Morris has been rearranged due to comments made at the last meeting. The proposed beginning salary is \$45,000 and will be increased at the end of a three month get to know each other period if both parties choose to continue employment. The offer includes the town paying moving expenses for Mr. James. Councilmember Mecimore stated the moving expenses should have a limit. Discussion

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was held on placing a cap for moving expenses. Mr. Matney pointed out the three month limit should be increased to six months. Discussion was held on Mr. Matney's availability after December 31. Mr. Matney stated he will be around as long as needed because he wants to make sure this is a smooth transition. Chairman Schaack added if the offer is extended to Mr. James then he will be asked to respond within seven days. A motion was made by Chairman Schaack to offer the town manager position to Michael James with a starting salary of \$45,000 with a salary increase of \$3,000 following a six month get to know each other period in which either party may end employment and moving expenses be paid by the town up to a limit of \$2,500. Councilmember Hash seconded the motion. Councilmember Mecimore asked if Mr. James will be considered the town manager during the six month period. The consensus was Mr. James would be the intern town manager until the six month period expires. Councilmember Mecimore asked the council members if they had any concerns in hiring Mr. James. Councilmember Yontz expressed concern on how long Mr. James will stay in Rural Retreat. Vice-Mayor Crigger stated some employees stay while others leave but it is out of the Council's control. Councilmember Mecimore added everyone needs to be supportive of Mr. James. Mr. Matney added he had the opportunity to spend most of the day with Mr. James and he has confidence in him but he will also need the support of the Council to be successful with the community. Mr. James will take Rural Retreat to the next level regardless of how long his tenure here is, Mr. Matney further added. There being no additional discussion, the motion passed by a vote of six (6) for: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against.

### **TOWN MANAGER'S REPORT**

The Town Manager's report is attached and hereby made a part of these minutes. The following items were discussed and/or acted upon:

**TEA-21 SIDEWALK PROJECT** – The paving has been completed on East Railroad Avenue and Catron Street. The restoration on East Railroad Avenue and Catron Street will be completed prior to July 30<sup>th</sup>. The contractor has one drop inlet to install on Catron Street at the entrance to the fire station. Currently, the contractor is constructing curb, gutter, sidewalks and storm sewer drains on East Buck Avenue and should be completed by the end of July. Hopefully all private driveways will be completed by the end of August.

**OUT-OF-TOWN WATER PROJECT DIVISION III (RIDGE AVENUE)** – USDA Rural Development has concurred with the contract award to Wells Construction. As soon as the contractor returns all documents to Rural Development we will schedule a pre-construction conference. This project should be completed by late fall or early winter. The bid documents for the variable speed drives at the water treatment plant have been submitted to Rural Development for approval. This will be paid from the money left over from the other sections of the out of town project.

**IN-TOWN WATER PROJECT** – Frye Avenue has been asphalt patched and will be completely resurfaced under the town's capital improvement program. This street resurfacing has been delayed for several years in anticipation of the water line improvements. The contractor is currently boring under the railroad on Cherry Street. To date approximately 60 of the 80 feet of

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casing has been installed. The contractor is behind schedule at this time; however, this project should be completed no later than the first of September. No discussion has taken place on imposing penalties if the contractor goes over the allotted time.

**LIGHTING UPGRADE** – The exterior of the town office is complete with the exception of the flag accent light. This may be the first time that all exterior lights have been working at the same time. The Town Council Chambers has been updated and the rest of the building will be completed this week. The contractor will upgrade the town shop next then move to the water treatment plant and the wastewater treatment plant.

**MONTHLY STATUS REPORT** – The monthly status report for the various projects that we are working on with Anderson & Associates is available for your review and information. Please let us know if you have any questions or concerns. Councilmember Mecimore pointed out the report has a lot of available grant monies listed. Mr. Matney responded yes and the town will be trying to obtain some of that money. Councilmember Mecimore questioned the increase in the monthly fee for the Web GIS site. Mr. Matney stated he would be meeting with Chip Worley the following day to discuss this because he has asked for utility data to be included on the site but he hasn't received the information. Discussion was conducted on receiving updated parcel information from Wythe County. Mr. Matney said some information was received but the corporate limits don't coordinate with the property lines.

**WATER ACCOUNTABILITY** – Mayor Litz asked if the water accountability has decreased. Mr. Matney stated he didn't have a report but previously approximately 325,000-350,000 gallons of water was being pumped per day. Now the number has decreased to around 200,000 gallons per day.

### **TREASURER'S REPORT**

The bills for July 12, 2011 were read and approved.

### **TALK OF THE TOWN**

Mr. Matney stated he would attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

### **ADJOURNMENT**

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

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Mayor

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Clerk