

The Rural Retreat Town Council held a public hearing during the regular meeting on October 25, 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, Jerrell Hall, Peggy Hash

ABSENT

NONE

ADMINISTRATION PRESENT

Michael James, Interim Town Manager; Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

ADMINISTRATION ABSENT

Raymond Matney, Town Manager

OTHERS PRESENT

Chris Gilley – Mount Rogers Planning District Commission; Michael J. Sobey – Town Attorney; Sean Viars

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 HEARING

MOUNT ROGERS REGIONAL WATER SUPPLY PLAN – Mayor Litz read the public notice as published in the *Wytheville Enterprise*: Please take notice that the Town of Rural Retreat Town Council will hold a Public Hearing on October 25, 2011 at 7:00 p.m., or as soon thereafter as the agenda permits, at the Town Offices in Rural Retreat, Virginia, to consider the adoption of the local/regional water supply plan, which includes the following: Existing Water Source Information; Existing Water Use Information; Existing Resource Information; Water Demand

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Management, or current conservation practices; Drought Response and Contingency Plans; Projected Water Demand Information; Statement of Need based on the adequacy of existing water sources to meet current and projected water demand over the planning period (a minimum of 30 years to a maximum of 50 years). A copy of the draft water supply plan is on file in the Clerk's Office at the above address and is available to the public for inspection.

Mayor Litz opened the public hearing and asked for comments. Chris Gilley with the Mount Rogers Planning District Commission (MRPDC) addressed the Council and stated she wanted to refresh everyone on the proposed plan and answer questions. She explained on November 2, 2005, the State Water Control Board passed regulations that required all localities to submit a water supply plan. Due to the cost, localities began combining their resources. MRPDC then took on the Regional Water Supply Plan on behalf on the localities in the district. In 2009, Mount Rogers combined with other Planning Districts to create a larger Regional Water Supply Plan that included 55 localities in 13 counties. This enabled the Planning Districts to secure grant funding for the majority of the plan cost. The purpose of the plan is to ensure adequate safe drinking water is available to all citizens in the region, encourage protection of existing water sources and encourage and promote the development of additional water sources. Mayor Litz asked if there were any comments regarding the plan. There being no comments Mayor Litz closed the public hearing. Mayor Litz then read the draft resolution which is attached and hereby made a part of these minutes. Councilmember Mecimore made a motion to accept the resolution approving the Cumberland Plateau, Lenowisco, and Mount Rogers Regional Water Supply Plan. The motion was seconded by Councilmember Hall. Councilmember Schaack questioned where the information would come from since the plan is to be updated every five years. Mayor Litz responded the information will be supplied by Mount Rogers. There being no additional discussion the motion was approved by a vote of six (6) for: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against.

APPROVAL OF MINUTES

A motion was made by Councilmember Hash, seconded by Councilmember Yontz to approve the minutes of the October 11, 2011 regular meeting. The motion passed by a vote of five (5) for: Crigger, Hall, Hash, Mecimore, Yontz; zero (0) against; one (1) abstention: Schaack due to his absence.

CITIZEN'S TIME

NONE

CORRESPONDENCE

NONE

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POLICE REPORT

Chief Mitchell explained his activity for the month had slowed. He reported he had transported two dogs to the pound in his police car last week. He also addressed the Norfolk Southern train issue the previous evening resulting in a train blocking all railroad crossings in town for over 45 minutes. Mr. Matney spoke with the train engineer and the train was moved, he added. Chief Mitchell further explained the train was picking up four freight cars located on the side rail at the town shop but the remainder of the train was approximately a mile long. Chief Mitchell added Mr. Matney was to follow up with Norfolk Southern and find out why the crossings were blocked. Discussion ensued about the safety of the community when the crossings are blocked for a long period of time. Mayor Litz asked Chief Mitchell and Mr. James to report back to the Council on the findings from Norfolk Southern. Vice-Mayor Crigger addressed recent issues with trains parking on side rails and leaving the engines idling all night. He added this incident may have been a result of complaints made by citizens. Mayor Litz asked Chief Mitchell if he had had any more complaints on Star Transport trucks. Chief Mitchell responded he had not received any complaints recently on Star Transport or any other transport company. Councilmember Hash addressed the papers being distributed around town that citizens are complaining about. Chief Mitchell responded this is being done by the *Wytheville Enterprise*. He added each person must call to have their name taken off the distribution list. Councilmember Mecimore stated this has previously been addressed and the *Wytheville Enterprise* had been contacted. Mr. James stated a person was in town, after he began his employment, putting stickers on mailboxes of those individuals that had called to request they be taken off the distribution list. Councilmember Schaack commented the advertisements are also being thrown out at vacant lots. Mayor Litz asked for this item to be readdressed at the next meeting during the police report or unfinished business.

UNFINISHED BUSINESS

DAVENPORT & COMPANY BOND REFINANCING PROPOSAL – Mayor Litz stated the Council must approve a resolution authorizing the issuance of a General Obligation Refunding Bond, of the Town of Rural Retreat, in a principal amount not to exceed \$1,455,000, and providing for the form, details and payment thereof and the refunding of certain prior indebtedness of the town and authorizing certain related actions. A motion was made by Councilmember Hall to adopt the resolution authorizing the refunding of the town's General Obligation Bond not to exceed \$1,455,000. The motion was seconded by Vice-Mayor Crigger. Councilmember Mecimore asked if Davenport & Company reduced the closing costs for the bond. Mr. James replied yes, it was reduced by \$5,000. Vice-Mayor Crigger stated the savings to the town was around \$190,000 before closing costs. He encouraged the Council be proactive because this is a significant savings to the town through 2023. Vice-Mayor Crigger stated if the town continues to pay the original principal payment the loan will be paid off early. Mr. James stated Davenport & Company is to provide a breakdown of the loan payoff if the town continues to make the original principal payment. He added he will distribute the information to the Council upon receiving it. There being no additional discussion, the motion was approved by a roll call vote: AYES: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; NAYS: none

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Councilmember Hash stated she had spoken to Connie Seagle who resides on Sunset View Road and Mrs. Seagle had inquired as to when fire hydrants would be put in their area. Mayor Litz responded this will be resolved with the additional portion of the In-town Water Improvement Project that is to be completed in this area. Vice-Mayor Crigger stated when the annexation occurred the agreement was to install fire protection and street lights within ten years. He noted street lights are located in the intersections and fire hydrants have been installed in the area. Councilmember Hash asked when this agreement was made. Vice-Mayor Crigger stated this was done in 1999 as part of the town's annexation of the area which included the installation of street lights and fire protection and was to be completed by 2009-2010.

NEW BUSINESS

NONE

COMMITTEE REPORTS

HERITAGE DAYS – Chairman Yontz reported the committee met prior to the meeting and will be meeting again on Tuesday, November 8 at 6:00 p.m. The layout of the festival should be close to completion at the next meeting.

FINANCE & APPROPRIATIONS – Chairman Crigger reported the Finance Committee met with the Rural Retreat Volunteer Emergency Services last Tuesday and had a very informative meeting. He pointed out the request made by RRVES was clarified concerning what they actually want from the town. Chairman Crigger stated they discussed being proactive and supportive of the organization as they are the fire department. In previous years, the town has aided them with truck purchases. The recommendation from the Finance Committee is to increase the Rural Retreat Volunteer Emergency Services annual allocation \$6,000 for four years to be paid from undesignated funds for the purchase of two heart monitors, Chairman Crigger stated resulting in the annual allocation being \$8,500. Chairman Crigger made the motion to allocate the additional \$6,000 per year for four years to the Rural Retreat Volunteer Emergency Services beginning in the current fiscal year. Councilmember Yontz seconded the motion and it passed by a vote of six (6) for: Crigger, Hall, Hash, Mecimore, Schaack, Yontz; zero (0) against. Chairman Crigger further stated he also asked the RRVES personnel to bring budget requests to the Council in January or February to ensure the requests are included during the budget process.

At this time, Councilmember Mecimore gave an update on the Rural Retreat Depot Foundation. He stated the Foundation is working hard but the results are not being seen. He pointed out former owner Jack Weaver is no longer involved with the depot. Currently donations are being solicited and the Foundation website has been set up to accept online donations. Councilmember Mecimore stated the Foundation is working on a brochure to outline their goals. Councilmember Yontz asked Councilmember Mecimore to give him a date for next week that he can bring in a person that is interested in assisting the Foundation with the depot. Mayor Litz asked Town Attorney Sobey to address the land lease since the town has been deeded the land the depot is located on. Attorney Sobey explained the lease goes back to 1996 between Norfolk Southern

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and Shenandoah Designs International. He stated the lease is currently on a month to month basis and can be terminated with a 30 day notice. On August 9, 2011 the town acquired the land from Norfolk Southern therefore a new lease needs to be signed by the new owners being the Rural Retreat Depot Foundation. Vice-Mayor Crigger asked if the town has any liability regarding the structure in the current lease. Attorney Sobey responded other than the normal landlord and tenant liability, no, all liability is on the new owner. Councilmember Mecimore stated the Foundation does have insurance in place including liability coverage. Vice-Mayor Crigger asked if there were any stipulations in the land deed that restricts what can be done with the depot. Attorney Sobey responded those stipulations were placed on the town not on the Rural Retreat Depot Foundation. Councilmember Mecimore stated the land lease is limited and states retail is not allowed but the Foundation needs to raise funds to operate, therefore is the town going to hold the Foundation to that? Attorney Sobey explained this would require changing the lease and the Council can state anything they so choose in the lease. Councilmember Mecimore commented the goal is to raise all the money to pay for and renovate the depot without asking the town for money. He added all donations are tax deductible because the Foundation is tax deductible and the money can not go to a for profit organization if the Foundation ceases to exist, it must go to another nonprofit organization. Discussion was conducted on revisiting the stipulations Norfolk Southern set forth for the town in the land transfer. Councilmember Yontz stated the town needs to be involved with the Rural Retreat Depot Foundation mainly to know what is happening. Attorney Sobey concurred and stated this is important because the town is now the landlord. Mr. James asked if small adjustments can be made to the lease. Attorney Sobey responded as long as it does not conflict with the restrictions on the deed.

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:

OUT-OF-TOWN WATER PROJECT DIVISION III (RIDGE AVENUE) – The construction passed all pressure testing and the lines were disinfected. Wells Construction began working today on adding the new water taps; they plan to have all the taps installed within a week if at all possible. Vice-Mayor Crigger addressed needed yard restoration work on Ridge Avenue. Mr. James stated he will look at the area.

OUT-OF-TOWN WATER PROJECT DIVISION IV (WATER PLANT ELECTRICAL UPGRADES) – There has been an issue with the format Sun Contractors used when they submitted the performance bond to Rural Development. We have spoken with Rural Development and they told us Sun Contracting is correcting the problem and we should be able to move forward soon.

OUT-OF-TOWN WATER PROJECT DIVISION V (CHINQUAPIN AVENUE & WEST LEE HIGHWAY) – Anderson & Associates is still completing field surveys and plan specifications at this time; we anticipate the design phase to begin soon.

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IN-TOWN WATER PROJECT – Anderson & Associates are preparing additional survey and plan sheets for the replacement of the waterline on Jefferson Avenue.

ANDERSON & ASSOCIATES RESIDENT INSPECTION CONTRACT – We met with Rural Development, Chip Worley of A&A and Mitch Crabtree of CrossPointe Contractors on how to solve the issue with inspection discrepancies. A & A has corrected their inspection issues by removing 35.5 unsubstantiated hours and placing the correct inspection hours with the appropriate project. They moved 31 hours from the In-Town Water Project to the Sidewalk Project and will be refunding the Town \$16,840 pending approval from RD. Councilmember Hall asked Mr. James if the number of hours being credited were close to the number he and Mr. Matney determined was unaccountable. Mr. James replied yes. Mayor Litz commented we are looking at employing the project inspector instead of allowing Anderson and Associates to do so.

BLEVINS DUPLEX DRAINAGE ISSUE – We continue to work with VDOT to obtain approval for the installation of drainage pipes at the rear of the complex. Mr. James pointed out VDOT is concerned with the liability issues from when they installed the drainage pipes. We suggested they form an agreement with the land owners to sign stating they request the improvement to be made and neither the town nor VDOT would be liable. No response has been received from VDOT.

DODGE TRUCK – We placed the truck out for bid twice and received no responses. Fortunately the town has sold the truck to a local individual for \$1,500.

WESTERN WYTHE COUNTY WELLNESS CENTER – Staff met with officials from Wythe County, Wythe County Community Hospital, Wythe County Community College and Rural Development to have preliminary discussions on how best to move forward with making a wellness center in Rural Retreat a possibility. Mr. James stated Gary Cody with Wythe County Parks and Recreation is very passionate about this possibility and we are trying to assist him as much as possible. The previous feasibility study stated the property currently owned by Klöckner across from the RRHS campus was the ideal site for the proposed wellness center. It was agreed one of the first steps would be to gather a preliminary architecture report. The PAR is estimated to cost \$25,000, with Rural Development paying half, and Rural Retreat and Wythe County being asked to split the remaining cost. Mr. James stated this is a preliminary estimate and may require action in the future.

DOWNTOWN PLANNING GRANT - Staff has met with Brian Martin of the Mount Rogers Planning District. I am meeting with him tomorrow morning to visit other downtown revitalization projects in the area. He felt very confident that RR could secure a planning grant and position ourselves to be strong candidates for funding. Brian and I will discuss ways in which to effectively involve the public in these early stages.

SPREADER SHED – The steel has been delivered to the town shop. Maintenance staff is preparing to sand, prime and paint the steel within the week to have it ready for TopClad to begin construction at their earliest convenience.

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STATUS REPORT – The Anderson & Associates monthly status report is attached and available for review.

WATER ACCOUNTABILITY - Mayor Litz asked Mrs. Guynn if a recent water accountability report was available because one had not been distributed to the Council recently. Mrs. Guynn replied there should be one available but she was unsure what the current percentage is. Mr. James commented it was still too early to have an accurate report due to the continuing construction.

TOWN HALL SIGN REPLACEMENT – Mr. James stated he had contacted Bristol signs for an updated cost on the various sign proposals that were submitted previously. He noted the cost has increased a couple hundred dollars on each sign. He asked the Council to review the pictures and pricing for each sign so this item can be discussed at another meeting. Mrs. Guynn asked the Councilmember's to consider the available sight distance when pulling out of the town hall parking lot and off of Parsonage and Williams Avenues.

TREASURER'S REPORT

The bills for October 25, 2011 were read and approved.

TALK OF THE TOWN

Councilmember Mecimore is to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning to discuss the Rural Retreat Depot Foundation.

ADJOURNMENT

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

Mayor

Clerk