

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, SEPTEMBER 24, 2013, 7:00 P.M.**

Council Members Present: Mayor Timothy Litz; Vice-Mayor A. Keith Crigger; Ed Schaack; Peggy Hash; James P. “Sean” Viars

Council Members Absent: Dale Yontz; Jerrell Hall

Administration Present: Michael James, Town Manager; Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

Administration Absent: None

Others Present: Tim Reeves – Supervisor At-Large, Wythe County

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 Timothy Litz.

APPROVAL OF MINUTES

A motion was made by Councilmember Viars, seconded by Councilmember Hash to approve the minutes of the September 10, 2013 regular meeting. There being no discussion, the motion passed by a vote of three (3) for: Crigger, Hash, Viars; zero (0) against; one (1) abstention: Schaack, due to his absence; two (2) absent: Hall, Yontz.

CITIZEN’S TIME

Mayor Litz asked Supervisor Reeves if he would like to speak. Supervisor Reeves replied no, he was only visiting.

CORRESPONDENCE

None

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POLICE REPORT

Chief Mitchell reported he is working on vandalism cases regarding the Rural Retreat Community Center playground that is occurring on weekends. He noted additional vehicles are now in violation of the inoperative motor vehicles ordinance and letters will be mailed to those residents. Chief Mitchell also reported he is looking into the purchase of a used speed trailer and has contacted the local surplus facility to inquire on availability however no information has been received. The Rural Retreat High School Homecoming Parade will be held Friday evening at 6:00 p.m., Chief Mitchell added.

UNFINISHED BUSINESS

TOWN NEWSLETTER – Town Manager James reported all information for the newsletter has been compiled and will be sent to Councilmember Yontz to be formatted. A draft will be presented to the Council prior to distribution. He added this will be a beneficial publication for the community.

NEW BUSINESS

RRVFD ANNUAL CHRISTMAS PARADE – Rural Retreat fire chief Dave Evans has requested the annual Christmas parade be moved to the second Sunday of December due to the first Sunday falling the weekend following Thanksgiving. The consensus of the Council was to allow the fire department to change the date of the Christmas parade as they choose. The parade will be held December 8 at 2:00 p.m.

EVERBRIDGE SOLUTIONS FOR GOVERNMENT – Town Manager James explained Everbridge is a lower cost service provider for the emergency notification system and provides the same service as the other companies but is under current state contract so a request for proposal was not needed. Councilmember Viars made a motion to accept the Everbridge emergency notification system. The motion was seconded by Councilmember Hash. Councilmember Viars inquired if the town's portion of the cost is included with the amount being paid for the operations center. Town Manager James stated we would pay the same percentage of the cost that we currently pay for the operations of the Emergency Operations Center. Councilmember Schaack commented the proposal states the notification system will keep citizens informed during emergency or non-emergency situations and inquired what was considered to be non-emergency use. Town Manager James explained it will only be used for emergency purposes but some localities use the system to send mass messages for parks and recreation and other events. Vice-Mayor Crigger inquired if the system allows for communities to be separated for notifications. Town Manager James replied yes. Mayor Litz stated this system will take pressure off the town's audible warning system. Vice-Mayor Crigger commented it will work in conjunction with the warning system. He verified the final cost was \$8,344.05 and our percentage would remain as negotiated with Wythe County. Town Manager James stated that was correct and it was based on population. Vice-Mayor Crigger asked for verification that the agreement was for four years. Town Manager James explained the

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agreement is renewable at the same price for up to four years. Vice-Mayor Crigger added this will be a recurring budget item each year. Mayor Litz asked for additional comments, there being none he asked for a vote on the motion to accept the agreement. The motion passed by a vote of four (4) for: Crigger, Hash, Schaack, Viars; zero (0) against; two (2) absent: Hall, Yontz.

COMMITTEE REPORTS

HERITAGE DAYS – No report.

FINANCE & APPROPRIATIONS – No report.

PERSONNEL, ORDINANCES AND LEGAL MATTERS – NOISE ORDINANCE – Committee Chairman Schaack reported the noise ordinance will be advertised for a public hearing on October 8. TOWN CHARTER – Chairman Schaack reported we are waiting for comments from Attorney Sobey. Councilmember Viars asked if the revised charter will require a public hearing. Town Manager James replied, yes but the public hearing will be the easier aspect of the process.

TOWN MANAGER'S REPORT

The following items were discussed and/or acted upon:

RURAL RETREAT SIDEWALK IMPROVEMENT PROJECT PHASE 7 – Work is ongoing and Evergreen Avenue has been completed with the exception of the trees being replanted on the Lester property. The project will continue down East Buck Avenue towards the agricultural building this week.

RURAL RETREAT SIDEWALK IMPROVEMENT PROJECT PHASE 8 – We have been approved by VDOT for a phase 8 in our sidewalk project. We met with Dennis Amos, PE, who is the engineer for our phase 7, on design ideas and project timeline. Current plans include focusing on South Greever Street to East Baumgardner Avenue to South Main Street. An application for a phase 9 will be made.

UV DISINFECTION – WWTP – The new system is now in place and operating. The Lane Group, Inc. will be requesting the Certificate to Operate from DEQ, and I was assured that would happen this week. We will then be online and will have met the disinfection requirements placed on the Town by DEQ. We will encumber additional testing but with good results for this permit cycle, those requirements should be reduced after 2018.

DOWNTOWN REVITALIZATION – Attached to the report is the contract from DHCD for our downtown revitalization project. We were awarded the full \$35,000 to create a new master plan. I am requesting Council's permission to execute the contract on behalf of the Town and begin the project. Councilmember Schaack made a motion to authorize Town Manager James to execute the agreement with the Department of Housing and Community Development on behalf of the town. The motion was seconded by Councilmember Viars. Councilmember Schaack

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inquired of the meaning of project mobilization. Town Manager James explained this refers to organizing a management team and beginning the process again. Vice-Mayor Crigger asked if there was a performance clause in the agreement other than the plan. Town Manager James replied no, but if the town doesn't fulfill the planning grant then money won't be received. Vice-Mayor Crigger asked how this plan shadows the previous plan in 2000. Town Manager James stated the plans are similar but he hasn't reviewed it in depth. Vice-Mayor Crigger clarified this is only a planning grant. Town Manager James concurred. There being no additional discussion, the motion passed by a vote of four (4) for: Crigger, Hash, Schaack, Viars; zero (0) against; two (2) absent: Hall, Yontz.

MYRTLE LANE – Staff is reaching out to residents in the Myrtle Lane area who have access to the new water utility improvements in their area and have chosen not to hook up. At the time the Town used the County ordinance requiring hookup. We hope to get those individuals on service or at least have some agreement in place for a future hookup and current bill payment. Town Manager James stated he is being proactive and if the bills are paid then the connection fees will be waived. Mayor Litz inquired how many households this effected. Town Manager James replied four and he had already spoken to two.

DERELICT HOMES – Staff is working on an ordinance that will assist in addressing homes in the community that are either abandoned or becoming a neighborhood blight issue. We hope to have a draft to Council later this fall. Town Manager noted this will affect three homes and we must justify the reason for pursuing this. He added the Wythe County Building Official won't address these homes which he expected because he is not a town employee.

TREASURER'S REPORT

The bills for September 24, 2013 were read and approved.

TALK OF THE TOWN

Councilmember Viars and Town Manager James are to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

CLOSED MEETING

A motion was made by Councilmember Viars, seconded by Councilmember Hash to convene to a closed meeting in accordance with the Code of Virginia §2.2-3711-A.7, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

The motion was approved with the following voting in favor: Crigger, Hash, Schaack, Viars.

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Mayor Litz called the regular meeting back into open session.

Motion was made by Vice-Mayor Keith Crigger, seconded by Councilmember Ed Schaack, **WHEREAS**, the Rural Retreat Town Council 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, paragraph D, of the Code of Virginia requires a certificate by this Council that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Rural Retreat Town Council hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Council.

Vote:	Ayes	Nays
A. Keith Crigger	X	
Peggy Hash	X	
Ed Schaack	X	
James P. “Sean” Viars	X	

Absent during meeting: Jerrell Hall, Dale Yontz

ADJOURNMENT

There being no additional business to discuss, the meeting was adjourned upon a motion by Vice-Mayor Crigger. The motion was duly seconded and approved.

Mayor

Clerk