

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN  
COUNCIL HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY FEBRUARY 11, 2014, 7:00 P.M.**

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

Council Members Absent: None

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

Administration Absent: None

Others Present: Libby Phillippi; Amy & Michael McBride; Jack Weaver; Billy Anderson

**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 Viars, seconded by Councilmember Yontz to approve the minutes of the January 28, 2014 regular meeting. There being no discussion, the motion passed by a vote of six (6) for: Crigger, Hall, Hash, Schaack, Viars, Yontz; zero (0) against.

**CITIZEN’S TIME**

Amy McBride came forward and introduced her husband Michael and stated she would like to make a request to the Council. Mrs. McBride distributed photos of her home on West Baumgardner Avenue which she explained they purchased prior to retiring to Rural Retreat in 2013 from Austin, Texas. She added they love living in Rural Retreat and are very involved in the community with the Rural Retreat Depot Foundation including the farmer’s market and Christmas bazaar and Michael volunteers with the Promised Land Animal Rescue. She stressed any comments she makes are in no way to be taken as a complaint. Mrs. McBride stated a lot across the street from their house was sold to a construction company which has grown over the past year. She explained generators and cranes can be heard running during the night. She

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further explained another lot across from their home and the former Sprinkle Hotel will be put up for sale in about a month and the construction company has made an offer to purchase the property because they have outgrown their current property. Mrs. McBride stated with the purchase of the properties an industrial park has been allowed to locate in the middle of town. She pointed out when she and her husband purchased the property had they known that they would be dealing with semi-trucks sitting outside their bedroom window at 5 o'clock in the morning to deliver its load to the now created industrial park, they wouldn't have bought the house. She added this now means they won't be able to sell their home or get out of it what they would ask for or need. Mrs. McBride asked the Council to give equal consideration to the residential side of the street as is given to the commercial zoned side. She stated that it is her hope that by being here tonight she has raised awareness to this particular piece of property and when requests for permits are made you will have knowledge and forethought about concerns and will remain aware that the decisions made about the permits have consequences which can dramatically diminish the quality of life and greatly lower the property value of your citizens. Mrs. McBride further commented to lower the quality of life and property values of the citizens is contrary to what we are trying to accomplish as a community and more importantly revitalization and growth. She thanked the Council for their time.

Councilmember Hall stated he sympathizes with the McBride's because when he moved to Rural Retreat in 1982, which his house is located fairly close to the railroad, there was one freight train on Thursdays and now freight cars are loading and unloading at a nearby plant for three to four hours each night. He stated if he had known then what he does now he isn't sure he would've still located to the same place but it is there and he can't do anything about it.

Mrs. McBride commented they knew that the property was zoned commercial but never in her wildest imagination did she think there would be semi-trucks running across her front yard and blocking her driveway. She stated this is not a complaint but in order for them to do their jobs they must block her driveway on occasion. Vice-Mayor Crigger commented he would've never thought a tractor-trailer would be able to travel up that street. Town Manager James stated the trucks are turning around at the mini-storages. He further stated after speaking to Mrs. McBride he spoke to Greg Hoofnagle that owns the property who said he is looking to move to a five acre parcel because the business has grown dramatically. Vice-Mayor Crigger commented though it is a light commercial area there needs to be some compassion for the residents across the street. Mrs. McBride stated they do and again she isn't complaining because they really like the owners but compromises can be reached. If the property across the street is sold hypothetically to a motorcycle shop, Mrs. McBride stated, then a noise ordinance could be developed that would limit the hours that the motorcycles can be fired up and an ordinance establishing they use environmentally friendly lights. She added this is a great place and they don't want to dish their dreams. Town Manager James stated as the Zoning Ordinance is reviewed, the areas with non-compatible uses will be looked at also. Mayor Litz added the McBride's have very valid concerns and we need industry and people, but there has to be a happy medium.

Jack Weaver addressed the Council and spoke in support of the McBride's and stated they are wonderful for the community. He explained he shares the same concerns because he wants to

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restore the Sprinkle Hotel but doesn't want tractor-trailers going in and out across the street. He stated as part of the revitalization efforts, the area would be good for parking for the downtown. Mr. Weaver then stressed the need to get Norfolk Southern to donate the section house property because they aren't going to do anything with it and it could be used for parking also. Town Manager James stated the town is looking into acquiring the property.

Mayor Litz asked Mrs. Phillippi if she would like to address the Council. She responded she is only listening. Mayor Litz stated he appreciates the citizens attending and participating in the meeting.

### **CORRESPONDENCE**

Mayor Litz addressed the request received from the Rural Retreat High School After Prom Committee requesting the town's support in providing a safe, fun, friendly environment for the prom attendees. Clerk/Treasurer Guynn stated in previous years the Council has chosen to donate \$100 toward this effort. Vice-Mayor Crigger made the motion, seconded by Councilmember Yontz, to donate \$100 to the Rural Retreat High School After Prom activities. There being no discussion the motion passed by a vote of six (6) for: Crigger, Hall, Hash, Schaack, Viars, Yontz; zero (0) against.

### **POLICE REPORT**

Chief Mitchell explained his activity report for January. He stated the number of work hours and miles driven are lower due to being out sick for one week. He noted the number of dog complaints has increased since the beginning of February. Currently he is working with the Wytheville Police Department and the Wythe County Sheriff's Office on a credit card fraud case that occurred at two of our town businesses. Tomorrow morning, Chief Mitchell stated, he will be attending the weather briefing on the pending snow storm at the Wythe County Emergency Operations Center.

Mayor Litz commented on the news article that aired on WDBJ 7 about Chief Mitchell and him being the only police officer. Chief Mitchell stated he has received a lot of compliments on the story and noted the reporter did a great job with it. Mayor Litz added the segment showed Rural Retreat is a great place to live and a big police force isn't necessary. Councilmember Viars added he had received positive comments about the story and he felt it not only highlighted Chief Mitchell but our town.

### **UNFINISHED BUSINESS**

TOWN NEWSLETTER – Town Manager James reported no progress has been made.

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### **NEW BUSINESS**

RECREATION CENTER/GYMNASIUM – Town Manager James reported he had spoken to the Wythe-Bland Foundation and they are willing to fund 20% of the project cost. He asked the Council if they wanted to put the project in the Capital Improvement Plan. Vice-Mayor Crigger stated the town can't bear the cost of construction and maintenance without the support of a large entity whether it is Wythe County or another. Councilmember Hash commented it needs to be down sized. Councilmember Yontz stated people are asking about a facility but the consistent comment is the plans are too large. He added there is interest in a basketball court, walking track and space for light aerobics, no pool and most would like to keep Wythe County out of it so that it will be Rural Retreat's facility. Councilmember Schaack suggested partnering with the Wytheville Fitness Center to run it for a fee or possibly Klöckner. Town Manager James stated he still thinks receiving the original site land from Klöckner is viable. Vice-Mayor Crigger asked if the Wythe-Bland Foundation is still focused on promoting health and fitness. Town Manager James responded yes and added staffing is a concern for any facility. Councilmember Yontz commented there are high school students taking college classes that require community service hours so this may be an option to staff the center.

RESOLUTION – TRANSFER OF TOWN STREETS TO VDOT – Mayor Litz commented this needs some public relations work because people don't understand that we aren't giving streets away and are asking him why we are doing this. He added there is a misunderstanding though the streets belong to the public this will allow a larger entity to handle. Vice-Mayor Crigger commented this gives all future maintenance to the state. Town Manager James added this is why state taxes are paid. Mayor Litz agreed. Vice-Mayor Crigger made the motion, seconded by Councilmember Yontz to accept the resolution as presented. Mayor Litz stated this will affect Sherwood Avenue from Church Street to the cul-de-sac at the subdivision, Richfield Street from Sherwood Avenue toward Richmond Avenue, Church Street from Delp Avenue to West Railroad Avenue, Frye Avenue from Church Street to Chinquapin Avenue. Town Manager James stated VDOT only allows .25/mile to be taken into their system per year but we haven't had any requests since the 1980's so they are allowing us to submit more. There being no further discussion, the resolution was approved by a vote of six (6) for: Crigger, Hall, Hash, Schaack, Viars, Yontz; zero (0) against.

### **COMMITTEE REPORTS**

HERITAGE DAYS – Chairman Yontz reported the committee is working to finalize acts for Saturday. Shentel is very excited to be participating again and they are working on being the sponsor for 2015. The Cartoon Network will be bringing Scooby Doo to the festival on Saturday. The vendor packets and pageant are being worked on.

FINANCE & APPROPRIATIONS – Vice-Mayor Crigger asked the Council to return the 2012-2013 Financial Reports. Town Manager James has released a budget work schedule and work will begin soon.

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**PERSONNEL, ORDINANCES AND LEGAL MATTERS** – Chairman Schaack reported the committee met prior to the meeting. He stated the draft noise ordinance will be out before the next meeting. He asked for any comments or changes to be given to Town Manager James or any committee member. The committee will also be working on the derelict homes ordinance and the yard sales ordinance.

### **TOWN MANAGER’S REPORT**

The following items were discussed and/or acted upon:

**RURAL RETREAT SIDEWALK IMPROVEMENT PROJECT PHASE 7** – This project is fully complete and we are working with King Contractors, Inc. to have them return in the spring for full reseeding and strawing of the areas that need to be addressed further. We are withholding a small portion, \$3,000, of the retainage to ensure the work is completed to our satisfaction; however we do not anticipate any issues.

**SOUTH FORK REED CREEK PROJECT** – The Town and Anderson & Associates are evaluating funding options for the sewer replacement project. We will be applying for funding throughout 2014, in anticipation of construction in 2015.

**WYTHE HEALTH & REHABILITATION CENTER** – We are awaiting word back from VDOT on the formal acceptance of the developer’s application for the individual entrance. Discussions are ongoing now in regards to the utility work needed to provide adequate water access to the development. I have asked The Lane Group, Inc. to work with the town in accordance with our term contract to evaluate the impact to our system and costs of the needed site upgrades. It is our hope to have these details ironed out over the next month. Their zoning permit has been approved and forwarded to Wythe County.

**SCADA SYSTEM** – Staff members are working with several agencies to receive quotes on a full replacement of our outdated SCADA system. We anticipate a cost of around \$25,000 for this project. This will enable our operators to monitor system operations remotely and reduce travel time and man hours. We will host information relaying equipment at the water plant, water tanks and the lift station as well. This item will be discussed during budget preparation. This item will be included into our CIP for FY 14-15.

**IDA DIRECTOR** – Councilmember Yontz and I will be attending interviews with the perspective applicants the 12<sup>th</sup> and 13<sup>th</sup> in Wytheville. Four individuals are being interviewed.

**RED CROSS** – The information needed for approval of secondary shelter sites in Rural Retreat has been submitted to our regional Red Cross. We should be receiving shelter supplies, including 25 cots and blankets within the month and will create a formal shelter opening policy for the town.

**REQUEST FOR WATER SERVICE ON EARLES ROAD** – We have spoken with Wythe County about the town’s acceptance of up to four additional county residents who are in close

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proximity to our system. The County will require a letter from the town as well as signed documentation from the residents who are asking for this service. Once a formal request for service is provided to our office from the homeowners, we will present that to the town council for formal approval before further action is taken. All utility work will be handled by town staff and will take place in the spring.

**PLANNING COMMISSION – ZONING CODE REVIEW** – During our regular meeting last night staff discussed the upcoming project to review the current Zoning Ordinance. We will now begin scheduling meetings with the Mount Rogers PDC.

Prior to continuing with the agenda, Mayor Litz asked Town Manager James if the maintenance crew was prepared for the upcoming snow storm. Town Manager James stated the crew had spent the day preparing the trucks and equipment. Mayor Litz asked who makes the decision of when to bring the crew in. Town Manager James responded he and General Services Director Tony Wright check the roads then make a decision. Mayor Litz added the town doesn't only scrape town streets but keep the main roads open also.

### **TREASURER'S REPORT**

The bills for February 11, 2014 were read and approved.

### **TALK OF THE TOWN**

Councilmember Yontz is to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

At this time, Jack Weaver inquired about the water line extension on West Lee Highway. Mayor Litz commented there have been people fighting the mandatory connection to the county water system but Mr. Weaver is begging for it and can't get service. He added when people are willing to connect to a system they should be given better consideration.

Mayor Litz stated the Council would need to enter into a closed meeting and he thanked the citizens for attending. (7:55 p.m.)

### **CLOSED MEETING**

A motion was made by Vice-Mayor Crigger, seconded by Councilmember Viars 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.

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

Mayor Litz called the regular meeting back into open session.

Motion was made by Vice-Mayor Crigger, seconded by Councilmember Yontz, **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.

<b>Vote:</b>	<b>Ayes</b>	<b>Nays</b>
A. Keith Crigger	<b>X</b>	
Jerrell Hall	<b>X</b>	
Peggy Hash	<b>X</b>	
Ed Schaack	<b>X</b>	
James P. “Sean” Viars	<b>X</b>	
Dale T. Yontz	<b>X</b>	

**ADJOURNMENT**

There being no additional business to discuss, the meeting was adjourned upon a motion by Councilmember Schaack. The motion was duly seconded and approved. (8:30 p.m.)

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Mayor

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Clerk