

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, MARCH 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: Amy McBride; Greg Akers; Anthony Taylor; Shirley Puckett; Katherine Pickett; Scott and Crystal Wynn; Shane and Rebecca Snider; Lisa Montgomery; Rev. Donald H. Smith – Rural Retreat United Methodist Church; Caleb Snider; Dakota Snider; Jacob Wynn; Josh Wynn; Ty Boyd; Cade Rouse; William Montgomery; Trey Boyd; Allan Rouse; Rick Boyd; Jason Monday

DETERMINATION OF A QUORUM

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

INVOCATION

The invocation was given by Rev. Don Smith.

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 Viars to approve the minutes of the February 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

RECOGNITION OF RRHS STATE CHAMPION WRESTLING TEAM – Mayor Litz stated the first item was recognizing the Rural Retreat High Wrestling Team. He asked Town Manager James to present the resolutions to the team and individuals. Town Manager James asked the wrestling team members to come forward. Everyone applauded while the team came forward. Resolutions were presented to Coach Rick Boyd in recognition of the team winning the 1A West

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Region Tournament title and the Single A State Championship which was the first state championship in school history and to Trey Boyd, Jacob Wynn, Ty Boyd and Dakota Snider for each winning the Single A State Championship in their respective individual weight classes. Clerk-Treasurer Guynn stated a copy of the resolutions will be forwarded to the high school to be placed in their permanent records. Councilmember Yontz asked Coach Boyd and the team if they would join Delegate Jeff Campbell at the Heritage Days Parade in July as parade grand marshals. The team accepted the invitation. Mayor Litz commented the night the team won was an exciting night for the community and the students. He pointed out there was 120 people in the town flat to welcome them into town.

RURAL RETREAT VOLUNTEER FIRE DEPARTMENT ISO RATING – In Chief Dave Evans' absence, Town Manager James reported the fire department recently received an ISO 4 rating. This rating is achieved based on a department's ability to respond to fires. He noted the rating will have a positive benefit on homeowner's fire insurance and there are only 5,000 departments in the country that have achieved this rating. Mayor Litz pointed out this is the only department in the county with a four rating. Town Manager James stated one other department has a six rating. Mayor Litz explained Chief Evans had previously spoken to him about it and he stated it makes Rural Retreat look good. Town Manager James stated a full report is available if anyone would like to review it. Councilmember Schaack stated citizens should be aware that this will lower their homeowner's insurance. Vice-Mayor Crigger commented homeowners should contact their insurance company. Town Manager James added he will contact Millie Rothrock with the *Wytheville Enterprise* to request an article be written.

Amy McBride addressed the Council and inquired about how the fire department achieved the level four ISO rating. Town Manager James explained the rating is based on various criteria including equipment, water supply and staffing.

CORRESPONDENCE

Councilmember Hash inquired if Wythe County hosted any events at the lake last year for July 4th. Mayor Litz responded no. Councilmember Hash stated the rescue squad would like to use the stage to host events this year. Vice-Mayor Crigger stated the fair association would need to be contacted. Councilmember Hash explained they are interested in using the Pepper Stage to have music, vendors and other activities in town.

At this time, Town Manager James informed the guests attending for the presentations to the wrestling team that they could stay for the meeting or if they preferred to leave they may do so. Mayor Litz thanked the team for attending. The wrestling team left the meeting.

POLICE REPORT

Chief Mitchell explained his monthly activity for February. He noted his work hours had decreased due to personal leave. Dog complaints are continuing to increase which he noted due to warmer weather residents seem to be turning their dogs loose and letting them run.

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Complaints about barking dogs have also increased. Chief Mitchell explained he has been speaking to the dogs' owner and explaining the town's dog ordinances to them and also making them aware of the new ordinance. He pointed out he is continuing to work with the Wytheville Police Department and Wythe County Sheriff's office on cases. Chief Mitchell stated he is running radar and issuing warnings. Chief Mitchell further stated he is still conducting the business checks now that the weather has improved and he is checking around ten businesses each time but has received no feedback.

UNFINISHED BUSINESS

TOWN NEWSLETTER – Councilmember Yontz reported the newsletter needs to be folded and will be ready for distribution. Mayor Litz explained the town is compiling a newsletter for the citizens that will include a canning recipe and lots of other information. Councilmember Viars stated a lot of people don't know what the Council does and this is a way to be proactive and inform them.

NEW BUSINESS

CONDITIONAL USE PERMIT REQUEST – ANTHONY TAYLOR – AUTOMOTIVE BODY SHOP ON WEST LEE HIGHWAY – Mayor Litz asked Mr. Taylor to come forward and comment on his request. Anthony "Tony" Taylor introduced himself to the Council and stated he previously owned Rye Valley Oil Company in Sugar Grove but through a trade with Randall Gordon in he acquired the property at the corner of West Lee Highway. His request is for the metal building located behind the building that houses the consignment shop, he noted. Previously this building was occupied by Mountain Cap until they vacated the property which he has recently been using for personal storage space. He introduced Greg Akers of TJC Body Works in Wytheville and explained Mr. Akers is performing body work for Hilltop Auto Sales and would like to relocate closer to his customer. Mr. Taylor stated according to the information given to him by Mrs. Guynn, an automotive sales and/or service center is allowed on the property but a body shop isn't. He explained they attended the Planning Commission meeting the previous evening to request approval for the body shop. Mr. Taylor stated Mr. Akers is in need of a location in Rural Retreat to operate and he needs to lease his building. He concluded by stating they will be good neighbors.

Mayor Litz thanked Mr. Taylor for his comments and asked Town Manager James if this was a recommendation from the Planning Commission. Town Manager James replied yes, the Planning Commission did vote to recommend the Council approve Mr. Taylor's request. Mayor Litz commented on the current zoning of the area and suggested the property be rezoned to commercial and light industry.

Vice-Mayor Crigger made a motion to grant Anthony Taylor a Conditional Use Permit for an automotive body shop, specifically TJC Body Works, to operate in the building for the duration of the tenants lease. Councilmember Yontz seconded the motion. Mayor Litz stated to clarify the motion, Vice-Mayor Crigger wants a new request to come to the Council if the tenant

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changes. Vice-Mayor Crigger concurred. Mr. Taylor asked what the point of doing this is. Vice-Mayor Crigger explained in the past with a Conditional Use Permit request if the business and/or tenant changes a new request must be made. Mr. Akers stated he has signed a two year lease with the option to extend for a longer time. Vice-Mayor Crigger explained as long as Mr. Akers is the tenant a new request will not be necessary. There being no additional discussion, the motion was approved by a vote of six (6) for: Crigger, Hall, Hash, Schaack, Viars, Yontz; zero (0) against.

Mr. Taylor and Mr. Akers thanked the Council for their time and left the meeting.

CONDITIONAL USE PERMIT REQUEST – KATHERINE PICKETT – DOUBLEWIDE MANUFACTURED HOME ON SHERWOOD AVENUE – Mayor Litz asked Mrs. Pickett to come forward and address the Council regarding her request. Town Manager James stated the Planning Commission did vote to recommend the Council approve Mrs. Pickett's request. Mrs. Pickett addressed the Council and explained she and her husband have been married for 30 years and they currently reside between Greensboro and Winston-Salem, North Carolina. She is retired and her husband who is originally from the area will be retiring this summer. Mrs. Pickett explained they would like to purchase a piece of land and place a new doublewide manufactured home on it. She further explained they are responsible property owners and maintain the exterior of the home as well as the landscaping. Councilmember Hash asked Mrs. Pickett where on Sherwood Avenue the property is located that she is interested in purchasing. Mrs. Pickett stated it is beside 239 Sherwood Avenue and explained the land is only approximately 70 ft. in width but drops back after about 80 ft. and is approximately 150 ft. deep by 225 ft. wide. She added there will be ample space to place a house on the property and after the house is set a two car garage will be built to match the house.

Councilmember Yontz made a motion to approve the Conditional Use Permit request by Katherine Pickett to allow a doublewide manufactured home to be placed on property in an R-2 zoned area located at 237 Sherwood Avenue. The motion was seconded by Councilmember Hash. Town Manager James explained the only other issue to deal with is street frontage however the Board of Zoning Appeals will be meeting March 24th to consider granting a variance. The lot is unbuildable unless a variance is granted he added. There being no further discussion the motion was approved by a vote of six (6) for: Crigger, Hall, Hash, Schaack, Viars, Yontz; zero (0) against.

Mrs. Pickett thanked the Council for approving her request and stated she and her husband are thrilled to be moving to Rural Retreat. Mayor Litz commented he was glad to see a vacant lot be filled. Mrs. Pickett and Ms. Puckett left the meeting.

RURAL RETREAT VOLUNTEER EMERGENCY SERVICES AGREEMENT – Town Manager James reported he had given Jay Hawkins a copy of the draft agreement that Attorney Sobey had drawn up to transfer ownership of the emergency vehicles that are currently owned by the rescue squad to the town. The town would own and provide insurance on three of the four vehicles. One vehicle was paid for using grant money and is still under state ownership for

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another three years at which time the town will take ownership. The RRVES will continue to maintain the vehicles and purchase the fuel with the town primarily taking ownership to relieve them of the insurance cost that is approximately \$7,000. Mayor Litz will need to sign the agreement on behalf of the town.

Councilmember Viars made a motion to accept the agreement as presented for the town to take ownership of three of the Rural Retreat Volunteer Emergency Services vehicles and to authorize Mayor Litz to sign the agreement on behalf of the town. The motion was seconded by Councilmember Yontz. There being no discussion the motion was approved by a vote of five (5) for: Crigger, Hall, Schaack, Viars, Yontz; zero (0) against; one (1) abstention: Hash, due to being a member of the Rural Retreat Volunteer Emergency Services Board of Directors.

COMMITTEE REPORTS

HERITAGE DAYS – No report.

FINANCE & APPROPRIATIONS – Chairman Crigger reported the committee met prior to the Council meeting and discussed the Capital Improvement Plan and began working on the 2014-2015 Budget. The committee also met with Dave Evans, Fire Chief to review the department's recent tax return and to discuss their upcoming needs.

Mayor Litz inquired if the previous years' audit was complete. Clerk/Treasurer Guynn responded it is complete unless the Council would like to bring the audit firm in to give a presentation. Mayor Litz stated he felt this was unnecessary unless there are discrepancies. Clerk/Treasurer Guynn explained the one thing that is always included in the report that is a deficiency is the lack of internal controls and segregation of duties which with two employees handling all business transactions is hard to avoid. Mayor Litz commented as long as the money is where it belongs then it is a testament to the employees.

PERSONNEL, ORDINANCES AND LEGAL MATTERS – Chairman Schaack reported the committee met this afternoon and would like to make sure everyone understands the draft noise ordinance so it can be advertised for a public hearing. Vice-Mayor Crigger suggested moving forward with scheduling and advertising the public hearing. Town Manager James asked the Council if they had any comments on the draft ordinance before the expense is incurred for the advertisement. The consensus was to move forward.

Chairman Schaack addressed the draft yard sale ordinance and asked the Council to review it and provide input because they had discussed it during the committee meeting. Mayor Litz asked if there were any major changes. Town Manager James stated the ordinance addressed the individuals wanting to hold more than two yard sales in a commercial general area with clarification that the property owner would have to give permission. Councilmember Viars stated it will remain the same in residential areas. Town Manager James stated a season long permit will be issued to allow individuals to set up more than once. He added this will allow for true yard sale items to be sold not new items. Vice-Mayor Crigger asked how this will be

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distinguished between the two. Town Manager James explained the ordinance defines yard sale items as used goods. He stated Chief Mitchell will be monitoring this and the permit must be on hand. Vice-Mayor Crigger referred to the previous situation at Back In Time with Ms. Turner selling new items and asked if this will be allowed even with a permit. Town Manager James responded no, used items only.

Councilmember Yontz expressed concerns with the restrictions on the size of the signs being limited to 12"x12". He explained people cover old political signs to advertise their yard sale with most of those signs being 18"x24". He added a 12"x12" isn't very big. Vice-Mayor Crigger asked if there is a penalty if the old signs aren't removed. Town Manager James stated the maintenance guys will remove the signs and the person having the yard sale won't be penalized. Mayor Litz suggested establishing a time frame after the sale that the signs need to be removed. Town Manager James stated the signs must be removed within 24 hours. Vice-Mayor Crigger commented if the signs aren't removed and no penalty is assessed then there is no incentive to remove them. He added this is the problem now on the corner of Chinquapin Avenue and North Main Street, East Buck Avenue and North Main Street and at other intersections. Councilmember Viars commented it is easier to take them down than it would be to assess a penalty. Vice-Mayor Crigger added it should not be the town's responsibility to remove them. Mayor Litz concurred. Discussion ensued on citizens being charged with littering as opposed to posting items on a utility pole.

Amy McBride asked to address the Council and questioned if the citizens are aware of the rules. Vice-Mayor Crigger explained the Council is trying to establish limitations in order to educate the citizens of the town's requirements. Councilmember Viars suggested taking the ordinance back to committee for discussion. He explained to Mrs. McBride that the current yard sale ordinance allows for two yard sales per year in a residential area. Clerk/Treasurer Guynn clarified the current ordinance limits the number to two in any area.

TOWN MANAGER'S REPORT

The following items were discussed and/or acted upon:

RURAL RETREAT SIDEWALK IMPROVEMENT PROJECT PHASE 8 – We will be hosting a preliminary kickoff meeting with VDOT and Anderson & Associates representatives on April 7th. There are a number of additional requirements the state has placed on enhancement projects which have increased expected costs. We believe that since Phase 8 was awarded before the program changes we may be able to avoid these expenses. We anticipate placing the project out for bid in May.

FAMILY DOLLAR DEVELOPMENT – We are scheduled to receive final site development plans this week. Once we receive those we expect to begin their permitting process with the Town, Wythe County and VDOT.

Mayor Litz stated he has been receiving questions about an old rumor that the property won't pass compaction tests. He explained he has been hearing this and would like to quell the rumors.

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Councilmember Hall asked if he was referring to the testing for building purposes. Mayor Litz responded yes. Councilmember Hall explained footers can be engineered to accommodate non-compacted soil. Mayor Litz reiterated he would like to be able quell the rumor when asked. Vice-Mayor Crigger stated records should be on file at the Wythe County Building Officials office. Town Manager James stated he will follow-up on Mayor Litz's concern.

DOWNTOWN REVITALIZATION – Work is ongoing with the collection of information for the economic restructuring consultant. I hope to have all those disbursed this week.

Town Manager James noted the Rural Retreat Depot Foundation should have an architectural and engineering consultant onboard soon. A kickoff meeting will be held for the town after that with both selected firms working together.

WYTHE HEALTH & REHABILITATION CENTER – Attached to the manager's report is the formal approval from VDOT on the entrance exception. Further permitting will begin immediately including the commercial entrance and utility work.

SOUTH FORK REED CREEK – The Town and Anderson & Associates have begun looking for funding opportunities for the sewer replacement project. We will apply through several agencies to present an acceptable funding package to the Town Council.

CHARTER – I was contacted by the Virginia Local Government Commission who was requesting minor amendments to the Charter that was passed by the General Assembly. Attorney Sobey and I will review their recommendations and make amendments as necessary. All amendments requested are in reference to state statute and will be easily addressed before the bill is submitted to the Governor's office.

Councilmember Viars inquired if the Charter will need to go through the process again. Town Manager James replied no and explained bills have 30 days for amendments to be made prior to being sent to the Governor for approval.

RECREATION/GYMNASIUM FACILITY – Town Manager James referred to an attachment to the manager's report and stated he had met with Doug Covington with The Lane Group who works on a lot of the gym facilities for them. Mr. Covington has provided a quote of less than \$10,000 to conduct a study and preliminary design for a gym facility. Town Manager James stated he would like to reduce the cost as much as possible. He asked the Council to review the quote and provide feedback. Vice-Mayor Crigger asked how much information from the previous study could be used. Town Manager James stated he is working on that now to see what can be used to save money. He added there should be two to three options to present to the committee for review. Councilmember Viars asked if contact had been made with the organization that was previously willing to donate the land. Town Manager James stated he is working on this. Councilmember Yontz explained at the meeting held, it was announced that the Wythe County Board of Supervisors gave an extra \$1 million dollars to Sheffey Elementary School to build a gym/community center on the property. Mayor Litz commented a lot of the

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people in the meeting were not residents of the Town of Rural Retreat. He further stated we need to make it well known that this will not be for the benefit of town residents as much as it will be for non-town residents so the county needs to be a big contributor.

TREASURER’S REPORT

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

Prior to continuing with the agenda, Town Manager James introduced Jason Monday a representative with the parent company of Wings. Mr. Monday gave a presentation about the Wings program and explained on average of every three days a person is flown from this area on a Wings helicopter. The approximate cost per flight is \$25,000 with an average low of \$12,000 being the out of pocket expense. Mr. Monday stated some of their crew members live in the area and they have established a great rapport with the first responders. There are five aircraft stationed in the area at bases in Virginia, Tennessee and Kentucky. He presented the Council with a municipal site plan that would provide a membership for all citizens within the corporate limits. This plan would cost approximately \$10,000. A patient’s insurance will be billed accordingly for the use of the aircraft however the out of pocket expense would be reduced. Mr. Monday stated he wanted to share this with the Council for consideration.

Town Manager James stated Mr. Monday had previously presented this concept at the Joint Governing Bodies meeting. Councilmember Viars asked what type of response was received. Mr. Monday explained they liked the concept but it is a budgetary item. He pointed out the municipal plan has been more receptive in towns and cities. Mr. Monday stated if the Council was interested he would submit a formal proposal for consideration. He explained the mayor or town manager would need to determine the coverage area. Town Manager James asked Mr. Monday to send a proposal.

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.

ADJOURNMENT

Prior to adjourning, Mayor Litz thanked the guests for attending the meeting.

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

Mayor

Clerk