

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN  
COUNCIL HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY, SEPTEMBER 23, 2014, 7:00 P.M.**

Council Members Present: Mayor Timothy Litz; Jerrell Hall; Peggy Hash; James P. “Sean” Viars; Geary Jonas; James Lloyd

Council Members Absent: Vice-Mayor Dale Yontz

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

Administration Absent: None

Others Present: Jerry Hurt; Gary Houseman; Joyce Dorsey

**DETERMINATION OF A QUORUM**

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

**INVOCATION**

The invocation was given by Geary Jonas.

**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 Hash to approve the minutes of the September 9, 2014 regular meeting. There being no discussion, the motion passed by a vote of five (5) for: Hall, Hash, Jonas, Lloyd, Viars; zero (0) against; one (1) absent: Yontz.

**CITIZEN’S TIME**

Mayor Litz welcomed Jerry Hurt and asked if he wanted to address the Council. Mr. Hurt stated he does have a request on behalf of the Rural Retreat Depot Foundation. He explained the Foundation has made an application to the Tobacco Commission for a grant. Foundation members attended the recent meeting in Roanoke and the Foundation is not being recommended for funding. Mr. Hurt further explained twelve of the fifteen applications submitted were turned down. He stated he would like to have a letter of support from Town Manager James on behalf of the Town Council to be submitted to the Tobacco Commission at a meeting being held on Thursday. Mr. Hurt explained the Tobacco Commission had two concerns with one being the Foundation hadn’t spent any of the previous grant money awarded though a reimbursement request had been submitted. The Foundation was told later that the request had been found. The

## **COUNCIL MEETING MINUTES – SEPTEMBER 23, 2014 – PAGE 2**

second concern was there wasn't a clear plan for economic development. Letters will be submitted at this meeting to outline the economic development in the area and a letter from the town will be great because the Downtown Revitalization Plan which includes the depot can be included. Mr. Hurt also asked the Council to contact Senator Bill Carrico to ask for support of the depot.

Gary Houseman addressed the Council and stated he read the minutes from the last Council meeting about the Rural Retreat Rescue Squad so he came to answer any questions that anyone may have about what the County is doing. He addressed the comment made to Councilmember Hash about the squad and stated Rural Retreat hasn't been a point of discussion. Mr. Houseman explained they are in the process of hiring an EMS Coordinator and the chairs of each of the rescue squad's board of directors will be invited to attend a planning session. Up to this point Rural Retreat has told him they want to be left out of it, he added. Mr. Houseman stated they are looking to make it easier for the rescue squads to function within the County. He further stated no one has ever in any discussion with him mentioned closing the Rural Retreat Rescue Squad. Councilmember Hash explained she called Ikey Davidson and Tim Reeves and told them up front they were the two she had been told that said the squad was going to be closed but both told her they didn't. Mr. Houseman commented it is easier to deal with the truth than the rumors. Mr. Houseman explained that Ikey Davidson has resigned his position with the County to go to a private employer but this had nothing to do with the Rural Retreat Rescue Squad rumors. He stated they still aren't sure what Mr. Davidson was referring to when he told Mrs. Hash that something big was going to hit the county. Mr. Houseman reiterated that any comments about the Wythe County Board of Supervisors saying the rescue squad being closed is not true.

### **CORRESPONDENCE**

Councilmember Hash stated she had been approached by a citizen because the Town Council wasn't at the Lindsey Funeral Home dedication. She apologized to Mr. Hurt for their absence.

### **POLICE REPORT**

Chief Mitchell reported there have been a couple of larcenies on Hickory Avenue while he was off but a Wythe County deputy has exchanged information with him. He also reported while performing traffic enforcement on Main Street a summons has been issued. Chief Mitchell is continuing to do walk through at the schools and will be attending the football games to walk through the crowd. The lighting was better at the recent pow-wow which was well attended, he noted.

### **UNFINISHED BUSINESS**

**DONATION BOX FOR GOODWILL INDUSTRIES** – Town Manager James reported he is continuing to work with the management at Food Country to get a larger donation box located on the property.

## **COUNCIL MEETING MINUTES – SEPTEMBER 23, 2014 – PAGE 3**

RURAL RETREAT COMMUNITY CENTER – Town Manager James reported Wythe County was unable to allow the Rural Retreat Community Center to dispose of their trash at the recycling center. He stated he will contact Mr. McFarlane to resolve their trash disposal issues.

### **NEW BUSINESS**

GOVDEALS.COM AGREEMENT – SURPLUS TRASH TRUCK – The new trash truck has been received and will be put into use this Thursday. While trying to find a way to dispose of the old trash truck and to ensure several bids are received he has looked into using GovDeals.com. He explained he is interested in setting up an account with GovDeals.com which will handle the marketing of the trash truck and collect the money when the auction is complete then remit the net profits to us. A fee of 12.5% is charged to list with this organization. Town Manager James stated he would like to set the minimum bid at \$1,500. The consensus of the Council was to enter into the agreement with GovDeals.com to sell the surplus trash truck.

COLLECTION OF DELINQUENT REAL ESTATE TAX – Clerk/Treasurer Guynn explained real estate taxes that are two or more year's delinquent can be pursued by other means. Due to the town having a January 5 due date as of January 1, 2015 we can begin further pursuing the delinquent taxes for the 2011 tax year. As of January 1 for the 2011 and prior tax years, a total of \$23,500 is delinquent with a significant portion being owed by Randy's Inc. which is being pursued by Wythe County on a tax sale. Treasurer Guynn explained the tax bills and delinquent notices include messages that state unpaid balances will be submitted to a collection agency. She further stated that the taxpayers will read the message but don't take it seriously until they receive proof that it will be done. Treasurer Guynn explained she and Town Manager James had discussed this and agreed to send out the 2014 tax bills then follow up with a letter stating the delinquent balances must be paid by the end of the year or a set up a payment plan. A second letter will be sent in January to those that haven't responded with the final date to pay then the amount will be sent to TACS for collection. TACS charges a 20% collection fee as allowed by the Code of Virginia which is added to the amount due. They will then attempt to set up a payment plan with the taxpayer, if unsuccessful they pursue a tax sale. TACS is composed of attorneys so they are aware of the state code and are familiar with pursuing collections. Clerk/Treasurer Guynn stated our only other options are rent, wage and bank liens but this requires having the information to pursue placing these liens. Mayor Litz stated this makes good sense and asked what action was needed. Clerk/Treasurer Guynn asked for a motion and a second to allow her to enter into an agreement with Taxing Authority Consulting Services, PC to pursue the collection of the delinquent real estate taxes. Councilmember Lloyd made a motion to pursue the collection of the delinquent real estate taxes and the motion was seconded by Councilmember Jonas. Councilmember Viars stated if TACS pursues litigation then they use their own attorneys and won't be pulling our town attorney into it. Treasurer Guynn replied yes, and explained if the taxpayer fails to enter into a payment agreement with them then they pursue the tax sale. She also explained the town piggy backs with Wythe County on their tax sales however most taxpayers will pay their county tax to avoid being forwarded to the collection agency for a potential tax sale but don't pay their town tax. There being no further discussion,

## **COUNCIL MEETING MINUTES – SEPTEMBER 23, 2014 – PAGE 4**

the motion passed by a vote of five (5) for: Hall, Hash, Jonas, Lloyd, Viars; zero (0) against; one (1) absent: Yontz.

**ESTABLISH THE 2014 PERSONAL PROPERTY TAX RELIEF PERCENTAGE –** Clerk/Treasurer Guynn explained the 2014 tax books have been received and forwarded to the software company for conversion. Based on the vehicle information received from the Wythe County Commissioner of Revenue and the number of vehicles being taxed for 2014, the 2014 Personal Property Tax Relief rate will need to be set at 48.25% which is a one percent decrease from the 2013 rate. A motion was made by Councilmember Jonas and seconded by Councilmember Lloyd to set the 2014 Personal Property Tax Relief rate at 48.25%. Treasurer Guynn explained this is required because of the legislation passed to eliminate all personal property tax in Virginia, however when the rate reached 70% it was frozen and now localities receive a lump sum payment. We receive \$17,065 and must distribute the money based on the value and number of vehicles in the town to determine the tax relief percentage. There being no further discussion, the motion passed by a vote of five (5) for: Hall, Hash, Jonas, Lloyd, Viars; zero (0) against; one (1) absent: Yontz.

### **COMMITTEE REPORTS**

**HERITAGE DAYS –** Mayor Litz reported the meeting scheduled after the Council meeting has been canceled. He stated work is continuing on finding a main act for next year.

**PUBLIC UTILITIES COMMITTEE –** No report.

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

The following items were discussed and/or acted upon:

**RURAL RETREAT DEPOT –** Town Manager James reported the Rural Retreat Depot has been added to the National Register of Historic Places.

**WATER ACCOUNTABILITY –** More leak repairs will be scheduled in the coming weeks.

**PHASE 8 & 9 SIDEWALK IMPROVEMENT PROJECTS –** Staff has contacted VDOT and we expect to receive information from them within the week on project revisions and questions. The Environmental and Cultural Resources report was received this week.

We are still awaiting final award notification from VDOT for the Phase 9 project. We have postponed our kickoff meeting and have instructed Anderson & Associates to wait until final notification to begin further work on project design. We have requested information from VDOT on the status of the award.

**SOUTH FORK REED CREEK SEWER PROJECT –** We have been notified that the SFRC project has been recommended for funding by the Bristol District Office. We hope to receive final word from the Richmond DEQ office by next month. We are planning to again apply for

## **COUNCIL MEETING MINUTES – SEPTEMBER 23, 2014 – PAGE 5**

Mount Rogers PDC construction grant funds next spring to minimize the anticipated debt service for this project.

**SURPLUS TOWN PROPERTY** – We are continuing to work on the outlining of acreage around the town dump and the water treatment plant for surplus. We will have recommendations to Council by November.

**REZONING – WEST BAUMGARDNER AVENUE** – Several citizens along West Baumgardner Avenue have noted their concerns over the Commercial General zoned properties along the railroad tracks across from their homes. Staff will begin reaching out to property owners to gauge interest in securing light residential zoning that would be more compatible with the surrounding current land uses. This item will be evaluated in the coming months.

**DOWNTOWN REVITALIZATION PROJECT** – Following our public meeting on September 15<sup>th</sup> we received feedback from the attendants that were largely encouraging of the project. Our next step will be a meeting on October 2<sup>nd</sup> with the consultant team to finalize project cost estimates and further critique the plan to ensure we achieve adequate cost benefit. The estimated financials will be presented to Council by the end of October. We will hold further public meetings to provide accurate information as we move forward.

**SCADA RFP** – The SCADA RFP closes on Friday, September 26. Two proposals have been received and two more are expected.

**TOWN HALL ROOF REPAIR** – The roof repair was completed last week. We will begin replacing ceiling tiles that have been damaged.

**JOINT IDA RESOLUTION** – Town Manager James referred to the JIDA resolution and asked Mr. Houseman if Wythe County had reviewed the resolution. Mr. Houseman explained the Board of Supervisors received some suggestions from the JIDA and some language was changed. He explained the Board wants to keep the five contacts in the resolution. Town Manager James asked if the resolution will be ready for adoption on Monday. Mr. Houseman upon the three governing bodies reviewing, it should be.

Councilmember Viars commended David Manley Joint IDA Executive Director for attending the Downtown Revitalization meeting.

Prior to proceeding, Mr. Houseman stated the last meeting he attended he had requested a few dates that the Public Utilities Committee would be available to meet with the Wythe County Water Committee but he hasn't received any dates. Town Manager James stated no dates have been determined because they have only met one time but they will decide on some dates.

**COUNCIL MEETING MINUTES – SEPTEMBER 23, 2014 – PAGE 6**

**TREASURER’S REPORT**

Clerk/Treasurer Guynn reminded the Council of the Joint Governing Bodies scheduled for Monday, September 29<sup>th</sup>. The next meeting is scheduled for December 29<sup>th</sup> unless the Bodies choose to cancel it due to the Christmas and New Year’s holidays.

The invoices for September 23, 2014 were read and approved.

**TALK OF THE TOWN**

No one was available to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

**ADJOURNMENT**

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

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Mayor

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Clerk