

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, JULY 28, 2015, 7:00 P.M.**

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

Council Members Absent: None

Administration Present: Brian Reed, Interim Town Manager; Lori Guynn, Clerk/Treasurer; Scott Mitchell, Police Chief

Administration Absent: None

Others Present: Tony Wright – General Services Director; Jerry Hurt; Brian Vaught; Tommy Compton

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 July 14, 2015 regular meeting. There being no discussion, the motion passed by a vote of five (5) for: Hash, Jonas, Lloyd, Viars, Yontz; zero (0) against; one (1) absent during the vote: Hall.

Councilmember Hall entered the meeting.

CITIZEN’S TIME

Jerry Hurt addressed the Council on behalf of the Rural Retreat Depot Foundation and explained a test with Shentel and Virginia Tech for the fiber-optic pilot project will be held on August 4 at the town hall. He stated Virginia Tech has requested the town manager or a designee to be in attendance. Mayor Litz stated it may be a designee.

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 2

Mayor Litz stated he had a report from the town citizenry about the detour signs and explained Scott Mecimore asked him to thank the town council and the depot foundation for putting the signs up. Mr. Mecimore reported having his best Wednesday. Mayor Litz stated this extra effort has gone a long way and so far no negative comments have been received. He asked Mr. Hurt to relay the comments to the depot foundation. Mr. Hurt commented that Mr. Mecimore had sent him a thank you note.

Brian Vaught with the Rural Retreat/Wythe County Fair Association addressed the Council and distributed a list of events being held during 2015 at the fairgrounds. Mr. Vaught explained he not only wanted to say thank you for the support but thank you a lot. He stated the Council decided to contribute money to the fair association to help with the advertising for the fiddler's convention. He explained it went well other than the weather but they were able to pull people from multiple states to participate in the event. Mr. Vaught stated attendees loved the event and the area and through the advertising they were able to draw people that spent money in the community. He stated a not so big secret is the fair association is broke. Mr. Vaught explained the association wanted to let the Council know what activities they have planned to raise money but to also say thank you for the financial support. He further explained that as of the close of business today the Town of Rural Retreat is the only government entity in Wythe County to provide funding.

Mr. Vaught stated he reads the meeting minutes and noticed the Councilmembers had questions about the fair association and he would like to try to answer those. He pointed out when he joined the fair association he went in at a dark time and noted the association used to have money but can't factually touch on why they no longer do. He added nothing illegal was done but it was not managed the way it should've been. This is a shame for those that worked hard over the years to make sure the association had money, he stated.

Mr. Vaught explained the Wythe County Board of Supervisors was going to give the fair association funding but they found out today that the 501(c)(3) non-profit status had lapsed. Mayor Litz stated Michael Sobey could assist with reinstating this. Mr. Vaught stated Mr. Sobey is already working on this and has offered some suggestions including dissolving the old group and beginning again. Mr. Vaught explained his concern is if the old/current group is dissolved then it may be easy for the County to come in and take over. He further explained one of the reasons he joined the fair association was to see the fair be what it used to be. While reading the minutes, Mayor Litz touched on a very good point when he stated at the fair was when you saw everyone, Mr. Vaught explained, because you didn't have Facebook, snapchat and everything else. This is what the association would like to get back too, he pointed out.

Councilmember Hash explained when the name changed from Rural Retreat Community Fair to the Rural Retreat/Wythe County Fair she left. Councilmember Lloyd commented the name change was never legally done; it is still the Rural Retreat Community Fair. Mr. Vaught explained there are several stories about the name change just the same as there are about the money. He noted when former members left; they didn't notify them that the website needed to be renewed and by the time they found out it is now owned by a group in China. He pointed out

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 3

the group there now has the sweat equity involved but they are struggling to raise money. Mayor Litz stated this year has been better for the fair association because of the people involved now. Mr. Vaught explained they also had to repair some strained relationships. Mayor Litz agreed and stated he was one of them but he now feels better about it. He explained he had spoken with Vickie Sprouse earlier today about using the fairgrounds for Beach Fest this weekend and the fair association is now more interested in letting their facilities be used by others. Mr. Vaught pointed out the goal is to have something going on every weekend to appeal to different groups that will help to raise money. The liability insurance and utilities cost the association \$11,000 per year, he added. Discussion ensued about the BBQ cook-off, poor weather and attendance.

Mayor Litz stated he would hate to see the fair association die. Mr. Vaught explained representatives have gone to the Board of Supervisors three times to request money in which at the budget meeting one of the members dozed off while they were talking. He added he wanted to say thank you to the Town Council for their support though he can't promise it will be better next year. Discussion ensued about having the continued support of area families that have been involved with the fair for generations.

Mr. Vaught stated if the Town Council has any suggestions for events to be held they are open to anything. Clerk/Treasurer Guynn addressed Mr. Vaught and explained the town hall receives many phone calls about activities at the fairgrounds but they don't know who to tell the people to call because they don't have phone numbers. She asked if the fair association could provide a list of names and phone numbers so that they can direct people to them or at least provide information about events so that questions can be answered. She added the town is glad to offer the public relations service but it's difficult to answer questions when there is no information out about it.

Mr. Vaught explained people think if there are no rides then it isn't a fair. He stated there are still the exhibits, horseshows, ATV rodeos and other events that make it a fair. He thanked the Council for their time. Councilmember Viars told Mr. Vaught that he appreciated having someone present to represent the fair association. Mr. Vaught stated regardless whether or not the Council funds the fair association next year he would be glad to attend meetings to provide an update on their activities. Mayor Litz thanked Mr. Vaught for his time and for bringing the Council up to date.

Tommy Compton, co-owner of Randy's Inc. addressed the Council and stated he would like to ask the Council to consider giving him an extension to get out of the building. He explained there have been unforeseen circumstances. He stated his partner died and he has had personal health issues including a stroke which have limited his time to work and get everything moved out of the building so he would like to request an extension. Mayor Litz asked Mr. Compton how much time he felt that he would need. Mr. Compton replied the first of the year. Mayor Litz stated if the Council considers this a motion and a second would be needed.

Councilmember Hall asked if there was any idea of at what point this becomes a liability with the Downtown Plan. Interim Town Manager Brian Reed explained the Governor's office hasn't

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 4

announced the awards for the grants but this should be done anytime. He noted it is usually this time of the year. Mr. Reed stated once it is announced, the town will have 90 days to complete the contract negotiation activities to get it under contract for the funds. Once the project is under contract, the town will have two years to complete everything that was stated that would be done in the grant application, he stated. Mr. Reed explained based on this it would probably be November when the town's time would begin so everything would need to be ready for construction to begin then.

Councilmember Viars asked for a reminder of when the town purchased the property. Mayor Litz replied the deadline is September 1. Councilmember Viars asked for the date the town entered into the contract. Mayor Litz replied sometime in March. Mr. Compton stated at the time everything looked good on getting everything out of the building. Mayor Litz asked Mr. Compton what his plans were with what is left in the building. Mr. Compton stated he is moving and selling it out. He explained a guy that he has been selling stuff too had a death in the family so he hasn't been able to come in for a few days. Mayor Litz thanked Mr. Reed for his comments and stated he didn't think the town could wait until January because we would be in a bind. Mr. Compton stated whatever could be done would help. Mr. Reed stated he thought the town would be safe with November 1.

Councilmember Jonas made a motion grant Tommy Compton's request to extend the deadline to remove items from the Randy's Inc. building from September 1, 2015 to November 1, 2015. The motion was seconded by Councilmember Hall and he added they aren't hardnosed. Mayor Litz commented Mr. Reed has provided information to them to make a decision and pointed out the town can't hardly wait until January 1 because they will be risking the grant money. He asked Mr. Compton if he was going to be doing any scraping. Mr. Compton replied yes and he hoped by the first of September the price would be up. Mayor Litz suggested determining what could be sold as parts and scrap the rest. Councilmember Hash asked if the Indian and chair had been sold. Mr. Compton explained he sold the Indian to a guy he had promised would have first option 23 years ago. Tony Wright, General Services Director, explained Mr. Compton is redoing a building along the railroad tracks to move items too. He noted around 25 – 30% of the items have been moved out of the building and he has been making an effort. Mayor Litz commented sickness and death are things that are unplanned. Councilmember Viars stated sometimes plans don't work out and encouraged Mr. Compton to develop a plan because for him personally November 1 is as late as he is willing to give but he does understand all that he has been through. There being no further discussion, Mayor Litz asked for a vote on the motion. The motion passed by a vote of six (6) for: Hall, Hash, Jonas, Lloyd, Viars, Yontz; zero (0) against.

CORRESPONDENCE

Councilmember Jonas reported he had received a complaint from Carl Vaught about the property at the former Rural Retreat Garment Factory which had been promised to be cleaned up. He stated he looked at the property and there has been no mowing on the inside of the fence but there has been on the outside of the fence. Mayor Litz asked Tony Wright to address this because the town was under the understanding that this was being taken care of. Mr. Wright

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 5

reported the town has been mowing around the outside of the fence. He pointed out there are locks on the gates and the contractor did come in to mow but didn't mow the bank, only the flat part was mowed. Mr. Wright explained a worker with Centurylink was able to get access to the property for repairs but locks are on the gate so we can't get access.

Councilmember Hash asked who owns the property now. Mayor Litz replied an organization based in Blue Ridge, Virginia. Mayor Litz stated Mr. Vaught has a legitimate gripe because we tell him he needs to mow his property if he doesn't. Councilmember Lloyd stated this problem goes back several years. Mr. Wright stated a quote was received from Pollard's Lawn Service for \$300 to clear the bank. Mayor Litz suggested having Attorney Sobey to write another letter and notify them if they don't follow through then we will hire Mr. Pollard and bill them for the expense.

Councilmember Viars stated while on the discussion of mowing, the gas station at the crossroads needs to be mowed. Chief Mitchell explained he had spoken to the property owner earlier in the afternoon and the owner told him he would have it mowed within the next five days. He had informed the owner that it was becoming a traffic hazard and it was growing out into the road.

Vice-Mayor Yontz asked Chief Mitchell if he would check on a bush at the florist that is impeding vision for people turning out. He explained he was asked about it on Saturday and promised he would bring it up at the meeting.

Councilmember Viars stated he had been approached at Heritage Days by a guy from Pulaski and he stated he had enjoyed the concert and was very appreciative of how the day went. This gentleman thought it was a one-time event and didn't realize it was an annual event, Councilmember Viars added. He asked Councilmember Viars to thank the Town Council for the event. Councilmember Viars stated he wanted to personally thank the committee and town employees for another successful year because there is a lot of work that goes on behind the scenes. He also thanked Tony Wright for having the street swept.

POLICE REPORT

Chief Mitchell apologized to the Council for missing the previous two meetings due to family medical issues. He reviewed the 2014 Crime Statistic Report that had been previously distributed. He pointed out that last year he had 15 incidents that were reported to the Virginia State Police. Chief Mitchell explained this year to date he has already reported 17 incidents. He addressed the monthly activity report for June and stated he assisted the Wythe County Sheriff's Office during the manhunt in Cedar Springs and also assisted the U.S. Marshall's service. He stated he had been told the suspect never entered the town but stayed around the outside of town. Chief Mitchell noted this had been a concern of town citizens.

Chief Mitchell addressed Heritage Days and stated it went real well. He stated while the Yates Family was performing a family walked up to him and ask what was going on. He explained to the family that the town's annual Heritage Days Festival was in progress and that it was a free

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 6

event other than food. The family had been traveling on the interstate, had gotten off to get gas and seen the signs for the festival and decided to see what it was. Chief Mitchell noted the family visited for several hours.

Mayor Litz asked Chief Mitchell if he had any information on the two patients that required medical attention at the festival. Chief Mitchell and Vice-Mayor Yontz reported one patient had returned home and the other had been transported to a Roanoke Hospital for observation. Vice-Mayor Yontz stated he had spoken to one of the patients and he repeatedly apologized for letting the town down though Vice-Mayor Yontz explained to him that he didn't let anyone down. He also stated that Johnny Lee had located the gentleman and contacted him on Sunday to make sure he was okay. Vice-Mayor Yontz stated he wanted to applaud Chief Mitchell and Sally Earles for their quick attention and for being on top of the situation as fast as it happened which was great. Chief Mitchell stated he happened to be standing nearby and saw the man fall and begin shaking. Vice-Mayor Yontz thanked Chief Mitchell again. He explained upon speaking to the gentleman, the doctors discovered it was a medication he was on that caused the seizure and it was more serious than people realized. He commended Chief Mitchell, Sally Earles and nurses that were in the crowd for their quick attention. Councilmember Viars stated the rescue squad personnel were busy all day and stayed on top of things.

Chief Mitchell stated another incident occurred with the tractor trailer on North Greever Street earlier in the day. He explained he was unable to respond but Tony Wright left him a message. He then contacted the Wythe County Sheriff's Office though a deputy was unable to get there in time but a third party contacted the Virginia State Police. By the time the state trooper got there the truck had already left. He stated the town may want to consider restricting truck traffic on North Greever Street because there is no reason for big trucks to be in the area. He pointed out the driver does live at the residence but other residents aren't allowed to block the street with their trucks.

UNFINISHED BUSINESS

DR PEPPER LOT PROJECT – Councilmember Lloyd reported he had called Troy Harris with the Dr. Pepper Corporation. Mr. Harris stated he had received the video, enjoyed watching it and it was really interesting. Councilmember Lloyd stated Mr. Harris seemed apprehensive to talk and he had explained to Mr. Harris that the town was worried because a news crew had done a report about the Downtown Project and made it sound as if the project with Dr. Pepper was a done deal. Mr. Harris explained he hadn't seen the news story but he had heard about it from a lot of people. Councilmember Lloyd stated he had explained to Mr. Harris when the interviews were done the town didn't give that impression but the media can twist things around. Mr. Harris had commented that he was very well aware of that and it had happened to him. Mr. Harris assured Councilmember Lloyd that the news story wouldn't interfere and the video will go to the Vice President of the corporation in late August or early September. Mayor Litz commented this can't be pushed because the harder you push the more resistance. Councilmember Lloyd stated Mr. Harris spoke in a positive manner after he explained what had happened. Mayor Litz added the town spent a couple thousand dollars to have the drawings and

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 7

brochures printed to make the presentation and it was understood that Dr. Pepper wouldn't start writing the checks.

STATUS OF SINGLETON PROPERTY – Mayor Litz asked Tony Wright if he had anything to report. Mr. Wright stated he had spoken to Mr. Singleton on Friday and Mr. Singleton had made him aware that he had not received a letter from the town or other form of documentation about doing anything with the property. Mr. Wright stated he felt it had fallen through the cracks but he also spoke to Chief Mitchell about it. Chief Mitchell reported one of the things being considered was having Attorney Sobey and the town manager to look into what can be done. He further stated something needs to be done even if the town pursues what the Town of Wytheville has because Mr. Singleton will continue to leave the property like it is for as long as he can. Interim Town Manager Brian Reed explained he had contacted the Town of Wytheville and obtained copies of the code sections that they are using against Mr. Singleton. He stated they need to be forwarded to the town attorney to begin the process because it has taken about two years for Wytheville to get the point that are at. Chief Mitchell stated there are three properties listed in the *Wytheville Enterprise* that the Town of Wytheville is demolishing. Mr. Reed explained the process should mirror what Wytheville has done. Mr. Wright commented the mowing is only along the roadway because there is not a very big area with grass and it is so overrun with trees and debris. Mayor Litz stated this will need to be discussed with the town attorney.

NEW BUSINESS

None

COMMITTEE REPORTS

HERITAGE DAYS – Mayor Litz stated Friday night is still underutilized because the acts were just as good on Friday as they were on Saturday. He noted once the presentations are finished there is usually a big gap but we were able to close the gap and people stayed to listen to the music. Mayor Litz explained we had several to show up for the presentations with some traveling a good distance so we kept them in attendance. He stated a post Heritage Days meeting will need to be held to discuss some ideas. He added some people have commented they thought last year's was more attended but he wasn't sure because on stage there appeared to be a lot of people. Councilmember Jonas stated when he sat down prior to Johnny Lee performing there wasn't many people behind him but when he walked around between him and Gene Watson there was a bunch of people. Many, he stated, waited until the sun went down.

FINANCE & APPROPRIATIONS – No report.

PERSONNEL, ORDINANCES & LEGAL MATTERS – Mayor Litz stated personnel matters will be discussed later in the meeting.

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 8

PUBLIC UTILITIES – Councilmember Hall asked Tony Wright if he had previously said he had spoken to Bobby Lane about the offset in the ultraviolet treatment. Mr. Wright stated Mr. Lane had agreed to meet with the town after July 13th.

Mayor Litz asked if anyone had spoken to DEQ about the wastewater project. Mr. Reed replied yes, he had spoken to them today and explained he had been advised if the scope of the project was going to be changed there must be a basis for doing so and support documentation to go with it. He further explained if its financial reasons because of the debt service or if it is because the town is unsure of what they want to do then DEQ has asked that the town write a letter and put in writing that the town respectfully declines the funding. He noted there will be no hard feelings and DEQ will consider any future requests from the town without any concerns. Mayor Litz asked Mr. Reed to write the letter so that it can be sent to DEQ prior to month end. He noted the Council doesn't have the proper amount of information to make a decision.

TOWN MANAGER'S REPORT

Interim Manager, Brain Reed reported the only item he had to report was about the DEQ loan for the South Fork Reed Creek Project.

GENERAL SERVICES DIRECTOR'S REPORT

Mayor Litz addressed the issues with the UV disinfection system at the wastewater plant and the need to meet with the engineering firm. Following discussion, Mayor Litz, Councilmember Hall and Director Wright are to meet with The Lane Group.

Director Wright reported the water and wastewater plants are back to running 100% following the recent storms. The damaged equipment at the water plant was covered under warranty.

Mayor Litz inquired about the new plant operator. Director Wright reported Chris Buckingham was transferred from the maintenance crew to the water and wastewater plants as an operator trainee. He also reported he and Clerk/Treasurer Guynn have conducted interviews with three applicants to hire a maintenance employee. An offer has been made and they are waiting for a response. Mayor Litz thanked Director Wright for his time.

Clerk/Treasurer Guynn explained she had distributed the most recent water accountability report for review. The town is currently at a water loss rate of 26%. Director Wright reported a leak on Buck Avenue had been repaired.

Mayor Litz stated there is a leak on Church Street at the top of the hill. He noted it has been dug out but it is still leaking. Director Wright explained the water is from a floor drain at the Presgraves residence. He stated during the recent rain, the Presgraves's had water in their basement and the drain was clogged so they called Roto-Rooter to unstop it. When Roto-Rooter blew out the drain it was discovered the water drains to the street, he explained. He pointed out that by law the drain can't be connected to the town's sewer system.

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 9

Mayor Litz asked if there was any exceptional water loss during the previous night. Director Wright stated not that he was aware of. Mayor Litz explained the Lautenberger's returned last night and turned the water on then discovered this morning that a ¾" galvanized line had leaked all night.

Director Wright reported he had previously scheduled vacation time next week and will be out if there were no objections from the Council. Mayor Litz commented he could be contacted.

TREASURER'S REPORT

The invoices for July 28, 2015 were read and approved.

TALK OF THE TOWN

Brian Vaught is to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning to discuss the upcoming Rural Retreat Fair.

Jerry Hurt reported he will be talking with Danny Gordon on August 12 about the Rural Retreat Depot Foundation.

CLOSED MEETING – DISCUSSION OF PERSONNEL MATTERS

A motion was made by Vice-Mayor Yontz, seconded by Councilmember Hash to convene to a closed meeting in accordance with §2.2-3711, A-1 of the Code of Virginia to prospective candidates for employment.

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

Mayor Litz called the regular meeting back into open session.

Motion was made by Councilmember Lloyd, seconded by Councilmember Jonas, to adopt the following Resolution:

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

COUNCIL MEETING MINUTES – JULY 28, 2015 – PAGE 10

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
Jerrell Hall	X	
Peggy Hash	X	
Geary Jonas	X	
James Lloyd	X	
James P. “Sean” Viars	X	
Dale Yontz	X	

Absent during meeting: None

Absent during vote: None

A motion was made by Councilmember Viars, seconded by Councilmember Jonas to hire Jason Childers as town manager. Councilmember Viars stated he would like to thank the Personnel Committee for their hard work to hire a town manager and he knows it hasn't been an easy decision to make. The motion passed by a vote of five (5) for: Hall, Jonas, Lloyd, Viars, Yontz; one (1) against

Mayor Litz thanked everyone for their time and attendance.

ADJOURNMENT

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

Mayor

Clerk