

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, July 12, 2016 - 7:00 P.M.**

Council Members Present: Mayor Timothy Litz; Vice-Mayor Dale Yontz; Geary Jonas; James Lloyd; James P. “Sean” Viars; Brian Vaught; Mike Duncan

Council Members Absent: None

Administration Present: Jason Childers, Town Manager; Monica Patton, Clerk/Treasurer

Administration Absent: Scott Mitchell, Police Chief

Others Present: Tony Wright, Charles Slagle, Sally Earles, Leann Mitchell, Bob Lewis, Chris Pauley, Sophia Pauley, Paul Bender, Amber Halsey, Jerry Hurt

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.

ORGANIZATIONAL APPOINTMENTS

Mayor Litz addressed Council and explained that each member of council was elected by the people of Rural Retreat and therefore work for the people. Mayor Litz stated that it is very important to understand that council members make decisions while in council chambers during meetings while minutes are taken by the Clerk. He expressed that it is not the responsibility of a council member to reprimand an employee of the town. Town employees work for Town Manager Childers and General Services Director Wright. If a council member observes a town employee misrepresenting the town or not performing his or her duties the councilmember should speak to the Town Manager regarding the situation.

Mayor Litz explained to new council members that they should always make sure they understand what they are voting on and never hesitate to ask questions. Mayor Litz asked council members to always give an explanation when they vote against an issue. Mayor Litz cautioned council members to always make their vote count and make sure they are voting for the right reason which is for the citizens of the Town of Rural Retreat.

RESOLUTION-MAYOR EMERGENCY Authority – Mayor Litz asked Town Manager Childers to explain the resolution. Town Manager Childers explained that there are times when

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a quorum is not present and the town may have an emergency situation that requires a decision. The town office has an obligation to pay all of the town's bills on time. During a meeting, if a quorum is not present the mayor will have the authority to approve certain bills to be paid. Another example is if a catastrophe event takes place and the town is forced to provide supplies to citizens. The mayor will then have the authority to approve purchases. Basically the resolution gives the Mayor the authority in emergency situations and when there is not a quorum present to keep the town's bills paid. A motion was made by Councilmember Yontz to approve a resolution to give the Mayor emergency authority; seconded by Councilmember Jonas. Councilmember Duncan asked Town Manager Childers if there would be a limit on the amount that the Mayor could approve. Mayor Litz explained that expenditures will be brought to the Council's attention during the next meeting. The town office is still held accountable for all expenditures. Town Manager Childers explained that the Resolution is for emergency situations only. Fire Chief Evans explained that this Resolution has only been used one time and that was for diesel fuel during an emergency situation. Motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; zero (0) against.

ELECTION OF VICE-MAYOR – Councilmember Viars made a motion to elect Councilmember Yontz as Vice-Mayor; seconded by Councilmember Jonas. Motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; zero (0) against.

APPOINTMENT OF TOWN MANAGER – Mayor Litz explained that the Town has 4 appointments, the Town Manager, Clerk/Treasurer, Police Chief and the town attorney. Each year the town re-appoints these four positions. The appointees work at the pleasure of the council. The Mayor stated to his knowledge in the history of the Town no appointee has ever lost their job during reappointment.

CLOSED MEETING – DISCUSSION OF PERSONNEL MATTERS

A motion was made by Councilmember Vaught, seconded by Councilmember Lloyd to convene to a closed meeting in accordance with §2.2-3711, A, sub-paragraph 1 of the Code of Virginia, discussion, consideration or interviews of prospective candidates for employment; assignment; appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body.

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

Mayor Litz called the regular meeting back into open session.

Motion was made by Councilmember Yontz, seconded by Councilmember Viars, to adopt the following Resolution:

RE: CLOSED MEETING

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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
Brian Vaught	X	
Geary Jonas	X	
Dale Yontz	X	
James P. “Sean” Viars	X	
James Lloyd	X	
Michael Duncan	X	

Mayor Litz requested a motion to reappoint M. Jason Childers as Town Manager. Councilmember Lloyd made a motion to reappoint Town Manager Childers. Motion was seconded by Councilmember Yontz. Councilmember Viars complimented Town Manager Childers on his performance and stated he thinks he is doing a wonderful job. Motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; zero (0) against.

APPOINTMENT OF CLERK/TREASURER – Mayor Litz requested a motion to reappoint Monica Patton as Clerk/Treasurer. Councilmember Jonas made a motion to reappoint Clerk/Treasurer Patton. Motion was seconded by Vice-Mayor Yontz. Councilmember Vaught expressed his appreciation to Clerk/Treasurer Patton for her assistance in getting everything set up for his council position. Motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; zero (0) against.

APPOINTMENT OF POLICE CHIEF – Mayor Litz requested a motion to reappoint Scott Mitchell as Police Chief. Motion was made by Councilmember Jonas to reappoint Chief Mitchell. Motion was seconded by Councilmember Lloyd. With no further discussion the motion passed by a vote of five (5) for: Jonas, Yontz, Viars, Lloyd, Duncan; one (1) against: Vaught.

APPOINTMENT OF TOWN ATTORNEY - Mayor Litz requested a motion to reappoint Michael Sobey as Town Attorney. Motion was made by Councilmember Lloyd to reappoint Michael Sobey as Town Attorney. Motion was seconded by Vice-Mayor Yontz. With no further discussion the motion passed by a vote of six (6) for: Yontz, Viars, Jonas, Lloyd, Vaught, Duncan; zero (0) against.

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COMMITTEE ASSIGNMENTS – Mayor Litz read the following proposed committee assignments:

Finance Committee: Dale Yontz, Chairman, Geary Jonas, Michael Duncan, Brian Vaught.

Personnel, Ordinances and Legal Matters Committee: Geary Jonas, Chairman, James Lloyd, Michael Duncan, Brian Vaught.

Utilities/Water Committee: James P. “Sean” Viars, Chairman, Dale Yontz, James Lloyd, Brian Vaught.

Planning Commission- Council Liaison: James P. “Sean” Viars

APPROVAL OF MINUTES

A motion was made by Councilmember Viars and seconded by Councilmember Jonas to approve the minutes of the June 28, 2016 regular meeting. There being no discussion, the motion passed by a vote for three (3) for: Jonas, Lloyd, Viars; zero (0) against; three (3) abstain: Yontz, Duncan, Vaught.

CITIZEN’S TIME

Sally Earles and Leann Mitchell with the Rural Retreat Rescue Squad addressed Council with a report on vendors for Heritage Days. Mrs. Earles reported 21 vendors are planning to set up and she expects several more over the next couple of weeks. The Fire Department will be marking off 12 x 12 spaces outside at the Dr. Pepper stage. Additional 10 x 10 spaces will be set up inside the Community Center. Handicap parking will be available near the pavilion located at the Rescue Squad building. The Rescue Squad will be selling hot dogs, hamburgers and drinks again this year. Mrs. Earles stated she spoke with Bristol Fire Department regarding the smoke house. She expects a definite answer from Bristol Fire Department soon.

Town Manager Childers asked the Rescue Squad members if they have spoken with the Health Department regarding requirements for food vendors. Mrs. Earles stated she sent the forms and regulations out to vendors with the initial vendor forms. She has spoken with a representative from the Virginia Department of Health as well. An inspector will be on site on Saturday morning to inspect all food vendors.

Jerry Hurt came forward to give an update on the progress of the Depot. He reported Ken Miller painted the name on the side of the Depot and he plans on returning to paint the West side later this summer. Plaques have been placed on the fence representing people that have contributed to the Depot. The goal is to complete all renovations by next year with plans to wait until after the Farmers Market is over to begin construction. The Farmers Market had a record turnout last week with around 320 people attending. A group from Virginia Tech will be returning in September with a final presentation on how to utilize the Depot.

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Chris Pauley of 400 Parsonage Avenue addressed Council regarding the property maintenance ordinance. Town Manager Childers stated the ordinance states that everyone has the right to live as they please as long as they do not directly harm other individuals. Mr. Pauley asked if old tires stacked up on a property is allowed. Town Manager Childers asked Mr. Pauley if he feels like there is a health concern. Mr. Pauley stated he does not think it is a health concern other than the smell. Councilmember Viars explained the ordinance prohibits untagged vehicles; property owners must keep the grass cut below 12”; too much noise after 11:00 p.m. Town Manager Childers stated, unless grandfathered in, property owners cannot have untagged vehicles on their property. Town Manager Childers told Mr. Pauley he would like to meet with him on his property and discuss the matter further.

Mr. Pauley expressed concern regarding speeding on Parsonage Avenue. He stated he has addressed Council in the past and it continues to be a problem. He has called the County and the State Police regarding the issue. Town Manager Childers stated there is not a good place to run radar on Parsonage. There was a place for law enforcement to run radar on this street but due to certain individuals receiving citations they are no longer allowed to utilize the property to run radar. Mr. Pauley offered his driveway to law enforcement if needed.

CORRESPONDENCE

Clerk/Treasurer Patton read a letter from Jerry Hurt, President of The Rural Retreat Depot Foundation dated July 7, 2016. The letter was requesting a check for the \$7500 that was included in the 2016-2017 fiscal year budget to support the restoration of the Depot. Town Manager Childers asked Mr. Hurt if these funds would be matched. Mr. Hurt stated he and his wife would be matching the funds. Treasurer Patton stated the \$7500 was included in the budget as contributions. Town Manager Childers stated when the budget was made any contributions expected were added into the line item contributions instead of creating a separate line item for each contribution. Mayor Litz requested a motion to make a contribution to the Depot. Councilmember Viars made a motion to contribute \$7500 to the restoration of The Rural Retreat Depot. Motion was seconded by Councilmember Jonas. Motion passed by a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; zero (0) against. Councilmember Jonas expressed his appreciation to the Depot Foundation for all the improvements made to the downtown area.

Clerk/Treasurer Patton read an invitation to Council and the Mayor to attend the 2016-2017 Opening Session for Wythe County Public Schools on August 3, 2016 at 8:00a.m. at the Wytheville Meeting Center.

Clerk/Treasurer Patton read from a handout provided by the Wytheville Moose Lodge and Ladies of the Moose. The Safe Surfin Foundation is teaming up with the Moose Lodge on September 10, 2016 to help protect children by providing an electronic ID to families. The event is free to anyone with children up to age 17. An electronic fingerprint will be taken along with a photograph and documentation of any distinguishing marks on the child. The information is transferred to a disc and deleted from the database so only the parents have the personal information on the child. Councilmember Vaught stated he has worked with this program before and in his opinion it is a great tool for law enforcement to use when a child is missing. The lodge will be providing lunch and door prizes. They are requesting a donation from the town to

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aid in the expenses. Town Manager Childers asked Council if he should ask for the request in writing with a specific amount. Mayor Litz said that is a good idea to get the request in writing.

POLICE REPORT

Deputy David Evans was present in Chief Mitchell's absence and reported that there was a breaking and entering in the town limits last Friday. They have a suspect and Chief Mitchell has been working on the case.

UNFINISHED BUSINESS

DR. PEPPER LOT PROJECT –None

DOG ORDINANCE ISSUE ON CHINQUAPIN AVENUE – None

NEW BUSINESS - NONE

COMMITTEE REPORTS

HERITAGE DAYS – Vice-Mayor Yontz reported the posters are printed and ready to be distributed. Danny Gordon with WYVE is promoting the Gospel event on Friday night. Town Manager Childers reported the VDOT reader board sign will be placed at the crossroads indicating the event is in progress. Mayor Litz stated the gospel singing on Friday night is free to everyone and it is expected to be a very good show. Vice-Mayor Yontz stated the Riches, the Whisnants and the Churchmen would be performing again this year and it is a high quality show. The live remote will be on Friday this year in an effort to promote the gospel singing in addition to the festivities on Saturday.

FINANCE & APPROPRIATIONS – NONE

PERSONNEL, ORDINANCES & LEGAL MATTERS – NONE

PUBLIC UTILITIES –NONE

TOWN MANAGER'S REPORT

BLOCK GRANT - Town Manager Childers reported plans to reapply for a Wythe-Bland Foundation grant which has a deadline of July 31, 2016. This grant will provide an additional \$100,000 in funding for downtown revitalization. Town Manager Childers stated the members of the block grant committee are being discussed. The potential members are individuals with a background in construction and/or business.

PERSONEL POLICY AMENDMENT – Town Manager Childers requested an amendment to the personnel policy at the next meeting. Michael James changed the policy to annually appoint the appointed positions of Town Manager, Clerk/Treasurer and Police Chief. An amendment will be provided at the next meeting for council to vote that changes the policy to appoint positions during election years instead of annually.

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SIDEWALK PROJECT – Town Manager Childers reported AEP is finished moving their utilities on Baumgardner. Shentel and Century Link have been delayed due to the flood relief in West Virginia. Bob Lewis stated AEP is not finished because they still have sleeves on the lines. Town Manager Childers stated he spoke with AEP on Friday and was told they were finished.

Councilmember Vaught asked why the sign at the crossroads as you come into town was taken down. Tony Wright stated the sign has been taken down to be updated. Councilmember Vaught also inquired about the sign on the corner of Main Street and Chinquapin Avenue that the school uses. He asked if repairs were made to the top of the sign. Councilmember Lloyd stated the top was repaired a couple of years ago. Mr. Wright stated they plan on pressure washing the sign soon.

Councilmember Lloyd reported the Fiddlers Convention that was held earlier in July was a success. The Fair Association made a profit this year. He stated there were no incidents or problems and the event draws people into the town.

David Evans asked Mayor Litz about installing an electrical outlet at the Fire Department building to plug busses into. The entertainers that perform at Heritage Days usually need to plug their busses in to an electrical outlet. Mayor Litz said we do need to permanently install a 40 amp, 4 prong outlet for this purpose.

TREASURER'S REPORT

The invoices for July 12, 2016 were read and approved.

Councilmember Vaught inquired about the invoice paid to Huff Ford. Town Manager Childers stated the invoice was for service to the police vehicle. Chief Mitchell asked if the vehicle could be taken to a Ford dealership due to warranty issues. Town Manager Childers stated any other vehicle repairs are taken to garages within the town limits.

TALK OF THE TOWN

Town Manager Childers and Clerk/Treasurer Patton will be attending the *Talk of the Town* radio program at the WYVE/WXBX radio station.

ADJOURNMENT

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

Mayor

Clerk