

**MINUTES OF THE REGULAR MEETING OF THE RURAL RETREAT TOWN
COUNCIL HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, July 26, 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, Scott Mitchell, Police Chief

Administration Absent: None

Others Present: Jack Weaver, Bob Lewis, Jerry Hurt, Jack Trivitt

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 Vice-Mayor Yontz and seconded by Councilmember Lloyd to approve the minutes of the July 12, 2016 regular meeting. There being no discussion, the motion passed by a vote for six (6) for: Jonas, Lloyd, Viars, Yontz, Vaught, Duncan; zero (0) against.

CITIZEN’S TIME

Jack Weaver addressed council regarding the Smyth County water project. Mr. Weaver would like to know the status of this project. Mayor Litz explained to the new council members that this project is in the early planning phase. Councilmember Vaught expressed his appreciation to Mr. Weaver for his interest in the project. Mr. Weaver stated he would like to see the water connection made into Smyth County in order to supply water to the citizens in Atkins and Groseclose, who are in need of quality water. Town Manager Childers stated that it is abundantly clear where the town stands on this issue and the ball is in Smyth County’s court. Mayor Litz stated the problem is the process in decision making on the part of Smyth County. Councilmember Viars stated he is optimistic about the project.

COUNCIL MEETING MINUTES – July 26, 2016 – PAGE 2

Mr. Weaver also expressed concerns regarding the Expo Center that Wythe County is currently in the process of building. He is concerned about the amount of taxpayer's money being spent for this project and the impact this will have on property taxes. Mr. Weaver stated he would like to submit his application for a position on the Board of Equalization when the three positions open up during the reassessment.

Mr. Weaver stated that Smyth County, The Town of Marion, Wythe County, and The Town of Wytheville have historic hotels that have been refurbished. He wants it to be known that he has a hotel that is perfect for a bed and breakfast or something similar.

Jack Trivitt addressed council and asked who is responsible for the town employees? Councilmember Viars asked what position he is talking about. Mr. Trivitt asked who hires and fires town employees including the town manager. Town Manager Childers stated he is the person that is responsible for all employees of the town. Mr. Trivitt wanted to know why Town Manager Childers is not doing his job. He stated there are many properties around town that have not been mowed and he wants to know why the town has not enforced the property ordinance. Mayor Litz explained to Mr. Trivitt that the town would address the matter.

Mr. Trivitt stated he would be placing an antique vehicle with no tags on his property and he does not want anyone from the town on his property telling him to move the vehicle. Mr. Trivitt pointed to Chief Mitchell and said, "You or nobody else is stopping me." Chief Mitchell stated that if Mr. Trivitt has an untagged vehicle on his property he would receive a warning from the town, and if he did not comply he would be charged just like everyone else. Mr. Trivitt stated Town Manager Childers is not doing his job and the council is not seeing that he is.

Mr. Trivitt left the meeting.

Chief Mitchell stated he is working with Town Manager and he has sent letters to property owners this week regarding mowing.

Town Manager Childers stated the maintenance crew was working on Murphysville Road installing a water tap and Mr. Trivitt stopped and motioned Town Manager Childers to come over and talk to him. Mr. Trivitt then told Town Manager Childers that he was going to bring an untagged vehicle onto his property and then threatened him by making a shooting gun gesture to anyone that tried to stop him. Town Manager Childers explained to Mr. Trivitt that he would not tolerate him threatening the Town employees. Town Manager Childers stated that Mr. Trivitt then said he did not want to go to jail and he was not going to shoot anyone. Town Manager Childers stated that he takes threats very seriously. Mayor Litz suggested to council to have the Town's attorney draft a letter to Mr. Trivitt. Councilmember Vaught stated he agrees that Mr. Sobey should send Mr. Trivitt a letter reminding him of the state of Virginia code section on making threats to other individuals. Vice-Mayor Yontz stated Wythe County Commonwealth Attorney, Jerry Mabe approached him over a year ago and advised him the town should not continue to allow citizens to threaten the Town and the employees of the town. Town Manager Childers stated it is not safe for the employees of the Town and the council to receive threats from anyone. Councilmember Vaught stated these types of issues should not be taken lightly. He made a motion to have Mr. Sobey draft a letter to Mr. Trivitt regarding his behavior in the

COUNCIL MEETING MINUTES – July 26, 2016 – PAGE 3

Town Council meetings and toward Town employees. Motion was seconded by Councilmember Lloyd. With no further discussion the motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; zero (0) against. Councilmember Vaught suggested the letter be copied to Mr. Mabe and the Sheriff.

CORRESPONDENCE

Town Manager Childers read an email from Mount Rogers Planning District requesting an appointment from the Town for a representative. Vice-Mayor Yontz was formally the representative and his commission expired on June 30, 2016. Vice-Mayor Yontz made a motion to appoint himself as the representative for the Mount Rogers Planning District Commission. The motion was seconded by Councilmember Lloyd. Motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; Zero (0) against.

Town Manager Childers read a letter from Mountain Community Action Program, Inc. regarding a Community Partnership between the town and Rural Retreat Headstart for sponsoring families of Head Start for Christmas. The agreement states employees of the Town agree to work together with Mountain Community Action Program to provide individualized services and to protect confidentiality of the Head Start families. Mayor Litz stated that every year at Christmas time the employees of the Town join together with the council and provide gifts for families of Head Start. Town Manager Childers stated this agreement is basically a confidentiality agreement. Mayor Litz stated this is completely left up to the staff of the town office to collect donations and Town Manager Childers can sign the agreement.

Town Manager Childers read a request from the Safe Surfin' Foundation and the Moose International. The request was for a \$100 donation from the town to be used to supply county youth under the age of 17 with a CD to aid in identification in the case of a lost child or abduction. A motion was made by Councilmember Viars to donate \$100 to the Wytheville Moose Lodge. The motion was seconded by Councilmember Jonas. Councilmember Vaught asked if he should abstain since he will be working with the Moose Lodge as a Sheriff's Deputy during the event. Mayor Litz explained that since Councilmember Vaught is assisting as an employee of the Sheriff's office and will not be gaining personally that he can vote. The motion passed with a vote of six (6) for: Yontz, Lloyd, Jonas, Viars, Vaught, Duncan; Zero (0) against.

Councilmember Jonas reported his sister saw a white convertible Mustang with a black stripe traveling down East Buck Street onto South Greever Street speeding and came very close to hitting a child on a bicycle. Chief Mitchell stated he will watch for this vehicle. Mayor Litz thanked Councilmember Jonas for bringing the matter before council.

Vice-Mayor Yontz stated that he and Councilmember Jonas were looking at a property on East Buck Street to possibly auction. They were told by family members of the property owners that the condition of the property was due to a drainage problem. The family stated the basement floods when drainage water comes through the yard from the street. Family members have contacted VDOT and they were told the problem is on the Town of Rural Retreat. The property being discussed is the Shupe property, which is the first house on the right on East Buck Street. The house is currently empty and the owner's grandson is wondering if the Town is aware of the

COUNCIL MEETING MINUTES – July 26, 2016 – PAGE 4

problem. Town Manager Childers said he would see that Tony Wright check into the issue and report back to council his findings.

Mayor Litz asked council if anyone had an issue with Councilmember Vaught being appointed to every committee. Councilmember Vaught stated he does not have a problem sitting on all committees. Councilmember Viars asked if having a Councilmember on every committee would cause any problems for the Town. Councilmember Lloyd stated that this has happened before with no repercussions.

POLICE REPORT

Chief Mitchell distributed the activity report for June 2016. He reported he sent three letters out this week to individuals with inoperative vehicles. He also stated he sent out letters to property owners regarding property maintenance.

Chief Mitchell stated he has lined up two trustees from the New River Valley Jail to help clean up after Heritage Days on Sunday.

UNFINISHED BUSINESS

DR. PEPPER LOT PROJECT –None

DOG ORDINANCE ISSUE ON CHINQUAPIN AVENUE – None

NEW BUSINESS

AMENDMENT TO PERSONNEL POLICY FOR APPOINTED POSITIONS

Town Manager Childers reported when Michael James was Town Manager he updated the Personnel Policy to change appointed positions to reappointment every calendar year. Previously the policy stated appointed positions would be reappointed every election year when new council members were elected. Town Manager Childers would like to update the policy to read that positions are reappointed every election year. Councilmember Jonas made the motion to update the Personnel Policy to reflect appointed positions be reappointed every election year. The motion was seconded by Vice-Mayor Yontz. Town Manager Childers stated he would not bring changes of the entire Personnel Policy at one time before council. He would present any proposed changes to council one page at a time. Motion passed with a vote of six (6) for: Jonas, Yontz, Lloyd, Viars, Duncan, Vaught; zero (0) against.

Councilmember Duncan stated at the meeting on July 12, 2016 during closed session he feels council did not have a true closed session due to citizens sitting right outside of chambers able to hear the proceedings. He suggested the next time council convenes to closed session that instead of asking the citizens to move from the chambers that the council move to another location in the town hall. Town Manager Childers agreed with Councilmember Duncan and stated the conference room has been cleaned up and organized over the past week. Mayor Litz stated this is a procedural matter and it will be addressed the next time a closed session meeting is necessary.

COUNCIL MEETING MINUTES – July 26, 2016 – PAGE 5

COMMITTEE REPORTS

HERITAGE DAYS – Vice-Mayor Yontz reported final arrangements are being made for the festival. Chief Mitchell asked if South Greever Street will be closed. Vice-Mayor Yontz stated as of now the Street will remain open unless the need to close for traffic control is necessary.

Mayor Litz encouraged everyone to attend the Friday night Gospel Singing at the Rural Retreat High School auditorium. He stated that the groups that are singing on Friday night are some of the best gospel groups around.

Bob Lewis addressed council and asked if the wall of honor inductees could be added to a plaque and placed in the town hall or another appropriate place in town. Clerk/Treasurer Patton stated she has the plaque ready to order and this will be done as soon as this year's citizens are added. Jerry Hurt added that we can possibly put a plaque up down at the Depot on the fence alongside the Town of Rural Retreat's fence panel.

FINANCE & APPROPRIATIONS – Clerk/Treasurer Patton reported the 2015-16 fiscal year pre-audit is underway. She will meet with a representative from Hicok, Fern & Company on Monday, August 1, 2016. The engagement letter from Robinson-Farmer-Cox and Associates has been received and they will be conducting the audit again this year. Clerk/Treasurer Patton stated their fee increased from \$11,700 to \$12,000.

PERSONNEL, ORDINANCES & LEGAL MATTERS – NONE

PUBLIC UTILITIES –NONE

TOWN MANAGER'S REPORT

WYTHE-BLAND FOUNDATION GRANT- Town Manager Childers reported that he spoke with Travis Jackson with the Foundation this week and he feels good about our chances to receive the grant. He said the receipt of the \$100,000 grant hinges on the receipt of the block grant application that was submitted for Downtown Revitalization.

Town Manager Childers reported he spoke with Brian Reed with Mount Rogers Planning District regarding the \$600,000 in constructing funding for the manhole project. If the Town receives this funding all the manholes in the town can be rehabilitated.

FREEDOM OF INFORMATION ACT (FOIA) REQUEST - Town Manager Childers reported the town office has received a FOIA request from Virginia Open the Books Organization. They are requesting a great deal of information regarding employee salaries and personnel information. Town Manager Childers said he has discussed this matter with the town attorney and the town must comply with the request. Councilmember Vaught stated the new Virginia law states every organization must have appoint a FOIA officer. Town Manager Childers stated the Town office is aware of this.

COUNCIL MEETING MINUTES – July 26, 2016 – PAGE 6

PHASE 8 SIDEWALK PROJECT – Town Manager Childers reported what he understands is Centurylink is almost finished moving their utilities. He hopes to get the contractor on site within the next couple of weeks. Bob Lewis stated there are cables on the poles at the carwash that are hanging loose therefore there are other utilities that still need to be moved.

DOWNTOWN REVITALIZATION COMMITTEE – Town Manager Childers stated he has spoken to several people about serving on the committee. So far the committee consists of Councilmember Viars, Peggy Hash, Billy Anderson, and Jerry Hurt. He plans on contacting Michael Spraker and welcomes anyone that is interested in the project to join. Town Manager Childers stated he would like to have someone with experience in the construction trade to serve. Councilmember Vaught suggested Mike Jones since he has experience in the field. Councilmember Lloyd suggested Stanley King, Jr. Councilmember Viars suggested Brian Smith since he has connections and experience in the field.

Councilmember Viars asked Town Manager Childers if he met with Mr. Pauley regarding the property adjacent to his. Town Manager Childers explained he met with Mr. Pauley and the property owner has moved at least ten loads of trash from the property. Town Manager Childers stated Mr. Pauley is okay with the situation since an effort is being made to clean up the property.

Councilmember Vaught asked the Town Manager if he spoke with Mr. Pauley about using his property to run radar. Town Manager Childers stated he did, but there is a piece of property next to Mr. Pauley just past the church as well that may be used. Councilmember Lloyd stated Kitty Milton owns the property in question. Town Manager Childers stated he would speak with Mrs. Milton. Bob Lewis stated he thinks Mrs. Milton sold the property.

TREASURER’S REPORT

The invoices for July 26, 2016 were read and approved.

TALK OF THE TOWN

Vice-Mayor Yontz 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