

The Rural Retreat Town Council held a regular meeting on May 8, 2007, at 7:00 p.m. in the Rural Retreat Town Hall Council Chambers.

### **PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz  
Vice-Mayor Jim Lloyd  
Keith Crigger

Scott Mecimore  
Dale Yontz

### **ABSENT**

Ed Schaack  
Jerrell Hall

### **ADMINISTRATION PRESENT**

Raymond Matney, Town Manager  
Lori Guynn, Clerk/Treasurer  
Robert Lewis, Police Chief

### **OTHERS PRESENT**

Glenn Burkett, Charles Hall, Eddie Sheets  
Rev. Brian Burch – Rural Retreat United Methodist Church  
Porter Sage – Rural Retreat Cable T.V., Inc.

### **DETERMINATION OF A QUORUM**

Mayor Litz called the meeting to order and determined the presence of a quorum.

### **INVOCATION**

The invocation was delivered by Rev. Ed Schaack.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Litz.

### **APPROVAL OF MINUTES**

Motion was made by Councilmember Scott Mecimore, seconded by Councilmember Dale Yontz to approve the minutes of the April 24, 2007 regular meeting and the May 1, 2007 continued meeting. The motion passed unanimously.

## **COUNCIL MEETING MINUTES – MAY 8, 2007 – PAGE 2**

### **CITIZEN'S TIME**

Mayor Litz stated he would like to address the issue of horses on the former Bailey property at this time instead of during unfinished business. Councilmember Crigger asked Mr. Matney what information was found concerning the horses.

Mr. Matney read an excerpt from the minutes of the council meeting held July 14, 1992 that stated discussion had been held concerning the request of Tammy Bailey Reardon to allow horses on the property once it was sold. The minutes further stated that Ms. Reardon nor the new owner could be refused. After being sold to the Campbell family, horses were kept on the property and also after the property was sold again to Nancy Barrow. Mr. Matney further stated he had affidavits dated October 2005 and October 2006 stating horses were on the property. He further commented that Mr. Burkett had previously informed the Council that horses were on the property in October 2004. Mr. Matney stated this was a continuous non-conforming use and he didn't see how the Council could discontinue the non-conforming use. The ordinance doesn't specify a specific time frame for non-conforming uses and it does transfer with the property according to the current ordinance.

Councilmember Crigger asked how this could be clarified. Mr. Matney responded that an amendment to the zoning ordinance would have to be adopted. Councilmember Mecimore stated he didn't know how a time limit could be set unless it was changed to state that non-conforming uses can not be transferred to new owners. Mr. Matney said the one year non-existence of a non-conforming use is addressed in the state code but he recommended that Council get legal advice before changing the ordinance.

Eddie Sheets addressed the Council and stated he had nothing against the property owner but he lives in the hollow below the property and gets the smell from the horses and also has flies, rats and mice. Councilmember Crigger asked Mr. Sheets how long the horses are on the property. Mr. Sheets responded the horses aren't there regularly. Councilmember Crigger asked Mr. Sheets if he would prefer the horses be there all the time or only several months out of the year. Mr. Matney stated he had spoken to Ms. Barrow concerning the odor and flies and he was assured she would do what was needed to resolve those issues.

Councilmember Crigger asked Mr. Matney to review the state code and the Council would readdress the issue at a later time and would review the information found. Mayor Litz informed Mr. Burkett, Mr. Sheets and Mr. Hall this would be looked into further and asked that they keep in touch with the Council as to the information found.

### **CORRESPONDENCE**

Mayor Litz read a letter from the Department of Historic Resources.

Mr. Matney read a letter from the Rural Retreat Community Center Board thanking the Town for the additional allocation for capital improvements and their continued support.

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### **POLICE REPORT**

Chief Lewis explained the monthly activity report.

### **UNFINISHED BUSINESS**

**SAFE ROUTES TO SCHOOL GRANT PROGRAM** – Mr. Matney encouraged the Council to participate in this program. Councilmember Mecimore asked if the money could be used to build sidewalks on Richmond Avenue or Sherwood Avenue. This item is to be addressed at the next Council meeting.

**TEA-21 SIDEWALK/BIKEWAY PROJECT** – Councilmember Crigger stated he had received concerns from citizens in reference to narrowing a portion of East Buck Avenue from 26 ft. to 24 ft. especially due to the school busses passing through the East Buck Avenue/North Main Street intersection. Mr. Matney stated if the roadway stays at 26 ft. then all retaining walls will need to be replaced. The sidewalk is required to be 5 ft. wide to allow two wheelchairs to pass at any point. Following further discussion, Mr. Matney was asked to contact Jim Phipps with Wythe County Public Schools concerning the turn space needed for the school busses.

**CHERRY STREET PROJECT** – Mr. Matney stated he had spoken to Virginia Department of Transportation Resident Engineer Junior Goad concerning the additional cost to overlay Cherry Street. Mr. Goad didn't give Mr. Matney the justification he felt he needed in order for the Town to pay the additional cost so he asked that Mr. Goad or Assistant Resident Engineer Matthew Cox attend the next meeting to address the Council.

### **NEW BUSINESS**

NONE

### **COMMITTEE REPORTS**

NONE

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

The Town Manager's report is attached and is hereby made a part of these minutes. The following items were discussed and/or acted upon:

**2007/2008 BUDGET** – Draft one of the full budget was handed out to the Councilmember's for review. Mr. Matney suggested continuing the meeting to the following evening to hold a budget work session for full review of the draft. It was the general consensus to hold a Finance Committee meeting on May 9, 2007 at 7:00 p.m. instead of continuing the entire meeting.

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VML TOWN SECTION MEETING – The registration deadline at attend the VML Town Section Meeting in Marion is Monday, May 21, 2007. If any Councilmember is interested in attending please contact the office.

**TREASURER’S REPORT**

The bills were read and approved for May 8, 2007.

**ADJOURNMENT**

There being no additional business, the meeting was adjourned upon a motion by Councilmember Crigger.

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Mayor

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Clerk