

The Rural Retreat Town Council held a regular scheduled meeting on March 10, 2009, at 7:00 p.m. in the Rural Retreat Town Hall Council Chambers.

**PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz  
Vice-Mayor Keith Crigger  
Scott Mecimore

Dale Yontz  
Kristie Osborne

**ABSENT**

Ed Schaack  
Jerrell Hall

**ADMINISTRATION PRESENT**

Raymond Matney, Town Manager  
Lori Guynn, Clerk/Treasurer

**ADMINISTRATION ABSENT**

Scott Mitchell, Police Chief

**OTHERS PRESENT**

Rick Byerly – Grace Baptist Church  
Michael Sobey – Rural Retreat Town Attorney  
Chief Dave Evans, Assistant Chief Dale Mercer, W.R. “Rabbit” Catron and  
Eric Lindstrom - Rural Retreat Fire Department Members  
Grace Mecimore and Nancy Marshall

**DETERMINATION OF A QUORUM**

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

**INVOCATION**

The invocation was given by Rev. Rick Byerly.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Litz.

## **COUNCIL MEETING MINUTES – MARCH 10, 2009 – PAGE 2**

### **APPROVAL OF MINUTES**

A motion was made by Councilmember Dale Yontz, seconded by Vice-Mayor Keith Crigger to approve the minutes of the February 24, 2009 meeting as written. The motion passed by a vote of four (4) for and zero (0) against.

### **CITIZEN'S TIME**

Those present did not wish to address the council at this time.

### **CORRESPONDENCE**

Mr. Matney read a letter from the sponsors of the Rural Retreat High School SADD Club requesting a donation to support the after prom party at the Wytheville Wellness Center. Previously, the council has not supported this type of activity, Mr. Matney explained. The consensus was to take no action on this request.

### **POLICE REPORT**

Chief Mitchell is attending a meeting at the New River Valley Criminal Justice Training Academy, Mr. Matney reported.

### **UNFINISHED BUSINESS**

**WELLNESS / FITNESS FACILITY** – Mayor Litz asked Vice-Mayor Crigger to address this item. Vice-Mayor Crigger stated the meeting held on March 3 with Gail Catron of the Wythe-Bland Community Foundation went well. The consensus of those at the meeting was to actively pursue a planning grant. This planning grant will aid in determining the needs of the community and developing a plan for this facility, Mr. Matney added. He further stated the application deadline is August 1, 2009 and he had spoken to Steve Moore, Assistant Town Manager for the Town of Wytheville and Mr. Moore has offered to assist us in completing the application. Vice-Mayor Crigger added the grants will be awarded in October 2009.

Mr. Matney has also spoken to Ray Kohl, Director of Parks and Recreation for Wythe County and Mr. Kohl had informed him he would like to construct recreation centers on the eastern and western ends of Wythe County. Mr. Kohl and Mr. Matney are to meet to discuss this plan. Mr. Matney stated if Rural Retreat and Wythe County both are considering building a wellness / fitness facility then both groups should combine their efforts. Mr. Kohl also expressed interest in pursuing the Safe Routes to Schools Program that had previously been discussed by the town council.

**WILDLAND FIRE APPARATUS** – Rural Retreat Fire Chief Dave Evans addressed the council concerning the purchase of a wild land fire apparatus vehicle. Chief Evans explained the fire department members began their work toward developing specification for this truck in October

## **COUNCIL MEETING MINUTES – MARCH 10, 2009 – PAGE 3**

2007. Based on the desired truck specifications, requests for proposals (RFP's) were publicized and directly mailed to vendors with a deadline of 3:00 p.m. on February 27 in which a total of three bids were received. The bids were from M & W Fire Apparatus, \$133,109; Blue Ridge Rescue Suppliers, \$143,690; and Vest's Sales and Service, \$143,987. Due to requirements imposed by the National Fire Protection Association on January 1, 2009 the bids are higher than anticipated, Chief Evans added because reflective striping is now required on the back of trucks.

Chief Evans explained that all three bidders met the specifications listed in the RFP; however the members of the fire department chose the truck bid from Vest's Sales and Service due to previous experience with the organization. M & W Fire Apparatus did not offer a warranty or performance, maintenance and bid bonds on their vehicle. Blue Ridge Rescue Suppliers offered a \$1,000 discount if full payment was made on the chassis when the order was placed. Vest's Sales and Service offered a \$1,250 discount if the cost of the truck chassis is prepaid. With this prepayment the title of the truck is transferred to the town and Vest's Sales and Service's liability insurance will cover any damage that may occur to the truck while it is still in their possession.

Councilmember Mecimore asked if the town would be applying for a grant to pay for the cost of the wild land fire apparatus vehicle. Mr. Matney stated a \$130,000 loan / grant was approved by USDA Rural Development which is \$80,000 loan at 4% interest and \$50,000 grant.

A motion was made by Councilmember Mecimore to purchase the wild land fire apparatus vehicle from Vest's Sales and Service for \$143,987 and to pay for this vehicle with the \$80,000 loan / \$50,000 grant from USDA Rural Development with the \$13,987 balance to be paid by the Town of Rural Retreat. Vice-Mayor Crigger seconded the motion and it passed by a vote of four (4) for and zero (0) against.

### **NEW BUSINESS**

SONG OF THE MOUNTAINS – Rural Retreat participated in the Song of the Mountains Festival in 2008 and contributed \$2,000 toward the event. A banner was created that stated Rural Retreat was the home of Dr. Pepper and had the 10-2-4 clock on each end. Mayor Litz stated he felt Rural Retreat didn't get a good return on their investment because the town joined the festival too late to be included in the advertising for Song of the Mountains.

A motion was made by Councilmember Osborne to contribute \$1,000 to the 2009 Song of the Mountains Festival. Councilmember Yontz seconded the motion and it passed by a vote of four (4) for and zero (0) against.

### **COMMITTEE REPORTS**

HERITAGE DAY COMMITTEE – The theme for the 2009 Heritage Day Festival will be Dr. Pepper. The committee is interested in getting Tim White, Executive Coordinator for the Song of the Mountains involved in the planning for the festival since contact has been made with Dr. Pepper and they have expressed interest in our festival.

## **COUNCIL MEETING MINUTES – MARCH 10, 2009 – PAGE 4**

PERSONNEL COMMITTEE – In Chairman Ed Schaack's absence, Mr. Matney stated the committee is reviewing the position descriptions for the town manager and assistant town manager positions.

### **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:

VDOT REST AREA CLOSURES – The Virginia Department of Transportation has proposed closing rest areas along the I-81 corridor. This proposal includes the rest area in Rural Retreat. Over the past few months there has been an issue with the water meter for the rest area. The approximate cost to repair this meter is \$900. Mr. Matney stated his concern with this proposed closure, is repairing the meter and then the rest area close. A public input meeting will be held on March 25, in Bristol to hear comments on VDOT's proposal. Another concern Mr. Matney expressed, is the annual loss in water and wastewater revenue of approximately \$7,000.

TEA-21 SIDEWALK PROJECT – Town Attorney Michael Sobey is working on the land and rights for this project. Mr. Matney met with AEP and Embarq in reference to relocating their utility poles.

WATER IMPROVEMENT PROJECT (OUT-OF-TOWN) – The project plans and specifications will be sent back to the VDH for final approval and then will be sent to USDA Rural Development for review. This project could potentially be ready for bid advertisement no later than May 1.

WATER IMPROVEMENT PROJECT (IN-TOWN) – The Virginia Department of Health offered a loan for \$678,918 at 4% interest for a 20 year term which would require an monthly increase of \$4.08 on the water bills to pay the annual debt service and at a 3% interest rate the increase would be \$4.40/month. The same loan with USDA Rural Development with a 40 year term would result in a \$2.90/month increase to cover the annual debt service.

Mr. Matney stated when the application was submitted to the VDH there was the anticipation that funding would be offered at a 0% interest rate. The annual debt service would have been the same as the loan through USDA Rural Development. Unfortunately, the money the VDH is offering becomes difficult for localities to borrow because the pay back is not affordable.

The consensus was to allow Mr. Matney to attempt to negotiate with the VDH on a better interest rate for this project loan.

JOINT GOVERNING BODIES MEETING – The next scheduled Joint Governing Bodies meeting is Monday, March 30, 2009 at 7:00 p.m. in the Wytheville Meeting Center and will be hosted by the Town of Wytheville. Mr. Matney asked if any members had agenda items they would like to discuss at this meeting. Vice-Mayor Crigger suggested the wellness/fitness facility and the safe routes to school program.

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ANDERSON & ASSOCIATES MONTHLY STATUS REPORT – This monthly report is available for review.

VDH PLANNING GRANT – requests for proposals (RFP's) have been advertised for the Gienow Road water project. The proposed project would connect the Gienow Road water lines with the Rural Retreat Elementary School water system and would improve the fire flows at the school.

### **TREASURER'S REPORT**

The bills for March 10, 2009 were read and approved by a vote of four (4) for and zero (0) against.

### **TALK OF THE TOWN**

Councilmember Yontz is to attend the Talk of the Town radio program at WYVE/WXBX radio station on Wednesday morning.

### **RE: CLOSED MEETING**

A motion was made by Councilmember Yontz, seconded by Councilmember Osborne to convene to a closed meeting in accordance with the Virginia Code §2.2-3711, paragraph A, subparagraph 3, discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

The motion was approved by four (4) for and zero (0) against with the following voting in favor: Dale Yontz, Kristie Osborne, Keith Crigger and Scott Mecimore.

At the conclusion of the closed session, Mayor Litz called the regular meeting back into open session.

Motion was made by Councilmember Yontz, seconded by Councilmember Osborne, **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

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identified in the motion convening the closed meeting were heard, discussed, or considered by the Council.

| <b>Vote:</b>    | <b>Ayes</b> | <b>Nays</b> |
|-----------------|-------------|-------------|
| Dale Yontz      | <b>X</b>    |             |
| Kristie Osborne | <b>X</b>    |             |
| Keith Crigger   | <b>X</b>    |             |
| Scott Mecimore  | <b>X</b>    |             |

Absent during meeting: Ed Schaack and Jerrell Hall.

Absent during vote: Ed Schaack and Jerrell Hall.

Councilmember Yontz made a motion to make an offer of \$30,000 to Jack and Rosedith Weaver for the purchase of the Rural Retreat Train Depot. The motion was seconded by Councilmember Mecimore and passed with a vote of four (4) for and zero (0) against. Mayor Litz and Councilmember Mecimore are to schedule a meeting with Mr. and Mrs. Weaver to discuss the town's offer.

A motion was made by Vice-Mayor Crigger to accept the offer from Norfolk Southern Corporation on the land the Rural Retreat Train Depot is located on. The motion was seconded by Councilmember Yontz and passed with a vote of four (4) for and zero (0) against.

**ADJOURNMENT**

There being no additional business, the meeting was continued to Tuesday, March 17, 2009 at 7:00 p.m. upon a motion by Vice-Mayor Crigger. Councilmember Mecimore seconded the motion and it passed unanimously with a vote of four (4) for and zero (0) against.

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Mayor

\_\_\_\_\_  
Clerk\_\_\_\_\_

The Rural Retreat Town Council held a continuation of the March 10, 2009 meeting on March 17, 2009 at 7:00 p.m. in the Rural Retreat Town Hall Council Chambers.

**PRESENT RURAL RETREAT TOWN COUNCIL MEMBERS**

Mayor Timothy Litz  
Ed Schaack  
Scott Mecimore

Dale Yontz  
Jerrell Hall  
Kristie Osborne

**ABSENT**

Vice-Mayor Keith Crigger

**ADMINISTRATION PRESENT**

Raymond Matney, Town Manager  
Lori Guynn, Clerk/Treasurer  
Scott Mitchell, Police Chief

**OTHERS PRESENT**

Michael Sobey – Rural Retreat Town Attorney  
Jason Litz

**CALL TO ORDER**

Mayor Litz called the meeting to order.

**UNFINISHED BUSINESS**

RURAL RETREAT TRAIN DEPOT - Mayor Litz informed the council members that Councilmember Mecimore and he met with Jack and Rosedith Weaver on Wednesday, March 11, 2009 to discuss the town's offer to purchase the Rural Retreat Train Depot and Mr. and Mrs. Weaver had declined the town's offer.

Mayor Litz asked Town Attorney Michael Sobey for guidance concerning the acquisition of the train depot. Mr. Sobey advised the other option is to obtain the building through condemnation but §15.2-1903 states prior to initiating condemnation proceedings, the governing body shall, after a public hearing, adopt a resolution or ordinance approving the proposed public use and directing the acquisition of property for the public use by condemnation or other means.

A motion was made by Councilmember Osborne to proceed with a public hearing to consider the adoption of a resolution or ordinance for the condemnation of the Rural Retreat Train Depot building. The motion was seconded by Councilmember Yontz and passed by a vote of five (5) for and zero (0) against.

**COUNCIL MEETING MINUTES (CONTINUED) – MARCH 17, 2009 – PAGE 2**

VDH LOAN OFFER – Mr. Matney stated he is considering accepting the loan offer from the Virginia Department of Health to fund the in town water improvement project along with using reserve fund to reduce the loan amount.

HERITAGE DAY FESTIVAL – A meeting has been scheduled for 10:00 a.m. on March 18<sup>th</sup> with Troy Harris, Regional Sales Manager for Cadbury/Schwepps and Tony Pickett, Sales Manager for Pepsi Bottling Group to discuss their potential involvement in the Heritage Day Festivals.

**NEW BUSINESS**

GERALD MUSSER RETIREMENT – Chief Water Operator Gerald Musser has submitted his resignation. Mr. Musser will be considered a full time employee through late May by utilizing accumulated vacation time however; his last day of work will be April 10. Mr. Matney commended Mr. Musser for his 30+ years of service and dedication to the community.

This position is being advertised in the Saturday editions of the *Wytheville Enterprise* on March 21 and 28. The application deadline is Monday, March 30 at 2:00 p.m.

CONDITIONAL USE PERMIT REQUEST – Candu Auto, Sales and Service, Inc. has made a request for a conditional use permit to operate an automobile body shop within their building. A Joint Public Hearing will be scheduled with the Rural Retreat Planning Commission on Tuesday, April 14<sup>th</sup> at 7:00 p.m to hear public comment prior to the Commission’s and Council’s consideration of this request.

THIRD GRADE INVITATION TO COUNCIL – Councilmember Schaack read a invitation to the council, inviting them to the Rural Retreat Elementary School third grade class presentation of “Kids the Whole World Round” on Monday, March 23<sup>rd</sup> at 7:00 p.m.

**ADJOURNMENT**

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

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Mayor

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Clerk\_\_\_\_\_