

The Rural Retreat Town Council held a regular scheduled meeting on March 24, 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  
Ed Schaack

Scott Mecimore  
Jerrell Hall  
Kristie Osborne

### **ABSENT**

Dale Yontz

### **ADMINISTRATION PRESENT**

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

### **OTHERS PRESENT**

Michael Sobey – Rural Retreat Town Attorney  
Jack Weaver

### **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. Ed Schaack.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Litz.

### **APPROVAL OF MINUTES**

A motion was made by Councilmember Ed Schaack, seconded by Councilmember Kristie Osborne to approve the minutes of the March 10, 2009 regular meeting and the March 17, 2009 continued meeting as written. The motion passed by a vote of five (5) for and zero (0) against.

### **CITIZEN'S TIME**

Jack Weaver addressed the council concerning the town's interest in obtaining the Rural Retreat train depot and asked the council to reconsider the action they have decided to take in obtaining the depot building. He stated he was unsure of the type of agreement the town had worked out

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with Norfolk Southern Corporation on the property the train depot is setting on but felt that it was similar to the agreement he had previously which involved closing the Miller Street Crossing.

Mr. Weaver stated the council should consider the long range plan in pursuing the acquisition of the depot because the legal fees will be high and if necessary, it will be taken to the Virginia Supreme Court. He also explained he felt the council's plan of action will cause hurt feelings, divide the community and strain the town's relationship with Wythe County. Mr. Weaver commented on the town's interest in possibly operating a museum in the depot building by stating museums operated by towns do not make money.

Mr. Weaver informed the council members he had prepared a letter to be sent to the Rural Retreat citizens that will address the council's plan of action with the train depot and other issues.

Mayor Litz asked Mr. Weaver if the train depot building was for sale. Mr. Weaver responded the three buildings he owns are for sale as a whole. Mayor Litz stated the town is interested in purchasing the depot building only as stated in the offer made by letter and presented by Councilmember Mecimore and himself. Mr. Weaver responded he would have to review the letter. Mayor Litz informed Mr. Weaver the he states he doesn't understand the agreement made with Norfolk Southern but it has been explained to him twice. Mr. Weaver stated he had not been given the opportunity to read the letter from Norfolk Southern. A copy of the agreement letter with Norfolk Southern was given to Mr. Weaver by Councilmember Osborne.

The council has scheduled a public hearing in an effort to purchase, not steal, the depot building for public use Mayor Litz informed Mr. Weaver. He further explained the letter from Norfolk Southern states they will donate the land to Rural Retreat but if Norfolk Southern decides they want the land and building back then the town must give it back but they will compensate the town for the investments made to both.

Mayor Litz reiterated the town's interest in purchasing the depot from Mr. Weaver with compensation. He stated the argument is not whether the building is for sale but that a public hearing had been scheduled. Mayor Litz asked Mr. Weaver to address the council members at their meetings and not on an individual basis such as in church because they are not a governing body until they are at a called meeting. Mr. Weaver stated he understood but it would allow for personal lawsuits against one or all of the council members. Mayor Litz continued to explain the public hearing will allow the public to come and speak for or against the town obtaining the depot and after the public hearing the council will make a decision whether or not to continue or let Mr. Weaver keep the depot so that it will fall down or be moved. He further stated the fight will be with the entire town rather than with the entire county. Mayor Litz informed Mr. Weaver he could give the town a figure to purchase the depot as he had been asked to do twice. Mr. Weaver asked Mayor Litz if he has received a figure. A figure had not been received, Mayor Litz responded, even though Councilmember Mecimore and he had asked for one. He added the

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council is interested in preserving the depot at its current location, not to cause Mr. Weaver to spend money.

Mr. Weaver stated he had made his request clear in his opening statement when he asked the council to back off from pursuing their plan of action. Mayor Litz asked Mr. Weaver what would happen if the council backed off. Mr. Weaver responded he would pursue other action. Mayor Litz asked what would happen to the depot then. Mr. Weaver's response was he couldn't tell him because he didn't know at this point. Mayor Litz thanked Mr. Weaver for his show.

Councilmember Schaack asked Mr. Weaver if he would provide a figure to buy the depot. Mr. Weaver responded no, not now.

### **CORRESPONDENCE**

Mr. Matney reported Mayor Litz had received an email from Mountain Home Manufacturing. Mountain Home Manufacturing, located in the Black Lick community of Rural Retreat, makes military tents for the United States Marines and other military services. At this time their contract is in danger of being cancelled. They requested the town submit a letter to our Congressional Representatives asking them to keep the current contract with Mountain Home Manufacturing.

### **POLICE REPORT**

Chief Mitchell reported the activity for March had been slow thus far. There had been a pocketbook theft which he stated he believed was an isolated incident.

Chief Mitchell added he had not received any reports recently regarding tractor trailers traveling on East Railroad Avenue and damaging the guardrail.

### **UNFINISHED BUSINESS**

There was no unfinished business to be addressed.

### **NEW BUSINESS**

**IN TOWN TRASH PICKUP** – Councilmember Schaack reported he had asked the group of students working through the Rural Retreat Historical Society from St. John's to participate in picking up trash in town. The students cleaned the ditch line from the town shop to Tea Olive Lane. Councilmember Schaack asked that a letter of appreciation be sent to the students.

Mr. Matney stated the students went beyond the normal road side cleanup by pulling trash and tires from the ditches that had possibly been in those locations for years.

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### **COMMITTEE REPORTS**

HERITAGE DAY COMMITTEE – Mr. Matney reported that Mayor Litz and he met with Troy Harris with Cadbury Schweps and Tony Pickett with PepsiCo concerning participating in the Rural Retreat Heritage Day Festival. Both men were receptive in supporting a permanent stage named after Dr. Pepper and other activities. Mr. Matney stated there were some discrepancies in the wording for the banner on the proposed stage drawing. He added that a request had been made to Cadbury Schweps for \$5,000 to cover the cost of constructing the proposed stage.

The next Heritage Day Committee meeting is scheduled for Tuesday, April 28, 2009 at 6:00 p.m.

PERSONNEL COMMITTEE –Chairman Schaack stated is working on rewriting the job 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:

STREET LIGHTS – WEST LEE HIGHWAY – At this time there have been four street lights installed. While attempting to install a fifth light pole near the Holston Trucking facility, AEP encountered solid rock. When a location was found, the pole was going to be too close to the lights adjacent to the location. Mr. Matney stated he had cancelled the installation of the fifth light due to the circumstances.

STREET NAME CHANGE REQUEST – Mr. Matney explained the American Legion Post #229 has discussed requesting the town rename East Railroad Avenue from North Main Street to North Greever Street to Veterans Avenue. Mayor Litz asked how many citizens this name change would affect. Mr. Matney responded it would affect Dr. Humphrey’s building, three apartment buildings, the fire department and rescue squad buildings.

Councilmember Schaack asked if the portion of East Railroad Avenue from South Greever Street to Milk Plant Road could be renamed because the street name changes midway instead of the portion from North Main Street to North Greever Street. Mayor Litz stated the street changes to Milk Plant Road because it is the end of the corporate limits.

Mr. Matney stated he would speak with the Wythe County 911 Emergency Coordinator and the Rural Retreat Postmaster and ask if there would be any issues in changing the street name. Councilmember Mecimore added he felt consideration should be given to businesses or organizations that would need to change charter, corporation or LLC paperwork.

Mr. Matney asked that this item be placed under unfinished business to be discussed at the next meeting.

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VDEM TTX – The Virginia Department of Emergency Management Table Top Exercise Program is hosting a workshop where mock disasters will be presented and the ways to handle these situations. This program will be held on May 12, 2009 from 9:00 a.m. to 2:00 p.m. in Galax Hall at Wytheville Community College. Any council member interested in attending or participating in this event was asked to contact Mr. Matney.

PER STALEY SPRING – The preliminary engineering report has been completed and sent to Smyth County. Smyth County has indicated a strong interest in pursuing this project which will require the involvement of Wythe County.

RFP WATER LINE EXTENSION – The request for proposals (RFP) for the Gienow Road to Rural Retreat Elementary School water line extension project is being advertised. The deadline for submission is Friday, March 27, 2009. At this time two proposals have been received but more are expected. Mr. Matney asked that any council member interested in reviewing the proposals and assisting in selecting an engineering firm for the project to contact him.

WATER IMPROVEMENT PROJECT (IN-TOWN) – The Virginia Department of Health loan offer at 3% or 4% for a 20 year term will require a 23% water rate increase if the loan is received at the 3% rate. The USDA Rural Development loan offer at 3.125% for a 40 year term will require a rate increase of 15.3%. Mr. Matney stated the increases would not affect all water users because the rates can be adjusted to affect everyone differently.

The current minimum monthly water rate is \$13.00 and would need to be raised to \$16.00 in order to pay the annual debt service if the VDH loan is accepted and received at 3% interest; however the loan from USDA Rural Development would require a \$2.00 increase to the monthly minimum.

WATER / WASTEWATER OPERATOR POSITION – Mr. Matney stated to date there had been a low number of applications received for this position. The position notice may be advertised longer if more applications are not received. Vice-Mayor Crigger asked if the advertisement included the salary range. The salary range is given when inquiries are made on the position, Mr. Matney responded.

WATER ACCOUNTABILITY – The water accountability for February has decreased to 41%, down from 51% in January.

JOINT GOVERNING BODIES MEETING – The council members were reminded of the Joint Governing Bodies meeting on Monday, March 30, 2009 at 7:00 p.m. in the Wytheville Meeting Center. Mr. Matney added the wellness/fitness facility and the Safe Routes to School Program were added to the agenda for discussion.

Mayor Litz asked if anyone had questions for Mr. Matney. Councilmember Schaack inquired about the clearing of trees behind the Rural Retreat Elementary School. Mr. Matney responded he was unaware of the clearing behind the school but he would inquire on the activity.

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Mayor Litz asked Mr. Matney if Arcet, Inc. was core drilling on the property at the crossroads area. Mr. Matney stated they were drilling and would continue to drill on Wednesday. He added they were hitting a lot of solid rock and the project should be progressing soon.

**TREASURER’S REPORT**

The bills for March 24, 2009 were read and approved by a vote of five (5) for and zero (0) against.

**TALK OF THE TOWN**

Mayor Litz stated he would not be able to attend the Talk of the Town radio program at the WYVE/WXBX radio station on Wednesday morning. No other council member was able to attend therefore, Mayor Litz asked Mr. Matney to contact Danny Gordon and notify him that no one would be attending.

**ADJOURNMENT**

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

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Mayor

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Clerk\_\_\_\_\_