

The Rural Retreat Town Council held a regular scheduled meeting on May 12, 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

Jerrell Hall
Kristie Osborne

ABSENT

Scott Mecimore
Dale Yontz

ADMINISTRATION PRESENT

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

OTHERS PRESENT

Rev. Brian Burch – Rural Retreat United Methodist Church
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. Brian Burch.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Litz.

APPROVAL OF MINUTES

A motion was made by Councilmember Jerrell Hall, seconded by Councilmember Kristie Osborne to approve the minutes of the April 28, 2009 regular 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.

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CORRESPONDENCE

Mr. Matney stated he had several pieces of correspondence. He reminded the council members of the invitation each had received for an Open House at GrahamFest to be held at the Major Grahams Mansion on May 21, 2009 from 5:00 p.m. to 7:00 p.m.

A graduation announcement was received from Matthew J. Sobey from the United States Air Force Academy. Mr. Sobey will be commissioned as a Second Lieutenant in the United States Air Force.

Wythe County Sheriff Doug King has invited Chief Mitchell and the council members to attend a Law Enforcement Recognition Service on Saturday, May 16, 2009 to be held at the Wytheville Seventh-day Adventist Church. The service will begin at 11:00 a.m. and a luncheon will be held from 1:00 p.m. to 2:00 p.m.

POLICE REPORT

Chief Mitchell stated he is continuing to work on the vandalism at Jack Weaver's property and the investigation is still on going. He added during the month of April he assisted Wythe County Animal Control on several occasions.

Chief Mitchell reported he had spoken to Rural Retreat Town Attorney Michael Sobey concerning the town's noise ordinance. Based on a Virginia Supreme Court decision in the Tanner vs. Virginia Beach court case, our noise ordinance is unenforceable and unconstitutional in Attorney Sobey's opinion. Attorney Sobey told Chief Mitchell that he would draft a new noise ordinance for review if the town council was interested. Chief Mitchell stated under the new guidelines a decibel level would have to be set and a decibel meter would be needed to determine if the noise exceeds the established level. Vice-Mayor Crigger asked how many noise complaints he receives. Chief Mitchell responded generally when he asks citizens to quite down, they do.

Mayor Litz stated the majority of the complaints he receives are related to dogs barking and speeders. He asked Chief Mitchell how these complaints are handled. Chief Mitchell stated the town has an ordinance on dog barking. He stated when a complaint is received he sits near the residence to determine how much the dog is barking. Chief Mitchell added Wythe County prefers he enforce the dog ordinance because it is not a county wide ordinance. He further stated he is doing what he can about speeders and Wythe County is assisting him. Mayor Litz stated he was only asking what the procedures were to resolve these complaints.

Vice-Mayor Crigger asked if action should be taken on the noise ordinance. Mr. Matney responded he anticipates the Virginia Municipal League will develop a model ordinance that we can use as a guideline.

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Earlier in the day, Chief Mitchell attended the Tabletop Exercises at Wytheville Community College. He stated it was interesting but the potential situations presented weren't related to Rural Retreat.

Chief Mitchell also reported the Rural Retreat Police Department has received a Byrne Justice Law Enforcement Grant in the amount of \$500. A copy of the police department budget needs to be submitted along with an explanation of what the money will be used for.

UNFINISHED BUSINESS

There was no unfinished business to be discussed.

NEW BUSINESS

Councilmember Osborne stated she wanted to make the council aware that she is planning to purchase property in Wytheville and may be moving. She stated she would know as early as June 5.

COMMITTEE REPORTS

HERITAGE DAY COMMITTEE – Mr. Matney reported in Chairman Yontz's absence. He stated the Blue Ridge Country Magazine is doing a feature on festivals and we are placing an ad in the magazine. The building permit has been obtained for the Dr. Pepper stage. Mr. Matney added he had received a call from Troy Harris with Dr. Pepper and they will be donating \$5,000 toward the construction of the stage. Mr. Harris is tentatively scheduled to be the guest speaker for the festival.

PERSONNEL COMMITTEE – Chairman Schaack reported the draft position description for the town manager has been distributed. He asked if any councilmember had questions or comments about the draft description. No councilmember had questions or comments therefore, Chairman Schaack stated he would like for council to approve the position description at the next meeting.

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:

USDA-RD OUT-OF-TOWN WATER PROJECT – The revised plans were returned to the Virginia Department of Health this week. To date there have been no comments received from Rural Development so this project should be ready to advertise for bid in the near future. Calls are being received from contractors about this project which should result in more bids being received.

Mayor Litz asked where this project would begin. Mr. Matney responded the starting point hasn't been determined but he would like to look at replacing the water line from the water

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treatment plant to Rural Retreat Lake so that numerous problems will be resolved. Mayor Litz asked if the line will remain in the same location. The line will be installed along Cedar Springs Road in the right-of-way, Mr. Matney responded.

VDH-RD IN-TOWN WATER PROJECT – Rural Development will be delivering the Letter of Conditions for the funding of this project on Thursday.

VDH GIENOW TO RRES WATER PLANNING PROJECT – Anderson and Associates has started the preliminary survey for this project. The Dalton owned property is the most direct route to interconnect the water lines in which we will be working with the Dalton's on this project.

PHILLIPPI SPRING #2 WATER PLANNING PROJECT – The Lane Group is responding to the comments received from the VDH.

STALEY SPRING WATER PLANNING PROJECT – The Lane Group has received additional information. A treat ability test still needs to be completed on this source. This project is not a top priority but work needs to continue so that the water interconnection system with Smyth and Wythe Counties can continue to move forward.

TEA-21 SIDEWALK/BIKEWAY PROJECT – Work is continuing with property owners to secure the necessary easements and right-of-ways however, some property owners are non-residents therefore we are continuing to attempt to notify those owners.

PLANNING GRANT APPLICATION FOR WELLNESS/FITNESS CENTER – Ray Kohl, Director of Wythe County Parks and Recreation Department is working on the application to be submitted to the Wythe/Bland Community Foundation for a wellness and fitness center facility.

2009-2010 PROPOSED BUDGET – A draft copy of the proposed 2009-2010 budget has been distributed. A 4% cost of living increase for employees has been included. At this time water and sewer rates haven't been addressed and there will be increases for both but the amount hasn't been determined. The budget for the wastewater fund is out of balance therefore an employee's salary may be moved from the wastewater fund to the water fund. Another draft will be distributed prior to the next meeting and it should be close to being in final form.

MEMORIAL DAY SERVICE – The American Legion Post #229 will be conducting a Memorial Day service on Sunday, May 24, 2009 at 3:00 p.m. at the Veterans Monument. All council members are invited to attend.

JOINT PUBLIC HEARINGS – There are two Joint Public Hearings scheduled for the May 25, 2009 meeting. The hearings are to hear public comment for the consideration of adopting an amendment to the zoning ordinance to allow off premises business signs and for a conditional use permit for Candu Auto Sales and Service to allow automotive body repair work

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NEW TREATMENT PLANT OPERATOR - Mayor Litz asked Mr. Matney if Mike Whalen had begun his employment with the town. Mr. Matney stated Mr. Whalen began his employment the previous day and that he was pleased to have him as an employee. Mr. Matney added he is very knowledgeable in wastewater treatment and he felt that Mr. Whalen will be a long term employee for the town.

TREASURER’S REPORT

The bills for May 12, 2009 were read and approved by a vote of four (4) for and zero (0) against.

TALK OF THE TOWN

Councilmember Osborne is to attend the Talk of the Town radio program at the WYVE/WXBX radio station on Wednesday morning at Danny Gordon’s request.

Mayor Litz explained he had been invited to attend a SOL Pep Rally at Rural Retreat Middle School on Monday, May 18, 2009 at 2:00 p.m. however he would not be able to attend. He asked Councilmember Schaack if he would be interested in attending. Councilmember Schaack stated he would attend. Mrs. Guynn is to get more information for Councilmember Schaack.

ADJOURNMENT

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

Mayor

Clerk_____