

The Rural Retreat Town Council held a regular scheduled meeting on August 25, 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
Peggy Hash

ABSENT

Dale Yontz

ADMINISTRATION PRESENT

Raymond Matney, Town Manager
Lori Guynn, Clerk/Treasurer

ADMINISTRATION ABSENT

Scott Mitchell, Police Chief

OTHERS PRESENT

Roger Crigger – Rural Retreat Pentecostal Holiness Church
Jayne Hall – Rural Retreat Historical Society
Rose Weaver and Bob Lewis

DETERMINATION OF A QUORUM

Mayor Litz called the meeting to order and determined a quorum was present.

INVOCATION

The invocation was given by Rev. Roger Crigger.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Litz.

APPROVAL OF MINUTES

A motion was made by Vice-Mayor Keith Crigger, seconded by Councilmember Jerrell Hall to approve the minutes of the August 11, 2009 regular meeting as written. The motion passed by a vote of five (5) for and zero (0) against.

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CITIZEN'S TIME

Jayne Hall with the Rural Retreat Historical Society addressed the Council and asked for permission to conduct the annual 5K Pepper Run/Walk on Sunday, October 18, 2009 at 2:00 p.m. and that it be a town sanctioned event. The run/walk will begin at the Rural Retreat Community Center Pavilion and will follow the same route as in previous years. Ms. Hall explained the theme for this year is the red caboose since the Historical Society painted the caboose this summer. She further stated the event averages 60-65 participants.

Councilmember Mecimore made a motion to sanction the 5K Pepper Run/Walk host by the Rural Retreat Historical Society as a town event. The motion was seconded by Councilmember Schaack. Vice-Mayor Crigger stated Chief Mitchell needs to be made aware of the event. Councilmember Schaack asked if this was a fundraiser for the Historical Society. Ms. Hall responded no, because after expenses they only have approximately \$250 left so they donate the money to the Rural Retreat High School Cross Country team because they assist with the event. There being no further discussion, the motion passed by a vote of five (5) for and zero (0) against.

CORRESPONDENCE

There was no correspondence to be shared.

POLICE REPORT

Due to Chief Mitchell's absence, a police report was not given.

UNFINISHED BUSINESS

EXPIRED PLANNING COMMISSION APPOINTMENTS – Councilmember Mecimore stated he thought the Council should consider reappointing the Planning Commission members because all of the terms have expired. He added Peggy Hash needs to be replaced and he felt Councilmember Schaack should continue to serve as the council liaison on the planning commission. Councilmember Mecimore suggested asking the commissioners if they were interested in being reappointed. Mr. Matney stated he thought the reappointments would be agreeable with the current appointees. Vice-Mayor Crigger made the motion to reappoint Charles McMillan, Ed Schaack, James A. Hall, George Reasor, Jr., Larry Lindsey and Brenda Atwell to the Rural Retreat Planning Commission. The motion was seconded by Councilmember Mecimore and passed by a vote of five (5) for and zero (0) against.

Councilmember Mecimore asked Bob Lewis if he would be interested in serving on the Planning Commission. Mr. Lewis declined Councilmember Mecimore's offer. Recommendations to fill the vacant seat are to be brought to the next meeting.

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Councilmember Hash stated she felt the other members should pursue the certification program because it is beneficial.

DR PEPPER STAGE – Councilmember Schaack stated he had read in the minutes of the previous meeting that Vice-Mayor Crigger had asked about putting a tarp over the front of the Dr. Pepper stage to protect it from the weather and Mr. Matney suggested installing night lights. He asked if these had been done. Mr. Matney stated the interior night lights and additional electrical receptacles along the top of the stage interior had been installed. He added no additional discussion had been held on installing a covering.

ASSISTANT TOWN MANAGER POSITION – Councilmember Mecimore explained he felt the Council should be considering hiring an assistant town manager. He added discussion has been held but no action has been taken. Councilmember Mecimore suggested advertising for this position as soon as possible so that someone can be hired and be working with Mr. Matney. He further stated this could take as long as six months to complete. Councilmember Schaack stated all council members should be given a copy of the assistant town manager's position description for review. Councilmember Mecimore stated he thought the duties would be the same as what Mr. Matney currently has because the new person needs to tag along with him. He further stated a decision needs to be made on what the salary will be for the position. Mayor Litz added the Council needs to decide if the position will lead into the town manager's position or remain as an assistant.

Councilmember Schaack asked for the Assistant Town Manager's position description to be distributed to the council members prior to the next meeting. This item is to remain listed as unfinished business.

NEW BUSINESS

USE OF GOLF CARTS ON PUBLIC ROADS – Councilmember Hash asked if the town had any rules and regulations pertaining to the use of golf carts on the streets in town. Mr. Matney responded Councilmember Hash mentioned this to him prior to the meeting. He added he was aware of the Town of Wytheville's action to limit the streets the golf carts can be driven on. There are some requirements on doing this but he would need to talk with a VDOT representative for regulations pertaining to the golf carts. Vice-Mayor Crigger stated state statutes would have to be met before being allowed on the road.

Bob Lewis advised this issue is addressed in Section 46 of the Code of Virginia. He added it states municipalities may designate streets to operate golf cart type vehicles on. Mr. Matney stated he would review the Code concerning this issue.

Mayor Litz asked for this item to remain under unfinished business.

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COMMITTEE REPORTS

COMMITTEE APPOINTMENTS – Councilmember Mecimore asked Mayor Litz if Councilmember Hash would be replacing Kristie Osborne on the committee's she was appointed to. Mayor Litz responded yes she will now be serving on those committees.

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:

MRPDC ANNUAL FALL DINNER MEETING – The annual Mount Rogers Planning District Commission Fall Dinner Meeting will be held at the Wytheville Meeting Center on Thursday, September 3 at 6:00 p.m. A special presentation will be made to each locality in the planning district. The dinner will be catered by the Log House Restaurant. Council members interested in attending should RSVP the office staff or MRPDC directly.

LEASE GAMMONS LOT – Smyth County Community Hospital is planning to locate a new doctor in Rural Retreat and is in need of space that can be leased for approximately 12-18 months. SCCH is interested in leasing the Gammons lot to locate a modular structure. Mr. Matney asked if the Council was interested in considering leasing this property. A portion of this property is still owned by Dr. R. D. Humphrey, Jr. Mr. Matney stated he inquired about the availability of Dr. Humphrey's building and he stated it would be available. The consensus was to request a plan for the property if Dr. Humphrey's building doesn't work out.

Mr. Matney added he had spoken to Dr. Noah Malavolti with Blue Ridge Chiropractic and he is planning to open a second facility at 417 South Main Street.

VML ANNUAL CONFERENCE – The Virginia Municipal League Annual Conference will be held in Roanoke, Sunday, October 18 – Tuesday, October 20. Council members interested in attending were asked to contact the office.

REQUEST FOR CHILDREN AT PLAY SIGN – A request for a "Children at Play" sign on Church Street between East Buck Avenue and Chinquapin Avenue has been requested. A letter requesting this sign must be submitted to VDOT for review and if approved a sign will be installed.

Councilmember Schaack made a motion to make a request to VDOT for the installation of a "Children at Play" sign on Church Street between East Buck Avenue and Chinquapin Avenue. The motion was seconded by Councilmember Hall. Councilmember Mecimore asked if VDOT charged a fee to install signage. Mr. Matney responded there is no charge. There being no additional discussion, the motion passed by a vote of four (4) for: Ed Schaack, Jerrell Hall, Peggy Hash and Scott Mecimore, zero (0) against and one (1) abstention: Keith Crigger.

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MONTHLY STATUS REPORT – The monthly status report from Anderson and Associates is available for review. The report includes new updates on various projects.

OUT-OF-TOWN WATER PROJECT – Two easements are being rewritten to include specific language that the owners are requesting. Additionally, a permit from Norfolk Southern Railway is needed in order to install the new line under the railroad tracks at Tea Olive Lane. A one time license fee of \$10,200 and insurance fee of \$1,000 must be paid. Norfolk Southern Railway has been listed as an additional insured on the town's liability insurance.

IN-TOWN WATER PROJECT – Surveyors are in town this week to determine the line locations for the project.

VDH PLANNING GRANT – STALEY SPRING – The consultants are readdressing comments received from VDH on this project. Mr. Matney stated he had spoken to the engineer in reference to bringing Smyth County back in for discussion because they will be a factor in this project moving forward. He added he was unsure what the county wide water consolidation study will do with the possibility of developing the spring.

An administrator's meeting has been scheduled for Thursday, August 27, 2009 to discuss this project prior to the Joint Governing Bodies meeting. He added a presentation will be given on the Water Consolidation Study. He asked the council members to review the comments made by the Virginia Department of Health prior to the Joint Governing Bodies meeting.

VDH PLANNING GRANT – PHILLIPPI SPRING #1 – This project has been finalized and will be closed out. A meeting with the engineers has been scheduled for this week. The full amount of money awarded to the town by VDH was not used. Mr. Matney stated the engineers may ask to spend the additional money on plans and specifications for Phillippi Spring #2.

VDH PLANNING GRANT – PHILLIPPI SPRING #2 – The design work is now being completed to meet the conditions of the planning grant. When the design work is completed and approved by VDH this additional raw water source can be developed when the money is available and the need arises.

VDH PLANNING GRANT – GIENOW ROAD TO RRES – The alignment for the water line across the Dalton Enterprises property located directly behind Food Country has been completed. The engineers assumed Mr. Dalton would not want to disturb the trees on the property so they kept the line out of that area. However, he preferred the line to be located through the trees which will be cleared to accommodate the line construction. Mr. Dalton informed Mr. Matney if the trees would be wind rowed out he would remove the brush, wood and stumps. The easement for this project was signed by Mr. Dalton, including the easement to locate an altitude control valve that will be located near the steel factory on Gienow Road.

RURAL RETREAT TRAIN DEPOT HEARING – A preliminary hearing was held earlier today concerning the Rural Retreat Train Depot. Mr. Weaver's attorney is arguing the town doesn't

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have the legal authority to complete the take as filed with the Circuit Court. Town Attorney Michael Sobey argued the town does. Mr. Matney added the attorney's argued both sides well and at the conclusion of the arguments the judge will review the information and write an opinion. The status of this project is unknown until this opinion is issued.

TEA-21 APPLICATION – There has been discussion of submitting a TEA-21 application for the renovation of the Rural Retreat Train Depot. Mr. Matney stated the application must include the full cost of an architect and engineer even though funding may be received in phases. The application deadline is December 1.

WATER ACCOUNTABILITY – Councilmember Mecimore commented on the decrease in water accountability. Mr. Matney stated two large leaks have been repaired which should decrease the water loss.

TREASURER'S REPORT

The bills for August 25, 2009 were read and approved.

TALK OF THE TOWN

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

ADJOURNMENT

Prior to adjourning, Bob Lewis expressed his concern on the commercialization of the town seal. He stated he had previously addressed Mayor Litz and Mr. Matney at Heritage Day because the seal is being used for commercial purposes such as on shirts and hats. Mr. Lewis stated he thought the town should look into obtaining a trademark or copyright on the town seal because it represents the town.

Vice-Mayor Crigger stated the seal would have to be researched and court papers would have to be filed in order to obtain a trademark or copyright. Councilmember Mecimore suggested asking Town Attorney Michael Sobey to research this. Mr. Lewis stated if a trademark or copyright is not obtained then the town should set guidelines on how the seal can be used.

There being no additional business for discussion, the meeting was adjourned upon a motion by Councilmember Hash and was duly seconded and approved.

Mayor

Clerk

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