

The Rural Retreat Town Council held a regular scheduled meeting on March 23, 2010, 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

Dale Yontz
Jerrell Hall
Peggy Hash

ABSENT

No members were absent.

ADMINISTRATION PRESENT

Raymond Matney, Town Manager
Lori Guynn, Clerk/Treasurer

ADMINISTRATION ABSENT

Scott Mitchell, Police Chief

OTHERS PRESENT

Jack Weaver
Michael J. Sobey – Town Attorney

DETERMINATION OF A QUORUM

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

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 Jerrell Hall, seconded by Councilmember Dale Yontz to approve the minutes of the March 9, 2010 regular meeting as written. The motion passed by a vote of six (6) for and zero (0) against.

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CITIZEN'S TIME

Mr. Weaver did not wish to address the Council.

CORRESPONDENCE

Mr. Matney read a letter from the Rural Retreat High School Student's Against Destructive Decisions (SADD) club requesting a monetary donation for the Club's after prom party. Vice-Mayor Crigger asked if a contribution had been made the previous year. Upon reviewing previous fiscal year records, Mrs. Guynn stated a donation had not been made the previous two years. Councilmember Mecimore commented he felt this group was making strides to keep the young people safe in the community. Following his comment, he made a motion to donate \$100 to the Rural Retreat High School SADD club to assist with their after prom party. The motion was seconded by Councilmember Hash and passed by a vote of six (6) for and zero (0) against.

POLICE REPORT

Chief Mitchell stated activities during March have increased which he contributed to the weather. He explained there has been an increase in animal control complaints which if the owner is known Chief Mitchell speaks with them. He is also working on inoperative motor vehicles and mailing letters to those in violation. Chief Mitchell stated he has ordered a new radar unit for the patrol car due to malfunctions with the current one which is over 20 years old. An application has been made to the Department of Motor Vehicles (DMV) for a Traffic Safety Grant to assist in the purchase of the new equipment. Chief Mitchell explained if the grant is received DMV requires an increase in traffic enforcement statistics. He added he will be increasing the amount of time that radar is being used to monitor traffic.

Mr. Matney asked Chief Mitchell if he needed more assistance from Wythe County Animal Control with the dog complaints. Chief Mitchell responded yes, it would be appreciated. Mayor Litz authorized Mr. Matney to contact Wythe County Animal Control to resolve this issue.

Councilmember Mecimore explained he has been noticing people on the Dr. Pepper Stage since the weather has been warmer. He asked Chief Mitchell to increase patrol in the area and if he sees anyone on the stage to advise them they are not to be on it. Mayor Litz stated he has been receiving complaints on street lights that are not working. He asked Chief Mitchell to evaluate the street lights as he is patrolling at night and compile a list of those that are not working. Mr. Matney asked for street light outages or those working intermittently to be reported to the office so AEP can be contacted.

UNFINISHED BUSINESS

RURAL RETREAT FIRE STATION REPAIRS – Councilmember Hall stated he had repaired the gutting on the Rural Retreat Fire Station and additional snow/ice protection devices were added. Mr. Matney added Operations and Maintenance Chairman Hall is evaluating the

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roof/attic portion of the building due to poor ventilation and the buildup of condensation. He further explained the aluminum on the roof is moving causing the screw heads to pop off and allowing moisture in the attic area.

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

PAPERLESS CORRESPONDENCE – Vice-Mayor Crigger stated discussion had been held on purchasing laptop computers for the council members in an effort to go paperless. He asked if the council members had ideas or suggestions on this effort. Councilmember Mecimore commented that laptop computers are getting cheaper to buy and the savings would assist in the expense of copying the information provided in the council packets. He added carry bags, cables and other items would be needed. Mr. Matney stated this proposal is being considered for the next fiscal budget.

Vice-Mayor Crigger made a motion to allow Councilmember Mecimore and Jeff Hooper, the town's computer technician, to prepare an itemized list of expenditures for the purchase of laptop computers and needed accessories to become paperless. The motion was seconded by Councilmember Mecimore and passed by a vote of six (6) to zero (0).

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

NEW BUSINESS

There was no new business to be addressed.

COMMITTEE REPORTS

HERITAGE DAY – Chairman Yontz stated donations are being solicited to cover the expenses for entertainment. Mr. Matney added Mayor Litz had signed letters that were sent to the Bank of Marion and BB&T requesting funding for this year's festival. He continued by stating he had spoken to Troy Harris with the Dr. Pepper Corporation and Mr. Harris will be seeking funding to sponsor Confederate Railroad.

FINANCE – Chairman Crigger explained the Finance Committee received a preliminary budget worksheet prior to the meeting. He asked Mr. Matney if the committee should meet to discuss this draft. Mr. Matney suggested meeting prior to the next meeting to address concerns and changes that may be made. He added the draft does not address capital or infrastructure needs. Chairman Crigger scheduled a Finance Committee meeting for Tuesday, April 13 at 6:00 p.m. He invited all council members to attend this meeting. Mr. Matney encouraged special interest items to be relayed to Chairman Crigger for consideration.

PERSONNEL – Chairman Schaack stated in staying with the adopted timeline for the hiring of the next town manager, the committee will begin discussions on qualifications in April.

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Chairman Schaack scheduled the next Personnel Committee meeting for Tuesday, April 27 at 6:00 p.m.

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:

OPEN HOUSE – Blue Ridge Family Medicine and Pediatrics will be conducting an open house on Tuesday, April 6 from 4:00 – 7:00 p.m. All councilmember's and town employees have been invited to attend.

VML MATCHING SAFETY GRANT PROGRAM – The application made to VML for the matching Safety Grant Program has resulted in a reimbursement of \$1,980 which will be applied toward the total cost of purchasing of work zone safety equipment.

VML TOWN SECTION MEETING – VML will be hosting a Town Section meeting at the Christiansburg Town Hall on Friday, April 9 at 10:30 a.m. Topics include a summary of the 2010 General Assembly actions that will impact towns, Freedom of Information Act, Conflict of Interest and other items. The councilmember's were asked to RSVP no later than April 2, if they were interested in attending.

JOINT GOVERNMENTAL BODIES MEETING – The next Joint Governmental Bodies meeting will be hosted by Wythe County on Monday, March 29 at 7:00 p.m. A request has been received for agenda items which must be submitted by March 19.

DEFERRED COMPENSATION PLAN – As a supplemental retirement benefit for town employees, Mr. Matney explained his interest in offering a 457(b) retirement plan. This plan would allow employees to contribute money on a pre-tax payroll basis and upon retirement the money will be taxable. Mr. Matney asked the Council for permission to research the possibility of allowing the employees to participate in this plan and noted that it would not effect an employee's participation in the Virginia Retirement System. Vice-Mayor Crigger made the motion to allow Mr. Matney to research the town sponsoring a 457(b) retirement plan for the benefit of town employees. Councilmember Mecimore seconded the motion and asked if the plan would allow for matching contributions from the town. Mr. Matney responded yes but he is not asking the Council to make this contribution. There being no additional discussion the motion passed by a vote of six (6) for and zero (0) against.

WELLNESS / FITNESS STUDY – The committee formed for the Wellness / Fitness Study has made suggestions for possible location sites for this facility. The recommendations will be reviewed with Thompson & Litton at the committee meeting to be held on Wednesday, March 24. Mr. Matney explained the purpose of this study is to see if there is a need in the community for a facility of this type, where to locate it and the cost to construct and operate it. He added at this time a facility is not being built.

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TEA-21 SIDEWALK / BIKEWAY PROJECT – The authorization to advertise for bids has not been received. Mr. Matney has met with AEP and CenturyLink to resolve issues with utility pole relocations which should begin within the next thirty days.

IN-TOWN WATER PROJECT – Anderson & Associates, Inc. has again promised to submit the plans for this project no later than the end of next week.

OUT-OF-TOWN WATER PROJECT – The bid opening has been held. The lowest submitted bid from Cross Point for division 1 had a mathematical error and the bid was withdrawn. The next lowest bidder was DCI/Shires with a bid of \$746,920. Mr. Matney explained division 1 proposes, in addition to the established line replacement, extending the water lines on Rural Retreat Lake Road from the end of the current line to the Rural Retreat/Wythe County Fair Grounds and Myrtle Lane from the end of the current line to Ridge Avenue. Division 2, he explained would connect the water service from Gienow Road to Rural Retreat Elementary School. At this time, Anderson & Associates is conducting a reference check on DCI/Shires and upon completion a recommendation to award a contract will be made at the next council meeting contingent upon Rural Development reviewing the bids and the town's procedures on this project. The bid range on division 2 ranged from \$50,680 - \$140,000 in which Cross Point was the lowest bidder. The division 2 project was not included in the original Rural Development funding package but a request has been made to fund it.

RURAL RETREAT / SMYTH COUNTY WATER PROJECT – Mr. Matney explained there had been a communication error between himself and the Lane Group concerning this project. He had spoken to the engineer with Smyth County and they were in agreement on a plan. Mr. Matney then contacted the Lane Group and spoke with Bobby Lane who asked one of the engineers to contact Smyth County regarding this project. The engineer had previously contacted Smyth County a couple of months ago and assumed further contact did not need to be made because at the time they were not interested in pursuing this. Mr. Matney stated he contacted Mr. Lane and asked that his firm follow up with Smyth County in an effort to resolve this misunderstanding.

WASTEWATER COLLECTION SYSTEM – An inflow and infiltration study was conducted in January 2006 on the town's wastewater collection system by Anderson & Associates, Inc. The study identified rehabilitation needs that would help to reduce inflow and infiltration issues. The flow into the treatment plant exceeded the flow limit for two consecutive months however last month was below the limit and a notice of violation was not received. Anderson & Associates has been asked to review the rehabilitation portion in order to pursue a potential project in the near future.

WATER ACCOUNTABILITY REPORT – Water accountability for February is at 31%.

TREASURER'S REPORT

The bills for March 23, 2010 were read and approved.

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TALK OF THE TOWN

Vice-Mayor Crigger stated he may attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning. If he is not available Mr. Matney will attend.

RE: CLOSED MEETING

A motion was made by Vice-Mayor Crigger, seconded by Councilmember Hash to convene to a closed meeting in accordance with the Virginia Code §2.2-3711, paragraph A, sub-paragraph 7, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, “*probable litigation*” means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

The motion was approved with the following voting in favor: Scott Mecimore, Jerrell Hall, Peggy Hash, Ed Schaack, Keith Crigger and Dale Yontz.

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

Motion was made by Vice-Mayor Keith Crigger, seconded by Councilmember Peggy Hash, **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 identified in the motion convening the closed meeting were heard, discussed, or considered by the Council.

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Vote:	Ayes	Nays
Keith Crigger	X	
Jerrell Hall	X	
Peggy Hash	X	
Scott Mecimore	X	
Ed Schaack	X	
Dale Yontz	X	

Absent during meeting: None

Absent during vote: None

ADJOURNMENT

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

Mayor

Clerk