

The Rural Retreat Town Council held a regular scheduled meeting on August 10, 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

Dale Yontz  
Jerrell Hall  
Peggy Hash

### **ABSENT**

Scott Mecimore

### **ADMINISTRATION PRESENT**

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

### **OTHERS PRESENT**

Rev. Brian Burch – Rural Retreat United Methodist Church  
William “Skipper” Patton, Jr., John Burnett, Ace & Rose Kennedy, Clayton Horne, James Wagner, Ronnie Shupe, Leigh Ann Pridemore, Wilma Justus and Jack Weaver

### **DETERMINATION OF A QUORUM**

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

### **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 Hash, seconded by Councilmember Yontz to approve the minutes of the July 27, 2010 regular meeting as written. The motion passed by a vote of five (5) for: Crigger, Hall, Hash, Schaack and Yontz and zero (0) against.

## **COUNCIL MEETING MINUTES – AUGUST 10, 2010 – PAGE 2**

### **CITIZEN'S TIME**

Skipper Patton, a resident of Hazelnut Lane, addressed the Council concerning the water line extension on Myrtle Lane. He added he was seeking more information from the town and had spoken to other residents who were interested in connecting to the water line depending upon the cost. Mr. Matney responded by explaining he had received the approximate cost information from the engineers based on the contractors submitted bid. He stated the estimated cost for the line extension on Hazelnut Lane was \$10,000 for a 4" line and \$11,000 for a 6" line. Mr. Matney continued to explain the lots front on Myrtle Lane which is considered flag lots therefore the engineers based the connections at Myrtle Lane in the original plan. He also pointed out that the situations are similar on Rural Retreat Lake Road and Anders Lane. Mr. Matney suggested the residents form a homeowners association to establish a 50 ft. right-of-way since Hazelnut Lane is located on private property then contact Wythe County to request a revenue sharing program to get the private drive changed to a state maintained road. He further suggested contacting Gary Houseman, the Black Lick District representative on the Wythe County Board of Supervisors. Mr. Patton responded he had made unsuccessful attempts to contact Mr. Houseman and he is also planning to contact Stephen Bear. Mayor Litz explained the meters will be set on the right-of-way at Myrtle Lane. Mr. Patton pointed out several property owners received letters and understood water was being put on Hazelnut Lane. He added the residents need water and he felt they had been led astray by the town. Mr. Matney commented there seems to be confusion over water being installed on the property versus on Hazelnut Lane. Vice-Mayor Crigger added a utility right-of-way is needed because utilities can't be put on private property. Mr. Patton responded currently the telephone and cable lines are on Hazelnut Lane. He continued by explaining the approximate cost to run a water line from Myrtle Lane to his home is \$800. He added the cost to build the line is \$10,000 and then asked how long it would take to recover the cost with each resident paying \$24.00 per month. After further discussion of the potential location options for a water line to serve Hazelnut Lane, John Burnett asked if the water isn't put on Hazelnut Lane will the residents have to pay the \$24.00 per month or will they be exempt. Mr. Matney responded Wythe County has a mandatory water use ordinance therefore the \$24.00 per month would be charged. Mayor Litz added Wythe County requires homes to be connected to a public system if within 350 ft. of Myrtle Lane in this situation. Mr. Patton asked when this plan was presented and suggested the next water expansion project be better explained to property owners. Vice-Mayor Crigger responded the project has been in progress for three years. Clayton Horne commented he has spoken to Mr. Matney and he had indicated a contractor may be found that would offer a deal price if several homeowners are interested in working together. Following more lengthy discussion, Councilmember Hall commented the Council was aware the homeowners would incur an expenditure; therefore the \$2,000 connection fee was waived. Mr. Patton added all property owners haven't received letters including him. Mr. Matney responded the database was provided by Wythe County. Mayor Litz encouraged the residents present to attend the next meeting. Prior to continuing, Ronnie Shupe asked if Myrtle Lane would be tar and chipped due to the bad condition it is in from the project. Mr. Matney responded no but the road would be repaired to VDOT standards because the contractor is under bond with VDOT. Those present regarding the water project left the meeting.

## **COUNCIL MEETING MINUTES – AUGUST 10, 2010 – PAGE 3**

Wilma Justus addressed the council and explained she was absent from the meeting that the Norfolk Southern letter was addressed. She asked if the town would help Mr. Weaver get the depot property. Mayor Litz responded this isn't part of the deal but Mr. Weaver will not lose in this either. Mrs. Justus continued by explaining Norfolk Southern has restricted the town to use the property as civic and government use but these uses don't make money. She also addressed the proposed town newsletter as discussed at a previous meeting. Mrs. Justus suggested the newsletter be available online, emailed to citizens, sent through a text or mailed with the water bills and could offer information on the warning system and other issues. She explained offering the newsletter online, in the town hall lobby or on newspaper racks no longer used by the local newspapers would save on the costs of distribution. Councilmember Hash commented older citizens don't touch computers or know what email is therefore mail is a way to reach the citizens. Mrs. Justus stated the newsletter should be out to allow citizens to pick up.

### **CORRESPONDENCE**

Mr. Matney read a letter received from the Virginia Department of Health Office of Drinking Water awarding the town's waterworks the 2009 Drinking Water Fluoridation Quality Award from the United States Center of Disease Control and Prevention. He added the town's operators had received this award for the past several years. He expressed his pleasure in the operator's dedication. Jack Weaver inquired about a listing in the Bristol Herald that awarded gold, silver and bronze awards for water quality to towns in Southwest Virginia and why Rural Retreat was not listed. Mrs. Justus commented Wytheville and Marion received awards. Mr. Matney stated he was unsure why the town was not included in this but he would contact VDH and inquire. Following further discussion, Mrs. Justus added the article mentioned granular filtration. Mr. Matney explained this was the reason the town wasn't included because the town uses membrane filtration which is a higher quality filtration method.

### **POLICE REPORT**

Chief Mitchell explained his monthly activity report for July. He explained the number of calls to assist the Wythe County Sheriff's Office was high due to deputies taking vacation. He continued by stating Heritage Day went well with the exception of one incident that he was unaware of at the time; however the Wythe County Sheriff's Office was able to resolve it. Mayor Litz added he was pleased there were no major issues but he felt the rain dampened potential problems.

### **UNFINISHED BUSINESS**

**PROPOSED TOWN NEWSLETTER** – Councilmember Yontz explained work will begin on the proposed newsletter prior to the next meeting. Mayor Litz asked Mrs. Guynn to find out how many people would be affected. Councilmember Yontz asked for a database of addresses for the residents. This item is to remain on the agenda as unfinished business.

## **COUNCIL MEETING MINUTES – AUGUST 10, 2010 – PAGE 4**

COMMUNITY WARNING SYSTEM – Mr. Matney explained he contacted Acoustic Technologies, Inc. and they are reviewing the acoustical area. ATI, Inc. is to make a recommendation on what can be done to improve the coverage area. This item is to remain on the agenda as unfinished business.

HAZELNUT LANE WATER CONNECTIONS – This item was previously addressed and will remain on the agenda as unfinished business.

NORFOLK SOUTHERN RAILWAY REAL ESTATE OFFER – Mayor Litz asked Mr. Matney to redistribute a copy of the Norfolk Southern Railway Real Estate Offer and Attorney Sobey's opinion letter for the councilmember's to review. Mr. Matney redistributed the letter and gave a copy to Mr. Weaver and Mrs. Justus. Upon reviewing the letter, Mayor Litz asked Mr. Matney to explain the term quit claim. Mr. Weaver responded it means no one claims they own the property. Mr. Matney added it gives immediate possession of property. Mayor Litz asked for a motion. Councilmember Hall stated the town's attorney recommended proceeding with the offer therefore he made a motion to accept the offer as written. The motion was seconded by Councilmember Schaack. Vice-Mayor Crigger asked if the letter addressed Norfolk Southern cleaning up the property. Mr. Matney responded no, but he had spoken to a representative directly and he was told once it conveyed they will have no right to put their property on the lot. Mayor Litz asked Mr. Matney to summarize Attorney Sobey's comments. Mr. Matney began reading Attorney Sobey's letter which addressed the demolition of the depot. Mr. Weaver commented he thought the entire paragraph was a problem all together. Mayor Litz explained this had been addressed with Norfolk Southern but were told this is the way it would be and it can't be changed. Mr. Weaver added the problem is if the land ceases to be used by the town for civic or government use. Mayor Litz commented it is not the intentions of the town to use the property for any thing other than preservation purposes. It will not become a profit center, he added. He continued by addressing Mr. Weaver and stating the town has three concerns, the building be preserved by Mr. Weaver and present a timeline to do so then a long-term lease can be presented after consulting with Norfolk Southern, if he is not interested in preserving then the town can fix it up but the town will not pay \$250,000 for the building. Mr. Weaver promptly responded the town will not get the building. Mayor Litz questioned Mr. Weaver about the issuance of a long-term lease. Mr. Weaver responded a bank will not loan money on leased land. Mayor Litz informed Mr. Weaver if he wasn't going to renovate the building then it needs to be removed because no one wants to see the building fall down. Mr. Weaver commented this will become a long legal problem and will be in court for several years. Mayor Litz asked for a vote and asked Mr. Matney to read the full paragraph of Attorney Sobey's opinion to the Norfolk Southern letter. Mr. Matney read the full paragraph. Following further discussion between Mr. Weaver and the councilmember's, the motion passed by a vote of four (4) for: Crigger, Hall, Hash, Schaack and one (1) abstention: Yontz due to Attorney Sobey's opinion of the third paragraph of the Norfolk Southern letter.

## **COUNCIL MEETING MINUTES – AUGUST 10, 2010 – PAGE 5**

### **NEW BUSINESS**

Councilmember Schaack explained the MacDowell Music Club publishes a handbook annually and they would like to use the town seal on the cover of next year's handbook since it will be the town's centennial anniversary. He requested permission on behalf of the MacDowell Music Club to reproduce the town seal. Vice-Mayor Crigger made a motion to authorize MacDowell Music Club to use the town seal for their annual handbook. Councilmember Yontz seconded the motion and it passed by a vote of four (4) for: Crigger, Hall, Hash, Yontz; zero (0) against and one (1) abstention: Schaack. Councilmember Schaack thanked the council for allowing the MacDowell Music Club to use the town seal.

### **COMMITTEE REPORTS**

**FINANCE & APPROPRIATIONS** – Mrs. Guynn gave an update on the 2009/2010 fiscal audit by explaining the audit was scheduled to begin August 19 but due to other circumstances she will be rescheduling for a later date.

**FIRE, POLICE AND HEALTH** – No report was given.

**HERITAGE DAY** – Chairman Yontz stated he thought the festival went well. He added he has received a lot of comments. He scheduled a meeting for August 24 at 6:00 p.m. to discuss the 2010 festival and begin preparing for 2011. Mr. Matney explained he had received several great comments on Confederate Railroad. Chairman Yontz added he had also received comments and several people have asked for Confederate Railroad to return next year. Mr. Matney commended Chairman Yontz and his personnel that worked.

**OPERATIONS & MAINTENANCE** – Chairman Hall stated the materials to repair the floor at the fire department facility are to be delivered by the end of the week and work should begin on Monday.

**PERSONNEL** – No report was given.

### **TOWN MANAGER'S REPORT**

The Town Manager's report is attached and hereby made a part of these minutes. The following items were discussed and/or acted upon:

**GROUND BREAKING** – Congressman Boucher has requested a ground breaking for both water projects. Due to his schedule he will be in Rural Retreat August 16 at 1:00 p.m. Mr. Matney asked the councilmember's to attend and added representatives with Rural Development and other governmental agencies will be present along with the contractors and engineers. The ground breaking is to be held at the orange water towers.

**OUT-OF-TOWN WATER PROJECT** – The additional cost to extend the six inch water line on Rural Retreat Lake Road as requested by Wythe County is \$24,000. The Wythe County Water

## **COUNCIL MEETING MINUTES – AUGUST 10, 2010 – PAGE 6**

Committee will be meeting on August 17 at 8:00 a.m. Mr. Matney asked Mayor Litz to attend the meeting with him to discuss this line and to make them aware of the request made by the residents of Hazelnut Lane.

IN-TOWN WATER PROJECT – Mr. Matney recommended the contract for the in-town water project be awarded to the low bidder, Cross Pointe Contractors for \$442,040, subject to concurrence by USDA Rural Development. A motion was made by Councilmember Schaack to award the contract for the in-town water project to Cross Pointe Contractors for \$442,040 pending approval by USDA Rural Development. Councilmember Hash seconded the motion and it passed by a vote of five (5) for: Crigger, Hall, Hash, Schaack, Yontz and zero (0) against.

JOINT GOVERNMENTAL BODIES MEETING – The next meeting is scheduled for Monday, August 30 at 7:00 and will be hosted by Wythe County. A request has been received for agenda items by August 13. Mayor Litz asked where the meeting will be held. Mr. Matney responded it will be held in the board room.

PULASKI COUNTY'S ELECTED OFFICIALS PICNIC – This will be held on Sunday, August 22 at 5:00 p.m. This year there is a fee of \$11 per person and includes a meal of steak, baked potato, etc., use of the pool shelter and admission for boxed seating to the Pulaski Mariners ballgame. RSVP's are requested no later than Friday.

DOWNTOWN REVITALIZATION – Hill Studio prepared a summary of the items discussed at the meeting with Mount Rogers Planning District Commission for Council's consideration if they are interested in pursuing a new downtown plan. After reviewing the summary, if interested, a representative from Hill Studio can meet with Council. Mr. Matney referred to correspondence received from Eve Stone. He suggested the Council review this and contact him with questions. Mr. Matney asked Mr. Weaver if he had additional comments he would like to add to this. Mr. Weaver commented a lot of work had been done and the Council would need to decide if they would like to move forward. He continued by stating since the town and he were going to be on the opposite sides of the fence he felt he should resign from serving on the committee.

HISTORICAL DISTRICT – The Planning Commission will be meeting with Anne Beckett at their meeting on September 13 to learn more about the historical district program. Ms. Beckett is the consultant that prepared the preliminary plan in 2001. Mr. Matney added when the Planning Commission is sent a reminder of the meeting the Council will be included if they are interested in attending also.

REQUEST FOR REZONING & CUP – The Planning Commission has received a request to rezone property on Cherry Street. A request was also received for a Conditional Use Permit. Both requests will be advertised for a Joint Public Hearing to be held in conjunction with a town council meeting.

COMMUNITY WARNING SYSTEM – This item was previously addressed.

**COUNCIL MEETING MINUTES – AUGUST 10, 2010 – PAGE 7**

ELECTRICAL DAMAGE WWTP – We experienced more electrical damage to three motors at the Wastewater Treatment Plant yesterday, due to the loss of one phase power. Mr. Matney explained the damage that occurred previously. He stated the electrical protection to prohibit this from happening again is being pursued.

FORMER CHRISTIANSBURG TOWN MANAGER ARTICLE – Mr. Matney explained he distributed an article on Lance Terpenny the former town manager in Christiansburg. He added this is for reference only when considering hiring a person to replace him.

TEA-21 SIDEWALK/BIKEWAY PROJECT – The notice of award has been received and the notice to proceed will be issued upon having a pre-construction conference which Mr. Matney stated he hoped to have this week.

**TREASURER’S REPORT**

The bills for August 10, 2010 were read and approved.

**TALK OF THE TOWN**

Mr. Matney is to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning.

**ADJOURNMENT**

There being no additional business for discussion, the meeting was adjourned upon a motion by Vice-Mayor Crigger and was duly seconded and approved.

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Mayor

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Clerk