

The Rural Retreat Town Council held a Joint Public Hearing with the Rural Retreat Planning Commission in conjunction with the regular meeting on September 14, 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

ABSENT

Peggy Hash

PRESENT RURAL RETREAT PLANNING COMMISSION MEMBERS

Chairman Charles McMillan
Vice-Chairman Ed Schaack
James A. Hall

George Reasor, Jr.
Allan West

ABSENT

Brenda Atwell
Larry Lindsey

ADMINISTRATION PRESENT

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

OTHERS PRESENT

Jayne Hall, James Hall, Wilma Justus and daughters, Harvey Luttrell, Brenda Maxey

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.

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JOINT PUBLIC HEARINGS

REQUEST FOR ZONING CHANGE ON CHERRY STREET & CONDITIONAL USE PERMIT (WILLIAM HARVEY LUTTRELL) – Mayor Litz read the public notice as published in the *Wytheville Enterprise*. A copy of the notice is attached and hereby made a part of these minutes. He turned the meeting over to Planning Commission Chairman Charles McMillan. Chairman McMillan opened the public hearing for comments on both issues being considered.

Harvey Luttrell addressed the Planning Commission and Town Council and explained the property he owns on Cherry Street is his home place and he would like to live there but due to the current zoning he can't afford to build a home on the property. He further explained his property is surrounded by the railroad, a junkyard and a garage with cars sitting around it. Mr. Luttrell added the junkyard and garage property is owned by a single individual. He continued by stating he would like for the property to be rezoned so he can put a doublewide manufactured home there. Mayor Litz commented he drives by Mr. Luttrell's property on a daily basis and it is well maintained. Chairman McMillan asked if anyone had any qualms with the rezoning request or issuing a conditional use permit. Jayne Hall asked how one parcel could be rezoned without being considered spot zoning. Chairman McMillan stated his understanding is since the zoning is being reversed by one zoning level this is not considered spot zoning. Mr. Matney commented this is progressive zoning due to the surrounding properties. Mayor Litz asked how the properties on Parsonage Avenue are zoned where Cherry Street connects. Mr. Matney replied in that area Parsonage Avenue is zoned R-1 however the left side of Cherry Street near the intersection is not within the town limits. There being no additional comments, Chairman McMillan closed the public hearing. He then asked for comments from the Planning Commission. Commissioner West asked if it was possible to rezone the entire area on Cherry Street to R-2. Mr. Matney responded to Commissioner West by stating it can be done but would require advertising and conducting a separate public hearing. Chairman McMillan commented he doesn't agree with the property in the area being zoned R-1 and he didn't think this request would cause any harm. Mr. Matney stated he asked the surrounding property owners to consider rezoning their property but he didn't receive a response from them. Chairman McMillan asked if the Commissioners had any additional comments. There being none, he asked for a recommendation from the Commission. Vice-Chairman Schaack made a motion to recommend to the town council to approve the rezoning request made by Harvey Luttrell for his property on Cherry Street from R-1 (Residential – Low Density) to R-2 (Residential – Medium Density). The motion was seconded by Commissioner Reasor and passed by vote of four (4) for: Hall, McMillan, Reasor, Schaack and one (1) opposed: West.

Chairman McMillan asked Mr. Matney if the individual making the request had been informed of the requirements for a conditional use permit to locate a doublewide manufactured home on this property. Mr. Matney responded yes. There being no additional questions or comments from the Commission, Chairman McMillan asked for a motion from the Planning Commission. Commissioner Hall made a motion to issue a conditional use permit to Harvey Luttrell to allow him to place a doublewide manufactured home on his property on Cherry Street. Commissioner

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Reasor seconded the motion and it passed by a vote of four (4) for: Hall, McMillan, Reasor Schaack and one (1) opposed: West.

Chairman McMillan informed Mayor Litz the Planning Commission recommends to the Council by vote of 4-1 to approve each request.

APPROVAL OF MINUTES

A motion was made by Councilmember Mecimore, seconded by Councilmember Yontz to approve the minutes of the August 24, 2010 regular meeting as written. The motion passed by a vote of five (5) for and zero (0) against.

CITIZEN'S TIME

Jayne Hall addressed the Council on behalf of the Rural Retreat Historical Society. She asked the Council to sanction the Historical Society's annual 5K Pepper Run/Walk as a town event which is to be held Sunday, October 17, 2010 at 2:00 p.m. Ms. Hall stated as in previous years the run/walk will begin and end at the Community Center and will follow the usual race route. Councilmember Mecimore commented one complaint was received on the race held last year. Ms. Hall responded by stating she had heard rumors of the complaint but the complaint was not directly received by the Historical Society. Councilmember Mecimore made a motion to sanction the Rural Retreat Historical Society's 2010 5K Pepper Run/Walk. Councilmember Yontz seconded the motion and it passed by a vote of five (5) for and zero (0) against.

CORRESPONDENCE

Mayor Litz read a letter he received from Michael J. Sobey on behalf of the American Legion Post 229 inviting all members of the Council to the Tenth Annual Veteran's Day Parade on Sunday, November 7, 2010 at 3:00 p.m. The parade is to begin at Rural Retreat High School, will follow the usual parade route, and end at the Rural Retreat Fire House. Mr. Sobey requested those who will be attending to notify him.

POLICE REPORT

Chief Mitchell explained his monthly activity report of August. He also informed the Council the Rural Retreat Police Department has received a \$2,000 grant from the Department of Motor Vehicles. Chief Mitchell explained this is a highway safety grant and is to be used for monitoring traffic in the town.

UNFINISHED BUSINESS

REZONING/CUP REQUEST ON CHERRY STREET – Councilmember Schaack made a motion to accept the Planning Commission's recommendation to rezone the parcel of property on Cherry Street from R-1 (Residential – Low Density) to R-2 (Residential – Medium Density).

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The motion was seconded by Councilmember Hall. Vice-Mayor Crigger commented he thought Commissioner West made a valid point on rezoning more of the properties on Cherry Street. He asked Mr. Matney if this change could be done without the owner's consent. Mr. Matney responded yes it could. Vice-Mayor Crigger continued by stating he thought the Planning Commission should be asked to look at changing the zoning in this area. There being no further discussion, the motion passed by a vote of five (5) for and zero (0) against.

Councilmember Schaack then made a motion to accept the Planning Commission's request to issue a conditional use permit to Harvey Luttrell for the placement of a doublewide manufactured home on Cherry Street. The motion was seconded by Councilmember Hall and passed by a vote of five (5) for and zero (0) against.

DOMESTIC VIOLENCE AWARENESS PROCLAMATION – Mr. Matney explained this proclamation recognizes this is an issue in society and was brought about because a young lady became a victim of domestic violence. He added this is to bring awareness to the cause. Councilmember Yontz made a motion to accept the proclamation recognizing October as Domestic Violence Awareness Month. Councilmember Mecimore seconded the motion and it passed by a vote of five (5) for and zero (0) against.

PROPOSED TOWN NEWSLETTER – Councilmember Yontz reported he is continuing to work on a preliminary draft of a town newsletter. He stated he is mainly looking for content. He distributed a draft to the Councilmember's and asked they provide feedback to him on the layout. Mr. Matney asked Councilmember Yontz to put a rough draft format together and distribute it to the Council and office staff for review.

COMMUNITY WARNING SYSTEM – Mr. Matney stated this is a work in progress and is still being reviewed by the manufacturer.

HAZELNUT LANE WATER CONNECTIONS – Councilmember Mecimore stated he had reviewed a plat of the lots on Hazelnut Lane and upon doing so he felt this would persuade the Council to not place a water line on Hazelnut Lane. Councilmember Hall made a motion make the water connections in the right-of-way on Myrtle Lane and to not install a water line on Hazelnut Lane. Vice-Mayor Crigger seconded the motion. He commented all residents should be made aware they are required to have a cross connection prevention device to separate their water systems. The motion passed by a vote of five (5) for and zero (0) against.

NEW BUSINESS

Councilmember Mecimore commented he thought the Council should consider installing a monitor so the citizens present could follow along with the meeting. Vice-Mayor Crigger stated he thought a hard copy of the items that require action should be available for review. Councilmember Mecimore added he thought the installation of a monitor would be better and he continued by stating the meetings should be recorded to allow Porter Sage to televise the

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meetings on the local cable channel and the meeting could be uploaded to the town's website. Mayor Litz asked this item remain on the agenda as unfinished business.

COMMITTEE REPORTS

HERITAGE DAY – Chairman Yontz scheduled a meeting for 6:00 p.m. prior to the next Council meeting on September 28.

FINANCE & APPROPRIATIONS – Vice-Mayor Crigger asked Mrs. Guynn if she had an update on the fiscal audit. Mrs. Guynn reported the auditors are trying to work us into their audit schedule.

PERSONNEL – Chairman Schaack reported the committee met at 6:00 p.m. this evening to review the community description. He asked all council members to offer items relating to the town's history, future and other items they thought should be included. Chairman Schaack added Mr. Matney had suggested the town form a mission statement to be included on the document.

Prior to continuing with the agenda, Mayor Litz recognized Wilma Justus who had previously raised her hand to speak. Ms. Justus commented she agreed with Councilmember Mecimore because it would be nice to see the items on the agenda for consideration. She also suggested the town purchase a dry erase or chalk board to write figures on for the public to see during the meeting.

PLANNING COMMISSION – Councilmember Schaack reported on the Planning Commission meeting held the previous evening. He explained Anne Beckett from the Virginia Department of Historical Resources attended the meeting to explain historical districts. Councilmember Schaack stated Ms. Beckett explained when she submitted the first historical district plan a total of 30 points was needed and was barely achieved. Ms. Beckett is willing to work with the town to possibly form a second historical district. Councilmember Schaack referenced handouts that Ms. Beckett had distributed to the Planning Commission and were distributed to the council also. Mr. Matney explained to have a strong historical district a concentrated area is needed which Rural Retreat doesn't have due to structures being sporadically located in the town.

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:

IN-TOWN WATER PROJECT – Rural Development has approved the low bid contractor for this project. We are waiting on their approval of the contractor's documents prior to issuing a "Notice to Proceed." This loan is anticipated to close next week in order to take advantage of the lower interest rate of 4.375% instead of 4.75% which will result in a significant savings over the life of the loan.

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OUT-OF-TOWN WATER PROJECT – DIVISION I – Construction on Myrtle Lane is near completion and Rural Retreat Lake Road will be completed within the next two weeks. This project is on schedule and the contractor's performance has been satisfactory. The restoration for both project areas has been better than the way it was found before construction. Additional correspondence will be mailed to prospective customers in both areas giving specific deadlines for connections. Mr. Matney recommended allowing six months to connect due to the winter season coming.

OUT-OF-TOWN WATER PROJECT – DIVISION II – The Gienow Road to Rural Retreat Elementary School campus construction is complete. The line will be pressure tested and disinfected this week and should be placed in service next week.

TEA-21 SIDEWALK/BIKEWAY PROJECT – The storm water drainage has been installed across the practice field at Rural Retreat High School and the disturbed area has been seeded. Mr. Matney had spoken to the school officials and they are pleased with the restoration. The contractor will begin removing the old sidewalks on Buck Avenue this week. Mr. Matney reported the sidewalk removal began today. The relocation of utility poles has been completed and Century Link began moving phone lines on Friday. Mr. Matney explained since the street is closed due to the sidewalk removal it will be a good opportunity to move the phone lines also. Currently, this project is on schedule. The town will need to relocate the water main on North Greever Street to accommodate the drainage structure near the rescue squad building. This will require North Greever Street to be closed for approximately one day.

FIRE DEPARTMENT FLOOR – The cracks have been repaired and the expansion joints have been cut. Mr. Matney spoke to representatives with Sherwin Williams and they have a field representative that will be looking at the floor tomorrow and making a recommendation as to the best material to use. Upon receiving a proposal and cost estimate a report will be made to council for consideration.

CONSTITUTION WEEK PROCLAMATION – Mr. Matney read the proposed resolution recognizing September 17 – 23, 2010 as Constitution Week. This request was made by Rose Lester on behalf of the Rural Retreat Public Library. The consensus of the council was to adopt this proclamation.

WATER AND/OR SEWER SERVICE REQUESTS – Two requests for water and/or sewer service have been received. Billy Jo Chandler is requesting a water connection of Murphyville Road and James Michael Tibbs is requesting water service and potentially sewer service on Earles Road. Mr. Matney commented the request on Earles Road may require a pump system in order to connect to the sewer. Mr. Matney asked if the connections on Myrtle Lane, Rural Retreat Lake Road and if the Ridge Avenue line is built would these require the council's approval. Mayor Litz responded to Mr. Matney by stating if he recommends a connection to the council then there shouldn't be a question whether the person can connect to the utilities or not. Vice-Mayor Crigger made a motion to approve the water connection on Murphyville Road, the water and sewer connection on Earles Road and the water connections forthcoming from

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residents on Myrtle Lane, Rural Retreat Lake Road and Ridge Avenue. The motion was seconded by Councilmember Mecimore and passed by a vote of five (5) for and zero (0) against.

RRHS HOMECOMING – Homecoming at Rural Retreat High School will be on Friday with a parade at 6:00 p.m. along the usual parade route. A bonfire will be held tomorrow night at the Rural Retreat Lake Pool parking lot. Mr. Matney encouraged the council’s participation in the parade. Councilmember Schaack asked if the parade will still travel down East Buck Avenue. Mr. Matney replied yes, the area where the sidewalk has been removed will be blocked off.

TREASURER’S REPORT

The bills for September 9 and 24, 2010 were read and approved.

TALK OF THE TOWN

Mr. Matney asked Jayne Hall if she would like to attend the *Talk of the Town* radio program at the WYVE/WXBX radio station on Wednesday morning to promote the 5K Pepper Run/Walk. Ms. Hall declined the offer. Mr. Matney agreed to attend.

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.

Mayor

Clerk