

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, NOVEMBER 26, 2001, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett

Members absent: None

Others present: Town Manager C. Wayne Sutherland, Jr., Town Clerk Sharon P. Cassell, Assistant Town Manager Stephen A. Moore, Town Attorney Robert P. Kaase, Patrol Officer Chris Irvin, Danny Gordon with WYVE/WXBX, Stephanie Porter-Nichols with Southwest Virginia Enterprise, Joe Sheffey, Sr.

RE: CALL TO ORDER, QUORUM, INVOCATION, PLEDGE

Mayor Crewe called the meeting to order and established that a quorum of Council members was present. The invocation was given by Councilman Jones followed by the Pledge of Allegiance led by Councilman Crockett.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of November 13, 2001. A motion was made by Councilman Jones and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting of November 13, 2001. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next agenda item is Citizens' Period. He inquired if there are persons present who wish to address the Council during Citizens' Period. There being none, he proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. As the Council will recall, several months ago, the Council authorized the Town to proceed on behalf of the Virginia Municipal League/VACO APCO Negotiating Committee to be involved in the rate negotiation issues that are now before the State Corporation Commission. The essence of this case or the regulations that are being developed would be to protect local governments from rate increases during the deregulation period. Normal business and residential consumers were going to be protected over a period of time up until 2007 when the method of payment or the acquisition of power was totally deregulated, but there was no protection for local governments. Mr. Howard Dobbins who acts as counsel for this Committee and also serves as the Virginia Municipal League's legal counsel called and stated they reached an agreement with AEP such that there would be protections for local governments through the year 2007, and after this time, it will be an open market. It does appear that the efforts were worthwhile, and as a matter of fact, it is going to be worthwhile for all local governments and State governments who are located in the AEP territory. This was a good venture for the Town of Wytheville, but the Town has not received the invoice for this project. Mayor Crewe inquired if anyone has any questions or comments regarding this matter. Town Manager Sutherland stated he expects to receive some information regarding this matter, and, hopefully, it will give the Town a simpler explanation of being part of the Federal Energy Regulatory Commission proceedings and the State Corporation Commission proceedings. The Town has received very complicated documents regarding this matter.
2. Tomorrow afternoon the Joint Industrial Development Authority will hold a public forum to receive comments about what should be on the targeted industry list for their efforts. This meeting will be held at Smyth Hall at 2:30 p.m. tomorrow afternoon, and members of Council are invited to attend. Mayor Crewe noted this meeting is scheduled for at least two hours because there is a presentation at 4:30 p.m.

3. The Town has received a request from the Concerned Citizens Network with regard to holding the annual Martin Luther King Birthday March. This March will be held on January 20, 2002, and is normally held at 2:00 p.m. The time was not specified in their request, but Town staff assumes it will be at 2:00 p.m. Town Manager Sutherland advised that he is requesting permission from Council to issue a parade permit for this March. Mayor Crewe inquired if any member of Council has any problems with this request. There being none, it was the consensus of Council to issue a parade permit to the Concerned Citizens Network to conduct the annual Martin Luther King March on January 20, 2002, at 2:00 p.m.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that at the last meeting of Council, the Committee reported that they were considering certain amendments to the Personnel Ordinance revising regulations with regard to background checks of prospective employees and policies concerning the direct supervision of employees within a department. She remarked that tentatively, these amendments were to be placed on the Council's agenda for consideration at this meeting, but the Public Works Committee has asked for additional time to review these proposed amendments since the holiday cancelled one of their meetings, and they have not, as yet, had the opportunity to review this ordinance in detail. Vice-Mayor King stated the Committee would anticipate that this matter will be placed on the agenda for the next meeting of Council.

Vice-Mayor King also reported that over the past several months, the Committee has reviewed a number of proposed amendments to the budgets presented by department heads. She explained that these amendments are the result of a number of factors such as projects that were carried from one fiscal year to another, insurance reimbursements, and a variety of other unanticipated expenditures or receipt of funds. Vice-Mayor King indicated that in past years, the auditors have allowed budget amendments to be processed within the accounting system provided that the total approved budgetary number was not changed. She stated that this year, the auditors have advised that they would prefer that the Council amend the various departments' budgets to reflect these changed financial conditions even though it may or may not change the total budgetary number. Vice-Mayor King noted the Committee will have a summary of these amendments available for its review during this next week and would suggest that action be taken on them at the next meeting of Council. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Crockett, reporting for the Public Works Committee, stated that at the last meeting of Council, several concerned parents were present requesting certain revisions to traffic control devices on Tazewell Street near Spiller School. He stated that additionally, the committee appointed by the School Board offered suggestions for actions that could be taken that they felt would improve the safety of students at Spiller School in crossing Tazewell Street. Councilman Crockett remarked that the Committee reviewed all of these recommendations in detail and have concluded that the following actions should be taken. (1) The Town authorize the School Board to install concrete barricades along the edge of Tazewell Street and at the crosswalk to create a barrier between vehicles on Tazewell Street and children on the sidewalk preparing to cross the street. (2) The Town has installed several "School Zone" signs along Tazewell Street to alert motorists of the potential for school children to be using the street. (3) The Council has asked the Public Works Department to install rumble strips on Tazewell Street in both directions approaching the crosswalk. These materials have been ordered and should be installed in the very near future. (4) In an effort to slow traffic on Tazewell Street, the Council has asked the Public Works Department to install a three-way stop situation at the intersection of Tazewell and Spiller Streets. Councilman Crockett stated the Council believes that the measures they have recommended will provide as safe an environment for the children crossing the street as can be created. He noted that the Committee might note that it may be necessary for them to review the traffic situation at North Street and First Street. Councilman Crockett explained that there is considerable congestion in this vicinity in both the morning and the afternoon where parents are delivering and retrieving children combined with bus traffic at the rear of Spiller School. He stated the Committee has asked the Police Department to monitor this situation and determine if they detect any actions that could be taken by the Town to improve the situation. Mayor Crewe noted that the concrete jerseys have already been installed. He advised that he is surprised that none of the committee members from the school are present at this meeting, but, generally, people are pleased with the changes the Town has made. Mayor Crewe summarized that the Town will continue to monitor this situation. Town Manager Sutherland pointed out that the Town is probably also going to have to review Third Street. Mayor Crewe stated he thinks this entire area is going to have to be changed around. Town Manager Sutherland noted that Mayor

Crewe is at the school of the mornings so he knows what the situation looks like. Mayor Crewe remarked that it is mass confusion in the mornings at the school.

Councilman Crockett also reported that last week, the Public Works Committee reviewed three preliminary engineering reports prepared by the Town's consulting engineers, Peed & Bortz, LLC. He stated that the preliminary engineering report determines the engineering feasibility of a project, designs the project schematically, and estimates the projected cost. Councilman Crockett indicated that the three projects that were reviewed are as follows: (1) Councilman Crockett noted that the first project reviewed is entitled the "North Wytheville Sewer Extension." He advised that this study considered the extension of service to the Wythe View Subdivision and part of the Birdland Subdivision. Councilman Crockett remarked that generally, the area being considered is bound by Holston Road on the south, the natural drainage divide on the north, and bound on the east by Cove Road. He indicated that there are 104 existing lots within this drainage area with the potential for another 196 lots to be developed. Councilman Crockett stated that this project would consist of approximately 15,000 linear feet of gravity line, 3,200 feet of force main, and a pumping station. He advised that the total projected cost is \$1.56 million. He indicated that the Committee requested this study to be performed since the Town has several inquiries from residents in this area. Councilman Crockett noted that before the study was performed, the Town did not have any idea of the magnitude of this project and needed this information to properly evaluate the potential for providing service. He remarked that given the magnitude of other needed Public Works projects, the Committee does not anticipate recommending this project to be included in the budget for perhaps another five years. (2) Councilman Crockett advised that the second project that was reviewed is a project entitled the "Wastewater Treatment Plant Interceptor." He advised that this project investigates the need to replace the main sewer line going to the Sewage Treatment Plant from a point near the Town Shop southwardly along Atkins Mill Road. Councilman Crockett indicated that the existing line was installed about 1953, and is now showing signs of reaching its capacity. He stated that the Town sewage system has expanded throughout the years, and, ultimately, all sewage collected in the town flows in this interceptor pipe to the Sewage Treatment Plant. Councilman Crockett indicated that the project was reviewed in two fashions, one being expanding the existing line using a pipe bursting method. He noted the other fashion considered the installation of a new line in this vicinity. He advised that the Public Works Committee believes that this is a worthwhile project, and they asked the consulting engineers to use their report again and look at the potential of installing a pipe that would accommodate the Town's sewage needs for the next fifty years. Councilman Crockett stated that the replacement of pipe as proposed would cost about \$760,000, and if the diameter of pipe of certain portions of this line is increased, the price may be slightly more. He summarized that the Committee will share the revised report with the Council once it is received. (3) Councilman Crockett advised that the Committee also reviewed, in a cursory fashion, the information that is available to date about the potential for the Town and County to connect their water systems. He noted that the connection of these two systems has great potential and provides flexibility to both the Town and the County for future years. Councilman Crockett explained that this project would permit the Town to sell excess water capacities to the County, but would also provide the flexibility of the County providing the Town water in emergency situations. He advised that long term, the County is planning to construct a water treatment plant along the New River, which would provide substantial amounts of water that the Town could use to supplement its needs, if necessary. Councilman Crockett stated that the Joint Governing Bodies will be hearing more about this proposed connection in the near future, but it does appear that it is a worthwhile venture. Mayor Crewe indicated that all three of these projects are, obviously, very large projects, but they have long term ramifications for the Town and County. Councilman Crockett indicated that he attended a meeting week before last regarding the regional water study that includes Galax, Independence, Hillsville, Grayson County, Carroll County, Wythe County, and Wytheville. He noted there seems to be some grant funds and various low-interest rates available. Councilman Crockett explained that another meeting will be held in the very near future dealing with some of the information that most of the areas that were represented provided. He stated he thinks there is a potential available, whether the Town necessarily combines with the County, that the regional water system is an achievable project. He noted this might necessitate two or three different phases, but he thinks it has the potential for saving money for all concerned. Councilman Crockett stated this is in the preliminary stage again. A copy of the Public Works Committee Report is attached and made part of these minutes.

RE: APPOINTMENTS – RECREATION COMMISSION

Mayor Crewe stated the next agenda item is the appointment of members to the Recreation Commission to fill the expiring terms of Ms. Cheryl Pugh, Ms. Kelly Sisti, and Mr. Benny Anglin whose terms expire December 31, 2001. He noted that Ms. Pugh and Mr. Anglin are not eligible for reappointment. Mayor Crewe indicated that the Council has the recommendation from the Recreation Commission to reappoint Ms. Sisti and to appoint Mr. Alan Wilder and Mr. Danny

Sowers to the Commission. A motion was made by Vice-Mayor King and seconded by Councilman Crockett to reappoint Ms. Kelly Sisti and to appoint Mr. Alan Wilder and Mr. Danny Sowers to the Recreation Commission. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None. Mayor Crewe noted that these individuals' terms will expire December 31, 2004.

RE: APPOINTMENT – HOMESTEAD MUSEUM BOARD

Mayor Crewe stated the next agenda item is the appointment of a member to the Homestead Museum Board to fill the unexpired term of Ms. Pat Thompson. He noted that Ms. Thompson has resigned from this Board, and the recommendation is that Mrs. Jennifer Morin be appointed to this Board. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to appoint Mrs. Jennifer Morin to the Homestead Museum Board. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

RE: APPOINTMENT – WYTHEVILLE INDUSTRIAL DEVELOPMENT AUTHORITY

Mayor Crewe stated the next agenda item is the notification of appointment of members to the Wytheville Industrial Development Authority to fill the expiring terms of Mr. Steve Irvin and Mr. Tom Green whose terms expire December 12, 2001. He noted this is for the Town's Industrial Development Authority and not the Joint Industrial Development Authority. Mayor Crewe stated that Mr. Irvin and Mr. Green are eligible for reappointment. He noted the Council can make the appointments at this meeting or defer the appointments until the next meeting. Vice-Mayor King inquired as to who the members are on the Wytheville Industrial Development Authority. She inquired if there is any reason the same members would serve on the Wytheville Industrial Development Authority and the Joint Industrial Development Authority. Mayor Crewe noted that the same members do not have to serve on both Authorities. He stated that he could be corrected if he is wrong, but he thinks that Mrs. Maxine Manuel and Mr. Jack Baumgardner are members of the Wytheville Industrial Development Authority. Town Clerk Cassell noted neither Mrs. Manuel nor Mr. Baumgardner are members of the Wytheville Industrial Development Authority. She remarked that possibly Mr. Joe Salerno is a member of the Authority. Town Manager Sutherland advised that this Authority only meets one time per year. Mayor Crewe remarked that the only reason the Wytheville Industrial Development Authority is still in existence is the outstanding bond issue, and they have to hold an annual meeting. He reiterated that this Authority only meets one time per year. Vice-Mayor King remarked that what she is thinking is both of these individuals serve on the Joint Industrial Development Authority so possibly the Council needs to have two different members on the Wytheville Industrial Development Authority. Mayor Crewe remarked that he thinks that originally, they were holdovers from when the Joint Industrial Development Authority was formed. He explained that the Council kept the Town members when they went on the Joint IDA. Mayor Crewe remarked that until the bonds are retired, it is a legal requirement that the Wytheville Industrial Development Authority continues to exist, but there is not any activity at the moment and there has not been any activity. He stated that everything is funneled through the Joint IDA. Councilman Crockett noted that the Wytheville Industrial Development Authority's meetings last between five to ten minutes. Mayor Crewe stated this is correct. Councilman Crockett noted that he has attended a couple of the meetings, and they do not last long. Mayor Crewe noted this is not a very active committee. Vice-Mayor King noted that her husband used to serve on the Wytheville Industrial Development Authority. She remarked that Mr. Irvin and Mr. Green serve on the Joint Industrial Development Authority so possibly the Council could reach out to two other citizens to serve on the Wytheville Industrial Development Authority. Councilman Weisiger advised that it would be good if the Council could find someone else to serve on the Wytheville IDA. Vice-Mayor King advised that Mr. Jerry Langendorfer expressed a desire to her today to serve on the Joint Industrial Development Authority so possibly with just one meeting per year, someone would be interested in serving on the Wytheville IDA. Councilman Weisiger noted that the Council could defer the appointment until the next meeting to see if there are any other applicants. Mayor Crewe stated there is no motion on the floor, so if there is no motion, this is just a notification that these terms expire December 12. He noted the Council will hold another meeting on December 10, so these appointments can be considered at the next meeting.

RE: RESOLUTIONS – GWHS GIRLS CROSS COUNTRY TEAM AND GWHS LADY MAROONS BASKETBALL TEAM

Mayor Crewe stated the next agenda item is the consideration of resolutions recognizing the George Wythe High School Girls Cross Country Team and the George Wythe High School Lady

Maroons Basketball Team. A motion was made by Councilman Jones and seconded by Councilman Weisiger to adopt the resolutions recognizing the George Wythe High School Girls Cross Country Team and the George Wythe Lady Maroons Basketball Team. Mayor Crewe inquired if there is any discussion on the motion. He noted since no members of either team are in attendance at the meeting, he will not read the resolutions. The motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

RE: CHRISTMAS LIGHTS

Vice-Mayor King stated the lights on Main Street are beautiful. She indicated she appreciates the Town workers because they were working on the lights at 5:00 a.m. this morning. Mayor Crewe noted that Town crews started very early this morning, and the lights look very good.

RE: CHRISTMAS PARADE

Mayor Crewe noted that he would remind everyone of the Wytheville-Wythe-Bland Chamber of Commerce's Christmas Parade on Saturday, December 1, at 5:00 p.m.

RE: OAKWOOD CEMETERY

Mr. Joe Sheffey stated he received a letter from attorney Tom Hodges. He inquired that he would like to know what the holdup is on the matter of the Oakwood Cemetery. Mayor Crewe noted that the letter to which Mr. Sheffey is referring is a letter dated November 20, 2001, to Town Attorney Kaase from Mr. Tom Hodges. He indicated that the letter states, "On November 19, I filed the attached petition on behalf of the Oakwood Cemetery. It is my understanding that you will file responsive pleadings similar to the ones that you previously brought to me, and you will further have the Court sign an order of publication in accordance with your response. I, in turn, will have Mr. Sheffey bring all of the records relating to the Oakwood Cemetery relaying as best as we can determine the location of all persons buried there. He will have the records pertaining to the cemetery finances as well as the perpetual care. I don't believe there will be much left insofar as the monies to the cemetery account as I expect the cost of what I have done will take up much of that. Please keep me advised of how this matter is proceeding. Once I receive your response, I will draft a final order which will be presented to the Court. Thank you for your cooperation. Sincerely, Tom Hodges." Mayor Crewe advised that he would assume that Town Attorney Kaase has the original letter. Town Attorney Kaase stated he received the letter. Mayor Crewe noted that Mr. Hodges has filed the petition, and inquired if Town Attorney Kaase has filed the answer. Town Attorney Kaase answered that he has not filed the answer. Mr. Sheffey inquired if Town Attorney Kaase has filed the answer. Town Attorney Kaase advised that he has not filed the answer. Mr. Sheffey advised that Town Attorney Kaase not filing the answer is the holdup. Town Attorney Kaase remarked that him not filing the answer is not the holdup. Mr. Sheffey inquired as to what is the holdup. Town Attorney Kaase noted that actually it took Mr. Hodges a long time to file the petition. He explained that Judge Campbell left the Courthouse at noon on Wednesday, and he will not return until in the morning. Town Attorney Kaase stated there is no point in getting the order to Judge Campbell until tomorrow since he cannot sign it until that time. He explained that the order is ready, and it will be on Judge Campbell's desk in the morning for the order of publication. Mr. Sheffey noted the material the Council is asking for is not a problem. Town Attorney Kaase advised that is good. Mayor Crewe inquired if the publication will run for two or three weeks. Town Attorney Kaase answered that the publication is set up to run two weeks. Mayor Crewe noted that everyone should see the ad in the newspaper starting as soon as the Judge signs the order tomorrow.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:25p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Cassell, Clerk of Council, CMC