

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, AUGUST 25, 2003, 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., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, Patrol Officer Tommy Lester, Stephanie Porter-Nichols with Wytheville Enterprise, Danny Gordon with WYVE/WXBX, Danny Neel, Sandy Etter

**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 Weisiger 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 August 11, 2003. He inquired if there is a motion that the minutes of the meeting of August 11, 2003, be approved as presented. A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve the consent agenda consisting of the minutes of the regular meeting of August 11, 2003. 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 stated he does not believe there is anyone present who wishes to address Council, but if anyone should arrive later, he will give them the opportunity to speak. There being no one present who wished to address Council, Mayor Crewe proceeded with the agenda.

**RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. Town Manager Sutherland reported that at the last meeting of Council, there was an issue on the agenda dealing with revising the number of off-street parking spaces required for movie theater complexes, and subsequently, after a number of citizens spoke, there was no action taken. He advised that this meant that the regulations did not change. Town Manager Sutherland indicated that Town staff met with the developer, Mr. Tim Scoggin, and advised him that he would need to provide the spaces as now required in the ordinance. He advised that Mr. Scoggin is able to comply with the existing ordinance by reducing the number of areas intended to be landscaped and replacing them with parking spaces. Town Manager Sutherland stated that the revised plan technically complies with the ordinance and meets all of the parking requirements. He advised that he believes Mr. Scoggin will proceed with this project.
2. Town Manager Sutherland indicated that a pre-bid conference was held on Thursday afternoon with contractors who may be interested in bidding on the excavation work for the Community Center. He stated there were five contractors present, and he understands there may be some other contractors who expressed interest in the project. Town Manager Sutherland advised that the project will be bid on September 4 at 2:00 p.m.

**RE: BUDGET AND FINANCE COMMITTEE REPORT**

Councilman Jones, reporting for the Budget and Finance Committee, stated that at the last meeting of Council, the Committee noted they were going to invite the executive director of the Joint Industrial Development Authority, Alan Hawthorne, to attend this meeting of Council and provide an overview of the state's Enterprise Zone program. He advised that because of time constraints associated with the submission of an application, both Committees have been given

the information at the Committee meetings. Councilman Jones explained that an Enterprise Zone is a specially designated area intended to stimulate overall economic growth by providing tax incentives and financial incentives to businesses and industries operating within the district. He noted that the designation as an Enterprise Zone is made by the governor and lasts for a period of twenty years. Councilman Jones stated that Wythe and Carroll Counties jointly applied for and received an Enterprise Zone designation for the Ivanhoe Industrial Park in 1984, and in the year 2000, the Enterprise Zone was amended to include Progress Park. He indicated that the Enterprise Zone designation for both of these areas expires this year, and, therefore, it is necessary to make application to have a new Enterprise Zone designated. Councilman Jones explained that the reason businesses and industries are interested in locating in an Enterprise Zone is that the state provides certain income tax credits, certain credits on real estate improvements, and the business or industry can get cash grants for the creation of jobs. He noted that at the local level, certain incentives are also provided to businesses and industries locating within the zone. Councilman Jones stated that in this year's reapplication process, it has been determined that the good approach would be a four-way application among Wythe, Bland, and Carroll Counties and the Town of Wytheville. He advised under this scenario, Progress Park would be the primary zone, and the zone would extend into the corporate limits. Councilman Jones stated that there are certain rules on the number of acres that can be declared an Enterprise Zone and, in the Town's case, would range from an area as small as 171 acres to as large as 885 acres. He indicated that the application for an Enterprise Zone must be submitted to the Virginia Department of Housing and Community Development no later than October 1. Councilman Jones noted that the application is rather lengthy and requires large amounts of demographic, financial and other data. He explained that the process also requires that the governing body conduct a public hearing to receive comments on the creation of the proposed district. Councilman Jones indicated that both Committees agree that it is worthwhile for the Town to seek an Enterprise Zone within the corporate limits, and, as such, the Budget and Finance Committee would recommend that the appropriate legal advertising be conducted and that a public hearing on this issue be held on September 22, 2003. He stated that there are certain decisions that will need to be reached within the next few weeks that involve determining the size of the zone within the corporate limits and the local incentives that the Town will offer to qualifying businesses and industries. Mayor Crewe advised that it is his understanding that the Public Works Committee reviewed the matter and had no problem with scheduling the public hearing as soon as possible, which would be September 22. There being no objection, he stated that the public hearing would be scheduled, and the Committees would make the decisions regarding the size and local incentives in the coming weeks. Mayor Crewe thanked Councilman Jones for the Committee's report. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

#### **RE: PUBLIC WORKS COMMITTEE REPORT**

Councilman Crockett, reporting for the Public Works Committee, stated that the Regional Water Committee met on Thursday afternoon to continue the discussions on the creation of an authority to be formed among Carroll County, Wythe County, and the Town of Wytheville. He advised that as the Council has discussed on many occasions, this authority would connect all three water systems and provide for all of the participants assurance of an adequate water supply in the future. Councilman Crockett explained that in the short term, the Town's system would be connected with the County's system and would allow the County to purchase water from the Town. He noted that ultimately, a new water treatment facility would be located on the New River near Austinville that would then have the capability of providing all three participants with additional water supplies. Councilman Crockett indicated in order for this concept to move forward, it is necessary that an authority be created. He explained that because this new authority will be seeking certain grant and loan funds in the future, it is important that it be created as soon as possible, such that this new legal entity could start making such applications. Councilman Crockett noted that the Committee has attached, for the Council's review, a draft of a resolution that creates the authority, and also has included, for Council's review, the articles of incorporation of this new authority. He stated it would be the recommendation of the Public Works Committee that the Council proceed with publishing the required legal notices and setting a public hearing on this matter for October 13, 2003. Mayor Crewe advised that, likewise, it is his understanding that this is acceptable to the Budget and Finance Committee, and the public hearing will be set for October 13. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

#### **RE: REZONING REQUEST – SANDY ETTER**

Mayor Crewe stated the next agenda item is to consider the request of Mr. Sandy Etter for the rezoning of property located on the west side of Peppers Ferry Road between 19<sup>th</sup> Street and Loretto Drive from R-2 Residential to B-1 Business. He indicated it would be necessary for the Council to conduct a public hearing, which can be scheduled for Monday, September 22, 2003,

at 7:00 p.m. Mayor Crewe inquired if there are objections to setting a public hearing at that time. Vice-Mayor King indicated that Mr. Etter is attending the meeting. Mayor Crewe advised that Mr. Etter is welcome to address the Council, and Mr. Etter declined to speak. Mayor Crewe advised that it is the recommendation of the Planning Commission that the Council approve the rezoning request for the rezoning of the property from R-2 Residential to B-1 Business with Conditions. He stated that there are stipulations on the rezoning that can be reviewed at the public hearing, which will be advertised and held at the September 22 meeting of Council. Mayor Crewe advised that anyone with comments regarding this request would have an opportunity to appear before Council at that time. He noted that he is sure Mr. Neel would keep Mr. Etter well advised regarding the matter. Mayor Crewe thanked Mr. Etter and Mr. Neel for attending the meeting.

**RE: REQUEST FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

Mayor Crewe stated the next agenda item is setting a public hearing to consider a Certificate of Public Convenience and Necessity for Blue and White Cabs, Incorporated of Pulaski. He advised the public hearing could be advertised and set for September 22, 2003. Mayor Crewe inquired if there are objections to setting a public hearing at that time. There being none, he indicated the hearing will be scheduled for September 22, 2003.

**RE: ANNUAL PLANNING COMMISSION REPORT**

Mayor Crewe stated the last agenda item is the annual report of the Wytheville Planning Commission, which the Council has before them. He noted that as the Council can see, once again, the Commission has had a busy year.

**RE: ADJOURNMENT**

Mayor Crewe inquired if there is any further business to be discussed. There being none, a motion was duly made, seconded, and carried to adjourn the meeting (7:10 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, CMC, Clerk of Council

## **BUDGET AND FINANCE COMMITTEE REPORT**

**SEPTEMBER 8, 2003**

1. At the last meeting of Council, we reported that both Committees of the Council were reviewing the Town's participation in the state's Enterprise Zone Program. As you will recall, an Enterprise Zone is a specially designated area intended to stimulate overall economic growth by providing tax incentives and financial incentives to businesses and industries operating within the district. Our discussion over the past several weeks has regarded the geographic area that we would desire to have designated as an Enterprise Zone and the incentives that would be offered to qualifying businesses and industries.

As we discussed at the last meeting, the area within the Town's corporate limits that could be designated as an Enterprise Zone could vary in size and configuration, but must have a continuous land connection with Progress Park. We considered a number of alternatives ranging from the designation of an area as small as 171 acres to the designation of all areas within the corporate limits east of Nye Road, which consists of approximately 885 acres. After reviewing both of these types of arrangements, we are of the opinion that the smaller tract of approximately 171 acres would be the best approach. In this situation, the land generally described as being around the new Pepsi facility with an extension along Lover's Lane to Progress Park would accommodate our immediate and future needs. Under the rules of the program, the land area within the corporate limits could be expanded, if

needed, at some point in the future. Secondly, we have discussed, at some length, the thresholds that would be required for a business or industry to qualify for local incentives. We believe that it is reasonable to set the threshold for local incentives as creating, at a minimum, 20 jobs, and constructing, at a minimum, \$1 million worth of facilities. For those businesses and industries that would meet this threshold, we are proposing that the following incentives be offered. The incentives would include a fifty percent reduction in fee for a building permit, fast-tracking the building permit application process to assure a thirty-day turn around after the submittal of plans, and the waiving of water and sewer connection fees (though the cost of the meter and certain piping would not be waived).

Therefore, it is the recommendation of the Budget and Finance Committee that the Town participate in the Enterprise Zone Program, that we designate the geographic area consisting of 171 acres as denoted on a plat prepared by the Joint Industrial Development Authority, and that we provide the local incentives as outlined above.

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Jacqueline K. King

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John W. Jones, Jr.

## **PUBLIC WORKS COMMITTEE REPORT**

**SEPTEMBER 8, 2003**

1. We have continued our work on the creation of a regional water authority that will be formed among Carroll County, Wythe County, and the Town of Wytheville. This new authority will be known as the New River Regional Water Authority. The Town Council will conduct a public hearing on this matter on October 13, while Carroll County and Wythe County will hold their public hearings on October 8 and October 14 respectively. At the October 13 meeting, after receiving public comment, the Council will consider the adoption of a resolution, which creates the New River Regional Water Authority. This resolution sets forth that the three named jurisdictions find the creation of an authority beneficial and that the authority is being created under regulations set forth in state law. The resolution also sets forth the articles of incorporation for the new authority. Initially, there will be seven board members appointed to govern the authority. The terms of the seven members are staggered to terminate on June 30 of each year. Initially, two members will be appointed by Wytheville, two by Carroll County, and three by the County of Wythe. The articles provide that each participating jurisdiction will appoint two members to the authority, and the seventh board member will be appointed by the jurisdiction that uses the largest share of the new water plant's capacity. The jurisdiction with the authority to appoint the seventh member could vary, depending on varying consumptions by jurisdictions. The articles also provide that board members shall be members of the governing body of the participating locality or employees of the

participating locality. It is our recommendation that the appointments to be made by the Town Council would be Charles G. Crockett and C. Wayne Sutherland, Jr. If the Council concurs, we would move that these two persons be appointed to the New River Regional Water Authority with Mr. Sutherland's term expiring in 2005 and Mr. Crockett's term expiring in 2006.

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William B. Weisiger

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Charles G. Crockett

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