

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 8, 2004, 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 Chris Irvin, Danny Gordon with WYVE/WXBX, Stephanie Porter-Nichols with Wytheville Enterprise, Amanda Gordon, Ron Jefferson, Dan L. Adams, Gary W. Shepherd, Agnes Eades, Francesca Lunsford

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 February 23, 2004, and the request of the New River Highlands Resource Conservation and Development Council for waiver of fee for use of the Elizabeth Brown Memorial Park for a company picnic. 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 February 23, 2004, and the request of the New River Highlands Resource Conservation and Development Council for waiver of fee for use of the Elizabeth Brown Memorial Park for a company picnic. 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 recognized Mr. Dan Adams with American Electric Power who is going to address the Council regarding the renewal of the franchise for an electric light, heat and power transmission and distribution system in the Town. Mr. Adams noted the franchise that American Electric Power or Appalachian Power Company currently has with the Town of Wytheville will expire April 28, 2004. He stated they need to initiate the process of renewing this franchise agreement. Mr. Adams advised that he has already given the Council a copy of the proposed franchise, and, hopefully, the Council has had an opportunity to review it. He explained that this franchise is identical in content to the franchise that is currently in place with the exception of an addition of one section covering the relocation of facilities that Town Manager Sutherland requested that they include in this franchise. He remarked that this agreement terminology is the same that they used with the Virginia Department of Highways and Transportation on relocations of facilities involving their roads, etc. Mr. Adams reiterated that it is identical to what American Electric Power does with the State. He noted he would entertain any questions that any Council members may have about the proposed document. Mayor Crewe stated what the Council has in their package, which they have had an opportunity to read, is basically two parts. He noted it is the formal notice of American Electric Power's request to renew the franchise when it expires, and it seeks authorization to run the advertisement which is required for four weeks, which is in the documents that the Council has in their package. Mayor Crewe advised that this franchise allows the power company to use the Town rights of way for the location of poles for electric service. He inquired if there are any comments, questions, or discussions. Town Manager Sutherland noted if he understands correctly, what this ordinance actually does is set forth the mechanism for the Council to solicit bids or proposals from providers and, then, subsequently, the Council will offer a franchise to someone. He stated it speaks to the grantee and not AEP. Mr. Adams stated that is correct, and noted at this point, it is open for anyone and it does call for bids to be received and a franchise to be awarded to the successful bidder. Town Manager Sutherland stated the award will be a separate action. Mr. Adams stated that is correct and noted he cannot recall the exact date, but he thinks it is April 26, and this will be the Council meeting he will be attending to offer American Electric Power's bid and he will work toward that date. He noted that, certainly, it is a bid process if someone else wants to operate an electric utility system in the Town of Wytheville. Town Manager Sutherland remarked that he was noting

this because the ordinance speaks of the grantee and not of American Electric Power, so this is the language that leaves this open until a bidder is selected. Mr. Adams advised that is correct, and noted, of course, the word "grantee" would still be in the ordinance at that point in time, but if the Council reviews Page 3, Section I, it is open at that point. He remarked that the final franchise would look like the one in the Council package except that it would state Appalachian Power Company or American Electric Power in the paragraph, and it would go forward from there. Councilman Crockett stated he has a couple of questions. He remarked that he knows this was renewed in 1980, and he believes it is for 24 years. Mr. Adams stated that is correct. Councilman Crockett inquired if this is a normal timeframe for other localities as well. Mr. Adams pointed out that 24 years is a little odd, and advised he has no idea how the 24 years was arrived at. He noted he has seen the franchises anywhere from 20 years to 50 years, and it just depends on the community. Mr. Adams remarked that he felt 20 years was probably a reasonable time period to go for the renewal. Mayor Crewe stated the Council has two parts that they have been called upon to approve at this meeting. He noted the first part would be Page 1 in the package, which basically states the Town passed the ordinance authorizing the process to begin. Mayor Crewe remarked that attached to this is the sample ordinance that would be advertised. He stated the Council will note that on Page 2, the fifth or sixth line down, it talks about the President of the Council of the Town, and under the Town's corporate charter, the Town does not have a President, and this language would have to be struck in the final draft. Mayor Crewe noted that otherwise, he thinks it is applicable. Mayor Crewe inquired if there is any other discussion. Councilman Crockett advised if he understands Mr. Adams' comment correctly, this proposed franchise is for 20 years, and the previous franchise is for 24 years. Mr. Adams noted that the franchise that is getting ready to expire is a 24-year document, and he is proposing that the new franchise be a 20-year document. Mayor Crewe stated the 20 year time period is set forth on Page 3, Section III. Mr. Adams indicated he would like to clarify one thing if there is a question in anyone's mind, and noted that this has nothing to do with rates or billing, but this franchise will give the successful bidder the right to set poles on Town property without coming to the Town every time they need to do this to secure documents allowing them to set the poles. Mr. Adams noted he explained this in case the Council was wondering about the 20 years tying in rates or doing anything in that respect. Councilman Crockett advised that he did not think the franchise had anything to do with rates. Mayor Crewe advised that, unfortunately, AEP will not sign up for 20 years regarding the rates. Town Manager Sutherland remarked that as a footnote, both Committees at their meeting this week will see the contracts for the service agreements. Mr. Adams advised this is for the public authority agreements. Councilman Crockett inquired as to which paragraph Mr. Adams stated Town Manager Sutherland had requested. Town Manager Sutherland advised it is Paragraph VII. He explained that actually, this is the way the Town has been operating, but it was rather informal. Mr. Adams noted it was sort of a gentlemen's agreement and not written, and now it is spelled out. Mayor Crewe inquired if the poles have been moved. Town Manager Sutherland advised that is correct. Mayor Crewe inquired if there are any other discussions, questions, or comments. There being none, he noted he would entertain a motion to approve the ordinance that would basically grant the request to start the renewal of the franchise. A motion was made by Councilman Weisiger and seconded by Councilman Crockett to approve the proposed ordinance and authorize the Town staff to advertise a descriptive notice of the proposed ordinance inviting bids for a franchise for an electric light, heat and power transmission and distribution system in the Town. Mayor Crewe inquired if there is any discussion on the motion to adopt the resolution. Town Manager Sutherland pointed out that this is actually an ordinance and inquired if that is correct. Mayor Crewe stated that the back part of the information is the ordinance, and the front part states the ordinance was passed, and the Council cannot pass the ordinance until after the advertisement, and noted this is the way he is reading it. Town Manager Sutherland inquired of Mr. Adams if this is a two-part process in that the ordinance is adopted, but the grantee will not be selected until the process is over, and the successful grantee will have their name inserted. Mr. Adams stated that is correct. Mayor Crewe advised that Pages 2-5, if he read them correctly, is the ordinance that the Council would approve after the bidding is over. Mr. Adams remarked that this is just a sample. Mayor Crewe remarked that the way he is reading this, and noted he will wait for Town Attorney Kaase or Mr. Adams to advise him separately and/or differently, but he thinks what the Council is doing is approving Page 1, and it is basically the first page which states the Council is going to advertise Pages 2-5, which is, in fact, the sample ordinance, and noted this is his understanding, and the Council is not adopting the ordinance at this meeting, but the Council is only adopting Page 1. Town Attorney Kaase remarked that Page 1 and the legal notice are really the items that need to be adopted at this meeting. Mayor Crewe advised this is also the way he reads it. Mayor Crewe remarked that the reason they are discussing this is that the Town's rules require an ordinance to be voted on by a roll call vote. He stated the Council is approving the proposed ordinance to start this process. The motion was approved 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

ABSTENTIONS: None

Mayor Crewe remarked that this proposed ordinance is adopted by unanimous ruling and noted this will start the franchise renewal process, and the Council will proceed from there. Mayor Crewe thanked Mr. Adams for attending the meeting and his help in this process. He advised that the Council looks forward to working with Mr. Adams.

Mayor Crewe inquired if there are others who wish to address 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. This week, the Council Committees will meet on their regular day and time. Next week, the Committees will reverse meeting days. Therefore, the Budget and Finance Committee will meet on Tuesday, March 16, 2004, and the Public Works Committee will meet on Thursday, March 18, 2004.
2. Tomorrow, members of the New River Regional Water Authority will be interviewing engineers to start the process of facilities for this Authority.
3. The Town received notice today of a Chamber of Commerce function that will be held on March 16 at 5:00 p.m.
4. The Town also received an invitation today, and noted that the Council members also probably received an invitation, to the Asbury Place facility for an open house. This open house has been changed to next Sunday. Councilman Weisiger inquired if it is next Sunday or this past Sunday. Mayor Crewe noted that the open house was held yesterday.
5. Everyone is aware that the General Assembly is continuing with its inability to adopt a budget. Town Manager Sutherland advised he thinks everyone is familiar with the implications of this. The Virginia Municipal League is having a press conference tomorrow in which the Mayor will be a participant. Town Manager Sutherland remarked that he is unsure how this press conference is going to work tomorrow. Mayor Crewe stated he was asked to go to Richmond, but instead he is going to participate by telephone and stay in Wytheville. He advised that at 10:00 a.m. tomorrow morning, there is a press conference on the Capital grounds, but any person who wants, and advised he will give anyone any information they desire and noted he has it with him, can call in and participate by telephone. Mayor Crewe explained that this is basically to discuss the budget. He remarked that the participants that they have he knows of, and noted he thinks there are others that are going to be on hand, are on the list that was sent to him this afternoon, and remarked he thinks he has it, and it has very few people from southwest Virginia on it. Mayor Crewe stated that Mr. Jerry Wolfe from Bristol; Ms. Rosalyn Dance, the Mayor of Petersburg; Mr. Dana Dickens, the Mayor of Suffolk; Mr. William Euille, the Mayor of Alexandria; Mr. John Hamlin, the Mayor of Danville; Hampton Council Member Turner Spencer, who is the President of VML; Chesapeake Mayor William Ward; Chesterfield County Administrator Lane Ramsey; Hampton City Manager George Wallace; Roanoke City Manager Darlene Burcham; and several members of the staff from VML will participate. He remarked that this press conference will run from 10:00 a.m. to 11:00 a.m. to focus on the budget issue and how important it is that the State has to pass the budget and how that impacts local governments. Mayor Crewe noted there is an 800 number to call in, a pass code, and other information that he will be glad to give to the Council if they would like to know about it and participate. He stated he thinks the call in starts at 9:55 a.m., and the show goes live. Mayor Crewe remarked that if he understands correctly, everyone in the General Assembly building will be on speakerphones, and there will be a video display where they can see each other and some of the callers who have the videoconferencing on the other end. He noted the rest of them will be on the speakerphone with the whole room full of the press corps from the Capital, and anyone else statewide who wants to participate is invited to call in and ask any questions of any local officials they desire. Mayor Crewe summarized that the focus of the press conference is financial. Town Manager Sutherland indicated that he thinks the League is gravely concerned that they are going to leave Richmond without a budget, and then it is going to be a bigger mess than what they have with the Conference Committee. Mayor Crewe noted that to summarize, it is not only that the

State does not have a budget but also what the proposal will do to local governments' budgets.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Jones, reporting for the Budget and Finance Committee, stated that the Town has received notice from the Virginia Department of Environmental Quality requesting "demonstration of financial responsibility" for an underground storage tank, which is situated at the Water Treatment Plant. He advised that the underground tank at the Water Treatment Facility holds liquid alum, which is used to treat water. Councilman Jones stated regardless of what the underground tank contains, state regulations now require that any property owner must provide financial security in the event the tank would rupture and potentially cause pollution to ground water. He explained the amount of surety a tank owner must have is dependent on the tank size. Councilman Jones noted that based on the size of the Town's tank, which is the lowest category, the surety that the Town must provide is \$20,000. He stated there are, basically, two options the Town has available in providing this surety. Councilman Jones indicated that first, the Town can purchase a bond or the Council can take action to pledge \$20,000 worth of reserve funds to be used for cleanup in the event the tank ruptures. He noted the Committee thinks the best course of action is to earmark \$20,000 within the Town's reserve funds as the Town's demonstration of financial responsibility. Councilman Jones stated it would be the Committee's recommendation that the Council authorize Town Treasurer Mike Stephens to communicate to the Department of Environmental Quality the Town's pledge of these funds. Mayor Crewe advised he knows when the Public Works Committee reviewed this matter, he thinks they concurred in this recommendation that the least expensive way to do this is to earmark \$20,000 of the Town's reserves rather than having to purchase a bond. He noted unless he hears something to the contrary, by consensus of the Council, they will authorize Town Treasurer Mike Stephens to communicate to the Department of Environment Quality the Town's pledge of \$20,000 as the Town's demonstration of financial responsibility for the underground storage tank at the Water Treatment Plant. Councilman Weisiger noted that the \$20,000 will still stay in the General Fund and grow interest. Mayor Crewe noted the Town does not have to spend the money, but it has to be earmarked for this purpose. Town Manager Sutherland explained that basically, the Town is pledging they will keep \$20,000 for this purpose if something happens to the tank.

Councilman Jones also reported that the Town received a letter from the Wythe Arts Council, Ltd. seeking action by the Town on a number of matters relating to the annual Chautauqua Festival. He noted several of these requests involve the waiving of fees for use of recreational facilities, and, as such, the Recreation Director has reviewed and endorsed the request. Councilman Jones stated a copy of the letter from the Wythe Arts Council and the Request for Waiver of Fees are attached for the Council's review. He noted the Committee has reviewed the requests by the Arts Council and finds them to be essentially the same requests that have been made for many years. Councilman Jones advised that the Committee does not anticipate a problem with any of these items. He stated the Committee would note that the Town has, again this year, applied for grant funds on the Arts Council's behalf. Councilman Jones stated that as such, for all of the areas where fees are being requested to be waived, the Arts Council will need to pay these fees (up to \$5,000) and then be reimbursed by the Town, provided they receive the grant funds. He noted the Town applauds the Wythe Arts Council's continued efforts in bringing quality entertainment to the citizens. Councilman Jones stated it is the recommendation of the Budget and Finance Committee that the Council approve the request of the Wythe Arts Council with the stipulations noted earlier. A motion was made by Councilman Jones and seconded by Vice-Mayor King to approve the requests of the Wythe Arts Council with the stipulation that for all of the areas where fees are being requested to be waived, the Arts Council will need to pay these fees (up to \$5,000) and then be reimbursed by the Town, provided they receive the grant funds. 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. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Weisiger, reporting for the Public Works Committee, stated that at several of their past Committee meetings, they considered requests they have received for the Town to install drainage pipes and/or structures outside of the street right of way onto private property. He stated that during the past eighteen months, there has been significant precipitation, and there have been drainage problems at locations on private properties that do not normally experience these problems during periods when there are normal amounts of precipitation. Councilman Weisiger advised that in any event, the Committee has carefully considered each of these to

determine if the Town should participate in these requested projects. He stated that while there is no doubt that many private property owners have drainage problems, the Committee has come to the conclusion that the long-standing Town policy regarding drainage works on private property is still a sound policy. Councilman Weisiger explained that the Town has had a long-standing policy that it will not perform drainage projects on private property. He stated that as the Council knows, there are many problem drainage areas, and if the Town assists one or more private property owners with their problem, it would clearly be the precedent for performing drainage projects on private property all over town. Councilman Weisiger noted the Committee thinks the current policy is sound, and, unless the Council wishes to amend this policy, the Town will continue with it. Mayor Crewe stated his understanding when the Budget and Finance Committee reviewed this was that there is no big urge to change the policy. He noted unless he hears to the contrary, he thinks the consensus of the Council would be to continue with the current policy as the Public Works Committee recommends.

Councilman Weisiger also reported that recently, there were some serious electrical problems with the traffic signals at the corner of Fourth and Main Streets. He advised that much of the wiring beneath the street was installed many years ago, and has deteriorated to the point that it caused an electrical short, which made the signal inoperable at various times for about two days. Councilman Weisiger noted that Town forces were able to repair the signal to the extent that it became operable, but advised all of the conduits and other connections beneath the street will need to be redone. He remarked that since there will be several conduits and other electrical devices buried beneath the pavement, there will be periods when crews will be in Main Street working. Councilman Weisiger stated that the Town plans on this work being performed in the evenings so it will not impact traffic in the downtown area during the daytime. He noted that an exact date for this construction has not been established, but the Town would anticipate it would be within the next couple of months. Councilman Weisiger indicated that no action is needed by the Council, but the Committee did want to make everyone aware of the work that would be performed at this intersection. Mayor Crewe inquired if this is what the Town was working on today near the bank. Councilman Weisiger advised he thinks this was something else. Town Manager Sutherland remarked that he thinks today, the Town forces were cutting the island back in front of the bank. Councilman Jones remarked that it looked like the Town was going to put in a new sidewalk. Town Manager Sutherland advised he did not go to the work site today, but he knows the Town forces were planning on cutting the island back. He noted that Councilman Crockett has inquired about this for some time. Councilman Crockett advised that is correct and noted trucks run over the corner of this island. Mayor Crewe remarked that this work would have been performed on the corner, but today, they were working closer to Monroe Street. Councilman Weisiger advised that is correct, and he is unsure what the Town forces were doing. Vice-Mayor King stated that it appeared that the Town forces were putting in a new sidewalk, curb, etc. Councilman Jones stated the work was being performed where the bank patrons drive in. Mayor Crewe noted this is where the Town forces were digging, but they had gone on down beyond that point, and he figured this is where the conduit pipe was going, but advised he did not know. Councilman Jones indicated that his question is that on Sunday, the Town had Monroe Street closed between Tazewell and Fourth Streets. Mayor Crewe indicated that this work was in conjunction with King's Produce and pumping the sewer around to check the manhole, and they were trying to find this drainage problem. He noted he thinks the Town had several crews working all weekend. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: RESOLUTION - CASSELL PINES DEVELOPMENT PROJECT

Mayor Crewe stated the next agenda item is the consideration of a resolution regarding the Virginia Community Block Grant funds for the Cassell Pines Development Project. He advised that as the Council will recall, they have adopted some of these before, but the Council has a new set of resolutions necessary through the Virginia Community Block Grant fund application, which he thinks has a deadline of March 14, and noted the deadline is fast approaching. Mayor Crewe indicated that one of two relevant parts the Council is asked in their package to approve is the fact that it is a blank amount because they are still trying to figure their administrative fees for architectural and engineering services, and this expense has not yet been determined. He noted the second point is the Council does, in this resolution, state that they waive the tap fees and the building permits for this project, which the Council passed at the last meeting. Mayor Crewe indicated that if he remembers correctly, the Council figured the cost would be \$25,000 for the tap fees, the building permit fees, etc. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve the resolution regarding the Virginia Community Block Grant funds for the Cassell Pines Development Project noting that the blank for the amount will be completed upon the Town receiving the information. 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: VIRGINIA COMMUNITY BLOCK GRANT FORMS – CASSELL PINES DEVELOPMENT PROJECT

Mayor Crewe stated the next agenda item is the consideration of various forms associated with the Virginia Community Block Grant for the Cassell Pines Development Project. He remarked that these are the forms that would have to be signed by the Town Manager. Mayor Crewe explained that these are the standard forms that basically state the Town is a drug free workplace, and includes the Citizen Participation assurances, disclosure reports, etc. Mayor Crewe indicated that he double checked, and all of the forms the Council has in front of them, unless they are missing one, can be signed by the Town Manager. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to authorize the Town Manager to sign the various forms for the Virginia Community Block Grant, which include the Drug-Free Workplace, Citizen Participation Assurances and Certification, General Assurances and Certification, and the Applicant Disclosure Report, for the Cassell Pines Development Project. 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: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:30 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, CMC, Clerk of Council

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PUBLIC WORKS COMMITTEE REPORT

MARCH 22, 2004

1. Several years ago, the General Assembly of Virginia passed legislation that started the deregulation of electric services in Virginia. While deregulation is an extremely complicated topic, the net result is that everyone in Virginia, including local governments, would be subject to vast fluctuations in pricing based on market conditions. Currently, electric rates in Virginia are regulated by the State Corporation Commission, and the movement to deregulation would, for the most part, remove this oversight by the Commission. Through the years, most local governments have not been subject to public tariffs as set by the Corporation Commission, but have operated under separate contractual arrangements with American Electric Power Company. When this legislation was passed, the Virginia Municipal League and the Virginia Association of Counties (VML/VACo) formed a committee to negotiate with American Electric Power (AEP) with regard to municipal rates. Initially, American Electric Power was resistant to any type of negotiations since it was in their best interest for rates to be paid by local governments to be based on market conditions. However, the deregulation process in Virginia has not gone as smoothly as was initially thought, and, subsequently, AEP expressed its willingness to negotiate municipal rates. The VML/VACo committee retained attorneys and specialists in electric power service rates and negotiated with AEP for about two years. That contract has now been finalized, and the new service rates are set forth in the attached document and are now back to the local governments for adoption. The

new contract will establish the rates for service through the year 2007. After that, the contract will either need to be renegotiated or we will be in a deregulated environment. The new contract uses the rates established by the State Corporation Commission for public tariffs. The Corporation Commission sets these public tariffs based on a number of factors including expenses incurred by the company for the production and distribution of electricity and for fuel costs. Clearly, the negotiated contract is to the Town's advantage because it establishes a threshold for the next three years. As such, it is the recommendation of the Public Works Committee that the Mayor and the Town Manager be authorized to execute contracts with American Electric Power for our service rates for the next three years.

2. Recently, we received an inquiry seeking the increase of the speed limit on Fairview Road from 35 miles per hour to 45 miles per hour. In our evaluation of this inquiry, we noted that the characteristics of the road were generally good, but there are a number of residential and commercial entrances along this section of roadway as well as two streets that intersect along this portion of roadway. With this many entrances, there are a good many turning movements involving either vehicular traffic or truck traffic serving industrial sites, and, on some occasions, there are farms implements that use the roadway. We also asked the Police Department to tabulate the accident data along this portion of street and found that over the past four years, there have been twelve accidents, ten of which have been minor and two of which have been major. As such, we did not feel that an increase in the speed limit along this portion of roadway was warranted.

As a related item, we have had a number of citizens appear before the Council to express concern about speeding at various locations throughout town. We requested the Police Department to intensify the use of radar in various sections of town, and they have initiated this program. Clearly, speeding in the corporate limits poses dangers and results in wrecks. We, again, wanted to alert citizens that the Police Department is actively running radar, and, in the interest of safety and not getting a ticket, the existing speed limits should be observed.

William B. Weisiger

Charles G. Crockett

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BUDGET AND FINANCE COMMITTEE REPORT

MARCH 22, 2004

1. As we have stated previously, we recently received our renewal information from the Commonwealth's Local Choice Health Benefits Program. The Local Choice Health Benefits Program is the statewide program that provides health insurance coverage to both state and local employees. The state performs all of the procurement activities and administers the program. This program is beneficial in that it offers smaller employers such as the Town of Wytheville an opportunity to participate in a large pool, which can help to hold premiums at a lower level than could be obtained by purchasing the insurance independently. That being said, the rate increase for the next fiscal year for our health insurance program is approximately 10 percent. While this is a significant increase, totaling about \$59,782, we were fortunate to have a smaller rate increase than many other governmental entities. It should be noted that the renewal will not change any services to be provided or any deductibles to be paid by the employee. The decision that must be reached this evening is a declaration of our intent to continue participation in the Local Choice Program and to identify specific programs in which our employees will be eligible to participate. Currently, our employees are eligible to participate in either the Cost Alliance Program or the Key Advantage Program with Local Choice. We think participation in these two programs should be continued in the following year, modified to the extent that we offer what is known as the "blended" feature of each of these programs. The blended feature permits retirees of the Town to get healthcare coverage through the Town after their retirement. The total cost of this

insurance for the retiree is paid by the retiree and does not add expense to the Town's insurance premiums. The final topic that we would mention is that, currently, the Town pays 95 percent of the employees' share of the monthly premium. Since we are in the budgetary process, the amount of employer contribution will need to be reviewed.

Based on our review, it is the recommendation of the Budget and Finance Committee that the Town declare its intent to continue participation in the Local Choice Health Benefits Program of the Commonwealth, and that we participate in the Blended Cost Alliance Program and the Blended Key Advantage Program. Additionally, we would also recommend that the Town Manager be authorized to execute all documents that may be needed for the renewal process.

2. Several years ago, state and federal laws were changed to the extent that drivers of vehicles of certain weights and classifications were required to obtain a Commercial Driver's License. One component of the Commercial Driver's License program is that all drivers are randomly tested for drugs and alcohol. Recently, in a discussion concerning various personnel policies, we discussed the concept of extending the testing for drug and alcohol to all Town employees. This thought occurred to us because regardless of whether an employee has a Commercial Driver's License or not, virtually all of the Town's employees are operating some type of equipment or are in sensitive situations in contact with the general public. Therefore, it seemed to be a plausible idea that our current drug and alcohol testing program would be

expanded to include all employees. As the Council knows, we and all other local governments regularly make assurances that we are providing a drug free workplace. Certainly, we have made every effort to provide this type of environment, but expansion of this testing program will even better assure that we do not permit drugs and alcohol in the workplace. As such, we have developed an ordinance which would amend the Personnel Regulations to implement this new program. We are suggesting that we establish a threshold of 25 percent of all employees to be tested on an annual basis. Also, we are suggesting that the implementation date of this new program should be July 1, 2004, since there are currently no funds budgeted for such a testing program.

It would be the recommendation of the Budget and Finance Committee that the Personnel Ordinance be amended to include drug and alcohol testing for all employees, effective July 1, 2004, and that the rules be suspended and the ordinance be adopted on first and final reading when it is presented later in the meeting.

Jacqueline K. King

John W. Jones, Jr.