

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MAY 10, 2004, AT 7:00 P.M.**

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

Members absent: Charles G. Crockett

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, Stephanie Porter-Nichols with Wytheville Enterprise, J. B. Willis, T. J. Elmore, Eric Camden, Kim Lawson, Troy Lawson, Tim Griffith, Agnes Eades, Francesca Lunsford

RE: CALL TO ORDER, QUORUM, INVOCATION, PLEDGE

On behalf of Mayor Crewe, Mr. Eric Camden, Student Government Day Representative, 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 Jones.

RE: CONSENT AGENDA

Mr. Camden, on behalf of Mayor Crewe, presented the consent agenda consisting of the minutes of the regular meeting and the budget work session of April 26, 2004, and the request of the Girl Scouts Wythe Service Unit for waiver of fee for use of the Elizabeth Brown Memorial Park on June 5, 2004, for a SWAP Meet. 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 and the budget work session of April 26, 2004, and the request of the Girl Scouts Wythe Service Unit for waiver of fee for use of the Elizabeth Brown Memorial Park on June 5, 2004, for a SWAP Meet. Mr. Camden 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. Against: None.

RE: PUBLIC HEARING – CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

On behalf of Mayor Crewe, Mr. Camden stated the meeting constituted a public hearing (due notice having been given) to consider issuing a Certificate of Public Convenience and Necessity during 2004 for Premier Taxi Service, LLC for the operation of public vehicles. Mr. Camden inquired if there are persons present who wish to address the Council during the public hearing. There being none, he declared the public hearing closed.

RE: CITIZENS' PERIOD

Mr. Camden, on behalf of Mayor Crewe, inquired if there are persons present who wish to address the Council during Citizens' Period.

Mr. J. B. Willis was recognized and stated that in 1998, he turned the streets in the Meadows of Pine Ridge subdivision over to the Town. He explained that very little work has been done on the streets since that time, with exception of some repairs to potholes. Mr. Willis noted that Fulton Street is on the paving schedule for this year, and the residents of Meadows of Pine Ridge would like for their streets to look like Fulton Street does at present. Town Manager Sutherland inquired as to the number of undeveloped lots remaining in the subdivision. Mr. Willis noted that there are approximately twelve to fourteen lots remaining, but only one of these is on Century Court. He requested that the Council at least consider the paving of Century Court. It was the consensus of the Council to refer this matter to the Public Works Committee.

Mr. Camden 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, Mr. T. J. Elmore, Student Government Day Representative, reported the following on behalf of Town Manager Sutherland:

1. As the Council may recall, a meeting of the Joint Governing Bodies was scheduled for May 24, at which time a public hearing was to be conducted in regard to the Regional

Solid Waste Management Plan. This planning document has not been developed to the point that it will be in a form for the Governing Bodies to conduct a public hearing. Both Wythe County and the Town of Rural Retreat agree that the governing bodies should cancel the Joint Governing Bodies meeting for that evening and reschedule the meeting and the public hearing for a date after the planning documents have been completed by the Mount Rogers Planning District Commission. If this is acceptable to the Council, Town staff will advise both Wythe County and the Town of Rural Retreat that the Wytheville Town Council agrees with their recommendation. It was the consensus of the Council to advise Wythe County and the Town of Rural Retreat that they agree with canceling the Joint Governing Bodies meeting and the scheduled public hearing for May 24, 2004.

2. The Town received a call this week from Mr. Mike Tripp, who is in charge of the logistics and planning for the National Christmas Tree journey to Washington, D. C. Mr. Tripp scheduled a meeting in the Municipal Building. At this meeting, he noted he would like to discuss several issues such as the route that will be taken and the security measures that will be available, including the involvement of the Town Police Department. The date that the tree will pass through Wytheville has not been determined, but it will be approximately November 22 or 23. Mr. Tripp noted that this time schedule has not been determined because the actual lighting date has not been set for security reasons. Mr. Tripp suggested that the Town may want to have a community celebration involving school children, bands, civic clubs, and politicians such as Representative Boucher, Senator Warner, and Senator Allen. Following the meeting on May 19, the Town staff will share the information with both Committees of the Council, at which time the Council can determine if they want to participate in this program and the type of activities that the Town may want to pursue.
3. Mayor Crewe presented a proclamation declaring National Tourism Week for May 8-16, 2004.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that last week, the Town received comments from the United States Department of Agriculture Rural Development Division. She noted that as the Committee had stated previously, the Town had submitted the plans and specifications for the new Community Center to them for review. Vice-Mayor King stated that Rural Development is the funding agency for the new Community Center project, and they review all plans and specifications and other contract documents prior to authorizing a project to be bid. She advised that Rural Development included only two comments in their review, one being that the Town needed to include a liquidated damages provision in the construction contract that will assess penalties against the contractor in the event that the project is unduly delayed. Vice-Mayor King stated that secondly, Rural Development noted that the construction contract needed to be amended to include a newer version of a Rural Development form. She advised now that the State Rural Development office has reviewed the plans and specifications, they will forward them to the Office of General Accounting for final review. Vice-Mayor King stated the Town would hope that authorization to bid the project would be received within the next thirty days. She noted that, thereafter, the Town will be in a position to advertise the project for public bids.

Vice-Mayor King also reported that over the past number of weeks, the Committee has been reviewing revenues and appropriations for the various Town departmental budgets. She advised that as the Committee has noted before, there were more requests for appropriations from the various departments than revenues can accommodate. Vice-Mayor King stated that as such, the Committee has been working to establish various departmental budgets. She explained that at the next meeting of Council, the Committee will submit a budget that is approximately \$20 million in magnitude. Vice-Mayor King advised that this number is somewhat deceiving since, actually, the Town's normal operational expenses will be about \$13 million, but also included will be about \$7 million for the Community Center construction. She stated that generally speaking, all departmental budgets will be held to approximately the same levels as exist this current fiscal year with the exception that payroll increases must be accommodated. Vice-Mayor King noted that it is the Committee's proposal that Town employees receive a two percent cost of living increase and a one percent merit pay increase for employees with exceptional evaluations. She explained that approximately forty percent of the Town's workforce received this designation and will receive the extra one percent pay increase. Vice-Mayor King noted that with regard to revenues on the General Fund side, the Committee is reviewing increases in the E-911 tax, the cellular phone tax, and the cigarette tax. She stated that it seems worthwhile to look at the increases in the phone taxes because of the expenses the Town incurs for equipment and personnel to meet State mandated programs. Vice-Mayor King advised that revenues received

from these phone taxes do not cover the cost of these mandated programs. She explained that with regard to the Water and Sewer side of the budget, there are numerous projects that are needed to enhance the Town's system, and, also, to proceed with the connection with the regional water system. Vice-Mayor King noted that revenues generated by the Water and Sewer Fund are not sufficient to meet current and future expenses. She stated that as such, the Committee is also looking at rate increases for the consumption of water and sewer. Vice-Mayor King advised that the Committee will be meeting again on Tuesday morning and, hopefully, finalizing the budget numbers that will be considered at the next Council meeting. 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 as the Council knows, the long range plans for the Town's water system includes the extension of a line along Chapman Road that would connect with the County's water system at a point near the eastern corporate limits. He advised that this section of line will connect the Town's and County's water systems and will give both jurisdictions the flexibility of withdrawing water from the other. Councilman Weisiger stated that also in this project, there will necessarily need to be an extension under the interstate to a point in the south side of Progress Park. He noted that recently, the Council has been advised that there are certain industrial prospects considering locating in the south side of the park, which may result in the need for water to this area sooner than was previously anticipated. Councilman Weisiger noted that the extension along Chapman Road from a point near the Edgemont Center to the eastern corporate limits will cost approximately \$324,000. He advised that the extension into Progress Park is approximately \$300,000. Councilman Weisiger noted that the two construction costs plus design fees, etc., will bring the total estimated cost of this project to approximately \$791,000. Councilman Weisiger indicated that since the timetables on these projects may need to be expedited, the Committee thinks it is time to begin the design process and to seek funds from state and federal agencies. He noted that construction funding can potentially come from Rural Development, Virginia Community Development Block Grant Program, and the Tobacco Commission. Councilman Weisiger remarked that the Mount Rogers Planning District Commission has certain funds available for the design expenses. Councilman Weisiger advised that as such, the Committee would recommend to the Council that the Town Manager be authorized to proceed with seeking these grant loan funds from the various agencies the Committee just identified. It was the consensus of the Council to authorize the Town Manager to proceed with seeking grant loan funds from Rural Development, the Virginia Community Development Block Grant Program, and the Tobacco Commission for extending the water line along Chapman Road to connect to the County's water system.

Councilman Weisiger also reported that recently the Town has been receiving inquiries concerning the issuance of hunting permits for Town owned land on Sand Mountain. He explained that for the past several years, it has been the Town's policy to give public notice of its intent to issue permits and then to randomly select fifty applicants who then receive permits. Councilman Weisiger noted that last year the Town had discussed the potential of working cooperatively with the Department of Game and Inland Fisheries on the issuance of permits, but, at this point, those discussions have not been finalized. He stated that also, last year for the first time, the Town implemented restrictions on deer hunting that provided that any deer harvested from the land must be of the size that it has at least four points on at least one side of the rack or that the rack itself is at least as wide as the deer's ears. Councilman Weisiger stated it would be the recommendation of the Public Works Committee that the Town continue with the issuance of the fifty hunting permits during the month of August in the same fashion as the Town has issued them before and that the Town also continue to impose the restriction of the size of deer to be harvested from the land. It was the consensus of the Town Council to continue with the issuance of the fifty hunting permits during the month of August in the same fashion as the Town has issued them before and that the Town also continue to impose the restriction of the size of deer to be harvested from the land. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY – PREMIER TAXI SERVICE

Mr. Camden, on behalf of Mayor Crewe, stated the next agenda item is the consideration of the issuance of a Certificate of Public Convenience and Necessity during 2004 for Premier Taxi Service for the operation of public vehicles. Mayor Crewe advised that included in the Council's package is the application, the proof of insurance, and the inspection report from the Police Department approving the vehicles. A motion was made by Councilman Jones and seconded by Vice-Mayor King to issue a Certificate of Public Convenience and Necessity during 2004 for

Premier Taxi Service, LLC for the operation of public vehicles. Mr. Camden 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. Against: None.

RE: CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY – LIFECARE MEDICAL TRANSPORTS, INC.

On behalf of Mayor Crewe, Mr. Camden stated the next agenda item is setting a public hearing to consider the issuance of a Certificate of Public Convenience and Necessity during 2004 for Lifecare Medical Transports, Inc. for the operation of a public vehicle. It was the consensus of the Council to set a public hearing for the June 14, 2004, Council meeting to consider the issuance of a Certificate of Public Convenience and Necessity during 2004 for Lifecare Medical Transports, Inc. for the operation of a public vehicle.

RE: ADJOURNMENT

Mayor Crewe thanked the students for participating in Student Government Day and for attending the meeting. 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

MAY 10, 2004

1. As the Council knows, our long range plans for our water system includes the extension of a line along Chapman Road that would connect with the County's water system at a point near the eastern corporate limits. This section of line will connect the Town's and County's water systems and will give both jurisdictions the flexibility of withdrawing water from the other. Also in this project, there will necessarily need to be an extension under the interstate to a point in the south side of Progress Park. Recently, we have been advised that there are certain industrial prospects considering locating in the south side of the park, which may result in the need for water to this area sooner than was previously anticipated. The extension along Chapman Road from a point near the Edgemont Center to the eastern corporate limits will cost approximately \$324,000. The extension into Progress Park is approximately \$300,000. The two construction costs plus design fees, etc., will bring the total estimated cost of this project to approximately \$791,000. Since the timetables on these projects may need to be expedited, we think it is timely to begin the design process and to seek funds from state and federal agencies. Construction funding can potentially come from Rural Development, Virginia Community Development Block Grant Program, and the Tobacco Commission. Mount Rogers Planning District Commission has certain funds available for design expenses. As such, we would recommend to the Council that the Town Manager be authorized to proceed with seeking these grant and loan funds from the various agencies we just identified.

2. Recently, we have been receiving inquiries concerning the issuance of hunting permits for Town owned land on Sand Mountain. For the past several years, it has been our policy to give public notice of our intent to issue permits and then to randomly select fifty applicants who then receive permits. Last year, we had discussed the potential of working cooperatively with the Department of Game and Inland Fisheries on the issuance of permits, but, at this point, those discussions have not been finalized. Also, last year for the first time, we implemented restrictions on deer hunting that provided that any deer harvested from the land must be of the size that it has at least four points on at least one side of the rack or that the rack itself is at least as wide as the deer's ears. It would be the recommendation of the Public Works Committee that the Town continue with the issuance of the fifty hunting permits during the month of August in the same fashion as we have issued them before and that we also continue to impose the restriction on the size of deer to be harvested from the land.

William B. Weisiger

Charles G. Crockett

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BUDGET AND FINANCE COMMITTEE REPORT

MAY 10, 2004

1. Last week, we received comments from the United States Department of Agriculture Rural Development Division. As we had stated previously, we had submitted the plans and specifications for the new Community Center to them for review. Rural Development is the funding agency for the new Community Center project, and they review all plans and specifications and other contract documents prior to authorizing a project to be bid. Rural Development included only two comments in their review, one being that we needed to include a liquidated damages provision in the construction contract that will assess penalties against the contractor in the event that the project is unduly delayed. Secondly, they noted that the construction contract needed to be amended to include a newer version of a Rural Development form. Now that the State Rural Development office has reviewed the plans and specifications, they will forward them to the Office of General Accounting for final review. We would hope that authorization to bid the project would be received within the next thirty days. Thereafter, we will be in a position to advertise the project for public bids.
2. Over the past number of weeks, our Committee has been reviewing revenues and appropriations for the various Town departmental budgets. As we have noted before, there were more requests for appropriations from the various departments than revenues can accommodate. As such, we have been working to establish various departmental budgets. At the next meeting of Council, we will submit a budget that is approximately \$20 million in magnitude. This number is somewhat deceiving since, actually, the Town's normal operational expenses will be about \$13 million, but also included will be about \$7 million for

the Community Center construction. Generally speaking, all departmental budgets will be held to approximately the same levels as exist this current fiscal year with the exception that payroll increases must be accommodated. It is our proposal that Town employees receive a two percent cost of living increase and a one percent merit pay increase for employees with exceptional evaluations. Approximately forty percent of the Town's work force received this designation and will receive the extra one percent pay increase. With regard to revenues on the General Fund side, we are reviewing increases in the E-911 tax, the cellular phone tax, and the cigarette tax. It seems worthwhile to look at the increases in the phone taxes because of the expenses the Town incurs for equipment and personnel to meet State mandated programs. Revenues received from these phone taxes do not cover the cost of these mandated programs. With regard to the Water and Sewer side of the budget, there are numerous projects that are needed to enhance our system and, also, to proceed with the connection with the regional water system. Revenues generated by the Water and Sewer Fund are not sufficient to meet current and future expenses. As such, we are also looking at rate increases for the consumption of water and sewer.

Our Committee will be meeting again on Tuesday morning and, hopefully, finalizing the budget numbers that will be considered at our next Council meeting.

Jacqueline K. King

John W. Jones, Jr.