

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 27, 2006, AT 7:00 P.M.**

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

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, Police Officers Chris Irvin and David Wall, Justin Harmon with Wytheville Enterprise, Bill Smith, Patrick Umberger, Lorri Umberger, Donnie Repass, Alan Hawthorne, Mike Webb, Becky Grubb, Pat Snapp

**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 Vice-Mayor King.

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of March 13, 2006; the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the annual charity carnival to be held July 17 through 22, 2006; the request of the Wythe County Girl Scouts for waiver of fee for use of the Elizabeth Brown Memorial Park on April 20, 2006, for a SWAP meet; the request of the Wytheville Lions Club for waiver of fee for use of the Community Center on August 1, 2006, for a banquet; and, the request of the Brock Hughes Free Clinic for a raffle permit for calendar year 2006. He noted the request for the Brock Hughes Free Clinic was received after the Council packages were sent out, and the Council members found it at their place when they arrived at the meeting. Vice-Mayor King noted that she has forgotten why the fees are waived for the Lions Club banquet. Mayor Crewe answered that the Lions Club fits the definition of a charitable organization. Town Manager Sutherland explained that the Lions Club is similar to the American Legion, and they were contributors to the current Community Center, and they have a permanent waiver of fee for use of the Community Center. Mayor Crewe indicated that the waiver is for \$87.50 if he is reading it correctly. Vice-Mayor King advised that is acceptable, and she was just wondering about this. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting of March 13, 2006; the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the annual charity carnival to be held July 17 through 22, 2006; the request of the Wythe County Girl Scouts for waiver of fee for use of the Elizabeth Brown Memorial Park on April 20, 2006, for a SWAP meet; the request of the Wytheville Lions Club for waiver of fee for use of the Community Center on August 1, 2006, for a banquet; and, the request of the Brock Hughes Free Clinic for a raffle permit for calendar year 2006. Mayor Crewe inquired if there is any discussion on the motion. Councilman Jones indicated that he will be abstaining from the Lions Club requests. Mayor Crewe indicated that Councilman Jones will not be voting on the two Lions Club requests. He inquired if there is any further 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, H. Judson Lambert. Against: None. Abstentions: John W. Jones, Jr. on the two requests of the Wytheville Lions Club.

**RE: PUBLIC HEARING – JOINT INDUSTRIAL DEVELOPMENT AUTHORITY REZONING REQUEST**

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider the request of the Joint Industrial Development Authority of Wythe County, Wytheville, and Rural Retreat for the rezoning of Parcels A, B, and C in the Fairview Industrial Park, which is located on the north side of North Fourth Street between Stafford Umberger Drive and Tremough Drive from M-1 Industrial to R-3 Residential. He advised that this matter has been before the Planning Commission, and the public hearing for the Council was delayed because of a problem with the advertising notices in the newspaper. Mayor Crewe indicated he is not suggesting that anyone has to speak, but if Mr. Webb or Mr. Hawthorne would like to speak, the Council would be glad to hear from them. He noted that according to the sign up sheets, no one has indicated they wanted to speak on this topic, but Mr. Webb and Mr. Hawthorne, and the Council will be glad to hear from them. Mr. Hawthorne advised that they are available if the

Council has questions for them. He noted the Planning Commission reviewed this matter well and presented their recommendation.

Mayor Crewe noted if someone arrives later at the meeting, he will reopen the public hearing to receive their comments. He stated the Council will consider the matter later in the meeting by way of an ordinance. There being no one who desired to address the Council, Mayor Crewe declared the public hearing closed.

#### **RE: PUBLIC HEARING – UMBERGER REZONING REQUEST**

Mayor Crewe stated the meeting, likewise, constituted a public hearing (due notice having been given) to consider the request of Mr. Patrick D. Umberger for the rezoning of a portion of property located on the south side of West Lee Highway between West End Cemetery and Petunia Road (former Smith property) from R-1 Residential to B-2 Business. He advised there is a proffer from Mr. Umberger that in addition to the other requirements in the Zoning Ordinance that he would plant a buffer zone of trees at the rear of the property to act as a visual and sound barrier and would remove all junked vehicles from the property and not return any for two years, which would end the nonconforming use as a junkyard. Mayor Crewe indicated that the Council will be glad to hear from Mr. Umberger if he desires to address the Council, but he does not have to address the Council as to this rezoning. Mayor Crewe inquired if there are persons present who wish to address the Town Council during the public hearing. There being none, he declared the public hearing closed. Mayor Crewe noted that, again, if someone comes in later, he will give them the opportunity to speak. He explained that the Council will be considering these two matters subsequently on the agenda.

#### **RE: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period. He noted he did not see anyone who had indicated on the sign up sheets that they desired to address the Council during Citizens' Period. He inquired if there are persons present who wished to address the Council during Citizens' Period. There being none, he proceeded with the agenda.

#### **RE: OLD BUSINESS**

There were no items reported under Old Business.

#### **RE: BUDGET AND FINANCE COMMITTEE REPORT**

Councilman Jones, reporting for the Budget and Finance Committee, reported that at the last meeting, the Council approved the renewal of a contract with the Local Choice Health Benefits Program, which provides health insurance to the Town's employees. He advised that as the Council may recall, the term of this health insurance begins on July 1 of each year and ends on June 30 of the following year. Councilman Jones stated that as the Committee explained at the last meeting, the Local Choice Health Benefits Program requires that the Town declare, by April 1, its intent to renew the insurance. He advised that the action to express this intent to renew was approved at the Council's last meeting. Councilman Jones explained that what the Town did not realize was the renewal now requires the employer to declare the ratio of employer/employee premiums. He noted that currently, the Town pays 95 percent of the premium for the employee. Councilman Jones remarked that the employee is responsible for paying 5 percent of these premium costs, and no contribution is made to the employee for dependent or spouse coverage. He indicated that the Committee discussed this at their last meeting and would recommend that the existing ratio continue for another year. Councilman Jones noted that fortunately, this year, the Town did not have an increase in premiums, and the coverages that are provided have remained unchanged. He stated the Committee would point out, however, that in the future, rising health insurance costs could change the employer/employee ratio of premium charges. Councilman Jones advised that the Town has encouraged its employees to use their health insurance benefits frugally since the Town's premiums are based on the amount of usage. He stated if the Council agrees, the Committee will note the 95/5 employer/employee ratio to the Local Choice Health Benefits Program. A motion was made by Councilman Jones and seconded by Vice-Mayor King to advise the Local Choice Health Benefits Program that the Town of Wytheville will continue the 95/5 employer/employee ratio. 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, H. Judson Lambert. Against: None

Councilman Jones also reported that both the Public Works Committee and the Budget and Finance Committee have begun the review of information submitted by the various department heads for the development of the budget for fiscal year 2006-07. He explained that with regard to revenues, Town Treasurer Mike Stephens reports that the revenues for the next fiscal year should be similar to the revenues received this year, noting there is some small growth in a variety of the revenue categories. Councilman Jones stated with regard to the expenditure side of the budget, the requests by the departments greatly exceed the revenues that are available. He noted this happens each year in the budget development process, and, necessarily, some requested items are not included in the budget. He remarked that also, at this date, there have been no decisions made regarding any increase in compensation to the Town's employees. Councilman Jones advised that beyond the normal operational aspects of the budget, there are two categories that will require additional review. He noted that at some point during the middle of the next fiscal year, the Town will have the new Community Center open and operational. Councilman Jones indicated that, obviously, this new facility will be considerably more expensive to operate than the Town's current recreation center. He stated that secondly, during the coming year, there will be expenses associated with the Town's participation in the New River Regional Water Authority. Councilman Jones indicated that both the new Community Center and the Regional Water Authority treatment plant have the capability of earning significant revenues in the future, but, at present, the Town is faced with funding the upfront costs. He advised that the Committee will continue to review budgetary items during the next week, and would remind the Council that a budget work session is scheduled for April 10, immediately following the adjournment of the 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 Lambert, reporting for the Public Works Committee, stated that at a recent meeting of the Joint Industrial Development Authority, it was suggested that the governing bodies of Wythe County and the Industrial Development Authority develop a resolution to be adopted by everyone to express certain thoughts regarding the Interstate 81 Corridor improvements in Virginia. He advised that the Department of Transportation is, yet again, accepting comments with regard to these improvements. Councilman Lambert stated that this public review process has been ongoing for many years, and, to date, the State has not been able to develop a workable plan of action. He explained that the State does continue to work with a private contractor in the development of plans to improve the I-81 Corridor. He indicated that the General Assembly reconvened today in Richmond, and one of the biggest topics that remains controversial is the future funding of transportation in Virginia. Councilman Lambert noted that hopefully, the General Assembly will reach some consensus to provide the funding needed for transportation in Virginia. He stated in any event, there are some indications that improvements to the I-81 Corridor may be phased over time. Councilman Lambert advised that under this scenario, certain high volume, congested areas along the Corridor would receive priority, and construction would commence on these first. He noted that initially, it was proposed that the entire Corridor would be under construction at the same time. Councilman Lambert stated that the expense associated with improving the entire Corridor at one time has now grown to the point that it is not likely that this will happen. He advised that assuming I-81 will be reconstructed in segments, it would appear likely that the overlapping corridor between Wytheville and Fort Chiswell would be a high priority issue for the Department of Transportation. Councilman Lambert pointed out that this corridor has both congestion and safety issues and, likely, would rank high in any initial construction projects. He stated that as such, the Town will offer a draft of a resolution that is to be considered by all of Wythe County's governing bodies. Councilman Lambert indicated that this resolution reflects the concepts the Town has held since the conception of an I-81 Corridor improvement program. He stated the Committee has attached the resolution for the Council's review, and it would be the recommendation of the Public Works Committee that the Council adopt this resolution. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to adopt the resolution regarding the I-81 Corridor improvement program. Mayor Crewe inquired if there is any discussion on the motion. He stated his understanding is the Wythe County Board of Supervisors, the Chamber of Commerce, and the Joint Industrial Development Authority have already approved the resolution and inquired if that is correct. Town Manager Sutherland answered that the Wythe County Board of Supervisors has the resolution on their agenda for tomorrow, and it will go before the Rural Retreat Town Council tomorrow night. Mayor Crewe advised he saw that the resolution had been signed by two entities, but he could not remember which two had signed it. He inquired if there is any other 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, H. Judson Lambert. Against: None.

Councilman Lambert also reported that the New River Regional Water Authority has submitted an application to the Virginia Resources Authority (VRA) for a loan in the amount of \$12.9 million that will be used for the construction of a water treatment facility in Austinville that will serve the participating jurisdictions of Wythe County, Carroll County, and the Town of Wytheville. He advised that the application that was submitted to VRA is now under review, and, in the near future, specific information (interest rates and term) will be available. Councilman Lambert indicated that it is intended that the loan will be structured such that there will be interest only payments during the construction phase, and full annual debt service payments will not commence until the new water treatment facility becomes operational. He explained that ownership in the Authority is vested with 37 percent by each of Wytheville and Wythe County, with Carroll County responsible for 26 percent of the allocated costs. Councilman Lambert advised that in the current timeframe, it is thought that plans and specifications for the water treatment plant will be completed, and bids can be received on this facility by mid-summer. He stated that primarily, the water the Town will consume from the new Authority will be used to provide service in Progress Park. Councilman Lambert noted that currently, water service to the Park is provided by the Town from the Town's existing water treatment facility. He stated that with the additional growth in the Park, it will require the availability of additional water. Councilman Lambert pointed out that the Committee mentions all of this only to keep the Council aware of the ongoing activities of the Authority. A copy of the Public Works Committee Report is attached and made part of these minutes. ([Attachment](#)).

### **RE: ORDINANCE NO. 1198 – JIDA REZONING REQUEST**

Mayor Crewe presented Ordinance No. 1198, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone from M-1 Industrial to R-3 Residential Parcels A, B, and C in the Fairview Industrial Park, which is located on the north side of North Fourth Street between Stafford Umberger Drive and Tremough Drive, on first reading. He noted the Council has the recommendation of the Planning Commission before them that the rezoning be granted. A motion was made by Vice-Mayor King and seconded by Councilman Jones to suspend the rules and adopt Ordinance No. 1198, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone from M-1 Industrial to R-3 Residential Parcels A, B, and C in the Fairview Industrial Park, which is located on the north side of North Fourth Street between Stafford Umberger Drive and Tremough Drive, on first and final reading. Mayor Crewe inquired if there is any discussion on the motion. Councilman Lambert inquired if there are any outstanding issues on rights of way or anything of this nature that need to be explored further. Mayor Crewe stated there are no outstanding issues that the Council is aware of. Councilman Jones advised that is correct. Councilman Lambert inquired if everything had been resolved. Mayor Crewe inquired if there are any other questions, comments, or discussions. 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, H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1198 was adopted on first and final reading. Mayor Crewe advised that the ordinance is effective immediately.

### **RE: ORDINANCE NO. 1199 – UMBERGER REZONING REQUEST**

Mayor Crewe presented Ordinance No. 1199, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone from R-1 Residential to B-2 Business a portion of property located on the south side of West Lee Highway between West End Cemetery and Petunia Road (former Smith property), on first reading. He noted the stipulations are that the trees be planted as a buffer and that the non-operable automobiles be removed. Mayor Crewe inquired if there is a motion on this ordinance. A motion was made by Councilman Jones and seconded by Councilman Weisiger to suspend the rules and adopt Ordinance No. 1199, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone from R-1 Residential to B-2 Business a portion of property located on the south side of West Lee Highway between West End Cemetery and Petunia Road (former Smith property) on first and final reading. 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, H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1199 was adopted on first and final reading. Mayor Crewe advised that the ordinance is effective immediately.

**RE: CIVIC MONUMENT HONOREES**

Mayor Crewe stated the next agenda item is the recommendation of the Wall of Honor Committee regarding honorees to the Civic Monument. He noted the recommendation is that the names of Dr. Walter Randolph Chitwood, Sr. and Martha B. DeBord be added to the Civic Monument. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to approve the recommendation of the Wall of Honor Committee to add the names of Dr. Walter Randolph Chitwood, Sr. and Martha B. DeBord to the Wall of Honor Civic Monument. 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, H. Judson Lambert. Against: None.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:20 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, MMC, Clerk of Council

## **BUDGET AND FINANCE COMMITTEE REPORT**

**MARCH 27, 2006**

1. At our last meeting, the Council approved the renewal of a contract with the Local Choice Health Benefits Program, which provides health insurance to the Town's employees. As you may recall, the term of this health insurance begins on July 1 of each year and ends on June 30 of the following year. As we explained at the last meeting, the Local Choice Health Benefits Program requires that the Town declare, by April 1, its intent to renew the insurance. The action to express this intent to renew was approved at our last meeting. What we did not realize was that the renewal now requires the employer to declare the ratio of employer/employee premiums. Currently, the Town pays 95 percent of the premium for the employee. The employee is responsible for paying 5 percent of these premium costs, and no contribution is made to the employee for dependent or spouse coverage. We discussed this at our last meeting and would recommend that the existing ratio continue for another year. Fortunately, this year, we did not have an increase in premiums, and the coverages that are provided have remained unchanged. We would point out, however, that in the future, rising health insurance costs could change the employer/employee ratio of premium charges. We have encouraged employees to use their health insurance benefits frugally since our premiums are based on the amount of usage. If the Council agrees, we will note the 95/5 employer/employee ratio to the Local Choice Health Benefits Program.

2. Both the Public Works Committee and our Committee have begun the review of information submitted by the various department heads for the development of the budget for fiscal year 2006-07. With regard to revenues, Town Treasurer Mike Stephens reports that the revenues for the next fiscal year should be similar to the revenues received this year, noting that there is some small growth in a variety of the revenue categories. With regard to the expenditure side of the budget, the requests by the departments greatly exceed the revenues that are available. This happens each year in the budget development process, and, necessarily, some requested items are not included in the budget. Also, at this date, there have been no decisions made regarding any increase in compensation to the Town's employees. Beyond the normal operational aspects of the budget, there are two categories that will require additional review. At some point during the middle of the next fiscal year, we will have the new Community Center open and operational. Obviously, this new facility will be considerably more expensive to operate than our current recreation center. Secondly, during the coming year, there will be expenses associated with the Town's participation in the New River Regional Water Authority. Both the new Community Center and the Regional Water Authority treatment plant have the capability of earning significant revenues in the future, but, at present, we are faced with funding the upfront costs.

We will continue to review budgetary items during the next week, and would

remind the Council that a budget work session is scheduled for April 10, immediately following the adjournment of the Council meeting.

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Jacqueline K. King

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John W. Jones, Jr.

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## **PUBLIC WORKS COMMITTEE REPORT**

**MARCH 27, 2006**

1. At a recent meeting of the Joint Industrial Development Authority, it was suggested that the governing bodies of Wythe County and the Industrial Development Authority develop a resolution to be adopted by everyone to express certain thoughts regarding the Interstate 81 Corridor improvements in Virginia. The Department of Transportation is, yet again, accepting comments with regard to these improvements. This public review process has been ongoing for many years, and, to date, the State has not been able to develop a workable plan of action. The State does continue to work with a private contractor in the development of plans to improve the I-81 Corridor. The General Assembly reconvened today in Richmond, and one of the biggest topics that remains controversial is the future funding of transportation in Virginia. Hopefully, the General Assembly will reach some consensus to provide the funding needed for transportation in Virginia. In any event, there are some indications that improvements to the I-81 Corridor may be phased over time. Under this scenario, certain high volume, congested areas along the Corridor would receive priority, and construction would commence on these first. Initially, it was proposed that the entire Corridor would be under construction at the same time. The expense associated with improving the entire Corridor at one time has now grown to the point that it is not likely that this will happen. Assuming that I-81 will be reconstructed in

segments, it would appear likely that the overlapping corridor between Wytheville and Fort Chiswell would be a high priority issue for the Department of Transportation. This corridor has both congestion and safety issues and, likely, would rank high in any initial construction projects. As such, we would offer a draft of a resolution that is to be considered by all of Wythe County's governing bodies. This resolution reflects the concepts that we have held since the conception of an I-81 Corridor improvement program. We have attached the resolution for your review, and it would be the recommendation of the Public Works Committee that the Council adopt this resolution.

2. The New River Regional Water Authority has submitted an application to the Virginia Resources Authority (VRA) for a loan in the amount of \$12.9 million that will be used for the construction of a water treatment facility in Austinville that will serve the participating jurisdictions of Wythe County, Carroll County and the Town of Wytheville. The application that was submitted to VRA is now under review, and, in the near future, specific information (interest rates and term) will be available. It is intended that the loan will be structured such that there will be interest only payments during the construction phase and full annual debt service payments will not commence until the new water treatment facility becomes operational. Ownership in the Authority is vested with 37 percent by each of Wytheville and Wythe County, with Carroll County responsible for 26 percent of the allocated costs. In the current timeframe, it

is thought that plans and specifications for the water treatment plant will be completed, and bids can be received on this facility by mid-summer. Primarily, the water that the Town will consume from the new Authority will be used to provide service in Progress Park. Currently, water service to the Park is provided by the Town from our existing water treatment facility. With additional growth in the Park, it will require the availability of additional water. We mention all of this only to keep the Council aware of the ongoing activities of the Authority.

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William B. Weisiger

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H. Judson Lambert