

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MAY 22, 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, Chief Deputy Clerk Sharon G. Corvin, Town Treasurer Michael G. Stephens, Town Attorney Robert P. Kaase, Water Superintendent Tony Hounshell, Assistant Town Engineer Trevor Hackler, Police Officer Chris Irvin, Justin Harmon with Wytheville Enterprise, Sam Holder, Bill Dreitzler, Michael Blakely, Eric R. Herold, Helen Butler, Brenda Hounshell, Agnes Eades, Francesca Lunsford, Nancy Munsey

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 Lambert.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of May 8, 2006. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting of May 8, 2006. 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: PUBLIC HEARING – ORDINANCE NO. 1203

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider Ordinance No. 1203, the Budget Ordinance for 2006-07. He remarked that this ordinance will be considered later in the meeting on second, but not final, reading. Mayor Crewe thanked everyone for attending the meeting, and noted that Ms. Helen Butler has advised that she desired to address the Council on the Budget Ordinance.

Ms. Butler was recognized and stated about six years ago, there was a family of five, two parents and three children, one son and two daughters, and their lives were changed forever one summer afternoon when the son of this person hung himself accidentally in the backyard. She remarked that his parents revived him and took him to the hospital where he was saved and on life support, and then was taken to Kluge Medical Center where he underwent extensive rehabilitation. Ms. Butler remarked that the child came home to Pulaski County, around the Claytor Lake area where the Rookers are from, and Greg and Fran Rooker did the best they could to help their son to get the resources he needed and they needed to cope with this devastating brain injury of their young 10 year old son. She advised that as all the Council knows, Fran and Greg Rooker owned the newspaper in Wytheville and published the newspaper for a number of years, and, then, they sold the paper and went into volunteering for brain injury full time. Ms. Butler indicated that the Rookers have poured their resources, time, energy, voices, and funds into providing services for the residents of southwest Virginia who are devastated by a brain injury. She explained the reason the Rookers did this, of course, is that when they brought their young son home, there were no community resources. Ms. Butler indicated that it did not matter that they had the money to pay for it, the services they needed simply were not in the community. She remarked that the things they needed were first, a case manager, someone to help guide them through the medical rehabilitation system and the community services system, such as Social Services, defined respite care providers, assistive technology they needed for their son, etc. Ms. Butler reiterated that these services were not available. She noted that the Rookers have dedicated their lives to building these resources in southwest Virginia, and remarked that they have been successful. Ms. Butler pointed out that the Rookers started the organization, Brain Injury Services of Southwest Virginia, about five years ago. She noted the first office was, she believes, in Roanoke, and then in Radford. Ms. Butler advised that now they also have an office in Abingdon. She explained that they have been operating in Abingdon for almost six months now. Ms. Butler advised that they have 43 referrals, and the staff person has a case load in Abingdon of about 25 active cases, and the

rest are on a waiting list. She noted that most of the staff person's cases are in areas south of Wytheville, but they know through a study they did with Virginia Tech that there are lots of cases in this area of people with brain injury that could benefit from their services. Ms. Butler indicated that the case manager in Abingdon does serve this area, but, quite frankly, she is overwhelmed. She noted they need to place a case manager in Wytheville, and they very much want to do that. Ms. Butler commented that they feel like they have the skills and experience they need, and the timing could not be better. She stated there are approximately 12,000 people living in southwest Virginia with the long term disabling effects of brain injury. Ms. Butler explained that when she speaks about a brain injury, she means not just those that are traumatic brain injuries like in a motor vehicle accident or a sports injury where a person gets hit on the head, but indicated that she is also talking about people who are subjected to strokes, who have anoxia from near drowning or near fatal events, or hypoxia from surgical operations that, perhaps, did not go according to plan. She summarized that there are a number of ways a person can get an acquired brain injury. Ms. Butler indicated that their organization deals with all of them. She noted the only exceptions are people with degenerative diseases, such as Alzheimer's, multiple sclerosis, Parkinson's, and children who have congenital abnormalities. Ms. Butler indicated that they help everyone sort of in between, and advised that the average age of their case load, which is collectively about 200 per year throughout Roanoke, the New River Valley, and Mount Rogers, is about 40. She stated these are people who exhibit behavioral issues, emotional issues, and that, perhaps, fall into the legal system where they have shown that with case management and community support, they can help people to live more independently in the community and stay out of trouble and actually become more productive in the community in which they live. Ms. Butler indicated that they started taking statistics about a year ago on the number of people in case management who start out with a goal of being productive--either volunteering, returning to school, or having a job. She advised that at the time, it was about 30 percent, and just in a year, they have raised that to about 70 percent. Ms. Butler pointed out that they encourage people to give back to their communities because they firmly believe that being of service to other people is what they get back so much in terms of self esteem. She indicated it helps keep people out of the vicious cycle of depression and non-productiveness. Ms. Butler remarked that they have good results. She explained that their funding comes from basically three sources including the State. Ms. Butler commented that they have been blessed with about \$245,000 this past fiscal year, which is nearing to an end, for their operations from the State. She indicated that the other components come from fundraising, and noted they usually bring in about \$70,000 with a golf fundraiser that happens every fall. Ms. Butler advised that they also have grant applications in to various foundations that support them. She stated they have a small percentage of local governments that support them including Roanoke City, Roanoke County, Botetourt, Salem, and Pulaski. Ms. Butler noted they are asking all of the local governments which they serve to give them some amount of funding to help show the State level that, indeed, all of their local governments support their efforts and support those people with brain injury that live in their individual communities. She stated she is going to stop with her comments, and asked if it is acceptable in terms of the process for the Council to ask her questions and noted she is unsure of the Council's process. Mayor Crewe answered that if Ms. Butler would like to take questions, that is acceptable, and she can take them or not take them. He remarked he thinks he can speak for Council in stating he knows that the Council is aware of Brain Injury Services of Southwest Virginia, mainly because of the Rookers and their personal involvement in the Town of Wytheville. Mayor Crewe stated he, personally, has received, and noted he is not sure if he is on a mailing list, several pieces of information within the last couple of months or so about the work being done, some of the progress that is being made, and the need that is out there, and it is documented. He remarked he did not know if any of the rest of the Council members has received this information or not. Mayor Crewe stated if anyone has a question, Ms. Butler has indicated she is willing to take questions. He noted he will be glad to give the Council members an opportunity to ask any questions of Ms. Butler. Councilman Weisiger inquired if the case managers are paid by anyone or if this is a free service they provide to the organization. Ms. Butler answered that the funding for their salaries comes from those three areas, and advised it does not come from the client, and it is free to the clients. She noted their average case turnover would be anywhere from two to three years, but they are welcome, if they need, to come back into case management if their case has been closed. Ms. Butler explained that the only way a case would be closed is if they met their goals or moved out of the area. She advised it is free of charge to the residents. Ms. Butler noted they also provide life skills training, which helps people on an individual basis in their home learn how to do simple tasks that they need to do differently because of their injury, such as laundry and paying bills. She stated the Council would be surprised how many times people with a brain injury fall way behind on paying their bills. Ms. Butler explained that these people have lost that organizational functioning part of their brain. She noted they want to pay their bills, but it is just they cannot mentally get all the pieces together, and this is where the life skills trainer helps them. Ms. Butler indicated that they have a lot of compensatory mechanisms and tools to help people with that they would not normally think of on their own or their families may not think of it. She remarked that they also case manage children as well as adults and the elderly. Ms. Butler noted they

have about 40 children who have been in their case management program, and what they do is a little different than the adults, and they help the parents stay together with counseling and support, and, also, they help the teachers understand what the special needs are of that child. She advised they meet with the teachers, educate them about brain injury, and even go to their IEP meetings. Mayor Crewe noted his understanding is that there are at least several, and a handful anyway, of people in Wythe County, maybe not in the town limits, but right now they are assisting some people who live in Wythe County and inquired if he is right or wrong. Ms. Butler answered that is correct. She noted they have a couple right now, but they have a problem with supply and demand. Mayor Crewe stated that as Ms. Butler has pointed out, the case manager in the Abingdon office is booked full and cannot get to this area, and her understanding is there are a few being handled out of Roanoke that are in this area because of where they lived when the need arose. Ms. Butler stated that is correct. Mayor Crewe inquired if anyone else has any questions or comments. He explained that where the Council is in their budget process, obviously, is that the ordinance is on second reading but not yet final reading, and advised that anyone can make an amendment that he/she would like to offer. Mayor Crewe stated that he takes what Ms. Butler is stating is that any amount the Council would give them would be greatly appreciated, and a very large sum would be more appreciated, but whatever the Council gives them would be happily received since the Town has not had Brain Injury Services of Southwest Virginia in the budget in the previous years. Ms. Butler stated that is correct and noted that anything would be helpful. She stated she knows they asked for \$7,600, and noted that this is approximately 25 percent of what just the case manager's salary would be with benefits, but she noted there are also expenses that they incur such as travel, mileage, etc., because everything is done in the home in a community setting because the idea is to keep people in the community and productive and independent as possible rather than in an institution like a nursing home or something such as that. Ms. Butler remarked that for the Town's dollars for their investment of a small amount of money, they will see a lot bigger return because they can leverage the resources from other areas to benefit the residents. Mayor Crewe explained that where the Council is, and noted if anyone would like to correct him or voice a different opinion they are welcome to, is the budget will go through a second reading at this meeting. He noted the Council Committees are still reviewing the budget, and it will go through a third reading at the next meeting and probably be adopted then on third and final reading, or if there is an issue, it can be continued. Mayor Crewe pointed out that the budget has to be adopted by the last meeting in June to be effective July 1. He stated he thinks Ms. Butler's request has been received and reviewed. Mayor Crewe advised that Ms. Butler has certainly highlighted their request. He noted that unless someone feels differently, he would state that the Council will continue to consider this request as they work through the budget process during the next couple of meetings to see what can be done. Councilman Weisiger inquired if Ms. Butler has made this presentation to the Wythe County Board of Supervisors. Ms. Butler stated she has made this presentation to the Wythe County Board of Supervisors as well as to Smyth and Washington Counties. Mayor Crewe indicated that those counties are on the same timetable for the budget as the Town of Wytheville. Ms. Butler noted that these counties were very receptive, but noted she has not heard finally back from them, but reiterated that they were very open. Mayor Crewe remarked that so Ms. Butler will know how the process works, every municipality and county in the State has to have their budget adopted before June 30. He commented that the State has not adopted a budget, and advised that the Council does not know what the State is going to do, and, obviously, the Council is guessing some of the State numbers, and if they guess correctly, everything will probably be fine, but if they guess wrong, the Council will have to go back and work on the budget some. He explained that without a State budget, it handicaps any local government trying to figure the budget out, but the Council has to figure it out and adopt the budget by June 30. Mayor Crewe stated the Council is moving toward that progress, and every other locality is in the same situation. Ms. Butler indicated that the budget process is very difficult, and she thanked the Council for taking the time to listen to her. Mayor Crewe thanked Ms. Butler for her comments and for attending the meeting.

Mayor Crewe inquired if there are others who wished to address the Town Council during the public hearing for Ordinance No. 1203, the budget ordinance. He noted he did not see anyone else on the sign up sheet, but advised he did not want to rush and skip over anyone who desired to address the Council. There being no one else to address the Council during the public hearing on the budget, Mayor Crewe declared the public hearing closed.

RE: PUBLIC HEARING – COMPREHENSIVE PLAN

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider the new Comprehensive Plan. He noted that this matter has gone through the Planning Commission public hearing, and advised that the Plan will be considered later in the meeting for adoption. Mayor Crewe indicated that it is a 5-year, 10-year, and a 15-year plan that the Town is required by law to review, and explained that the Town can redo the Comprehensive Plan at anytime it wishes. He remarked that the Council is required at certain intervals to act on the

Plan, and that is why it is being considered at this meeting. Mayor Crewe indicated that he did not see anyone on the sign up sheet who indicated they wanted to address the Town Council regarding the Comprehensive Plan. He inquired if there are persons present who wish to address the Town Council during this public hearing. There being none, he declared the public hearing closed.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next agenda item is Citizens' Period. He noted the Town Council schedules this time for every meeting. He noted that at this time, unless someone would prefer to do it in a different order, he will recognize Mr. Eric R. Herold with the Virginia Department of Health. Mayor Crewe advised Mr. Herold that the Council is glad to have him at the meeting and thanked him for attending the meeting.

Mr. Herold stated the Virginia Department of Health has a special program for water plants and water systems, and it is called the Virginia Optimization Program. He stated the Town's water plant achieved the highest award for 2005 that is available, and noted it is called the Gold Award. Mr. Herold explained that this award recognizes the waterworks for meeting the goals for clarifying water, filtering water, and the backwash process at the water plant. He indicated that there are approximately 240 waterworks that qualify that are surface water treatment plants in Virginia, and the Town of Wytheville is one of three that received this award. Mr. Herold commented that, hopefully, the Town will receive it again this year, but the Town is up for it every year. He advised that this is only the second year of the program, and the Town received an award last year. Mr. Herold remarked that they did not have this arrangement then, but now they do, and, hopefully, the Town of Wytheville will receive the Gold Award again. Mayor Crewe thanked him for the award, and asked Water Superintendent Tony Hounshell to come forward to receive the award. He remarked that Mr. Hounshell would be the person who would catch the grief if the water was not processed correctly, so he should be the person who receives the praise when it is correct, so he would ask Mr. Hounshell to accept the award on behalf of the Town. Assistant Town Manager Moore proceeded to take a photograph. Mayor Crewe congratulated Mr. Hounshell and thanked him for all of his hard work. He thanked Mr. Herold for the award and for attending the meeting. Mayor Crewe advised that he has been told that the other two that were cited were bigger localities than the Town of Wytheville. Mr. Herold advised that he is unsure who the other two localities are, but they are definitely bigger than the Town of Wytheville. Mayor Crewe thanked Mr. Herold for the award and thanked Mr. Hounshell for attending the meeting.

Mayor Crewe inquired if there are others who wish to address the Town Council during Citizens' Period on any topic that is not on the agenda. There being none, he proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Public Works Committee and the Budget and Finance Committee have changed meeting dates this week. They will be meeting on Wednesday and Friday, respectively, rather than on Tuesday and Thursday. Town Manager Sutherland inquired of Councilman Weisiger if that is correct. Councilman Weisiger answered that is correct.
2. There is a Memorial Day ceremony Sunday afternoon, and then, Monday, May 29, is a recognized holiday, and the offices will be closed.
3. With regard to the New River Regional Water Authority in its effort to obtain loan funds through the Virginia Resources Authority, those bonds will be on sale tomorrow. The Town will know tomorrow afternoon the results of those bonds. The Virginia Resources Authority was predicting as of this morning that the loan funds would be in the 4.3 percent range, which is a very good rate.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that later in the meeting, the Council will consider, on second reading, the adoption of the Town's budget for fiscal year 2006-2007. She stated the third and final reading of the budget is scheduled for June 12, though, if needed, amendments and final adoption could occur at the June 26 meeting of Council. Vice-Mayor King indicated that the Committee does not have any additional comments with regard to the budget with exception of the recommendation on the payment of debt service on the new Community Center facility. She stated the construction of the new Community Center has been anticipated for many years, and the Town has maintained reserves in

anticipation of using a combination of reserves on hand, as well as loan proceeds, to perform the work. Vice-Mayor King noted that the construction on the Community Center is not yet complete, and, no doubt, there will be other unanticipated expenses prior to it being completed. She advised that additionally, at this point, it is difficult to predict exactly the operational expenses that will be incurred when the facility opens. Vice-Mayor King explained that three years ago, the meals tax and the motel tax were increased from four percent and three percent, respectively, to six percent each, and these additional revenues were to be used for debt service and operation of the new Community Center. She noted that over this period of time, these increases have accrued cash in the Town's reserves. Vice-Mayor King remarked that it is the Committee's opinion that \$5 million of cash reserves should be earmarked for debt service on the new Community Center. She stated that to this extent, it would be the Committee's recommendation that the Council authorize the Town Treasurer to create an account with the Local Government Investment Pool designating \$5 million as the Community Center fund. Vice-Mayor King noted the Committee anticipates that decisions on the disbursement of these funds could be made in approximately one year after the facility is completed, and the Town has some idea of operational expenses. She advised that in addition to creating this Community Center fund, the Committee would also recommend that these funds cannot be used for any other purpose than expenses associated with the Community Center unless otherwise directed or authorized by the Council. Mayor Crewe inquired as to the feelings of the Committee, and if they wanted the Council to consider this after the budget, or if they want to have it considered now, or if it matters, and noted, technically, it could be done either way. Councilman Jones pointed out that this does not affect the budget. Mayor Crewe stated he agrees, and this is only earmarking the reserves. A motion was made by Vice-Mayor King and seconded by Councilman Jones to authorize the Town Treasurer to create an account with the Local Government Investment Pool to designate \$5 million of cash reserves as the Community Center fund and that these funds cannot be used for any other purpose than expenses associated with the Community Center unless otherwise directed or authorized by the Council. Mayor Crewe inquired if there is any discussion on the motion. Town Manager Sutherland advised that it does not change the interest rate if Council segregates these funds into a separate account. Mayor Crewe pointed out that it is only earmarking these funds for the Town's budgetary purposes. He inquired if there is any other discussion. Councilman Lambert indicated that he would like to raise the point that he would feel comfortable if the Council reserved the amount that has been generated by the increase in the motel and meals taxes, but advised he thinks \$5 million may be excessive because there are other needs he thinks the Town Council may need to address. He continued that he would hate to place a full \$5 million off limits. Councilman Jones explained that the only reason he suggested \$5 million was simply because with the reserves the Town has already accumulated, plus the \$2.5 million that came from the Wythe County Community Hospital Foundation, it seemed reasonable to him that the Council could, at least, set aside \$5 million. Mayor Crewe explained that this would be the \$2.5 million from the extra meals and lodging tax, and the \$2.5 million from the Hospital Foundation. Councilman Jones stated that is correct. Councilman Lambert noted that he thinks the Town would be required to at least use the \$2.5 million from the Hospital Foundation for the Community Center in some capacity. Councilman Jones stated that is correct. Councilman Lambert noted the Town does not have any option on that and inquired if that is correct. Councilman Jones stated that is correct. Mayor Crewe indicated that the Council could always change their mind, and another Council could vote differently, but when the Council raised the meals and lodging taxes, they specifically stated the increase was going to be earmarked for the Community Center, and advised that this was probably before Councilman Lambert started serving on the Council, but stated he remembers when the Council did it, and that was the reason for doing it was to earmark the money for use of the Community Center. He indicated that this is where he thinks the other \$2.5 million is coming from, if his figures are correct. Councilman Lambert advised that he is agreeable to this. Mayor Crewe explained that this is where the \$5 million is coming from, and it is part from the Hospital Foundation and part from the extra money in the meals and lodging tax. He inquired of Town Treasurer Stephens if he is misstating something. Town Treasurer Stephens noted that Mayor Crewe is correct. Mayor Crewe inquired if there is any other discussion on the motion. He noted he did not know if this addresses Councilman Lambert's concerns, and noted he is not cutting Councilman Lambert off, but he wanted to try to respond. Mayor Crewe inquired if there is any other discussion on the motion to earmark \$5 million in the Local Government Investment Pool as designated for the Community Center. There being no further discussion, 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. Mayor Crewe reminded the Council members to keep in mind that if they changed their mind, he supposes there is no legal impediment to changing this and doing it some other way, but this is just earmarking the funds for the Town's investment purposes, but it would still be invested at the same interest rate.

Vice-Mayor King also reported that several weeks ago, the Committee met with representatives from Wythe County to discuss a proposal they had received from the Southwest Virginia

Horsemen's Association. She stated that apparently, the Southwest Virginia Horsemen's Association had a parcel of land on West Lee Highway that was recently sold for an approximate \$300,000. Vice-Mayor King noted that the Horsemen's Association has contacted both Wythe County and the Town of Wytheville expressing a desire to use these proceeds in an ongoing effort to provide equestrian activities within the County. She remarked that the Association has conceptualized the creation of an exposition center that could be used for a variety of functions, with particular emphasis on agricultural activities. Vice-Mayor King indicated that the Horsemen's Association would like to make application for a planning grant through the Department of Housing and Community Development. She explained that Virginia Tech has offered to prepare the application, and their fees for performing this service will be \$600. Vice-Mayor King stated it was agreed that the Town of Wytheville and Wythe County would equally share the expenses in having the planning grant application prepared. She commented that if the Horsemen's Association is successful in getting a planning grant, Virginia Tech will perform a feasibility study on such a facility. Vice-Mayor King indicated that the study would provide specific information on whether this type of facility is needed and if it could be financially stable. She advised it would also identify items such as where such a facility should be located and other factors as to how the property would be owned and managed. Vice-Mayor King pointed out that all of this is very premature, and the initial step is merely to have Virginia Tech prepare the application for submittal to the Department of Housing and Community Development. She stated that the Horsemen's Association is not eligible to make this application, and, therefore, either the Town or the County will need to act as the fiscal agent for the Horsemen's Association. Vice-Mayor King indicated that there will be no work involved on the Town's behalf other than writing a check to Virginia Tech for their services. She advised that the Committee would note here that the Town has no other involvement in the project other than acting as the agent for the Horsemen's Association in seeking a planning grant. Vice-Mayor King noted that, certainly, this action is not an endorsement of the project nor does it commit the Town to any other future financial obligations or participation, but merely an action to assist in determining the feasibility of such a new facility. She stated it would be the recommendation of the Budget and Finance Committee that the Town act as the fiscal agent for the preparation of a grant application to the Department of Housing and Community Development and that the Town Manager be authorized to sign such documents as may be needed in the application process. A motion was made by Vice-Mayor King and seconded by Councilman Jones that the Town act as the fiscal agent for the preparation of a grant application to the Department of Housing and Community Development and that the Town Manager be authorized to sign such documents as may be needed in the application process. Mayor Crewe inquired if this means the Town would pay \$300, half of the \$600 fee, and the County will pay the other half. Councilman Jones noted that is not correct. Town Manager Sutherland advised that as it turns out, the Farm Bureau has given the Horsemen's Association \$600 for this purpose. Mayor Crewe stated all the Town has to do is complete the paperwork. Vice-Mayor King indicated that this takes care of the Town. Mayor Crewe noted that this also takes care of the County. He reiterated that all the Town has to do is take the money and write the check. Vice-Mayor King inquired if the Committee would now only recommend that the Council should authorize Town Manager Sutherland to sign the paperwork. Mayor Crewe pointed out that the Committee's recommendation is that the Council authorize the Town to act as the fiscal agent, and the Town Manager to sign what documents are needed in the application process. Mayor Crewe inquired if there is any other discussion on the motion for the Town to act as the fiscal agent for the preparation of the grant application and the Council authorize the Town Manager to sign the necessary documents. 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. 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 the Virginia Department of Transportation has solicited public comments with regard to the proposed Six Year Improvement Program. He advised that this planning document identifies all projects that are being designed and constructed throughout Virginia for the upcoming six years for all areas of transportation including interstates, primary highways, streets within the urban system, and public transportation facilities. He noted the funding that has been available in the past years for transportation projects has become insufficient to meet the identified needs, and, currently, the General Assembly is debating on mechanisms which will add additional construction dollars for transportation projects. Councilman Lambert pointed out that the Code of Virginia requires that the first priority of funding for transportation in Virginia will be the maintenance and safety of existing highway systems. He explained that after these funds are expended, the residual is left for construction of highway projects. Councilman Lambert stated the Town has responded to the Virginia Department of Transportation endorsing construction of the connector road between Peppers Ferry Road and Lithia Road. He advised that this project has been identified in the Six

Year Improvement Program in excess of ten years, and, as of yet, has not been constructed. Councilman Lambert noted that this section of roadway continues to be identified in the Six Year Plan, and the Town responded to the Department that the Town wants this section of roadway to continue to be identified as a needed improvement in the Town of Wytheville. He remarked that there are a number of other identified needs that the Town has submitted to the Department of Transportation, but, given the funding situation, the Town is not optimistic that any of these will ever be included in the program. Councilman Lambert advised that the other improvements that were identified were similar to those that have been submitted in prior years, and if any member of Council or citizen would like a copy of these recommendations, they can be found in the Town Manager's office. Mayor Crewe indicated that the Town has already taken whatever action is needed, and nothing further is required at this meeting. Town Manager Sutherland noted that interestingly, Mr. White, who is the urban engineer, was by the office today, and things are really bleak. He advised that there is not a State budget, and the Transportation Board cannot set a new program of construction because they are compelled to have to wait on a budget. Mayor Crewe stated it does not hurt to send in the information to see what happens.

Councilman Lambert also reported that some months ago, the Council and the Wythe County Board of Supervisors were approached by a group of property owners known as Country Club Heights, LLC who requested that a 160-acre parcel of land situated on the west side of Petunia Road be brought into the corporate limits of Wytheville. He advised that currently, this entire tract of property is situated in Wythe County. Councilman Lambert indicated that the owners of this property are interested in developing it into a residential subdivision and are seeking to have it incorporated into the Town's limits for the purpose of receiving services from the Town, and, also, to provide zoning protection to the property. He stated the developers have now had the property surveyed, and plats have been created that are sufficient in detail for this process to move forward. Councilman Lambert advised that the Town has retained the legal services of Mr. Carter Glass with Troutman Sanders LLP of Richmond to perform the necessary legal work. He explained that all legal expenses associated with this boundary change will be borne by the property owners. Councilman Lambert noted that the process to bring this land into the corporate limits will involve conducting public hearings both by the Town of Wytheville and Wythe County, and, also, the adoption of a resolution by each governing body authorizing and endorsing this boundary revision. He explained that subsequent to these actions, a panel of three Circuit Court judges will review the proceedings and authorize or deny the request. He stated it does not appear there are any controversies surrounding this request. Councilman Lambert remarked that the Town anticipates it could become effective on January 1, 2007. He commented that Mr. Glass has advised he has documents prepared that can be reviewed by the governing bodies in the very near future. Councilman Lambert pointed out that there is no action required by the Council at this time, but the Committee did want to make everyone aware that this proceeding was about to commence. Mayor Crewe indicated that the Council does not have to do anything with this matter at this time. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: ORDINANCE NO. 1202 – INOPERATIVE VEHICLES

Mayor Crewe presented Ordinance No. 1202, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, Article VII. Keeping of Inoperative Vehicles, Sections 12-130, Definitions, and 12-132, Exceptions, of the Code of the Town of Wytheville, Virginia, on third and final reading. He remarked that this has been before the Council previously on two readings, and this would be the third reading. Mayor Crewe explained that the biggest impact is it deletes the present ordinance allowing a tarp to cover from view an inoperable motor vehicle, and requires that they be shielded better than with a tarp. A motion was made by Councilman Jones and seconded by Vice-Mayor King to adopt Ordinance No. 1202, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, Article VII. Keeping of Inoperative Vehicles, Sections 12-130, Definitions, and 12-132, Exceptions, of the Code of the Town of Wytheville, Virginia, on third and final reading. Mayor Crewe inquired if there is any discussion on the motion. Councilman Weisiger inquired if the Town Council adopts this ordinance at this meeting to finalize it, if the people involved will be notified, or if the Town will begin writing tickets right away. Mayor Crewe noted that the answer is maybe and yes. He continued that the newspaper coverage has reflected this a couple of times, and Justin Harmon with the *Wytheville Enterprise* is in attendance at this meeting. He advised that this matter has been on the web page, and it has gone through three readings, so it has been available to the public. Mayor Crewe indicated that anyone the Town knew who would be affected, the professional kind of people, has been notified. He explained that the State came in, and the Town had a meeting with them. Mayor Crewe remarked that his answer to the first part of Councilman Weisiger's question is the Town tried to get the word out, but he is confident that there are people who are not aware of this. He noted the answer to the second part of Councilman Weisiger's question is if the ordinance is adopted at this meeting, tickets can be written tomorrow, and this is when some citizens may find out about it. Councilman Weisiger

inquired if people will receive a warning. Town Manager Sutherland advised that normally, the way the process works is that the Town has to contact a property owner, in any event, and advise them that they have an inoperable motor vehicle, and indicated that he thinks for the initial contact, if the Town tells them that a tarp is no longer an acceptable covering method, the Town should know rather quickly whether the property owner agrees or disagrees with it and if the property owner is going to be willing to comply or not comply with the regulations. Vice-Mayor King pointed out that it is difficult to get the word out when people state they did not read the paper or did not listen to the radio, and inquired as to how the Town can get the word out. Town Manager Sutherland advised that word of mouth will probably go rather quickly on these regulations. Mayor Crewe 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

ABSTENTIONS: None

Ordinance No. 1202 was adopted on third and final reading.

RE: ORDINANCE NO. 1203 – BUDGET ORDINANCE

Mayor Crewe presented Ordinance No. 1203, the budget ordinance for fiscal year 2006-2007, on second reading. He noted that as the Council has previously discussed, the budget has a balanced expenditure and revenue side of \$21,314,000. Mayor Crewe remarked that he thinks he is in order in stating that the Budget and Finance Committee has a motion that it be adopted on second reading, so that the third reading will be at the next Council meeting. A motion was made by Vice-Mayor King and seconded by Councilman Jones to adopt and appropriate the departmental budget and adopt Ordinance No. 1203, the budget ordinance for fiscal year 2006-2007, on second, but not 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. 1203 was approved on second, but not final, reading.

RE: COMPREHENSIVE PLAN

Mayor Crewe stated the next agenda item is to consider the adoption of the new Comprehensive Plan. He remarked that the law requires the Town to consider the adoption of the Comprehensive Plan as recommended by the Planning Commission. A motion was made by Councilman Jones and seconded by Councilman Weisiger to adopt the new Comprehensive Plan. 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: THE CROWN COMPANIES, LLC SUBDIVISION

Mayor Crewe noted the next agenda item is to consider the recommendation of the Planning Commission regarding the request of The Crown Companies, LLC for final plat approval of the subdivision of property located on the east side of North Fourth Street between Interstate 81 and Ridge Road (Builder's Supermarket property). He noted this agenda item is the reason that several persons are attending the meeting. Mayor Crewe advised that the Council has in their packet of information the staff report, the Planning Commission's recommendation, and the Council members found when they arrived at the meeting a replacement or updated proffer that has been written. He noted it is required that the Town Council act on the matter at this meeting. Mayor Crewe inquired if there is a motion to adopt the Planning Commission's recommendation, which is to approve the subdivision pending final technical compliance with all the Town's Subdivision Ordinance requirements. Vice-Mayor King inquired regarding the proffer and noted that the proffer refers to the "City of Wytheville" rather than the "Town of Wytheville" and

inquired if this matters. Mayor Crewe noted that they have discussed this previously, and it probably does not, but noted this will be fixed in the final draft. Mayor Crewe informed The Crown Companies representatives that the Council is referring to the Town of Wytheville being a town and not a city, and advised that this is Vice-Mayor King's question with this being listed as a city on the proffer. A motion was made by Councilman Lambert and seconded by Councilman Jones to accept the recommendation of the Planning Commission and approve the request of The Crown Companies, LLC for final plat approval of the subdivision of property located on the east side of North Fourth Street between Interstate 81 and Ridge Road (Builder's Supermarket property). Mayor Crewe inquired if there is any discussion. He noted he is not suggesting that the representatives of The Crown Companies have to speak, but noted the Council would be glad to hear from them if they would like to address the Town Council. He reiterated that they do not have to speak, but they are welcome to if they desire. Mayor Crewe indicated that Mr. Holder is first on the list to speak, and then Mr. Dreitzler, if they would like to speak. He thanked them for attending the meeting.

Mr. Sam Holder was recognized and thanked the Council for their time and consideration. He advised that he is a partner in The Crown Companies. Mr. Holder indicated that more than anything, he signed up to speak in case any of the Council members have questions they may want to ask. He noted that Mr. Dreitzler is their civil engineer. Mr. Holder reiterated that they are coming before the Town Council and he thanked them for their consideration of their request for final subdivision plat approval subject to technical compliance. He noted he would be glad to answer any questions the Council may have. Mayor Crewe stated he thinks the number one concern the Town has had, which The Crown Companies has been very good at trying to address is the traffic patterns as well as the relocation of Tazewell Street, etc. He advised Mr. Holder that on behalf of the Town Council, he appreciates the way The Crown Companies has gone about this and the receptivity they have shown to this. Mayor Crewe indicated that this will help the Town and The Crown Companies. He noted that end of Town is getting busy, and there are traffic problems already, and they do not need to be made any worse. Mayor Crewe indicated that he thinks this has been covered, but this will be something that is fine tuned as they move along as the documentation indicates. Mr. Holder stated that is correct. Mayor Crewe inquired if anyone has any questions or comments for Mr. Holder. He thanked him for attending the meeting and noted he has one question that Mr. Holder may or may not be able to answer, and advised that Mr. Holder can certainly refuse to answer. Mayor Crewe stated he has been asked this question many times since the matter arose. He inquired as to what kind of timetable The Crown Companies is operating on, and inquired regarding any type of information Mr. Holder could disclose about possible tenants, etc., and noted he could answer if he cared to. Mr. Holder answered that they are very close to being able to make some announcements. He stated they do have some signed agreements, but a couple of those tenants want to get a little more done with the Town before any of this information is released. Mr. Holder indicated that from a standpoint of timing of the project, subject to approval at this meeting, they are in the process of finalizing all of the construction documents and permitting. He stated they would hope that sometime in the month of July, there will be activity on the site. Mr. Holder remarked that sometime in the first quarter of 2007, the Council should see some finished project coming online. He explained that it will be phased to some degree, driven mostly by the market. He noted that if everyone was ready to go, they would be ready to deliver, but they do have some tenants that are ready to go now. Mr. Holder pointed out that they do not have a user for the back parcel as of yet, and noted they are marketing it, so that parcel will come online probably in Phase II. He reiterated that they are rather close to being able to make some announcements. Mayor Crewe thanked Mr. Holder for his comments. Town Manager Sutherland remarked that he would note some logistic kinds of issues. He indicated that the Council will need to acknowledge and accept the proffer from the developer. Town Manager Sutherland explained that subsequently, the Council will have to go through the process of closing a street and accepting the dedication of their street, but indicated that the Council can take care of this at a subsequent meeting. Mayor Crewe thanked Mr. Holder and noted that the Council wished him the best of success.

Mayor Crewe noted that he is not suggesting that Mr. Dreitzler has to speak, but the Council will be glad to hear from him. Mr. Bill Dreitzler indicated that Mr. Holder has mostly stated it all. He noted it has been a joy to work with the Town, and, hopefully, they can continue to work with them. He noted the wording is "contingent upon technical compliance." Mr. Dreitzler remarked that he and Mr. Michael Blakely will continue to work with Town staff to try to make them comfortable with the design of the project. Mayor Crewe thanked Mr. Dreitzler for his comments.

Mayor Crewe inquired if there is any discussion on the motion to accept the recommendation of the Planning Commission, which basically approves the subdivision pending technical compliance with the Town Subdivision Ordinance. He inquired if the Council wanted to consider the proffer separately or with the main motion. Councilman Jones noted the Council should consider the proffer at the same time as the original motion. Mayor Crewe inquired as to who

made the motion. Councilman Lambert indicated that he made the motion that the Council accept the Planning Commission recommendation. Mayor Crewe inquired if Councilman Lambert is accepting as a part of the motion that the Council also acknowledges and accepts the proffer. Councilman Lambert stated he would also make as a part of the motion that the Council acknowledges and accepts the proffer. Councilman Jones noted that he seconded the motion, and he would also include in his second that the Council acknowledges and accepts the proffer. Mayor Crewe noted that the motion is now in proper form with the two parts, which is to approve the subdivision pending technical compliance and to acknowledge and accept the proffer. 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. Mayor Crewe noted the subdivision is approved pending technical compliance, and the Town Council accepted the proffer. He stated the Town looks forward to this project moving forward. He thanked the representatives for attending the meeting and wished them luck.

RE: A-95 REVIEW

Mayor Crewe stated the next agenda item is to consider an A-95 Review of the Southwest Regional Enterprise Center for technical assistance for the refinement of the original feasibility study to open a small business incubator. He noted the A-95 Review has the usual choices of everything from "favorable review" to "no comment." Mayor Crewe indicated that the recommendation in the Council packet is to give it a favorable review. He noted if he read this correctly, there is no local money involved, and there is a \$10,000 grant from the Federal government that would be involved, but no local money would be involved. A motion was made by Vice-Mayor King and seconded by Councilman Lambert to give a favorable review to the A-95 Review of the Southwest Regional Enterprise Center for technical assistance for the refinement of the original feasibility study to open a small business incubator. 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: ABSENCE OF MAYOR CREWE

Vice-Mayor King stated the Council is glad to have Mayor Crewe back. Mayor Crewe thanked her, and noted he appreciated the Council covering for him. He apologized for having to miss the last meeting, but indicated that under the circumstances due to his father's illness, it was not much of a choice on his part. He reiterated his thanks to the Council for covering for him.

Mayor Crewe noted that he has not seen Councilmen Jones and Weisiger since Election Day when he received the telephone call, and he would like to congratulate them on their re-election. He advised that he looked forward to working with them again.

RE: RUN FOR THE WALL

Mayor Crewe advised that he would remind the Council that on Wednesday afternoon, somewhere from 3:30 p.m. or 4:00 p.m., the Town will again have 200-300 motorcycle veterans in a group arriving at Withers Park. He stated they will be in Withers Park again Thursday morning for a program with the students from Spiller School, and will be departing again about 9:30 a.m. Mayor Crewe advised that the Links will be serving breakfast starting around 7:15 a.m., if he understands correctly, and indicated that this was formerly the Quota Club. Vice-Mayor King stated that is correct. Mayor Crewe remarked that the Council appreciates Vice-Mayor King's assistance in doing that. He noted if anyone gets time to come by, it is a neat group of people to meet. Mayor Crewe advised that he imagined there would be more people on Thursday than there are on Wednesday because they will come to Town on Wednesday afternoon, and they always have a few more that join them. He explained that they are going to Washington, DC, and the closer they get to Washington, DC, the more people who join them. Mayor Crewe remarked that if the Council desires, there is a web page. He noted if a person goes to www.rftw.org and looks for the southern route, it is the one that comes through Wytheville. He explained that central route goes north. Mayor Crewe stated they have had good weather and have made out real well, thus far. Councilman Weisiger inquired if the finances have been worked out for the gas. Mayor Crewe answered the finances have not been worked out. He stated it depends on how many there are, and what the Town ends up paying. Mayor Crewe remarked that the estimate is approximately \$1,500, and the Town has only received about \$500 that has been contributed. He stated he has been making telephone calls, and they are trying to see if that will come to fruition and inquired of Town Treasurer Stephens if that is correct. Town Treasurer Stephens stated that is correct. Vice-Mayor King inquired if from any of the telephone calls they made last week if any donations were made. Town Treasurer Stephens

remarked that they received several donations last week. Mayor Crewe indicated that if there is anyone who would care to donate, the Town would be more than grateful to receive a donation in the Town Office to pay for gas for these motorcyclists when they come to town because gas is expensive, and they are paying their own expenses on their way across the country.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:50 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Chief Deputy Clerk

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BUDGET AND FINANCE COMMITTEE REPORT

MAY 22, 2006

1. Later this evening, the Council will consider, on second reading, the adoption of the Town's budget for fiscal year 2006-2007. The third and final reading of the budget is scheduled for June 12, though, if needed, amendments and final adoption could occur at the June 26 meeting of Council. We do not have any additional comments with regard to the budget with exception of the recommendation on the payment of debt service on the new Community Center facility.

The construction of the new Community Center has been anticipated for many years, and the Town has maintained reserves in anticipation of using a combination of reserves on hand, as well as loan proceeds, to perform the work. The construction of the Community Center is not yet complete, and, no doubt, there will be other unanticipated expenses prior to it being completed. Additionally, at this point, it is difficult to predict exactly the operational expenses that will be incurred when the new facility opens.

Three years ago, the meals tax and the motel tax were increased from four percent and three percent, respectively, to six percent each, and these additional revenues were to be used for debt service and operation of the new Community Center. Over this period of time, these increases have accrued cash in our reserves. It is our opinion that \$5 million of cash reserves should be earmarked for debt service on the new Community Center. To this extent, it would be our recommendation that we authorize the Town Treasurer to create an account with the Local Government

Investment Pool designating \$5 million as the Community Center fund. We would anticipate that decisions on the disbursement of these funds could be made in approximately one year after the facility is completed, and we have some idea of operational expenses. In addition to creating this Community Center fund, we would also recommend that these funds cannot be used for any other purpose than expenses associated with the Community Center unless otherwise directed or authorized by the Council.

2. Several weeks ago, our Committee met with representatives from Wythe County to discuss a proposal they had received from the Southwest Virginia Horsemen's Association. Apparently, the Southwest Virginia Horsemen's Association had a parcel of land on West Lee Highway that was recently sold for an approximate \$300,000. The Horsemen's Association has contacted both Wythe County and the Town of Wytheville expressing a desire to use these proceeds in an ongoing effort to provide equestrian activities within the County. The Association has conceptualized the creation of an exposition center that could be used for a variety of functions, with particular emphasis on agricultural activities. The Horsemen's Association would like to make application for a planning grant through the Department of Housing and Community Development. Virginia Tech has offered to prepare the application, and their fees for performing this service will be \$600. It was agreed that the Town of Wytheville and Wythe County would equally share the expenses in having the planning grant application prepared. If the Horsemen's Association is successful in getting a planning grant, Virginia Tech will perform a feasibility study on such a facility. The study would provide specific information on whether this type of facility is

needed and if it could be financially stable. It would also identify items such as where such a facility should be located and other factors as to how the property would be owned and managed. All of this is very premature, and the initial step is merely to have Virginia Tech prepare the application for submittal to the Department of Housing and Community Development. The Horsemen's Association is not eligible to make this application, and, therefore, either the Town or the County will need to act as the fiscal agent for the Horsemen's Association. There will be no work involved on the Town's behalf other than writing a check to Virginia Tech for their services. We would note here that the Town has no other involvement in this project other than acting as the agent for the Horsemen's Association in seeking a planning grant. Certainly, this action is not an endorsement of the project nor does it commit the Town to any other future financial obligations or participation, but merely an action to assist in determining the feasibility of such a new facility. It would be the recommendation of the Budget and Finance Committee that the Town act as the fiscal agent for the preparation of a grant application to the Department of Housing and Community Development and that the Town Manager be authorized to sign such documents as may be needed in this application process.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

MAY 22, 2006

1. The Virginia Department of Transportation has solicited public comments with regard to the proposed Six Year Improvement Program. This planning document identifies all projects that are being designed and constructed throughout Virginia for the upcoming six years for all areas of transportation including interstates, primary highways, streets within the urban system, and public transportation facilities. The funding that has been available in the past years for transportation projects has become insufficient to meet the identified needs, and, currently, the General Assembly is debating on mechanisms which will add additional construction dollars for transportation projects. The Code of Virginia requires that the first priority of funding for transportation in Virginia will be the maintenance and safety of existing highway systems. After these funds are expended, the residual is left for construction of highway projects. We have responded to the Virginia Department of Transportation endorsing construction of the connector road between Peppers Ferry Road and Lithia Road. This project has been identified in the Six Year Improvement Program in excess of ten years, and, as of yet, has not been constructed. This section of roadway continues to be identified in the Six Year Plan, and we have responded to the Department that we want this section of roadway to continue to be identified as a needed improvement in the Town of Wytheville. There are a number of other identified needs that we have submitted to the Department of Transportation, but, given the funding situation, we are not optimistic that any of these will ever be included in the program. The other improvements that were

identified were similar to those that have been submitted in prior years, and if any member of Council or citizen would like a copy of these recommendations, they can be found in the Town Manager's office.

2. Some months ago, the Council and the Wythe County Board of Supervisors were approached by a group of property owners known as Country Club Heights, LLC who requested that a 160-acre parcel of land situated on the west side of Petunia Road be brought into the corporate limits of Wytheville. Currently, this entire tract of property is situated in Wythe County. The owners of this property are interested in developing it into a residential subdivision and are seeking to have it incorporated into the Town's limits for the purpose of receiving services from the Town, and, also, to provide zoning protection to the property. The developers have now had the property surveyed, and plats have been created that are sufficient in detail for this process to move forward. The Town has retained the legal services of Mr. Carter Glass with Troutman, Sanders LLP of Richmond to perform the necessary legal work. All legal expenses associated with this boundary change will be borne by the property owners. The process to bring this land into the corporate limits will involve conducting public hearings both by the Town of Wytheville and Wythe County, and, also, the adoption of a resolution by each governing body authorizing and endorsing this boundary revision. Subsequent to these actions, a panel of three Circuit Court judges will review the proceedings and authorize or deny the request. It does not appear that there are any controversies surrounding this request. We would anticipate that it could become effective on January 1, 2007. Mr. Glass has advised

that he has documents prepared that can be reviewed by the governing bodies in the very near future. There is no action required by the Council at this time, but we did want to make everyone aware that this proceeding was about to commence.

William B. Weisiger

H. Judson Lambert

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