

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, DECEMBER 11, 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 Officer Kenneth Akers, John Brinker, W. Jeff Evans, Walter W. Evans, Pat Snapp, Becky Grubb, Agnes Eades, Jeannie Rose, Peggy King, Tyler Crewe, Kerry Eans

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 November 27, 2006, and the request of the Concerned Citizens Network of Wythe County to conduct the annual Dr. Martin Luther King, Jr. Day March on Sunday, January 14, 2007, at 2:00 p.m., and to waive the fees for use of the Heritage Preservation Center Education Room. 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 November 27, 2006, and the request of the Concerned Citizens Network of Wythe County to conduct the annual Dr. Martin Luther King, Jr. Day March on Sunday, January 14, 2007, at 2:00 p.m., and to waive the fees for use of the Heritage Preservation Center Education Room. 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 – CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider renewing the Certificates of Public Convenience and Necessity during 2007 for Premier Taxi Service, LLC and City Cabs of Wytheville, LLC for the operation of taxicabs and for Guardian Ambulance Service, Incorporated and LifeCare Medical Transports, Incorporated for the operation of public vehicles. Mayor Crewe noted he is not suggesting that anyone has to speak, but he knows some of the people are attending the meeting for this topic. He stated the Council appreciates them attending the meeting. Mayor Crewe noted that he sees on the sign up sheet that Ms. Peggy King had indicated she would speak if needed. He inquired if there are persons present who wished to address the Town Council during the public hearing. Mayor Crewe advised that this information is in the Council packet, and noted that for the audience, the two matters the Town Council reviews are the evaluation of the vehicles by the Police Department and that the companies have the appropriate liability insurance documentation. He reiterated that the Council has this information in their packet. Mayor Crewe noted that a couple of the insurance forms the Council received have been replaced by new certificates of insurance besides what is in the packet, and the Council has the most updated insurance certificates. He inquired if anyone desired to comment or make remarks during the public hearing. There being none, he declared the public hearing closed. Mayor Crewe advised that the Council will consider later in the meeting whether to grant the Certificates of Public Convenience and Necessity.

RE: CITIZENS' PERIOD

Mayor Crewe noted the next agenda item is Citizens' Period. He noted that the Council is pleased to have Mr. John Brinker attending the meeting. He advised that Mr. Brinker is the Vice President of Operations of JetBroadband who is going to explain to the Town Council what is about to happen with the cable system.

Mr. John Brinker was recognized and stated it is a pleasure for him to attend the meeting. He noted he thinks this is a great community, and noted he has been in town several times over the past six months and it is a nice area. Mr. Brinker remarked that there is a lot of growth, and he thinks there is a lot of potential not only for his business, but for any businesses who happen to reside in the community. He noted that JetBroadband currently operates cable systems in

Virginia, as well as West Virginia. Mr. Brinker indicated that last December, JetBroadband purchased systems from Bay Hackle Communications, which served primarily Rustburg, Bedford, Appomatox, Black Stone, and the Crewe areas, as well as areas of Pineville, Mullens, Oakvale, and Herndon, West Virginia. He noted that their legacy goes back a number of years. He noted that, personally, he has been in the cable business for well over 30 years. Mr. Brinker indicated that he has been working in the industry since 1977. He stated the people he works with at the corporate office are in Connecticut and Stanford. Mr. Brinker noted that Mr. Dave Baum, who is the CEO, and Dan Nofs, Sr., Vice President of Operations, George Fisillis, CFO, and the Controller, have well over 100 years in the cable television business. He indicated that prior to this acquisition with JetBroadband, Dave Baum, Dan Nofs, himself, and a number of people came back together in 1999, and Helicon owned and operated cable television systems with about 200,000 subscribers for ten or twelve years, parts of which were in West Virginia, and some of the systems were close to Herndon, West Virginia, today, as well as he worked for them in Anderson, South Carolina, and other places. Mr. Brinker reiterated that this is not new to them, and it is something they have done for a number of years. He explained that Dave Baum's father, Ted Baum, owned Helicon Telecommunications, and sold that company in 1999, and since then Dave Baum and Dan Nofs have been looking for other acquisitions, and, fortunately, found systems from Bay Hackle Cable in Virginia and West Virginia, and they are pursuing other interests and growing this business from 17,000 subscribers to the additional subscribers they will have in Wytheville, which also includes 7,000 subscribers that are in West Virginia. Mr. Brinker advised that they have a third acquisition they are looking at, and it will get them to 50,000 subscribers, probably within the next six months. He indicated that they are in the business to grow the company as best they can. He noted they entered into an agreement with Rapid Cable to purchase the system in Wytheville, and part of the reason he is attending the meeting is he met with the Town Manager a couple of times, and they would like to ask the Town of Wytheville for an ordinance to pass the existing franchise to JetBroadband. Mr. Brinker remarked that part of what they are looking at doing, and noted they want to move on this immediately because of the opportunity in this area, is to take the system and probably build it to either 625, 750, or 860 megahertz, which will allow them to expand their digital and analog offerings. He indicated it will also allow them to provide high speed data, as well as look at voice over telephone, high definition television, and those kinds of services as well. Mr. Brinker advised that this would depend on the demand, and it would include a lot of the products and services the larger companies offer. He commented that what he thinks makes them unique is they have some capital investors that have the money that will allow them to do a lot of the things in these smaller communities that a lot of these larger communities do. Mr. Brinker stated they also have an arrangement with Mid-Atlantic Broad Band, which some of the Council may know, and they took the tobacco money and built a fiber backbone throughout the state of Virginia. He noted that as one of their members, it allows them to take their existing fiber and tie these systems together so there is an economy of scale where they will not have multiple receive sites, and they may have one receive site in Rustburg, for example, that would service Appomatox, Blackstone, and Crewe. Mr. Brinker advised that, in fact, the fiber that runs their facilities in Campbell County also comes through Wytheville. He noted there is an actual network with that fiber. He explained that with the technology they have today, there are a lot of things they can do to get in Point A that allows them the flexibility to do things in smaller applications, which they think is very exciting. Mr. Brinker noted the other thing they are looking at doing is getting governmental loans through the RUS funding process to where certain individuals in their business who would qualify in the communities could get a low interest loan that allows them, again, to take that money and put it back in these communities and do great things that a lot of the smaller operators cannot do but they are similar to what some of the operators are doing in the bigger communities. Mr. Brinker noted they are excited about this. Mayor Crewe thanked Mr. Brinker for letting the Town Council know what is happening. He inquired if anyone has any questions. Town Manager Sutherland inquired if JetBroadband will have to rebuild all the cable. Mr. Brinker answered that they do not have to rebuild the cable, but, actually, what happens is that Charter Communications actually did the mapping for the fiber backbone. He stated that Rapid Cable did not act upon it because Rapid was in a transitional period, so a good piece of the mapping has been completed. Mr. Brinker advised that basically, what they will do is overlay fiber which will over lash on the existing cable, and the old electronic components will be taken out and new electronic components will be installed to give them broader capability than what is there today. He stated it is basically an upgrade, and it is not really a complete taking down of what is there and replacing it. Mr. Brinker noted they can utilize what they already have there. He explained that in the future, they are going to do digital simulcast where all of the channels will be digitized. Mr. Brinker advised that what happens with this is it gives additional band width because they are taking a 6 megahertz channel, like channel 2 for example, and compressing it to get 10 to 12 channels in that one channel space today once they go fully digital on this. He remarked that it opens up all kinds of things with data. Mayor Crewe inquired as to the timeframe they are working toward. Mr. Brinker stated that as quickly as they can get the ordinance done, they can have the upgrade done within two months once the mapping is done and all of the materials are ordered, and it all should happen

within two months. He noted there are 129 miles of cable plant, and they will bring in crews. Mr. Brinker stated that to do the upgrade, they will try to minimize the disturbance to the customers and try to do it at night or at a time when it has the least affect. He advised that they have been doing it in West Virginia, Bedford, and Campbell County, and it has gone very well this year for them over there. Mayor Crewe thanked Mr. Brinker for his comments. Mayor Crewe inquired if there are any other questions or comments. Town Manager Sutherland advised that the Town has contacted their consultant, and he has contacted Mr. Richard Hainbach. He noted they wrote back this afternoon, and he thinks they are both of the opinion they can do this rather quickly. Mr. Brinker advised that he has copies of some of that correspondence in case there are any questions about it. He noted the office will remain in Wytheville, and the people they have employed will stay employed. Mr. Brinker advised that what they hope will happen over time as this area grows, and noted it is going to grow, is they will be able to add additional personnel. He noted they are a local company, and they put the money back in the community. Mr. Brinker advised that they are very big at supporting the community and getting involved locally with a lot of things. He stated they are doing some things in Appomatox and Rustburg with the football games and putting those on the air. He noted this also includes basketball games and baseball games. Mr. Brinker pointed out that it is not ESPN quality, but it is kind of fun to watch the children on television as they play. Mayor Crewe inquired if there are any other questions or comments. He thanked Mr. Brinker for his comments. Mr. Brinker noted that if the Council has any questions, to please call him, and he will be more than happy to answer those. He remarked that if the Council needs him back any time, he will be glad to attend a meeting. Mayor Crewe advised that the Council is trying to work on this matter. Mr. Brinker wished the Council a merry Christmas. Mayor Crewe thanked Mr. Brinker for attending the meeting and noted he hopes he travels safely back.

Mayor Crewe stated the Council is also privileged to have at the meeting a former State trooper, who decided he would serve in local government. He noted this gentleman currently serves on the Carroll County Board of Supervisors, and stated that Mr. Jeff Evans is about to take a bigger plunge and run for the State Senate. Mayor Crewe advised Mr. Evans that the Council is glad to have him in attendance, and the Council would be glad to hear from him.

Mr. Jeff Evans was recognized and thanked the Council for the opportunity to address them. He indicated that, as being on the Board of Supervisors and one of the reasons he is attending this meeting, is he thinks there needs to be more contact between the different branches of government, and they do not have this. Mr. Evans noted they lacked a lot in being able to have face to face contact with the legislators. He stated he believes this is important. Mr. Evans advised that he has seen a lot happen in Wythe County and Wytheville, and they are on the right track. He commented that in Carroll County, they are trying to find the track, to be honest. Mr. Evans noted that sometimes they get derailed, so he always admires any locality that is getting along and doing right. He stated that Carroll County is trying, but there are a lot of things they need. He advised that when he took office, they supposedly had a \$60 million debt with a \$60 million budget. Mr. Evans remarked that he did not have to go to college and he did not have to have much education to know what debt is, but noted he has found out they are not that far in debt. He advised that Carroll County is only \$48 million in debt, and they are only another 120 years getting out of debt. Mr. Evans advised that he knows what it is, and he just had the feeling that he needed to go around and visit some of the localities. He stated that last week, he was with the Fries Town Council and noted he did not think they knew there was Richmond, and he did not think they had ever heard of Richmond. Mr. Evans remarked that he wanted to make his rounds through the different counties that the 20th District encompasses and try to meet those he plans on being a servant to next November. He stated he believes in local government. Mr. Evans advised that he believes in State and Federal government, and he believes it has its proper place, but he does not believe, as he has seen, that State government needs to always be the one handing down the orders without any money. He noted he does not like that, and remarked that he believes when they tell the local governments what to do, they should give them the money to do it, and noted he knows his father used to tell him what to do, and his father usually gave him the money to do it, if it required money. Mr. Evans advised he has found that in government, this does not work, and reiterated that he does not agree with this. He summarized that he wanted to come by and introduce himself. Mr. Evans remarked that he was born in Grayson County, and he was raised in Grayson County until he was 17, and he went in the army. He stated he spent three years in the active army over in Germany from 1973 – 1976. Mr. Evans noted he came out of the army and spent one year in the reserves, and then went to the State Police for 24 years. He advised he retired from the State Police and he reckoned that he had just gotten so used to going into the beer joints and fighting with everyone that he felt like he had to get into politics. Mr. Evans noted he got into the local government in 2003, and with the help of the Lord and the votes of the Pipers Gap District, he was elected. He remarked that it has been everything but boring, but noted he has enjoyed it, and he has had the time of his life. Mr. Evans stated he is having the time of his life in this campaign. He noted he just wanted to come by. He remarked that one of the things he asked Fries is that he does

not necessarily understand all of the needs and the State issues this area might have in Wytheville like he does Carroll County, and advised that Carroll County is the only one he can state he understands and he knows what their needs are on the State level. Mr. Evans inquired of Mayor Crewe if he could get a list from him sometime when it is convenient of what the Town of Wytheville's issues are so that he knows better how to address those in the future, and he could plan better that way. He noted a lot of people act like next November is long time, but his trips back and forth to Henry County and back to Wythe County encompass a long way. Mr. Evans noted that those same 12 months for him seemed about four or five months. He advised he appreciated the opportunity to speak to the Town Council. Mr. Evans stated he left the Council a card, and if there are any questions the Council has for him about what he stands for, etc., to please call him. He noted his e-mail address is also on the card, and stated he will be glad to answer any questions the Council may have. Mayor Crewe thanked Mr. Evans for taking the time to attend the meeting. He inquired if anyone has any questions or comments for Mr. Evans. Mayor Crewe noted that for the record, he knows Mr. Evans did not tell it, but since he was talking to him before, he knows Mr. Evans' dad is attending the meeting with him. Mayor Crewe thanked Mr. Evans for attending the meeting and noted the Council wishes him luck and hopes he travels safely in all his miles.

Mayor Crewe inquired if there are others who wish to address the Town Council during Citizens' Period. There being none, he proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Crossroads Regional Industrial Facilities Authority will meet on Wednesday morning, December 13, 2006, at 8:30 a.m. at the Joint IDA offices.
2. The New River Regional Water Authority will meet on Thursday, December 21, 2006, at 9:00 a.m. in the Council Chambers.
3. As of now, both Council Committees are scheduled to meet this week and next week on their regular dates and times.
4. The Town will observe Monday and Tuesday, December 25 and 26, 2006, as the Christmas holidays.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Jones, reporting for the Budget and Finance Committee, reported that the Town has received a request from the HOPE, Incorporated Board requesting reimbursement for the real estate property tax paid on their office facility located at 680 West Main Street. He advised that HOPE, Incorporated occupies the office space formerly owned by Appalachian Power Company, and it is currently owned by Mr. and Mrs. George Keck of Ceres, Virginia. Councilman Jones explained that Mr. and Mrs. Keck provide this office space to HOPE, Incorporated rent free, and HOPE, Incorporated is responsible for day to day operational expenses, including property taxes. He noted the HOPE, Incorporated office complex houses eight different non-profit/human service agencies. Councilman Jones remarked that the total value of the request made by HOPE, Incorporated is \$500.80. He advised that the property taxes in question actually involve two parcels, one being the parcel of land on which the actual office building is located, which has a tax assessment of \$352.48. Councilman Jones explained immediately adjacent to the office building is a vacant parcel of land which has a tax assessment of \$148.32. He stated that last year, the reimbursement to HOPE, Incorporated was for both the value of the building and land on which the office is situated and the adjacent lot. Councilman Jones commented that the vacant parcel of land has a separate title and could reasonably be sold for some other purpose. He noted it is the recommendation of the Budget and Finance Committee that the Town make a donation of \$500.80 to HOPE, Incorporated provided that if, at any time during the upcoming year, the vacant parcel of land is sold, the tax assessment of \$148.32 on this vacant parcel of land will be reimbursed to the Town. A motion was made by Councilman Jones and seconded by Vice-Mayor King that the Town Council make a donation of \$500.80 to HOPE, Incorporated provided that if, at any time during the upcoming year, the vacant parcel of land is sold, the tax assessment of \$148.32 on this vacant parcel of land will be reimbursed to the Town. 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 the Town's Police Department has provided information to the Committee that may be of assistance in the removal of inoperative motor vehicles at various locations in town. He stated that currently, the process set forth in the Town Code is somewhat cumbersome in that after an inoperative motor vehicle is identified, notice is given by the Town Attorney by way of certified mail at which time the property owner has the opportunity to respond. Councilman Jones advised that, apparently, other locations throughout Virginia have revised their codes to the extent that notice is given to the property owner directly from the Police Department, and this greatly shortens the time involved in giving notice to have the inoperative motor vehicle removed. He stated that while these new regulations may expedite the removal of inoperative motor vehicles, there is also the potential that significant cost could be incurred by the Town in the removal and storage of these vehicles. Councilman Jones commented that the Committee wants to continue to review these regulations and determine if there is a more efficient way of dealing with junk vehicles throughout town. He noted that, hopefully, by the beginning of next year, the Committee will have all this information available and can make a determination if the adoption of new regulations will be beneficial. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

Mayor Crewe noted he sees Mr. Kerry Eans attending the meeting, and advised that the Town Council did grant the request for the parade permit for the Martin Luther King, Jr. March, if Mr. Eans missed this. He noted that Mr. Eans is welcome to stay for the remainder of the meeting, but he wanted to advise Mr. Eans in case he was waiting to hear about this topic. Mayor Crewe thanked Mr. Eans for attending the meeting.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Weisiger, reporting for the Public Works Committee, reported that this Thursday evening, the Planning Commission will conduct a public hearing to consider certain amendments to the Zoning Ordinance that will revise the regulations concerning fuel storage tanks in B-2 Business Districts. He stated that currently, the regulations provide that bulk fuel storage tanks must be installed below grade. Councilman Weisiger advised that the Planning Commission has previously reviewed this matter and has determined it may be plausible for fuel storage tanks to be situated above the ground provided that there are certain setbacks, visual protections, etc., required on aboveground tank installations. He remarked that under normal time schedules, the Council would receive the recommendation of the Planning Commission at the second meeting of the month and schedule a public hearing for the first meeting of the following month. Councilman Weisiger explained that as the Town Council knows, they will not have a second meeting during December because of the Christmas holidays. He noted it would be the recommendation of the Public Works Committee that the Council proceed to advertise and schedule a public hearing on this matter for the first meeting in January provided that the Planning Commission makes an affirmative recommendation following its meeting on Thursday night. Councilman Weisiger stated this action will shorten the time period for the approval phase of this revision. Mayor Crewe inquired if anyone has a problem with advertising the hearing for the first Council meeting in January if it is approved by the Planning Commission on Thursday night. It was the consensus of the Town Council to set a public hearing for the January 8, 2007, meeting to consider amending the Zoning Ordinance to permit aboveground fuel storage tanks in the B-2 Business District. Mayor Crewe noted that the Town will advertise the public hearing depending on what the Planning Commission does on Thursday night.

Councilman Weisiger also reported that periodically, the Virginia Department of Transportation updates certain mapping of highway facilities. He advised that currently, the Department of Transportation is updating its mapping with regard to the functional classification of streets within the town. Councilman Weisiger explained that the functional classification is determined by criteria established by the Federal Highway Administration. He noted the Department of Transportation is required by the Federal Highway Administration to update the mapping of the functional classification of streets. Councilman Weisiger remarked that the Virginia Department of Transportation has provided the Town with the 2005 functional classification designations, and it appears that the functional classifications depicted on the 2005 mapping are practically identical to the previous mapping. He indicated that the Committee mentions this only because the Department of Transportation wanted governing bodies to have the opportunity to make any comments prior to the final drafting of the mapping. Councilman Weisiger stated no action is required by the Council, and unless there are some particular questions, the Committee will ask the Town staff to advise the Virginia Department of Transportation that the Town finds the classification mapping acceptable. He advised that the Committee would note, further, that there are no economic or financial implications to this mapping, and, therefore, there are really no negative consequences if the functional classification of a street is not accurate. Mayor Crewe noted if someone does not agree or does not like the mapping, they need to make their concerns known promptly. He advised that unless someone sees a particular concern, the Town will notify the State that the Town inspected the maps and the Town does not have any

disagreements with the maps. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Crewe stated the next agenda item is to consider the Certificates of Public Convenience and Necessity during 2007 for Premier Taxi Service, LLC and City Cabs of Wytheville, LLC for the operation of taxicabs and for Guardian Ambulance Service, Incorporated and LifeCare Medical Transports, Incorporated for the operation of public vehicles. He noted this matter was the subject of the public hearing held at the beginning of the meeting. A motion was made by Councilman Jones and seconded by Councilman Weisiger to issue the Certificates of Public Convenience and Necessity during 2007 for Premier Taxi Service, LLC and City Cabs of Wytheville, LLC for the operation of taxicabs and for Guardian Ambulance Service, Incorporated and LifeCare Medical Transports, Incorporated for the operation of public vehicles. 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

Mayor Crewe noted that this will be the last official meeting for the calendar year. He wished everyone a Merry Christmas. Mayor Crewe stated that he will see the Council members in the Committee meetings in the next couple of weeks, but there will not be an official Council meeting until next year, unless something were to arise. Mayor Crewe thanked everyone for attending the meeting and wished those traveling to have a safe journey back.

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

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, MMC, Clerk of Council

BUDGET AND FINANCE COMMITTEE REPORT

DECEMBER 11, 2006

1. We have received a request from the HOPE, Incorporated Board requesting reimbursement for the real estate property tax paid on their office facility located at 680 West Main Street. HOPE, Incorporated occupies the office space formerly owned by Appalachian Power Company, and it is currently owned by Mr. and Mrs. George Keck of Ceres, Virginia. Mr. and Mrs. Keck provide this office space to HOPE, Incorporated rent free, and HOPE, Incorporated is responsible for day to day operational expenses, including property taxes. The HOPE, Incorporated office complex houses eight different non-profit/human service agencies. The total value of the request made by HOPE, Incorporated is \$500.80. The property taxes in question actually involve two parcels, one being the parcel of land on which the actual office building is located, which has a tax assessment of \$352.48. Immediately adjacent to the office building is a vacant parcel of land which has a tax assessment of \$148.32. Last year, the reimbursement to HOPE, Incorporated was for both the value of the building and land on which the office building is situated and the adjacent lot. The vacant parcel of land has a separate title and could reasonably be sold for some other purposes. It is the recommendation of the Budget and Finance Committee that the Town make a donation of \$500.80 to Hope, Incorporated provided that if, at any time during the upcoming year, the vacant parcel of land is sold, the tax assessment of \$148.32 on this vacant parcel of land will be reimbursed to the Town.

2. The Town's Police Department has provided information to our Committee that may be of assistance in the removal of inoperative motor vehicles at various locations in town. Currently, the process set forth in the Town Code is somewhat cumbersome in that after an inoperative motor vehicle is identified, notice is given by the Town Attorney by way of certified mail at which time the property owner has the opportunity to respond. Apparently, other locations throughout Virginia have revised their codes to the extent that notice is given to the property owner directly from the Police Department, and this greatly shortens the time involved in giving notice to have the inoperative motor vehicle removed. While these new regulations may expedite the removal of inoperative motor vehicles, there is also the potential that significant cost could be incurred by the Town in the removal and storage of these vehicles. We want to continue to review these regulations and determine if there is a more efficient way of dealing with junk vehicles throughout town. Hopefully, by the beginning of the next year, we will have all this information available and can make a determination if the adoption of new regulations will be beneficial.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

DECEMBER 11, 2006

1. This Thursday evening, the Planning Commission will conduct a public hearing to consider certain amendments to the Zoning Ordinance that will revise the regulations concerning fuel storage tanks in B-2 Business Districts. Currently, the regulations provide that bulk fuel storage tanks must be installed below grade. The Planning Commission has previously reviewed this matter and has determined that it may be plausible for fuel storage tanks to be situated above the ground provided that there are certain setbacks, visual protections, etc. required on aboveground tank installations.

Under normal time schedules, the Council would receive the recommendation of the Planning Commission at the second meeting of the month and schedule a public hearing for the first meeting of the following month. As you know, the Town Council will not have a second meeting during December because of the Christmas holidays. It would be the recommendation of the Public Works Committee that the Council proceed to advertise and schedule a public hearing on this matter for the first meeting in January provided that the Planning Commission makes an affirmative recommendation following its meeting on Thursday night. This action will shorten the time period for the approval phase of this revision.

2. Periodically, the Virginia Department of Transportation updates certain mapping of highway facilities. Currently, the Department of Transportation is updating its

mapping with regard to the functional classification of streets within the town. The functional classification is determined by criteria established by the Federal Highway Administration. The Department of Transportation is required by the Federal Highway Administration to update the mapping of the functional classification of streets. The Virginia Department of Transportation has provided us with the 2005 functional classification designations, and it appears that the functional classifications depicted on the 2005 mapping are practically identical to the previous mapping. We mention this only because the Department of Transportation wanted governing bodies to have the opportunity to make any comments prior to the final drafting of the mapping. No action is required by the Council, and unless there are some particular questions, we will ask the Town staff to advise the Virginia Department of Transportation that we find the classification mapping acceptable. We would note, further, that there are no economic or financial implications to this mapping, and, therefore, there are really no negative consequences if the functional classification of a street is not accurate.

William B. Weisiger

H. Judson Lambert