

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 14, 2008, 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 Tommy Lester, Police Officer John Humphrey, Wayne Quesenberry with *Wytheville Enterprise*, Floyd Coburn

**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 March 24, 2008, the request of the Wytheville Training School Cultural Center, Incorporated for issuance of a raffle permit for 2008, the request of the Wytheville-Wythe-Bland Chamber of Commerce to conduct the annual Chamber of Commerce Christmas Parade on Sunday, November 30, at 2:30 p.m., and the request of the Brock Hughes Free Clinic for issuance of a raffle permit for 2008. A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve the consent agenda consisting of the minutes of the regular meeting of March 24, 2008, the request of the Wytheville Training School Cultural Center, Incorporated for issuance of a raffle permit for 2008, the request of the Wytheville-Wythe-Bland Chamber of Commerce to conduct the annual Chamber of Commerce Christmas Parade on Sunday, November 30, at 2:30 p.m., and the request of the Brock Hughes Free Clinic for issuance of a raffle permit for 2008. 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 – SPECIAL EXCEPTION PERMIT – DEPARTMENT OF GENERAL SERVICES, SURPLUS**

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider the request of the Commonwealth of Virginia, Department of General Services, Surplus, for a special exception permit to store materials and equipment without cover on the property located at 800 East Main Street (former Acme building), which is located on the north side of East Main Street between Goodwin Lane and the entrance to Wytheville Community College, in a B-2 Business District. Mayor Crewe advised Mr. Floyd Coburn that he is not suggesting that Mr. Coburn has to speak, but the Council would be glad to hear from him if he would like to speak since the Council knows this is the reason Mr. Coburn is attending the meeting. Mayor Crewe reiterated he is glad to give Mr. Coburn the opportunity to speak, but he does not have to speak. Mr. Coburn advised that he will be glad to answer any questions of the Council. Mayor Crewe noted that Mr. Coburn is attending the meeting on behalf of the Department of General Services. He inquired if anyone on Council has any questions, comments, etc. before he closes the public hearing. There being no comments, etc., Mayor Crewe declared the public hearing closed. He advised that if someone comes in later to the meeting, he will reopen the public hearing.

**RE: PUBLIC HEARING - QUITCLAIM DEED**

Mayor Crewe stated the meeting, likewise, constituted a public hearing (due notice having been given) to consider a quitclaim deed of release for ownership in an alley bounded by Fourth, Tazewell, Spiller, and Pine Streets. He indicated that the Council members had a letter placed at their seats when they arrived that will go in the comments section from Mr. Chimer Durham. Mayor Crewe advised that no one else has indicated they wanted to speak. There being no one to address the Council during the public hearing, Mayor Crewe declared the public hearing closed.

## **RE: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period. He inquired if there are persons present who wished to address the Council during Citizens' Period. There being none, he proceeded with the agenda.

## **RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. When the Council arrived, they found a request for waiver of fees for use of the Elizabeth Brown Memorial Park for National Day of Prayer on May 1, 2008, and also a letter from the Wall of Honor Committee submitting the nominees for the Sports Hall of Fame Monument for approval by the Council.

A motion was made by Councilman Jones and seconded by Councilman Weisiger to approve the request for waiver of fees for use of the Elizabeth Brown Memorial Park for National Day of Prayer on May 1, 2008. 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.

A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve the recommendation of the Wall of Honor Committee to include the names of Mr. Johnny Dix and Mr. Maurice Johnson on the Sports Hall of Fame Monument. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, H. Judson Lambert. Against: None.

2. The Council Committees will meet on their regular day and time this week.

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

Councilman Jones, reporting for Budget and Finance Committee, reported that for many years, the Town has had all of its funds in the Local Government Investment Pool administered by the Commonwealth of Virginia. He noted that historically, this pool has paid interest rates on the Town's funds at a level higher than was achievable using local banking institutions. Councilman Jones remarked that because of the changing market conditions, the Local Government Investment Pool is not as competitive with their interest rates as they have been in the past. He stated that Town Treasurer Mike Stephens has recommended to the Committee that the Town consider other investment strategies for the Town's reserve funds. Councilman Jones indicated that Mr. Stephens has suggested that the Town bid local financial institutions on the Town's reserve funds to be assured that the Town is getting the best dividends possible. He advised that the Committee agrees with Mr. Stephens and thinks that the Town should maximize the Town's interest returns to the fullest extent possible. Councilman Jones noted that having said that, it would be the recommendation of the Budget and Finance Committee that the Council authorize the Treasurer to choose the best investment instrument, either through banking institutions or the LGIP, that will maximize the interest earnings on the Town's investments and provide that all investments are secured by the investment entity as required by law. A motion was made by Councilman Jones and seconded by Vice-Mayor King to authorize the Town Treasurer to choose the best investment instrument, either through banking institutions or the LGIP, that will maximize the interest earnings on the Town's investments and provide that all investments are secured by the investment entity as required by law. 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 as the Council is aware, the Town is a participant in the New River Regional Water Authority. He advised that the Authority is currently constructing a water treatment facility on the New River in Austinville, and is also constructing water lines and storage tanks needed to serve this new water treatment plant. Councilman Jones explained that with the agreement of all three participating governments, the Authority borrowed \$13,565,000 from the Virginia Resource Authority in May of 2006. He indicated that the construction expenses for these new facilities were more than anticipated, and, therefore, it is necessary for the Authority to amend the existing loan agreement in an amount totaling \$2,300,000 to meet the financial commitments made for the construction. Councilman Jones advised that the additional loan funds that are needed must be agreed to by all three participating governing

bodies. He advised that the Committee has attached, for the Council's review, the resolution that would approve the amendment to increase the bonded indebtedness of the Authority by \$2,300,000. Councilman Jones stated it would be the recommendation of the Budget and Finance Committee that this resolution be approved. A motion was made by Councilman Jones and seconded by Vice-Mayor King to approve the resolution that would approve the amendment to increase the bonded indebtedness of the Authority by \$2,300,000. Mayor Crewe inquired if there is any discussion on the motion. Town Manager Sutherland advised that the resolution was prepared by Webster Day, the bond counsel for the New River Regional Water Authority. Mayor Crewe stated in the middle paragraph, it states, "the Mayor and Vice-Mayor are authorized..." and it appears that both he and Vice-Mayor King will need to sign instead of either or both of them. He noted if this is the way they want it approved, he guesses the Town needs to keep it the same way all the other jurisdictions will have it. Mayor Crewe inquired if there is any further discussion. 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, reported that each year, the Commonwealth Transportation Board solicits comments about essential rail, public transportation, commuter services, bicycle, pedestrian and highway projects for the upcoming six years. He advised that this year, the public hearing will be held on Monday, April 21, at the VDOT Bristol District Office. Councilman Lambert remarked that traditionally, Town representatives have attended these hearings to provide the comments on projects that the Council believes are important to the town of Wytheville. He stated that currently, the Council has two projects that have been identified in the Six-Year Improvement Program, one being the completion of Community Boulevard and, secondly, improvements to Peppers Ferry Road from Lithia Road eastwardly to the corporate limits. Councilman Lambert remarked that through the years, the Town has identified many other projects that are worthwhile, but none of these have yet been placed in the Six-Year Improvement Program. He stated the Committee would note that at the most recent session of the General Assembly, transportation construction funding was reduced by approximately 44 percent. Councilman Lambert advised that the essence of this action is that there is little hope that any new construction projects will be included in the adopted program. He commented that having said that, it would be the recommendation that the Council again forward to the Department of Transportation the Town's identified needs. Councilman Lambert stated if any member of Council or citizens would like to view the identified projects, they are on file in the Town Manager's Office. A motion was made by Councilman Lambert and seconded by Councilman Weisiger that the Council again forward to the Department of Transportation the Town's identified needs to be placed in the Six-Year Improvement Program. Mayor Crewe stated the Town received a letter on Friday from Mr. Jim Bowie, the Transportation Commission Member from Bristol, that basically told everyone to reduce their requests by 44 percent because they know they are going to have to reduce it by 44 percent. He noted that last week, when he was at the Railroad Board meeting, their funds have been reduced, and all of this is trickling down and is being changed as well. He noted that since the Town is not going to receive what they are asking for, there are two projects that are in the plan and the ones the Town is really commenting on, except the rest of the letter states to list the other projects, if possible, so it does not hurt anything. Mayor Crewe inquired if there is any other discussion on the motion to forward the Town's identified needs to the Transportation Department. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, H. Judson Lambert. Against: None.

Councilman Lambert also reported that the Committee has received a request from Smith Enterprises to perform certain improvements on George James Drive. He advised that earlier this year, the Planning Commission and the Council approved the subdivision of property that is situated westwardly of the Fairview Industrial Park which will have a section of roadway that traverses the subdivision along George James Drive. Councilman Lambert noted that the right of way that will connect the industrial park and the new subdivision is owned by the Town of Wytheville. He stated its distance is approximately 300 feet. Councilman Lambert remarked that the request for improvements included the construction of the water line along this section of roadway and, also, for the roadway, itself, to be constructed. He stated that for previous requests similar to this, the Town has agreed to provide the water line extension, but has left the development of the street to the developer. Councilman Lambert noted that the Committee thinks this is appropriate in this situation, likewise, and it would be the recommendation of the Public Works Committee that the Town agree to extend the water line along George James Drive for approximately 300 feet, but leave the construction of the street to the developer. A motion was made by Councilman Lambert and seconded by Councilman Weisiger that the

Council approve the request of Smith Enterprises to extend the water line along George James Drive for approximately 300 feet, but leave the construction of the street to the developer. 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. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

#### **RE: RESOLUTION – QUITCLAIM DEED FOR ALLEY**

Mayor Crewe stated the next agenda item is to consider the resolution regarding a quitclaim deed of release for ownership in an alley bounded by Fourth, Tazewell, Spiller, and Pine Streets. He advised that the Town does not think it has any interest in this alley. Mayor Crewe remarked that the Council has a copy of the resolution. He advised that he thinks the request would be that the Council change the second paragraph to simply state all the property owners. Mayor Crewe indicated that the Council has the letter from Mr. Chimer Durham, who is not listed in that paragraph, but the Council could add that name or have all the property owners added in it. He advised that he thinks with that amendment, if he understands correctly from the discussion, this is the way it is coming to the Council. Mayor Crewe inquired if there is a motion that this resolution be adopted, as amended, to include all the adjacent/abutting property owners. A motion was made by Councilman Weisiger and seconded by Councilman Jones to adopt the resolution regarding a quitclaim deed of release for ownership in an alley bounded by Fourth, Tazewell, Spiller, and Pine Streets, as amended, to include all the names of the adjacent/abutting property owners. 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. Mayor Crewe indicated that Town Attorney Kaase will prepare the necessary documents.

#### **RE: SPECIAL EXCEPTION PERMIT – DEPARTMENT OF GENERAL SERVICES, SURPLUS**

Mayor Crewe stated the next agenda item is to consider the issuance of a special exception permit to the Commonwealth of Virginia, Department of General Services, Surplus, to store materials and equipment without cover on the property located at 800 East Main Street (former Acme building), which is located on the north side of East Main Street between Goodwin Lane and the entrance to Wytheville Community College, in a B-2 Business District. He advised that the Commission sees the six conditions in their package that were listed, and the Planning Commission recommends that the Council approve this request. He advised that the six stipulations include: (1) An annual review of the operation shall be performed to ensure it is complying with the special exception permit; (2) Restrictions shall be placed on the tenanship to require that at least the Planning Commission and the Town Council have the opportunity to be apprised of changes in tenanship or transfer of the special exception permit; (3) Stored materials shall be kept in neat stacks or bundles; (4) Increased lighting of the outside storage area shall be approved by the Planning Commission and the Town Council; (5) The special exception permit shall be granted with the property; (6) Failure to comply with these conditions shall be grounds for rescinding this special exception permit. A motion was made by Vice-Mayor King and seconded by Councilman Jones to issue a special exception permit to the Commonwealth of Virginia, Department of General Services, Surplus, to store materials and equipment without cover on the property located at 800 East Main Street (former Acme building), which is located on the north side of East Main Street between Goodwin Lane and the entrance to Wytheville Community College, in a B-2 Business District with the following stipulations: (1) An annual review of the operation shall be performed to ensure it is complying with the special exception permit; (2) Restrictions shall be placed on the tenanship to require that at least the Planning Commission and the Town Council have the opportunity to be apprised of changes in tenanship or transfer of the special exception permit; (3) Stored materials shall be kept in neat stacks or bundles; (4) Increased lighting of the outside storage area shall be approved by the Planning Commission and the Town Council; (5) The special exception permit shall be granted with the property; (6) Failure to comply with these conditions shall be grounds for rescinding this special exception permit. Mayor Crewe inquired if there is any discussion on the motion. He inquired if any of those exceptions will be a problem for the Surplus. Mr. Coburn noted that the stipulations are acceptable. Mayor Crewe inquired if there is any further discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, H. Judson Lambert. Against: None. Mayor Crewe stated the special exception permit is granted and is effective immediately.

**RE: RESCHEDULING MEETING**

Mayor Crewe stated the next agenda item is to consider rescheduling the Monday, May 26, 2008, Town Council meeting to Tuesday, May 27, 2008, due to the Memorial Day holiday. He inquired if anyone has any problems with rescheduling this meeting. There being no problems noted, it was the consensus of the Town Council to reschedule the Monday, May 26, 2008, Council meeting to Tuesday, May 27, 2008, due to the Memorial Day holiday.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:15 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, MMC, Clerk of Council

## **BUDGET AND FINANCE COMMITTEE REPORT**

**APRIL 14, 2008**

1. For many years, the Town has had all of its funds in the Local Government Investment Pool administered by the Commonwealth of Virginia. Historically, this pool has paid interest rates on our funds at a level higher than was achievable using local banking institutions. Because of the changing market conditions, the Local Government Investment Pool is not as competitive with their interest rates as they have been in the past. Town Treasurer Mike Stephens has recommended to our Committee that we consider other investment strategies for our reserve funds. Mr. Stephens has suggested that we bid local financial institutions on our reserve funds to be assured that we are getting the best dividends possible. We agree with Mr. Stephens and think that we should maximize our interest returns to the fullest extent possible. Having said that, it would be the recommendation of the Budget and Finance Committee that we authorize the Treasurer to choose the best investment instrument, either through banking institutions or the LGIP, that will maximize the interest earnings on the Town's investments and provide that all investments are secured by the investment entity as required by law.
  
2. As the Council is aware, we are a participant in the New River Regional Water Authority. The Authority is currently constructing a water treatment facility on the New River in Austinville, and is also constructing water lines and storage tanks needed to serve this new water treatment plant. With the agreement of all three participating governments, the Authority borrowed \$13,565,000 from the Virginia

Resource Authority in May of 2006. The construction expenses for these new facilities were more than was anticipated, and, therefore, it is necessary for the Authority to amend the existing loan agreement in an amount totaling \$2,300,000 to meet the financial commitments made for the construction. The additional loan funds that are needed must be agreed to by all three participating governing bodies. We have attached, for your review, the resolution that would approve the amendment to increase the bonded indebtedness of the Authority by \$2,300,000. It would be the recommendation of the Budget and Finance Committee that this resolution be approved.

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Jacqueline K. King

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John W. Jones, Jr.

## **PUBLIC WORKS COMMITTEE REPORT**

**APRIL 14, 2008**

1. Each year, the Commonwealth Transportation Board solicits comments about essential rail, public transportation, commuter services, bicycle, pedestrian and highway projects for the upcoming six years. This year, the public hearing will be held on Monday, April 21, at the VDOT Bristol District Office. Traditionally, we have attended these hearings to provide our comments on projects that we believe are important to the town of Wytheville. Currently, we have two projects that have been identified in the Six-Year Improvement Program, one being completion of Community Boulevard and, secondly, improvements to Peppers Ferry Road from Lithia Road eastwardly to the corporate limits. Through the years, we have identified many other projects that are worthwhile, but none of these have yet been placed in the Six-Year Improvement Program. We would note that at the most recent session of the General Assembly, transportation construction funding was reduced by approximately 44 percent. The essence of this action is that there is little hope that any new construction projects will be included in the adopted program. Having said that, it would be our recommendation that we again forward to the Department of Transportation our identified needs. If any member of Council or citizen would like to view the identified projects, they are on file in the Town Manager's Office.
2. Our Committee has received a request from Smith Enterprises to perform

certain improvements on George James Drive. Earlier this year, the Planning Commission and the Council approved the subdivision of property that is situated westerly of the Fairview Industrial Park which will have a section of roadway that traverses the subdivision along George James Drive. The right of way that will connect the industrial park and the new subdivision is owned by the Town of Wytheville. Its distance is approximately 300 feet. The request for improvements included the construction of the water line along this section of roadway and, also, for the roadway, itself, to be constructed. For previous requests similar to this, the Town has agreed to provide the water line extension, but has left the development of the street to the developer. We think this is appropriate in this situation, likewise, and it would be the recommendation of the Public Works Committee that the Town agree to extend the water line along George James Drive for approximately 300 feet, but leave the construction of the street to the developer.

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William B. Weisiger

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H. Judson Lambert