

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 22, 2010, AT 7:00 P.M.**

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

Members absent: John W. Jones, Jr.

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 Chris Irvin, Sergeant David Wall, Director of Public Works Dennis Hackler, Animal Control Officer William J. Scott, Wayne Quesenberry with *Wytheville Enterprise*, Chris Umberger, Danny Osborn, Travis Sims, Tessa Cooper, Carrington Chandler, Tommy Hundley, Jack Hunley, Suzie Richert, Jody Taylor, Tom Smith, Joshua Pennington, Mark Wagner

RE: CALL TO ORDER, QUORUM, PLEDGE

Mayor Crewe called the meeting to order and established that a quorum of Council members was present. The Pledge of Allegiance was led by Councilman Weisiger. Mayor Crewe advised he is glad to see so many citizens in attendance at the meeting. He stated he noticed a lot of people did not sign up to speak, but he is glad they are attending the meeting.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of March 8, 2010; the request of the National Day of Prayer for wavier of fee for use of the Elizabeth Brown Memorial Park; and, the request of the American Cancer Society's Relay for Life Teams for a raffle permit for 2010. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to approve the consent agenda consisting of the minutes of the regular meeting of March 8, 2010; the request of the National Day of Prayer for wavier of fee for use of the Elizabeth Brown Memorial Park; and, the request of the American Cancer Society's Relay for Life Teams for a raffle permit for 2010. 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, William B. Weisiger, H. Judson Lambert. Against: None.

RE: PUBLIC HEARING – UMBERGER SPECIAL EXCEPTION PERMIT

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider the request of Mr. Chris Umberger for a special exception permit to conduct an agricultural products concrete casting operation at 2065 West Lee Highway, which is located on the south side of West Lee Highway between Deerfield Lane and Sherwood Forest Road, in a B-2 Business District. He stated this matter has been before the Planning Commission, and they have a recommendation before the Council to grant the special exception permit with some stipulations. Mayor Crewe indicated that Mr. Umberger is attending the meeting, and the Council appreciates it. He advised that the Council found at their seat when they arrived at the meeting some updated photographs and further information that Mr. Umberger provided. Mayor Crewe noted that Mr. Umberger is the only one who signed up to speak about this matter, and the Council will be glad to hear from him at this time, but he does not have to speak if he does not desire. Mr. Umberger noted that he is attending the meeting to answer any questions. Mayor Crewe indicated that no one signed up to speak during the public hearing, and there may be some questions later. He inquired if anyone has any questions at this time for Mr. Umberger. There being none, he noted that Mr. Umberger was the only person on the signup sheet to speak about this matter, and inquired if there are others who wished to address the Town Council during the public hearing. There being none, he declared the public hearing closed. Mayor Crewe noted that the Council will consider the matter later in the meeting. He thanked Mr. Umberger for attending the meeting.

RE: URBAN ARCHERY

Mayor Crewe stated the next agenda item is the receipt of public comment regarding the development of an Urban Archery Program in the Town. He advised that this not a public

hearing, per se, but as many of those attending the meeting know, based upon the signup sheet and several people have indicated they want to speak, the Council is contemplating taking action on Urban Archery Program, and the Council will be glad to hear from the citizens who want to speak on this topic.

Mr. Tom Smith was recognized and Mayor Crewe noted that the Council appreciates him attending the meeting and helping the Council through this. Mr. Smith advised he is a resident of Wytheville. He remarked that he guesses he kind of helped instigate urban archery. Mr. Smith advised that he saw a need with the growing population of deer in the town, and he is an avid bow hunter and he has many friends who bow hunt. He stated he knows of other cities and townships that have urban archery, and it is very successful. Mr. Smith advised that, of course, there are guidelines and limitations. He noted that what was handed out was very accurate. Mr. Smith remarked that he thinks it would be a very advantageous tool, and it may not be the only tool. He stated it is a tool to do several things with one being to try to reduce the population to control the number, and two, to utilize the meat. Mr. Smith noted that last year or the year before that, the POP permit was issued, and all that meat was wasted. He indicated that he is not very happy about that, and stated that a lot of people are not happy, but that was a choice that was made. Mr. Smith advised he would like to see the meat utilized, even if urban archery is not approved, but if the POP permit is approved, he would like to see the meat not gone to waste. He indicated that he provided meat to 12 families, not including himself. Mr. Smith noted that there is a need. He explained that the Hunters for the Hungry is a program that Wythe County does not have, and it is necessary. Mr. Smith remarked that if there is a way it could come to this area, it would be great. He indicated that he knows it is hard to find butchers that are willing to do that, but there are a lot of people out there that would more than gladly take the meat. Mr. Smith noted he knows the Town would have had to take the meat all the way to Galax or out on Route 100, which is rather far, but it would be nice if they could utilize the meat locally some way. He stated if there are any questions, he will be glad to answer them. Mayor Crewe thanked Mr. Smith for attending the meeting and inquired if there are any questions for Mr. Smith. Vice-Mayor King advised that the only thing she has ever heard is what they would do with the meat. Mr. Smith noted that right now, at those locations, they ask for donations, but a donation is not required. He advised that the Town would not even have to pay, and they could deliver the deer, if that is the way they want to do it. Mr. Smith pointed out that the POP permit, in addition to Urban Archery, may be a good solution, but he thinks Urban Archery would be a good way to start, and for the Council to give them awhile, and if it does not control the numbers, and if enough public is not interested in giving permission to hunt, it might be that the Town would have to do both or something like that. He advised he is available to help the Game Commission. Mr. Smith pointed out that he does not work for the Game Commission, but he knows them, and he is kind of working with them. He reiterated that he would be willing to help in any way. Mr. Smith stated that it was mentioned in the first paragraph that the hunters had to be certified to be eligible to participate. He stated they do not want hunters out there who cannot hit a hay bale at 20 yards, and they want hunters who can shoot well. Mr. Smith indicated that he can understand this as a landowner. He noted he would rather have an arrow flying than he would a bullet, but this is just his opinion. Mayor Crewe stated that Mr. Smith raised a valid concern that the Council has had with food inspection requirements, meat inspections, etc., and the Council has had problems in trying to get even where they could donate it and what could be done with it. Mr. Smith pointed out that there is no inspection for wild game. Mayor Crewe stated there is in trying to donate it someplace or to give it to somebody. Mr. Smith noted that there is no inspection in giving the meat to Hunters for the Hungry. Mayor Crewe indicated that there is no Hunters for the Hungry around this area. Mr. Smith noted that the farthest is probably 25 miles, and that would be on Route 100, and it is at least 25 miles away, and he knows this would be a struggle. He indicated that he thinks there would be another way, and there are some people who are desperate for deer meat. Mr. Smith advised that it is not just because they like deer meat, but they are hungry. He commented that he would think that if the Council even had a signup sheet, if they did not do the Urban Archery Program but did the POP permit, it would be good if the Town would bring it to people or they would come and get the meat. Mayor Crewe noted that possibly this is something the Council could explore. Mr. Smith stated that he gets calls and verbal comments in passing that if he has any deer meat to please give it to them, and they would be glad to have it, and they would love to have it. Town Manager Sutherland inquired as to what a POP permit is. Mr. Smith answered that this is the permit the Town received to harvest the deer. Town Manager Sutherland stated it is the population permit. Mr. Smith noted that the POP permit is an abbreviation for population. He explained that the Game Commission issued the permit to the Town to shoot the deer. Mayor Crewe stated it is to shoot the deer with the rifles. Vice-Mayor King noted that the Town would not be responsible for anything when someone is killing deer. Mayor Crewe remarked that what the Town has in the proposed regulations is that the hunter would be responsible, and part of the reason for this is because a lot of it the Town could not do anything with. Mr. Smith stated he did not anticipate that archers will take a lot of deer the first year, and he states this because there are probably a

limited number of people, and they are skeptical about having someone shoot on their land. He pointed out that it will probably take a year or two, and word of mouth that it was successful and that people think that the hunters are doing a good job. Mr. Smith noted he can see it starting slowly, and he does not think the Town will have 50 people call and ask for the deer to be killed on their property and state that they are having a problem. He advised that some people will state this, but whether they will let someone hunt on their property is a different story. Vice-Mayor King advised that if this is passed, these hunters will get permission to hunt on a person's land, and the hunter that had qualified with a bow would have to call the landowner to ask if he could hunt deer on the person's land. Mayor Crewe answered that it depends on what regulations are put in place, but the proposal in the packet at this meeting states the hunter would need to have written permission to go on a person's land, and would then have to let the landowner know when he was going to be on their land, and then the hunter would be responsible for disposing of the carcass of the animal. Mr. Smith advised that is correct, and the hunter is ethical enough that he is not going to trespass on someone's land. He noted that the land in town is small, anywhere from one quarter to four or five acres at the largest, and the hunters are not going to go without notifying the landowner. He noted the hunter will have written permission, and they will have it on their body at the time. Mr. Smith indicated that this is the same as it is anywhere in the State, and the hunter has to have written permission before they go on that property, and hunters cannot just state they want to hunt on a mountain and go hunt on it. He noted that the hunter has to go out and do a little legwork, obtain permission, knock on doors, and hunters get a lot of "no" answers, and this happens. Mr. Smith advised that it takes a lot of work to be successful. Vice-Mayor King noted that she understands. Mayor Crewe inquired if there are any other questions for Mr. Smith. Councilman Weisiger remarked that he knows in the regulations that the Council proposed hunting from a raised stand only and inquired if this is a problem for Mr. Smith. Mr. Smith answered that it is not a problem for him, but there are some places where a person cannot hunt from a raised stand. He noted, for example, that from a raised stand means a person needs to have a portable tree stand. Mr. Smith pointed out that if there is no tree on the property and the person has damage, the hunters cannot help that person without going two or three properties over, and that property owner may not allow hunting. He advised he has a blind, and it is like a tent and it is camouflaged, and the deer are not that afraid, and they will come within 25 or 30 yards of it, and it is big enough for two people, and he shoots out of the window of the blind. Mr. Smith advised that he would hope the Council would consider that, also. Councilman Weisiger noted that the Council's main concern was that shooting from a raised stand, the arrow would be going in the ground. He indicated if the hunter shoots on the level, the arrow is going to travel further without fault. Mr. Smith stated that is correct, and advised that in 30 yards, most arrows will drop about a foot from where the hunter is aiming to 20 yards, and then from there, they drop quickly. He continued that most people have pins on their bow that go up to 40 yards, and in other words, they will have pins for 20, 30, and 40 yards and have three pins. Mr. Smith noted that after that, hunters do not want to shoot that far because it drops so far the hunter cannot compensate because the arrows drop so quickly. He indicated that the hunter is shooting about 215 to 280 feet per second, and it drops rather fast. Mr. Smith remarked that it is a lot more drop than a BB. He indicated he noticed in the proposed regulations that it states 100 yards from any building, and noted this is going to be kind of difficult to meet. Mr. Smith pointed out that most of these properties are only 200 feet long, and at 200 feet, that is not 100 yards. He noted this eliminates these properties. Mr. Smith indicated he would think that the person who owns the property and the person hunting would come to an understanding. He remarked that it is common sense for hunters to know they cannot shoot toward a house, a vehicle, etc., and they can discuss this with the landowner. Mr. Smith remarked he is sure most landowners would state not to be shooting that way. He noted that two acres is not very far when the length is figured. Mr. Smith indicated that 100 yards, or 300 feet, is on the next property. He noted that if there was a little outbuilding where a person keeps his lawnmower, this disallows the hunter from hunting the way the regulations are written in the proposed regulations. Mr. Smith summarized that he hopes the Council will re-edit the regulations somehow to state not shooting toward a building, etc. because if the regulations state within the distance of 100 yards, there are not too many places that would allow hunting in the town limits, except on the agricultural properties. Mayor Crewe inquired if there are any other questions. There being none, Mayor Crewe thanked Mr. Smith for comments.

Mayor Crewe inquired if anyone has changed their mind and would like to speak on the Urban Archery Program that has not signed up. Mr. William J. Scott was recognized and stated he lives in Wytheville and is employed by the Town as the Animal Control Officer. He advised that on the proposed regulations for the Urban Archery Program, it states that all hunters must pass a skill proficiency test, and that is good, and there is nothing wrong with that stipulation, and it should be done. Mr. Scott advised that the Game Commission requires hunters to have a hunting license anyway before a person can hunt anywhere. He noted it also states that all hunters participating in the program must obtain a permit from the Town. Mr. Scott remarked

that this is well and good. Mr. Scott advised the next stipulation is that the Town will restrict the number of hunters to 50, and he noted that is good. He stated the next stipulation is that no hunter shall discharge a bow unless from an elevated position of at least 8 feet above the ground. Mr. Scott remarked that the regulations state "bow," but noted he wished the Council will also include "crossbow" there as well. He noted that also where it states "elevated" he would like for the Council to amend that so it can include ground blinds. He advised the next regulation states all hunters must obtain written permission from the owner and let him know when the hunter is coming. Mr. Scott indicated that this is nothing but common courtesy, and that is good. He advised the next stipulation notes that no hunter shall discharge a bow within 100 yards, and that is 300 feet like Mr. Smith stated. Mr. Scott indicated that this is going to push some of the hunters in some areas of town. Mr. Smith advised that a person cannot shoot across it, but they can shoot in another direction, and this is going to be a problem in some areas. Mr. Scott indicated that the next stipulation is all hunters shall remove the deer carcass and dispose of it in a manner prescribed by the Department of Game and Inland Fisheries. He remarked that he does not know what the requirements are as far as the Game Commission is concerned on disposing of a deer, but there are a few people who just put them anywhere they care to, and they will put them in the street because they do not care. Mr. Smith advised that most hunters know how to get rid of a deer carcass. Mr. Scott advised that the next regulation is that hunters shall only harvest antlerless deer. He pointed out that during the season of urban archery, it opens up September 5 through October 2, and the Council is not going to have any problem there, but there will be problems with some people from January 4 through March 27 who are going to kill some button bucks and some bucks who have lost their antlers. He advised that the Council is not going to get around this, but they will have a couple of people complaining about that because they want the bucks to be carried over to the next year hoping they can get a trophy buck, and the Council will have some problems there. Mr. Scott remarked that the next regulation is that there shall be no hunting on Town owned property including the property owned by the Town on Sand Mountain. He inquired if this means there will not be any hunting at the landfill. Mayor Crewe stated that is correct. Mr. Scott inquired if there will be hunting on Pine Ridge, at the water towers, and these places. Mayor Crewe stated that hunting will not be allowed at those places. Mr. Scott noted this is good. Mayor Crewe indicated that at least this is what the Council was discussing, but he did not know what the Council is going to vote to do later in the meeting. He noted the Council thought they would start with small steps and see how this goes before the Council goes all the way with it, and they were worried, particularly, about the landfill with people coming and going and materials stored there, etc. Mr. Scott advised that he can understand that. Mr. Scott remarked that there are going to be some problems within the Town of Wytheville, and there are going to be pros and cons. He noted that there will be some property owners wanting this and some not. Mr. Scott remarked that there will be problems there, and the Council might as well expect it. He stated all of this can be worked out. Mr. Scott stated for the Council to give the Game Commission the authority to enforce the law, and combine the Game Commission with the Wytheville Police Department, and he thinks this can be policed. Mayor Crewe advised this is why the Council has been consulting the Game Commission all along trying to work this out. He indicated that the Council had to meet all their stipulations in order to even get the permit. Mr. Scott stated that is correct, and advised he hopes the Council approves the Urban Archery Program. Mayor Crewe thanked Mr. Scott for his comments. Councilman Weisiger inquired if the Town allows hunting on Sand Mountain. Mayor Crewe noted that is correct with firearms and through a permit process that would not, if he understands correctly, be during this season, and the seasons would not overlap. Town Manager Sutherland indicated that there would not be anything precluding someone to hunt on Sand Mountain with a bow if there is a permit to hunt on Sand Mountain. Councilman Weisiger advised that if a person has a permit to hunt in town and not necessarily for Sand Mountain, the hunter would not be permitted to hunt on Sand Mountain. Mayor Crewe advised that is correct. Mr. Scott inquired that if the Council is going to issue a permit to hunt within the corporate limits, and a person already possesses a permit for Sand Mountain, if the hunter will be allowed to hunt on Sand Mountain during the Urban Archery Program. Mayor Crewe noted the proposal is to not allow hunters to hunt on Sand Mountain during the Urban Archery Program, but he does not know if that can be changed. Town Manager Sutherland remarked that the Council knows how it happens, and in August, everyone floods the Town Office wanting to get one of the 50 permits to hunt on Sand Mountain. He stated he thinks they are two unrelated programs, and he thinks that someone may possess a Sand Mountain permit and an Urban Archery permit, and whenever it is legal to hunt with a bow, and a person has a Sand Mountain permit, they can hunt on Sand Mountain with a bow. Mr. Scott remarked that the two are not even related. Town Manager Sutherland noted that they are not related in his mind. Mayor Crewe stated that by definition, the Council was going through the Game and Inland Fisheries' information, and the Urban Archery permit was only in the Town limits, and Sand Mountain is not in the Town limits, and they are two different categories. Mr. Scott indicated that this clears it up. Mayor Crewe stated Mr. Scott is correct in that one person could hold a permit to hunt in both places simultaneously, but it is two different permits and two different programs.

Mr. Scott requested the Council to approve the Urban Archery Program and advised this is all they need. Mayor Crewe thanked Mr. Scott for his comments.

Mayor Crewe inquired if there are any other questions or comments from the Council. There being none, he inquired if anyone else desired to address the Council. Mayor Crewe recognized Mr. Danny Osborn and thanked him for attending the meeting. Mr. Osborn remarked that as the Council knows, he opposes this whole idea, and he means no disrespect to Mr. Scott or Mr. Smith, but even if a hunter is shooting down, the arrow can hit a rock and can glance off into an opposite direction. He advised that property could get damaged and somebody could get hurt, or possibly a pet could get hurt. Mr. Osborn reiterated that he opposes the whole idea. Mayor Crewe thanked Mr. Osborn for attending the meeting.

Mayor Crewe inquired if there are others who wished to address the Town Council. Mr. Carrington Chandler was recognized and stated that as far as the damage, he has seen a lot more damage done to vehicles and things in the Town of Wytheville. He advised that he does not live in Wytheville, but he drives to work in Wytheville. Mr. Chandler explained that he has hit one deer. He noted he lives in Crawl Fish Valley and the government has property there, and he has not had near the probability of hitting a deer there as he does from Duck's Grocery to Oral Jones Laundry Mat. Mr. Chandler stated this is a fact. He stated he believes there will be a lot less damage done with a bow, and noted arrows hardly ever ricochet, than what a deer will do to a car. He noted he actually hit one deer on I-81 in the town limits, and it tore up his pickup, but it is in the town limits even on I-81. Mr. Chandler advised that a person is not going to be limited as to where he/she might hit a deer. He stated he will probably not be able to utilize the season, but he may if he can talk to a landowner, but a lot of the hunters will not be able to hunt. Mr. Chandler advised he does not see any reason not to do this because he sees it just about every morning, and it is no telling how many deer Mr. Scott picks up through the area at the golf course. He noted it is almost on a weekly basis and inquired of Mr. Scott if that is correct. Mr. Scott advised that he picks them up daily. Mr. Chandler noted he saw a car last week sitting with its emergency flashers on and the deer in the median. Vice-Mayor King stated this Urban Archery Program will not solve what Mr. Chandler is talking about. Mr. Chandler noted it would not solve it, but it would help it. Mayor Crewe advised that the program is designed to cut down on the deer population. He thanked Mr. Chandler for attending the meeting.

Mr. William Scott noted that Mr. Smith brought up the matter about the Hunters for the Hungry. He noted that on their POP permit last year on Hunters for the Hungry, they contacted them in Barren Springs, Chilhowie, Galax, and another place, and they hit at the wrong time, and they had run out of money. Mr. Scott explained that Hunters for the Hungry did not have the money to process the deer, and they will not process them without the money. He inquired if there would be a possibility that during the POP permit that the Town could maybe make a donation to maybe one of them, for example, Barren Springs, and give them some money to operate on while the Town is doing that so they can take the deer to Hunters for the Hungry. Mayor Crewe stated the Council has not discussed this lately, but he is sure there is a possibility, but it is just how much, and when and where, and the other details. Mr. Scott advised that it is \$20 per animal to have them processed, and that is the charge. Mayor Crewe inquired if once Hunters for the Hungry has processed the deer, the meat goes to the Hunters for the Hungry program. Mr. Scott answered that the Hunters for the Hungry are the ones who sponsor this, and they have these people throughout the country who process the deer. Mayor Crewe inquired if these individuals volunteer to do it. Mr. Scott stated that is correct. Mayor Crewe inquired if it is processed at a reduced rate. Mr. Scott noted that they volunteer to do it for \$20 per animal. Mayor Crewe noted if he took a deer to these people, it would cost him more than \$20. Mr. Scott stated it would probably cost anyone else \$40, but they do it for \$20. Mayor Crewe inquired as to what happens to the meat after it is butchered. Mr. Scott stated they freeze the meat and it is taken to the Agape Food Pantry, and it is distributed from there. Mayor Crewe stated the Town looked at it last year and could not get it done for various reasons. Mr. Scott advised that is correct and noted that last year, the Town did run into an obstacle there at the last, and they had three churches in Bland that were taking all the deer they could harvest. He noted the churches took all they could take, and then at the end, they did not like to do it, but they had to make a decision to take them to the solid waste transfer station, and that is the reason they were taken down there. Mr. Scott indicated that they had no one to take the deer, and they tried, but everyone was full of them, and that was a problem. Mayor Crewe remarked that it is up to the Town Council to decide, but the Council can, certainly, look at it if more information can be provided. Councilman Lambert inquired if Mr. Scott has any idea what the annual harvest might be from this program. Mr. Scott answered that they hunted 23.5 hours, and they took 66 deer in that short length of time. He noted this is a lot of deer, and there are still lots of deer. Mr. Scott remarked that in talking about damage to automobiles, it is very easy for anyone to strike a deer and there will be \$2,000 worth of damage. He advised that some vehicles have been totaled. Mr. Scott indicated that on any given day, if the Council wanted to, they could leave this building

and drive out Route 11, Old Stage Road, North Fourth Street, Cove Road, Nye Road, and they will see plenty of deer. Mayor Crewe inquired if there are any other questions or comments. There being none, he thanked Mr. Scott for his comments. Mayor Crewe stated for Mr. Scott to please keep these facts in mind, and if the Council passes the Urban Archery Program and/or the POP permit, again, bring those facts and figures to the Council's attention, again, so they can look at it. Mr. Scott pointed out that the Town just received its POP permit today to start again. Mayor Crewe stated for Mr. Scott to see what the alternatives are as to what the Town could do or do it with and give it to him or Town Manager Sutherland and let them pursue that to see. Mr. Scott remarked that he is going to contact the three processors tomorrow for the Hunters for the Hungry to see if they are still in operation, and it may be that they have closed down and turned their coolers off. Mayor Crewe requested Mr. Scott to please see what the Town's options are and to let the Council know. Mr. Scott advised the only option other than that is he has three churches in Bland already lined up to take them, but Mr. Scott noted the Town has to give them receipt of them so the Game Commission will know what is going on. Mayor Crewe noted the Town needs to ensure that it passes the necessary requirements. Mr. Scott stated that is correct. Mayor Crewe thanked Mr. Scott for his comments.

Mayor Crewe inquired if there are others who wished to address the Town Council. He noted the Council is glad to have everyone in attendance. He advised that, obviously, it is a topic of interest, and the Council appreciates everyone's help. There being no others to address the Council on the Urban Archery Program, Mayor Crewe noted he would declare the public comment session closed.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next agenda item is Citizens' Period. He recognized Ms. Suzie Richert and noted the Council appreciates her attending the meeting. Ms. Richert advised that she did not know if this is the appropriate venue or not. She stated she and her husband hunt, and they have received deer, actually, from Mr. Smith before, and they know a lot of people who are asking them for deer. Ms. Richert inquired if there is an issue if the Town does not have anywhere to take the deer, if there is some kind of program that can be put in place where people like her who are not necessarily classified as needy or hungry but still would like to have deer, and these kinds of families could sign up and come pick up the deer because she knows a lot of people who would definitely come and pick them up. Mayor Crewe advised that he will try to answer the question subject to being corrected by those who really know what they are talking about. He stated there is no formal program that he is aware of functioning in Wythe County, and Hunters for the Hungry was the main program, and they are not active in Wythe County for various reasons. Mayor Crewe noted that what they are talking, and maybe it is not clear to some of the archery enthusiasts, but the Town of Wytheville got a permit last year by which the Town harvested deer, and that is why Mr. Scott is stating the Town got 66 deer, and the Town was giving them away or processing them so the meat did not go to waste as much as possible. He pointed out that, apparently, near the end, the Town had more meat than they could dispose of, and there is no mechanism to connect the availability of the meat with somebody who wants it, and there is no formal mechanism. Mayor Crewe advised that maybe this is what the Town needs to do is come up with some way to do that. Ms. Richert remarked that she just wanted to state that there might be people out there who may be interested. He stated that at one point, the Town tried to go through the Department of Social Services, and this is where it gets into if, for example, he kills a deer and he eats it, that is fine, but if he kills a deer, the person he gave it to may have some trouble because it was not preserved correctly or is spoiled. Ms. Richert indicated she understands this with the Farmer's Market items, and they run into food safety regulations all the time. Mayor Crewe noted this is the problem the Town had. He stated that last year was the first time the Town had ever done it, and the Town learned some things last year that, hopefully, they will do better with this year. Mayor Crewe inquired of Town Manager Sutherland or Assistant Town Manager Moore if he was correct. Town Manager Sutherland stated Mayor Crewe is correct. Mr. Scott stated that in giving the deer away, according to the permit, the requirement is it has to be given to charity. Mayor Crewe advised that is correct. Mr. Scott commented that this would include churches, but they will not let the Town deem an individual as a charity. Mayor Crewe stated that is correct. Mr. Scott stated it has to be through a church or an organization. Mayor Crewe noted it could be that the Town could let the individuals know which churches are going to be handling them. Mr. Scott reiterated that it has to be through an organization, church, Hunters for the Hungry, etc. He stated if the Town could give the deer to individuals, it would be great. Mayor Crewe stated the Town cannot do this. Mayor Crewe pointed out that this was one of the things the Town learned last year that they may be able to fix this year.

Mr. Smith advised that with archery program, he can give the meat away. Mayor Crewe stated that is correct if Mr. Smith shoots the animal, but if Mayor Crewe shoots the deer, Mr. Smith cannot give his deer away. Mayor Crewe remarked that he could give Mr. Smith his deer, but not on a POP permit. Mr. Smith inquired if Mr. Scott is talking about the POP permit. Mayor Crewe noted that is correct, and that is why they stated in the proposal that the Council is considering at this meeting that the hunter has to dispose of the carcass properly, which could mean calling Mr. Smith and noting that the hunter has a deer to give away to someone who wants it, it is not as restrictive if an individual does it as it is if the Town does it through a POP permit, and there are regulations the Town has to follow. Mr. Smith noted that he was just sitting and listening and brainstorming and thinking of some kind of outreach. He stated that a lot of people do not know how to process their own deer meat, and it is very easy. Mr. Smith inquired if it would be possible for the Town to set up a workshop with one or two of the local butchers to show people how to cut up the meat for themselves and to process it themselves. Mayor Crewe stated the Town could look at this. Mr. Smith remarked that he knows how to do it because he has done it for years. Mr. Smith inquired of the Mayor if he could work up deer meat if he had it. Mayor Crewe noted not accurately because it has been years. Mr. Smith noted it is another way to process utilization of the meat. Mayor Crewe pointed out that the restrictions on a POP permit are much more limiting than the restrictions on an Urban Archery Program as to what can be done with the meat. Mr. Smith stated that is correct. Mayor Crewe advised that, again, it is the same issue, but two different flavors of it. He explained that when someone shoots a deer, they can do with it whatever he/she or they desire. Mr. Smith stated that is correct, but they cannot sell it. Mayor Crewe stated that is correct. Mr. Smith explained that he cannot sell any deer part. Mayor Crewe indicated that if the Town has a POP permit and harvests a deer, they cannot give it to individuals, and the Social Services could not take it, and there were several other restrictions on having it inspected, properly done, etc., and it got to be kind of onerous. He noted they learned last year, and there has got to be a way the Council can fix this, but they do not know what that way is yet. He reiterated that there are different regulations on a POP permit than an Urban Archery permit. Mr. Smith stated if anyone wants him to show them how to process meat, he will be glad to show them, and he is volunteering his services. Mayor Crewe advised that the Town may well take Mr. Smith up on that. Mr. Smith indicated that he will be glad to do it.

Ms. Richert stated that now she is the new Farmer's Market manager, and she wanted to come to the Council and introduce herself and give the Council a couple of goals. She noted they are looking for an interim home for the Farmer's Market. She advised that suggestions could run from closing a side street to using a parking lot. Ms. Richert pointed out that someone mentioned the Visitors' Center. She stated there are a bunch of different ideas, and she wanted the Council to be aware that they are going to be considering some of these different options as they are discussed and kind of looked at as far as feasibility. Ms. Richert remarked that the other opportunity they have is finding new funding. She stated the sources they have had have been great and are ending this year, so they are going to be looking at new ways to fund the market. Ms. Richert noted they are going to be open on Saturdays as they were before June through October, and she thinks they are going to be moving the time, if anyone asks, from 9:00 a.m. to 8:00 a.m., and they are going to shift it an hour earlier and close at 12:00 p.m. rather than 1:00 p.m. Ms. Richert remarked that some of the visions she would like to really see happen with this market is increasing the number of vendors, increasing the variety of products that they have, and increasing the customers. She noted some of the things she thinks are really important about the Farmer's Market are going to support the rural tradition that is a real part that she sees as a part of this community and this whole region of family farms and the small farms. She noted that currently, there is an epidemic across the nation that everyone is losing the small farms, and she thinks that as they grow this market, they can be a part of helping that. Ms. Richert noted that it will keep the dollars in the local economy. She advised that one of the things is she has talked to some of the folks and she would personally like to see it happen and make it more of a social gathering place. Ms. Richert noted she is excited that they have Dark Hollow Coffee to come in, and they are going to be selling fresh coffee at the market. She stated that they already have a great variety of baked goods. Ms. Richert indicated that they are thinking about setting up a little seating area where people can come in, get their coffee and pastry, and make it kind of a nice thing to do in the sun on a Saturday morning, and, hopefully, it will bring more people downtown, as well, and kind of get that whole atmosphere going. She stated she just wanted to introduce herself so the Council knows who she is. Ms. Richert advised that she does have a fact sheet for the Council, and it has her contact information. She noted she will be glad to answer any questions, and she would be glad to hear from the Council. Ms. Richert remarked that if anyone asks the Council about the Farmer's Market to please pass her information along to them, and she would be glad to talk to them. She noted they will be having a preseason vendors' meeting, and she is encouraging and inviting anyone in the community who wants to come and be part of the market or the community surrounding the market to attend this meeting. Ms. Richert indicated that she will be sending out

probably e-mail lists and noted she works with Ms. Jennifer Jones and the Farmer's Market Committee, and she will have all the information on it. She stated she is guessing it is going to be mid-April. Ms. Richert advised that they are looking forward to this meeting. Mayor Crewe thanked Ms. Richert for attending the meeting and updating the Council on what is going on with the Farmer's Market. He stated he knows he speaks for the Council when he states the Council wishes her success with the program, and they hope it will work. He advised that the Council will keep her information and pass it around. Mayor Crewe thanked Ms. Richert for her comments.

Mayor Crewe thanked everyone for attending the meeting and for speaking. He advised that unless someone has changed their mind, he thinks everyone that has indicated on the signup sheet that they wanted to speak has had an opportunity to speak. Mayor Crewe inquired if there are others who wished to address the Council during Citizens' Period.

Mr. William Scott was recognized and stated the Urban Archery Program is within the corporation of the city limits of Colonial Heights, Danville, Emporia, Franklin, Fredericksburg, Lynchburg, Martinsville, Radford, Richmond, Staunton, Winchester, the Towns of AltaVista, Amherst, Blacksburg, Christiansburg, Farmville, Independence, Kenbridge, Pulaski, Richlands, Rocky Mount, Tazewell, West Point, Fairfax County, and if the Council has any questions, they could probably contact anyone from these towns. Mayor Crewe stated he can tell Mr. Scott that the Town has done this, and they had a list through the Department of Game and Inland Fisheries, and the Town has received copies of their sample ordinances. Mayor Crewe thanked Mr. Scott for the information.

Mayor Crewe inquired if there are others 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. The Public Works Committee will meet tomorrow morning, but the Budget and Finance Committee will not meet Thursday this week. He advised that next week is a fifth week in the month, so, therefore, there will not be any Committee meetings next week.
2. The Joint Governing Bodies will meet next Monday night in the Wythe County Board of Supervisors' Meeting Room.
3. Town Treasurer Stephens wanted it to be noted to the Council that due to the weather in January and February, the Town was not able to read water meters, so bills were estimated. The Town was able to read meters the first of March, so the bills that come out in March will actually be corrected one way or the other to reflect the estimation. He stated when citizens get their bill to remember that the two prior months had been estimated.

Mayor Crewe indicated that he will give the Council the option, and they can do anything they desire, but, obviously, most people attending the meeting are interested in the archery program, and they can read the Committee reports or they can note the highlights and advised that the Urban Archery Program comes under the Public Works Committee report. He inquired as to the pleasure of the Council. Vice-Mayor King remarked that since she will be giving the Budget and Finance Committee report, maybe she could just read the recommendations from the Committee. Mayor Crewe advised that this would be acceptable.

RE: BUDGET AND FINANCE COMMITTEE REPORT

The Budget and Finance Committee report was entered into record as follows:

1. We have received information on the renewal of health insurance coverage for the Town's employees. For many years, the Town has participated in the Commonwealth of Virginia's Local Choice Program. The Local Choice Program is administered by Blue Cross Blue Shield Anthem and is a pool of state and local employees. Currently, the Town provides to its employees two programs, one program called the Key Advantage

Expanded Program and the other called the Key Advantage 200 Program. The Local Choice Program is not going to offer the Key Advantage 200 Program this year, but has revised that to the Key Advantage 250 Program. The renewal for the coming year for the Town's insurance program will have an additional 7.6 percent increase included. Under the rules of the program, the Town must make a declaration of its intent to renew by April 1 or must request an extension with the Local Choice Program. Currently, the Town pays 93 percent of the cost of the employees' insurance with the employee paying 7 percent. It is estimated that retaining the same or similar programs that we currently have would be an increase of approximately \$61,322. It is necessary that we give our intent to renew, and it would be the recommendation of the Budget and Finance Committee that we authorize the Town Manager to execute the renewal notice. We would also recommend maintaining the same ratio of employer/employee payments into the program. Mayor Crewe stated the motion from the Committee, which already has a second, is to renew the health insurance for Town employees again with the same provider and to offer the Key Advantage Expanded and the Key Advantage 250 programs with the Town paying 93 percent and the employee paying 7 percent, and the Council authorizing the Town Manager to execute the renewal. 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, William B. Weisiger, H. Judson Lambert. Against: None.

2. We have received a letter from the Wythe Arts Council, Ltd. seeking action by the Town on a number of matters relating to the annual Chautauqua Festival. A copy of the letter from the Wythe Arts Council is enclosed, and the Arts Council is completing the necessary paperwork for the Request for Waiver of Fees through the Community Center. This year, the opening parade will be held on June 19, and the final day of the Festival, including fireworks, will be held on Saturday, June 26. Again this year, the Arts Council has requested that certain fees for the use of the Park and the old Community Center be waived as well as certain Business License fees.

We have reviewed the requests by the Arts Council and find them to be essentially the same requests that have been made for many years. We do not anticipate a problem with any of these items. We would note that the Town has, again this year, applied for grant funds on the Arts Council's behalf. As such, for all of the areas where fees are being requested to be waived, the Arts Council will need to pay these fees (up to \$5,000) and then be reimbursed by the Town, provided they receive the grant funds.

We applaud the Wythe Arts Council's continued efforts in bringing quality entertainment to our citizens. It is the recommendation of the Budget and Finance Committee that the Council approve the request of the Wythe Arts Council with the stipulations noted earlier and contingent on the receipt of the Request for Waiver of Fees application. Mayor Crewe noted the motion from the Committee is that the Council grant the Wythe Arts Council requests and the waiver of fees request contingent upon the receipt of the Request for Waiver of Fees application. 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, 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. [Click here to view the report](#)

RE: PUBLIC WORKS COMMITTEE REPORT

Mayor Crewe indicated that he will give the Public Works Committee the same option he gave the Budget and Finance Committee to read or not read the report. Councilman Weisiger advised that their Committee report has a direct bearing on the Citizens' Period held earlier in the meeting, and he thinks they need a quick Committee meeting. Mayor Crewe stated he did not know if everyone has seen the Public Works Committee Report, and he believes all that was handed out was a list of the stipulations on the Urban Archery Program. He explained that the Committee has two paragraphs, and one states they recommend to do the Urban Archery Program, and the other paragraph recommends not doing it. Mr. Smith noted that the Council has to approve it before the end of March. Mayor Crewe stated that is why the Council tried to schedule the hearing at the meeting so the Council could hear from everybody and get it all done by March 31. Vice-Mayor King inquired if the Council will make the necessary adjustments to this as Mr. Scott requested. Mayor Crewe noted that it is the Council's prerogative.

The Public Works Committee report was entered into record as follows:

1. Based on the comments received earlier this evening we believe that there is sufficient interest in the development of an Urban Archery Program, and it would be our recommendation that we make application to the Department of Game and Inland Fisheries for the development of such a program with the stipulations to be finalized at the Public Works Committee meeting on March 23, 2010, and to be attached as a part of this report. Councilman Weisiger inquired if that would be possible. Town Manager Sutherland stated that is correct, and this is not like a normal public hearing, so he thinks the Committee could make those changes at their meeting tomorrow. Mayor Crewe advised that the motion from the Committee is that the Town participate in the Urban Archery Program knowing that the Town has to have the letter in to Richmond by March 31, 2010, for the Department of Game and Inland Fisheries to consider it, and to make changes to the regulations at their meeting tomorrow morning. Mayor Crewe inquired if the Committee would like to give a hint as to type of changes they desire to make to the regulations. Councilman Weisiger noted the Committee wants to discuss the requirement of shooting from a raised stand, and they have talked about it, and they are unsure about this. He stated they may want to keep that regulation in for the first year and see what happens, and they will discuss it at their meeting in the morning. Mayor Crewe noted Councilman Weisiger is talking about the Public Works Committee meeting in the morning, and everyone is welcome back at 7:00 a.m. Mayor Crewe explained that the Town Council has Committee meetings on Tuesdays and Thursdays at 7:00 a.m., and the Public Works Committee meeting is in the morning at 7:00 a.m. He advised that this week, because Councilman Jones is out of town, the Budget and Finance Committee will not be meeting on Thursday morning, but probably Vice-Mayor King may come to the Public Works Committee meeting, and they will all be back at 7:00 a.m. in the morning. Mayor Crewe advised that everyone is welcome back to that meeting. He noted there is a motion on the floor to participate with the stipulations to be decided at the meeting in the morning and submitted to the Department of Game and Inland Fisheries before March 31. Mayor Crewe advised that if the Town does not get an application in to the Department of Game and Inland Fisheries before April 1, it is not going to be considered, so the Town has a deadline this week, and it has got to be done, and that is why the Council is moving at this speed. He reiterated that the motion is to participate, and there are some requirements and stipulations and regulations that the Committee will decide the final wording on, but that is the motion. 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, William B. Weisiger, H. Judson Lambert. Against: None.

Mayor Crewe stated that there will be an Urban Archery Program, and a couple of these regulations may fluctuate from what is on the paper handed out at this meeting, and they will be discussed tomorrow, and everyone is welcome to attend the meeting tomorrow morning. He stated that those who have Internet access should be able to look, hopefully, tomorrow afternoon, and, if not, Wednesday or Thursday at the absolute latest to see what the stipulations and the regulations will be, and Town staff will put it on the Town's web site so the citizens will have a way to look at it and find out what the Council is stating. Mayor Crewe pointed out that what he suspects is going to happen, and noted this is just his editorial comment and he has to look and see, but he thinks when the Council was thinking of "bow," under State archery law, "bow" includes the crossbow because a person has to have a permit to use either. He remarked he did not think that was a big concern, and the Council thought they had covered both because of that. Mayor Crewe indicated that everyone just heard the eight feet above the ground regulation may or may not stay there and may be modified. He stated the other thing he thinks the Committee may talk about is the 100 yard distance from any dwelling. Mayor Crewe advised that the things he heard at this meeting were the crossbow and the bow in the fifth point down, and the 100 yard requirement and disposing of the carcass, which, to him, was basically Hunters for the Hungry and those kinds of options. Mayor Crewe stated he did not know what the Committee is thinking, but they will find out tomorrow. He advised he thinks the good part and the finality is that there will be an Urban Archery Program, but they do not know all the details yet and it will be figured out tomorrow, and everyone is welcome to attend the meeting or at least check the Town web site, which is wytheville.org and citizens can find it there as soon as Town staff can get it posted.

2. We have received a request to permit parking along one side of Malin Drive. The portion of roadway under consideration here is the portion of Malin Drive situated on the south side of Chapman Road eastwardly to the cul-de-sac at Wohlfahrt Haus Dinner Theater. We have viewed this portion of roadway and think that there is insufficient width to accommodate parking and the large volumes of traffic that use this street. In addition,

there are a number of entrances to businesses that could be impacted by parking along the street. It is the recommendation of the Public Works Committee that we do not approve the request to permit parking on this portion of Malin Drive. Mayor Crewe advised that since the Committee recommendation is not to approve this request, he guesses the Council has two options. He stated the Council can either vote not to approve the request, or the Council can do nothing, which means there is no approval given because there is no action to be taken. Mayor Crewe inquired if the Council cares one way or the other. Councilmen Weisiger noted they will not take any action. Mayor Crewe stated that unless Vice-Mayor King disagrees with that and makes a motion, there will be no motion to vote on. A copy of the Public Works Committee report is attached and made part of these minutes. [Click here to view the report](#)

Mayor Crewe stated that since Mr. Chris Umberger has been good about attending several Council meetings and sitting through this a little bit longer than usual at this meeting, he will ask that the Council skip to Other Business and consider his special exception permit request and the other recommendation from the Planning Commission.

RE: SPECIAL EXCEPTION PERMIT - UMBERGER

Mayor Crewe stated the next agenda item is to consider the issuance of a special exception permit to Mr. Chris Umberger to conduct an agricultural products concrete casting operation at 2065 West Lee Highway, which is located on the south side of West Lee Highway between Deerfield Lane and Sherwood Forest Road, in a B-2 Business District. He stated the Council has in their package the recommendation from the Planning Commission that recommends that the special exception permit be granted with four stipulations: (1) The silo shall be consistent with the height of the building. The silo shall be screened with the same type of siding as the building; (2) The hours of operation shall be restricted to 8:00 a.m. to 7:00 p.m.; (3) The special exception permit shall be reviewed annually; (4) Failure to comply with these conditions shall be grounds for rescinding this special exception permit. Mayor Crewe stated the Council found at their place when they arrived at the meeting the pictures of how Mr. Umberger proposes to enclose it, buffer it, and make it comply. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve the issuance of a special exception permit to Mr. Chris Umberger to conduct an agricultural products concrete casting operation at 2065 West Lee Highway, which is located on the south side of West Lee Highway between Deerfield Lane and Sherwood Forest Road, in a B-2 Business District with the following stipulations: (1) The silo shall be consistent with the height of the building. The silo shall be screened with the same type of siding as the building; (2) The hours of operation shall be restricted to 8:00 a.m. to 7:00 p.m.; (3) The special exception permit shall be reviewed annually; (4) 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. 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, William B. Weisiger, H. Judson Lambert. Against: None.

RE: SPECIAL EXCEPTION PERMIT – MALMBERG

Mayor Crewe stated the next agenda item to consider is the recommendation of the Planning Commission regarding the request of Ronald W. Malmberg dba Powerhouse Services for a special exception permit to conduct a contractors' rental equipment business at 1370 West Reservoir Street, which is located on the north side of Reservoir Street between 24th and 26th Streets, in a B-2 Business District. He noted this would require a public hearing, which the Council can advertise properly and hold on April 12. Mayor Crewe inquired if anyone has any objections to holding the public hearing on April 12, at 7:00 p.m. It was the consensus of the Council to set a public hearing for the April 12, 2010, meeting at 7:00 p.m. to consider the request of Ronald W. Malmberg dba Powerhouse Services for a special exception permit to conduct a contractors' rental equipment business at 1370 West Reservoir Street, which is located on the north side of Reservoir Street between 24th and 26th Streets, in a B-2 Business District.

RE: ORDINANCE NO. 1246 – ENTRANCE CORRIDOR OVERLAY DISTRICT – WEST LEE HIGHWAY

Mayor Crewe presented Ordinance No. 1246, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend Article XVI, General Provisions, amending Section 16-18, Entrance Corridor Overlay District, so as to include the

Entrance Corridor Overlay District over the B-2 DT General Business District Downtown line approximately midblock between Monroe and North Streets to the Town Corporate Limit Line on West Lee Highway (Route 11 West), which will regulate properties 200 feet on either side of West Lee Highway, on third reading. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to adopt Ordinance No. 1246, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend Article XVI, General Provisions, amending Section 16-18, Entrance Corridor Overlay District, so as to include the Entrance Corridor Overlay District over the B-2 DT General Business District Downtown line approximately midblock between Monroe and North Streets to the Town Corporate Limit Line on West Lee Highway (Route 11 West), which will regulate properties 200 feet on either side of West Lee Highway, on third and final reading. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1246 was adopted on third and final reading.

RE: RESOLUTION – WYTHEVILLE REDEVELOPMENT AND HOUSING AUTHORITY

Mayor Crewe stated the next agenda item is to consider a resolution authorizing the Town Manager to sign and submit documents for a Virginia Community Development Block Grant for the Wytheville Redevelopment and Housing Authority. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to adopt the resolution authorizing the Town Manager to sign and submit documents for a Virginia Community Development Block Grant for the Wytheville Redevelopment and Housing Authority. 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, William B. Weisiger, H. Judson Lambert. Against: None.

RE: APPOINTMENT – BOARD OF ARCHITECTURAL REVIEW

Mayor Crewe stated the next agenda item is to consider an appointment of a member to the Board of Architectural Review to fill the expired term of Mr. George W. Hamm whose term expired February 13, 2009. He stated there are three vacancies, and the Council has an application from Mr. George Zuurbier. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to appoint Mr. George Zuurbier to the Board of Architectural Review. Mayor Crewe inquired if there is any 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, William B. Weisiger, H. Judson Lambert. Against: None.

RE: CROSSROADS SHELTER

Mayor Crewe advised that this has been discussed in both Committees, but it was not put on the meeting agenda, and when it was discussed in Committees, he thinks, if he understood correctly, it was acceptable to the Council to give a \$500 donation to Crossroads Shelter to be used and applied to their water bill. Mayor Crewe stated the Council needs to take action on this matter. A motion was made by Councilman Weisiger that the Town make a donation to Crossroads Shelter in the amount of \$500 to help offset their water bill. The motion was seconded by Councilman Lambert. Mayor Crewe inquired if there is any discussion on the motion. The motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, H. Judson Lambert. Against: None.

RE: CLOSED MEETING

Mayor Crewe thanked everyone for attending. He explained what the Council is going to do is go into a closed meeting to confer with the Town Attorney. Mayor Crewe noted that everyone is welcome to wait and come back in the Council Chambers when the Council goes back into open session. He stated he would anticipate no further action being taken by the Council when they go back into open session. He reiterated his thanks to everyone for attending the meeting, and noted that, hopefully, the Committee can work out the details on the Urban Archery Program. The Council invited Mr. Jack Hunley and Mr. Tommy Hundley to attend the closed meeting.

Mayor Crewe noted he would entertain a motion that the Council go into a closed meeting with legal counsel to discuss a specific legal matter according to §2.2-3711(A)(7) which requires legal advice by the Town Attorney. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King that the Council go into a closed meeting with legal counsel to discuss a specific legal matter according to §2.2-3711(A)(7) which requires legal advice by the Town Attorney. Town Attorney Kaase stated the Council needed to identify the subject matter. Mayor Crewe inquired if the Council cannot just state "requiring legal advice by the Town Attorney." Town Attorney Kaase advised that a subject matter has to be stated. Mayor Crewe stated that the Council has to state legal advice from the Town Attorney concerning Ordinance No. 1245. Town Attorney Kaase stated that is correct. Mayor Crewe noted the motion is to confer with the Town Attorney concerning Ordinance No. 1245. 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, William B. Weisiger, H. Judson Lambert. Against: None. Mayor Crewe noted the motion carried, and the stipulation he thinks that was discussed but was not put in the motion was to allow Mr. Jack Hunley and Mr. Tommy Hundley to stay in the closed meeting. (8:00 p.m.)

RE: RECONVENE TO OPEN SESSION

A motion was made by Councilman Lambert and seconded by Councilman Weisiger to reconvene to open session. The motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger. Against: None.

RE: CERTIFICATION OF CLOSED MEETING

A motion was made by Councilman Lambert and seconded by Councilman Weisiger that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies and that only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Wytheville Town Council. The motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, H. Judson Lambert. Against: None. A copy of the certification is attached and made part of these minutes. (8:17 p.m.)

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (8:17 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, MMC, Clerk of Council

BUDGET AND FINANCE COMMITTEE REPORT

MARCH 22, 2010

1. We have received information on the renewal of health insurance coverage for the Town's employees. For many years, the Town has participated in the Commonwealth of Virginia's Local Choice Program. The Local Choice Program is administered by Blue Cross Blue Shield Anthem and is a pool of state and local employees. Currently, the Town provides to its employees two programs, one program called the Key Advantage Expanded Program and the other called the Key Advantage 200 Program. The Local Choice Program is not going to offer the Key Advantage 200 Program this year, but has revised that to the Key Advantage 250 Program. The renewal for the coming year for the Town's insurance program will have an additional 7.6 percent increase included. Under the rules of the program, the Town must make a declaration of its intent to renew by April 1 or must request an extension with the Local Choice Program. Currently, the Town pays 93 percent of the cost of the employees' insurance with the employee paying 7 percent. It is estimated that retaining the same or similar programs that we currently have would be an increase of approximately \$61,322. It is necessary that we give our intent to renew, and it would be the recommendation of the Budget and Finance Committee that we authorize the Town Manager to execute the renewal notice. We would also recommend maintaining the same ratio of employer/employee payments into the program.

2. We have received a letter from the Wythe Arts Council, Ltd. seeking action by the Town on a number of matters relating to the annual Chautauqua Festival. A copy of the letter from the Wythe Arts Council is enclosed, and the Arts Council is completing the necessary paperwork for the Request for Waiver of Fees through the Community Center. This year, the opening parade will be held on June 19, and the final day of the Festival, including fireworks, will be held on Saturday, June 26. Again this year, the Arts Council has requested that certain fees for the use of the Park and the old Community Center be waived as well as certain Business License fees.

We have reviewed the requests by the Arts Council and find them to be essentially the same requests that have been made for many years. We do not anticipate a problem with any of these items. We would note that the Town has, again this year, applied for grant funds on the Arts Council's behalf. As such, for all of the areas where fees are being requested to be waived, the Arts Council will need to pay these fees (up to \$5,000) and then be reimbursed by the Town, provided they receive the grant funds.

We applaud the Wythe Arts Council's continued efforts in bringing quality entertainment to our citizens. It is the recommendation of the Budget and Finance Committee that the Council approve the request of the Wythe Arts Council with the stipulations noted earlier and contingent on the receipt of the Request for Waiver of Fees application.

Jacqueline K. King

John W. Jones, Jr.

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PUBLIC WORKS COMMITTEE REPORT

MARCH 22, 2010

1. Based on the comments received earlier this evening we believe that there is sufficient interest in the development of an Urban Archery Program, and it would be our recommendation that we make application to the Department of Game and Inland Fisheries for the development of such a program with the stipulations to be finalized at the Public Works Committee meeting on March 23, 2010, and to be attached as a part of this report.

2. We have received a request to permit parking along one side of Malin Drive. The portion of roadway under consideration here is the portion of Malin Drive situated on the south side of Chapman Road eastwardly to the cul-de-sac at Wohlfahrt Haus Dinner Theater. We have viewed this portion of roadway and think that there is insufficient width to accommodate parking and the large volumes of traffic that use this street. In addition, there are a number of entrances to businesses that could be impacted by parking along the street. It is the recommendation of the Public Works Committee that we do not approve the request to permit parking on this portion of Malin Drive.

William B. Weisiger

H. Judson Lambert