

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JANUARY 11, 2016, AT 7:00 P.M.**

Members present: Jacqueline K. King, H. Judson Lambert, William B. Weisiger, Thomas F. Hundley

Members absent: Trenton G. Crewe, Jr.

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Town Attorney Robert P. Kaase, Tim Reeves, Brandon Harner, Tyler Hardin, Holden Tolley, Clay Sweet, Tray Johnson, Steven Fox, David Dickinson, Chase Rosenbaum, Johnny Beamer, Danny Suthers, Mark Dillon, Max Dillon, Chris Boothe, Charlene Abate, Cody Abate, Kenny Sayers, Danny Gordon with WYVE-AM/WXBX-FM/WLOY-AM, Police Officer David Johnson

**RE: CALL TO ORDER, QUORUM, PLEDGE**

In the absence of Mayor Crewe, Vice-Mayor King called the meeting to order and established that a quorum of Council members was present. The Pledge of Allegiance was led by Councilman Hundley.

**RE: CONSENT AGENDA**

Vice-Mayor King presented the consent agenda consisting of the minutes of the regular meeting of December 14, 2015. She inquired of the Council if there is a motion to approve the consent agenda, as presented. 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 December 14, 2015, as presented. Vice-Mayor King inquired if there is any discussion on the motion to approve the consent agenda, as presented. There being none, the motion was approved with the following voting results: For: Jacqueline K. King, H. Judson Lambert, William B. Weisiger. Abstention from minutes: Thomas F. Hundley. Against: None.

**RE: CITIZENS' PERIOD - PRESENTATION OF RESOLUTION – GEORGE WYTHE HIGH SCHOOL FOOTBALL TEAM**

Vice-Mayor King advised the next agenda item is the presentation of the resolution recognizing the George Wythe High School Football Team. She inquired if Coach Harner would read the resolution. Coach Harner proceeded to read the resolution.

**RESOLUTION**

**WHEREAS**, the George Wythe High School Football Team completed their 2015 season with an overall record of 12-2; and,

**WHEREAS**, the George Wythe High School Football Team was District Champions in regular season play in the Hogoheegee District with a 6-0 record; and,

**WHEREAS**, the George Wythe High School Football Team defeated Twin Springs in the Sectional Quarter Finals with a score of 42-0; and,

**WHEREAS**, the George Wythe High School Football Team defeated Bland County in the Sectional Semi-Finals with a score of 56-12; and,

**WHEREAS**, the George Wythe High School Football Team defeated Radford in the Sectional Finals, Western Section game, with a score of 35-28; and,

**WHEREAS**, Rashad Wells, Jr., and Tyler Hardin both rushed for over 1,000 yards during the season; and,

**WHEREAS**, Deacon Beamer passed for over 1,000 yards, and he was the first sophomore in the history of the school to achieve this success; and,

**WHEREAS**, the teaching fundamentals the George Wythe High School football players received while participating in the youth recreation sandlot football program through the Town's Recreation Department were displayed during the 2015 season; and,

**WHEREAS**, the players and coaches of the George Wythe High School Football Team through their outstanding display of athletic ability, team play and sportsmanship have reflected great credit upon the school and upon the Town.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Wytheville, Virginia, officially commends the George Wythe High School Football Team, its Head Coach, Mr. Brandon Harner, its Assistant Coaches, Doug Campbell, Quinton Hensley, Brandon Blankenship, Trey Johnson, Mark Harmon, Kenny Sayers, Steve Gollither, David Martin, and Scotty Dove - Team Doctor and other high school officials concerned for the outstanding record of the Football Team.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the George Wythe High School Football Team, the coaches, other officials concerned and the news media.

Vice-Mayor King thanked Coach Harner, the other members of the George Wythe coaching staff and the football team for attending the Council meeting and for accepting the resolution.

**RE: CITIZENS' PERIOD - PRESENTATION OF RESOLUTION – GEORGE WYTHER HIGH SCHOOL GOLF TEAM**

Vice-Mayor King advised the next agenda item is the presentation of the resolution recognizing the George Wythe High School Golf Team. She inquired if Coach Beamer would read the resolution. Coach Beamer proceeded to read the resolution.

**RESOLUTION**

**WHEREAS**, the George Wythe High School Golf Team completed their 2015 season with an overall record of 13-2; and,

**WHEREAS**, the George Wythe High School Golf Team was Hogoheegee District Champions and Conference 46 Champions; and,

**WHEREAS**, the George Wythe High School Golf Team advanced to the 1A West Regional and won the 1A West Regional Tournament; and,

**WHEREAS**, the George Wythe High School Golf Team advanced to the 1A State Golf Tournament and won the 1A VHSL Golf Championship on October 13, 2015; and,

**WHEREAS**, Alex Arnold, Maxwell Dillon and Chris Boothe were among the top ten golfers for 1A division schools; and,

**WHEREAS**, the players and coaches of the George Wythe High School Golf Team through their outstanding display of athletic ability, team play and sportsmanship have reflected great credit upon the school and upon the Town.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Wytheville, Virginia, officially commends the George Wythe High School Golf Team, its head coach, Johnny Beamer, its Assistant Coach, Danny Suthers and other high school officials concerned for the outstanding accomplishment of the golf team.

**BE IT FURTHER RESOLVED** that copies of this resolution be presented to the George Wythe High School Golf Team, the coaches, other officials concerned and the news media.

Vice-Mayor King thanked Coach Beamer, the other members of the George Wythe coaching staff and the golf team for attending the Council meeting and for accepting the resolution.

**RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. The Council Work Session will be held on Tuesday, January 12, 2016, at 7:00 a.m.
2. The Council Personnel Committee will meet on Friday, January 15, 2016, at the Heritage Preservation Center.
3. The Town of Wytheville offices will be closed on Monday, January 18, 2016, and all services will be curtailed, in observance of the Martin Luther King, Jr. holiday.

4. The New River Regional Water Authority meeting will be held on Thursday, January 21, 2016, at 9:30 a.m., in the Council Chambers.

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

Councilman Weisiger, reporting for the Budget and Finance Committee, stated that the Town, as a recipient of State and Federal funding, must provide certain assurances to the State and Federal governments that they are complying with various facets of law. He explained that one of the assurances that the Town must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries, to join and work together in the observance of free and equal housing treatment for all. Councilman Weisiger advised that later in the meeting, a resolution will be considered by the Council, and it would be the recommendation of the Budget and Finance Committee that it be adopted.

Councilman Weisiger, also, reported that the Town has received from its auditors, Robinson, Farmer, Cox Associates, the financial statements for the fiscal year ending June 30, 2015. He stated that the Town has also received from them a letter, which is required by professional standards, to communicate findings associated with the audit report. Councilman Weisiger noted that Robinson, Farmer, Cox Associates reported that the financial disclosures are neutral, consistent and clear, which means that they have found no issues with the audit of the Town's finances. He explained that, also, provided in the report, it is noted that certain matters involving internal control structure and other operational matters should be reviewed by the Council. Councilman Weisiger remarked that one of these recommendations was procedural in nature, and the Budget and Finance Committee has advised Town Treasurer Stephens to note their recommendations. He commented that now that the Council has had the opportunity to review this audit, it would be the recommendation of the Budget and Finance Committee that the Council note its receipt of the audit and its agreement with the information contained therein. Councilman Weisiger advised that, also, given that there are no findings in the audit, the Budget and Finance Committee does not believe that it is necessary to have a meeting with the auditors. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

#### **RE: PUBLIC WORKS COMMITTEE REPORT**

Councilman Hundley, reporting for the Public Works Committee, stated for many years, regulations concerning stormwater management and soil erosion and sediment control have been handled by the individual communities under guidelines developed by the Department of Housing and Community Development. He noted that a little over two years ago, the management of these programs was placed under the Department of Environmental Quality (DEQ). Councilman Hundley explained that the Department of Environmental Quality significantly changed regulations with regard to these matters and notably increased the standards that had to be achieved. He stated that the Department of Environmental Quality is relying on localities to impose these new rigorous standards and most communities expressed their concern about the liability that was incurred by the community for being an approving authority for the measures. He noted that, additionally, there were significant application fees associated with this type of management of the program and the fees were returned to the State. Councilman Hundley remarked that, subsequently, State law was amended to allow local governments to manage their own Stormwater Management Programs or to "Opt-out." He explained that in the situation where the community chose to opt-out of the program, the administration, implementation and enforcement of these programs were left with The Department of Environmental Quality. Councilman Hundley commented that since the vast majority of communities chose to opt-out, it caused a burden for the administration and enforcement of DEQ. He expressed that the most recent movement proposed is to not allow communities to opt-out, which collectively means that all communities will, once again, be required to enforce regulations that appear to be excessive and, at times, require excessive application fees, all of which will be returned to the State. Councilman Hundley stated the Town of Wytheville and other communities believe that this is an unfair expectation of the State and is yet another unfunded, mandatory local obligation. He commented that later in the meeting, the Council will consider a resolution expressing its concern with any new legislation that would eliminate the "Opt-out" program. Councilman Hundley advised that it would be the recommendation of the Public Works Committee that this resolution be adopted and be forwarded to the State legislatures representing this area.

Councilman Hundley, also, reported that on several occasions, the Public Works Committee has looked at the traffic movement at the intersections of 11<sup>th</sup> and Main Streets and 11<sup>th</sup> and Monroe Streets. He stated that at certain times during the day, there is significant congestion in these two intersections. Councilman Hundley commented, for example, if the Public Works Committee considers the intersection of 11<sup>th</sup> and Monroe Streets, it can be observed that traffic moving

west on Monroe Street often has difficulty making a left hand turn onto 11<sup>th</sup> Street because of eastward bound traffic on Monroe Street, as well as the traffic which is making a right hand turn onto 11<sup>th</sup> Street. He explained that a similar situation exists on Main Street where west bound traffic on Main Street at the intersection with 11<sup>th</sup> Street has a left turn, right turn and straight lanes adjacent to the two east bound opposing lanes. Councilman Hundley stated on the west side of 11<sup>th</sup> Street on Main Street, traffic lanes are reduced to two lanes. He noted that in any event, the Public Works Committee feels that the geometry of both of these intersections needs to be studied as well as an assessment made of some way to coordinate the traffic signals, which would facilitate traffic movement and create a safer environment. Councilman Hundley advised that it would be the recommendation of the Public Works Committee that the Town proceed with having a study performed that would offer improvements for all of these situations. A motion was made by Councilman Hundley and seconded by Councilman Lambert to authorize the Town to conduct a study on the intersections on 11<sup>th</sup> and Main Streets and 11<sup>th</sup> and Monroe Streets to offer traffic flow improvements. Vice-Mayor King 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: Jacqueline K. King, H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes.

#### **RE: RESOLUTION – FAIR HOUSING ACT**

Vice-Mayor King advised that the next agenda item is the resolution regarding the Fair Housing Act. She explained that each year, the Town must adopt a resolution that endorses the concept of providing fair housing. Vice-Mayor King remarked that by adopting this resolution, the Town, as a recipient of State and Federal funding, provides certain assurances to the State and Federal governments that it is complying with various facets of law. She commented that one of the assurances that the Town must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries, to join and work together in the observance of free and equal housing treatment for all. Vice-Mayor King inquired if there is a motion to approve the Fair Housing Act resolution. A motion was made by Councilman Hundley and seconded by Councilman Lambert to adopt the annual resolution regarding the Federal Fair Housing Act. Vice-Mayor King inquired if there is any discussion on the motion to adopt the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

#### **RE: RESOLUTION – STORMWATER MANAGEMENT RESOLUTION**

Vice-Mayor King advised that the next agenda item is the resolution regarding the Town's Stormwater Management Program. She inquired of the Council if there is a motion concerning the resolution. A motion was made by Councilman Hundley and seconded by Councilman Weisiger to adopt a resolution regarding the Town's Stormwater Management Program. Vice-Mayor King inquired if there is any discussion on the motion to adopt the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

#### **RE: APPOINTMENT – DISTRICT III GOVERNMENTAL COOPERATIVE**

Vice-Mayor King advised that the next agenda item is the reappointment of members to the District III Governmental Cooperative to fill the expiring terms of William B. Weisiger and Thomas F. Hundley (terms expire January 27, 2016). She noted that both Council members have indicated a willingness to serve again. Vice-Mayor King commented that Councilman Weisiger is the member and Councilman Hundley is the alternate member to the Cooperative. She inquired of the Council if there is a motion concerning the reappointment. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to reappoint Councilman William B. Weisiger as the member and Councilman Thomas F. Hundley as the alternate member to the District III Governmental Cooperative for a one year term, which expires January 27, 2017. Vice-Mayor King inquired if there is any discussion on the motion concerning the reappointment. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

#### **RE: RESOLUTION – HILMAR WYTHEVILLE, LLC**

Town Attorney Kaase advised that he and Town Manager Sutherland are working on a deed that will allow Hilmar Wytheville, LLC, to convey property that runs from Dominion Street, which ends in front of the Walmart Shopping Center, in a westerly direction, as provided in the original proffer from the developer of the shopping center. He stated that he has prepared a deed, and

has all real estate to be received by the Town of Wytheville for a 50 foot wide public street that will be installed. Town Attorney Kaase explained that the Town Council should adopt a resolution that would authorize him to approve the form of the deed and Town Manager Sutherland to execute the deed on behalf of the Town of Wytheville receiving the 50 foot wide street which will be constructed as a public street. He advised, therefore, he would invite the Council to consider a resolution that authorizes him to approve the form of the deed and Town Manager Sutherland to execute the instrument of receiving the property. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to adopt a resolution regarding the conveyance of property to the Town of Wytheville from Hilmar Wytheville, LLC, and authorize the Town Attorney to approve the form of the deed and authorize the Town Manager to sign on behalf of the Town to execute and to accept the deed. Vice-Mayor King inquired if there is any discussion on the motion concerning the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

Councilman Weisiger inquired of Town Attorney Kaase if this is a goal of the developers of the shopping center. Town Attorney Kaase commented that he is in the process of finding out that answer.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:21 p.m.).

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Jacqueline K. King, Vice-Mayor

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Sharon G. Corvin, Town Clerk

## **BUDGET AND FINANCE COMMITTEE REPORT**

**JANUARY 11, 2016**

1. The Town, as a recipient of State and Federal funding, must provide certain assurances to the State and Federal governments that we are complying with various facets of law. One of the assurances that we must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries, to join and work together in the observance of free and equal housing treatment for all. Later in the meeting, a resolution will be considered by the Council, and it would be the recommendation of the Budget and Finance Committee that it be adopted.
2. We have received from our auditors, Robinson, Farmer, Cox Associates, the financial statements for the fiscal year ending June 30, 2015. We have also received from them a letter, which is required by professional standards, to communicate findings associated with the audit report. Robinson, Farmer, Cox Associates reported that the financial disclosures are neutral, consistent and clear, which means that they have found no issues with the audit of the Town's finances. Also, provided in the report, it is noted that certain matters involving internal control structure and other operational matters should be reviewed by the Council. One of these recommendations was procedural in nature, and we have advised Town Treasurer Stephens to note their recommendations. Now that the Council has had the opportunity to review this audit, it would be the recommendation of the Budget and Finance Committee that we note our receipt of the audit and our agreement with the information contained therein. Also,

given that there are no findings in the audit, we do not believe that it is necessary to have a meeting with the auditors.

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Jacqueline K. King

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William B. Weisiger

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## **PUBLIC WORKS COMMITTEE REPORT**

**JANUARY 11, 2016**

1. For many years, regulations concerning stormwater management and soil erosion and sediment control have been handled by the individual communities under guidelines developed by the Department of Housing and Community Development. A little over two years ago, the management of these programs was placed under the Department of Environmental Quality (DEQ). The Department of Environmental Quality significantly changed regulations with regard to these matters and notably increased the standards that had to be achieved. The Department of Environmental Quality is relying on localities to impose these new rigorous standards and most communities expressed their concern about the liability that was incurred by the community for being an approving authority for the measures. Additionally, there were significant application fees associated with this type of management of the program and the fees were returned to the State. Subsequently, State law was amended to allow local governments to manage their own Stormwater Management Programs or to "Opt-out." In the situation where the community chose to opt-out of the program, the administration, implementation and enforcement of these programs were left with The Department of Environmental Quality. Since the vast majority of communities chose to opt-out, it caused a burden for the administration and enforcement of DEQ. The most recent movement proposed is to not allow communities to opt-out, which collectively means that all communities will, once again, be required to enforce regulations that appear to be excessive and, at times,



require excessive application fees, all of which will be returned to the State. We and other communities believe that this is an unfair expectation of the State and is yet another unfunded, mandatory local obligation. Later this evening, the Council will consider a resolution expressing our concern with any new legislation that would eliminate the "Opt-out" program. It would be the recommendation of the Public Works Committee that this resolution be adopted and be forwarded to the State legislatures representing our area.

2. On several occasions, our Committee has looked at the traffic movement at the intersections of 11<sup>th</sup> and Main Streets and 11<sup>th</sup> and Monroe Streets. At certain times during the day, there is significant congestion in these two intersections. For example, if we consider the intersection of 11<sup>th</sup> and Monroe Streets, it can be observed that traffic moving west on Monroe Street often has difficulty making a left hand turn onto 11<sup>th</sup> Street because of eastward bound traffic on Monroe Street, as well as the traffic which is making a right hand turn onto 11<sup>th</sup> Street. A similar situation exists on Main Street where west bound traffic on Main Street at the intersection with 11<sup>th</sup> Street has a left turn, right turn and straight lanes adjacent to the two east bound opposing lanes. On the west side of 11<sup>th</sup> Street on Main Street, traffic lanes are reduced to two lanes. In any event, we feel that the geometry of both of these intersections needs to be studied as well as an assessment made of some way to coordinate the traffic signals, which would facilitate traffic movement and create a safer environment. It would be the recommendation of the Public

Works Committee that we proceed with having a study performed that would offer improvements for all of these situations.

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H. Judson Lambert

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Thomas F. Hundley

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