

Fries Town Council  
January 5, 2016  
Public Hearing  
Draft Minutes

Members Present: Bill Davis, Jo Ann Gunter, Marie Isom, Carolyn Jones, Jerry McCormick and Dawn Patton.

Others Present: Richard Farmer, Mayor; Ken McFadyen of BRCEDA; Steve and Kit Marshall, Hans Petersen and Shaina Stockton of the Gazette.

The Mayor called the hearing to order and Dawn Patton gave the Invocation.

The Mayor announced that the purpose of the Public Hearing was to receive public comments regarding the proposed release of a "possibility of reverter" which had been retained by the Town of Fries when it conveyed five (5) tracts to Blue Ridge Crossroad Economic Development Authority, a Virginia public entity, commonly known as "BRCEDA", by deed dated August 26, 2009, of record in the Grayson County Circuit Court Clerk's Office in Deed Book 524, Page 796. A copy of the deed creating the "possibility of reverter" was available for public inspection. He also stated that the proposed release would enable the sale of the property to a company which proposed to develop the property and the release would be contingent on the sale going forward. He then opened the floor for public comment.

Steve Marshall inquired about the intent of the reverter. Ken McFadyen explained what the reverter was and how it had hindered the sale of the property. The potential buyer had requested that the reverter be removed by the closing by January 29, 2016. Hans Petersen was concerned that the plans for the property had not yet been made public. He stated that the reverter should not be eliminated until the plans had been revealed publicly. Ken McFadyen explained that one term of the contract with the potential buyer had been that the plans for the property would only be revealed by the buyer on his terms and timetable. He also said that the plans had been reviewed by BRCEDA and Council and had met the requirements to proceed and had adhered to the Town of Fries Master Plan. Dawn Patton stated that the potential buyer had helped the town many times and had shown good faith in the past. After some further discussion, Kit Marshall spoke concerning existing zoning laws and ordinances. She was concerned that the ordinances that were currently in place were not conducive to attracting new businesses and would not be adequate to regulate future development. Marie Isom offered that any new development would not only fall under the Town of Fries zoning and regulations, but would also fall under the Grayson County Building Code as well as the Code of Virginia.

With no further comments, the Mayor closed the Public Hearing.

Signed: \_\_\_\_\_

Attest: \_\_\_\_\_

Fries Town Council  
January 5, 2016  
Regular Session  
Draft Minutes

Members Present: Bill Davis, Jo Ann Gunter, Marie Isom, Carolyn Jones, Jerry McCormick and Dawn Patton.

Others Present: Richard Farmer, Mayor; Ken McFadyen of BRCEA; Deputy Testerman, Grayson County Sheriff's Dept.; Chad Stanley, FVFD; Karen Snyder, Fries Community Center; Cynthia Grant, Festival & Event Committee; Shaina Stockton of the Gazette and other several citizens.

The Mayor called the hearing to order.

Minutes & Bills: Dawn Patton moved to dispense with the reading of the minutes and to approve the minutes and bills as presented. Marie Isom inquired if the Christmas on the Mountain proceeds had been turned in yet. They had not. JoAnn Gunter provided the second to the motion. All present voted Aye and the minutes and bills were approved.

Police Report: Officer Testerman gave a summary of police activity for December. He reported: 1 assault, 1 warning ticket and 1 destruction of property/vandalism. Investigation of 3 misdemeanors, 2 follow-ups and 1 information only. Routine activities included: 332 closed business checks, 17 service calls, 26 church checks, 55 directive patrols, 19 open business checks, 10 forestry checks, , 2 motorist assists, 2 warrant services, 1 house check and 2 emergency protective orders for a total of 180.90 hours.

Officer Testerman then gave the yearly totals. They were: 1 assault, 4 dui's, 2 driving suspended, 1 larceny, 2 reckless driving, 21 traffic violations, 2 weapons charges, 2 drunk in public, 1 destruction of property/vandalism, 1 drug charge, 15 other arrests, 1 town decal and 11 warning tickets. He reported investigation of 3 juveniles, 2 property recoveries, 6 felonies, 5 information only, 27 misdemeanors, 3 traffic accidents, 9 follow-ups and 2 closed. Routine investigations included: 16 first responders, 852 church checks, 4,390 closed business checks, 3 dmv notices, 5 emergency custody orders, 515 forestry checks, 71 house checks, 138 open bank checks, 506 open business checks, 9 prisoners, 1 transport order, 35 warrant services, 1 blood/alcohol test, 147 civil papers, 5 crime prevention contacts, 957 directive patrols, 5 emergency protective orders, 1 funeral, 32 motorist assists, 2 open buildings, 1 field sobriety test, 254 service calls, 3 vehicle/k9 searches, 2 court on duties, 2 ECO/TDO transports, 2 trainings, 1 crime prevention and 1 prisoner transport

Officer Testerman asked that council clarify any exemptions to the Main Street parking ordinance in a written document that the police department could follow. The Mayor stated that the ordinance would probably need to be amended and that he would look into getting it done. The Mayor thanked the officer for his report and the department for their service.

Organization Updates:

1. Fries Volunteer Fire Department Update: Chad Stanley reported that for December the department had answered 37 EMS calls and 5 fire calls and for 2015 they had answered 419 EMS calls and 53 fire calls. Of the 53 fire calls, 16 of them were structure fires. The auxiliary had been planning their 2016 events and hoped to have them their dates finalized by February. He asked that the Festival and Event Committee schedule a meeting with

them so that there would be no overlap on event dates. Chad also reported that Brian Reed and the Mount Rogers Planning District Commission had recently helped the fire department by reviewing an equipment grant application and composing a resolution that he asked council to consider passing. He read the following resolution:

### **Town of Fries**

### ***"RESOLUTION"***

**WHEREAS**, the Fries Volunteer Fire Department has requested support and assistance in requesting funds through the Assistance to Firefighters Grant Program and;

**WHEREAS**, The Town and the FVFD have partnered in projects such as this one in the past with great success; and;

**WHEREAS**, The Town and the FVFD do not have the available funds to purchase this needed equipment; and,

**THEREFORE, BE IT RESOLVED**, the Town of Fries' Council hereby votes to give full support and assistance to the Fries Volunteer Fire Department in their efforts in preparing an Assistance to Firefighters Grant Program Application

Jerry McCormick moved to approve the resolution as presented. JoAnn Gunter provided the second, all present voted Aye and the motion was approved. Chad thanked the council for their support.

2. Fries Community Center Report: Karen Snyder reported that the Community Center was currently running their grades 4—7 basketball program. She reported that there were less children participating than in past years, but it seemed to be a widespread problem. Grayson County Recreation was also experiencing low turnout. Work had begun on the upcoming baseball season as well. She said that they hoped to expand the season by adding more teams from different areas than in the past, such as Wytheville and Ft. Chiswell. She also reported ordering cleaning materials and hoped to have the building cleaned up soon, they had opened the lobby while the children were out of school for Christmas vacation and offered snacks for sale in the snack bar and added a new foosball machine in the lobby. She thanked Martha Norman for hosting the Annual Christmas Party and providing the presents, food and volunteers. The performance of *It's a Wonderful Life* had went well and was well attended. She hoped that more performances would be held in the Theatre in the near future. She was also trying to line up bands for Saturday night dances for the months of April thru October. The Mayor thanked Karen for her report.
3. Theatre Report: Kit Marshall reported that she had been impressed with the number of volunteers that had worked on the theatre. Work had started in May, with a goal to be finished by the December 11<sup>th</sup> performance of *It's a Wonderful Life*. The group was able to accomplish far more than she expected and raised far more money than she thought they could. She reported that the Arts Council wanted to have many more productions in the Fries Theatre and that the attendance numbers for *It's a Wonderful Life* here had matched

the numbers of the Rex Theatre in Galax. She also reported that she had recently partnered with Spotlight on Southwest Virginia, in an effort to learn from them and share their resources. The Mayor thanked Kit and all that volunteered their time to the project.

4. Festivals & Events Committee: Cynthia Grant reported that Christmas on the Mountain had been a success. 20 vendors had participated; a pancake breakfast and a soup lunch had been served. She stated that it had been a great day and that they had sold completely out of food. The Mayor thanked Cynthia for her report.
5. Tourism Report: Marie Isom reported:
  - She had attended several seminars concerning stretching marketing dollars with ideas such as partnering with other communities, etc.
  - The Tourism Committee had met and worked on updating their 2 year budget and marketing plan.
  - Secured the September 2016 Blitz at the Lamsburg Visitors Center.
  - Submitted the paperwork needed for reimbursement for the Virginia Tourism Grant.
  - Began work on the Loveworks project. Received a donation of a bicycle wheel to put on the sign, and she hoped to have it finished by February.
  - The Information Center/ Gift Shop was still moving forward. She planned to have handrails installed soon and moved the opening date forward to the spring.
  - Started work on the community survey and planned to mail it out soon.
  - Discussed the 2016 Farmers Market. She reported that they were considering putting a market manager in place and also planned to continue trying to get a building to house the market.
  - Announced that the 2016 50K would be held on Saturday, October 1<sup>st</sup>.
  - Announced that the Crooked Road Mountains and Music week long celebration would be held June 10—18<sup>th</sup>. She hoped to get our Super Jam included.
  - She thanked Mr. & Mrs. C.L. Perkins for the Christmas Card that had been on display in the Town Hall window.
  - Planned to distribute another round of rack cards to local information centers and welcome centers.
  - She thanked all who supported tourism in 2015 and thanked everyone for the opportunity to serve again in 2016.

The Mayor thanked Marie for her report and for all that she does to promote tourism for the town.

#### Old Business:

1. Y Repair Project Update: The Mayor reported that the balance on the renovation account was up to \$21,261.70. He also reported that Mr. Byrd was almost finished with the bid documents and that the Community Center Grant Application had been submitted to DHCD.
2. Depot Project Update: Dawn Patton reported that she had not received any updates from Lane Group, but reviewed a letter from DEQ that stated that we would not be required to

obtain a Virginia Water Protection Permit for the trail project to proceed. The Mayor thanked Dawn for her report.

New Business:

- 1. Discussion of Deed Reverter Clause: After some discussion, Dawn Patton moved that the Town of Fries release the “possibility of reverter” which was retained by the Town of Fries when it conveyed the five (5) tracts to “BRCEDA” in 2009, contingent on the sale of the tracts to Hill Rentals, LLC, and authorized the Mayor to sign the deed to do so. JoAnn Gunter provided the second. All present voted Aye and the motion carried.
- 2. Fries Community Center Crosswalk: Karen Snyder spoke to Council concerning the need to put a crosswalk in above the center near the dining room entrance. The Mayor agreed that there was a need for the crosswalk, but reported that in 2013 an effort had been made to get one installed and was denied by VDOT because of the lack of sight distance. After some further discussion, it was decided to contact VDOT and try again.

Announcements:

- 1. The Mayor announced that the Water Treatment Plant had received a Water Fluoridation Quality Award for 2014.

With no further business to discuss, Carolyn Jones moved to adjourn, Marie Isom provided the second and the meeting was adjourned.

Signed: \_\_\_\_\_

Attest: \_\_\_\_\_