

Minutes of a regular meeting of the Town Council of the Town of Marion, Virginia held in the Council Chambers of the Municipal Building on December 5, 2016 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Tricia Spencer, Suzanne Jennings, Bill Weaver, Larry Carter (left early), Jim Barker and Avery Cornett Council Members; Town Manager Bill Rush; Town Clerk/Director of Finance Cindy Stanley; Town Attorney Mark Fenyk; Smyth County News Representative Stephanie Porter-Nichols; Police Chief Rex Anders; Police Lieutenant Andrew Moss (left early); Police Officer Jeffrey Horn (left early); Assistant Town Manager/Town Engineer Cecil Hicks; Public Works Director Jackie Perry and Golf Course Manager Terry Jennings (arriving late).

**ABSENT:** None.

**VISITORS:** Jeff Spickard, Kathy Smith, William Fields, Jen Surber, Charles Hayden, Jim Russell, James Tyler, Stacey Ely, Tom Copenhaver, Danny Parks and Suzie Sukle.

**INVOCATION/PLEDGE TO THE FLAG:** Mr. Hicks rendered the invocation. Mayor Helms led the Pledge to the Flag.

**MINUTES:** Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the minutes of the meeting held November 21, 2016 were approved as written. Messrs Dr. Gates, Jennings, Spencer, Carter, Weaver, Barker and Cornett voted affirmatively.

**AGENDA:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the agenda was approved as distributed.

**PUBLIC PRESENTATION:** Chief Anders introduced Officer Horn and the Town of Marion's new K-9 Officer, Cooper, a four year old yellow lab. Lieutenant Moss noted that this was all possible by receiving a grant. Officer Horn has completed a 12 week training program. Mayor Helms thanked Officer Horn for volunteering to lead this program.

James Tyler, Smyth County Community Hospital CEO, gave an update on the hospital and the potential merger between Mountain States Health Alliance and Wellmont. He noted the most difficult issue for the hospital is physician recruitment. (Terry Jennings arrived). Mr. Tyler noted he is personally dedicated to helping with the drug problem in the area. He also reviewed the performance of the hospital noting many of the ratings are very good. The hospital is purchasing 95 new nursing home beds for the Francis Marion Manor.

Suzie Sukle reviewed a request for any assistance with repairing stain glass windows at the Mt. Pleasant Museum. She has received a quote for \$5,045 to repair all 3 windows, including labor. They have currently collected \$1,400. Mr. Fields noted there was a very nice open house held at the museum on December 1, and 4 people from 3 different states toured. Upon motion of Mrs. Jennings, seconded by Dr. Gates and vote of 7 AYES and 0 NOES, this request was referred to the Finance Committee. Upon motion of Mr. Carter, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the Finance Committee has the power to take action on this request.

Jim Russell, Fairway Drive, presented a request for Fairway Drive to be upgraded to appropriate road standard using a more permanent application. Mr. Rush noted this has been an ongoing issue, as there is a cave under the roadway. Dr. Gates suggested we get this surveyed by engineers. The town will have an engineering study done on this site by VDOT engineers.

Danny Parks, Henry Street, noted the town had cleaned up his property and now would like to see other areas of concern addressed.

**PUBLIC HEARING COUNTRY CLUB CROSSINGS – REVITALIZATION ORDINANCE:** Mr. Rush noted the Ordinance Committee has met and reviewed the proposed ordinance. This particular project involves a 4 to 4 1/2 million dollar rehab on these apartments. This ordinance would allow for tax abatements on revitalization projects. Mayor Helms opened the Public Hearing. With no public comments, Mayor Helms closed the Public Hearing. Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, this item will be referred back to the Ordinance Committee for a final draft to be presented at the next council meeting.

Mr. Barker reported that the arborist has completed the work on Sally's Crying Tree.

Mrs. Jennings noted the Buildings and Grounds Committee met today.

Mayor Helms reported that there was a large turnout for the Annual Chamber of Commerce Dinner. There will be a Legislative Breakfast held December, 7, 2016 at 8:00 am at the Southwest Virginia Community College. The Employee/Retiree Christmas Lunch will be held December 16, 2016 at noon at the Senior Citizen Center. A Luncheon will be held at the Blue Ridge Job Corps on Friday, December 9, 2016 at 11:30 am.

Mr. Jennings gave an update on the Parks and Recreation departments. There were 149 signed up for boys basketball on November 28. A tour of the Henderson School will be given to the Seniors. There are 7 Christmas parties scheduled at the Golf Course this month. The Parks have been winterized. The offender crew has completed several projects. (Terry Jennings left).

Mr. Perry noted the leaf pickup is almost completed. The snow plows are ready for winter.

Chief Anders reported that Officer Whisman will be graduating from the Academy Thursday at 10:00 am. There are two Police Officer interviews scheduled with the Police Committee.

VML Legislative Day is Tuesday, January 24, 2017 and Wednesday, January 25, 2017. Operation Rudolph is underway for the residents of Newport, TN affected by the Gatlinburg fires. Mrs. McDonald is working on events for next year. (Larry Carter left).

Mr. Hicks reported that the proper remedy for Fairway Drive is to install a culvert. Repairs should begin next week on the East Chilhowie Street Bridge.

Mr. Rush reviewed a request from Charlie Harrington for a MRHA Non-Profit LLC formation. This will not be an expansion of powers. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, this item was delayed until the next meeting. Mr. Rush reviewed the Old Mill Property lease renewal which ends in December 2016. Mr. Rush has edited the advertisement and would like to include a 60 day walk away clause. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the edited advertisement for renewal of the Old Mill Property Lease will be advertised next Wednesday. There was one Bond Council bid submitted by Spillman, Thomas & Battle. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Bond Council submittal was accepted for a three year term with (two) three year renewables.

Mrs. Jennings left the room.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-29) upon motion of Mr. Weaver, seconded by Dr. Gates and vote of 5 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of negotiations of a public contract. Dr. Gates moved that Town Council return to Open Session and identified it be known that only those matters legally exempted from Open Session and identified in the motion were discussed during Closed Session. The motion was seconded by Mr. Weaver and carried by a vote of 5 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Cornett, Weaver, Barker, Dr. Gates and Spencer voted affirmatively.

Mrs. Jennings returned to the room.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-29) upon motion of Mrs. Jennings, seconded by Dr. Gates and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of negotiations of a public contract. Mrs. Jennings moved that Town Council return to Open Session and identified it be known that only those matters legally exempted from Open Session and identified in the motion were discussed during Closed Session. The motion was seconded by Mr. Weaver and carried by a vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Cornett, Weaver, Jennings, Barker, Dr. Gates and Spencer voted affirmatively.

Mr. Rush reviewed a request to construct a driving range at the Golf Course using funds from the original loan. This will include clearing the land, removing trees and hydro seeding 9 acres. Upon motion

of Mr. Cornett, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the Town Manager is to oversee this project using his discretion to hire a contractor that does not exceed the limits necessary for bidding (\$50,000) the project. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, Mr. Rush is to contract with Lou Broskey to supervise the construction of the driving range. The Golf Course Grill RFPs are due December 30, 2016.

Upon motion, duly seconded and a vote of 6 AYES and 0 NOES, the meeting was adjourned.

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Mayor

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Clerk