

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 August 4, 2014 at 5:30 p.m.

PRESENT: Mayor David Helms, Dr. Jim Gates, Jim Barker, Jim Owens, Suzanne Jennings, Tricia Spencer, Larry Carter (Arriving Late) and Bill Weaver Council Members; Town Clerk/Director of Finance Cindy Stanley; Smyth County News Representative Stephanie Porter-Nichols; Assistant Town Manager/Town Engineer Cecil Hicks; Town Engineer Assistant Todd Long; Police Lieutenant Rusty Hamm; Animal Control Office Lee Farmer and Golf Course Manager Terry Jennings.

ABSENT: None.

INVOCATION/PLEDGE TO THE FLAG: Mrs. Jennings rendered the invocation. Mayor Helms led the Pledge to the Flag.

VISITORS: Bob Lincoln, Charles Wassum, Charles Hayden, Mike and Susan Edwards, Opal Spiker, Sue Thompson, Melissa Armstrong, Darrell Keesee and Jeff Spickard.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the minutes of the meeting held July 21, 2014 were approved as written. Messrs Gates, Weaver, Owens, Barker, Spencer and Jennings voted affirmatively.

AGENDA: Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Agenda was approved as distributed.

PUBLIC PRESENTATION: Mike Edwards gave an update on the Smyth-Wythe Airport Commission and he thanked those that attended the Public Hearing. The Commission voted to move forward with the one-time easements. He also noted the Airport has a very limited budget of \$250,000.

Sue Thompson, 817 Scott Street, noted an ongoing issue with disruptive animals in the neighborhood. She is concerned for the safety of herself and neighbors. She suggested the leash law should be more strictly enforced and limit the number of animals one owner is allowed.

Opal Spiker, 821 Scott Street, told how she defended herself from a dog attack in her own yard on Saturday night. A small leaf blower was the only mechanism for protection she had. A letter describing her attack was sent to the Town Manager.

Darrell Keesee, 818 Scott Street, agreed with the two previous speakers regarding dangerous dogs running loose in the neighborhood. He has been a resident at this address for 12 years and states this has been an ongoing problem.

Melissa Armstrong, 818 Scott Street, noted the dog had threatened her before also and she states it is not safe to be outside.

Mrs. Jennings asked Mr. Farmer to review the incident. Mr. Farmer noted he was unaware of the incident until Monday morning. He also stated that the pet owner has a court appearance scheduled for August 15, 2014. Mr. Farmer noted the dog has to actually bite someone before it can be deemed

dangerous by law. The person having physical possession of the animal is the responsible party. Discussion ensued. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the issue was referred to the Ordinance Committee.

Mr. Barker noted the permit for the Ice Plant Project only covers the shale pit. The application must go before multiple agencies.

Mr. Owens reported dogs are also running loose on the Golf Course during hours of operation. Mr. Carter arrived. Discussion ensued. Mrs. Jennings noted some concern about the dress code being followed at the Golf Course. Mr. Jennings will present proposed solutions for these issues concerning the Golf Course at the next Council meeting.

Mayor Helms reminded everyone of the Town & Country BBQ Thursday evening August 21, 2014 at 6:30 pm at W-L Hanger in Chilhowie. The Spirit of 45 Day will be August 10, 2014 at 4:00 pm at the Court House. Daniel Rodriguez will be at the Lincoln Theatre Saturday night August 9, 2014. Mayor Helms and Mr. Rush attended a meeting in Bristol earlier in the day where Senator Mark Warner spoke regarding micro breweries. The Lincoln Theatre will be hosting 33 programs through December 31, 2014. Mayor Helms received a Thank You Letter from the Mel Leaman Free Clinic for the Town's annual appropriation. The FOIA meeting will be held Friday morning at 7:30 am at the Golf Course.

Mr. Jennings reported football signups for the Recreation Department will be August 25, 2014. Meet the Team night will be August 21, 2014 at 6:00 pm at the Farmers Market. He also noted that the Town swimming pool is doing very well. Mr. Jennings thanked Amy Baldwin for her work on the Chili Cook Off. There are 136 golfers signed up for the Greer Golf Tournament this weekend. There are 8 tournaments scheduled for August.

Lieutenant Hamm noted that Officer Uriah Farris has entered the 16 week class at the Police Academy.

Mr. Hicks noted the generator for the Co-Gen Project is in operation now. Staff is working to keep it tuned properly and a punch list is being complied. He also reported that the Town did not receive any of the 3 Health Department Grants. The Baughman Avenue Bridge Project will not meet the deadline for completion. Mr. Hicks noted that Cameron Wolfe's term on the Board of Zoning Appeals will expire in September and Mr. Wolfe has agreed to serve another term. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, Council recommends Mr. Wolfe to be re-appointed by the Judge to the Board of Zoning Appeals. The Town Employee/Retiree Picnic will be Friday, August 22, 2014 at 12:00 noon at Riverbend Park.

Mayor Helms reviewed the Resolution regarding the Comcast merger with Charter Communications, noting our franchise will carry over with the new company. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the Comcast Resolution Consent to Assignment and Change of Control was accepted.

Upon motion, duly seconded and a vote of 7 AYES and 0 NOES, the meeting was adjourned.

Mayor

Clerk