

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 November 3, 2014 at 5:30 p.m.

PRESENT: Mayor David Helms, Dr. Jim Gates, Jim Barker, Jim Owens, Larry Carter and Bill Weaver Council Members; Town Manager Bill Rush; Town Clerk/Director of Finance Cindy Stanley; Town Attorney Mark Fenyk; Smyth County News Representative Linda Burchette; Assistant Town Manager/Town Engineer Cecil Hicks; Police Chief Rex Anders; Economic Development Director Ken Heath; Marion Downtown Director Olivia Hall McDonald; Public Works Director Jackie Perry and Golf Course Manager Terry Jennings.

ABSENT: Suzanne Jennings and Tricia Spencer.

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

VISITORS: Jeff Spickard, Bob Lincoln, Mike and Susan Edwards, James and Teresa McNeil, Bob O'Donald and Shaqueta Green.

MINUTES: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, the minutes of the meeting held October 20, 2014 were approved as written. Messrs Gates, Weaver, Barker, Carter and Owens voted affirmatively.

AGENDA: Upon motion of Mr. Carter, seconded by Dr. Gates and a vote of 5 AYES and 0 NOES, the Agenda was approved as presented.

PUBLIC PRESENTATION: Mayor Helms introduced Shaqueta Green from Virginia Beach. She is doing an internship and is required to attend a Council meeting.

Mr. Edwards, owner of the Collins House Inn, informed Council of a potential problem with unregulated Bed and Breakfast Businesses via the website "AirBnB". Mr. Rush advised he is consulting with VML to see if the legislature is taking action to regulate on a state level.

Bob Lincoln, General Francis Marion Hotel Manager, referred to several items, 1) possible town purchase of chandeliers at the Golf Course, 2) alcohol used at the Golf Course, 3) he would like to see more specific numbers for the Golf Course Banquet Facility and 4) he thanked Mr. Heath and Mrs. McDonald for including him in the Logo/Branding process.

Mr. Barker reviewed a request for the Town to allow the 4th Annual Gobbler Gallop to be held. Upon motion of Mr. Barker, seconded by Dr. Gates and a vote of 5 AYES and 0 NOES, the 4th Annual Gobbler Gallop was approved to be held on November 27, 2014. He also noted that Planning Commission is working hard to complete the Zoning Ordinance Revision by December or January.

Mayor Helms asked Mr. Heath to review the Extra Mile Program. Mrs. McDonald nominated James McNeil and presented him with a certificate. The USAR 760th Homecoming held Friday, October 24, 2014 at 10:30 am at the Town Hall was very enjoyable. The Town of Marion had the most attendees at the VML Regional Dinner held in Wytheville. The Legislative Breakfast will be held on November 24, 2014 in Clintwood. The Annual Chamber of Commerce Dinner will be held Thursday, November 20, 2014 at 6:30 pm at the Golf Course. Legislative Day is January 28, 2015. Volunteers for United Way will be helping bag groceries at Food City in Marion on November 25, 2014 at 3 pm.

Ms. Stanley distributed the Statement of Economic Interest forms and reminded everyone that they are due December 15, 2014. Information is available in the Freedom of Information Act booklet and also Ms. Stanley has a recorded webinar if anyone is interested in viewing. Mr. Rush suggested these be put in a word document due to beginning June 15, 2015 these will need to be filed semi-annually and electronically with the Ethics Advisory Council.

Mr. Jennings gave an update on the Recreation Department as they transition from football to basketball. He reported that the parks have been winterized. The Golf Course reported an increase in rounds played from last October. The Senior Citizen Center had a ribbon cutting for the Friendship Café operated by District III. The Senior Citizen Thanksgiving meal will be on November 25, 2014. Council was

invited to help serve from 11:30 am until 1:00 pm. Mr. Jennings requested a Recreation Committee meeting.

Mr. Perry reported on the Public Works Department. The leaf pick up program is currently in place and there are three trucks ready for winter with snow plows and spreaders. The department will begin hanging Christmas decorations tomorrow.

Mr. Weaver nominated Bob O'Donald for the Extra Mile Program and presented him with a certificate. Mr. O'Donald is the Director of Rehab at the Wellness Center.

Chief Anders thanked Council for the opportunity to attend a Southern Software Conference in Charleston, South Carolina. He noted that all Halloween events went well. He also commended Billy Stevens for his help with the street closure for the USAR 760th Homecoming.

Mrs. McDonald distributed 2 postcards with pictures from the photo contest winners. These will be for sale at Downtown Businesses and in her office. The Marion Mural should be completed in the next couple of days. The Christmas Parade will be November 23, 2014 at 3 pm. The unveiling of the Totem Pole will also be November 23, 2014. Approximately 800 children participated in Halloween Madness. Marion Elementary School was the winner of the Scarecrow Lane Contest.

Mr. Heath noted the Branding Program is complete and the official unveiling will be November 20, 2014 at the Smyth County Chamber of Commerce Dinner. Mr. Heath reviewed a RBEG Rural Development loan request for the Italian Rose located at 1112 North Main Street, behind WalGreens. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, the RBEG Rural Development Loan for the Italian Rose was approved for \$15,000 at 2% interest over a 5 year period with a monthly payback of \$262.92. Mr. Heath reviewed a matching USDA grant available for the Wayne Henderson Appalachian School of Arts for \$50,000 for kitchen and classroom equipment. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, Mr. Heath has approval to apply for this matching USDA grant for \$50,000. Wayne Henderson will play music for the Smyth County Chamber of Commerce Dinner. The Streetscape Project funded by VDOT could possibly be significantly under budget and we can move the funding to another area. Mr. Rush and Mr. Heath are taking suggestions for areas to improve with these funds.

Mr. Hicks reported that the CO-Gen Project will be closing on Wednesday. There is a one year warranty which will begin from the date of substantial completion. A significant water leak has been reported on Johnston Road with approximately 150,000 gallons being lost per day. Mr. Hicks also reported that according to a letter from VDOT, road salt for this year has increased from \$118 per ton to \$186 per ton.

Mr. Rush noted a schedule for the snow plow drivers for this winter is in the agenda packet. He also noted that the snow plows have not been equipped with the GPS system yet, but the equipment has been ordered. He distributed a print out of the patrol patterns from Halloween. Mr. Rush reported that there may be some changes to take place with the patrol at the State Hospital. Mayor Helms requested a meeting with all personnel that may be involved in this proposed change. Mr. Rush noted that due to the substantial increase in road salt this year, we may need to adjust the time frame in which the roads are cleared and the citizens may need to be understanding of our position. Mr. Rush commended Mr. Hicks on an excellent job with continually moving forward toward the closing of the Co-Gen Project. Mr. Rush reported that the first advertisement for the Public Hearing on the Boundary Adjustment contained an error. The Public Hearing needs to be re-advertised. Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 5 AYES and 0 NOES, the Public Hearing on the Boundary Adjustment will be re-advertised for November 17, 2014 at 5:30 pm. Moving forward with the CIRP Plan, Wednesday afternoon meetings will be re-established soon. Mr. Spickard spoke with good news from Rural Development. They are relaxing the grant requirements statewide and will be offered on a first come first serve basis to jump start projects. Mr. Rush reviewed the Resolution of Support for the Smyth Wythe Airport. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, The Resolution of Support for the Smyth Wythe Airport was approved. Mr. Rush reviewed the replacement and maintenance plan for the Christmas Decorations.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-3) and (A-7) upon motion of Dr. Gates, seconded by Mr. Weaver and vote of 5 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion or consideration of the acquisition of real property for a public purpose and consultation with legal counsel. Mr. Weaver 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. Mayor Helms vacated the meeting room for a portion of the closed session (A-3) which dealt with land purchase. The motion was seconded by Dr. Gates and carried by a vote of 5 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Gates, Weaver, Carter, Barker and Owens voted affirmatively.

Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 5 AYES and 0 NOES, The Town Manager is authorized to reply to property owners stating the Town, subsequent to title search by Town Attorney, appears to have no legal or equitable interest on the paper street known as Tazewell Street and therefore cannot entertain a request to vacate said paper street.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, the Town Manager will negotiate an equitable trade of future consideration in the form of (2) two 3/4" residential water taps and (2) 4" residential sewer taps in lieu of financial compensation, transferrable and attached to the deed on Parcel 170-63-8C, or a subsequent parcel or parcels subdivided off Parcel 170-63-8C in the future.

Upon motion, duly seconded and a vote of 5 AYES and 0 NOES, the meeting was adjourned.

Mayor

Clerk