

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 17, 2014 at 5:30 p.m.

PRESENT: Mayor David Helms, Dr. Jim Gates, Jim Barker, Jim Owens, Suzanne Jennings and Bill Weaver Council Members; Town Manager Bill Rush; Town Clerk/Director of Finance Cindy Stanley; Town Attorney Mark Fenyk; Smyth County News Representative Stephanie Porter-Nichols; Assistant Town Manager/Town Engineer Cecil Hicks; Town Engineer Assistant Todd Long; Police Chief Rex Anders; Economic Development Assistant Samantha White and Purchasing Agent/Fire Chief Billy Hamm.

ABSENT: Larry Carter and Tricia Spencer.

INVOCATION/PLEDGE TO THE FLAG: Mr. Hicks rendered the invocation. Mr. Johnson, VFW Post 4667 Commander led the Pledge to the Flag.

VISITORS: Jeff Spickard, Bob Lincoln, Greg Vannoy, John Graham, Mike and Susan Edwards, Rhonda Cox, Jake Schrum, Dr. Dave Haney, Allan Eccleston, Delores Buchanan, Dave Cross, Greg Azer, Herbert and Penny Johnson, Ronald Null, Lavada Jessee, Jared Carter, Craig and Tina Gibson, Nick Brown, Courtney Counts, Ed and Karen Fouts, and Lou Fincher.

MINUTES: Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 5 AYES and 0 NOES, the minutes of the meeting held November 3, 2014 were approved as written. Messrs Gates, Weaver, Barker, Owens and Jennings voted affirmatively.

AGENDA: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 5 AYES and 0 NOES, the Agenda was approved as presented.

Mayor Helms introduced Allan Eccleston, Courtney Counts and Lavada Jessee, students from Virginia Highlands Community College here to observe.

Mayor Helms noted this is the third year the Town of Marion has been involved in the Extra Mile Program. Mr. Owens presented the Highlands Fellowship Church with an Extra Mile Certificate for their great Day of Service work. Mayor Helms nominated VFW Post 4667 Officer Ronnie Null and presented Mr. Null and Mr. Johnson with an Extra Mile Certificate for their outstanding work with the VFW Post 4667.

PUBLIC PRESENTATION: Emory & Henry representatives, Mr. Jake Schrum, Dr. Dave Haney and Ms. Lou Fincher, were present and Mr. Schrum gave an update on the Emory & Henry School of Physical Therapy Program. There are 32 students ready to begin and 10 on the waiting list. The application for accreditation has been denied, however the Commissioner will be doing an onsite visit to re-evaluate. If approved, the students should be able to begin classes in June 2015.

Doris Buchanan, 732 Scott Street, has ran a home based business with a Special Use Permit for 27 years. She has concerns with snow removal for the upcoming winter season due to the increasing price of materials used to clear the roads. She is also concerned for her elderly neighbors. Ms. Buchanan would like her street to be placed on the consideration list for snow removal.

Rhonda Cox, Four Seasons Catering & Bakery, has concerns about existing businesses being left out of brochures and articles. Mrs. Jennings asked staff to be diligent about promoting businesses equally.

PUBLIC HEARING BOUNDARY ADJUSTMENT: Mayor Helms opened the Public Hearing and Mr. Rush reviewed the Boundary Adjustment noting there had been an error when advertised as to the location the information would be available. With no public comments Mayor Helms closed the Public Hearing.

Mr. Barker noted the Zoning Ordinance draft will be submitted to Council the second Council meeting in December.

Mayor Helms noted page 13 of the agenda packet was a D-Day Memorial Foundation contribution in honor of Mr. Rush's dad. Mayor Helms and Mr. Rush will be attending the ribbon cutting for the Industry locating in the old Merilat building. The Mel Leaman Christmas Benefit will be December 6, 2014 at 7:00 pm. The Chamber of Commerce Annual Dinner will be November 20, 2014 at 6:30 pm at the Golf Course. The Town of Marion employee Christmas Lunch will be December 12, 2014 at noon at the

Senior Citizens building. The Senior Citizen lunch will be November 25, 2014 at 11:30 am at the Senior Citizen building.

Mr. Fenyk noted the deed with the original plat is awaiting signatures.

Mayor Helms noted that Rolling Thunder will be sponsoring a wreath drive for 10,000 graves in Johnson City, TN. Contact Mayor Helms by December 1, 2014 to make a contribution.

ACCOUNTS: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 5 AYES and 0 NOES, the accounts were approved for payment in the amount of \$880,580.23.

Ms. Stanley reported that Deputy Clerk Mona Barr received her certification in ICD-10-CM medical coding.

Chief Anders reminded everyone of the Christmas Parade Sunday, November 23 at 3:00 pm.

Mr. Hamm gave an update on the Fire/EMS merger noting that Carillion will be providing Dr. Bruzzo with Medical Malpractice Insurance. He presented an inventory of equipment valued over \$10,000. He also noted that Mr. Fenyk is still working on the transfer of assets.

Mrs. White gave the update for the Economic Development department. Mrs. McDonald and Mr. Heath are both in Roanoke attending a conference with the Governor on Rural Prosperity. The unveiling of the Totem Pole will be Sunday at 1:30 pm before the Christmas Parade. Shop Small Saturday will be November 29, 2014. Appalachian Mountain Spirits will be featured on the Smithsonian Channel. Ms. Poole will give a directors report for the Wayne Henderson Appalachian School of Arts at the next Council meeting. The new Economic Development staff will be introduced at the Chamber Dinner and the Branding Logo will be unveiled. Mr. Rush noted that Ms. White is doing a great job and she thanked everyone for making her feel so welcomed.

Mr. Vannoy with Mt Rogers Planning District Commission reported on the Crescent/Palmer and Spruce/Matson CDBG Projects. Phase II of the Spruce/Matson Project has been problematic with some of the homes being vacant, property owners passed away and some being over the income level. There is potential to adjust the boundary to be able to identify some other qualifying homes. There will be a compliance review on December 11, 2014. A citizen asked the question if the funds can be used for derelict properties. The funds can be used for demolition if deemed necessary.

Mr. Hicks reported that the CO-Gen Project is substantially complete. He submitted and reviewed pay request number 21. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, pay request number 21 in the amount of \$66,029.44 was approved. The final pay request will be in approximately 90 days. The Operations and Maintenance Manual will cost approximately \$4,500. The staff has the expertise to produce the manual in-house and The Lane Group is willing to review. The Certificate to Operate has been received. Avery Cornett's term on Planning Commission has expired. Mr. Hicks noted that Mr. Cornett is willing to serve another term. Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, Mr. Avery Cornett was re-appointed to serve another term on Planning Commission. Mr. Hicks reviewed a Special Use Permit from Kelsey Blevins Parks at 137 Keller Lane for a Photography business in her home. Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, A Public Hearing for a Special Use Permit at 137 Keller Lane for a Home based occupation will be set for December 15, 2014 at 5:30 pm. Junior Taylor has obtained his Class IV Water Operator License. Mr. Hicks noted Doug Covington and Cameron Wolfe are both willing to serve another term on the Board of Zoning Appeals. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, it is recommended that the Judge re-appoint Doug Covington and Cameron Wolfe to the Board of Zoning Appeals.

Mr. Rush recommended a Personnel Committee meeting to review the possible adjustment of the pay scale to allow for intermittent certifications for the cross training of the Water and Sewer Treatment Plant personnel. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 5 AYES and 0 NOES, a Personnel Committee meeting will be scheduled. Mr. Rush reported that the Community Service Worker Program has been redirected to the Town Manager for review and the Bookkeeping will be done by the Clerk's office. The Economic Development Authority is part of the Wayne Henderson

Appalachian School of Arts and the Historic Tax Credits. A Public Hearing needs to be scheduled. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, a Public Hearing will be scheduled for December 1, 2014 at 5:30 pm to consider the creation of an Economic Development Authority.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-3) and (A-5) upon motion of Mrs. Jennings, seconded by Mr. Owens 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 discussion concerning a prospective business. 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. Owens and carried by a vote of 5 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Gates, Weaver, Jennings, Barker and Owens voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, the Town Manager is to enter into negotiations for the purchase of real property.

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

Mayor

Clerk