

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 February 19, 2013 at 5:30 p.m.

PRESENT: Mayor David Helms; Larry Carter, Tricia Spencer (arriving late), Bill Weaver, Jim Barker, Jim Owens and Dr. Jim Gates Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Assistant Town Manager/Town Engineer Cecil Hicks; Police Lieutenant Rex Anders; Police Chief Mike Roberts; Purchasing Agent Billy Hamm; Smyth County News Representative Stephanie Porter-Nichols (arriving late); Economic Development Director Ken Heath; Assistant Town Engineer Todd Long; Town Clerk/Director of Finance Cindy Stanley.

ABSENT: Suzanne Jennings

INVOCATION/PLEDGE TO THE FLAG: Mayor Helms asked for a moment of silence in memory of former Councilman Bill Greenwood. Mr. Heath rendered the invocation. Mayor Helms led the Pledge to the Flag.

VISITORS: Charles Wassum, Charles Hayden, Jeff Spickard, Roger Umbarger, Jerry & Sherri Thomas and Sandip Patel.

MINUTES: Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, the minutes of the meeting held February 4, 2013 were approved as written. Messrs Weaver, Owens, Carter, Barker and Dr. Gates voted affirmatively.

PUBLIC PRESENTATION: None.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, the accounts were approved for payment in the amount of \$927,968.92.

INVESTMENTS: Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, the investment report was accepted.

REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN MT ROGERS PDC AND TOWN ON NORTH IRON STREET PROJECT: Mr. Heath noted this document allows for Mt Rogers PDC to provide administrative services for this project in the amount of \$1,000. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, this document was approved.

RE-APPOINTMENT OF PLANNING COMMISSION MEMBERS MRS. ALICE FREEMAN, MR. CAMERON WOLFE AND MR. DAN SURFACE: Mayor Helms noted these three members are willing to serve another term on the Marion Planning Commission. Upon motion of Mr. Carter, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, these three members will be re-appointed to the Planning Commission.

APPROVAL OF PAY REQUEST NUMBER 15 AND UPDATE ON DELINQUENT NEEDED EQUIPMENT FOR STP: Mr. Clark reviewed pay request number 15. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 5 AYES and 0 NOES, pay request number 15 was approved in the amount of \$17,865.00. Mr. Clark noted that the main component of this project, the generator, has been delayed due to supplier being unable to provide this piece of equipment. The contract ends in April. This issue falls on the contractor to make this right. Mrs. Porter-Nichols arrived. Mr. Clark recommended keeping close tabs on this issue.

CONSIDERATION OF DESIGNATION OF TOWN AS APPALACHIAN TRAIL COMMUNITY: Mr. Heath noted the deadline for submitting the application is March 1, 2013. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, it was approved to make this a Joint Resolution with Smyth County. Mr. Heath read the Resolution.

REQUEST FROM MR. ROGER UMBARGER TO PURCHASE LOTS 56 AND 57 BETWEEN 133 CRESENT AVENUE AND 141 CRESENT AVENUE: Mr. Clark reviewed the request. Mr. Fenyk noted the Town would need to have a Public Hearing to have the property declared surplus, (Ms. Spencer arrived). Upon motion of Dr. Gates, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, a Public Hearing will be set for March 18, 2013 to declare this property as surplus.

RECOMMENDATION FROM STAFF ON HIRING ENGINEERING CONSULTANT FOR EDWYNNE DRIVE WATER LINE REPLACEMENT PROJECT: This project is being funded by the Virginia Health Department as a principal forgiveness loan. There were two proposals received from The Lane Group and J. A. Wauford & Company. These were scored by the staff. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Engineering Consultant Contract was awarded to The Lane Group. Mr. Spickard noted after the contract is signed, it will take approximately 90 days for design and 60 days for construction. The road will be paved after the water line completion.

SITUATION WITH EXISTING WEBSITE AND RECOMMENDATION ON HOSTING AND NEW SITE: Mr. Long noted the current website is down. He has met with Jeremy Bise of ThoseGeeks to price a new website. We have the server space to host our own website. The cost after the initial setup would be minimal, due to the staff doing the updates. Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, IT is to secure Request For Proposals for a new Town Website and email to developers and set a one week deadline.

REQUEST FOR RAFFLING FREE GARBAGE PICKUP FOR RELAY FOR LIFE: Mayor Helms noted the free garbage pickup for one year would be a donation from the Town and shall be available for Residential garbage only. Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, a raffle for free residential garbage pickup for one year was approved.

STREET COMMITTEE ON REVISED SOUTH CHURCH DRAINAGE PROJECT: Mr. Hicks reviewed this project to date. Mr. Hicks noted by completing the two bridge projects first, this may allow some money to come from these projects. He stated we will have a more accurate figure by October on how much money will be left from these two bridge projects. Mr. Hicks is to set another informational meeting on February 28, 2013 on this project before the next Council meeting.

ORDINANCE COMMITTEE ON FIRE DEPARTMENT EMT'S: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, this item was continued.

INSURANCE COMMITTEE ON INCREASING FIRE DEPARTMENT INJURY BENEFIT: Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, this item was continued.

FINANCE COMMITTEE ON TAX CREDITS FOR WAYNE HENDERSON SCHOOL OF MUSIC: Dr. Gates noted there are very few companies that do these type of tax credits. Mr. Heath is to send out proposals. Mr. Huber would like this expedited due to the fact that this process takes a long time to complete. Mr. Heath is to set a date to visit the School in Galax. Mr. Heath noted there is some pine shelving located at the Old Schoolhouse, that needs to be considered for use, and shared a letter from Project Glade requesting any leftovers be donated to them. The Equipment Committee and Billy Hamm are to make this recommendation.

Mr. Weaver noted the Street Committee discussed repairs to the bridge at Gywn Distributing. It was noted that these repairs are already budgeted.

Ms. Spencer was requested by Mrs. Jennings to make this statement. Three Board of Supervisor Members contacted Mrs. Jennings and thanked her for the Town not going to Richmond and opposing the legislation allowing mixed beverages at Exits 47, 44 and 39. .

Dr. Gates noted ways to save on energy costs were discussed at the last Golf Course meeting. The budget was also discussed and plans to improve the course over the next three years.

Mr. Owens followed up on Dr. Gates comments and felt it was a good meeting and the Golf Course Manager is very positive.

Mayor Helms noted the Salvation Army Red Kettle Drive raised about \$47,000.

Dr. Gates noted Mrs. Jennings will report at the next meeting on the March 5, 2012 minutes.

Mr. Heath noted the Alumni Football Game will be this Saturday. The Herb House ribbon cutting will be Friday at noon. The Wedding Showcase will be Saturday February 23, 2013 from 11:00 am until 3:00 pm. at the General Francis Hotel.

Mr. Clark noted budget work will begin Thursday morning.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1) (A-7) upon motion of Dr. Gates, seconded by Mr. Owens and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of personnel matters and legal consultation. 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 vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Owens, Weaver, Carter, Barker, Dr. Gates and Ms. Spencer voted affirmatively.

Mr. Heath and Mr. Clark are to contact the Tobacco Commission.

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

Mayor

Clerk