

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 April 15, 2013 at 5:30 p.m.

PRESENT: Vice-Mayor Dr. Jim Gates; Tricia Spencer, Suzanne Jennings, Bill Weaver, Jim Barker, Jim Owens and Larry Carter Council Members; Town Manager Bill Rush; Town Attorney Mark Fenyk; Assistant Town Manager/Town Engineer Cecil Hicks; Police Chief Mike Roberts; Police Lieutenant Rex Anders; Purchasing Agent Billy Hamm; Smyth County News Representative Stephanie Porter-Nichols; Assistant Town Engineer Todd Long; Town Clerk/Director of Finance Cindy Stanley.

ABSENT: Mayor Helms and Ken Heath.

INVOCATION/PLEDGE TO THE FLAG: Mr. Hicks rendered the invocation. Vice-Mayor Gates led the Pledge to the Flag.

VISITORS: Charles Wassum and Jeff Spickard.

MINUTES: Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the minutes of the meeting held April 1, 2013 were approved as written. Messrs Weaver, Owens, Carter, Jennings, Spencer and Barker voted affirmatively.

AGENDA: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Agenda was approved with the addition of A-1 Closed Session for Personnel and A-6 and A-29 in regards to a contract.

PUBLIC PRESENTATION: None

ADVERTISEMENT ON SALE OF SURPLUS PROPERTY ON CRESCENT: Mr. Rush noted the surveyor, Mike Heldreth, had found an issue concerning this property and Mr. Fenyk has been contacted. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, this item was continued.

RESOLUTION HONORING DELEGATE JOSEPH P. JOHNSON, JR. FOR SERVICE IN HOUSE OF DELEGATES: Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, this item was continued.

RESOLUTION – DANIEL RODRIQUEZ – MAY 5TH: Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, this item was continued.

ACCOUNTS: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$855,035.05.

INVESTMENTS: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the investment report was accepted.

LETTER FROM CITY OF BRISTOL – REQUEST TO CLEAN UP RAILROAD RIGHT OF WAY: Mr. Rush noted receipt of a letter from Dewey P. Cashwell, Jr., the City Manager for the City of Bristol, VA. The letter is requesting all Counties and Localities along the Railway from Bristol to Radford to join in the effort to clean up the areas along the tracks. Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, this was referred to the Buildings and Grounds Committee.

REQUEST BY TOWN MANAGER TO SET UP A LINE OF CREDIT SWEEP ACCOUNT TIED TO THE GENERAL FUND CHECKING ACCOUNT: Mr. Rush noted that Old and New Business items on the agenda are only action needed items. Mr. Rush explained in a short version how the sweep account will work and the benefits of time management, no setup charges and helping improve the Town's image through timely payment of vendor invoices and community development budget commitments. Mr. Rush also noted this is an operating line of credit and interest will only be charged when there is a balance due. Upon motion of Mr. Carter, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Town will enter into a Line of Credit tied strictly to the General Fund Operating Account and will be subject to review annually.

BUDGET COMMITTEE: Dr. Gates noted the budget committee continues to work on the budget on a weekly basis.

Mr. Barker noted the fishing day at the Golf Course with Trout Unlimited was a big success. Mr. Barker requested the Town pay half of the invoice in the amount of \$730.80 for stocking the fish. Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, payment was approved in the amount of \$365.40 to help with the fee for stocking the fish. Mr. Barker also noted Arbor Day is May 10, 2013. Events will be at the RiverBend Park at 11:30am.

Chief Roberts noted receipt of a grant in the amount of \$7,674 with the Town's match being \$853 for a total of \$8,527. This grant is used to purchase equipment. Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the Town's match in the amount of \$853 was approved.

Mr. Hicks noted work on the Town's website is progressing. The second payment has been submitted. The previews look nice and there is a 45 day deadline. Planning Commission is currently working on review of the Zoning Ordinance. The South Church Street drainage project is in the design phase. The Chatham Hill Road Bridge project has one unofficial bid of \$1,100,000. The time frame is June 15, 2013 to August 15, 2013. The Courthouse Renovations are slower than anticipated. A list of streets, by priority, will be submitted for the paving schedule. The land application of sludge was completed last Thursday. There is still 400 tons that does not meet the land application requirements. The Sewer Treatment Plant is still waiting on delivery of the generator to complete the co-generation project. Accountability on water is at 39%.

Mr. Rush noted Appalachian Power Company is required by law to notify municipalities about rate increase and this letter is included in the agenda packet. The Arbor Day Foundation recognizes Marion as a 2012 Tree City USA. This is the 11th consecutive year Marion has been recognized. Youth Government Day will be May 16, 2013. The Emory & Henry Board of Trustees invites you to a Groundbreaking for the Woodrow W. McGlothlin Center for the Arts on Friday April 19, 2013 at 2:15pm.

Dr. Gates noted there needs to be a schedule for mulching and weeding the trees and area downtown. He also noted Paula Ashlin is the team leader for the Relay for Life this year.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1), (A-6), (A-7) and (A-29) upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of personnel matters, discussion or consideration of public funds, consultation with legal counsel and discussion of the award 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 vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Owens, Weaver, Barker, Carter, Mrs. Jennings and Ms. Spencer voted affirmatively.

Upon motion of Mr. Carter, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, Mr. Barker was appointed to negotiate the possible purchase of Real Estate.

Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Town Manager and Town Attorney are to help the County develop a language for the updated Memorandum of Understanding.

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

---

Mayor

---

Clerk