

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 September 16, 2013 at 5:30 p.m.

PRESENT: Mayor David Helms; Dr. Jim Gates, Tricia Spencer, 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 Lieutenant Rex Anders; Purchasing Agent Billy Hamm; Economic Development Director Ken Heath; Smyth County News Representative Stephanie Porter-Nichols; Town Engineer Assistant Todd Long; Town Clerk/Director of Finance Cindy Stanley.

ABSENT: Suzanne Jennings.

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

VISITORS: Charles Wassum, Charles Hayden, Jeff Spickard, Lyn Thompson, David Thomas, Teresa Keller, Mr. & Mrs. Michael Edwards and Delegate Joseph P. Johnson.

MINUTES: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the minutes of the meeting held September 3, 2013 were approved as written. Messrs Gates, Weaver, Owens, Carter, Spencer and Barker voted affirmatively.

AGENDA: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Agenda was approved as amended, adding Resolution in Support of Delegate Johnson and adding the Investments.

PUBLIC PRESENTATION: None

RESOLUTION HONORING DELEGATE JOSEPH P. JOHNSON, JR. FOR SERVICE IN HOUSE OF DELEGATES: Mayor Helms read and presented the Resolution to Delegate Johnson. He retired after the 2013 session. Delegate Johnson thanked Council for opening the meeting with a prayer. He also noted his achievements were with the help of lots of other individuals involved.

EMORY & HENRY CHANNEL 3: Mr. Heath noted that Teresa Keller with Emory & Henry has offered to add some of their programming to TV3. This will continue to grow and strengthen our relationship with Emory & Henry. Ms. Keller noted she has already talked to Comcast. Mr. Heath will formalize the details with a letter to Comcast. Upon motion of Mr. Carter, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, this request for Emory & Henry programming to be added to TV3 was approved.

EMORY & HENRY REQUEST FOR BUDGETED FUNDS: Mr. Heath reviewed this request. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the first budgeted installment of \$40,000 to the Emory & Henry School of Physical Therapy was approved for payment.

BOUNDARY ADJUSTMENT - PUBLIC HEARING REQUEST: Mr. Rush requested a date be set for the Public Hearing on the Boundary Adjustment. Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, a Joint Public Hearing with Smyth County for the Boundary Adjustment was set for Thursday, October 17, 2013 at 6 pm at the Lincoln Theatre.

DEER PROBLEM: Mr. Rush reported that a citizen had contacted him in regards to deer destroying her property, garden and flower beds. Mr. Rush had no recommendations to resolve this issue. Discussion ensued. No action was taken.

MARION REDEVELOPMENT & HOUSING AUTHORITY - REAPPOINTMENT REQUEST: Mr. Rush noted receipt of a letter from Charles Harrington, Executive Director of the Housing Authority stating that Rev. Harry Howe and Mr. Don Wampler are willing to accept reappointment for a four year term. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, Rev. Harry Howe and Mr. Don Wampler were reappointed to the Marion Redevelopment & Housing Authority.

APPALACHIAN TRAIL RESOLUTION: Mayor Helms noted this project started a couple years ago. Mr. Heath and Mr. Barker worked on the application. Celebration activities will include events next Memorial Day. The Resolution has been signed by the County and has already been accepted by the Town.

ACCOUNTS: Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$878,771.07.

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

Mr. Owens reported on a Sanitation Committee meeting. Upon motion of Mr. Owens, seconded by Dr. Gates and a vote of 6 AYES and 0 NOES, the Sanitation Committee will meet with Dr. Robinson of the School Board to consider the implementation of recycling.

Mayor Helms noted there had been a gathering of the County Mayors and the Board of Supervisors Members at the Courthouse for the signing of the Proclamation of Constitution Week 2013. Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, this Proclamation declaring September 15 - 21, 2013 as Constitution Week was accepted. The RiverBend Amphitheatre music is scheduled for Thursday night, September 19, 2013 at 6:30 pm. The Ambassadors Appreciation Picnic will be held tomorrow at 4 pm in Chilhowie. The Chief of Police Position has been advertised. Mayor Helms noted the 9-11 Memorial Dedication at the Fire Department was very special and he was glad to have Charlie Snider's family in attendance. Mayor Helms would like to see this become a field trip for the local schools.

Ms. Stanley noted the July and August accounting files had been emailed to members..

Mr. Heath presented a plaque detailing the information about the piece of steel from the World Trade Center to the Town. Mr. Heath reviewed the status of the classes for the Wayne Henderson School of Appalachian Arts. Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the Director position for the Wayne Henderson School of Appalachian Arts will be advertised. The construction phase of the School of Arts was updated. Mr. Rush noted the Town may be able to handle some of this project with their own employees, specifically the selective demolition, being selective as to protect the Historical Tax Credits. This should allow for much better bids as we re-enter the bid market around March 2014. Mr. Heath continued with the Iron Street Mall update noting there was a tunnel discovered under the iron Street Mall. This will be stabilized using rebar and a concrete pier. The Gateway Enhancement Project Members will meet tomorrow at 2 pm. The Memorandum of Understanding for this project between the Town of Marion and Mount Rogers Planning District Commission is on page 25 of the Agenda Packet. The contract period will be from October 1, 2013 through March 30, 2015 at a cost of \$3,000. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, this Memorandum of Understanding Between the Town of Marion and Mount Rogers Planning District was approved in the amount of \$3,000. The model for the Marion mural has been drawn by Tim White. Dr. Gates questioned if Wayne Henderson was included in the mural. Discussion ensued. Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, this mural should be reconsidered to include Wayne Henderson and Ken Heath was instructed to contact Tim White for discussion.

Mr. Hicks noted the Generator for the Co-Gen Project has been built in Miami and could possibly be delivered by next week. There will be a pre-bid meeting on Edwynne Water Line Replacement tomorrow at 9:30 am. A water leak study is being done on the high pressure side of the water system. Dover Street has been paved. Chatham Hill Road Bridge contractors are trying to meet the October completion date.

Mr. Rush noted progress is being made at the Golf Course with revenues up and expenditures down. Mr. Rush noted that after much research on cable/phone/internet, Comcast will be able to service our needs with the lowest cost at a savings of about \$1,900 per month. Mr. Rush suggested in this transition we move from auto attendant to a person primarily answering the phone. Todd Long applied for a Litter Grant and received \$3,128. Mr. Rush suggested to increase the time for reinvesting CD's from 90 to 180 days. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the CD's will now be reinvested at the discretion of the Clerk for longer periods of time.

Mayor Helms thanked the Smyth County Newspaper for their coverage on Patriots Day.

Mr. Long noted the Council packets placed on the Ipads must be archived or an updated version purchased. It was recommended to archive these and have a backed up copy.

The recommendations for the Extra Mile Day need to be to Mr. Heath by the next Council meeting.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1), (A-3) and (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, discussion of the disposition of publicly held real property and a potential legal issue. 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 Weaver, Carter, Barker, Owens, Dr. Gates and Spencer voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Town Manager will advertise for a Director for the Wayne Henderson School of Appalachian Arts and a Marion Downtown Director due to increased projected workload and a separation of duties for Marion Downtown Revitalization Association from the Economic Development Director. Both of these new positions will fall under the supervision of the Economic Development Director.

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

Mayor

Clerk