

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 March 5, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Bill Weaver, Dr. Jim Gates and Jim Barker 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; Economic Development Director Ken Heath; Town Clerk/Director of Finance Cindy Stanley. Council Member Jim Owens was absent.

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

VISITORS: Mr. and Mrs. Charles Wassum, Dan Kegley, Phyllis Robinson, Evelyn Widener, Mavis and Roland Williams, Nancy Bales, Erwin Roland, Betty Keith, Tom Austin, Peter Doty, Harold Slemple, Mary Lou Waak, Betty Campbell, Barbara Hall, Bill Thompson, Sue Hampton, Joel Hampton, Salwa Hums, Jeff Spickard, Julie Kelly, Linda Ward, Lyn Thompson, Mike Richardson, Ron Blevins, Howard Burton, Mary Martin, Seth Martin, Jeff Richardson, Reverend Neville Monzingo, Susie Suple, Holly Thomas, Diannah Pennington, Victoria Tagarelli, Dixie Sheets, Iva Barker, Chloe Potter, David Potter, Rodney and Sue Blevins, Ralph Price, James Kelly and Melody Myers.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the minutes of the meeting held February 21, 2012 were approved as written. Messrs Barker, Weaver, Dr. Gates, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC PRESENTATIONS: Dr. Wassum, 200 Larch Street, addressed his concerns about the Mt Rogers Community Services Board parking lot on residential land.

Roland Williams, 821 Dogwood Lane, requested consideration for holding the Council meeting at a different time.

Peter Doty, 127 Erwin's Lane, spoke in regards to Mt Rogers Community Services Board using residential lots for commercial parking.

Harold Slemple, 244 Robinhood Drive, indicated he believes R-1 prohibits acts of a commercial nature, including parking.

Ron Blevins, 157 Porter Valley Road, is a member of the Smyth County Board of Supervisors and has been newly assigned to the Mt Rogers Community Services Board for the Garzon Clinic Project. He questioned the need for a barrier between the parking lot and the clinic.

Ms. Holly Thomas and her husband are restoring the Old Herb House. She invited Council members to participate in painting the Marion Mural.

NOTICE OF VIOLATION FROM DEPARTMENT OF ENVIRONMENTAL QUALITY AND TOWN RESPONSE: Mr. Clark reviewed the e-coli violation at the Sewer Treatment Plant. Currently there is one channel of the UV system back on line. The other will be online soon. The Town is now in compliance.

COMPLETION OF PLAT FOR GOLF COURSE: Mr. Clark noted the Town has received the plat. He said the course is comprised of 296 acres. The Attorney can now work on the closing documents.

UPDATE ON 2012-2013 BUDGET FORMULATION: Ms. Stanley indicated all departments have submitted their requests and the budget workshops should start in a couple weeks.

APPOINTMENTS TO RECREATION COMMITTEE: Ms. Stanley indicated the people whose term will expire in March have been contacted by Mr. Wagner and they are all willing to serve another term. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, Steven Dimit, Buck Sawyer and Phil Gaver were reappointed to the Recreation Committee.

SUBMITTAL OF VIRGINIA MUNICIPAL LEAGUE INSURANCE PACKAGE: Mr. Clark noted the insurance renewal package has been completed and submitted. He thanked Cindy, Linda, Billy and anyone else that helped. This is a lengthy process. Mr. Clark talked to VML representatives in Richmond at the Local Government Day. They need a listing of all the property at the Golf Course as to avoid any confusion. The Golf Course coverage expires in May. A decision to integrate the Golf Course into the VML package, or keep the coverage under a private carrier will need to be made before coverage expires.

APPROVAL OF PAY REQUESTS #3 AND #4 ON PARKING DECK: Mr. Clark reviewed the pay requests. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, pay request #3 in the amount of \$101,046.00 was approved. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, pay request #4 in the amount of \$127,105.50 was approved. Mr. Heath noted the deck precast section work is completed and work is currently being done on the storm drain.

CONSIDERATION OF AGREEMENT BETWEEN MT ROGERS PDC AND TOWN FOR DAVIS-BACON COMPLIANCE ON DIGESTER PROJECT: Mr. Clark noted there is a Federal requirement on this project that pertains to payroll monitoring. Mt Rogers PDC staff can assist the Town with this requirement. Upon motion of Mrs. Hale, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, it was accepted for Mt Rogers PDC to assist with this payroll monitoring requirement.

SITUATION WITH FIRE DEPARTMENT RED GLOBE LIGHT: Mr. Heath is asking for permission for Jerry Breen to repair this piece of Marion's history. Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, it was approved for the light to be repaired and left where it is.

UPDATE ON SPRING PAVING: Mr. Hicks is preparing the list of streets for spring paving. He asked that Council submit their suggestions of streets to him next week. Mr. Hicks will also meet with the Street Committee on this project.

FINANCE COMMITTEE ON MARION EXTREME VOLLEYBALL REQUEST AND LIGHTNING PROTECTION ON SALLY CRYING TREE: Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 3 AYES and 3 NOES, the motion was to deny the request. Due to a tie vote the Mayor was required to vote. Mayor

Helms voted with the motion to deny the request, making the vote 4 AYES and 3 NOES. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES the lightning protection for the Crying Tree was continued.

GOLF COURSE COMMITTEE ON TRANSITION AND MANAGER INTERVIEWS: There are four interviews scheduled for this Friday and there were two interviews conducted last Friday.

STREET LIGHT COMMITTEE: Mr. Ernie Sullins has requested a street light on his property located on Commerce Street for the safety of his tenants. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, Mr. Ernie Sullins request for a street light was approved on Shop Street.

Mrs. Hale has received questions from citizens regarding the Golf Course and the contact person. The contact person for the Golf Course at the present time is Dennis Parnell. Mrs. Hale also questioned if minutes should be taken at committee meetings.

Mrs. Jennings stated the Senior Center Advisory Board feels the roof there needs repairs.

Mr. Weaver stated he appreciated the citizen's comments and will look into their concerns.

Mayor Helms thanked Ken, John and staff for their efforts on the Parking Garage. The General Assembly needs to be encouraged to pass a budget this week so schools and localities can have the information necessary for their budgets. Localities have the option of holding May or November elections. The General Assembly is proposing the localities pay for their own elections if held in May.

Mr. Heath noted there will be a reception tomorrow at the theatre for the people proposing the movie production in Marion.

Mr. Heath also noted that he needed approval for pay request #4 and #5 for the Streetscape Project. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, pay request #4 in the amount of \$17,690.90 was approved. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, pay request #5 in the amount of \$21,280.00 was approved.

Mr. Heath noted the Fire Department is requesting design options for a Memorial for the World Trade Center Steel. Students from VA Tech design school are willing to work on this project for a cost of \$3,040. This item is not budgeted. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, this item was referred to the finance committee.

Mr. Clark noted the easement for the intersection at Hardee's is still not secure. Information has been presented to the property owner and the property owner is to respond.

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

Mayor

Clerk

