

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 2, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Bill Weaver, Dr. Jim Gates, Jim Owens and Jim Barker Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Assistant Town Engineer Todd Long; Police Lieutenant Andrew Moss; Town Clerk/Director of Finance Cindy Stanley.

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

VISITORS: Mr. Charles Wassum, Dan Kegley, Phyllis Robinson, Mavis Williams, Erwin Roland, Mary Lou Waak, Betty Campbell, Ralph Price, Shirley Blackwell, Evelyn Lawrence, Scott Freeman, Frances and Frank Detweiler, Daniel Hamm and Keith Finney.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the minutes of the meeting held March 19, 2012 were approved as written. Messrs Barker, Weaver, Owens, Dr. Gates, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

Lieutenant Andrew Moss introduced the two new Police Officers Daniel Hamm and Keith Finney. Both are graduates of Marion Senior High School, Wytheville Community College and have completed training at the Academy.

PUBLIC PRESENTATIONS: Ms. Evelyn Lawrence gave a presentation as a member of the Tree Board. She has approached the Forestry Service in regards to a grant for the Sally's Crying Tree and a \$2,500 grant is available. Her request is for the Town of Marion to pay the remaining \$3,680.

Scott Freeman gave an update on the Smythe-Wythe Airport Commission. The contractor is currently working on the punch list. An opening ceremony will hopefully be in May. There is a proposal for the Wings helicopter to use the facility, due to the fact the FAA has not approved the helipad at the new hospital for night use.

Ralph Price, Dogwood Lane, spoke in regards to Article 16 of the Zoning Ordinance.

NOTICE OF APPROVAL OF CHANGE ORDERS 2 AND 3 IN CONJUNCTION WITH PHASE 1 UPGRADES AT SEWER TREATMENT PLANT: Mr. Clark reviewed the two change orders. Change order #2 is in the amount of \$23,611 and change order #3 is in the amount of \$39,410. The change orders have been signed and change order #3 is due to the extra \$100,000 from Mt Rogers.

REPORT ON GOLF COURSE CLOSING: Mr. Fenyk has completed the title opinions. There are significant delinquent Real Estate and Personal Property taxes. Mr. Fenyk will draft a deed of trust dated April 10, 2012 for the Foundations attorney to review. He will also get the payoff on the two deeds of trust as of April 10, 2012.

RESOLUTION TO VIRGINIA DEPARTMENT OF HEALTH ENDORSING EDWYNNE DRIVE WATER LINE REPLACEMENT: Mr. Clark noted this \$90,900 project will upgrade this to a six or eight inch line. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYE and 0 NOES, the Resolution was accepted.

ROAD CLOSURE ON HIGHLAND DRIVE IN CONJUNCTION WITH WORK ON MARION PRIMARY SCHOOL PROJECT: Mr. Long indicated that Mr. Hicks had requested a detailed road closure from Mr. Asbury and this meets all VDOT standards. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the plans for the road closure were accepted according to VDOT standards.

SITUATION WITH PENDING VIRGINIA RETIREMENT SYSTEM LEGISLATION AND AFFECTS ON LOCALITIES: Mr. Clark noted a bill has been passed to require localities to give employees a 5% pay increase to cover the 5% increase in retirement. This would cost the town at least \$115,000 and would negatively affect the employees due to the extra cost of social security, workers comp, etc. VML, VACO and School Board Association strongly oppose this bill. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, Mr. Clark is to write a letter to the Governor opposing this bill.

NOTICE OF REVISED PROCEDURES ON COMMITTEE MEETINGS: Mr. Fenyk noted for Councils information there is a requirement of three days notice prior to meetings. Most committee meetings will have to be the next week after council meetings.

LIST OF STREETS FOR POTENTIAL PAVING: Mayor Helms noted this is a list left over from last year plus some additional streets. The Street Committee will begin working on this and bring a list back to Council.

WATER COMMITTEE ON PURCHASING ACCURATE METER AT TOWN SPRING: Dr. Gates noted the recommendation from the committee was to replace the meter at the Town Spring. The meter there is 30 - 40 years old. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the meter is to be placed out for bid.

INSURANCE COMMITTEE ON ADOPTION OF EMPLOYEE HEALTH INSURANCE PLAN: Mrs. Jennings noted the committee recommends continuing with the current health insurance plan for the employees. Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the employees will keep the current plan which will include a 12.5% premium increase.

Mrs. Hale has received requests from citizens regarding the town accepting debit and credit cards as a form of payment.

Mr. Barker indicated there needs to be a decision made in regards to the lightning protection for the Crying Tree. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 4 AYES and 3 NOES, (Spencer, Hale and Gates) funding for the lightning protection for Sally's Crying Tree was approved. Also Mr. Barker noted that Arbor Day will be May 11, 2012. The National Arbor Day Foundation named Marion as a Tree City USA again in 2011 for the tenth year.

Mayor Helms noted Todd Long, Jackie Perry and Steve Hagy had taught defensive driving classes for the town employees and now the town will receive a discount on our automobile insurance. An article in Saturday's newspaper noted the Library has digitized the minutes of the Town Council meetings. Mayor Helms also noted that Ken Heath is in Baltimore at a National Conference as one of the more tenured Main Street Directors. Giles and Allegany Counties have been selected for the movie locations.

Andrew Moss noted there have been several stolen vehicles and robberies recently. Arrests have been made.

Dan Kegley informed Council that he has taken a position as Deputy Clerk of the Circuit Court and will no longer be at the Council meetings in the capacity as a Smyth County News representative. Mayor Helms thanked him for his support.

Mr. Clark noted minute book one is missing and has been for many years. It is minute book one from the Town's founding to about 1875.

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

Mr. Owens would like to see the kitchen at the Golf Course cleaned and brought up to code. Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, Mr. Clark was given the authority to oversee work on the kitchen at the Golf Course.

Upon motion, duly seconded and vote of 7 AYES and 0 NOES, the meeting was adjourned.

Mayor

Clerk