

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 May 21, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Bill Weaver, Jim Owens 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 (arriving late); Police Chief Mike Roberts (arriving late); Economic Development Director Ken Heath; Purchasing Agent Billy Hamm; Smyth County News Representative Stephanie Porter-Nichols; Senior Citizens Center Director Mindy Dyer; Senior Citizens Center Assistant Amy Baldwin; Councilman Elect Larry Carter; Town Clerk/Director of Finance Cindy Stanley.

ABSENT: Dr. Jim Gates.

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

VISITORS: Dr. Charles Wassum, Erwin Rowland, Kristen Untiedt-Barnett, David Thomas, Lewis Mann and Cameron Wolfe (arriving late).

MINUTES: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the minutes of the meeting held May 7, 2012 were approved as written. Messrs Barker, Weaver, Owens, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, the minutes of the meeting held May 17, 2012 were approved as written. Messrs Barker, Weaver, Owens, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC PRESENTATIONS: Kristen Untiedt-Barnett of the Smyth County Chamber of Commerce read a Resolution for Business Appreciation Week June 4 thru 8, 2012. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Resolution was accepted. There will be a Business Appreciation Luncheon Friday June 8, 2012 at the General Francis Marion Hotel.

APPROVAL OF PAY REQUEST #6 ON BIOGAS DIGESTER PROJECT, PROJECT UPDATE AND FRIZZELL CONSTRUCTION CONTRACT EXTENSION REQUEST: Mr. Clark noted the pay request is in the amount of \$32,523.74. Mr. Lewis Mann of Thompson & Litton reviewed the pay request and recommended approval. (Chief Roberts arrived.) Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, pay request #6 was approved in the amount of \$32,523.74. Mr. Mann reviewed change order #3 for a contract extension for 105 days. This extension is requested due to the delay in getting the digester cleaned-out. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, an extension of 105 days to the contract is approved.

UPDATE ON SPRING PAVING: Mr. Hicks has advertised for bids for this year's paving. The Senior Center has two handicapped parking space that are not level. To bring these two parking spaces up to code will cost approximately \$4,300. (Rex Anders arrived.) Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, the Street Committee was given the authority to act on the bids Friday and talk to the contractor about the Senior Center parking spaces. (Cameron Wolfe arrived.)

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$935,103.30.

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

BUILDINGS AND GROUNDS COMMITTEE ON WASSONA PARK MONUMENTS: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, this item was continued.

ORDINANCE COMMITTEE ON CITIZEN REQUESTED MENTAL HEALTH RESTRICTED COVENANTS: Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, this item is tabled.

GOLF COMMITTEE ON VARIOUS FEES, TIMES, ETC. AND EQUIPMENT LEASES/PURCHASES: Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the new rates for the Golf

Course are approved. Mr. Owens questioned the fee for players 12 and under. Mrs. Jennings will find out and report back to Council. Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the equipment was approved to bid and will come from the set aside money.

Mrs. Jennings asked that Wassona Circle be mowed more frequently.

Ms. Spencer requested the street sweeper be used on Town Street.

Mr. Owens reminded everyone of the Memorial Day Parade and the VFW Event.

Mayor Helms noted the Virginia Municipal League meeting was successful, with about 50 people in attendance. Marion was voted Tree City USA again. There will be a music program at the Lincoln Theatre Sunday May 27, 2012 at 1:45pm. The Town and County meeting held in Chilhowie was well attended. Mayor Helms thanked Paula and everyone for helping with the Town of Marion Relay for Life Team. There was approximately \$900 raised by the Town and approximately \$66,000 in the county.

Mr. Fenyk noted Appalachian Power has asked to revise fuel factor per kilowatt hour. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, Mr. Clark is to send a letter in opposition of this increase and a request for the fuel surcharge to be reduced.

Mr. Heath noted Lunch Time on the Lawn is set for Fridays in June.

Chief Roberts received notification from the Department of Criminal Justice Services that our 2012 Local Law Enforcement Block Grant will be \$8,653.00. \$7,788.00 will be in federal funds and will require a local match from the town of \$865.00. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, the grant was approved.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-7), (A-3) upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of consultation with legal counsel and possible purchase of real property for a public purpose. 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 Barker, Owens, Weaver, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the signalization project at Lee and Main Streets is continued.

Upon motion of Mr. Owens, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, directional signs need to be in place for the Golf Course.

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

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Mayor

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Clerk