

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 June 18, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Bill Weaver, Jim Owens, 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; Purchasing Agent Billy Hamm; Smyth County News Representative Stephanie Porter-Nichols; Councilman Elect Larry Carter; Town Clerk/Director of Finance Cindy Stanley.

INVOCATION/PLEDGE TO THE FLAG: Mr. Hicks rendered the invocation. Boy Scout Troop #93 of Marion led the Pledge to the Flag.

VISITORS: Erwin Rowland, Clayborne Gwyn, Joe Naff, Mary Meadows, Dakota West, John Graham, Dan Kegley, Sara Kegley, Robert Lincoln, Tom Graham, Ann Edmisten, Blaine York and Stacy York.

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 June 4, 2012 were approved as written. Messrs Barker, Weaver, Owens, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC PRESENTATIONS: Bob Lincoln, General Manager of the General Francis Marion Hotel, thanked Mr. Heath and Mr. Clark for the response to his request on the Kitchen/Banquet Contract at Holston Hills. He reviewed items of the contract that he felt provided an unfair advantage to the new food service contractor at the Golf Course.

SWEARING IN OF TOWN COUNCIL MEMBERS: Smyth County Clerk of Circuit Court, John Graham, was present to administer the oath of office to Bill Weaver, Dr. Jim Gates and Larry Carter. He also swore in Mayor David P. Helms.

SONG OF THE MOUNTAINS REQUEST FOR ADDITIONAL FUNDING: Dr. Gates recommendation is to increase this budget item by \$6,500 and fund this monthly. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the Song of the Mountains budgeted appropriation will now be a total of \$26,500.

ADOPTION OF 2012-2013 BUDGET: Mr. Clark noted the total budget is still \$9,188,280, because the extra \$6,500 to the Song of the Mountains was taken from the Equipment Fund. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the 2012-2013 budget was adopted.

SET TAX LEVY:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARION, VIRGINIA; that pursuant to the Town Charter, the following taxes be levied for the necessary and proper management and expenses of the Town of Marion, Virginia for the fiscal year beginning July 1, 2012:

- (1) Upon all Real Estate (including Mobile Homes) in the Town of Marion, Virginia \$0.15 per \$100.00 of assessed value.
- (2) Upon all tangible Personal Property in the Town of Marion, Virginia \$0.35 per \$100.00 of assessed value.
- (3) Upon all Machinery and Tools within the Town of Marion, Virginia, \$0.35 per \$100.00 of assessed value.
- (4) Upon all property within the Special Tax District of the Town of Marion, Virginia, \$0.15 per \$100.00 of assessed value.

Upon motion of Dr. Gates, seconded by Mr. Barker and vote of 7 AYES and 0 NOES item (1) 2012-2013 Tax Levy for Real Estate was approved.

Upon motion of Dr. Gates, seconded by Mr. Barker and vote of 7 AYES and 0 NOES item (2) 2012-2013 Tax Levy for Personal Property was approved.

Upon motion of Dr. Gates, seconded by Mr. Barker and vote of 7 AYES and 0 NOES item (3) 2012-2013 Tax Levy Machinery and Tools was approved.

Upon motion of Dr. Gates, seconded by Mr. Barker and vote of 7 AYES and 0 NOES item (4) 2012-2013 Tax Levy for Special Tax District was approved.

GOLF COMMITTEE ADVISORY BOARD: Dr. Gates noted he would like to receive names of people willing to serve on the Golf Committee within the next two weeks. These are to be submitted to Mr. Clark or Mayor Helms. Mayor Helms noted he would like to have a list of names by Friday June 22, 2012 and these will be approved at the first meeting in July.

ACCOUNTS: Upon motion of Dr. Gates, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the accounts were approved for payment in the amount of \$760,593.18.

INVESTMENTS: Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the investment report was accepted.

COMMERCIAL AND INDUSTRIAL SUPPORT COMMITTEE: Mr. Tom Graham reviewed the ongoing projects and renovations in Smyth County and the positive effects they are bringing to Smyth County.

RESOLUTION HONORING MR. DAN KEGLEY: Mayor Helms read and presented the Resolution to Mr. Dan Kegley. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Resolution was adopted.

RESOLUTION OF APPRECIATION OF CAROL JANE HALE: Mayor Helms read and presented the Resolution to Mrs. Hale. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Resolution was adopted.

APPOINTMENTS TO PLANNING COMMISSION AND BOARD OF ZONING APPEALS: Mr. Hicks stated the Planning Commission is still working on a recommendation. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, these appointments will be made at the next meeting.

ADOPTION OF NEW FLOODPLAIN ORDINANCE: Mr. Hicks noted there was a Public Informational meeting held last fall. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, a Public Hearing will be set for July 16, 2012.

Mrs. Jennings asked Mr. Fenyk to clarify the guidelines for these appointments. Mr. Fenyk noted Public Office refers to elected officials and neither Planning Commission nor Board of Zoning Appeals members are elected officials.

REPORT FROM FINANCE COMMITTEE ON LOAN RENEWAL OF POLICE DEPARTMENT BUILDING: Dr. Gates reviewed the committee's recommendation. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, this loan will be refinanced at 4.25% interest with a five year balloon from the Bank of Marion.

Mrs. Hale noted she had been approached by individuals that told her they were being turned away from playing golf at the Golf Course.

Dr. Gates noted a report was received today in reference to the parking lot issues on the Naff property. Clayborne Gwyn noted he believes the hole is actually on the Town's property. Upon motion of Mr. Owens, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, this item was tabled until the property line can be confirmed by a survey.

Mrs. Jennings stated it had been nice working with Mrs. Hale and she wishes her good health and good luck. Mrs. Jennings noted she had toured the Mount Rogers Community Services Board new building.

Mr. Weaver noted it had been made clear to him that the property owner at the Hardees intersection was not interested in selling property to the Town.

Mr. Clark noted he had done some research and believes the monuments at Wassona Park have been moved and the Town has met the 1978 agreement. Mr. Weaver is in agreement with Mr. Clark and believes this may need to become a community project.

Mayor Helms noted letters were sent in opposition of the AEP rate increase and the Town has received a response from the Attorney General's Office. Activities within the Town are being well attended. Back of the Dragon had 129 bikes here last Friday and noted they received great hospitality. Mr. Barker needs additional information on the request to plant trees along the railroad on South Main Street. More fencing is needed at Riverbend Park for safety issues. Town Pool needs much better attendance.

Mr. Fenyk noted on the Floodplain overlay Article 15 may have some changes after the boundary adjustment at the Golf Course.

PAY REQUEST #7 FOR THE SEWER TREATMENT PLANT: Mr. Clark recommends payment of this request and everything is in order. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, pay request #7 in the amount of \$107,254.85 was approved for payment.

There will be a Special called Council meeting on June 29, 2012 at 5:15 pm to close the fiscal year.

Mr. Heath noted Lunch Time on the Lawn help will be appreciated. He also noted July 20, 2012 is the Annual Chili Cook Off.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (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 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 Mr. Weaver and carried by vote of 7 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Barker, Owens, Weaver, Dr. Jim Gates, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

Mayor Helms noted June 11, 2012 a letter had been received from Congressman Morgan Griffith's office supporting the opposition to the changes at the Blue Ridge Job Corps.

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

Mayor

Clerk