

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 August 20, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Larry Carter, 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; Police Lieutenant Andrew Moss; Smyth County News Representative Stephanie Porter-Nichols; Economic Development Director Ken Heath; Purchasing Agent Billy Hamm; Town Clerk/Director of Finance Cindy Stanley.

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

VISITORS: Charles Wassum, Lyn Thompson, Jeff Spickard, James Kelly and Sally Morgan.

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

APPROVAL OF PAY REQUEST 9A (FINAL) FOR PHASE 1 SEWER TREATMENT PLANT UPGRADE USING RURAL DEVELOPMENT MONEY: Mr. Spickard noted request 9A and 9B are separate. This was requested by Rural Development. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, pay request number 9A in the amount of \$58,489.97 was approved for payment.

APPROVAL OF PAY REQUEST 9B FOR PHASE 1 SEWER TREATMENT PLANT UPGRADE ADDITIONAL IMPROVEMENTS USING MT ROGERS PDC GRANT MONEY: Mr. Spickard recommends approval of this pay request and suggests to request the Grant money from Mt. Rogers PDC. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, pay request number 9B in the amount of 45,856.26, 40,341.26 to the contractor and 5,515.00 for Engineering, was approved. Mr. Clark noted that Rural Development money was a \$606,600 loan at 2.375% interest at 40 years and Mt Rogers PDC money was a \$100,000 Grant.

NOTICE OF TOWN/COUNTY QUARTERLY MEETING: Mayor Helms announced the Town and County Quarterly Meeting will be held August 30, 2012 at 6:15pm at the Holston Hills Community Golf Course. He also noted on this same day there will be a reception at the Free Clinic at 5pm to rename the clinic in Honor of Mel Leaman.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the accounts were approved for payment in the amount of \$829,931.18.

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

NOTICE OF \$90,900 AWARD FROM HEALTH DEPARTMENT ON EDWYNNE WATER LINE AND DECLINATION OF SAME FROM MT ROGERS PDC: Mr. Clark noted the Mt Rogers PDC money requires a 50% match. The Health Department money has a 100% of Principal forgiveness. Money from both agencies was applied for and the receipt of the Health Department money was the best outcome for the town. Mr. Spickard noted this is good news for a much needed project. Mr. Clark will move forward with the procurement process. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the initial funding package was accepted.

PROPOSED CHANGES ON ENTERPRISE ZONE: Sally Morgan Community/Economic Development Director for Smyth County reviewed the proposed changes for the Enterprise Zone. There are a few areas to be added, all zoned commercial and medical arts and some changes to the local incentives. A Public Hearing is set for September 11, 2012 at 7pm at the Smyth County Board of Supervisors meeting. This Public Hearing will also cover the Town of Marion requirements on behalf of a Public Hearing. Marion Town Council will need to present a Resolution after the Public Hearing. Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES, 0 NOES and 1 ABSTENTION (Mrs. Jennings), the proposed changes to the Enterprise Zone were accepted.

SITUATION ON INSURANCE AT GOLF COURSE: Mr. Clark is obtaining Insurance Proposals from Virginia Municipal League and private carriers for insurance coverage at the Golf Course. There is some concern as to which carrier may be responsible should there be a claim.

STREET COMMITTEE ON PARKING OFF SPRINKLE: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, this item was continued.

Mr. Owens thanked everyone for their help with the Spirit "45 Day.

Mrs. Jennings noted the Holston Hills Country Club, Inc. is still in need of a letter of Dissolution. Mr. Clark and Mr. Fenyk will assist with getting this expedited. Citizens have approached Mrs. Jennings regarding speeding issues on Louise Avenue, the area near the Wellness Center and the area near the Golf Course. She also inquired as to the status of the Rescue Squad acquiring their gasoline tanks.

Mr. Weaver noted the great job done by the town crew on striping and the new road in front of the Primary school.

Mayor Helms was appreciative of the Town's efforts on Spirit "45 Day. Due to the Labor Day Holiday, the next regular Town Council meeting will be September 4, 2012 at 5:30pm. Mayor Helms was contacted by Christine Ott to declare November 1, 2012 as "Extra Mile Day". By doing so, your Town chooses to be a part of a nationwide movement of Mayors and Councils that are recognizing people and organizations in the local community who are going the extra mile. Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, November 1, 2012 will be declared "Extra Mile Day". Mayor Helms received a post card from Tucson, Arizona with a picture of our Municipal Building.

Mr. Heath received bids on the Appalachian School of Music from William Huber Architect and The Lane Group. William Huber Architect scored 24.4 and The Lane Group scored 20.4. The Committee recommended William Huber Architect and asked for Councils approval, pending contract negotiations. Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the bid was awarded to William Huber Architect pending DHCD & ARC contract. There will be a Grand Opening tomorrow for the new Food City Gas-N-Go. Thursday there will be a ribbon cutting for the 1908 Schoolhouse Project at 12:15pm. Virginia Main Street will be here September 19<sup>th</sup> and 20<sup>th</sup> for a state wide meeting. There will be a 911 program at 6pm on September 11, 2012 at the Fire Hall. The design for the 911 Memorial will be unveiled. Mr. Heath reviewed a program to apply to become an Appalachian Trail Community. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, Mr. Heath will apply for Marion to become a Trail Town.

Chief Roberts will take Mrs. Jennings concerns regarding speeding to the Police Staff.

Mr. Hicks reminded Council that Mr. Ramsey has never been officially appointed to the Board of Zoning Appeals. Upon motion of Mrs. Jennings, seconded by Mr. Carter and a vote of 7 AYES and 0 NOES, Mr. Bob Ramsey was recommended for appointment to the Board of Zoning Appeals.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-7), (A-3), (A-5) upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 7 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of consultation with legal counsel, possible purchase of real property for a public purpose and discussion concerning a prospective business or industry. 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, Carter, Dr. Gates, Mrs. Jennings and Ms. Spencer voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, Council declines the request to purchase the Industrial Property.

Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, Mr. Heath is to pursue the ramifications of ownership of the Old Holston Harwood Building.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, Mr. Clark is to contact the County Administrator regarding the Boundary adjustment at the Golf Course and expedite.

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

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Mayor

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Clerk