

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 February 7, 2011 at 7:00 p.m.

PRESENT: Mayor David Helms; Jane Hale, Jim Owens, Dr. James Gates, Suzanne Jennings, Tricia Spencer, Bill Weaver and Jim Barker, Council Members; Town Attorney Mark Fenyk; Town Manager John E. B. Clark, Jr.; Town Engineer Cecil Hicks; Police Chief Mike Roberts; Police Lieutenant Rex Anders; Town Clerk/Director of Finance Susan Clark.

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

VISITORS: Jeff Spickard, Billy Dungan, Charles Wassum, III, Wilson Leonard, Arlen Taylor, Charles Hoofnagle, Curtis Pennington, Rebecca Pennington, William Fields, Nancy Purefoy, James Purefoy

WELCOME NEW COUNCIL MEMBER: Mayor Helms welcomed Tricia Spencer to Council. Ms. Spencer was elected to Council February 1, 2011.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES, 0 NOES, and 1 ABSTENTION (Spencer) the minutes of the meeting held January 18, 2011 were approved as written. Messrs Owens, Barker, Weaver, Dr. Gates, Mrs. Hale and Mrs. Jennings voted affirmatively.

PUBLIC HEARING-PUBLIC INPUT ON UPGRADE OF SEWER TREATMENT PLANT USING RURAL DEVELOPMENT LOAN: Mr. Clark explained that the issuance of bonds is due to the upgrade of the Sewer Treatment Plant. Mr. Jeff Spickard added that the construction project bids should be advertised within the next thirty (30) days. The construction period will be 6-9 months. Mr. Clark added that the loan amount will be \$606,000. The loan will be for forty (40) years at a rate no higher than 2.35 %. The current system is nineteen (19) years old and is starting to need repairs.

Mr. Charles Wassum stated that he sees no problem with upgrading the Sewer Treatment Plant system but that the repairs needed to be made without borrowing money. He added that the Federal Government is already trillions of dollars in debt and that the Town will be paying back interest to the government and have more debts added to those already owed by the Town. Dr. Gates explained that the Town has already been advised of violations and must make the upgrades.

Mayor Helms closed the Public Hearing.

ADOPTION OF RESOLUTION AUTHORIZING ISSUANCE AND SALE OF SEWER BONDS: Mr. Fenyk stated that Smyth County has not accepted the loan. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 7 AYES and 0 NOES, adoption of the Resolution was continued pending the Smyth County response.

ADOPTION OF RESOLUTION DESIGNATING FEBRUARY AS BLACK HISTORY MONTH: Mayor Helms read the Resolution and presented it to Nancy Purefoy. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Resolution was adopted.

ADOPTION OF MORAL OBLIGATION AGREEMENT WITH WYTHE COUNTY: Mr. Fenyk explained that a moral obligation agreement is not contractually binding but is a moral agreement. Mr. William Leonard stated that the Smyth-Wythe Airport is in need of upgrades and like all federal programs it needs local money to proceed. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the Town committed to the Moral Obligation Agreement with Wythe County.

APPOINTMENT TO SMYTH-WYTHE AIRPORT COMMISSION: Mr. Weaver made the motion to continue this item with Mrs. Hale seconding the motion and vote of 3 AYES and 4 NOES (Gates, Spencer, Barker, Jennings) the motion was defeated. Dr. Gates stated that Smyth County had voted unanimously to appoint Mr. Billy Dungan as the joint representative and the Town Council members had already had an ample amount of time to make a decision.

Discussion ensued.

Upon motion of Dr. Gates, seconded by Ms. Spencer and vote of 7 AYES and 0 NOES Council approved appointment of Billy Dungan as the joint representative to the Smyth-Wythe Airport Commission as long as the previous vote to appoint Mr. Bob Dix can be amended.

OLD PRATER LANE RAILROAD CROSSING: Mr. Hicks reported that Drawdown #1 has been received and Drawdown #2 has been requested. The south side of the railroad is complete and approximately \$140,183 has been spent on the project to date.

EAST CHILHOWIE STREET BRIDGE: Mr. Hicks reported that the repairs to the bridge are complete. Mattern & Craig is processing the request for final payment. Mr. Hicks is meeting with VDOT on 2-8-11 to discuss making the bridge one way. Mr. Hicks will report to Council at the next regular Council meeting.

REPORT ON AGENDA SCHEDULE, AGENDA ON INTERNET AND POSSIBLE TELEVISIONING COUNCIL MEETINGS: Mr. Clark reported that the agenda is on the web page on Friday mornings. Mr. Heath will report at the next regular meeting regarding televising the meetings.

NOTICE OF GRANT FROM HEALTH DEPARTMENT ON PRINCIPAL FORGIVENESS ON HIGH LEVEL TANK: Mr. Clark stated that the high level tank repair loan is \$49,900 with 100% principal forgiveness. Mr. Weaver added that there are other loans available.

NOTICE OF GRANT TO GO AGAINST COST OF RADIO HILL ROAD PUMP STATION: Mr. Clark explained that the project repairs will be approximately \$25,000 with \$10,000 in grant funding.

MARION TREE COMMISSION: Mr. Barker stated that Friday, May 6, 2011 is Arbor Day and a celebration will be at the Blue Ridge Job Corp Center. Mr. Barker explained that the Commission would like to appoint Dr. Jeffrey Kirwan. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 7 AYES and 0 NOES, Dr. Jeffrey Kirwan was appointed as an honorary member of the Marion Tree Commission.

REQUEST FROM MARION INTERMEDIATE SCHOOL ON SCHOOL TRIP: Mayor Helms stated that this item is budgeted and the funds will be used to take the Special Education Class to Williamsburg, VA.

RESCHEDULE COUNCIL MEETING: Mayor Helms informed Council that the next scheduled Council meeting will be re-scheduled from February 21 to February 22 due to the Presidents Day holiday.

TV CABLE COMMITTEE-CHANNEL 7: Upon motion of Mr. Owens, seconded by Mrs. Hale and vote of 7 AYES and 0 NOES, this item was continued.

PARKING GARAGE-BUILDING AND REAL ESTATE COMMITTEE: Mr. Weaver explained that the County is planning to build a two (2) level garage. The County is working to acquire adjacent property. Plans are being made to start the project soon.

VML MEETING-RICHMOND, VA: Mr. Owens stated that he, Mr. Weaver, Mayor Helms, Mr. Heath, Mr. Clark and Chief Roberts attended the meeting. Mr. Owens added that the trip was interesting and informative. Mayor Helms added that the Executive Committee met and decided that the annual dues will not increase again next fiscal year.

Mrs. Jennings and Mr. Barker welcomed Ms. Spencer and stated that they look forward to working with her on Council.

VFW MEMORIAL DAY CELEBRATION: Mayor Helms stated that the VFW will begin their planning for the Memorial Day events on Tuesday, February 15<sup>th</sup> at 7 pm.

SIGNALIZATION PROJECT: Mr. Hicks informed Council that 5 signals have been upgraded to date.

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

