

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 6, 2011 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Dr. Jim Gates, Jim Owens and Jim Barker, Council Members; Town Attorney Mark Fenyk; Town Manager John E. B. Clark, Jr.; Assistant Town Manager/Town Engineer Cecil Hicks; Community and Economic Development Director Ken Heath; Police Chief Mike Roberts; Police Lieutenant Andrew Moss; 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: Jeff Spickard, Bev Haddock, Jennifer Bralley, David Barrett, Mike Guy, Michael Robinson, Jeffrey Cassell, John Burke, John T. Neel, Charles Wassum, III, Joe Ellis, Mindy Dyer.

MINUTES: 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 16, 2011 were approved as written, with the amendment of L W Kelly Bridge to Walter Francis Bridge. Messrs Barker, Gates, Owens, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

APRECIATION TO LEE ANN FITCHKO: Mayor Helms publicly read a letter from recent visitors in Town, thanking Lee Ann for her prompt response about a neglected dog.

PUBLIC HEARING-PROPOSED BOND ISSUANCE OF AN ESTIMATED \$675,000 FOR SEWER TREATMENT PLANT COGENERATION PROJECT: Mr. Clark explained this is a Resolution authorizing the Issuance of Sale of General Obligation Water and Sewer Revenue Bond not to exceed \$675,000. This will be a no-interest loan for twenty years. Mayor Helms opened the public hearing. There was no public opposition. Mayor Helms closed the public hearing.

PUBLIC HEARING-PROPOSED 2011-2012 BUDGET: Proposed Budget was advertised May 28, 2011 and June 1, 2011. Dr Gates, Chairman of the Finance Committee, reviewed the Sewer Treatment Plant Project costs and the only increase is water and sewer rates. Mr. Clark noted the Town of Marion has the lowest water rate and next to lowest sewer rate within sixteen localities. Mayor Helms opened the public hearing. Smyth County Humane Society President, Ms. Beverly Haddock requested \$1,250 from the Town of Marion. This would be for a matching grant from Two Mauds, Inc. Dr. Gates stated this amount is already included in the budget for the next fiscal year. Mr. Charles Wassum spoke about the line item Debt Service. Mayor Helms Closed the Public Hearing.

PUBLIC PRESENTATION: Mr. Joe Ellis advised Council that he would be stepping back from some of his current commitments to organizations. Mr. Ellis requested to name the Schoolhouse in honor of Wayne Henderson. Mr. Ellis also provided an overview of other projects, including a Mt. Dew museum and a "Song of the Mountains" museum. He requested the Town consider allocating \$1,000 to provide funding to record oral histories of local people who participated in developing the formula for Mt. Dew.

PRESENTATION OF COMMEMORATIVE CHECK: Mr. Dave Barrett from Mt. Rogers Planning District presented the Town with a commemorative check for \$100,000 from their water and wastewater fund to assist with the Wastewater Treatment Plant improvements. A new cycle of this funding is coming up in July.

PROPOSED RE-ALIGNMENT OF STAGE STREET: Dr. Michael Robinson, Smyth County School Superintendent, made a presentation in reference to the street light and sidewalk concerns following the street committee meeting. There is a possibility of some grant money for assistance with the sidewalks. Dr. Robinson is asking for approval to move forward.

Discussion Ensued.

ADOPTION OF RESOLUTION AUTHORIZING BOND ISSUANCE: Upon motion of Mrs. Jennings, seconded by Dr. Gates and vote of 6 AYES and 0 NOES, the Resolution was approved.

ACCEPTANCE OF BIDS ON SHUGART BRIDGE ON NORTH MAIN STREET: Mr. Hicks reviewed the only bid received, which was from Ken Construction Company in the amount of \$60,709.50. Mr. Owens, member of the Street Committee, recommends proceeding with the bids. The contractor, if given notice by tomorrow, can begin work the week of the 20th, only needing five days to complete the project. Upon motion of Mr. Owens, seconded by Dr. Gates and vote of 6 AYES and 0 NOES, the bid was accepted.

RESOLUTION OF GRANT/LOAN PROGRAM FOR PEARL AVENUE/BUCHANAN STREET: Mr. Clark stated by not having a certified loan originator on staff, we have three options: 1)eliminate the loan for a 100% grant, 2) find a certified mortgage lender, 3) have one internally, options 2 & 3 are not viable. At the last Housing Board meeting on May 25, 2011, it was recommended the board approve eliminating the loan programs for that project, making it all 100% grant. The Housing Board voted to refund money to home owners. Dr Gates made a motion to proceed with the project and to make it strictly a grant project and refund money paid by home owners. The motion was seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, the motion was approved.

SITUATION ON STREETScape II PROJECT: Mr. Heath stated VDOT rejected this bid due to discrepancy in the Civil Rights provision from the low bidder. The project was re-bid exactly like it was previously and bids should be in by the end of the month. The next bid will hopefully be approved by VDOT and we can proceed with this project.

REPORT ON PAVING AND SIGNALIZATION PROJECT: Mr. Hicks informed Council that the paving on Main Street was very successful, thanks to Mr. Heath notifying business on Main Street. All property acquisition letters on the three signalization intersections will be mailed out no later than tomorrow.

REPORT ON VACANCY FILLINGS IN CLERK/FINANCE AND UTILITY DEPARTMENT: Mr. Clark reviewed the appointment of Cindy Stanley as Town Clerk and Anita Catron as Deputy Clerk. Mrs. Paula Ashlin has filled the vacancy in the Utility department. Public Works has several vacancies at this time. The Public Works III Operator with CDL application deadline is tomorrow at 10 am.

SENIOR CITIZENS CENTER FLOOR DRAINAGE PROBLEMS: Mrs. Mindy Dyer updated Council on the progress of this project. The health department is overseeing code compliance. It is just a slow progress and a large undertaking. Mr. Guy from District III expressed his concerns about the project not being completed.

RESOLUTION TO RETAIN THE VML INSURANCE PROGRAMS AS PROVIDED UNDER LINE OF DUTY ACT: Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, the Town chooses to opt out of the State Plan through Virginia Retirement System. Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, the Town chooses to opt into the VML Plan.

Mr. Owens asked to go back to the Stage Street Re-Alignment Project. Discussion ensued. Dr. Robinson and staff will return to Council with a cost estimate to widen Stage Street to twenty-four feet and the possibility to move the street lights from Highland Drive to Stage Street. Upon motion of Dr. Gates, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, this item was continued.

REQUEST FROM SNOSHACK ON LEASING PORTION OF TOWN POOL PARKING LOT: Mr. Heath informed Council that the SnoShack has an alternate location Downtown.

PERMISSION TO BID OUT OLD MILL PROPERTY: The Old Mill Property lease has expired. Mr. Clark asked permission to advertise to re-bid this property for lease. Upon motion of Dr. Gates, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, Mr. Clark can set this for bid.

Mr. Spickard reported Rural Development had concurred with the Town's award of Wastewater Treatment Plant low bidder. Wastewater Treatment Plant paperwork should be completed shortly. Mr. Spickard also received approval to advertise high level water storage tank repainting. Bid opening is tentatively scheduled for the end of month on the 30th. This is a 100% Grant from the health department.

Mr. Wassum spoke again in reference to the advertised proposed budget.

WATER COMMITTEE ON TOWN/COUNTY WATER CONTRACT AND RADIO HILL WATER: The Town's contract with the County has expired. The new contract is to increase from fifty cents per customer to one dollar per customer. The increase for new setups would be from two dollars to three dollars. The Town proposes to keep the wholesale rate the same (\$5.30 per one thousand gallons). Dr. Gates made the motion that Mr. Clark has the authority from Council to state one dollar per collection and three dollars for new hookups and the rate stays the same, and to obtain a new contract. Mr. Owens seconded the motion and vote of 6 AYES and 0 NOES, the motion was approved. Mr. Hicks reviewed the estimate for Radio Hill Pump Station upgrade. The total cost is \$6,200. This would be much less expensive than replacing the pump station at about \$50,000. Dr. Gates made a motion to proceed with these upgrades at a cost of \$6,200, once easements are obtained. Mrs. Jennings seconded the motion and vote of 6 AYES and 0 NOES this item was approved. This is mandated by the health department.

CHATHAM HILL ROAD BRIDGE: The Street Committee is going to have a scoping meeting on June 11, 2011. Upon motion of Mr. Owens, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, this item was continued.

VFW PICNIC: Ms. Spencer received positive public comment related to the VFW picnic after the Memorial Day Parade.

SENIOR CITIZENS CENTER DECK: Mrs. Jennings stated a team from Project Crossroads is working on the deck at the Senior Citizens Building.

MEMORIAL DAY PARADE: Mayor Helms stated that the activities that day were excellent.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-5&6) and (A-3) and 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 discussing investment of public funds and the acquisition of real property for a public purpose. Mrs. Jennings moved that Town Council returned 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 Dr. Gates and carried by vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Barker, Owens, Dr. Gates, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

REQUEST FOR START-UP FUNDING ASSISTANCE FOR DOCTOR OF PHYSICAL THERAPY FROM EMORY & HENRY COLLEGE: Upon motion of Dr. Gates, seconded by Mr. Owens, and vote of 6 AYES and 0 NOES, the request from Emory & Henry College for Start-up Funding Assistance for Doctor of Physical Therapy in the amount of \$50,000 was approved, so long as the County does the same.

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

Mayor

Clerk