

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 September 19, 2011 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Dr. James Gates, 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; Police Chief Mike Roberts; Purchasing Agent Billy Hamm, Economic Development Director Ken Heath; Deputy Clerk Anita Catron; Town Clerk/Director of Finance Cindy Stanley.

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

VISITORS: Jeff Spickard, Mr. & Mrs. Charles Wassum, III, Dan Kegley, Robert Lincoln, and Bill Huber.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the minutes of the meeting held September 6, 2011 were approved as written. Dr. Gates, Messrs Barker, Owens, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

Mayor Helms announced in the interest of time and the length of the agendas we would like to limit public comments on public hearing and other public presentations to five minutes.

PUBLIC HEARING – SOUTHWEST VIRGINIA REGIONAL WATER SUPPLY PLAN: The Town of Marion was notified this afternoon by Mount Rogers Planning District Commission that this item was not advertised as it should have been. This item will need to be continued until it is advertised properly. This was the responsibility of Mount Rogers Planning District Commission. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, this item was continued.

PUBLIC HEARING – STREETScape III ADDITIONAL FUNDING: Mr. Heath gave a presentation on this project. Mayor Helms opened the Public Hearing for comments. There were no public comments. Mayor Helms closed the Public Hearing. Upon motion of Mrs. Jennings, seconded by Dr. Gates and a vote of 6 AYES and 0 NOES, the Resolution was approved.

CONSIDERATION OF ADOPTING A RESOLUTION ENDORSING WATER SUPPLY PLAN: This item will be continued.

NOTICE OF \$40,500 AWARD FROM MOUNT ROGERS PLANNING DISTRICT COMMISSION FOR METER REPLACEMENT PROJECT: Mr. Clark informs that the grant requires a 50%/50% match, with the Town's match already budgeted. This will accelerate the project. This will be the fourth time we have been funded from Mount Rogers.

REQUEST FOR FINANCE AND SANITATION COMMITTEE TO MEET ON DIGESTER BIO GAS PROJECT: Mr. Clark reviewed the request with Council. There will be a meeting set in the near future for this item.

RESULTS OF SNOW CONE BIDS AT RECREATION DEPARTMENT: There were no bids received from this advertisement. The advertisement was also mailed directly to the requestor. Upon motion of Mrs.

Jennings, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, this item was dropped from the agenda.

ACCOUNTS: Upon motion of Mrs. Hale, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$554,558.15. Messrs Barker, Owens, Dr. Gates, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

INVESTMENTS: Dr. Gates moved that the Investment Report be approved as presented. Mrs. Jennings seconded the motion. Council approved the same unanimously. Messrs Barker, Owens, Dr. Gates, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

RECENT SALE OF SURPLUS ITEMS ON GOVDEALS: Mr. Hamm advised proceeds from these sales totaled \$8,752.32.

REQUEST FROM MOUNT ROGERS COMMUNITY SERVICES BOARD ON LOT REZONINGS: Ms. Jo Viars from Mount Rogers Community Services Board reviewed this request. This Agency recently purchased the old Garzon Clinic. It is already Zoned Medical Arts. The three adjoining lots, which they also purchased, are zoned Residential and their request is to have those three lots also zoned as Medical Arts. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, this item was referred to the Planning Commission.

LIEUTENANT GOVERNOR BILL BOLLING SEPTEMBER 20, 2011 AT 11:45 AM ON CHECK PRESENTATION FOR MATSON DRIVE/SPRUCE STREET CDBG PROJECT: Mayor Helms stated this will take place tomorrow morning here at the Town Hall and everyone is welcome to attend.

PUBLIC PRESENTATIONS: Dr. Wassum spoke during this time. He requested the town refer to Water Mill Road as three words on all documents. He would also like the town to ask for an easement. He presented a document that he would like to be officially placed in the minutes of tonight's meeting.

HIGH LEVEL WATER TANK: Mr. Spickard with The Lane Group recommends Council approve the request for payment in the amount of \$3,200. Upon motion of Mr. Owens, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, this pay request was approved for \$3,200.

EQUIPMENT COMMITTEE ON SNOW EQUIPMENT: The committee recommends the purchase of the snow equipment for a total of \$28,580. Upon motion of Mrs. Hale, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the snow equipment was approved for purchase.

ORDINANCE COMMITTEE ON PUBLIC PRESENTATION TIME: Due to the length of the agenda and the length of some of the meetings, it is recommended that public speaking be limited to five minutes for an individual and fifteen minutes for a group.

Dr. Gates requested a closed session for the possible purchase of land.

Mr. Owens attended the VDOT meeting concerning the work to be done on the bridge over Scratch Gravel Road on Interstate 81.

Mrs. Hale stated the citizens on Iron Street had requested the street be cleaned with the Street Sweeper.

Mayor Helms noted the VML Conference Hotel had been damaged by the hurricane and everyone has been moved to another hotel.

The next Council Meeting will be Thursday October 6, 2011 due to the VML Conference. Constitution Week is September 17-24, 2011. Mt Zion event was very nice and well planned. Patriots Day Program was nice. The Mayor thanked the Fire Department and Ken Heath for following through on obtaining the piece of steel from the World Trade Center.

Mr. Huber advised that Council needs to agree to apply for ARC Grant in the amount of \$338,000 to complete the Schoolhouse Project. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, the town will apply for the grant in the amount of \$338,000 in ARC funds to be used to match historic preservation tax credits and other funding to renovate, revitalize and reopen this historic building.

Virginia Tourism Professionals will be visiting the area and a request has been made for Council to sponsor \$250 - \$300 for breakfast while they are in town. Mrs. Jennings made a motion not to approve this request, seconded by Ms. Spencer and a vote of 2 AYES, 3 NOES and 1 ABSTENTION (Mrs. Hale) this motion was not carried. Discussion Ensued. Mr. Huber agreed to provide \$150 toward the breakfast. Mr. Owens made a motion for Council to provide the additional \$150 to match Mr. Huber's donation. Council members also agreed to provide some funding for this breakfast. Mr. Owens withdrew his previous motion. Upon motion of Mr. Owens, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, the Town will provide funding for what is not covered by donations.

There is a request from the County to make Strother Street from Church to Chestnut one way traffic, during the time of construction of the Parking Garage, only. Upon motion of Mrs. Hale, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, Strother Street from Church to Chestnut, will be a one way street during time of construction of the Parking Garage.

Mr. Heath thanked council and everyone for the opportunity for the New York City Trip.

Mr. Clark reviewed the agreements and contracts for the Senior Center. One is for utilities, one for the management of the nutrition program and one for the use of space/kitchen. One half of the \$14,461 cost of the repairs of the kitchen is being proposed to be allocated to District III for monthly payment beginning October 1, 2011 through September 30, 2012.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (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 discussing the acquisition 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 Mrs. Hale and carried by vote of 6 AYES and 0 NOES. The Town Clerk

polled the Council Members. Dr. Gates, Messrs Barker, Owens, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

POSSIBLE PURCHASE OF LAND: Upon motion of Dr. Gates, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, an informational meeting for the public concerning the Town's interest in acquiring the Holston Hills Country Club and making it a golf course for public use will be held on Wednesday September 28, 2011 at 5:30pm with the public informed.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, concerning the state of the present Holston Hills Country Club finances, Council empowers Mr. Clark to approach the Bank of Marion and ask about any possible help in the transition of the Town possibly acquiring the property at a later date.

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

Mayor

Clerk