

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 November 21, 2011 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Jim Owens, Bill Weaver, Jim Barker and Dr. James Gates Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Engineer Assistant Todd Long; Police Lieutenant Rex Anders; Police Chief Mike Roberts; Purchasing Agent Billy Hamm; Economic Development Director Ken Heath; 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: Phyllis Robinson, Lynn May, Sam May, Charles and Anna Wassum. Derrick and Heather Barnes, Jo Viars, Lisa Moore, Ruth Cox, Peggy McKinnon, Ann Martin, Nancy Bales, Kathleen Nicholson, Erwin Rowland, Phyllis Forrester, Melody Myers, Haley Rhea, Patricia Woods, Karen Richardson, Jeff Richardson, Betty Campbell, Evelyn Widener, Ann Hoffer, Lois Richardson, Dale Richardson, Harold Slemph, Gary Blevins, Mavis Slemph Williams, Mary Lou Waak, Carol Parsons, Laura Lincoln, Carol Henderson, Olivia Sawyers, Jeff Spickard, Brooklyn Hoover, Kurn Fox, Michael Richardson, Linda Ward, Joel Hayton and James Wolfe.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the minutes of the meeting held November 7, 2011 were approved as written. Messrs Barker, Owens, Weaver, Dr. Gates, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC HEARING ON PROPOSAL TO AMEND ARTICLE II, SECTION 3 OF THE TREE COMMISSION ORDINANCE TO ALLOW MEMBERS TO SERVE MORE THAN TWO CONSECUTIVE TERMS: Mr. Barker reviewed the request and stated the purpose was for the term of the Tree Commission to be the same as the other Commissions. Mayor Helms opened the Public Hearing. With no public comment, Mayor Helms closed the Public Hearing.

DETERMINATION BY COUNCIL ON TREE COMMISSION ORDINANCE: Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, The Tree Commission Ordinance will now allow members to serve more than two consecutive terms.

COUNCIL ACTION ON PROPOSED REZONING OF 1122 CULBERT DRIVE FROM R1 TO MA: Mayor Helms noted all legal requirements for advertising the previous public hearing were met. Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, Council will not approve rezoning.

NEW BIDS ON \$477,284 PARKING DECK: Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, this item was referred to the Finance Committee.

BID RESULTS ON 2011 INTERNATIONAL DUMP TRUCK: Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the bank bid for interest rate of 3.92% from National Bank was accepted, since this was a budgeted item.

DELINQUENT BPOL AND MEALS TAX: Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, this item was continued.

BID RESULTS ON OLD MILL PROPERTY AND REQUEST FROM DR. WASSUM: The only bid received was from Dr. Wassum. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the bid of \$200 for a five year term was accepted. Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, Dr. Wassum will be allowed to make approved upgrades to the property at his cost with Dr. Wassum accepting responsibilities of liabilities.

APPROVAL OF PAY REQUEST #1 FOR DOWNTOWN STREETScape PROJECT: Mr. Huber has approved this request. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the pay request was approved in the amount of \$107,350 to Ken Construction Company, Inc.

APPROVAL OF PAY REQUEST #3 FOR PHASE 1 SEWER TREATMENT PLANT IMPROVEMENTS/AND ISSUE OF USE OF EXTRA MONEY: Mr. Spickard reviewed the request with the Contractors pay amount being \$19,677.02 also included is \$6,175.00 for engineering. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the pay request was approved in the amount of \$25,852.02. Upon motion of Mr. Weaver, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the use of the surplus money was referred to the Sanitation and Finance Committees.

UPDATE ON BIOGAS DIGESTER STP PROJECT AND PUBLIC HEARING: Mr. Clark reviewed this project. A letter to Department of Environmental Quality was written requesting \$760,285 at the term of 20 years and zero interest. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, this was set for a Public Hearing on December 5, 2011 on the Loan Resolution.

UPDATE ON GOLF COURSE TRANSITION: Mr. Clark noted the land survey is to take forty-five days beginning today. The closing is estimated to take place in late January 2012. We have received twelve resumes for General Manager. There is a meeting scheduled for tomorrow to begin the employee transitions. The employees will be classified as seasonal until the closing, when they will become fulltime employees. The lease and loan agreements will be signed tomorrow.

UPDATE ON LEASING KITCHEN AT SENIOR CITIZEN CENTER TO DISTRICT III: Mr. Clark noted District III has verbally agreed to the November 15, 2011 letter in which they would pay \$1,055.91 monthly for kitchen rental.

REQUEST FOR STREET COMMITTEE MEETING ON SIGNALIZATION PROJECT AND OTHER ISSUES: Mr. Clark noted the Walgreens signalization project easement has still not been received. He is going to contact the corporate office. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, this issue will be sent to Street Committee.

ACCOUNTS: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the accounts were approved for payment in the amount of \$732,616.06.

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

NOTICE OF CLOSING OF MARION YOUTH CENTER: Mayor Helms was informed by the Marion Youth Center Director, Mr. Bridges that the facility will be closing January 8, 2012. One hundred and eight jobs will be lost. This was a business decision according to Mr. Bridges. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Town will write a letter of opposition to the closing of the Marion Youth Center.

PUBLIC PRESENTATIONS: Mrs. Erwin Rowland and Heather Barnes spoke in regards to concerns of the new Mount Rogers Community Services Board location on Culbert Drive. Ms. Lisa Moore, Director of Mount Rogers Community Services Board, responded. In other business, Harold Slemph, 244 Robinhood Drive, asked that the town corporation limit sign be moved to its proper location. Mrs. Jennings requested this be followed through with the appropriate staff.

Mr. Heath stated the Job Corps will be affected by cutting of funds. This will affect eighty-five employees. The Job Corps is federally funded. Representatives from the Job Corps spoke and noted this is just being considered. Mr. Heath read and presented a Resolution to keep the Job Corps in Marion. Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Resolution was approved.

Mrs. Jennings noted her concern about mental health issues in our community. She also noted the need for more bulbs for the Christmas decorations next year.

Mr. Owens thanked the Rotary Club and all those involved with helping in the Christmas parade.

Mayor Helms received positive comments on the Christmas Parade and thanked Rotary Club. A "Gobbler Gallop" 5K will be on Thanksgiving Day, sponsored by the Albano Foundation. There was a public information meeting on Spruce /Matson CDBG Project and it was well attended. All the papers were signed for this project on Thursday. The Senior Citizen Center will be serving lunch tomorrow. Also if anyone wishes to help with the project crossroads meals in memory of the Warren family, this will be at 8 am Thursday morning at the First Methodist Church.

Mr. Fenyk informed Council that Baughman Avenue Bridge deed has been signed by property owners, Bank of Marion representative and trustee.

Mr. Heath presented documents on the USDA RBEG Small Business Loan Pool. He reviewed the information and presented a Resolution. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, this Resolution was approved.

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