

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

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Jim Owens, Bill Weaver, Jim Barker and Dr. Jim Gates Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Police Lieutenant Rex Anders; Police Chief Mike Roberts; Assistant Town Manager/Town Engineer Cecil Hicks; Purchasing Agent Billy Hamm; Economic Development Director Ken Heath; Town Clerk/Director of Finance Cindy Stanley.

INVOCATION/PLEDGE TO THE FLAG: Mr. Hicks rendered the invocation. Boy Scout Troop 1004 led the Pledge to the Flag.

VISITORS: Dr. Charles Wassum, Jeff Spickard, Billy Dungan, Kenneth Browning, Matthew Phillips, Zach King, Logan Blevins, Eric Blevins, Jesse Devaney, Jimmy Devaney, Tonya Devaney and Chris Gilley.

MINUTES: Upon motion of Mr. Weaver, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, the minutes of the meeting held December 5, 2011 were approved as written. Messrs Barker, Owens, Weaver, Dr. Gates, Ms. Spencer, and Mrs. Hale voted affirmatively.

PUBLIC PRESENTATION: Scott Freeman from the Smyth-Wythe Airport Commission noted the new terminal building roof was completed. The December 22nd deadline to complete the terminal will not be met. It has been extended until January 31st.

Dr. Wassum noted Althea Street behind the new hospital has a severe drop off. Mr. Hicks stated guardrail will be installed.

Mr. Kenneth Browning returned with information on a homeless shelter. He noted there is \$500,000 available in grants to help homeless residents find jobs. Mayor Helms asked Mr. Browning to gather more information about the grant and report back to Council.

REQUEST FOR CHANGE ORDERS ON STREETScape PROJECT: Mr. Heath noted change order number one is for drainage needed for the Parking Deck. Change order number two is basically a punch list. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, change order number one was approved in the amount of \$25,300 contingent with the County paying a portion based on the ratio of the project cost. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, change order number two was approved in the amount of \$26,780.00.

NOTICE OF CLOSING ON SEWER TREATMENT PLANT BIOGAS PROJECT AND REIMBURSEMENT OF FUNDS: Mr. Clark noted we have successfully closed on the Biogas Digester Project. Schedule 1 for disbursement of funds by Virginia Resource Authority has been received. Mr. Clark thanked Mark Fenyk and the Town staff for their help on the closing.

UPDATE ON PLANNING COMMISSION MEETING OF DECEMBER 12, 2011: Mr. Hicks informed Council the Mount Rogers Community Services Board wants to pursue the use of the three Residential lots for parking. This request is in accordance with the Zoning Ordinance, Article 16 and is a permitted use.

Mount Rogers Community Services Board is proposing a 9,000 square foot addition to the existing building which is already zoned Medical Arts and meets all set back regulations.

APPROVAL OF SIGNATURES ON \$477,284 PARKING DECK LOAN: Mr. Clark noted there had been a typographical error on the original document, which has been corrected to reflect 3% interest rate for five years. Upon motion of Mrs. Hale, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, Council authorizes The Mayor and Town Manager to sign the necessary documents for the loan.

UPDATE ON GOLF COURSE TRANSITION: Mr. Clark noted Dennis Parnell has been hired as a part-time manager. The heat pumps have been serviced and only emergency repairs are being completed at this time. Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, Mr. Heath is to advertise for bids for the operation of the Banquet Facilities.

NOTICE OF VIOLATION AT SEWER TREATMENT PLANT: Mr. Clark reviewed the notification from the Department of Environmental Quality stating we are out of compliance with E. Coli levels. This is partly due to the failing UV System, which is currently being repaired as part of the Phase 1 Upgrade. The Department of Environmental Quality is aware that we are working to remedy this violation.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$859,891.43, less \$117.31 late fees to the Treasurer of Smyth County for tipping fees.

INVESTMENTS: Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the investment report was accepted.

INVITATION FROM MS. STACY ELY OF SMYTH COUNTY COMMUNITY HOSPITAL: Mayor Helms noted this item needs to be continued until the next meeting.

APPROVAL OF A VARIETY OF DOCUMENTS FOR THE SPRUCE STREET/MATSON DRIVE CDBG PROJECT AND UPDATE ON PEARL AVENUE/BUCHANAN STREET CDBG PROJECT: Chris Gilley with Mount Rogers Planning District Commission reported thirteen houses are now finished. Four more have been bid out. Several out buildings have been demolished. They are still working on the purchase of a home. They are slightly over 61% of the budget. The next four will be under budget. Spruce Street/Matson Drive Project is all Grant/Forgivable Loan therefore no pay backs are required. Upon motion of Dr. Gates, seconded by Mrs. Hale and a vote of 6 AYES and 0 NOES, Council gives approval to proceed. This motion covers all nine documents.

REPORT ON SMYTH COUNTY TOURISM GUIDE: Mr. Heath reviewed the advertising prices and sizes. Mr. Heath does not recommend purchasing an ad for this brochure due to cost and size of the ad, but will provide all information to Smyth County Tourism Association. Upon motion of Mr. Weaver, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, this item was not approved.

APPROVAL OF PAY REQUEST #4 AND CHANGE ORDER #1 SEWER TREATMENT PLANT PHASE 1 UPGRADE: Mr. Spickard with the Lane Group noted the progress is good and the contractor is on schedule. It is Mr. Spickards recommendation to approve for payment pay request #4 in the amount of \$174,791.97. Upon

motion of Mrs. Hale, seconded by Dr. Gates and a vote of 6 AYES and 0 NOES, this was approved for payment in the amount of \$174,791.97. Change order number one addresses any new repairs at the Sewer Treatment Plant identified by staff. The change order is in the amount of \$48,382.25. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, change order #1 with the staff recommendations was approved.

STREET LIGHT REQUEST ON PARK BOULEVARD: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES this item was continued.

Mr. Owens noted the nice lunch at the Senior Citizens Center and thanked everyone.

Mayor Helms was appreciative of the Christmas lunch at the Senior Citizens Center. He also noted the Kiwanis show was a nice program. Song of the Mountains show Saturday night was well attended. Some of the people in attendance had picked up a brochure in Pigeon Forge Tennessee. Heartwood has been identified as a top ten gallery for hand crafts. Town offices will be closed Friday and Monday for the Christmas Holidays. Town offices will also be closed on Monday January 2, 2012 for the New Year's Holiday, so therefore the next Council meeting will be Tuesday January 3, 2012.

Mr. Fenyk thanked everyone for the Christmas lunch. He has been contacted by an attorney for Boothe Chiropractic Clinic about revising the sign ordinance.

Chief Roberts introduced the intern working at the Police Department. The intern thanked the Town for the positive experience.

Mr. Clark received an email from Walgreens stating the deed is being sent via FedEx today. Two of the three intersections are now settled for traffic signal upgrade as part of a VDOT funded project.

Mayor Helms thanked the Boy Scout troop for attending and asked if the boys had any questions. There were no questions from the troop.

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

Mayor

Clerk