

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 May 3, 2010 at 7:00 p.m.

PRESENT: Mayor David P. Helms; Jane Hale, Mel Leaman, Buford Cregger, Suzanne Jennings, Eugene Hendrick, and Bill Weaver, Council Members; Town Attorney Mark Fenyk; Town Manager John E. B. Clark, Jr.; Town Engineer/Assistant Town Manager Cecil Hicks; Police Chief Michael Roberts; Community & Economic Development Director Ken Heath; Town Clerk/Director of Finance Susan Clark.

INVOCATION/PLEDGE TO THE FLAG: Reverend Jim Bangle rendered the invocation. Eagle Scout Henry Evans led the Pledge to the Flag.

VISITORS: Reverend Jim Bangle, Jeff Spickard, Roy Evans, Valerie Evans, Henry Evans, Kristin Untiedt-Barnett, Dennis Amos, Lieutenant Rex Anders, Lieutenant Andrew Moss, Sergeant Wes Thomas, Sergeant Rusty Hamm, Officers Amber Eades, Kell Lowry, Kevin Testerman, Brian Sexton, Sarah Kegley, Donnie Coley,

MINUTES: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, the minutes of the meeting held April 19, 2010 were approved as written. Messrs Weaver, Hendrick, Cregger, Leaman, Mrs. Hale and Mrs. Jennings voted affirmatively.

OFFICER DOWN MEMORIAL PAGE: Sergeant Wes Thomas read a Memorial honoring Corporal Christopher Paschal who was a member of the Smyth County Sheriff's Department and passed away due to an automobile accident on January 4, 2009.

PROCLAMATION FOR NATIONAL POLICE WEEK 2010: Police Lieutenant Rex Anders read the Proclamation declaring May 9-15, 2010 as Police Week in the Town of Marion. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, the Proclamation was adopted. Reverend Bangle expressed his gratitude for the Town Police Officers and stated that most Officers are on duty 24 hours each day serving others in some capacity.

RESOLUTION CONGRATULATING CHARLES HENRY EVANS ON OBTAINING THE RANK OF EAGLE SCOUT: Mayor Helms read the Resolution and presented it to Eagle Scout Henry Evans. Eagle Scout Evans explained that his project was building a fence at the Settlers Museum which took approximately 138 hours to complete. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, the Resolution was adopted.

PROCLAMATION OF BUSINESS APPRECIATION WEEK-MAY 16-22, 2010-Kristin Untiedt-Barnett, Smyth County Chamber of Commerce, read the Proclamation and informed Council of the activities planned for the week. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, the Proclamation was adopted.

PROCLAMATION-ARBOR DAY: Mayor Helms explained that the Proclamation will be read at the Town of Marion Arbor Day Celebration on May 7, 2010. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, the Proclamation was adopted.

WATER LEAK ANALYSIS PRESENTATION-DENNIS AMOS, ANDERSON & ASSOCIATES: Mr. Amos presented Council with a Preliminary Engineering Report/Water System Improvements Project. The proposed improvements include several streets in the Low Pressure Zone at a construction cost of approximately \$574,375, relocating existing fire hydrant to a 6" waterline along Fairground St and construct on-demand booster pump station along Radio Hill Road in the High Pressure Zone at an approximate construction cost of \$19,200, construction cost for the Hot/Cold Pressure Zone is approximately \$3,100, and replace existing meter in Route 16 Spring at a construction cost of approximately \$25,800. Mr. Amos stated that leaks in several areas were located and repaired and the current percentage of leak loss is 38%, opposed to 48% before leaks were repaired. The total project cost estimation is \$860,775, this includes all project cost estimations. Mr. Amos stated that funding for this project could come from Rural Development at 100% and applications could be submitted for grant funding at 75%.

OLD PRATER LANE PROJECT AND INFORMATION MEETING: Mr. Clark stated that a public information meeting is scheduled for Thursday, May 6, 2010 at 5:15 P.M. and information letters were mailed to adjoining property owners. The project should begin in July.

RIVERVIEW PUMP STATION PROJECT: Mr. Jeff Spickard, The Lane Group, informed Council that 4(four) bids were received and the low bidder is Teaters Trucking, \$54,600. Mr. Spickard explained that the low bid is over budget and that he is negotiating with the contractor for a lower price. Mr. Spickard recommends accepting the bid for \$54,600 with a change order of \$9,000, dropping the bid to \$45,600. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, Council accepted the bid.

BLUE RIDGE JOB CORPS CROSSWALK REQUEST: Mayor Helms stated that he had received a letter from Gary Tickles, Center Director, requesting the Town to install a crosswalk at the intersection of North Sheffey and West Court Street for safety of the students walking from the Job Corps Center to their class on Court Street. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, this matter was referred to the Street Committee.

DROUGHT RESPONSE AND CONTINGENCY PLAN: Mr. Clark explained that each locality is required to have a Drought Response and Contingency Plan established. Mr. Clark along with Mount Rogers Planning District Commission recommend approving the plan. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, Council approved the Plan.

PEARL AVENUE/BUCHANAN STREET PROJECT: Mr. Clark informed Council that he had sent a letter to Mr. Trigg Russell offering to purchase the property located at 427 Pearl Avenue, Columbus G. Russell Estate. This property is required for the purpose of removing a blighted structure within the Town's CDBG project area along Pearl Avenue. The Town's offer to Mr. Russell is \$11,000. Mr. Fenyk stated that a contract to purchase the property should be written pending the results of a title search. Mr. Leaman moved that a contract be drawn and an offer made to Mr. Russell. After a lengthy discussion, Mr. Leaman rescinded his motion. Upon motion of Mr. Cregger, seconded by Mr. Leaman and a vote of 6 AYES and 0 NOES, this item was tabled pending title search and tax payment information.

FIRE DEPARTMENT-SCBA LOAN: Mr. Clark informed Council that the 90 day note is due for the SCBA loan and he recommends paying the loan from the Town of Marion Fire Truck Fund Account. Upon motion of Mr. Leaman, seconded by Mr. Cregger and vote of 6 AYES and 0 NOES, the Town Clerk/Director of Finance was instructed to pay the loan from the Town of Marion Fire Truck Fund Account. Mayor Helms asked that the Town Manager contact our Senators and Congressman concerning the Town's dissatisfaction with FEMA not funding the SCBA's.

PROPOSED MEALS TAX AND WATER/SEWER RATE INCREASES: Mr. Clark explained that the Budget Committee recommends increasing the Meals Tax rate to 7% and increasing the water and sewer rates 5%. Upon motion of Mr. Leaman, seconded by Mrs. Jennings, and vote of 6 AYES and 0 NOES, Public Hearing was set for Monday, June 7, 2010 at 7 P.M. in the Council Chambers.

BUDGET MEETING: Mayor Helms informed Council of a Budget Meeting scheduled for Wednesday, May 12, 2010 at 5:30 P.M. in the Council Chambers.

YOUTH GOVERNMENT DAY: Youth Government Day is scheduled for Wednesday, May 12, 2010.

ATTORNEY GENERAL: Mr. Heath informed Council that the Attorney General will take a walking tour of Downtown Marion on Wednesday, May 5, 2010.

FARMER'S MARKET: Mr. Heath stated that the Farmer's Market will open on Saturday, May 8, 2010.

POLICE SERGEANT PROMOTION: Chief Roberts introduced Rusty Hamm as the newly promoted Sergeant with the Marion Police Department. Mr. Roberts added that Mr. Hamm is also the Marion Volunteer Fire Department Chief and is active in the community.

REQUEST TO VACATE PROPERTY LOCATED BETWEEN 504 AND 434 GORDON AVENUE: Upon motion of Mr. Leaman, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, staff will inform Ms. Mitchell of the costs involved in vacating a property.

CLOSED SESSION: Pursuant to Code of Virginia 1950, as amended, Section 2.2-3711 (5) and upon motion of Mrs. Jennings, seconded by Mr. Hendrick, and vote of 6 AYES and 0 NOES, Council entered into Closed Session to discuss business matters. Mrs. Jennings moved that Town Council return to Open Session and that it be known that only those matters legally exempted from Open Session and identified in the motion were discussed during the Closed Session. Mrs. Hale seconded the motion. Council approved the motion by a vote of 6 AYES and 0 NOES, Mrs. Jennings, Mrs. Hale, Messrs Weaver, Leaman, Cregger and Mr. Hendrick voted affirmatively.

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

Mayor

Clerk