

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 20, 2010 at 7:00 p.m.

PRESENT: Mayor David Helms; Jane Hale, Jim Owens, Dr. James Gates, Suzanne Jennings, Bill Weaver and Jim Barker, Council Members; Town Attorney Mark Fenyk; Town Manager John E. B. Clark, Jr.; Town Engineer Cecil Hicks; Community and Economic Development Director Ken Heath; Purchasing Agent Billy Hamm; Water & Sewer Superintendent Donnie Coley; Police Chief Mike Roberts; Police Officer Rick Billings; Town Clerk/Director of Finance Susan Clark.

INVOCATION/PLEDGE TO THE FLAG: Mrs. Suzanne Jennings rendered the invocation. Mayor Helms led the Pledge to the Flag.

VISITORS: Jeff Spickard, Sandip Patel, Greg Hirsch, Brian Tew, Dave Blevins

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 6 AYES, 0 NOES, the minutes of the meeting held December 6, 2010 were approved as written. Messrs Owens, Barker, Weaver, Dr. Gates, Mrs. Hale and Mrs. Jennings voted affirmatively.

RESOLUTION IN HONOR OF VIVIAN WAMPLER'S 100TH BIRTHDAY: Upon motion of Mr. Owens, seconded by Mr. Barker and vote of 6 AYES and 0 NOES, the Resolution was adopted. Mrs. Wampler was unable to attend due to the weather. The Mayor will present the Resolution to Mrs. Wampler at her birthday celebration on December 26, 2010.

EAST CHILHOWIE STREET BRIDGE PROJECT UPDATE: Mr. Clark explained that the project is to be completed by January 1, 2011 and that the project has not begun. The Contractor received Notice to Proceed in November. A \$500 penalty can be assessed each day that the project is not complete.

TOWN HALL ELEVATOR- Mr. Hicks stated that there are problems with the hydraulic lift jacks. If the two jacks are repacked it would be a temporary fix and would last about two years. The cost would be much greater if the jacks are replaced. Mr. Weaver suggested that Mr. Hicks compare the cost of replacement and repair and report back to Council.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, the accounts in the amount of \$989,396.62 were approved for payment.

INVESTMENTS: Upon motion of Dr. Gates, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, the Investment Report was approved.

CO-GENERATION PROJECT-STP PRELIMINARY ENGINEERING REPORT: Mr. Brian Tew, Greg Hirsch and Dave Blevins with Thompson & Litton explained that the preliminary estimate was low. The estimated cost of the project is \$909,535, with VDEQ already funding \$500,000 (\$250,000 Principal forgiveness). Mr. Tew advised staff to request the additional funds in the amount of \$409,535 from VDEQ. Estimated annual payment would be \$32,976.75. The proposed project schedule is as follows:

January 8, 2011	Receive VDEG approval of PER
March 15, 2011	Complete Preliminary Design Phase
May 16, 2011	Complete Final Design Phase
June 15, 2011	Complete Bidding Phase
July 15, 2011	Initiate Construction Phase
January 16, 2012	Substantial Completion
February 15, 2012	Final Completion
March 15, 2012	System Start Up & Commissioning
April 16, 2012	Complete Training

Upon motion of Dr. Gates, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, Council authorizes contacting VDEQ for additional funding and receives a tentative funding approval from VDEQ.

HIGH LEVEL TANK LOAN AWARD FROM HEALTH DEPARTMENT: Mr. Clark informed Council that the Health Department offers a 1% below "AA" market rate in the amount of \$49,900 for 20 years. Dr. Gates asked that Mr. Clark inquire what the rate will be and report back to Council.

VEHICLE PURCHASE: Mr. Hamm stated that \$46,000 has been allocated in the budget for the purchase of two vehicles. He reported that the local dealerships were \$3,200 more than purchasing through the state contract. Upon motion of Mr. Weaver, seconded by Mr. Owens and vote of 6 AYES and 0 NOES, Council approved purchasing vehicles through state contract. Mr. Owens added that he appreciates Mr. Hamm's efforts in obtaining prices from the local dealerships.

REFUSE PICKUP: Mrs. Jennings would like to thank the staff for their kindness, especially with the elderly in removal of garbage.

SENIOR CITIZENS CENTER: Mr. Weaver informed Council that Smyth County and the Red Cross set up an emergency rescue center at the Sr. Citizens Center when there is massive power outage in the Town's and County.

WATER ACCOUNTABILITY: Mr. Weaver stated that the water accountability needs to improve. Mr. Hicks added that November is traditionally a bad month for leaks due to the change in weather and staff is working to improve the accountability.

SNOW REMOVAL: Mayor Helms stated that the Town Crew did a good job during the recent snow event. He had received several letters of commendation, thanking the public works crews and police officers. Mr. Barker added his thanks to the town employees and first responders.

LEGISLATIVE DAY: Mayor Helms announced that VML Legislative Day is February 3, 2011 at the Richmond Marriott. Please let Mrs. Clark know if you plan to attend by January 3, 2011.

KING COLLEGE MEDICAL SCHOOL: Mayor Helms informed Council that the King College Medical School is most likely going to Abingdon, Virginia.

SMYTH-WYTHE AIRPORT COMMISSION-EXPIRATION OF BOB DIX TERM: Mayor Helms informed Council that Mr. Dix's term will expire in January, 2011. Mr. Dix is the joint representative for the Town and Smyth County. Upon motion of Mr. Owens, seconded by Mrs. Jennings and a vote of 4 AYES and 3 NOES (Gates, Barker, Weaver), Mr. Dix was appointed to another term. Mayor Helms, Mr. Owens, Mrs. Jennings and Mrs. Hale voted affirmatively with the Mayor breaking the tie vote.

TOWN EMPLOYEE CHRISTMAS DINNER: Mayor Helms reported that the Dinner was enjoyed by all even though, due to power outage, at the last minute it had to be moved to the Recreation Department.

SENIOR CITIZENS CENTER CHRISTMAS LUNCH: Mayor Helms informed Council that the Senior Citizens Christmas Dinner will be Wednesday, December 22, 2010 at 12:00 pm.

APPALACHIAN SPIRIT GALLERY: Mr. Fenyk reported that revisions have been made to the lease agreement and a copy of the completed draft is in the packet waiting for Council approval. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, the lease agreement was approved.

TOWN OF MARION BROCHURE-KEN HEATH, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR: Mr. Heath stated that he had received three (3) bids and that he recommends approving the low bidder:

A & B Printing	\$1340
Byrant Label	\$1190
Wordsprint	\$ 895

Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 5 AYES, 0 NOES and 1 Abstention (Weaver), Council approved the low bid of \$895 by Wordsprint.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711(A-7) 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 a water loss caused by Wellborne off Bear Creek Road on December 12, 2010. Mrs. Jennings moved that Town Council return to Open Session and identified it to 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 a vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Owens, Weaver, Barker, Dr. Gates, Mrs. Hale and Mrs. Jennings voted affirmatively.

WELLBORNE WATER LEAK: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, staff is to compose and send a letter to Wellborne for total cost of water leak repairs and associated costs. Upon motion of Dr. Gates, seconded by Mr. Owens and vote of 6 AYES and 0 NOES, Staff is to apply a credit to the water bill based on 2010 employment levels if Wellborne re-opens.

HOLIDAY CLOSURES FOR THE TOWN: Mayor Helms reminded Council that the Town offices will be closed on December 23 and 24 for Christmas and December 31 for New Years.

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

Mayor

Clerk