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 August 1, 2022 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Jim Barker, Tricia Spencer, Suzanne Jennings, Bill Weaver, Larry Carter and Avery Cornett Council Members; Town Manager Bill Rush, Assistant Town Manager Billy Hamm, Town Clerk Cindy Y Stanley, Town Attorney Mark Fenyk, Smyth County News Representative Stephanie Porter-Nichols; Police Chief John Clair, Fire Chief Richard Keesling and Administrative Assistant Ally White.

**ABSENT:** None.

**VISITORS:** Rose Likens, Dr. Charles Wassum and Michael Kravitz.

**INVOCATION/PLEDGE TO THE FLAG:** Chief Clair rendered the invocation. Mayor Helms led the Pledge to the Flag.

**MINUTES:** Upon motion of Mrs. Jennings, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the minutes of the meeting held July 18, 2022 were approved as written. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

**AGENDA:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the agenda was approved as distributed.

**PUBLIC PRESENTATION:** Rose Likens, Smyth County Public Library, gave an update on the library and all the summer events. The library will be providing a privacy space for telehealth. There will be a meeting this Friday with all Smyth County library staff. The library has joined a consortium with Holston Associated Libraries and will be able to access other libraries beginning July 1, 2023.

Dr. Wassum spoke about the Department of Justice website and a pharmaceutical company’s opioid settlement.

Mr. Carter attended District III board meeting last week. New officers were nominated. District III has replaced some of the buses.

Mayor Helms reminded council and staff of the VML Conference in October. Senator Mark Warner will be in Marion on August 23, 2022. The VFW is planning the Spirit of ’45 event.

Mr. Fenyk noted he and Mr. Rush had met on the AEP Franchise renewal. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, a Public Hearing on the AEP Franchise renewal will be set for September 19, 2022 at 5:30 p.m. The BZA recommendation from council for Chad Archer has been filed with the court. Mr. Fenyk continues working on the deeds of gift to the Marion EDA.

Ms. Stanley noted Ms. White has entered all the cemetery data into the new software program. There will be a searchable link on the website soon. Ms. White demonstrated the software. Mr. Rush noted Ms. White will be updating the website remotely. Mr. Rush reviewed the next project for the cemetery is to get survey points in place.

Chief Clair reported National Night Out will be tomorrow from 6:00 to 8:00 p.m. at the town pool.

Chief Keesling reported there were 274 calls in June 2022. There were 17 calls in one 8-hour period recently and all but 2 were covered by the department. Fire hydrant testing will begin tomorrow. Mr. Rush noted Jim Talley and Ben Cregger did hydrant testing a few years ago and this needs to be updated. Smyth County is using Lane Group to complete a similar study. Chief Keesling reviewed a letter received today for a 50/50 forestry grant. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the 50/50 matching forestry grant for $3,389.00 was accepted. Chief Keesling reported one engine is out of service. Mr. Barker noted the need for a replacement schedule study. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the future needs for fire department vehicles was referred to the Fire Committee.

Mr. Rush noted the comprehensive plan update is approximately 75% complete. A draft of the property maintenance procedure has been sent to council for review. A software program is in place for tracking. Mr. Rush reviewed the property maintenance procedure draft in phases, beginning with first letter of violation, to placing a lien on the property. Discussion ensued. Mr. Carter made a motion to adopt the property maintenance abatement procedure, seconded by Mr. Weaver. Discussion ensued. Mr. Carter withdrew his motion and Mr. Weaver withdrew his second. Upon motion of Mr. Barker, seconded by Mr. Cornett and a vote of 7 AYES and 0 NOES, the property maintenance abatement procedure draft was tabled until the next council meeting. Mr. Rush reviewed the new Public Works work schedule, noting the department will have some employees working 4 ten hour days. Mr. Rush reviewed the junk and brush program proposal, to change to picking up once per month with Roger Tilson overseeing a solid waste crew. Mr. Carter made a motion to adopt the new junk and brush program proposal. Discussion ensued. Mr. Carter rescinded his motion. Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 6 AYES and 1 NO, the new junk and brush program proposal was adopted as written.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1 and A-3), upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 7 AYES and 0 NOES, Town Council entered into Closed Session for discussion of personnel and real estate. 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 Dr. Gates and carried by a vote of 7 AYES and 0 NOES. The Clerk polled the Council Members. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, town staff and Mr. Barker are to pursue purchase of property within town limits.

Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, town staff and Mr. Barker are to negotiate the purchase of Real Estate from 2 individuals discussed in closed session.

Upon motion of Mr. Barker, seconded by Mr. Carter and a vote of 7 AYES and 0 NOES, the meeting was adjourned at 8:28 p.m.

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Mayor Clerk