

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 January 16, 2024 at 4:15 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Jim Barker (arrived late), Suzanne Jennings, Larry Carter, Tricia Spencer, Bill Weaver, and Avery Cornett Council Members; Town Manager Bill Rush, Director of Human Resources/Deputy Clerk Samantha White, I.T./Engineering Director Todd Long, Police Chief John Clair (arrived late), Fire/EMS Chief Dickie Keesling (arrived late), Purchasing /Receiving Agent Mandy Wolfe (arrived late), Town Attorney Mark Fenyk, Stephanie Portor- Nichols Smyth County News Representative (arrived late).

**ABSENT:** None.

**VISITORS:** Curtis & Shelia Sizemore, Janene Walker, Mike & Randie Hatt, Alex Taschereau, Tim Cline, Jim Talley, Bull Myers, and Kenny Edwards.

**COUNCIL WORK SESSION:** FOIA/COIA Training

Mr. Barker, Mr. Clair, Mr. Keesling, Ms. Wolfe, Ms. Portor-Nichols, and visitors arrived.

**INVOCATION/PLEDGE TO THE FLAG:** Chief Clair rendered the invocation. Mayor David 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 January 2, 2024 were approved as written. Messrs Gates, Barker, Jennings, Spencer, Carter, Weaver, and Cornett voted affirmatively.

Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the minutes of the meeting January 9, 2024 were approved as written. Messrs Gates, Barker, Jennings, Spencer, Carter, Weaver, and Cornett voted affirmatively.

Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, the minutes of the meeting January 10, 2024 were approved as written. Messrs Gates, Barker, Jennings, Spencer, Carter, Weaver, 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 with the addition of Paving under Streets & Sanitation.

**PUBLIC PRESENTATION:** Mayor Helms presented Extra Mile Awards to Bull Myers and Kenny Edwards for their work with Salvation Army Red Kettle Drive, The Civitan Club, and various other organizations.

**PUBLIC COMMENT:** Mike Hatt, 600 Look Ave, asked that Council consider removing the trees that are diseased and dying in the Town right-of-way located between his property and 519 Lincoln Ave, owned by Dave Woodrum. He noted they present a clear and present danger and that two trees have previously fallen into his yard. Mr. Barker will assess the potential problems presented by the trees and make a recommendation on removal to Mr. Rush.

Mrs. Jennings expressed her appreciation of Town staff and their hard work during the winter weather the last few days. She also noted the Lincoln Theatre has received several applicants for the director position and interviews will begin soon.

Mr. Weaver noted that the 2024 Winter Markets at the Farmers Market have begun. They are held every second Saturday of the month from January to April.

Mayor Helms reminded Council members that Statements of Economic Interest are due February 1, 2024. Fire/EMS interview process went well. Mayor Helms appreciated the three visiting chiefs who served as interviewers. VML Legislative Day will be held February 1, 2024.

Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the accounts were approved for \$1,272,119.24.

Chief Clair informed Council that the Police Department accreditation will be held April 9-11, 2024. They will go through a mock accreditation three weeks prior. Chief Clair continues to work toward a solution for the stress of mental health calls on the Police Department.

Chief Keesling noted that there were a total of 2,460 Fire & EMS calls in 2023. Chief Keesling met with Ballard representatives last week to discuss long emergency room wait times and requested numbers on current emergency room visits.

Mr. Rush reviewed an RBEG Loan application for Jason & Olivia Bales. Upon motion of Mr. Cornett, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the RBEG Loan application for Jason & Olivia Bales, Lou & Company, was approved for \$15,000.

Mr. Long informed Council of a zoning permit application submitted by Nolan Wolfe for the warming shelter located on Main St. Mr. Long noted there are no current guidelines for this in the Zoning Ordinance. He has issued a 30-day permit and will review with Planning Commission at the next meeting.

Mr. Rush distributed the Town Committee Meetings schedule for this winter. Mr. Rush stated there will be a VDOT Project Pipeline Update held at Town Hall on February 21, 2024 from 4:00 to 6:00 p.m. The paving contract will expire at the end of January. Advertising for bids will begin in the weeks following. There will be a Phase VII Sewer Teams meeting held on January 23, 2024 to review biofilter media(?).

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

Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, Town staff will clear the property located at 314 Pearl Ave after the third notice has been sent.

Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, Town staff will clear the property located at 729 S Church St after the third notice has been sent.

Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, Town staff will clear the property located at 125 E Chilhowie St after the third notice has been sent.

Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, Town staff will clear the property located at 633 Henry St after the third notice has been sent.

Upon motion of Mr. Weaver, seconded by Mr. Cornett and a vote of 5 AYES and 2 NOES, James Everheart will be offered the position of Chief of Fire/EMS contingent upon a successful background check and with the condition that he move to Marion Fire/EMS service area within six months of hire date, unless there are extenuating circumstances.

Barker-NO, Gates-AYE, Spencer-AYE, Jennings-AYE, Weaver-AYE, Carter-NO, Cornett-AYE

Upon motion of Mr. Weaver, seconded by Mr. Cornett and a vote of 7 AYES and 0 NOES, the meeting was adjourned at 7:55 p.m.

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Mayor

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Deputy Clerk