Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, October 13, 2022, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Donna Blevins, Bill Clear, Brent Foster, Lewis W. Shortt, Jr., Julie Sturgill and P.J. Wolfe.**

Absent: **None.**

Also Present: **Mr. John E.B. Clark, Jr., Town Manager; Mrs. Felicia Eller, CMC, Deputy Clerk-Treasurer; Messrs. Paul Cassell, Town Attorney; Jay Keen, Director of Public Works; Andrew Moss, Police Chief; Jeff Smarr, Recreation/Special Events Coordinator and David Haynes, Fire/EMS Chief.**

Mayor Heninger called the meeting to order. Mr. John Graham, Chilhowie Ministerial Association, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Brent Foster, second by P.J. Wolfe Council adopts the regular September 8, 2022 meeting minutes. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Citizen Time:

Mrs. Becky Hopkins and Mrs. Michelle Smith, representatives of the third through sixth grade recreation football, appeared before Council to announce their joint effort of creating a recreation football float for the Community Apple Festival parade. Mrs. Hopkins and Mrs. Smith were proud to announce the float placed second in the youth division. They presented Mayor Heninger with the second-place ribbon and $75 to be donated to the Chilhowie Recreation Football program.

Mr. John Graham, Loaves and Fishes Food Pantry, appeared before Council to announce October 2022 marks twenty (20) years the Loaves and Fishes Food Pantry have been distributing food to those in need. Mr. Graham shared articles from the Bristol Herald and Smyth County News and Messenger addressing the food pantries first food distribution. Mr. Graham also expressed his gratitude toward the Town for all of the support shown over the last twenty years.

Presentation:

Chief Moss stood before Council to present Officer Millsaps with the Brass earned for completing the Officers Field Training School. Chief Moss also presented Officer Prater with the Brass earned for completing Crisis Intervention Team training. Chief Moss reported the Police Department has

recently had several high-profile issues that were handled professionally by the Officers. Chief Moss expressed he is proud of the Chilhowie Police Department for the excellent job performance they are demonstrating.

Old Business:

- Update on East Lee Highway Pedestrian Project Phase II and Ratification of Extra $7,219 in Town Funding – A Notice of Award dated September 26, 2022 was sent to Jones Road and Bridge of Abingdon, Virginia. The contract award amount was $489,050. Mr. John Dew, Virginia Department of Transportation, inquired if the Town could fund an extra $36,037 over the normal 20% commitment, in the interest of beginning the project. Since the request Mr. Dew reported the Virginia Department of Transportation would be funding $28,878 and requested the Town to fund an additional $7,219. Each Council member was contacted and polled via telephone concerning the additional $7,219. A preconstruction meeting is scheduled for the week of October 17th. The project may be delayed to February or March 2023 due to weather. Once construction begins 120 days will be allowed for completion.

Motion by Brent Foster, second by Bill Clear Council ratifies the expense of $7,219 from the American Rescue Plan Act funds for the East Lee Highway Pedestrian Project Phase II. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Update and Presentation of Design Contract for Splash Pad – Mr. Nathan Brown, Barrington Landscape Service of Lebanon, has submitted a contract for the design, survey and bidding for the splash pad at the cost of $10,750. Highlands Mapping, LLC of Abingdon will conduct the survey and Huber Architects of Marion will design the restrooms and pump house for the project. National Pools will also assist with the splash pad design. The project will be bid January or February 2023 with project completion expected to be July 2023.

- Update on Public Works Buildings Construction at Town Shop and New Vehicles – The new vehicles are currently being equiped with lightbars, bed liners, side steps and chevron striping. The vehicles should be in service within three weeks. The old shop building has been painted to match the new parts building that was rebuilt from the damage incurred from the May 6, 2022 storm. The new parts building is 95% complete and should be completed within the next week.

- Update on Fire/EMS Training Building Construction – The Fire/EMS Training building has been completely weathered in and the front door has been installed. The Fire/EMS staff will be painting the interior of the building. Once painting is complete flooring will be installed. Unfinished concrete work outside the building is postponed until spring.

- Update on Dog Park Construction – The issue of crossing the culvert with a concrete truck has been resolved and the first concrete pour is expected Friday, October 14, 2022. Concrete will also be required to be poured prior to the fence installation. The 911 address for the Dog Park location is 112 Holston Street.

- Update and Recommendation on Christmas Lights Placement – The Community Christmas Tree Lighting Committee received a quote for a projecting lighting system for the tree in front of the Old High School. It was suggested the location for the Community Christmas Tree lighting be changed to the Will Walker Farmers Market and Community Pavilion. Council discussed the ordering and purchasing of decorations requested.

Motion by Donna Blevins, second by P.J. Wolfe Council recommends to utilize the Will Walker Farmers Market and Community Pavilion for the Christmas Tree Lighting event. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on Tourism Association Activities for August and September – During the month of August a meeting was not held due to Tourism Association Board members being on vacation. The Tourism Association Board did meet September 12, 2022. Mr. Todd Young resigned from the Tourism Association Board and Monica Johnson was appointed to the Board. Councilwoman Blevins reported that Ms. Amanda Livingston, Smyth County Tourism, remains busy and has applied for numerous grants and has received grant funds. During the month of September, the Smyth County Tourism website has been visited 8,100 times.

- Report on Chamber Activities – The Chamber of Commerce of Smyth County has not held a meeting since spring of this year due to not being able to establish a quorum. The meeting times of mid-day may be a factor in Board members not able to attend. Ms. Sarah Gillespie, Executive Director of the Chamber of Commerce of Smyth County, has been working with an individual from Abingdon revising the Chamber's website among others. Mr. Clark stated the Town's website is horrible and a meeting is to be scheduled with Ms. Gillespie and the website individual to review to possibility of creating a new website for the Town. Mr. Clark hopes to have a website proposal for Council during the regular scheduled November 2022 Council meeting.

- Update on Speed Monitoring at High School and Middle School – Blue Line Solutions is a speed trailer that is equipped with a camera to take pictures of speeding vehicles through a school zone and remit civil penalty fines via mail. The Code of Virginia limits the Blue Line Solutions to two locations; school zones and construction zones. In order to accept the Blue Line Solution Program Counties and Localities must hold a Public Hearing and adopt an Ordinance. Smyth County Board of Supervisors has agreed to place the speed trailers at the school zones that are within the County. Each Locality within the County can choose to implement the Blue Line Solutions for the schools that are within the Localities' corporate limit. If the High School and Middle School would like to utilize the Blue Line Solutions program the administration must submit a letter of request to the Town.

New Business:

- Notice of Grant Award from FEMA for Fire Suppression System at Fire Building – The Fire and EMS Department is now staffed twenty-four hours a day seven days per week. The twenty-four hour shift staff is able to sleep occasionally. FEMA has awarded the Fire and EMS Department grant funds to purchase a Fire Suppression System for the fire building. The required matching funds is 5% for a total of $2,000. Prior to installing the Fire Suppression System, a Historic and Environmental review must be completed. Hurt and Proffitt is willing to complete the Historic and Environmental review.

Motion by Brent Foster, second by Donna Blevins Council awards the Historic and Environment review project to Hurt and Proffitt. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on October Quarterly Meeting of Planning Commission – Councilwoman Blevins reported the Planning Commission met Tuesday, October 11, 2022 at 5:30 p.m. to review nine Zoning Applications. No issues were found by the Planning Commission. The next quarterly meeting of the Planning Commission is Tuesday, January 3, 2023 at 5:30 p.m.

- Delivery of 2020-2021 Audit – The 2020-2021 Audit was provided to Council. Mr. Juan Garcia, Hicok and Brown, will appear before Council during the regular scheduled Council meeting Thursday, November 10, 2022 at 7:00 p.m. to provide a brief overview of the 2020-2021 Audit.

- Report on Staffing at Fire/EMS and Public Works Departments – Chief Haynes reported Smyth County has provided funding for an additional twenty-four-hour shift employee. With the additional shift employee, the Fire and EMS Department is now staffed with six

full time employees. Public Works Department has recently hired an individual to fill one vacant position and is accepting employment applications to fill another position.

- Santa Elves – Santa Elves has contacted the Town requesting donations from Council members and staff for 2022 Santa Elves program. Any staff or Council member can make a contribution to Santa Elves and the Town will match the contribution up to $50.00. The deadline to make a contribution is November 18, 2022 at 5:00 p.m.

Motion by Brent Foster, second by Donna Blevins Council authorizes the Town to match each contribution up to $50.00 for the Santa Elves program. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Scholle Project – The Town originally agreed to purchase the water line. At this time the Town has met the agreement between the Town and Smyth County. Mr. Clark requested Council to disregard this agenda matter.

Committee Reports:

- Report and Recommendation from Public Works Committee On:

  - 215 Chestnut Avenue – Chief Haynes, Building Official, inspected the property August 2022. Multiple building permits have been obtained by the property owner and work on the exterior of the structure has begun. Chief Haynes will stay in weekly contact with the property owner and encourage exterior work to be completed before interior work begins.

  - 315 and 327 Sulphur Spring Road – The Town has mailed three certified letters regarding the Weed and Trash Ordinance violation and the property owner did not accept any of the certified letters. The Police Department has responded to calls to the residence. The people that are living in one of the apartments are living without water and electricity. The Department of Social Services was contacted and they assisted with the electricity bill and water bill, therefore the apartment currently has electricity and water. The Virginia Building Code requires heating up to 68 degrees after October 15th and there are no heating units currently working at the residence. The house located at 327 Sulphur Springs is beyond repair and shall be condemned.

    Chief Haynes, Building Official, posted all six apartments unfit for human habitation. The property owner has recently been hand delivered the Notice of

Violation of the Weed and Trash Ordinance. The property owner stated he is unable to repair and maintain the property and those living there are not paying rent. The property owner requested for those people to be removed from the property.

Mr. Cassell explained the Property Maintenance Codes that are to be enforced by the Building Official. Mr. Cassell also reviewed the options the Town has to address the matter. The Building Official can remove anyone residing at the property and the Town can clean up outside of the building or contract the cleanup and board all windows and doors. Once that is complete the Town can place a lien on the property. The Town can also seek civil penalty on the property not to exceed $3,000 within a twelve-month period to apply pressure on the property owner to address the violations.

Motion by Brent Foster, second by Lewis Shortt Council authorizes the Building Official to secure 315 and 327 Sulphur Springs property as necessary. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Motion by Brent Foster, second by P.J. Wolfe Council authorizes the Town Attorney to begin the process of seeking civil penalty on 315 and 327 Sulphur Springs property. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Department Reports:

Mr. Clark expressed his gratitude to Ms. Stephanie Porter-Nichols, Smyth County News and Messenger, for articles published concerning the Town. Mr. Clark stated that Ms. Porter-Nichols does an excellent job with the coverage of the Town. Mr. Clark also stated there were several projects coming up in the near future such as the Infiltration and Inflow project and lead pipe replacement project.

Mrs. Eller reported the 2022 Taxes have been mailed.

Chief Moss reported he attended the Chief's Conference in Roanoke, Virginia, and networked with other Chiefs of Police. Chief Moss is currently working with others toward a Crisis Center to assists with mental health issues.

Any Other Council Business:

Mayor Heninger introduced Mr. Shannon Donnelly. Mr. Donnelly is currently running in the November 2022 election for a Council seat.

Motion by Lewis Shortt, second by Julie Sturgill Council adjourns this meeting at 8:45 p.m. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

_____Mayor
Gary L. Heninger

_____Clerk
Felicia Eller, CMC