TOWN OF CHILHOWIE, VIRGINIA

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Director Public Works: Jay Keen
Fire /EMS Chief: C. David Haynes
Building Official: C. David Haynes
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Legal: Cassel & Crewe, P.C.

Town Manager's Report to Mayor and Town Council
October 13, 2022

Notice of Award to Jones Road and Bridge, Inc. of Abingdon and Additional Funding on East Lee Pedestrian Project Phase II

You have in your agenda package a Notice of Award dated September 26, 2022 to Jones Road and Bridge of Abingdon. The contractor award was $489,050.

Earlier in the month, Virginia Department of Transportation (VDOT) Local Project Administrator Mr. John Dew contacted me and wanted to know if the Town would cover $36,037 over the normal 20% commitment, in the interest of getting the project started. You were polled in early September and everyone agreed to the extra funding through the use of the American Rescue Act funding. I sent that information to John on the attached September 12 email that the Town would pick up the extra amount. That vote for the extra $36,037 was going to be formally ratified at the October 13 Council meeting.

However, in the meantime John asked me to write a letter to him asking VDOT for 80% of the $36,097 ($28,878). I did so and my letter of September 22 is included in your agenda package. Mr. Dew verified in his September 26 letter that VDOT would, after all, be picking up $28,878 of the needed allocation. So, the Council will need to ratify only the extra 20% ($7,219), not 100% of the amount of $36,097.

In your agenda you also have the revised Appendix A from VDOT that I signed on October 4. As you can see, the total project cost is estimated at $658,300. The Town's 20% is estimated at $139,660 (including another $10,000 Council voted to put towards this project in the summer).

The preconstruction conference has not been scheduled at this writing. I anticipate it occurring the week of October 10 or 17. I also would anticipate construction beginning the first of November. Perhaps that will give time for two good construction months, with ample weather days granted in early 2023.

Execution of Contract for the Design of the Splash Pad with Nathan Brown of Barrington Landscape Architecture

You have in your agenda packet a September 27 cover letter and contract with Mr. Nathan Brown of Barrington Landscape Service of Lebanon for the design, survey and bidding for the Splash Pad slated to be placed on the west side of the Old High School (OHS).

While Barrington will be our point of contact, he will be getting assistance from Highlands Mapping, LLC of Abingdon for the physical survey at $1,500 and from Huber Architects of Marion at $3,500 for the restrooms and pump house design. When we were talking about the contract with Nathan, I wanted to make certain that we had a turn key job on the design from him, and not having to deal with various individuals/ firms. This contract achieves that.

The total cost for the contract is $10,750, not including any Construction Observation or inspection. Nathan is also going to be in contract with National Pools of Roanoke for design of the Splash Pad itself, and that fee is included in his Design Development. National Pools will not only assist him with the design, but they may also bid on the project. They will also advise us on the type of Splash Pad to utilize - recirculating, or tap to drain (the best option based on the information we have now); and if tap to drain how to dispose of the excess used water.

The design is slated to be completed within 90 days of the contract date. Bidding of the project should take place early in 2023. Hopefully, the project will be substantially completed by the Summer of 2023 in able for it to be used by the community.

Report of Public Works Committee on Conditions of Property on Chestnut Avenue and Sulphur Springs Road

The Public Works Committee met on September 20 and discussed properties on Chestnut Avenue and on Sulphur Springs Road. You have the full committee packet in your agenda packet.

Regarding the structure on Chestnut Avenue, the building has issues with the Virginia Property Maintenance Code, mostly regarding the outside façade of the building. Several building permits have been issued that have since expired without completion of the work. You have in the packet a May 13 letter from Building Official David Haynes detailing the needed corrections.

Regarding the structures on Sulphur Springs Road, the owner was sent the notice to comply of the weed and trash ordinance by certified letter at two of his buildings and he refused the delivery. Earlier in the year the owner was sent the same abatement notice by certified mail and he refused picked. You have that July 13, 2022 abatement notice. Two other residents at different addresses were sent certified letters on the same date to abate their property of weeds and trash and they complied within the guidelines.

The two structures are in terrible conditions and we have received numerous complaints about them and for good reason. One structure is a house with a tree on the roof. One is an apartment building with all sorts of trash and debris in at least the front. Water has been off at all or most of the apartments all year. We believe squatters have located at some of the apartments. A sump pump was placed across the street in the creek to flush commodes, we believe, and the adjoining property owner was notified and the pump was removed with our police department involved. Young children have been seen at the apartments. Social Services has been involved. We believe illegal activities have may be occurring on the site. David Haynes has posted signs that the apartment is unfit for habitation.

The Public Works Committee will recommend to Council that the provisions and civil penalties of Section 22-46 be imposed on the owner. Section 22-45 may also be imposed for the Town to cleanup / or hire to

clean up the property and a lien put against the property. However, as decreed by Section 22-44 (c) (1) Council must formerly act to move forward on going against the property owner.

David Haynes, through his duties as a Building Official, will also advise Council that he will move forward in boarding the building for reasons described two paragraphs above. It is unfortunate that we have come to this point on the Sulphur Springs property. But it has become very evident that the owner will not, or cannot maintain the property, and the health, safety and aesthetics of the community is being impacted. Town Attorney Paul Cassell and staff will further apprize Council.

Respectfully Submitted,

John E. B. Clark, Jr.
Town Manager