Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, December 8, 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. Marlene Henderson, MMC, Clerk-Treasurer; Messrs. Paul Cassell, Town Attorney; Jay Keen, Director of Public Works; Jeff Smarr, Recreation/Special Events Coordinator; Andrew Moss, Police Chief; and David Haynes, Fire/EMS Chief.**

Mayor Heninger called the meeting to order. Mr. Frank Branson, Chilhowie Christian Church, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Lewis Shortt, second by Donna Blevins Council adopts the regular November 10, 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:

No one wished to speak.

Recognition of Service:

- Resolution of Appreciation for Donna S. Blevins for service to the Town of Chilhowie – Mrs. Henderson presented the following:

RESOLUTION OF APPRECIATION

WHEREAS, **Donna S. Blevins** was elected to serve the citizens of the Town of Chilhowie as a member of the Town Council July 1, 2014, thru December 31, 2022; and

WHEREAS, during her tenure she has represented the citizens of the Town of Chilhowie on various Committees, including as Chairman of the Finance and Personnel Committee, and as a member of the Public Works Committee and the Wellness and Parks Committee as well as a member of the Downtown

Revitalization Management Team, the Chilhowie Planning Commission and the Smyth County Tourism Association; and

WHEREAS, during her tenure the Town has undertaken and completed major community developments including water, sewer, downtown, farmers market, pedestrian, recreation, and public safety; and

WHEREAS, during her years of service she has served faithfully and diligently,

NOW, THEREFORE LET IT BE RESOLVED that the Town Council of Chilhowie adopts this Resolution to express their gratitude and appreciation to **Donna S. Blevins** for her dedication and contributions to the Town of Chilhowie and that this Resolution be entered into the minutes of the Town of Chilhowie so as to become a permanent part of the records of the Town of Chilhowie, Virginia.

Adopted this eighth day December 2022.

_____
Mayor

Attest: _____
Clerk

Motion by Brent Foster, second by Julie Sturgill Council accepts the Resolution of Appreciation for Donna S. Blevins. 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

- Resolution of Appreciation for Lewis Shortt, Jr. for service to the Town of Chilhowie – Mrs. Henderson presented the following:

RESOLUTION OF APPRECIATION

WHEREAS, **Lewis W. Shortt, Jr.** was elected to serve the citizens of the Town of Chilhowie as a member of the Town Council March 5, 2019, thru December 31, 2022; and

WHEREAS, during his tenure he has represented the citizens of the Town of Chilhowie on various Committees, including as Chairman of the Public Works

Committee, and as a member of the Fire and Police Committee as well as a member of the Downtown Revitalization Management Team; and

WHEREAS, during his tenure the Town has undertaken and completed major community developments including water, sewer, downtown, farmers market, pedestrian, recreation, and public safety; and

WHEREAS, during his years of service he has served faithfully and diligently.

NOW, THEREFORE LET IT BE RESOLVED that the Town Council of Chilhowie adopts this Resolution to express their gratitude and appreciation to **Lewis W. Shortt, Jr**. for his dedication and contributions to the Town of Chilhowie and that this Resolution be entered into the minutes of the Town of Chilhowie so as to become a permanent part of the records of the Town of Chilhowie, Virginia.

Adopted this 8th day December 2022.

_____
Mayor

Attest: _____
Clerk

Motion by Julie Sturgill, second by Brent Foster Council accepts the Resolution of Appreciation for Lewis W. Shortt, Jr. 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

- Opening and Review of Bids for Natural Gas Franchise – The Town received one bid from Atmos Energy Corporation in the amount of $500.

Public Hearing:

- Mrs. Henderson presented the following

Public Hearing Notice
Town of Chilhowie, Virginia

The Town Council of the Town of Chilhowie will be holding a Public Hearing to solicit bids for the granting of a franchise for the distribution of natural gas in the Town of Chilhowie, pursuant to Sections 15.2-2100 and 15.2-2101 of the Code of Virginia, as amended. A copy of the proposed ordinance is on file and available for inspection at the Chilhowie Town Hall, 325 East Lee Highway, Chilhowie, Virginia. The Public Hearing will be held on December 8, 2022, at 7:00 p.m., or immediately thereafter, where any citizen of the Town of Chilhowie may attend and speak thereon.

By Authority of the Mayor and Town Council,

John E.B. Clark, Jr.
Town Manager

Published in Smyth County News November 23, 2022, and November 30, 2022, editions.

Mayor Heninger opened the Public Hearing at 7:11 p.m.
No one wished to speak.
Mayor Heninger closed the Public Hearing at 7:12 p.m.

- Council Action on Natural Gas Franchise and Agreement – The Virginia State Code requires Franchise Agreements and Public Hearings for Natural Gas. The proposed Franchise Agreement from Atmos Energy Corporation is favorable to the Town of Chilhowie.

AN ORDINANCE GRANTING NATURAL GAS FRANCHISE IN THE TOWN OF CHILHOWIE, VIRGINIA

WHEREAS, the Council believes that the granting of a natural gas franchise in the Town of Chilhowie will serve the best interests of the Town's citizens.

BE IT HEREBY ORDAINED that the Town of Chilhowie hereby grants a natural gas franchise as described in the agreement attached hereto. The decision to grant said franchise was made after having solicited bids pursuant to Virginia Code §15.2-2100 and 2101 to grant a natural gas franchise in the Town of Chilhowie and after the high and best bidder for said franchise was determined and approved by Town Council at its regularly scheduled meeting on December 8, 2022 and the agreement for said franchise was approved by Town Council as attached hereto.

Enacted this 8th Day of December 2022

Motion by Brent Foster, second by Donna Blevins Council accepts the bid in the amount of $500 for the Atmos Energy Corporation Franchise Agreement and Adopts the Ordinance as presented. 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 Julie Sturgill, second by Brent Foster Council authorizes the Mayor to execute required documents. 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 on Water Line Relocation at Scholle – During construction the contractor hit an eight inch water line resulting in the loss of three feet of water from the water tank. Concerning the expansion on the west side of the property the existing water line under the parking lot was relocated to the roadside. The water was briefly disrupted to Innovative Millworks and Technology to set a new vault, back flow prevention materials and a meter. There are currently two water lines under the building that are on a temporary hold. There may be a need for an additional 480 feet of water line. The Town will not be held liable for any additional expense. The Town has offered to provide a fire hydrant.

- Update on Increase in Solid Waste Per Tonnage Rates at Smyth County Landfill - Smyth County Landfill charges have increased from $56 per ton to $80 per ton. The increase will affect all Towns and County whether the solid waste is contracted out or is directly removed by the Town. The GFL contract states that if the tipping fees increase, GFL can pass those costs back to the Town. The tipping fee increase of $24, GFL will average the tons per month divided by the number of customers for the rate increase. In conjunction with GFL an audit will be completed concerning the number of cans and customers therefore a rate increase will be addressed during the 2023-2024 budgeting process.

- Report on Statute of Limitations on Luis and Martina Quirate 2021 Bid on Surplus Property on River Road – A Pubic Hearing was held during June 2022 Council meeting and the bid amount was disclosed in the amount of $8,600. Mr. and Mrs. Quirate are still interested in the property and the sale of the land can move forward with a quick claim deed. Mrs. Quirate inquired about reducing the sale price. Town Council cannot reduce the sale price that was bid in June 2022 unless another Public Hearing is held and another bid process is completed.

New Business:

- Discussion of Health Department $750,000 Offer to Address Lead Service Line – Mr. Dennis Amos, Hurt and Proffitt, reported several months ago the Virginia Department of Health outlined funding for lead service line inventory. An application was submitted on behalf of the Town and the Virginia Department of Health offered a total of $750,000. Of the $750,000, $500,000 is slated for replacement of lead service lines if found and $250,000 is slated for the preparation of the inventory process. The money granted from the Virginia Department of Health is 38% grant funds and 62% is loan.

  Mr. Amos stated the first step is the inventory process, the deadline for completion is in the year of 2024. Anyone served water by the Town of Chilhowie whose structure was built prior to 1980 will need to be reviewed. If lead service lines are found the lines will be replaced from the service meter to the structure, the Town is not responsible for anything inside the structure.

Motion by Brent Foster, second by Donna Blevins Council will proceed with inventory process and accept funding package offer from the Virginia Department of Health. 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

- Presentation of Contract for Development of Nutrient Management Plan for Farms for Sludge Application from Sewer Treatment Plant – Soil samples of two local farms have been collected and sent to Virginia Tech for testing. Every three years a renewal process must be completed for the Nutrient Management Plan for sludge applications to be applied. Hurt and Proffitt is assisting the Town with the renewal process.

- Notice of Local Elected Officials Conference – The Local Elected Officials Conference is scheduled for Wednesday, January 4, 2023, from 9:00 a.m. to 4:00 p.m. Those that are attending may attend in person or virtually.

- Notice of Chamber of Commerce Reception and RSVP Numbers – The Chamber of Commerce of Smyth County is hosting a Jingle and Mingle Holiday Party Friday, December 16, 2022 at 6:00 p.m.

- Report on Recent Police Activities – Chief Moss reported on the activities the Chilhowie Police Department have recently been involved. Two Officers recently responded to a Mutual Aid request from Washington County Sheriff's Department. Chief Moss also reported several issues within Town that has been addressed by the Police Department.

- Report on Christmas Parade, Bazaar, Tree Lighting and Christmas Dinner – The Tree Lighting was very successful with a high attendance and will become an annual event. On December 3, 2022 the weather was rainy and cold but the Christmas Parade was successful with forty-two units. The Christmas Bazaar held at the Old High School was very successful with numerous vendors. Mr. Smarr expressed his gratitude to the Christmas Bazaar Committee, Public Works, Chilhowie Fire and EMS, Chilhowie Police Department and everyone else that was involved with making the Town's Christmas celebration successful. The annual Employee Christmas Dinner was held Sunday, December 4, 2022 with catering provided by Papa's Café.

Department Reports:

Mr. Clark expressed his gratitude to Mrs. Blevins and Mr. Shortt for the years of service they provided the Town serving as Council members. Mr. Clark stated that within the year 2022 the Town has accomplished a lot but there are also several projects coming in the near future. Mr. Clark also stated he will be hosting an orientation within the next week for the two newly elected Council members. Mr. Clark wished all a Merry Christmas and a Happy New Year.

Mrs. Henderson stated that it has been a pleasure to serve the Town over the years. Mrs. Henderson stated the as of Wednesday, December 7, 2022, 81% of Town taxes has been collected. Water bills were also mailed November 30, 2022 and has since been lost in the mailing process. Mrs. Henderson has been in contact with the local Post Master who is tracking the water bills. Mrs. Henderson also wished all a Merry Christmas and a Happy New Year.

Chief Moss reported the Police Department participated in the Town of Glade Spring, Town of Marion, Town of Saltville as well as the Town of Chilhowie's Christmas parades. He also stated that it was a good turnout from other Police Departments that participated in the Town's parade.

Mr. Keen reported during the annual employee Christmas dinner the lights went out and he is working towards an estimate to replace the lighting with LED lights. Mr. Keen also reported a water service truck was involved in a minor accident by hitting a deer. Neither employee was injured during the accident. Mr. Keen also wished all a Merry Christmas and a Happy New Year.

Mrs. Eller stated there are two members of the Planning Commission whos' terms expire December 31, 2022. The Planning Commission terms are four years. Both Planning Commissioners were contacted and both agreed to be reappointed for an additional term.

Motion by Brent Foster, second by Lewis Shortt Council reappoints Mr. Lynn Pease and Mr. Jim Bonham to serve an additional four year term on the Planning Commission. 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

Any Other Council Business:

Mrs. Blevins expressed her appreciation towards the Town and all she has worked with during her service. She stated Mr. Clark has done a wonderful job and she will miss serving on Council. Mrs. Blevins stated she would remain available to present the Tourism Association reports to Council.

Mr. Shortt also expressed his appreciation toward the Town and all he has worked with during his service.

Mayor Heninger thanked Mrs. Blevins and Mr. Shortt for their service.

Motion by Lewis Shortt, second by Donna Blevins Council adjourns this meeting at 8:09 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 _____Clerk

Gary L. Heninger Marlene Henderson, MMC