Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, February 10, 2022, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Donna Blevins, Billy L. Clear, Brent Foster, Lewis W. Shortt, Jr., Julie Shortt 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; Andrew Moss, Police Chief; Brandon Moore, Assistant Fire/EMS Chief; and Jeff Smarr, Recreation/Special Events Coordinator.**

The meeting was held in the Council Chambers. Social Distancing due to the COVID-19 pandemic was observed.

Mayor Heninger called the meeting to order. Rev. John Graham gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Donna Blevins, second by Brent Foster Council adopts the regular January 13, 2022 and Continued February 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

Presentation:

Mr. Ethan Deel has been recently hired as a Police Officer for the Chilhowie Police Department. Mr. John Graham, Clerk of the Circuit Court, swore Mr. Deel in as a Police Officer. Officer Deel is to begin the Southwest Virginia Criminal Justice Training Academy April 2022.

Citizen Time:

No one wished to speak.

Public Presentation:

- Executive Director Mrs. Amanda Livingston on Tourism Activities – Mrs. Livingston reported the Smyth County Tourism Association is very excited and energized to have formed a committee called Smyth Strong. Smyth Strong is made up of persons who are

currently serving on the Smyth County Board of Supervisors, Economic Development Association, Smyth County Tourism Association and the Chamber of Commerce of Smyth County. Smyth County Tourism in conjunction with the Chamber of Commerce of Smyth County hosted a Christmas party at the H.L. Bonham Tourism Center that also houses the Chamber of Commerce of Smyth County.

Smyth County serves as a model to the rest of the region by working on marketing and a new website. The new website www.visitsmythcounty.com launched April 2021. The Smyth County Tourism Facebook page has almost 5,000 followers. Also, www.southernliving.com, has 1.4 million monthly visitors, plans to run two articles about Smyth County in hopes to bring more attention to Smyth County. The Tourism Association is tripling the marketing budget and plans to have a professional photographer to capture images of Smyth County to use on the website and press releases. The Tourism Association strategic planning is to first create a new visit Smyth County brochure, second continue with Smyth Strong meetings and third conduct a multi-year hotel feasibility study.

Mrs. Livingston expressed her gratitude to Mr. John Clark who will host the Smyth County Tourism Board with a walking tour of Chilhowie on Monday, March 14, 2022 at 4:30 p.m.

- Rev. John Graham also expressed his gratitude to the Town Council for the Town's support of the Loaves and Fishes Food Pantry. This year marks twenty years the Food Pantry has been contributing to the community and the Town's support has been unwavering.

Old Business:

- Report on East Lee Highway II Pedestrian Project – The project is moving forward and more information will be available during the regular scheduled March 10, 2022 Council meeting. A temporary easement is required from the former Superior Mills property owner. The Virginia Department of Transportation must first grant permission to obtain the temporary easement. In exchange for the easement an offer of monetary compensation can be offered to the property owner. Once the temporary easement is obtained the project then can be advertised for bid. At this time there is a Pay Request in the amount of $5,837.93 from Thompson and Litton for engineering services provided.

Motion by Brent Foster, second by Julie Sturgill Council approves the Pay Request in the amount of $5,837.93 for the East Lee Highway II Pedestrian Project. 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 Council Findings on American Rescue Plan Act Continued Meeting February 8 - The Town will receive funds in the amount of $1,765,854.00 from the American Rescue Plan Act. The Town has received half of the total amount and will receive rest of the funding June 30, 2022. Council discussed the Department Head's equipment requests and cost during the continued February 8, 2021 continued Council meeting.

Motion by Brent Foster, second by P.J. Wolfe Council approves the purchase of a Chlorine Contact Tank in the amount of $271,439.55, Brush Chipper in the amount of $85,000, Breathing Air Compressor in the amount of $98,672, Side by Side in the amount of $20,000, Ford F500 Water Service Truck in the amount of $120,000 and a Vactor Truck in the amount of $300,000 for a total expenditure of $895,111.55 from the American Rescue Plan Act funds. 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 Julie Sturgill Council approves the expenditures of the American Rescue Plan Act Funds for the replacement of the Old High School Roof in the amount of $88,820, Staff Retention/Essential Workers in the amount of $70,000 and Streetscape in the amount of $35,000 for a total expenditure of $193,820.00. 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

- Consideration of Bids on Chlorine Contact Tank at Mill Creek Water Treatment Plant and Funding Options – Washington County Service Authority approved the low bid in the amount of $1,282,580 from Mid Atlantic Storage Systems on January 24, 2022. The total project cost is estimated at $1,346,709 with a 5% contingency add on. Removing the remaining $653,510 grant funds and a $90,000 grant from Mount Rogers Planning District Commission leaves a balance of $603,199. The Town's portion of that amount at 45% is $271,439.55.

Motion by Brent Foster, second by Donna Blevins Council accepts the bid from Mid Atlantic Storage Systems in the amount of $1,282,580 to replace the Chlorine Contact Tank at Mill Creek Water Treatment Plant. 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

- Council Appointment to Board of Zoning Appeals Unexpired Term Ending March 16, 2026 – Ms. Cathy Smith submitted her resignation from the Board of Zoning Appeals leaving a vacant seat that must be filled. Mr. Herbert Jonkers is a retired contractor and expressed interested in filling the unexpired term.

Motion by Brent Foster, second by Donna Blevins Council recommends to the Smyth County Circuit Court the appointment of Mr. Herbert Jonkers to serve the Board of Zoning Appeals unexpired term ending March 16, 2026. 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 Refinancing and Financing Package Through Davenport and Company – The bonds closed January 28, 2022. The Town will save a total of $811,015.22 by refinancing and the life of the loan is shortened by seven years. Mr. Clark expressed his gratitude for a job well done by the Clerk-Treasurer and staff on completing the refinancing and financing package. Several days during the transition there were up to forty emails requesting information.

New Business:

- Notice of Mill Creek Regional Water Treatment Plant Steering Committee Meeting with Washington County Service Authority at 9:00 a.m. February 15th – Currently, based on flows, the Town has 56% of the Mill Creek Water Treatment Plant and Washington County Service Authority has 44% in which the Town pays $8,000 more per year for expenses. Washington County Service Authority is requesting to increase their percentage. The Town sells unused water to Washington County Service Authority which brings the operation and maintenance expenses down. If the Town were to change the percentage and loose the amount of water being used to a minority there may become some control issues. A meeting is scheduled with Washington County Service Authority for Tuesday, February 15, 2022 at 9:00 a.m.

- Emory and Henry Press Release on Equestrian Center and Multi Use Facility Off Exit 26 – Emory and Henry College announced a plan to construct a new equestrian center and a new multi-sport complex on the property owned by the College adjacent to Exit 26 off Interstate 81. The two new facilities will be great for the community as well as the economic development in the area. The project is slated to be completed 2024.

Committee Reports:

- Wellness, Parks and Recreation Committee – The Wellness, Parks and Recreation Committee met on Tuesday, February 1, 2022 at 5:30 p.m. to discuss the idea of a splash pad and playground equipment to be installed possibly beside the Old High School. Mr. Smarr and Mr. Clark meet with Mr. Shawn Utt, Smyth County Administrator, to share the idea and discuss potential locations. Mr. Utt expressed interest in the possibility of the project becoming a joint effort with Smyth County. It was suggested to obtain a preliminary site plan with a cost estimate. A meeting has been scheduled with Mr. Nathanial Brown, Barrington Landscape Architecture, Monday, February 14, 2022 at 2:00 p.m.

Motion by Bill Clear, second by Brent Foster Council accepts the Wellness, Parks and Recreation Committee's recommendation of obtaining a preliminary site plan with a cost estimate for a splash pad, utility building, restrooms and shelter. 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. Smarr reported the basketball season is currently wrapping up for a very successful season. He also reported at this time there are nine "On Stage" concerts scheduled in the Recreation Park during 2022.

Any Other Council Business:

Mrs. Sturgill reported she has attended the first Chamber of Commerce of Smyth County meeting. During the meeting the Board discussed Smyth Strong, changing By-laws and working toward a Virginia tourism drive thru grant for $10,000 for the Town of Saltville to update the Town's website.

Closed Session:

- Update on Contract Dispute with Frizzell Construction on Mill Creek Regional Water Treatment Plant, Justification 2.2-3711(A)(7) of the Code of Virginia, as amended –

Motion by P.J. Wolfe, second by Brent Foster and unanimously passed Council hereby enters into Closed Session for discussion of update on Mill Creek Water Treatment Plant Dispute as allowed by Justification Section 2.2-3711(A)(7) of the Code of Virginia, as amended. 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 Donna Blevins and unanimously passed Council hereby enters Open Session. 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

CERTIFICATION OF CLOSED SESSION

The Town of Chilhowie has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Section 2.2-3711(A)(7) of the Code of Virginia requires a certificate by the Council that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Chilhowie hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certificate applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Town Council.

Record of vote:
Ayes: 6 Nays: 0 Absent: 0

Motion by Lewis Shortt, second by Julie Sturgill adjourns this meeting at 8:15 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
Marlene L. Henderson, MMC