Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, February 9, 2023, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Bill Clear, Shannon Donnelly, Brent Foster, Bob Jeter, 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. Larry Hamm, Chilhowie Christian Church, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Julie Sturgill, second by Bob Jeter Council adopts the regular January 12, 2023, meeting minutes. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Absent	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Presentations:

- Resolution Honoring Black History Month – Mrs. Henderson presented the following:

RESOLUTION
BLACK HISTORY MONTH

WHERAS, the Commonwealth of Virginia, a rich and diverse state ripe with opportunity, has been home to some of the country's most influential African American leaders. These leaders, too numerous to list, have inspired all Americans with their stories of the triumph of the human spirit and tragic stories of cruelty rooted in bias and bigotry; and

WHEREAS, the fine fabric of the Commonwealth is sewn together by these resilient, optimistic and courageous citizens yielding a culturally diverse, socially equal and economically strong Commonwealth. African Americans have both enriched and cultivated every aspect of life while rising above social, political, and economic barriers; and

WHEREAS, we, the Town Council of the Town of Chilhowie, encourage all Virginians to join us in taking pride in the resilient, optimistic and courageous African American leaders past, present and future;

NOW, THEREFORE, we, the Chilhowie Town Council, do hereby recognize February 2023 as BLACK HISTORY MONTH, and we call this observance to honor the history and achievements of Black Americans. Let us all celebrate our rich history and acknowledgement that diversity, when genuinely embraced, strengthens our Commonwealth. Every Virginian deserves dignity and respect, the opportunity to pursue our dreams, and inclusion in the Virginia family.

Resolved, this 9th day of February 2023.

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Gary L. Heninger, Mayor Marlene L. Henderson, Clerk

Motion by P.J. Wolfe, second by Bill Clear Council accepts the Resolution for Black History Month as presented. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Absent	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Mrs. Deborah Montgomery accepted the Resolution for Black History Month in honor of Mr. William H. Fields.

Councilman Foster entered the meeting at 7:13 p.m.

- Presentation of $1,000 stipend to Chilhowie Elementary School, Chilhowie Middle School, Chilhowie High School and $500 stipend to Project Graduation – Mr. Smarr welcomed Chilhowie Elementary School Principal Mr. Jared Ward, Chilhowie Middle School Principal Mr. Sam Blevins and Chilhowie High School Principal Ms. Kelly Russell. Mr. Smarr expressed his gratitude and appreciation to all three schools for all the assistance provided for Recreation Football, Cheerleading and Basketball as well as Special Events held.

  Mr. Clark reported the Town has issued a stipend of $1,000 to each school and an additional stipend of $500 to Project Graduation. Councilwoman Sturgill suggested to increase all three school's stipends during the upcoming budget process. Mayor Heninger presented Mr. Ward, Mr. Blevins and Ms. Russell with the Town's donation to each of the Chilhowie's schools.

- Presentation of Master Police Officer – Chief Moss reported Police Officer Austin Millsaps has been a member of the Chilhowie Police Department for four years. Officer Millsaps has completed courses and received special certification through the Southwest Virginia Criminal Justice Training Academy. Officer Millsaps was promoted to Master Police Officer. Chief Moss presented Officer Millsaps with Master Police Officer brass.

Citizen Time:

No one wished to speak.

Old Business:

- Approval of Second $1,248,531 Package for Sewer Infiltration and Inflow Project – The second phase of the project will address the part of the system east of Chilhowie and into the Seven Mile Ford area. The funding is offered as a thirty-year 0% loan. A conference call was held with the Department of Environmental Quality personnel and they seemed very optimistic the Town would receive up to 50% in principal forgiveness. If the Town does receive principal forgiveness, the remaining balance is estimated to be $1,141,757 that would be over a thirty-year term which would create an annual payment of $38,058.63. Using this figure, a rate increase would only be 3.6%.

Motion by Brent Foster, second by Bill Clear Council approves the Second $1,248,531 Package for Sewer Infiltration and Inflow Project. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Update on Replacement of Chlorine Contact Tanks at Mill Creek Regional Water Treatment Plant – Beginning the week of January 23, 2023 through January 27, 2023 the Mill Creek Regional Water Treatment Plant was off line to test the interconnect line. Washington County Service Authority did the same. This testing period was held to ensure both the Town and Washington County will receive enough water during the replacement of the chlorine contact tanks at the Mill Creek Regional Water Treatment Plant. The replacement project is scheduled to begin around February 22, 2023.

  Mid Atlantic Storage System was the lowest bidder in the amount of $1,346,707. After removing remaining grant funds in the amount of $653,510, and $100,000 from Mount Rogers Planning District Commission that provided a wastewater grant Washington County Service Authority received, the remaining balance is $603,199. Utilizing the joint agreement between the Town and Washington County Service Authority the Town's 45% share will be $271,439.55. Council has previously voted to utilize the American Rescue Plan Act funds for this project.

- Response from Senator Tim Kaine on Postal Delays on December Utility Billings – It was reported during the January Council meeting the water bill mailing was delayed during the December 2022 billing cycle. The Postal Service did not get the mailing out to the citizens

until December 12, 2022. Mr. Clark issued a formal complaint to Senator Tim Kaine's office. Senator Kaine has since been in contact with Mr. Scott R. Slusher, Director of the Government Liaison of the United States Postal Service, and remitted the correspondence to Mr. Clark. The United States Postal Service acknowledge the delay but cannot give a firm reason for the delay.

- Update on Security System at Old High School – Town staff met with two representatives of Fleenor Security System to discuss issues with the security system at the Old High School. Town staff was receiving phone calls in the middle of the night concerning the Old High School building when the matter was minor phone line issues. During the meeting the call list was corrected and a universal password was created. A representative for Fleenor Security System scheduled another meeting to review the security system. One correction made was how the Fleenor Security System communicates with the Fire Alarm System.

- Updates on Dog Park and Splash Pad – No recent work has been completed for the Dog Park due to weather. The remaining tasks are to pour three concrete pads, install a canopy over the walk area, the installation of the drinking fountain for the dogs and complete the parking area. Appalachian Power is to contact Mr. Keen concerning the lighting of the Dog Park. Signage and waste bag dispensers have been received, but have not been installed at this time.

  Mr. Nathan Brown, Barrington Landscape Architecture, is currently making a few revisions to the Splash Pad design. The design will change from one phase to three phases, meaning each water component will be divided into three sections with each section having its own activation button. This concept will assist in saving water. The project is planned to be advertised for bids in March or April 2023.

- Update on Delivery of Fire Trucks and Financing - The estimated delivery of both fire apparatuses is June 2023. Payments were part of the Bond Documents and payments are being made to the Bank of Marion. Once the apparatuses are received a draw down of the funds will be completed.

- Freedom of Information and Virginia Conflict of Interest Act Required Training for Mayor and Council – Mrs. Henderson presented Council with the information to complete the Freedom of Information and Virginia Conflict of Interest Act training that must be completed by February 28, 2023. The elected officials must notify Mrs. Henderson so that proper documentation can be filed for retention.

New Business:

- Presentation of Quarterly/Year to Date I-81 Highway Safety Initiative – The Highway Safety Initiative continues to be an opportunity for Officers to make extra money, the Department is not policing for profit. Chief Moss presented Council with the year-to-date information including fines revenue received and overtime money paid to the Officers. Chief Moss stated the Officers have a small area of Interstate 81 to conduct speed enforcement and the Officers only stop vehicles that were speeding at the rate of 82 miles per hour or more. Another benefit of the Highway Safety Initiative is it allows another Officer to be on duty that can assist the Officer scheduled if needed. Chief Moss reported he is currently looking into purchasing and issuing body cameras to the Officers.

- Notice of Election of President for the Southwest Virginia Chief's Association – A meeting was held for the Southwest Virginia Chief's Association on January 18, 2023. During the meeting Chief Moss was nominated to serve a two-year term as President of the Southwest Virginia Chief's Association. Chief Moss accepted the nomination.

- Update on Utility Work at Pathway Park – Mr. Clark reported he is pleased with Mr. Shawn Utt, Smyth County Administrator, for moving forward with the Pathway Park project. A preconstruction conference was held Thursday, February 9, 2023, to build a road into the site on the north side of the property, install 1,700 feet of eight inch water line, 1,200 feet of sewer line and refurbish four manholes. The bid opening is scheduled for February 16, 2023 at 4:00 p.m.

- Presentation of Wholesale Water Contract for Smyth County – The current five year contract expired June 30, 2022. Town staff and Smyth County staff met and reviewed the contract. The document is basically the same as the previous contract with the price of the water adjusted to reflect what is being charged. Water distribution points Vance Drive and Pioneer Lane are not applicable now and was removed from the contract. The total amount of the allocation is a maximum of 256,000 gallons per day. A provision was inserted in the contract stating if the Town does not have sufficient water supply the Town does not have to sell to Smyth County.

  Mrs. Henderson presented the following Resolution:

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF CHILHOWIE, VIRGINIA

AUTHORIZING WATER PURCHASE CONTRACT

WHEREAS, the Town Council of the Town of Chilhowie believes that entering into a "WATER PURCHASE CONTRACT" with the County of Smyth would serve the interests of the citizens of Chilhowie,

BE IT HEREBY RESOLVED that the Town Council of the Town of Chilhowie hereby approves the "WATER PURCHASE CONTRACT" with the County of Smyth and authorizes the Mayor to sign it on behalf of the Town.

Resolution approved and enacted by vote of council this 9th day of February, 2023.

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Gary L. Heninger, Mayor

Attest:

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Marlene L. Henderson, Clerk

Motion by Julie Sturgill, second by Brent Foster Council Adopts the Resolution Authorizing Water Purchase Contract as presented. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on Attendance at Local Government Day – Mr. Clark attended the 2023 Local Government Day, Thursday, January 19, 2023. The Local Government Day was held in Richmond, Virginia. Mr. Clark reported the event was well attended with a lot of great information presented.

Department Reports:

Mr. Clark reported the Notice to Proceed for the Phase II of the Pedestrian Project from Church Street to Main Street will be issued within the next week. Construction is to begin by the middle of March 2023.

Chief Haynes reported the first class for the Fire and Rescue Training Academy will begin February 15, 2023.

Chief Moss reported he established contacts during the Southwest Virginia Chief's Association meeting and discussed stolen vehicles. Stolen vehicles are increasing and many are brought to Berry's Iron and Metal to be sold.

Mr. Keen reported the telemetry system remotely controls the water and sewer system electronically. The telemetry system is aging and is currently experiencing issues. A part to repair the telemetry system was found on Amazon. The current budget includes a $30,000 expenditure to purchase a pickup for the sewer department. Mr. Keen requested to transfer the $30,000 from sewer expenditures to the water expenditures in order to upgrade the telemetry system.

Motion by Julie Sturgill, second by Brent Foster Council approves the transfer of $30,000 budgeted sewer expenditures to the water expenditures. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Any Other Council Business:

Councilwoman Sturgill expressed concerns for a payroll overpaying an employee by $500. Councilwoman Sturgill stated that the employee gave the over payment back to the Town, but others may not be as honest. She also stated that it was brought to her attention that another employee was shorted during a payroll process. Councilwoman Sturgill inquired about a process to check the payroll amounts before it is processed.

Motion by Bill Clear, second by Julie Sturgill Council adjourns this meeting at 8:10 p.m. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

_____Mayor
Gary L. Heninger

_____Clerk
Marlene Henderson, MMC