Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, March 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 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; Andrew Moss, Police Chief; David Haynes, Fire/EMS Chief; Randy Sturgill, Building Official; 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. Mr. Randy Sturgill gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by P.J. Wolfe, second by Donna Blevins Council adopts the regular February 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:

Margaret Osborne, 334 Vance Drive, informed Council of two dogs located at 319 Vance Drive that continuously bark and has poor quality of life tethered in the yard without shelter. Mrs. Osborne stated that it is illegal in Virginia to tether a dog in temperatures above 85 degrees and below 32 degrees. Smyth County Animal Control has been contacted numerous times and their response is there is nothing they can do. Chilhowie Police Department has been contacted and stated there could possibly be a citation issued. Mrs. Osborne stated she has not had a full night's sleep in months due to the continuous barking throughout the night, it is degrading to the neighborhood and property values are decreasing. Mrs. Osborne requested assistance in addressing this matter.

Darlene Lyles, 103 Crestwood, appeared before Council stating she lives next door to 319 Vance Drive and the dogs barking kept her up all night. The home has been unoccupied for over a year and she expressed concern for the welfare of the dogs. Mrs. Lyles has also contacted Smyth

County Animal Control to the point they told her not to call back. Mrs. Lyles requested the Town to look into the matter.

Bob Lyles, 103 Crestwood, appeared before Council and reported that he is also concerned for the welfare of the dogs. The dogs do not have any shelter from the heat during the summer months or the cold during the winter months. The dogs are chained to clothes line poles. Mr. Lyles stated he carried water to the dogs during the summer of 2021 and also erected a tarp in an attempt to give the dogs shade. One of the dogs suffered a heat stroke but survived. Mr. Lyles stated that a Game Warden also erected a tarp attempting to provide shade and also fed and watered the dogs. It is a shame and disgraceful for those dogs to live in such conditions. Mr. Lyles also requested assistance with this matter.

Chief of Police Andrew Moss apologized about the on-going issue of the barking dogs. Chief Moss stated he has checked the residence and does not feel the dogs live in good conditions and he has also contact Smyth County Animal Control. The Chilhowie Police Department can possibly make charges for nuisance animals, but the property appears to be vacant. Chief Moss advised to call Smyth County Dispatch and request an officer during the night.

Chief Moss met with the citizens outside of the Council meeting and obtained more information.

Public Presentation:

- Ms. Sarah Gillespie, Executive Director, Chamber of Commerce of Smyth County – Ms. Gillespie reported 230 guests entered the H.L. Bonham Tourism Center during the months of January and February. The Tourism Center hosted one event with an attendance of one-hundred people as well as numerous meetings. The Bonham family stops by the H.L. Bonham Tourism Center regularly and most recently brought more Bonham family artifacts for display.

  The Chamber of Commerce of Smyth County has two new interns from Emory and Henry College and a new assistant Ms. Shannon Ford. With the interns and Ms. Ford, the Chamber of Commerce hopes to be able to keep the Tourism Center open Monday through Friday during the summer and fall months. The Chamber of Commerce is also seeking volunteers to help with opening the building on Saturdays and Sundays. Ms. Gillespie is currently working toward more in person events. The Chamber of Commerce is hosting a Networking Breakfast at Holston Hills on March 16, 2022. Also, the month of March is Agriculture appreciation month and the Chamber will be promoting local farmers. April 28, 2021 the Chamber is hosting the Vanity Fair for High School Seniors and it is also Youth Government Day. The Chamber is also working with Mr. Smarr to cohost the annual

Easter Egg Hunt by scheduling pictures at the Love sign before and after the egg hunt. During May 2022 the Chamber will be celebrating small businesses.

Ms. Gillespie reported the Chamber of Commerce of Smyth County has received $30,000 from Smyth County to support child care within the area. The Chamber has also applied for grant funding from the United Way of Southwest Virginia to assist with child care matters. The Chamber has also requested $50,000 from the Smyth County American Rescue Plan Act money for small businesses to apply for a maximum of $10,000 grant funds to recoup lost funds due to the COVID-19 pandemic or expansion of the business.

Old Business:

- Report on East Lee Highway II Pedestrian Project – A temporary easement is required from a property owner on Second Street. The easement must go through a formal Virginia Department of Transportation process to obtain the temporary easement. The necessary information has been submitted to the Virginia Department of Transportation and is awaiting clearance from the Right-of-way Division. Once clearance is obtained the Town will approach the property owner concerning the easement and any costs associated with it, then the project can be advertised for bid early spring or summer.

- Update on Demolition of Old Rainbow Autel – Taylor's Construction began the demolition process but now must obtain an Asbestos Abatement before moving further with the demolition. Once the abatement is received the building can be hauled out and torn down to the earth. Demolition completion is expected within a couple of weeks.

  Mr. Clark commended Mr. Smarr for the informative post to the Town's Facebook page concerning the demolition of the Old Rainbow Autel.

- Request to Purchase Police Truck from American Rescue Plan Act – The Chilhowie Police Department is in need of a police vehicle and requests to purchase a F150 police patrol truck in the amount of $60,000, with American Rescue Plan Act funds. The truck will be used as a police patrol vehicle, portable swift water rescue supplies and also able to pull the side by side that was previously approved for purchase with the American Rescue Plan Act funds. Once ordered the estimated delivery time of the truck is the end of 2022 or early 2023.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes the ordering of a F150 police patrol truck and to utilize 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

- Report on February 15, 2022 Steering Committee Meeting with Washington County Service Authority on the Mill Creek Regional Water Treatment Plant – The meeting was held on February 15, 2022 with most of the discussion based on the next step in resolving this matter. Currently it is still a work in progress.

- Report in Mill Creek Potential Settlement with Contractor – A proposed settlement agreement is currently being developed. Once the agreement is in final form Mr. Cassell recommends to execute the agreement.

Motion by Donna Blevins, second by Lewis Shortt Council authorizes Town Manager to execute the settlement agreement on 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

- Report on Sale of Fire Chief Vehicle Through Govdeals.com – The 2008 Tahoe that served as the Fire and EMS Chief's vehicle was advertised for fourteen days on www.govdeals.com and sold for the amount of $14,400. The vehicle has been paid for and removed by the highest bidder.

New Business:

- Update from Dennis Amos of Hurt and Proffitt on Potential Funding for Water Line Replacement – Mr. Dennis Amos, Hurt and Proffitt, met with the Town Manager and staff to discuss funding available through the Virginia Health Department, Lead Elimination Assistance Program, to eliminate old transit lines and lead service lines. The funding is 49% principal forgiveness, grant funds, and the rest is low interest loans around two percent at a multiyear term. The Town has lines in the water system that would qualify, particularly from the corporate limits to Seven Mile Ford. With Capital Improvement Program loans, the potential funding may be able to include a meter replacement project through this funding opportunity as well. Both projects together are estimated to be $6 to $7 million.

Mr. Amos reported Hurt and Proffitt would like to assist the Town with the application process if the Town is interested. Applications for the Virginia Department of Health funds is due May 6, 2022. The application can be for both the preliminary engineering report and the construction phase. The amount of the loan portion of the project is estimated to be $150,000 per year for a term of thirty years.

Motion by Brent Foster, second by Bill Clear Council approves Hurt and Proffitt to proceed with the grant application. 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 2021 Fire and Emergency Medical Services Report – Fire and EMS Chief David Haynes presented the 2021 Fire and Emergency Medical Services report to Council and staff. Over the course of 2021 the Fire and EMS Department gained three new members. The department responded to a record breaking 1,481 incidents, mostly EMS services. Their on-scene response time improved to 4.9 minutes within Town limits. The department laid out 10,000 feet of hose, picked up and also washed the hose. The report includes locations of incidents and transport destinations. The Fire Department utilized FEMA grant funds to purchase new hose and utilized Cares Act funds to purchase a drying cabinet, hose washer and gear washer. Chief Haynes reported 2021 was a great year for training and certification, the department now has six certified fire instructors and two teaching fire officers.

  Council will be given time to review the 2021 Fire and Emergency Medical Services report and revisit the matter during the regular scheduled April 14, 2022 Council meeting. Chief Haynes reported the fire trucks were ordered September 2021 with an estimated delivery of March 2023.

- Update and Permission to Solicit Funding for Fire Training Building – The 2021-2022 Budget includes $11,400, and Smyth County's current budget includes $6,000 for the Fire Training building. Grant funds are unobtainable from Rural Development since the proposed site is located in a floodway. A meeting was held with Mr. Clark, Town Manager, Mr. Shawn Utt, Smyth County Administrator, Mr. Curtis Crawford, Smyth County Emergency Services Coordinator and Mr. David Haynes, Fire and EMS Chief, to discuss splitting the cost of the fire training building. The total estimated cost is $350,000, split between the Town and Smyth County each is responsible for $175,000. An agreement with Smyth County will be presented in May 2022. It was requested to utilize the American Rescue Plan Act funds for the Town's portion of $175,000 for the fire training building.

Motion by Brent Foster, second by Donna Blevins Council approves the American Rescue Plan Act funds to fund the Town's estimated cost of $175,000 for the Fire Training Building. 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

- Announcement of Older Americans Day at Recreation Park – The Older Americans Day is scheduled for Thursday, May 26, 2022 from 9:00 a.m. until 1:00 p.m. at the Chilhowie Recreation Park. Free lunches and door prizes will be available. The event will take place rain or shine, tents will be available.

- Application for Insurance Coverage for Bio Solids Application – Previous years bio solids application has occurred at two farms, Berry Farms off Carlock Creek Road and Heath Farm off Fox Valley Road. The Town applies annually about sixty dry tons of sludge from the plant during the spring. Insurance must be applied for each year; the premium is about $6,000 per year and covers all aspects of the process of transportation and application of the sludge. The Berry Farm will not receive an application of sludge, the land is given one year to rest and allows the Town to develop a Nutrient Management Plan for the property.

- Submission of Budget Request to County – A written budget request was submitted to Smyth County on February 16, 2022 requesting an increase in funds for the Fire and EMS Department. Currently Smyth County provides the Chilhowie Fire and EMS Department $212,500. The Town requested those funds to increase to $285,000. The Fire and EMS Department provides a lot of service to Smyth County residents.

  The annual budget request to Smyth County also includes a request for an increase from $4,500 to $10,000 for recreation.

- Beginning of 2022-2023 Budget Formulation – All Department Heads are currently working on their Department's Capital Outlay expenses which are due Friday, March 11, 2022. Once the Capital Outlays are received the Town Manager and Treasurer will begin the 2022-2023 Budget process.

- Contract for Master Plans for Dog Park and Splash Pad – Mr. Nathaniel Brown, Barrington Landscape Architecture, is currently working on a Master Plan Proposal for a Dog Park and Splash Pad. It is estimated it will take six weeks before the proposal is complete and submitted to Council.

Motion by Brent Foster, second by P.J. Wolfe Council ratifies authorizing the Town Manager to execute 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

Department Reports:

Mrs. Henderson reported the pictures of Council and Staff have been ordered so each Council member will receive a picture.

Fire and EMS Chief Haynes reported he has requested American Rescue Plan Act money from Smyth County to purchase equipment needed for the Fire Training Facility. The equipment will also be housed at the Fire Training Facility. Smyth County approved Chief Haynes to submit a list of the equipment for consideration.

Motion by Donna Blevins, second by Brent Foster Council authorizes the Town Manager to pursue American Rescue Plan Act money from Smyth County for equipment required for the Fire Training Facility. 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

Chief Haynes also reported the breathing apparatuses have been replaced leaving twenty SCDA and seventy cylinders, that has some life left, as surplus equipment. Chief Haynes requested for the equipment to be deemed surplus and to donate the equipment to Pound Fire Department.

Motion by Lewis Shortt, second by Donna Blevins Council declares the twenty SCDA and seventy cylinders to be surplus equipment and approves the equipment to be donated to the Pound Fire Department. 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

Police Chief Moss reported Officers Aaron Smith and Ben Perry has completed an FBI Leader Course, which is a high caliber training. Officer Smith will also be taking the Command Class once available.

Public Works Director, Jay Keen, reported the brush chipper and vactor truck has been ordered. Currently there are a lot of trees and damage in the Recreation park due to the recent flooding. Also, there are a lot of debris against the sewer crossing of the Middle Fork of the Holston River

at the Vocational School and on Tattle Branch. Public Work crews will address the sewer crossings as soon as possible, then begin to clean up the Recreation park.

Another Other Council Business:

Councilman Brent Foster inquired if there are plans for a Christmas in July for 2022. Mr. Smarr stated there are not any plans for a Christmas in July event. Mr. Foster inquired about the roof at the H.L. Bonham Tourism Center and if it had been repaired due to previous leaks. No repairs have been made and no leaks have recently occurred.

Councilman Bill Clear inquired about the Scholle expansion project and why it has not begun. Mr. Clark stated the project is still scheduled.

Councilman P.J. Wolfe inquired about the dilapidated property next to the Little League fields. Mr. Randy Sturgill stated the previous permits have expired and the property owner has not obtained new permits. Mr. Wolfe inquired about the drainage issue at the Little League fields. He stated that the citizen consensus is the Town does not care about the facilities or the Little League program. Mr. Smarr reported the Public Works Department recently ran a camera through the drainage system and did not find any blockage. According to Mr. Smarr it appears water is not reaching the drainage system. Mr. Keen stated they are currently looking into the matter.

Motion by Lewis Shortt, second by P.J. Wolfe Council adjourns this meeting at 8:49 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