Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, March 12, 2020 at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Donna S. Blevins, Billy L. Clear, Alan W. Counts, F. Brent Foster and Lewis W. Shortt, Jr.**

Absent: **Councilwoman Emily Dungan.**

Also Present: **Mr. John E.B. Clark, Jr., Town Manager; Mrs. Marlene L. Henderson, Clerk/Treasurer, MMC; Messrs. Paul Cassell, Town Attorney; Jay Keen, Director Public Works; Stephen W. Price, Police Chief; C. David Haynes, Fire/EMS Chief; C. Randy Sturgill, Building Official and Ron Cahill, Recreation/Special Events Coordinator.**

Mayor Heninger called the meeting to order. Mr. Richard Hodge gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Alan Counts, second by Brent Foster Council adopts the regular February 13, 2020 meeting minutes. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Citizens Time:

No one wished to speak.

Old Business:

- Report on February Library Activities – Heather Carter, Chilhowie Librarian, appeared before Council to give the Library report for February 2020. Ms. Carter reported the Library has been hosting successful Insta Pot Cooking Classes instructed by the Smyth County Extension Office. The Library also received $500 in grant funds from the Chris Long Foundation to purchase books to give to children during the month of February. Ms. Carter is currently planning the Summer Reading Program and hopes to host some events in conjunction with the Town during that time.

  Lynn Pease, 752 Skyview Drive, reported the Library Board of Trustees will consists of seven members within the near future. Any individual interested is encouraged to contact Mr. Pease.

- Report on Mill Creek Regional Water Treatment Plant Situation – A meeting is scheduled for March 18, 2020 with Frizzell Construction, Evoqua, Bonding Companies and Attorneys concerning the Water Treatment Plant situation. The Engineer has forwarded a request for additional repairs to Frizzell Construction. Frizzell Construction has submitted a Freedom of Information Act request that is currently being addressed by Town staff and Attorney.

- Report on I-81 Interchange Modifications – John Clark, Town Manager, attended a meeting concerning the I-81 Interchange Modification Project. The project will be creating turning lanes to access the North and South on ramps to Interstate 81. The metal guardrails will be removed and replaced with a concrete barrier closer to the bridge supports to create room for the turning lanes.

- Report on Farmer's Market Vendor's Meeting and Construction Update – The bathrooms at the Farmer's Market Structure is complete on the inside and the grinder pump is ordered. A sewer line will be installed and connected on Chilhowie Street and 150 feet of water line will be installed.

  A vendor's meeting was held February 23, 2020 with three vendors in attendance. From the discussion with the vendors the Farmer's Market is scheduled to open April 23, 2020. The vendors also agreed to pay $5.00 per day for space rental and space is available based on a first come first serve basis. Ron Cahill, Market Manager, stated there may be parking issues due to the structure being shifted 23 feet. Handicap parking is limited to four spaces. Jay Keen, Director of Public Works, stated that parking issues are unknown at this time due to the fact the parking area has not been striped.

Motion by Brent Foster, second by Lewis Shortt Council refers this matter to the Wellness and Parks Committee. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

- Presentation of Bids on Roof at Stage at Recreation Park – The request for bids were advertised in the Smyth County News and Messenger and Saltville Progress. Bid opening was held at 3 p.m. on March 3, 2020. The lowest bid was submitted by Robbins Construction in the amount of $6,350.

Motion by Brent Foster, second by Donna Blevins Council awards bid for roof at stage at Recreation Park to Robbins Construction in the amount of $6,350. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

- Notice of Executed Contracts on Downtown Facades Project – Contracts between Walberg Construction and the Town have been signed and executed with the Notice to Proceed effective date of March 10, 2020. The Contractor has 180 days to reach substantial completion of the north side of Main Street. The contract between Walberg Construction and the Town is in the amount of $80,595. Property owners can match that amount dollar for dollar by doing existing work during the time of the contract, or by having receipts within two years of the contract date.

New Business:

- Notice of Grant Awards from Mount Rogers Planning District Commission Water and Wastewater Funds and Acceptance of Same –

RESOLUTION

WHEREAS, Mount Rogers Planning District Commission (PDC) has funding available through the Southwest Virginia Water/Wastewater Funding Program in the maximum amount of $100,000 per project, and;

WHEREAS, the PDC is soliciting applications for this money with a deadline for applications of August 26, 2019 and;

WHEREAS, the Town of Chilhowie, with approximately 2500 customers, is not only a provider of potable water to the Town of Chilhowie but also a direct provider to customers in Smyth and Washington Counties, and;

WHEREAS, the Town sells wholesale water to Smyth County at seven master meter locations, and;

WHEREAS, the Town and Washington County Service Authority (WCSA) jointly operate a three (3) Million Gallon per Day facility at its Mill Creek Regional Water Treatment Plant that serves Town customers plus WCSA customers in eastern Washington County, and;

WHEREAS, the Town pumps from the regional water treatment plant to two pump stations, Reid Store and Widener Spring Pumps Stations, to distribute throughout the system and adjoining systems, and;

WHEREAS, water pumped from these tanks go to six storage tanks holding an effective capacity of approximately 3,442,000 gallons per day (GPD) and licensed capacity of approximately 1,400,000 gallons GPD, and;

WHERAS, the Widener Spring Pump Station, at 490 gallons per minute, pumps directly to four of these tanks, and indirectly serves two more and is an essential part of the distribution system, and;

WHEREAS, the two pumps and two motors there are and approaching the end of their useful life by industry standards,

LET IT BE RESOLVED, that the Chilhowie Town Council by this resolution formally requests funding from the PDC's Southwest Virginia Water / Wastewater Program in the amount of $24,000, with the Town contributing 20% or $6,000 for a total project cost of $30,000, consisting of two pumps at $7,500 each, two motors at $6,000 each and $3,000 for installation to serve the multi-regional water system;

NOW THERFORE LET IT BE FURTHER RESOLOVED that the Chilhowie Town Council authorizes its Town Manager John Clark to submit and sign all authorized documentation to Mount Rogers PDC for this request.

This resolution is approved by the Chilhowie Town Council at its August 8, 2019 meeting by a vote of six ayes and 0 nays.

_____ _____

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

Motion by Brent Foster, second by Bill Clear Council accepts grant funds in the amount of $24,000 and authorizes the Town Manager to execute documents. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

RESOLUTION

WHEREAS, Mount Rogers Planning District Commission (PDC) has funding available through the Southwest Virginia Water / Wastewater Funding Program in the maximum amount of $100,000 per project, and;

WHEREAS, the PDC is soliciting applications for this money with a deadline for applications of August 26, 2019, and;

WHEREAS, the Town of Chilhowie operates a regional water treatment plant for customers in Chilhowie, Smyth and Washington Counties, that also serves the Smyth County Water Department and customers in the Washington County Service Authority, and;

WHEREAS, within corporate limits a two inch line on Lyons Gap Road is insufficient in meeting the needs of residents there for pressure and volume, and;

WHEREAS, the existing two inch line does not allow for a hydrant and fire protection is insufficient, and;

WHEREAS, many of the residents served by the line are in Heatherwood Apartments comprising 28 units and;

WHEREAS, a significant number or majority of these residents are low and moderate income, and;

WHEREAS, the Fire Chief has designated this area as the most glaring fire protection deficiency within the corporate limits, and;

WHEREAS, by replacing the existing two inch line with 1,700 feet of six inch line and one hydrant would alleviate the volume and fire deficiency issues,

LET IT BE RESOLVED that the Chilhowie Town Council by this resolution formally requests funding from the PDC's Southwest Virginia Water / Wastewater Program in the amount of $35,750, with the Town of Chilhowie contributing another $35,750 for a total project cost of $71,500;

NOW THERFORE LET IT BE FURTHER RESOLVED that the Chilhowie Town Council authorizes its Town Manager John Clark to submit and sign all authorized documentation to Mount Rogers PDC for this request.

This resolution is approved by the Chilhowie Town Council at its August 8, 2019 meeting by a vote of six ayes and 0 nays,

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

The deadline to complete the project is June 30, 2021.

Motion by Donna Blevins, second by Brent Foster Council accepts grant funds in the amount of $35,750 and authorizes the Town Manager to execute documents. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

- Submission of Requested Funding Letters to Smyth County – Town Manager, John Clark, submitted two budgetary request letters to the Smyth County Assistant County Administrator. For recreation services the Town provides the Town requested a 25% increase from the current contribution of $4,500 to $5,625. For EMS services provided by the Town within the County is 64.9% of the total EMS calls the Town responds to therefore the Town requested an increase from the current contribution of $93,777 to $455,777.

- Presentation of 2019 Fire/EMS Report – The 2019 Annual Report was included in Council's packet. The total call volume increased by 15% from the previous year. During 2019 the Smyth County Fire and Rescue Academy was implemented which resulted in a record year of training hours. EMS billing also exceeded the budgeted amount expected.

Motion by Brent Foster, second by Donna Blevins Council accepts the Annual 2019 Fire/EMS Report. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

- Report from Special Events/Recreation Coordinator on Recreation Activities – The girls and boys basketball season has successfully ended. Participant numbers were down for the boys but up for the girls. The Annual Easter Egg Hunt is scheduled for Saturday, April 4, 2020 at 9 a.m. with the Easter Bunny in attendance and a blowup slide provided for the children. The Older Americans Day is scheduled for Thursday, May 28, 2020 at the Recreation Park. The Town is currently working with the Library for summer events. The grease and gray water barrels should be removed from Lucas Dowell Memorial Park within two weeks.

- Notice of Police Officer Vacancy – Officer Erik Hinchey submitted his resignation for Friday, March 13, 2020. The employment opportunity will be advertised in Smyth County News and Messenger, Bristol Herald Courier and www.chilhowie.org. Three applications have been received at this time and two are certified officers.

- Notice of VFW Award to Officer Hunter Reedy – Officer Hunter Reedy was awarded Police Officer of the Year Award by the VFW Post.

- Notice of Governor's Fire Service Award to Fire Department – The Fire Department received a Fire Service Award for the Smyth County Fire and Rescue Academy that the Department supplies most of the instructors for. The Fire Department beat Fairfax County for this Award.

- Presentation of Fire and EMS Memorandum of Understanding with City of Bristol – The City of Bristol houses a Technical 4 Rescue Team and this Memorandum of Understanding is encouraged by the Department of Emergency Management. This Memorandum will allow the Fire Department's qualified staff to go on calls that require the services of the Technical 4 Rescue Team. The team consist of 16 members and the State incurs all costs.

Motion by Donna Blevins, second by Brent Foster Council accepts Fire and EMS Memorandum of Understanding with City of Bristol and authorizes Mayor to execute documents. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

- Report on Safety Glass Referenced at February Meeting – Two years ago the matter of safety glass for Town Hall was referred to Committee. After obtaining quotes for safety glass it was found the cost for such material was substantially high. The Town employees attended an active shooter training provided by the Chilhowie Police Department.

Motion by Brent Foster, second by Bill Clear Council drops this matter from the Agenda and requests Police Department to instruct an active shooter training for Town staff. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Department Reports:

John Clark, Town Manager, reported the Town of Chilhowie won the 2020 Impact Award. A reception was scheduled for Tuesday, April 7, 2020 at the Southwest Virginia Higher Education Center, Abingdon, Virginia, but has since been cancelled. The Award is for the most money raised during the United Way of Southwest Virginia Celebrity Bagging.

Motion by Lewis Shortt, second by Alan Counts Council continues this matter until April's regular scheduled Council meeting. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Marlene Henderson, Clerk-Treasurer, provided the new rates for the Local Choice Health Benefits Program. Mrs. Henderson is currently working on the renewal. Open enrollment will be April 1, 2020 through May 15, 2020.

Steve Price, Police Chief, reported four Officers participated in Read America by reading to students at Chilhowie Elementary School. The Police Department in conjunction with Ballad Health and Chilhowie Elementary School will host a Bicycle Rodeo Thursday, March 19, 2020 at Chilhowie Elementary School.

Any Other Council Business:

Bill Clear, Councilman, reported the walking trail on the upper end of the park closer to the bridge is washed away from flood waters. Mr. Clear suggested relocating the trail in-front of the light poles for a possible length of 150 yards.

Motion by Brent Foster, second by Bill Clear Council refers this matter to the Wellness and Parks Committee. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Closed Session – A

- Report from Police Committee on Personnel in the Police Department – Justification 2.2-3711(A)(1) of the Code of Virginia, as amended –

Motion by Brent Foster, second by Bill Clear and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss personnel in the Police Department, as allowed by Section 2.2-3711(A)(1) of the Code of Virginia as amended. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Motion by Donna Blevins, second by Brent Foster and unanimously passed the Council of the Town of Chilhowie hereby enters into Open Session. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

CERTIFICATION OF CLOSED SESSION

The Council of 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)(1) of the Code of Virginia requires a certificate by the Committee 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.

The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Closed Session – B

- Report on Economic/Community Development Opportunity – Justification 2.2-3711(A)(6) of the Code of Virginia, as amended –

Motion by Donna Blevins, second by Alan Counts and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss Economic/Community Development Opportunity, as allowed by Section 2.2-3711(A)(6) of the Code of Virginia as amended. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Motion by Alan Counts, second by Brent Foster and unanimously passed the Council of the Town of Chilhowie hereby enters into Open Session. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

CERTIFICATION OF CLOSED SESSION

The Council of 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)(1) of the Code of Virginia requires a certificate by the Committee 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.

The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Motion by Lewis Shortt, second by Brent Foster Council adjourns at 9:25 p.m. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

_____Mayor
Gary L. Heninger

_____Clerk
Marlene L. Henderson, MMC