Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, April 14, 2022, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Billy L. Clear, Brent Foster, Lewis W. Shortt, Jr., and P.J. Wolfe.**

Absent: **Councilors Donna Blevins and Julie Sturgill.**

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; Andrew Moss, Police Chief; David Haynes, 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. Mr. David Gary gave the Invocation. The Pledge of Allegiance was recited.

A moment of silence was held for the passing of former Councilwoman Emily Dungan.

A request for prayers was made for a Public Works employee who is currently battling an illness.

Congratulations to Randy and Julie Sturgill for the birth of their first grandchild.

Approval of Minutes:

Motion by Lewis Shortt, second by Brent Foster Council adopts the regular March 10, 2022, meeting minutes. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

Citizen Time:

No one wished to speak.

Public Presentation:

- Presentation of Study on Proposed Dog Park – Mr. Nathan Brown, Barrington Landscape Architecture, appeared before Council to present the proposal of a dog park to be located on the north side of the Recreation Park, behind the Exxon Mobile station. Mr. Brown proposed a 1.5-acre dog park with two separate lots, one for large dogs and another for small dogs. A covered seating area would be located in-between the two lots. Each dog lot

would have a safety double gate entry and water for the dogs. Signage of the rules for the dog park must be clearly posted. Mr. Brown proposed parking behind the H.L. Bonham Tourism Center building and follow the walking trail to the dog park. Mayor Heninger suggested to incorporate the parking at the facility to allow easier access. Mr. Keen reported the Public Works Department must lay 400 feet of water line to supply water to the dog park.

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	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

- Presentation of 2022 Apple Festival Master Plan – Mrs. Rebecca Wilkinson-Smith, Co-President of Chilhowie Apple Festival Committee, appeared before Council to present the 2022 Apple Festival Master Plan. Mrs. Wilkinson-Smith stated the only changes was the dates of the events and the Apple Festival Committee does not plan to close East Main Street for any events. Mr. Smarr is working with the Apple Festival Committee to organize music at the Farmer's Market during festival hours. The 2022 Apple Festival theme is Valley of Many Deer.

Motion by Bill Clear, second by Lewis Shortt Council approves the 2022 Apple Festival Master Plan as presented and authorizes the Town Manager to execute the documents. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

Old Business:

- Presentation of Memorandum of Understanding between Smyth County and Town on Fire and Rescue Training Building – Smyth County submitted a proposed agreement for the Fire and EMS training building slated for construction. The agreement states the Town will be the owner of the building and Smyth County will split evenly the cost of operations and maintenance. The Town will invoice Smyth County for half of the cost at the end of each fiscal year. Half of the construction cost is estimated at $175,000; Council already voted to take the Town's share of the money from the American Rescue Plan Act funds.

Motion by Brent Foster, second by P.J. Wolfe Council will proceed with the agreement and authorizes the Town Manager and Mayor to execute documents. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

- Update on Mount Rogers Cigarette Tax Board – The Counties of Bland, Pulaski, Smyth and Wythe; and Towns of Chilhowie, Dublin, Marion, Rural Retreat, Saltville and Wytheville are currently members of the Mount Rogers Cigarette Tax Board. The Board employs an inspector, Mr. Mike Houndshell, whos' office area is located at the Mount Rogers Planning District Commission in Marion, Virginia. Currently cigarette tax is $0.40 per pack. The Mount Rogers Cigarette Tax Board collects the revenue from cigarette stamps and remits revenue to each locality for sales within its corporate limits minus an administrative fee for expenses of the Board. The Town currently has a two-month average from Mount Rogers Cigarette Tax Board of $11,018.

- Report on East Lee Highway Phase II Project – The Virginia Department of Transportation requires a fifteen-foot temporary easement for the property on Second Avenue for construction use, such as storing equipment. The property owner has signed the temporary easement and declined a monetary offer for the temporary easement. All construction will be conducted on the right-of-way, not on the Riverfront Café's parking area. The project should be advertised for bid in the near future.

- Update on 2022-2023 Budget Formulation and Selection of Date for Continued Council Budget Meeting – A proposal for the 2022-2023 Budget will be hand delivered to the Council members for review. Each year Council has continued a meeting in-order to hold a budget workshop meeting to review the budget's revenue and expense. It was suggested to hold the budget workshop on Thursday, April 21, 2022 at 6:00 p.m.

- Representation of 2021 Fire and Emergency Medical Service Report – Chief Haynes reported 2021 was the busiest year on record with 1,146 EMS calls and over 300 fire calls. With the twenty-four-hour staffing model response time has dropped to 4.29 minutes within the Town of Chilhowie. Concerning vehicles, currently the engine is being repaired for plumbing issues, and the ladder truck has a hydraulic leak.

Motion by Brent Foster, second by P.J. Wolfe Council accepts the 2021 Fire and Emergency Medical Service Report as presented. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

New Business:

- Report on Board of Zoning Appeals Meeting on Keesee Lane Variance Requests – Three property owners on Keesee Lane is requesting four variances in order to subdivide a lot on Keesee Lane. The variances requested are as follows: a ten-foot variance from the required twenty-five -foot rear yard, a five- foot variance from the ten -foot side yard, a seven -foot variance from the required eight -foot frontage and a five -foot variance from the required ten -foot side yard. The Board of Zoning Appeals will hold a Public Hearing, Tuesday, April 19, 2022 at 5:30 p.m. All adjoining property owners have been notified by certified mail.

- Report on Planning Commission Quarterly Meeting – The Planning Commission held the quarterly meeting on Tuesday, April 5, 2022 at 5:30 p.m. The Planning Commission reviewed the demolition of the Budget Autel and was briefed on the Keesee Lane variance request. The next quarterly meeting will be held Tuesday, July 5, 2022 at 5:30 p.m.

- Report on Yearly Meeting of the General Board of Appeals – The General Board of Appeals held their annual meeting Tuesday, April 5, 2022 at 6:30 p.m. Mr. Cassell reviewed the responsibilities of the General Board of Appeals. Mr. Randy Sturgill, former Building Official, reviewed the building permits issued during 2021 that generated a total revenue of $4,413.53.

- Report on Latest Meeting of Smyth Tourism and Smyth Chamber – Due to the absence of Mrs. Blevins and Mrs. Sturgill the matter was continued.

Motion by P.J. Wolfe, second by Brent Foster Council continues this matter. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

- Report on Transitions at Sewer Treatment Plant, Building Office and Public Works Staff – Mr. Don Cole, Class I Water Operator, submitted a notice of retirement effective May 31, 2022. Mr. Cole is unable to work for thirty days in order to begin drawing from the Virginia Retirement System, but plans to come back part time (thirty-two hours per week) to continue to serve the Town as a Class I Operator.

  Mr. Randy Sturgill submitted his letter if resignation in order to take a job at the State Fire Marshall's Office. Currently Chief Haynes has absorbed the role of Building Official while another employee receives the training and experience to become the Building Official. Chief Haynes has kept his Building Official Certification up to date.

The Department of Public Works is requesting to hire a position in light of recent developments. The Department will soon begin a water line project from Lyons Gap Road to the Vocational School in Seven Mile Ford to replace lead pipe as required by the State of Virginia.

- Report on First Quarter Highway Safety Initiative – Chief Moss appeared before Council to present the First Quarter Highway Safety Initiative report. January 2022 through March 2022 the Police Department issued 162 summonses with the lowest speed of 82 miles per hour and the highest speed of 96 miles per hour. The total amount in fines received for this quarter is $17,018.12; officers worked a total of 168 hours.

- Report on Vance Drive Issue – Concerning the barking dogs on Vance Drive Chief Moss requested reports from Animal Control who was called numerous times concerning the barking dogs. Animal Control referred Chief Moss to Dispatch for any reports concerning the matter and Dispatch did not have any reports other than on scene and cleared calls from Animal Control. Chief Moss reported he visited with the mother of the owner of the dogs concerning the quality of life for the neighbors as well as the dogs. Chief Moss revisited the site to find the dogs have been removed resolving the issue.

- Request to Name Street off Proposed Fire/EMS Training Building – Chief Haynes made a request to Smyth County to change the name of the road the burn building and proposed training building is located from Shop Road to 343 Responder Way.

Motion by Brent Foster, second by P.J. Wolfe Council approves the change of the street name to the burn building and proposed training building from Shop Road to 343 Responder Way. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

- Youth Government Day – Youth Government Day is scheduled for Thursday, April 28, 2022. Students will be placed with Department Heads for tours of the Town's facilities. The Town will treat the students to lunch and return them to the Chilhowie Christian Church for an Opportunity Fair by 1:00 p.m.

- Approval of Contract Documents of Chlorine Contact Tank – Mid Atlantic Storage Systems, Inc., submitted a Clear Well Tank Replacement Project Contract to address the Chlorine Contact Tank at the Mill Creek Water Treatment Plant.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes the Town Manager to execute the documents for the Clear Well Tank Replacement Project Contract with Mid Atlantic Storage Systems, Inc. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

Department Reports:

Mr. Clark reported concerning the Infiltration and Inflow issue the Department of Environmental Quality has received an additional $1 million in funds (in addition to the $2 million) to assist with the Infiltration and Inflow project. Mr. Clark stated $1.5 million will be grant funds and $1.5 million will be a loan with thirty years of no interest. The annual payment is estimated to be $48,000. The Infiltration and Inflow project will include relining existing pipes, rehab of manholes and sealing any cracks within the sewer system.

Motion by Brent Foster, second by P.J. Wolfe Council grants the Town Manager to move forward with the 50/50 grant and loan from the Department of Environmental Quality for the Infiltration and Inflow Sewer Project. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

Chief Haynes reported he is serving on the Smyth County Radio Committee. The Fire and EMS Department has recently hired two full time staff members, Hannah Hayes and Jason Arnold.

Mr. Smarr reported with the assistance of the Public Works Department some issues have been identified and repaired at the Little League fields. The new scoreboard for Field 2 has been erected by Jerry's Signs and electronically wired by Less Whitt. Mr. Smarr expressed his appreciation to the Public Works Department for their assistance.

Any Other Council Business:

Mr. Foster inquired about the purchase of a side by side for the Police Department. Chief Moss stated the side by side has been ordered. Mr. Foster expressed his appreciation to the Fire and EMS Department for providing assistance loading Mr. Foster's dog who was experiencing vertigo. Mr. Foster stated the Fire and EMS Department provides wonderful service to the Town of Chilhowie.

Council received tickets to the Lincoln Theater, Mayor Heninger requested for Council members to let him know if they plan to attend.

Motion by Lewis Shortt, second by P.J. Wolfe Council continues this meeting until Thursday, April 21, 2022 at 6:00 p.m. The motion was approved with following recorded vote:

Donna Blevins	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Absent	P.J. Wolfe	Aye

_____Mayor
Gary L. Heninger

_____Clerk
Marlene L. Henderson, MMC