Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, April 9, 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.**

The meeting was held in the Community Room in order to practice Social Distancing due to the COVID-19 Virus. Council members, Town Manager, Clerk-Treasurer and Town Attorney were in attendance. Department heads and staff met in the Council Chambers and communicated via conference call.

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

Approval of Minutes:

Motion by Brent Foster, second by Alan Counts Council adopts the regular March 12, 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:

- Update on Mill Creek Regional Water Treatment Plant Completion – A letter was sent stating the Town and Washington County Service Authority agree not to declare a contractor default at this time upon a received satisfactory response within two weeks concerning a letter entitled "Issues and Possible Remedies" that included ten (10) major items that need to be fixed. Paul Cassell, Town Attorney, reported a response has been received from Frizzell Construction and Evoqua and they are reviewing the material and it

is considered work in progress to resolve the issues. A joint meeting will be scheduled in the future.

- Presentation of March Library Progress Report – During the month of March the Library was open for 11 days with an average of 84 visitors per day. March 17, 2020 the Library closed due to the COVID-19 virus pandemic. All programs are cancelled until further notice.

- Report on Standard Operating Procedures on Officer Back Up in Police Department – There are two policies in place concerning standard operating procedures for officer back up. When an Officer is responding to a potentially dangerous call the Officer is to always request back up from Smyth County Sherriff's Office, Saltville Police Department or the Virginia State Police. If all other Agencies are unavailable the Officer is to request the Smyth County Communication Center to contact their supervisor.

- Update on Downtown Facades Project – The upper part of the old bank building on the west side has been repointed, working on trim on the windows, re-glazed most of the glass, primed most of the window seals and repainted the window bases. John Clark, Town Manager, reported the total project funds allocated is $80,595 which is matched dollar for dollar by the property owner. A Change Order has been submitted in the amount of $5,850, the property owner may be able to contribute to that cost.

  Pay Request Number 15 has been submitted in the amount of $18,767.50. Walberg Construction submitted pay request in the amount of $17,650 minus $882.50 that was held for retainage for a total of $16,767.50. Mount Rogers Planning District Commission submitted an invoice in the amount of $2,000 for administration expense for a total pay request of $18,767.50.

Motion by Brent Foster, second by Donna Blevins Council approves Pay Request Number 15 in the amount of $18,767.50. 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

- Update on Sidewalk Replacement at 121 East Main Street at Town Parking Lot – Quotes were received from three Contractors for sidewalks at Town parking between Whitetop Road, East Main Street and Route 107. Bids received were from D&D Contractors, Mike Shartiz and Walberg Construction. D&D Contractors is the lowest bidder with the amount of $7,200.

Motion by Brent Foster, second by Bill Clear Council approves the Sidewalk Bid from D&D Contractors in the amount of $7,200. 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

New Business:

- Presentation of Proposed Mutual Aid Agreement with Washington County - The Mutual Aid Agreement for Law Enforcement Services for the Town of Chilhowie and Washington County Virginia requires renewal every four years. The proposed agreement is for 2020 through 2023.

Motion by Donna Blevins, second by Brent Foster Council adopts the Mutual Aid Resolution and authorizes the Mayor and Police Chief 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

- Presentation of Proposed Towns and County Monthly Meetings – The Smyth County Administrator along with all three Locality Town Managers once held quarterly meetings to discuss issues within their Locality and offer support to one another. At this time there are discussions of creating a Smyth Twelve group that would consist of Mayors, Town Managers, Smyth County Board of Supervisors Chairman and County Administrator and one elected Official from each Council. The idea is to meet on the third Tuesday of each month at the Smyth County Court House for one to two hours. One area for discussion would be Locality Fire and EMS Departments not receiving enough support and/or participation from the County.

Motion by Bill Clear, second by Brent Foster Council authorizes a Committee for the Smyth Twelve group for meetings to be conducted once a month at the Smyth County Court House. 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

- Preparation of the 2020-2021 Budget and Setting Date of Council Review – Council was issued the budget information which included the Proposed Budget, Community Request

and Department Budget Requests. Currently the budget balances and Council will review the Proposed Budget during a Budget Workshop meeting.

- Permission to Advertise for Engineer on East Lee Highway II Project – The Commonwealth Transportation Board was unable to meet this month; therefore, a Request for Proposal should not be advertised.

Motion by Brent Foster, second by Lewis Shortt Council continues this matter. 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

Committee Reports:

- Wellness and Parks Committee on Farmer's Market and Other Issues – The Wellness and Parks Committee met on March 24, 2020 to discuss the Farmer's Market, Walking Trail and Little League fields. The Wellness and Parks Committee recommends to Council the Farmer's Market Vendors RSVP the day prior to market and state what produce will be available at the market and the Market Manager is to Nixle, Facebook and post to www.chilhowie.org to advertise for the market. The Market Hours are set for 4 p.m. until 7 p.m. Vendors are encouraged to stay the duration of the market but are not required to. During the months of April, May and June the Market is to be open on Thursdays. A combination of produce as well as arts and crafts can be sold during these months. During the months of July, August, September and October the Market is to be open on Tuesdays and Thursdays. On Tuesday arts and crafts can be sold and Thursdays only produce can be sold. Construction remaining at the Farmer's Market site is drainage and tying in sewer and water lines.

  The Wellness and Parks Committee discussed a small section of the Walking Trail in the Recreation Park toward the bridge being relocated further away from the river due to flooding. It was determined the trail would still be flooded even if relocated. The Public Works Department repairs the trail when the Recreation Park is flooded.

  The Committee also discussed the lights being on at the Little League fields and recommended to amend the agreement to state the lights shall be turned off by 10 p.m. Ron Cahill, Recreation/Special Events Coordinator, recommended working with the Little League and the use of the lights during games and tournaments. A game may go past 10 p.m. and the League should be able to complete the game and then turn off the lights.

Motion by Brent Foster, second by Bill Clear Council accepts the recommendations made by 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

Rural Development has offered additional funding for concrete, steps and paving for the Farmer's Market.

Motion by Brent Foster, second by Lewis Shortt Council authorizes the Mayor and Town Manager to request additional funding from Rural Development. 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:

Marlene Henderson, Clerk-Treasurer, reported due to the COVID-19 the Town's facilities are closed to the public. Payments can be placed in the one of the two drop boxes, mailed to Town Hall or paid over the phone using a debit or credit card. The Public is responding well to the new payment system. All employees are working well and reacting well to the situation.

Closed Session:

- Presentation of Police Officer Candidate Applications – Justification 2.2-3711(A)(1) of the Code of Virginia, as amended –

Motion by Donna Blevins, second by Brent Foster and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss the presentation of Police Officer Candidate Applications, 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 Brent Foster, second by Bill Clear 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 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.

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 Brent Foster, second by Lewis Shortt Council continues this meeting to April 28, 2020 at 6 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