Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, May 14, 2020 at 7:00 p.m.**

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

Absent: **None.**

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 pandemic. Council members, Town Manager, Clerk-Treasurer, Town Attorney and Staff were in attendance.

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

Approval of Minutes:

Motion by Donna Blevins, second by Brent Foster Council adopts the regular April 9, 2020 and Continued April 28, 2020 meeting minutes. The motion was approved with following recorded vote:

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

Citizens Time:

No one wished to speak.

Resolution:

- Consideration of Resolution proclaiming May 22, 2020 as Warrior Senior Class of 2020 Day – Mrs. Henderson presented the following:

RESOLUTION
OF THE
TOWN OF CHILHOWIE

WHERAS, the year 2020 has been a time of unprecedented times with the global COVID-19 pandemic including the closing of schools and businesses, social distancing and may other unforeseen things that have and are continuing to happen; and

WHEREAS, the graduating class of Chilhowie and many other schools have been unable to hold their typical year end activities and celebrations; and

WHEREAS, the Town of Chilhowie, businesses, family and our surrounding communities wish to acknowledge and celebrate the CHS Class of 2020, their hard work and many accomplishments;

WHEREAS, Friday, May 22, 2020 had been set as graduation day for the Class of 2020 at Chilhowie High School;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Town Council of the Town of Chilhowie proudly proclaims May 22, 2020 as **WARRIOR SENIOR CLASS of 2020 DAY** in honor and celebration of these Senior Graduates and further encourages our Town and Community to wear orange and black proudly to honor the graduates.

Adopted this 14th day of May 2020.

_____
Gary L. Heninger, Mayor

_____
Marlene L. Henderson, MMC
Clerk-Treasurer

Motion by Brent Foster, second by Lewis Shortt Council accepts the Resolution as presented. The motion was approved with following recorded vote:

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

Old Business:

- Update on Facades Project and Transfer of Funds from Streetscape Portion of Project – Funding in the amount of $24,881.19 remains from the Streetscape Project and a request to move the funds to the Facade Project was approved. These funds will be applied to the southside of the Facade Project that will be advertised for bids June or July 2020. Randy Sturgill, Building Official, reported the westside of the north buildings are 95% complete. Once complete the Contractor will move on to the southside of the north buildings. Funds have depleted for the current north side of the Facade Project. The Town recently spent $5,000 for Engineering for the design work. The Facade Project Management Team is scheduled to meet in June 2020.

- Notice of Joint Meeting with Town and County on May 19th at 4:00 p.m. – On the third Tuesday of each month a meeting will be held at the Smyth County Office Building. Smyth County representatives as well as representatives from each Locality will attend. From the Town of Chilhowie John Clark, Town Manager and Councilmembers Donna Blevins and Brent Foster will attend the meeting.

- Review of 2020-2021 Budget Proposal and Authorize Public Hearing for June 11, 2020 – Water and Sewer rate increase was reviewed, and the rate increase will not become effective until January 1, 2021. Town employees will not receive a merit increase upon annual evaluations. During a previous meeting Council inquired about placing tracking devices on Town vehicles. The cost is $17.95 per vehicle per month and a one-time fee of $29.95 per unit for activation for a total of $703.50 for the first month for ten vehicles and $179.50 each month thereafter. The tracking devices are on a ten second delay and can generate reports that state mileage, fuel, speed, location, and engine idling. Council may choose which vehicles receive the tracking device.

Motion by Emily Dungan, second by Brent Foster Council approves to incorporate vehicle tracking expense into the 2020-2021 Budget. The motion was approved with following recorded vote:

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

Concerning proposed purchases under Capital Outlay, all purchasing will be postponed until January 1, 2021. Fire and EMS Department has recently applied for grant funding to assist with purchasing a vehicle. The Fire and EMS Department will not order the vehicle until the status of the grant funds are known. If grant funds are awarded the vehicle will not be required to be amortized. The $15,000 budgeted for playground equipment during

the Budget Workshop Council advised to cut the playground equipment line item. The budget was balanced with the playground line item included. Council requested the $15,000 be placed back in the budget and the money shall be set aside to accrue over the next three to five years to purchase playground equipment.

Motion by Brent Foster, second by Emily Dungan Council authorizes $15,000 budgeted for playground equipment be placed back into the 2020-2021 Budget. The motion was approved with following recorded vote:

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

Motion by Brent Foster, second by Donna Blevins Council authorizes a Public Hearing for the proposed 2020-2021 Budget during the June 11, 2020 regular Council meeting. The motion was approved with following recorded vote:

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

New Business:

- Introduction of New Police Officer Mr. Gabe Prater - Steve Price, Police Chief, introduced Gabe Prater who was recently hired for the Police Department. Mr. Prater will begin the Police Academy July 2020.

- Update on Reopening Farmer's Market and Possible Dedication Date – The Farmer's Market is proposed to open June 4, 2020 in full guidance of Governor's Executive Orders. It was suggested to waive the Vendor fee of $5.00 for this season due to the COVID-19 pandemic. Dedication of the Farmer's Market may be scheduled for the middle to late summer to allow time for sewer installation and the restrooms to be completed.

Motion by Brent Foster, second by Donna Blevins Council approves the Farmer's Market to open June 4, 2020 in compliance with Governor's Executive Order and waive the $5.00 vendor fee for this season. The motion was approved with following recorded vote:

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

- Preparation of the 2019 Annual Drinking Water Report – The Annual Drinking Water Report also known as the Consumer Confidence Report has been completed for 2019. The

report is completed on an annual basis and posted at the Post Office, Chilhowie Library, Municipal Building and www.chilhowie.org. The 2019 Annual Drinking Water Report concluded with Chilhowie's water system did not have any reporting, MCL or TT violations during 2019.

Department Reports:

Marlene Henderson, Clerk-Treasurer, presented Council a revenue comparison from January to March 2020. At this time the Town's revenue has not decreased significantly due to the COVID-19 pandemic.

David Haynes, Fire and EMS Chief, reported the 1991 Mac Rescue Truck has been advertised for sale on www.govdeals.com twice with no bids each time advertised. Chief Haynes reported he has been contacted by two individuals who expressed interest in purchasing the truck and requested permission to advertise the truck for sealed bids.

Motion by Alan Counts, second by Donna Blevins Council authorizes the 1991 Mack Rescue Truck be advertised for sealed bids. The motion was approved with following recorded vote:

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

Ron Cahill, Recreation/Special Events Coordinator, reported Mr. John Graham, Chair of the Loaves and Fishes Food Pantry, is applying for a Community Development Block Grant for funds to purchase meat from local farmers to distribute at the Loaves and Fishes Food Pantry. Mr. Graham is requesting support of the Town of Chilhowie in order to move forward with the grant's application process.

Motion by Emily Dungan, second by Brent Foster Council authorizes the Mayor to proceed with the Community Development Block Grant for the Loaves and Fishes Food Pantry. The motion was approved with following recorded vote:

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

Any Other Council Business:

Councilmember Brent Foster suggested waiving the water bill for all businesses closed due to the COVID-19 pandemic. Those businesses would include but not limited to barber shop, hair and nail salons, and the pet grooming businesses.

Motion by Brent Foster, second by Lewis Shortt Council waives the water bill for all businesses closed due to the COVID-19 pandemic. The motion was approved with following recorded vote:

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

Closed Session:

- To Discuss Actual and Probable Litigation concerning the Mill Creek Water Treatment Plant – Justification 2.2-3711(A)(7) of the Code of Virginia, as amended –

Motion by Brent Foster, second by Emily Dungan and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss the Actual and Probable Litigation concerning the Mill Creek Water Treatment Plant, as allowed by Section 2.2-3711(A)(7) 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	Aye
Lewis Shortt	Aye	Brent Foster	Aye

Motion by Brent Foster, second by Emily Dungan 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	Aye
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)(7) 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	Aye
Lewis Shortt	Aye	Brent Foster	Aye

Motion by Donna Blevins, second by Brent Foster Council adjourned this meeting at 8:30 p.m. The motion was approved with following recorded vote:

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

_____Mayor
Gary L. Heninger

_____Clerk
Marlene L. Henderson, MMC