Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, June 8, 2023, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Bill Clear, Shannon Donnelly, Brent Foster, Bob Jeter, 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; Jay Keen, Director of Public Works; Jeff Smarr, Recreation/Special Events Coordinator; Andrew Moss, Police Chief; and David Haynes, Fire/EMS Chief.**

Mayor Heninger called the meeting to order. Ms. Stephanie Porter-Nichols gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Brent Foster, second by Bill Clear Council approves the regular May 11, 2023 meeting minutes. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Public Hearing:

- Solicitation of Public Comment on 2023-24 Proposed Budget - Mrs. Henderson presented the following:

Notice of Public Hearing
2023-2024 Budget Proposal
Town of Chilhowie, Virginia

Pursuant to Section 15.2-2506 of the Code of Virginia (1950), as amended, Council for the Town of Chilhowie will conduct a public hearing on the proposed fiscal year 2023-2024 town budget beginning at 7:00 p.m. Thursday, June 8, 2023 in Council Chambers, 325 East Lee Highway, Chilhowie, Virginia.

This synopsis is published for information and planning purposes only and will serve as a guide to earmark expenditures and allocate revenues. The proposed budget in no way obligates the Town of Chilhowie to any expenditure. Any citizen is invited to attend the public hearing on the budget proposal and state their views thereon. A copy of the proposed budget is on file and may be examined in the office of the Clerk located in the Municipal Building, 325 East Lee Highway, Chilhowie, Virginia 24319.

By Order of the Chilhowie Town Council – John E.B. Clark, Jr., Town Manager

Estimated Revenues	
Property Tax	$294,409
Business License Tax	115,000
Bank Stock Tax	40,000
Utility Tax	110,000
Communication Tax	31,000
Consumption Tax	9,000
Sales Tax	83,500
Meals Tax	775,000
Cigarette Tax	215,000
Other Taxes	26,050
Fines	65,000
Law Enforcement Funds	70,000
Rolling Stock Tax	2,500
Miscellaneous	69,200
Garbage	154,507
Recreation	28,500
Building Inspection	3,500
Snow Removal	15,000
Water Billing, Penalties, Fees Connections	1,820,627
Fire Protection Hydrant Replacement	26,520
Sewer Billing, Fees, Connections	729,316
Smyth County Sewer Reimbursement	200,000
Fire/EMS Billing	360,000
Fire/EMS Grants	28,100
Smyth County Contribution	300,000
Smyth County Training Center	21,715
Sale of Equipment	250,000
Miscellaneous	9,565
Revenues	**$5,853,009**

Proposed Expenditures	
Administration Wages, Fringe	$346,925
Contract Services	50,000
Community Development	67,600
Building Inspection	3,500
Operations, Utilities	126,824
Capital Outlay	5,000
Wellness & Parks Wages, Fringe	39,034
Operations	51,000
Capital Outlay	7,500
Building & Grounds Wages	62,500
Operations, Utilities	140,100
Capital Outlay	79,344
Garbage	151,675
Public Safety Wages, Fringe	586,415
Operations	181,756
Capital Outlay	30,305
CDBG Project Expense	32,380
Water Wages, Fringe	708,890
Operations, Utilities	505,200
Fire Protection Hydrant Replacement	26,520
Debt Service	358,831
Capital Outlay	83,500
Sewer Wages, Fringe	322,489
Operations, Utilities	262,000
Debt Service	275,095
Capital Outlay	59,000
Fire/EMS Wages, Fringe	613,108
Operations, Supplies-Fire/EMS	272,048
Capital Outlay	251,500
Fire/Rescue Academy	13,190
Debt Service	139,780
Expenditures	**$5,853,009**

Note: This budget includes:

- Outside Corporation Water Rate Increase 4.5%

- Inside Corporation Water Rate Increase 9.5%
- Outside Corporation Sewer Rate Increase 4.5%
- Inside Corporation Sewer Rate Increase 9.5%
- Garbage Rate Increase of $1.00 Per Can

Publish in Smyth County News Messenger:
May 24 and May 31, 2023
Posted on Bulletin Board at Town Hall
Posted on www.chilhowie.org

Mayor Heninger opened the Public Hearing at 7:05 p.m.
No one wished to speak.
Mayor Heninger closed the Public Hearing at 7:06 p.m.

Special Presentation:

- Presentation of Resolution of Thanks and Appreciation to the Chilhowie Garden Club, COACH, Chilhowie High School on Town Wide Beautification – Mrs. Henderson presented the following:

RESOLUTION OF THANKS AND APRECIATION TO THE CHILHOWIE GARDEN CLUB, CHILHOWIE ORGANIZATION FOR ARTS CULTURE AND HISTORY (COACH) AND CHILHOWIE HIGH SCHOOL FOR PARTNERING WITH TOWN IN TOWNWIDE BEATIFICATION AND AESTHETICS

WHEREAS, in a project involving federal, state, private and Town funds the Historic Downtown area of East Main Street was revitalized in a two year project involving $1,400,000 after years of planning which culminated in 2022, and;

WHEREAS, the Downtown area is now connected to the Farmers Market on East Lee Highway with its 2020 completed $400,000 project, and to the Library on Chilhowie Street through the 2019 Phase I and 2023 Phase II pedestrian projects on East Lee Highway totaling $1,300,000, and;

WHEREAS, this Downtown Revitalization was further enhanced by the placement of 16 containers with flowers on the sidewalk to complement the existing hanging baskets on five decorative poles, and;

WHEREAS, COACH graciously donated $1,500 partial payment to the purchase of these containers in the interest of partnership with the Town and for public service, and;

WHEREAS, the Chilhowie Garden Club planted flowers in the containers in the interest of partnership with the Town and for public service, and will maintain them with the Town providing watering, and;

WHEREAS, at the Recreation Park the High School Horticulture Department removed plants and bulbs for temporary storage from the old raised landscape area to a new one constructed by the Town with the Garden Club maintaining this new bed in partnership with the Town providing services, and;

WHEREAS, Garden Club further partnered with the Town in replanting and maintaining the Butterfly Garden at the corner of Church Avenue and Chilhowie Street northeast of the Town Hall,

NOW THEREFORE LET IT BE RESOLVED THAT THE MAYOR, TOWN COUNCIL AND EMPLOYEES OF THE TOWN OF CHILHOWIE OFFERS ITS THANKS AND APPRECIATION TO THE CHILHOWIE GARDEN CLUB, COACH, THE HORTICULTURE DEPARTMENT OF CHILHOWIE HIGH SCHOOL FOR THEIR EFFORTS IN PARTNERING WITH THE TOWN OF CHILHOWIE TO THE BETTERMENT OF OUR CITIZENS.

RESOLVED THIS 8TH DAY OF JUNE, 2023

_____ _____

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

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

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Citizen Time:

Ms. Heather Carter, Branch Supervisor of Chilhowie Library, appeared before Council to report Kids' Story Time is being held on Tuesday mornings at the Will Walker's Farmer's Market and Community Pavilion. The Smyth County Libraries are partnered with Feeding Southwest Virginia and will feed the participates at no cost. The Summer Programs began this month with Family Fun Time held on Thursdays. The Chilhowie Library Branch has also partnered with the Garden Club who hosted classes during March and April 2023. Ms. Carter expressed her appreciation to Mr. Smarr and the Public Works Department for all the support provided for the Summer Programs.

Mr. Brian Walker appeared before Council to report he is seeking election for the Smyth County Commissioner of Revenue. Mr. Walker gave a brief review of his origin. Mr. Walker stated since the current Commissioner of Revenue is stepping down, he is seeking election for the position to give back to the Community. Mr. Walker also gave his congratulations to the Chilhowie High School Track and Field athletes who recently brought home State Titles.

Ms. Susan Johnson, Garden Club, appeared before Council to express her appreciation to Mr. Smarr and the Public Works Department for all the support shown to the Garden Club. Ms. Johnson joined the Garden Club one year ago with four active members. The Garden Club has since accrued eight additional members. The Garden Club is also partnering with the Chilhowie Library Branch to host a series of workshops during June and July 2023. The Garden Club wishes

to conduct activities with the Community in hopes to increase participants for the garden category for the Apple Festival.

Old Business:

- Council/Staff Comments on Budget Public Hearing and Selection of Date for Adoption - Council did not have any comments concerning the 2023-2024 Proposed Budget. After a brief discussion the date of Thursday, June 15, 2023 at 7:00 p.m. was selected for the continued meeting for the adoption of the proposed budget.

- Update on the Lead Service Line Inventory Procurement – The Town has received a $250,000 loan/grant to inventory the entire water system for lead service lines. Council previously accepted the proposal from Hurt and Proffitt and the Virginia Department of Health has approved the procurement.

- Update on the Seven Mile Ford and System Wide Meter Replacement Project of Which $3,500,000 has been Obligated by the Health Department – A meeting was held with, Ms. Tammera Anderson, Virginia Department of Health, on Monday, June 5, 2023 to review the program requirements. The procurement for the Lead Service Line Inventory can carry over to the second part of the project. During the regular scheduled August 10, 2023 Council meeting a representative from Hurt and Proffitt will appear before Council to present a proposal.

- Update on Splash Pad Contract - Bids were advertised as a two- phase project, one phase for the installation of the splash pad and the second phase the installation of the features such as a playground equipment and restrooms. The lowest bid for phase one was received from National Pools of Roanoke. A bid was not received for phase two of the project. The contract received by National Pools of Roanoke has been revised and resubmitted. The Town is currently awaiting a response. Concerning the second phase of the project, Code § 35-31 (d) of the Town Code allows the Town to seek a contractor for phase two of the project since the project was advertised for bid and the Town did not receive a bid for phase two.

- Update on Older Americans Day, May 25, 2023 – The Older Americans Day event was successfully held on Thursday, May 25, 2023. The event hosted eighty vendors and served over 750 lunches. Ms. Michelle Hartzog, President of the Multi-Disciplinary Group of Smyth County, will be stepping down. The Chamber of Commerce of Smyth County will continue with the event in the future. Appreciation was expressed to Mr. Foster for the loaning of a side by side and golf cart that was used to assist participants entering into the

event area from parking areas. Appreciation was also expressed to the Public Works Department for all of the support provided for the event.

- Report of Past Actions and Requested Ratification of American Rescue Plan Act Remaining Funding – The Town received two equal payments of $882,927 on June 30, 2021 and August 22, 2022 for a total of $1,765,854 of American Rescue Plan Act funds. An information sheet was presented to Council that shows the amount earmarked or already spent totaling $1,720,841.55, leaving a balance of $45,012.45. The remaining balance will be utilized for the completion of the Dog Park. The American Rescue Plan Act funds have been spent and obligated in its entirety.

ARPA FUNDS

Vendor	**Item**	**Date Approved**	**Amount**
Laferney Roof at OHS	Roof	9/16/2021	$88,820.00
Mill Creek WTP Contact Tank	Contact Tank	2/10/2022	$271,435.55
Fire Training Building	Training Building	3/10/2022	$175,000.00
Police Patrol Vehicle	SUV	3/10/22022	$60,000.00
Dog Park	Dog Park	5/12/2022	
Polaris Side-By-Side	Side-By-Side	2/10/2022	$20,000.00
Marquee Sign	Sign	6/9/2022	$35,000.00
Brush Chipper	Chipper	2/10/2022	$85,000.00
Breathing Air Compressor	Air	2/10/2022	$98,061.00
Vactor Truck	Vac Truck	2/8/2022	$140,492.00
Wages	Wages	11/11/2021	$70,000.00
2 Service Trucks	2 Trucks	2/8/2022	$140,492.00
Pump at Mill Creek WTP	Pump	9/8/2022	$95,400.00
Splash Pad	Splash Pad	2/10/2022	$125,000.00
East Lee Sidewalk II	Sidewalk	2/8/2022	$33,833.00
Fire Hall Exhaust System	Exhaust System	3/9/2023	$20,000.00
Police Body/Car Cameras	Cameras	3/9/2023	$15,000.00
Business Development	Incubator/Development	2/8/2022	$50,000.00
Scholle Expansion	Water Line Portion	10/28/2021	$37,800.00
			$1,720,841.55

Funds Received:	6/30/2021	$882,927.00
	8/22/2022	$882,927.00
		$1,765,854.00

Note: Contact Tank	-90,000 MRPDC			
	-653,510 Grant			
$1,346,709	-743,510	$603,199.00	WCSA	$331,759.45
			ToC	$271,439.55
				$603,199.00

Note: WCSA $116,600 & ToC $95,400 (Pump at Mill Creek WTP)

Balance of Funds: $45,012.45

Note: The Dog Park is not finished and the cost of the project is not included.

Motion by Brent Foster, second by P.J. Wolfe Council ratifies the past spending and appropriate additional spending of American Rescue Plan Act funds. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Presentation of East Lee Highway Payment Request Number 10 and Update on Project – Pay Request Number 10 is in the amount of $194,892.65 for the contractor Jones Road and Bridge, Inc. The last pay request to be submitted will be for engineer work completed. The project was completed Wednesday, May 31, 2023. Due to issues concerning the projects payroll the Town has not received the 80% reimbursement from the previous pay request. Ms. Angela Wolfe, Mount Rogers Planning District Commission, is addressing the matter.

Motion by Brent Foster, second by P.J. Wolfe Council approves Pay Request Number 10 in the amount of $194,482.65 but holds payment until the reimbursement from previous pay request is received. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on Public Works Recent Activities including Town Hall Landscaping, Water Leak at Whitetop Road and Mill Creek Road and Virginia Department of Transportation Sidewalk Improvements and Vactor Trucks Delivery – The Public Works Department have been busy. The flower beds in front of Town Hall have been recently landscaped by placing rock throughout the flower bed. The Public Works Department has repaired a leak at the intersection of Whitetop Road and Mill Creek Road. The area is dangerous with traffic traveling down from Iron Mountain. The Virginia Department of Transportation assisted the water crew by placing signage along the road traveling down Iron Mountain.

The sidewalk improvements have continued by placing yellow pads for the vision impaired at the crosswalks in front of Chilhowie High School and West Main Street.

The delivery of the Vactor truck has been delayed. Mr. Clark sent a strong letter concerning the delay. The Vactor truck is now expected to be delivered during August 2023.

- Update on Countywide Emergency Medical Services Recent Development – The Town of Marion is requesting Smyth County to collect the EMS billing and the County pay the variance for operation costs for the Marion EMS Department. A meeting was held with Mr. Shawn Utt, Smyth County Administrator, Curtis Crawford, Smyth County Emergency Management, Mayor Gary Heninger, Vice Mayor Brent Foster and Town staff on Monday, June 5, 2023. The Town is requesting to be treated equally once a decision is made by Smyth County Board of Supervisors on how to address the Marion EMS Department finance situation. Mr. Foster stated he understood from the meeting if the Town would figure the EMS expense Smyth County will ensure the Town does not loose money providing EMS services.

- Update on New Website – The revised www.chilhowie.org is live for the publics' view. The Town has thirty days for Green Springs Collaborative to make changes and edits before the Town incurs a cost. A list of edits and changes has been submitted and are currently being addressed by Green Springs Collaborative.

New Business:

- Presentation of County Wide Automatic Fire Aid Agreement – The Fire Departments in Smyth County have been working together without a formal agreement for numerous years, but the Automatic Fire Aid Agreement covers all legal aspects such as Workers Compensation. The Town of Chilhowie Fire Department backs up Adwolfe Fire Department, Saltville Fire Department and sometimes the Town of Marion Fire Department. The geographic areas that each Fire Department covers is created by Smyth County. Any Aid received outside of Smyth County is Mutual Aid and must be requested through dispatch.

Motion by Brent Foster, second by P.J. Wolfe Council approves the County Wide Automatic Fire Aid Agreement and authorizes the Mayor to execute documents. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Presentation of Virginia Risk Sharing Association Insurance Package – The Virginia Risk Sharing Association Insurance renewal begins July 1, 2023. Changes to the Workers Compensation were made by moving an employee from water to sewer. The annual contribution is $118,846.00 and this provides all of the insurance coverage for the Town. The Town is very pleased and happy to be apart of the Virginia Risk Sharing Association.

Motion by Julie Sturgill, second by Bob Jeter Council approves the Virginia Risk Sharing Association renewal in the amount of $118,846.00. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Request from Berry Home Center to Purchase Town Lots Near Southern End of Church Avenue and Procedures – A local businessman has expressed interest in purchasing four lots that are adjacent to Berry's Truss Shop. Mr. Cassell reported the Town can deem the properties as surplus and advertise for bids with a reserve or the Town can transfer the properties to the Smyth County Economic Development Authority. The tax assessment value deems the four lots together is worth $50,000. It was suggested to set the reserve at 80% of the land value, $40,000.

Motion by Brent Foster, second by P.J. Wolfe Council declares the four lots as surplus and authorizes the four lots to be advertised for bid with a reserve of $40,000. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Presentation of Resolution from Smyth County Economic Development on Vehicle Charging Station – The Virginia Clean Cities at JMU statewide Charging and Fueling Infrastructure Proposal proposes the Town of Chilhowie, Town of Marion and Smyth County establish a joint partnership to include Virginia Clean Cities to allow the Towns and County to receive the direct benefits of alternative fueling and charging infrastructure. This will allow communities a way to encourage green travel.

Motion by P.J. Wolfe, second by Julie Sturgill Council approves the letter of support and authorizes the Mayor to sign. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Presentation of Resolution to Comcast Regarding Removal of WDBJ Roanoke – Mrs. Henderson presented the following:

RESOLUTION PROTESTING THE REMOVAL OF WDBJ ROANOKE, VIRGINIA FROM COMCAST'S CABLE PACKAGE AND PETITION TO PUT IT BACK ON FROM THE TOWNS OF CHILHOWIE, MARION, SALTVILLE AND THE COUNTY OF SMYTH

WHEREAS, WDBJ has been on the cable TV network lineup for decades for some or all of Smyth County residents including the three aforementioned Towns; and,

WHEREAS, WDBJ was a primary carrier of news and sports involving the Commonwealth of Virginia; and

WHEREAS, the removal of WDBJ has created a void in Virginia news and sports and that void has not been filled by other channels; and,

WHEREAS, the removal was done without notice or agreement of the localities that act as the franchisee of Comcast; and,

WHEREAS, the removal of WDBJ lessened the value of Comcast's cable offerings generally and left our citizens less informed of Virginia events,

NOW THEREFORE LET IT BE RESOLVED governing bodies of Chilhowie, Marion, Saltville and Smyth have determined that the removal of WDBJ was not in our respective communities' best interest; and,

AND THAT IT BE FURTHER RESOLVED that the four governing bodies request that WDBJ Roanoke, Virginia be putback on the Comcast Cable's Base Package in the near future; and,

AND THAT IT BE ADDITIONALLY RESOLVED that our Federal Legislators Senators Mark Warner and Tim Kaine, and Representative Morgan Griffiths offer their good officers in assistance and endorse the Smyth localities efforts in this regard.

RESOLVED BY THE TOWN COUNCILS OF CHILHOWIE, MARION, SALTVILLE, AND THE BOARD OF SUPERVISORS OF SMYTH

_____ _____

Gary L. Heninger, Mayor of Chilhowie Date of Approval

_____ _____

David P. Helms, Mayor of Marion Date of Approval

_____ _____

C. Todd Young, Mayor of Saltville Date of Approval

_____ _____

Charles E. Atkins, Chairman Smyth Co Board of Supervisors Date of Approval

Motion by Bob Jeter, second by Bill Clear Council accepts the Resolution as presented. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on Upcoming Events at Town Park – Woofstock is scheduled for Saturday, June 10, 2023 at the Recreation Park. At this time thirty vendors and several food trucks have committed to attend the event. A Pet Show will be held along with demonstrations by the Smyth County Sherriff's Department, a presentation by a Veterinary on the importance of vaccinating and spaying and neutering your pets. Smyth County Kennel will have cats and dogs that are available for adoption. All proceeds generated from Woofstock will be donated to Smyth County Humane Society.

  On Saturday, June 24, 2023 the band From the Edge will be performing in the Recreation Park as part of the annual concert series.

Department Reports:

Mrs. Henderson reported the Smyth County Chamber of Commerce is hosting the Business Appreciation Luncheon on Friday, June 23, 2023 at the Holston Hills Community Golf Course.

Chief Haynes reported the Dog Park is near completion. Chief Haynes stated the biggest challenge is finding the time in between calls and his regular duties to work on the Dog Park. Staff hopes to complete the project within the next two weeks by completing the concrete work, install the shade structure, install the water fountain and relocate the bollards.

Chief Moss announced the Cops and Rodders Cruise In is scheduled for July 1, 2023 at 4:00 p.m. until 7:00 p.m. at the Lucas Dowell Memorial Park. Chief Moss has invited numerous agencies to attend. The event will also have food trucks, bounce house and a fifty-fifty drawing.

Chief Moss also reported bear sightings in Town. The Department of Wildlife Conservation has been contacted and suggested bear proofing trash bins within Town. They will also donate rubber bullets to be used to scare the bears away from Town.

Mr. Keen stated the new Vactor truck should be delivered mid-August 2023. Mr. Keen also reviewed the Mill Creek Chlorine Contact Tanks Replacement Project. The Contractor has completed the remainder of the concrete ring wall and tank floor along with the tank starter ring. The Contractor will begin construction on Tank Number 1 the week of June 12th, which is thirty days behind the proposed schedule. The completion date is now scheduled for September 2023.

Mr. Smarr reported geese removal from the Recreation Park should occur on Monday, June 26, 2023. Mr. Smarr also expressed his appreciation to the Police Department for giving the Recreation Department an older Police vehicle that was removed from the service fleet. Mr. Smarr also reported the Recreation Department will be offering Adult Co-Ed Softball in the near future.

Motion by Brent Foster, second by P.J. Wolfe Council continues this meeting till June 15, 2023 at 7:00 p.m. The motion was approved with following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

_____Mayor
Gary L. Heninger

_____Clerk
Marlene L. Henderson, MMC