Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, September 9, 2021, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Donna Blevins, Billy L. Clear, Brent Foster, Lewis W. Shortt, Jr., Julie Shortt 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; 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. Larry Hamm of Chilhowie Christian Church gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Brent Foster, second by P.J. Wolfe Council adopts the regular August 12, 2021, meeting minutes. The motion was approved with following recorded vote:

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

Public Presentation:

- Mr. Dale M. Clark, Chief Executive Officer Smyth County Community Hospital – Mr. Dale Clark appeared before Council to introduce himself as the new Chief Executive Officer of Smyth County Community Hospital. Mr. Clark stated that if there are any opportunities for the Town and Hospital to work together or any concerns to please contact him. Mr. Clark gave a brief overview of his life and career history. Mr. Clark also reported on the current COVID 19 pandemic within the health care profession stating more than half the beds in the Hospitals are currently COVID patients.

Citizen Time:

Ms. Heather Carter, Chilhowie Library, appeared before Council to report on the Library's activities. The Library planned a Blood Drive on September 11, 2021, but the blood mobile experience mechanical issues and the blood drive is to be rescheduled. The Library has also installed a September 11th, The Day that Changed the World Exhibition in the gym area that

contains pictures and personal stories of 9/11 survivors. Library opening hours are 11 a.m. until 6 p.m. on Monday, Tuesday and Thursdays and 11 a.m. until 2 p.m. on Friday and Saturday.

Ms. Rose Likins, Director of Smyth County Library, appeared before Council to announce that all branches of the Smyth County Library have reopened but masks are required to enter the building. The Libraries are now offering crafting kits, play away tablets that are preloaded with books, games and puzzles and does not require internet and bird watching backpacks. All Library branches have lockers located outside the buildings. Patrons can call to request materials for check out and are given a code and a locker number to obtain the materials requested outside of the Library's hours. Ms. Likins also reported the Library is conducting an outreach program with Law Enforcement by donating books to Police Departments in return the police officers can give the books to children. Ms. Likins also reported the Virginia Library has added two new features to the database, Excel 5, that is focused on business, and Help Now that can assist students with homework from 2:00 p.m. until 7:00 p.m.

Mrs. Amanda Livingston, Smyth County Tourism Association, appeared before Council to introduce the Smyth County Food and Beverage brochure. Mrs. Livingston ordered 7,500 brochures to be placed in each hotel in Smyth County as well as the H.L. Bonham House that houses the Smyth County Chamber of Commerce. Mrs. Livingston reported the Tourism Association obtained a grant in the amount of $30,000 to implement marketing initiatives and planning to promote Smyth County. The Tourism Association is attempting to connect all parts of the County and Chilhowie is the gateway to attractions in the western side of the County. Mrs. Livingston also reported on the loss of Mr. William Fields and what a huge impact he had with Tourism. Mr. Fields will be greatly missed.

Old Business:

- Update on Downtown Revitalization Project and Approval of Pay Request – After ten years of planning and three years of construction the Downtown Revitalization Project has reached a milestone with substantial completion. A minor punch list has been issued to the Contractor that must be completed within thirty days. A retainage amount of $5,976.50 will be held until the punch list is complete. Virginia Town and City Magazine plans to publish an article on the Downtown Revitalization Project in the October edition.

  Wallberg Construction has submitted a pay request in the amount of $5,785.75 for construction completed. Hurt and Proffitt has also submitted a pay request for project administration in the amount of $770.00. The total pay request is in the amount of $6,555.75

Motion by Donna Blevins, second by Brent Foster Council approves the Pay Request in the amount of $6,555.75. The motion was approved with following recorded vote:

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

- Update on East Lee Highway Pedestrian II Project and Approval of Pay Request – Mr. Tim Mullins, Thompson and Litton, appeared before Council to give an overview of the East Lee Highway Pedestrian II Project. Mr. Mullins hopes to advertise for bids by the end of 2021. Once the bid is awarded the Contractor will have 120 days to reach substantial completion. The project design has been submitted to the Virginia Department of Transportation and Thompson and Litton is awaiting a response. There is no pay request at this time.

- Presentation of 2019-2020 Audit – Mr. Juan Garcia, Hicok, Brown and Company, appeared before Council to review the 2018-2019 and 2019-2020 Audit. Mr. Garcia reported on the 2019-2020 Audit since it is the most recent Audit. Mr. Garcia reviewed the revenue and expenditures, financial statements and reported there were no findings which results a clean opinion of the 2019-2020 Audit. At this time the Town of Chilhowie is up to date on Audits. The 2020-2021 Audit is due by March 31, 2022. Mr. Garcia stated the Town's staff was very helpful and easy to work with during the auditing process.

- Update on Sewer System Evaluation Study and Construction Project - Hurt and Proffitt has recently completed phase I of the Sewer System Evaluation Study that was conducted within the Town area. The Town has recently been awarded grant funding from Mount Rogers Planning District Commission in the amount of $21,325 and the Department of Environmental Quality has awarded funds in the amount of $64,000 for phase II of the Sewer System Evaluation Study that will address the Seven Mile Ford area. The estimated cost for the study is $85,000. The Town will wait for both studies to be completed prior to construction.

New Business:

- Presentation of Staff Reports on American Rescue Plan Act Funds – Staff was requested to make recommendations on how to spend the American Rescue Plan Act Funds within eleven categories. The categories are as follows: Building and Grounds, Water, Sewer, Business Development, Esthetics/Beatification, Fire/EMS, Personnel/Essential Workers, Police, Recreation, Streets and Others. The recommendations were included in Council's agenda packets. Mr. John Clark, Town Manager, stated staff requires guidelines of

expenditures and could possibly get ideas from Citizens on how to spend the funds. The funds must be spent by December 31, 2024.

- Report on 2021 Apple Festival Planning – A meeting was held with the Apple Festival Chairman to organize the final needs for the 2021 Apple Festival. Street sweeping was conducted but curb painting may occur after the Festival. Apple Festival requested East Main Street to be closed for a Car Cruise In at 3:00 p.m. until dark. A new business in the Downtown area, Coyote Demin, requested to close East Main Street in conjunction with Apple Festival for an opening event for the Coyote Demin. The Riverfront Café and Boots and Bangles refused to sign the Street Closure Permit for the Virginia Department of Transportation granting permission for East Main Street to be closed, therefore East Main Street is unable to be closed, Saturday, September 25, 2021. The Apple Festival Car Cruise In will be relocated and Coyote Demin his holding their event on Berry's parking area behind their store location. Farmer's Market vendors are welcome to come participate in the Festival at the Will Walker's Farmer's Market and Community Pavilion. Festival hours for Friday, September 24th and Saturday, September 25th, are 10:00 a.m. until 5:00 p.m. and Sunday, September 26th, from 1:00 p.m. until 5:00 p.m. Those who require handicap parking will be allowed to park at the Will Walker's Farmer's Market and Community Pavilion.

- Presentation of Proposal to Amend Election Dates – Ordered by the Virginia Legislature Municipal Election dates have been changed from May to November on election years. Citizens elected to serve on Council will take office January 1. The current Town Charter is outdated. Mr. Paul Cassell, Town Attorney, will crate a provision to be placed in the Town Code moving the election date that is required by law.

Motion by Brent Foster, second by Julie Sturgill Council authorizes the advertisement for a Public Hearing concerning the proposal to amend election dates to be held during the regular scheduled Council meeting Thursday, October 14, 2021. The motion was approved with following recorded vote:

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

- Presentation of Proposal to Address Junk/Clutter – The definition of Junk and/or clutter is trash means abandoned on personal property, garbage, refuse, litter, weeds, debris, or other like substances openly lying on any parcel, which might endanger the health or safety of residents of the Town. Clutter means mechanical equipment, household furniture, containers and similar items that may be determined dangerous to the well-being of a community when they are left in public view for an extended period or are allowed to accumulate. The Town currently has

an excellent Property Maintenance Ordinance. Mr. Paul Cassell, Town Attorney, recommends to add the Junk and/or Clutter to the existing Ordinance.

Motion by Brent Foster, second by Julie Sturgill Council authorizes the advertisement for a Public Hearing to address the proposal to address junk and clutter to be held during the regular scheduled Council meeting Thursday, October 14, 2021. The motion was approved with following recorded vote:

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

- Report on Mill Creek Regional Water Treatment Plant Steering Committee, Meeting Recommendation to Bid Chlorine Contact Tank with Remaining Grant Funds – The Mill Creek Regional Water Treatment Plant Steering Committee met Wednesday, September 1, 2021. The epoxy is wearing off the chlorine contact tank and if the pressure ring fails the top of the tank will collapse. The rehabilitation of the tank would take approximately one year to complete. There are grant funds left from the Mill Creek Water Treatment Plant project that can be utilized to rehab the chlorine contact tank. The Town's portion is $160,000, the America Rescue Plan Act funds can be used to cover the cost of the rehabilitation.

Motion by Brent Foster, second by Donna Blevins Council authorizes to begin the process to replace the Chlorine Contact Tank. The tank replacement estimate is $936,300, with remaining grant money $653,510, leaving a balance of $282,790 between the Town and Washington County Service Authority. The Town's portion is approximately $160,000. The Town will cover any cost overage above RD grant funds with ARPA funds. The motion was approved with following recorded vote:

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

- Report in Town/Virginia Department of Transportation (VDOT) New Collaborative Snow Removal Procedures – A meeting was held with the Virginia Department of Transportation in regard to the projects at Whitetop Road under Interstate 81 and Route 107 and Lee Highway. During the meeting snow removal was discussed and the Town has become a Virginia Department of Transportation Contractor. The Town will now remove snow from all Town streets and Virginia Department of Transportation streets. This resolves the issue of obtaining salt. The Virginia Department of Transportation will conduct an inspection of the snow removal vehicle. The brush truck could potentially be used as a spare truck incase of a breakdown of the current snow removal vehicle.

- Report on Virginia Department of Transportation Projects Involving Whitetop Road Underneath I-81 Bridge and Lee Highway/107 Intersection – Regarding the Whitetop Road Project it is set to begin September 13th and is scheduled to be substantially completed in September 2022. The first four weeks of the project one lane will be closed. At a designated point the other lane will be closed for four weeks which will cause congestion. During construction no pedestrian traffic will be allowed under the bridge.

  The 107/Lee Highway Project is slated to begin in November 2021 and also be substantially completed in September 2022. Mr. Jay Keen, Director of Public Works has been appointed the Point of Contact for the Town by the Virginia Department of Transportation. Any updates and changes in the project will be posted on www.chilhowie.org and sent out on Nixle. Monthly progress meetings will be scheduled in the future.

- Report and Recommendation from Police Chief on Extra 599 Funds – Mr. Andrew Moss, Chief of Police, appeared before Council to report the Chilhowie Police Department is receiving an additional $5,000 in 599 funds this fiscal year. Chief Moss recommended utilizing the additional 599 funds for a retention incentive for the current five officers (excluding Chief Moss) by giving them a one-time bonus check of $1,000.

Motion by Brent Foster, second by P.J. Wolfe Council accepts the Chief of Police's recommendation of a one-time bonus of $1,000 for five officers as a retention incentive. The motion was approved with following recorded vote:

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

- Report from Recreation/Special Events Coordinator on Football Location Change and "On Stage" September Venue – Mr. Jeff Smarr, Recreation/Special Events Coordinator, reported there was a great turnout for the Phantom concert held in August. On September 25th at 6:30 p.m. at the Chilhowie Recreation Park, in conjunction with the Apple Festival the Town is sponsoring P.F. Flyers featuring Coach Graham Clark. Mr. Smarr would also like to host another event during the month of October.

  The Football and Cheerleading program are up and running. The 5th and 6th grade team were benched for 14 days due to COVID exposure. The home games are now being held at Warrior Stadium on a trial basis. The first home game is scheduled for Saturday, September 18, 2021. The recreation football and cheerleaders have participated in a Camp hosted by Chilhowie High School.

Concerning the Little League new scoreboard for the girls field the existing poles are too weak to support the scoreboard. Mr. Smarr is working with Little League to have the scoreboard professionally installed. He has referred the Little League Board to Bristol Signs.

- Report on Downtown and East Lee Highway Streetscaping Project and Contract – Mr. Nathaniel Brown, Barrington Landscape and Architecture, submitted a proposal to professionally streetscape Main Street, East Lee Highway and Town Hall at the cost of $3,800. Mr. Brown will present plans to Council during the regular scheduled October 14, 2021 meeting.

Committee Reports:

- Report from Fire and Police Committee on Various Issues – The Fire and Police Committee met Wednesday, August 25, 2021 to discuss the need for fire apparatuses, request for a safety study on Interstate 81 and the use of golf carts on Town streets. Concerning the purchase of fire apparatuses Mr. David Haynes, Fire and EMS Chief, presented the Committee with three options. Option one is to purchase three apparatuses at one time for the total cost of $2.7 million spread over a twenty-year loan. Option one would have an average annual payment of $150,000 to $165,000. Option two is to purchase one apparatus now and then purchase another in seven years and purchase the last replacement within another seven years. Chief Haynes reported this option would create unmanageable annual payments. Option three is to purchase one apparatus now and purchase two at one time in the future which again would create unmanageable annual payments. Chief Haynes reported with each passing month inflation for the fire apparatuses can increase by $50,000. If the three-apparatus fleet was to be replaced at one time it would put the apparatuses at the same age. Once an apparatus is ordered the wait time for delivery is fifteen to eighteen months.

Motion by Brent Foster, second by Donna Blevins Council continues this matter to the regular scheduled October 14, 2021 Council meeting. The motion was approved with following recorded vote:

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

Concerning the Safety Study on Interstate 81, Mr. Andrew Moss, Chief of Police, and Mr. David Haynes, Fire and EMS Chief, composed a draft letter to be sent to the Virginia Department of Transportation requesting to conduct a safety study around mile marker 34

on Interstate 81. After review of the draft letter Council requested to involve the Virginia State Police for a signature joining the Town Manager, Police Chief and Fire and EMS Chief.

Motion by Donna Blevins, second by Brent Foster Council authorizes the Town Manager, Virginia State Police and Police and Fire/EMS Chiefs to send the letter to the Virginia Department of Transportation requesting a safety study be conducted at mile maker 34 on Interstate 81. The motion was approved with following recorded vote:

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

The Fire and Police Committee also discussed the usage of golf carts on Town streets. A formal request has not been submitted at this time. The Town can approve the usage of golf carts on Town streets but the Virginia Department of Transportation requires a Land Use Permit for usage on Virginia Department of Transportation streets.

- Report from Public Works Committee on Various Issues and Selection of Date for Continued Meeting to Interview Solid Waste Provider – The Public Works Committee met Wednesday, August 25, 2021 and reviewed the garbage proposals. Five proposals were received, after much discussion the Public Works Committee recommends to interview GFL.

Motion by Julie Sturgill, second by Lewis Shortt Council will interview GFL during the continued Council meeting scheduled for Thursday, September 16, 2021 at 7:00 p.m. The motion was approved with following recorded vote:

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

The Public Works Committee also discussed the Roof Bids for the Old High School. One bid was received and was over budget. The second request for roof bids has been advertised and are due Tuesday, September 14, 2021 by 4:00 p.m.

Motion by Julie Sturgill, second by P.J. Wolfe Council rejects prior bid for the replacement of the roof at the Old High School. The motion was approved with following recorded vote:

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

The Public Works Committee also discussed the request from Mr. Pupa to waive the water connection fee of $900. The Committee took no action and recommends to Council to follow standard procedure.

Department Reports:

Mr. John Clark, Town Manager, reported an article was published for the dedication of the Will Walker Farmer's Market and Community Pavilion and Lucas Dowell Memorial Park in the Virginia Town and City Magazine.

Mr. David Haynes, Fire and EMS Chief, reported the Department has received a FEMA grant in the amount of $47,790 to replace fire hose. The grant requires a 5% match.

Mr. Andrew Moss, Police Chief, reported on a high-speed pursuit that began in Chilhowie. The pursuit reached speeds of 80 miles per hour as it left corporate limits on west end of Town. The vehicle was stopped via spike strips in Damascus.

Mr. Jeff Smarr, Recreation/Special Events Coordinator, reported there have been some new vendors attending the Farmer's Market and the market is remaining steady. Mr. Smarr expressed his appreciation to the Public Works Department for removing two dead trees from the Recreation Park and installing additional lighting within the park.

Motion by Brent Foster, second by Bill Clear Council continues this meeting until Thursday, September 16, 2021 at 7:00 p.m. The motion was approved with following recorded vote:

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

_____Mayor
Gary L. Heninger

_____Clerk
Marlene L. Henderson, MMC