Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, July 13, 2023, at 7:00 p.m.**

Present: **Honorable Gary L. Heninger, Mayor presiding; Councilors Brent Foster, Bob Jeter, Julie Sturgill and P.J. Wolfe.**

Absent: **Bill Clear and Shannon Donnelly.**

Also Present: **Mr. John E.B. Clark, Jr., Town Manager; Mrs. Marlene Henderson, MMC, Clerk-Treasurer; Messrs. Trent Crewe, 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. Mr. Cody Sturgill, Chilhowie Baptist Church, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Brent Foster, second by Bill Clear Council approves the regular June 8, 2023 and continued June 15, 2023 meeting minutes. The motion was approved with following recorded vote:

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

Public Hearing:

- Bid(s) on Four Surplus Lots South End of Church Avenue Near Norfolk Southern Railroad - Mrs. Henderson presented the following:

Invitation to Bid on Surplus Land / Public Hearing Notice
Town of Chilhowie

By authority of the Chilhowie Town Council, four lots located near the south end of Church Avenue, all adjoining or near the Norfolk Southern Railroad, on the railroad's northern side, have been declared surplus property of the Town of Chilhowie and available for sell. The lots property's tax classifications are: 53D-A37, 53D3-A36, 53D3-A33, 53D3-A32. The property is zoned Business Industrial (BN-1). The entirety of the four lots are in the 100-year flood plain. Sealed bids will be received on the property, clearly marked "Four Lots South End Church Avenue", attention to the Town Manager, at the Chilhowie Town Hall, 325 East Lee Highway, Chilhowie, Virginia 24319 until 4:00 p.m. July 13, 2023 when they will be opened and publicly read. The lots must be bid collectively and not individually. The minimum reserve bid has been set at $40,000.

At the Chilhowie Town Council meeting on July 13, 2023 at 7:00, all bids, including the high bid, will be presented to the Town Council for their consideration to sell and convey at a Public Hearing. The public will be invited to comment on the bid, and it being deposed at the stated price. The Town of Chilhowie reserves the right to refuse any and all bids.

By the Order of the Mayor and Chilhowie Town Council,

John E.B. Clark, Jr.
Town Manager

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The Bid opening was held at 4:01 p.m. Thursday, July 13, 2023. Berry Home Centers, Inc. submitted the only bid in the amount of $50,000. The bid was compliant, labeled correctly and submitted in a sealed envelope.

Mayor Heninger opened the Public Hearing at 7:06 p.m.
No one wished to speak.
Mayor Heninger closed the Public Hearing at 7:07 p.m.

Citizen Time:

Ms. Terri Martin, Old Stage Road, appeared before Council to express concerns for fireworks set off within Town over the July 4, 2023 Holiday. Ms. Martin has a Yorkie that was traumatized by the noise from the fireworks and incurred at $308 veterinarian bill. Ms. Martin's dog has not recovered. Ms. Martin inquired about a Noise Ordinance within Town.

Mr. Crewe, Town Attorney, stated the Noise Ordinance is aimed at reproducing sound and the Town cannot help her situation. He advised she may have a Civil Action against whomever was setting off fireworks.

Chief Moss stated the Chilhowie Police Department did not receive a single call concerning fireworks. Chief Haynes stated in the State of Virginia any fireworks that leaves the ground up into the air is illegal, but the issues is enforcement.

Ms. Rose Likens, Smyth County Library, appeared before Council to report the Library Board of Trustees will be meeting Thursday, July 20, 2023 at 5:30 p.m. at the Chilhowie Library Branch. The Summer Reading Program is coming to a close with the last programs scheduled for the week of July 17, 2023. The Summer Reading Program has been very successful and Feeding Southwest

Virginia has fed the participants after each program. The Garden Club classes have also been very successful. The last Garden Club class is scheduled for Friday, July 14, 2023.

The Smyth County Libraries are now a member of the Holston Associated Library Consortium. There are currently two tubs of materials ready to be shared among the partnered Libraries and Smyth County Libraries have also received materials from other partnered Libraries. Within the second week there have been numerous patrons participating in the program.

The Digital Navigator Program is now up and running. Several one-on-one sessions have been held to assists citizens with the use of technology. Flyers announcing the Digital Navigator Program have been left in local businesses and Churches. When Federal funds were allocated the State of Virginia received $1.5 billion. The Department of Housing and Community Development is to oversee the funds for the program.

Old Business:

- Council Action on Four Surplus Lots Bid – One Bid was received in the amount of $50,000 from Berry Home Center, Inc.

Motion by Brent Foster, second by Bob Jeter Council accepts the Bid from Berry Home Center, Inc. for the four surplus lots in the amount of $50,000. The motion was approved with following recorded vote:

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

- Presentation of Lead Service Line Inventory Proposal – A request for proposal was made April or May 2023. The procurement process was completed and Council accepted the proposal submitted from Hurt & Proffitt to prepare the Lead Service Line Inventory. Mr. Dennis Amos, Hurt & Proffitt, reported Phase I is to establish a web base G.I.S. site to use to identify areas of lead service lines and track data. Upon completion the website would be available to the public. Phase I also includes to review existing records to determine when services were installed that will determine what work needs to be completed. Phase II is in the field uncovering service lines to determine if it is lead lines. All inventory must be completed by October 16, 2024. Once the identification of lead lines are completed the field work will begin.

Motion by Brent Foster, second by P.J. Wolfe Council accepts the proposal from Hurt & Proffitt for the Lead Service Line Inventory project. The motion was approved with following recorded vote:

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

- Update on $3,318,505 Infiltration and Inflow Project Funding and Closing of Project – Funds for the project is now secure and is in two pools of money. One pool of money for principal forgiveness is for $224,250 and the other pool is for $275,162. The total second award is in the amount of $1,248,531, which is a thirty-year loan at 0% interest. The total funding is 60% loan and 40% principal forgiveness. The project was hoped to be advertised for bid during July 2023, but the Virginia Resource Authority will not allow the closing of the project until the 2021-2022 Audit is complete. The Town's Financial Consultant has completed the 2021-2022 Audit but the final Auditor is scheduled to begin work on July 26, 2023.

- Update on the Splash Pad Project Including Grant Agreement and Contract Presentation of $125,000 Check from Smyth County Community Foundation – Ms. Lynda Helton, Smyth County Community Foundation, appeared before Council to express the Foundations' excitement for the partnership with the Town for the Splash Pad Project. The main goal for Smyth County Community Foundation is to improve health, wellness and education. Ms. Helton presented the Mayor, Council and staff with a check for $125,000.

  The project is scheduled to begin September 2023. The Town has not secured a contractor for the bathrooms and fence. A preconstruction meeting will be held in August 2023.

- Update on Mill Creek Chlorine Contact Tank Project and Submission of Pay Request Number 3 – Cure time for the concrete floor is an additional seven days. Once the concrete floor is completely cured the tank will be disinfected and will become semi operational, then demolition will begin on the second tank. Pay Request Number 3 is in the amount of $292,066.23 for construction costs. Rural Development has approved Pay Request Number 3.

Motion by Brent Foster, second by Julie Sturgill Council approves Pay Request Number 3 in the amount of $292,066.23 for the Mill Creek Chlorine Contact Tank Project. The motion was approved with following recorded vote:

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

- Report on Dog Park Progress – The concrete sidewalks and handicap parking space unloading zone are complete. The Public Works Department will install the water line and drinking fountain within the next week. The concrete will be cleaned and sealed prior to completion of the Dog Park. The shade structure has been delivered and will be installed within the next week.

- Report on Cops and Rodders Car Show and Upcoming Night Out Events – Chief Moss reported the Cops and Rodders Car Show was very successful with eighty vehicles participating. The event raised $740 to be donated to Santa's Elves Shop with A Hero Event held in December. The annual National Night Out at the Recreation Park is scheduled for Tuesday, August 1, 2023.

New Business:

- Report on 2022-2023 Highway Safety Initiative and Other Activities – Deputy Chief Aaron Smith works the Highway Safety Initiative program regularly but lately several other Officers have begun working the program for the overtime opportunities. The overtime hours for Officers who work the Highway Safety Initiative program makes wages competitive with surrounding agencies. Officers are stopping speeds of 90 miles per hour and over.

- Report on Recreation and Special Events – Music in the Park is going very well with an estimated 250 to 275 attendants. The Beer Garden has been very well received with no complaints made. The Bands performing have also had good feedback from the public. There are a total of ten live events scheduled and the sixth event is Saturday, July 15, 2023 at 7:00 p.m. Marques Puckett and Eight Seconds to Ride will perform in association with Warrior Jeep Jam. Heavy traffic is expected for these events. The Warrior Jeep Jam will also raise money for the Smyth County Humane Society. Mr. Smarr is currently working with the Apple Festival Committee for a joint event in the upcoming months.

- Submission of WDBJ Roanoke Joint Resolution to Comcast – A Joint Resolution was adopted by Council during the regular scheduled June 8, 2023 Council meeting. The Resolution was signed by the Mayor of the Town of Chilhowie, Mayor of the Town of Marion, Mayor of the Town of Saltville and the Chairman for the Smyth County Board of Supervisors and submitted to Senator Mark Warner, Senator Tim Kaine, Congressman Morgan Griffith, Courtney Durrett, Comcast External Affairs Director and Kim Hayden, Senior Manager External Affairs. No response has been received at this time.

- Report on the Latest Chamber of Commerce and Tourism Association – Mrs. Sturgill reported the Chamber of Commerce held a meeting Wednesday, July 5, 2023 at 4:00 p.m.

and reviewed recent events. Quick Books has been troublesome for the Chamber of Commerce who is working to correct it. The Chamber of Commerce is also working toward hosting a Candidate Forum at the Lincoln for Constitutional Officers seeking election. The Chamber of Commerce is also searching for eight volunteers to help at the H.L. Bonham Tourism Center. The Duck Race is scheduled for Saturday, August 12, 2023. Several networking opportunities are on the horizon and the Chamber of Commerce is still working on the Town of Chilhowie's website.

- Report on Quarterly Meeting of Planning Commission – The Planning Commission held the quarterly meeting Tuesday, July 11, 2023 at 5:30 p.m. The Planning Commission reviewed two care of premises notices that have been recently brought into compliance with the Weed, Trash and Clutter Ordinance. The Planning Commission also discussed the revision of the Comprehensive Plan. Council included $17,000 in the 2023-2024 Budget for the assistance from Mount Rogers Planning District Commission to revise the Comprehensive Plan. Mr. Aaron Sizemore, Mount Rogers Planning District Commission, will be invited to attend the Planning Commission Quarterly meeting scheduled for October 10, 2023 at 5:30 p.m. to discuss the revision process.

  Also, a care of premises letter was certified mailed to 911 Midnight Drive and 321 Martin Avenue for the Notice of Violation of the Weed, Trash and Clutter Ordinance. Those property owners have until August 11, 2023 to bring the properties into compliance with the Ordinance.

Department Reports:

Mr. Clark reported a meeting was held with the Smyth County Administrator and Smyth County EMS Coordinator. Smyth County may have money to assist the Town with the deficit between EMS operations cost and EMS billing. The Chilhowie Fire and EMS Departments calls are 84.6% EMS calls. A Special Called Council meeting may be needed toward the end of July 2023 to solely discuss this matter.

Mrs. Henderson reported the final Budget versus Actual for fiscal year 2022-2023 shows a total revenue for Cigarette Tax in the amount of $199,199.74 which was 53% more than the estimated budget revenue. Also, Meals Tax in the amount of $795,251.15 was 11% more than the estimated budget revenue.

Chief Haynes reported the Fire and EMS Department had six full time employees. One employee left three months ago and another recently left their position. The Fire and EMS Department has recently hired one full time employee.

Chief Moss reported Officer Perry and Officer Smith has recently completed the FBI LEEDA Trilogy Award.

Mr. Smarr reported that Recreation Football has recently started workouts. Signups for Football and Cheerleading will continue through August 11, 2023.

Any Other Council Business:

Mr. Foster inquired about adopting a Pan Handling Ordinance. Mr. Crewe stated the Town currently does not have a Pan Handling Ordinance but can adopt one to limit pan handling hours and prevent pan handling on private property.

Mr. Foster inquired if the Town can look into another sidewalk project to extend the new sidewalk to Sulphur Springs or to the West End of Town.

Mrs. Sturgill stated that speeding in the West End subdivision has become worse. Residents are going to start calling the Police to report excessive speed through the neighborhood. Chief Moss stated the Police Department can conduct a speed study and survey within the area.

Mr. Foster reported the ditch line on Church Avenue has washed the asphalt out down to the dirt and heavy rain water is going under new asphalt from last year. Mr. Keen stated Church Avenue is maintained by the Virginia Department of Transportation and he will contact them concerning the matter.

Mr. Wolfe inquired if the owners of the property on Chestnut Avenue have made any progress on the remodeling. Chief Haynes stated that some minor work has been done to the deck.

Mayor Heninger has received compliments from Citizens outside of Town on how good the Town looks. Mayor Heninger expressed his appreciation to the Town employees.

Motion by Julie Sturgill, second by Brent Foster Council adjourns this meeting at 8:32 p.m. The motion was approved with following recorded vote:

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

_____Mayor
Gary L. Heninger

_____Clerk
Marlene L. Henderson, MMC