TOWN OF CHILHOWIE

Mayor: Gary L. Heninger

Council: Billy L. Clear
Shannon Donnelly
J. Brent Foster
Bob Jeter
Julie Sturgill
P.J. Wolfe

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Town Manager: John E. B. Clark, Jr.
Clerk/Treasurer: Felicia Eller
Police Chief: Andrew K. Moss
Director Public Works: Daniel W. Combs
Fire/EMS Chief: C. David Haynes
Building Official: C. David Haynes
Wastewater Operations: Luke A. Lowe
Water Operations: Don Cole, II
Legal: Cassell & Crewe, P.C.

Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, May 9, 2024, at 7:00 p.m.**

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

Absent: **Councilor Bill Clear**

Also Present: **Mr. John E.B. Clark, Jr., Town Manager; Mrs. Felicia Eller, CMC, Clerk-Treasurer; Andrew Moss, Police Chief; David Haynes, Fire/EMS Chief; Luke Lowe, Chief Wastewater Operator; Don Cole, Water Operations Director; Stephen Fields, Recreation/Special Events Coordinator, and Chris Johnson, Foreman Building, Grounds, and Streets.**

Mayor Heninger called the meeting to order. Mr. David Gary, Friendship Baptist Church, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Brent Foster, second by Shannon Donnelly Council approves the regular April 11, 2024, and Continued April 24, 2024 meeting minutes. The motion was approved with following recorded vote:

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

Citizens Time:

Ms. Martha Burke, 292 Packing House Road, appeared before Council to discuss renovating the Bonham's Packing House Building on Packing House Road into a gymnasium and community

center. Ms. Burke is seeking interest and support from the Town of Chilhowie and residents for the renovation and development of a community center and regulation gymnasium. Ms. Burke spoke with Dr. Tamarah Holmes and Virginia Appalachian Regional Commission encouraged Ms. Burke to apply for a Feasibility Grant. The Feasibility Grant will evaluate the potential to renovate and convert the existing structure into a multipurposed building. Mr. Denny Williams, retired engineer, can provide engineering services for the potential renovation of the Bonham's Packing House Building. Council is behind Ms. Burke and believes the restoration and development of a community center and regulation gymnasium is a fantastic idea. A letter of support on behalf of the Mayor and Town Council will be provided.

Special Presentation:

- Town of Chilhowie Proclamation for National Police Week - Mrs. Felicia Eller presented the following:

RESOLUTION

Town of Chilhowie Proclamation for National Police Week 2024

To recognize National Police Week 2024 and to honor the service and sacrifices of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Chilhowie Police Department;

WHEREAS, since the first recorded death in 1786, there are currently 24,067 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one of Chilhowie's own, Lucas Dowell, of the Virginia State Police;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C;

WHEREAS, 282 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 118 officers killed in 2023 and 164 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 36th Candlelight Virgil, on the evening of May 13, 2024;

WHEREAS, the Candlelight Vigil is part of National Police Week, which will be observed this year May 12th-18th;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

NOW, THEREFORE, BE IT RESOLVED that the Town of Chilhowie will observe May 12-18, 2024, as National Police Week in the Town of Chilhowie in Smyth County Virginia, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Dated this 9th day of May 2024

_____
Mayor

Attest: _____
Clerk

Motion by Brent Foster, second by P.J. Wolfe Council accepts the Proclamation for National Police Week. The motion was approved with following recorded vote:

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

Chief Moss reported in 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls, as National Police Week. From January 1, 2024, to May 9, 2024, 56 officers have been killed in the line of duty, a 12% increase from last year. The Police Department expressed their appreciation to Council for passing the Proclamation for National Police Week.

- Promotion of Officer Gage Prater to Master Police Officer –When a Police Officer has been with the Chilhowie Police Department for four years and continues to take continuing education classes the Officer shall be promoted to Master Police Officer. Officer Gage Prater was promoted to Master Police Officer as he has served on the Chilhowie Police Department for the past four years and continues to take classes to further his education in law enforcement.

- Officer of the Year Nomination/Award – Officer Ethan Deel has been selected as Officer of the Year. Officer Deel experienced several traumatic events at the start of his career and Chief Moss encouraged Officer Deel to participate in the Virginia Law Enforcement Assistance Program's Post Critical Incident Seminar. Officer Deel has completed the Critical Incident Distress classes to become an international Certified Critical Incident Manager. Officer Deel has a passion for helping others. The Veterans of Foreign Wars of

the U.S. Post Number 4667 held a ceremony for Officer Deel, Thursday, May 2, 2024, at 5:30 p.m.

- Special Recognition of Ms. Maci Smith – Ms. Maci Smith was presented the Life Saving Award from the Town of Chilhowie, for her quick action for calling 911 for her two-year-old brother, John. Ms. Maci was watching her brother, John, with her aunt when John began to develop a temperature. John was placed in a bathtub to help reduce the fever. While in the tub, John began to have a seizure and go underwater. Ms. Maci pulled her brother from the tub, laid him on his side, and called 911 for help.

Old Business:

- Update on 2024-2025 Budget Proposal and Process – On April 24, 2024, Council held a meeting to review the 2024-2025 Budget Proposal. The notice of proposed real estate and personal property tax increase was published in the Smyth County News and Messenger on May 8, 2024. Council will hold a Public Hearing for the proposed real estate and personal property tax increase on Thursday, May 23, 2024, at 7:00 p.m. The Public Hearing for the proposed Budget will be held on June 13, 2024, at the regular Council meeting.

- Update on Sewer Infiltration and Inflow (I&I) Project and Presentation of Requisition Number 2 of $138,194.29 – On May 1, 2024, a preconstruction meeting with the contractor, Portland Utilities of Portland Tennessee, Hurt and Proffitt, Mount Rogers Planning District Commission, and Virginia Department of Transportation was held. The Notice to Proceed with the Project was issued for July 15, 2024. The Sewer Infiltration and Inflow Project has 210 days to be substantially complete and 240 days for the final completion, excluding weather days. Pay request number two in the amount of $138,194.29.

Motion by Bob Jeter, second by Brent Foster Council approves pay requestion number two in the amount of $138,194.29. The motion was approved with following recorded vote:

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

- Update on Installation of New Sewer Meter at Packing House Road Monitoring – The numbers on the old sewer meter were being estimated using an unknown formula. A new sewer meter was installed on Packing House Road in April 2024. Since the installation of the new sewer meter, there has been an increase in the readings from 2.07% to 9.5%.

- Update on Discounted Outside Water Rates and Need to Continue – Mr. Clark would like to continue this matter. The Town needs to conduct more research on property owners that are receiving a discount on their water bills and discuss the matter with the Town Attorney.

Motion by Brent Foster, second by Shannon Donnelly Council continues the matter of the Discounted Outside Water Rates. The motion was approved with following recorded vote:

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

- Update on Burnt Out Structure – The Town conducted a survey of burnt-out structures within Town limits and identified five structures. A notice of required removal or repair of identified unsafe structures within the Town limits will be published in the Smyth County News and Messenger on May 22, 2024, and May 29, 2024. A certified letter and the Town Code §14-3 have been mailed to the property owners.

New Business:

- Notice of United Way 2024 Impact Dinner May 14th at 5:30 p.m. – The United Way of Southwest Virginia is holding their yearly Impact Award Dinner on Tuesday, May 14, 2024, at 5:30 p.m. at the Southwest Virginia Higher Education Center.

- Notice of Closure of Railroad Crossing at White Top Road – Norfolk Southern Railroad notified the Town of closing the railroad crossing at White Top Road on Monday, May 20, 2024, with the estimated time for closure from 6:00 a.m. to 3:30 p.m. While Norfolk Southern Railroad is working, the construction on Interstate I81 will cease to avoid more congestion. The Town will publicize the railroad crossing on all social media outlets.

- Update on Fire/Emergency Medical Service Hiring – The Fire Department advertised an employment opportunity and conducted interviews for hiring an employee for B Shift. An offer has been extended to an induvial with the start day May 23, 2024. Chief Haynes met with Mr. Shaun Utt, Smyth County Administrator, Mr. Curtis Crawford, Smyth County EMS, and Mr. Mike Sturgill, Smyth County Administration, concerning the number of incidents that are simultaneous to other incidents, and need for Marion EMS or Saltville EMS to answer those calls. A proposal was made to Smyth County to allow the Fire and EMS Department to hire two additional staff members for A Shift and C Shift. Hiring two additional staff members along with having Chief Haynes on site during the day would allow the Town to run a second ambulance and respond to more calls. Chief Haynes is requested Council to allow two additional new employees to be hired for the Fire and EMS Department.

Motion by Brent Foster, second by Julie Sturgill Council approves hiring two additional employees for the Fire and EMS Department. The motion was approved with following recorded vote:

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

- Presentation of April Accounting – Mrs. Felicia Eller, Clerk/Treasurer, discussed the account balances with Council. Mrs. Eller stated there is an increase in the Cap Fee Account and the Fire Hydrant Fund Account due to moving the funds collected from Utility Bills to the prospective accounts. The Infiltration and Inflow Project account was previously opened and discussed with Council.

- Update on Splash Pad Complex – The Splash Pad is nearing completion and will conclude with installation of fencing by Tri-Cities Fencing. Training from National Pools of Roanoke is to be scheduled.

- Update on Paving on Dog Park – The Dog Park is complete and can be opened to the public. The Town is accepting sealed bids for the paving of the parking lot. The bids will be provided to Council during the continued meeting.

- Update on Garden Club Planting for Arbor Day May 7th –The Garden Club bestowed two Apple Trees to the Town of Chilhowie to express their appreciation and gratitude for the Town's support. The trees were planted within the Recreational Park near the Dog Park.

Department Reports:

Mrs. Felicia Eller, Clerk/Treasurer, reported there is a first ever Small-Town Conference presented by Virginia Municipal League, Monday, June 10, 2024, and Tuesday, June 11, 2024, at the Southwest Virginia Higher Education Center. Mrs. Eller will provide accommodation for anyone interested in attending the first ever Small-Town Conference.

Staff has collected proposals and information from three I.T. providers. Mrs. Eller requested to move forward with the I.T. proposal from Tri-Cities I.T.

Motion by Julie Sturgill, second by Bob Jeter Council approves to move forward with the I.T. proposal from Tri-Cities I.T. The motion was approved with following recorded vote:

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

Mr. Don Cole, Water Operations Director, reported the Town has begun to mark off sewer and water lines for the Seven Mile Ford Water Project. Once the lines have been marked, Hurt and Proffitt will begin to design the lines that need to be replaced.

Mr. Stephen Fields, Recreation/Special Events Coordinator, encouraged everyone to spread the word about Music in the Park on May 25, 2024, from 6 p.m. to 8 p.m. with the Billy Crawford Band and food vendor Lisa's Place.

Closed Session:

- Presentation of Town Manager Applications - Justification Section 2.2-3711 (A)(1) of the Code of Virginia, as Amended -

Motion by Brent Foster, second by P.J. Wolfe and unanimously passed Council hereby enters into Closed Session under Section 2.2-3711(A)(1) of the Code of Virginia as amended, to discuss Administrative Personnel. The motion was approved with following recorded vote:

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

Motion by Julie Sturgill, second by Shannon Donnelly and unanimously passed Council hereby enters into Open Session. The motion was approved with following recorded vote:

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

Certification of Closed Session

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 certified 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.

Approved with the following roll call vote:

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

Motion by Brent Foster, second by P.J. Wolfe Council continues this meeting until May 22, 2024, at 5:30 p.m. The motion was approved with following recorded vote:

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

_____Mayor
Gary L. Heninger

_____Clerk
Felicia Eller, CMC