Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, September 17, 2024, at 7:00 p.m.**

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

Absent: **None.**

Also Present: **Mr. Brian Martin, Town Manager; Mrs. Felicia Eller, CMC, Clerk-Treasurer; Andrew Moss, Police Chief; David Haynes, Fire/EMS Chief; Stephen Fields, Recreation/Special Events Coordinator, and Chris Johnson, Foreman Building, Grounds, and Streets.**

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

Approval of Minutes:

Motion by Brent Foster, second by Shannon Donnelly Council approves the regular August 8, 2024, and Continued August 15, 2024, 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

Citizens Time:

Ms. Amanda Livingston, Smyth County Tourism, appeared before Council to give an update for the Smyth County Tourism Association. The Smyth County Tourism Association received permission to promote all counties in Smyth County. During the Summer the Smyth County Tourism completed a Sizzle video on Chilhowie. The Sizzle video is a one-minute highlight reel of Chilhowie businesses and locations. A professional videographer will be present for the 2024 Chilhowie Community Apple Festival to gather footage that will be utilized in the Town of Chilhowie commercial. Mrs. Livingston will present the new video to Council during December 2024, Council Meeting.

Smyth County Tourism received a grant to create a map of hiking trails that will be promoted in the area. The map of hiking trails will allow citizens to explore trails that are not as overused as the Creeper Trail and Grayson Highlands Park.

Mrs. Livingston invited Council to attend a Strategic Plan meeting to discuss the plans for the next five years for Smyth County Wednesday, October 2, 2024, from 3:00 p.m. to 7:00 p.m. and Thursday, October 3, 2024, from 9:00 a.m. to 12:00 p.m. Mr. Martin will be attending the meeting

to represent Chilhowie. Mrs. Donna Blevins is the representative for Chilhowie and will also be in attendance.

Mr. David Huff appeared before Council to discuss pedestrians walking under the Interstate 81 bridge at Exit 35. Mr. Huff stated he has seen numerous people walk under the bridge and is concerned someone will end up hurt or killed. Mr. Huff encouraged the Town to fix a walkway to help ensure pedestrians are safe while walking under the bridge. Mr. Huff had the opportunity to talk with Mr. Stephen Fields, Recreation/Special Events Coordinator, at the last Council meeting and he is very impressed with Mr. Fields. Mr. Huff is running for Council for the Town of Saltville and would like to have an Event Director like Mr. Fields. He stated Chilhowie is doing a great job with bringing the Community together and is an excellent example for the Town of Saltville to follow.

Mr. Kenny Lewis, Old High School Committee, appeared before Council to discuss the request to remove the pine tree located in front of the Old High School. The staff at the Library close the building after dark and feel uncomfortable going to their vehicle. The pine tree is potentially housing homeless citizens during the night. Mr. Lewis is requesting the Town remove the pine tree. The Old High School Committee voted to replace lights within the building and in front of the building with LED lights in the amount of $3,000.

Old Business:

- Update on Removal or Repair of Identifies Unsafe (Burned Out) Structures – Mr. Haynes, Fire and EMS Chief, reported the house at 233 Crestwood Drive has made progress towards repairing the structure. Under the Virginia Property Maintenance Code, a Notice of Unsafe Structure for the property at 307 West Avenue was posted. The Notice of Unsafe Structure and the Right of Appeal was certified mailed to the property owner. The Town will demolish the structure on October 18, 2024, and place a lien on the property. The property at 1404 Lee Highway is seeking a demolition crew to demolish the structure.

- Update on Sewer and Infiltration Inflow Project – Mr. Martin reviewed the agreement with Virginia Resources Authority. The Sewer Infiltration and Inflow Project is a $3,604,990 project with a loan in the amount of $1,266,612 and principal forgiveness in the amount of $2,338,378. Portland Utilities Construction Company is staged on site and ready to begin the Sewer Infiltration and Inflow Project. Portland Utilities will use a camera to view each sewer line and reline any lines that need to be relined. Relining the sewer lines will add an additional 30-to-40-year life span. The project will begin in Seven Mile Ford and work towards Chilhowie. The next progress meeting will be held on Wednesday, October 2, 2024, at 9:00 a.m.

Motion by Brent Foster, second by Bill Clear Council approves to move forward with the Infiltration and Inflow Project. 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

Pay requisition, number 3 is in the amount of $207,419.52. Mr. Martin requested Council to approve Pay Request Number 3.

Motion by Bob Jeter, second by Brent Foster Council approves Pay Request Number 3 in the amount of $207,419.52. 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

- Update on Lead Service Line Inventory Project -The deadline for the inventory portion of the Lead Service Line Inventory Project is Tuesday, October 15, 2024. There are six remaining lines to identify and will be submitted to Hurt and Proffitt by the end of September 2024. Mr. Martin requested the Virginia Department of Health to allocate some of their funding to compensate for some of the overtime the Public Works Department has worked to identify service lines. The Virginia Department of Health denied the request due to the loan being closed with Virgina Resource Authority and could not change the scope of the project.

- Update on Seven Mile Ford Water Line and Meter Replacement Project – The Seven Mile Ford Water Line and Meter Replacement Project is scheduled to take place later in 2025. On Wednesday, August 7, 2024, the Town met with the Virginia Department of Health's Office of Drinking Water to discuss the Environmental Review process for the project. The Town will pursue a Categorical Exclusion since the Town will be replacing existing equipment and not impacting previously undisturbed ground.

  The Town's bookkeeping firm and auditors are working diligently to complete the Fiscal Year 2023 Audit. The Fiscal Year 2023 Audit is projected to be completed in January 2025. The Fiscal Year 2024 Audit will not be completed until July 2025. The Virgina Resource Authority loan is expected to close in March 2025. Unless the Virgina Resource Authority is willing to relax their stringent requirements the Seven Mile Ford Water Line and Meter Replacement Project may be delayed by few months.

- Update on Discounted Water Customers - During the 1930-1940s the Town entered into an agreement with a few property owners to install water lines across their property and the citizens would receive water at a discounted rate. Mr. Cassell and Mr. Clark, former Town

Manager, composed a letter for six citizens requiring the property owner to present the written agreement from when the agreement was made. Three of the property owners obtained a written agreement to show the house remained in the family. Three of the property owners will no longer receive discounted water rates and will begin to receive a full bill starting October 2024.

- Police Starting Salary – Police Chief Andrew Moss presented to Council a comparison of salaries for other local Police Agencies.

Motion by Brent Foster, second by Bill Clear Council refers to this matter to the Finance and Personnel Committee. 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 for an Individual to Inspection Food Trucks and Food Vendors – Council requested Mr. Martin to investigate the Town conducting food inspections during the Continued August 15, 2024, meeting. Mr. Martin reached out to Mr. Ken Heath, who conducts the Town of Marion's food vendor inspections, Kathryn Treash Virginia Department of Health, and Mr. Sauls with the Town of Saltville. After speaking with each individual Mr. Martin suggested to continue with the Virginia Health Department for food vendor inspections.

- Update on Custom Air Filter and Maintenance Agreement – The Town finalized the Maintenance Agreement with Custom Air. The Town did not sign the Air Filter Agreement. The Building and Grounds Department will conduct air filter changes monthly and will save the Town approximately $1,300.

- Update on Agreement with L-J Pro Rodeo, LLC – Mr. Cassell, Town Attorney, provided a Release of Liability, Indemnity Agreement and Agreement to Repair for L-J Pro Rodeo, LLC to perform the Bull Riding event for Saturday, September 28, 2024.

- Update on Letter to the Virgnia Department of Transportation – Due to Chilhowie not having any authority over the roadways a letter was sent to Mr. Jeff Harrison, Virginia Department of Transportation. The letter requested a traffic study be conducted at the intersection of Interstate 81 and Whitetop Road. The letter also expressed concerns about the decreased public safety at the same intersection resulting from the lack of access for pedestrians after the addition of the turning lane under the Interstate 81 bridge.

  Mr. Martin has received several complaints from residents concerning the depth and deteriorating condition of a storm drain on Skyview Drive. Mr. Harrison stated a traffic study has been initiated for the flow of traffic exiting the interstate and it will conclude in

thirty days. The concerns of pedestrian safety issues have been sent to the Bridge Division, Virginia Department of Transportation. The storm drain at Skyview Drive has been reviewed and the Virginia Department of Transportation has developed a repair plan that will be executed.

A discussion was held with the Virginia Department of concerning the Town as a contractor for snow removal and salt spreading. For the past several years the Town has maintained the 15 streets owned by the Town, and the Town will continue to do so. The Town submitted a rate increase to $150 per hour per truck.

- Update on Meeting with Commissioner of Revenue and Staff – Mr. Martin and Mrs. Eller met with Mr. Bradley Powers, Commissioner of Revenue, and staff to discuss the Real Estate and Personal Property books for the 2024 tax season. Mr. Powers was able to provide the taxes to the Town quickly, thanks to Mrs. Eller providing the previous year's documentation. The Town mailed Real Estate and Personal Property taxes out Friday, September 27, 2024.

New Business:

- A General Board of Appeals Pending Vacancy – Mr. Wayne Trivette's seat on the General Board of Appeals is expiring September 30, 2024. Mrs. Eller spoke with Mr. Trivette, and Mr. Trivette would like to be reappointed to the General Board of Appeals.

Motion by Brent Foster, second by P.J. Wolfe Council reappoints Mr. Wayne Trivette to the General Board of Appeals. 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 for Removal of Tree Located at Old High School – On the behalf of the Old High School Committee, Mr. Lewis sent an email to Mr. Martin about the pine tree in front of the Old High School. Mr. Lewis stated the tree has grown out of proportion and is taking up most of the front lawn. Mr. Lewis mentions he was informed that there have been people sleeping under the tree at night. The Old High School Committee has voted anonymously to have the tree removed and requested the Town to remove it. Mr. Henniger expressed concerns about cutting the tree down and asked if anyone had spoken with Mr. Hagy. Mr. Martin has spoken with Mr. Hagy and the current tree is a replacement tree from the first memorial tree. Mr. Hagy said he had reservations about cutting the tree down but understood the concerns about the tree. Mr. Lewis stated the Old High School Committee can place a plaque inside the Old High School in remembrance of Mr. Hagy's relative.

Motion by Brent Foster, second by Bill Clear Council approves the Town to remove the pine tree in front of Old High School. 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

- District Three Site Control Agreement – On September 5, 2024, Mr. Martin signed the annual agreement with District Three Governmental Cooperative for their Site Control Agreement. District Three uses the Community Room each Wednesday to feed Senior Citizens in the community.

Motion by Julie Sturgill, second by Bob Jeter Council ratifies the approval of the District Three Site Control Agreement. 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 Meeting with Davenport Public Finance – The Town currently has a $1,000,000 Revenue Anticipation Note that was obtained in January 2024. The Revenue Anticipation Note is an insurance policy for the Town to ensure all debts are made. Mr. Martin and Mrs. Eller met with Davenport Financial to begin the process of renewing the Revenue Anticipation Note.

- Update on Proposed United States Postal Service Slowdown – The United States Postal Service is proposing a new plan that will slow the mail in rural areas to 24-48 hours. The increase in mail speed will affect the Town when mailing utility bills and taxes to customers, along with the time it takes for customers to get the payment mailed back to the Town. Mr. Martin has requested Council to review the "Will Mail Slowdown Affect Your Area" article. Mr. Martin will contact Congress and Senators if instructed by Council.

- Contribution to Smyth County Community Foundation – Mrs. Lynda Helton, Executive Director of Smyth County Community Foundation, recently conducted a fundraising campaign. The Smyth County Community Foundation assisted the Town with finishing the Splash Pad Project. The Town provided the Smyth County Community Foundation with a $400 donation.

Motion by Brent Foster second by Julie Sturgill Council ratifies the approval of a $400 contribution to the Smyth County Community Foundation. 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

- Appointment to Mount Rogers Planning District Commission Board – Upon Mr. John Clark's retirement Chilhowie has a vacant seat on the Mount Rogers Planning District Commission Board. Mr. Martin stated he would gladly serve on the Mount Rogers Planning District Commission Board.

Motion by Brent Foster second by Bill Clear Council appoints Mr. Brian Martin, Town Manager, to the Mount Rogers Planning District Commission Board. 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

- Virginia Risk Sharing Association On-Site Training – Virginia Risk Sharing Association serves as the Town's insurance company and is happy to provide onsite training to staff and Council Members. Mr. Eddie Shelton, Virginia Risk Sharing Association Safety Specialist, was on site late August 2024. Mr. Martin provided a tour to Mr. Shelton and was very impressed with how the Town is operating. Mr. Shelton offered to come and conduct free trainings on Occupational Safety and Health Administration.

Department Reports:

Mr. Brian Martin, Town Manager, reviewed the Town Manager report. Mr. Martin contacted Mount Rogers Planning District Commission, and they were able to provide a map of the fifteen streets the Town maintains. There were a lot of graffiti under the bridge at the H.L. Bonham Tourism Center on the Walking Trail. Mr. Joe Marshall volunteered to paint over the graffiti to make the bridge more aesthetically appealing to visitors at his own expense. Mr. Martin will discuss painting the bridge to cover the graffiti with the Virginia Department of Transportation. The Virginia Department of Transportation requested access to the entry at the Town Shop to conduct a survey.

Motion by Bill Clear second by Brent Foster Council authorizes Town Manager execute documents allowing Virginia Department of Transportation to access entry at the Town Shop to conduct a survey. 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

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 Town and Country BBQ Dinner will be held Thursday, September 19, 2024, starting at 6:00 p.m.

Mr. Andrew Moss, Police Chief, attended one day of the Virginia Chiefs Association in Roanoke. Chief Moss also attended the executive retreat hosted by the Southwest Virginia Criminal Justice Training Academy held at the Breaks Interstate Park and received excellent training.

Mr. Stephen Fields, Recreation/Special Events Coordinator, reported the Guardian Riders will be hosting a benefit for fallen Police Officer, Hunter Reedy, on Saturday, October 5, 2024, in the Town Park.

Any Other Council Business:

Mr. Henniger reported the gate at the Dog Park contains a big gap at the bottom allowing small dogs to get out.

Mr. Foster thanked Public Works for working overtime on Monday, September 16, 2024, to repair a water break.

Mrs. Sturgill requested to advertise the Boo Bash that is being held on Main Street on Thursday, October 31, 2024, on the marque located in front of Town Hall. Mrs. Sturgill inquired about providing a light plant the night of the Boo Bash to allow more light for the trick-or-treaters.

Motion by Brent Foster, second by Bill Clear Council adjourns this meeting at 8:31 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
Felicia Eller, CMC