Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, May 8, 2025, at 7:00 p.m.**

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

Absent: **Bob Jeter.**

Also Present: **Mr. Brian Martin, Town Manager; Mrs. Felicia Eller, CMC, Clerk-Treasurer; Messrs. Trent Crewe, Town Attorney; Aaron Smith, Deputy Police Chief; David Haynes, Fire/EMS Chief; Stephen Fields; Special Events and Recreation, Chris Johnson, Foreman Building, Grounds, and Streets; and Tyler Keen, Assistant Public Works Director**

Mayor Heninger called the meeting to order Reverand David Gary, Friendship Baptist and Deer Valley Baptist, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Bill Clear, second by P.J. Wolfe Council, approves the regular April 10, 2025, and Continued April 24, 2025, Council meeting minutes as presented. The motion was approved with the following recorded vote:

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

Special Presentation:

A Resolution of appreciation for Mr. Billy Lee "Bill" Rhudy. Mrs. Felicia Eller presented the following:

RESOLUTION

WHEREAS, Billy Lee "Bill" Rhudy was a lifelong citizen of the Town of Chilhowie, the community he loved, residing on the same property for the entirety of his ninety years; and

WHEREAS, Bill was elected to serve the citizens of the Town of Chilhowie as a member of the Town Council from 1978 to 1982; and

WHEREAS, Bill was a dedicated volunteer Firefighter with the Town of Chilhowie Fire Department, serving honorably with forty-two years of service, and

WHEREAS, during that time he served in many capacities in the Department including Assistant Fire Chief; and

WHEREAS, during his many years of dedicated service to the citizens of the Town of Chilhowie and the surrounding area he served faithfully and diligently;

NOW THEREFORE BE IT RESOLVED, that the Town Council of Chilhowie, adopts this Resolution to express their gratitude and appreciation of **Billy Lee "Bill" Rhudy** and that this resolution be entered into the minutes of the Town of Chilhowie so as to become a permanent part of the records of the Town of Chilhowie, Virginia.

Adopted this 8TH day May 2025.

_____
Mayor

Attest: _____
Clerk

Motion by Brent Foster, second by Julie Sturgill Council, hereby adopts the Resolution of Appreciation for Mr. Billy Lee "Bill" Rhudy as presented. The motion was approved with the following recorded vote:

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

Citizen Time:

Mrs. Rose Likins, Smyth County Library, appeared before Council to report the Smyth County Library Board will be meeting in the Old High School, Thursday, May 29, 2025, at 5:30 p.m. The Branch Manager at the Saltville Public Library is retiring. The Smyth County Library is currently seeking candidates to fill the Branch Manager position at the Saltville Public Library. Mrs. Linkins shared a Bee Keeping class and Managing Chronic Disease by District Three was held at the Chilhowie Public Library. The Chilhowie Public Library has a Micro Greens Class and a Gardening with Children class coming up. The Summer Reading Program will begin on Thursday, June 5, 2025, with a Petting Zoo. This year the Marion and Saltville Public Library will begin an Adult Summer Reading Program.

Old Business:

- Update on Removal or Repair of Identifies Unsafe (Burned Out) Structures - The Town has made progress removing burned out structures. In the Fall of 2024, the house at 307 West Lee Highway was demolished and the house at 1404 West Lee Highway was recently demolished. The Owner of 232 Overlook Drive sold the property. The new owners have demolished the burned-out structure with the intent of building a new house. Chief Haynes is working towards a plan for the burned-out structures on Sunset and Vance Drive. Mr. Martin is working with the property owner on Old Stage Road, and the owner will provide a plan for cleaning the property up within two weeks. The property owner on Greever Street has been in contact with the Town and is working diligently to clean up the property. The property owner on Sanders Avenue plans to demolish the burned-out structure this Summer.

- Update on Sewer Infiltration and Inflow Project –The original scope of work has been completed. The Infiltration and Inflow Project is under the anticipated budget. Town staff is working with Hurt and Proffitt to identify additional areas within the Town to utilize the remaining funds to further improve the sewer collection system. One area added to the project is an additional segment of piping near the Wastewater Treatment Plant that leads into the Industrial Park. The contractor has indicated that the section of Project will be completed by the end of the week. The Subcontractor will then come in and rehabilitate the manholes along the new section of relining.

  A progress meeting was held on Wednesday, May 7, 2025, for the Infiltration and Inflow Project. Following the progress meeting, a meeting with the Virginia Department of Transportation and contractors was held to review other areas that need repair. Hurt and Proffitt is in the process of going through the project and making sure that all the cleanup and restoration work is completed. Mr. Dennis Amos, Hurt and Proffitt, reported the Town is almost to the end of a very successful Infiltration and Inflow Project.

  Hurt and Proffitt is in the process of obtaining permits and the completing the design for the Seven Mile Ford Project. A meeting is scheduled for Monday, May 12, 2025, with Town staff, Hurt and Proffitt, and the Virginia Department of Transportation to ensure the designs will be approved by the Virginia Department of Transportation. The Town advertised the Category Exclusion in the Smyth County Newspaper.

- Update on Hurricane Recovery - The biggest and most extensive repair to the Town's infrastructure is not complete. The design of the replacement crossing for the three Arial crossings is complete. The Arial Crossing designs are submitted to the Federal Emergency Management Agency for review and approval. Mr. Martin signed the Joint Permit Application and submitted it to the U.S. Army Corps of Engineers, U.S. Fish and Wildlife

Service, and other pertinent Federal and State Regulatory Agencies. The review process timeline is between sixty and ninety days and is approaching the end of the ninety days. Once approved the Town will advertise for bids.

- Board of Zoning Appeals Nomination Mr. Nick Deskins - The Board of Zoning Appeals currently has a vacancy due to a Board Member relocating outside the Town limits. The Board of Zoning Appeals addresses matters such as variance requests. Mr. Nick Deskins expressed interest in serving on the Board of Zoning Appeals.

Motion by Brent Foster, second by Shannon Donnelly Council accepts the nomination of Mr. Nick Deskins to fill an unexpired term on the Board of Zoning Appeals. The motion was approved with the following recorded vote:

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

- Update on Aker Avenue Paving Project – The paving project for Aker Avenue has been carried over from Fiscal Year 2023-2024 Budget to the Fiscal Year 2024-2025 Budget. The project is currently included in the Budget in the amount of $60,000. At the April 10, 2025, Council meeting, Council authorized Mr. Martin to move forward with the paving project for Aker Avenue and advertise for bids. It was brought to Mr. Martin's attention that the Fire and Emergency Medical Services Training Center has money from Smyth County for paving of the Fire and Emergency Medical Services Training Center parking area. Mr. Martin is respectfully requesting to advertise for bids for the paving of Aker Avenue and Fire and Emergency Medical Service Training Center parking lot together.

Motion by Bill Clear, second by Brent Foster Council authorizes the Town Manager to move forward with advertisement for bids for paving of Aker Avenue and Fire and Emergency Medical Service Training Center. The motion was approved with the following recorded vote:

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

- Update on Delinquent Business License – Mr. Paul Cassell, Town Attorney, and Mrs. Felicia Eller, Clerk Treasurer, have worked diligently to ensure each business within Town is up to date for Business License. There are currently two businesses that are delinquent on their Business License. Mr. Cassell, certified, mailed a letter to each delinquent business owner alerting them they have ten days from the recipient of the letter to apply for a Business License. If the business fails to apply for a Business License, the Town will conduct an audit pursuant to Town Code §50-272 and assess the license tax as allowed by

law, including any applicable penalties and or interest, as well as seeking any other relief allowed by law.

New Business:

- Discussion of Proposed Water Meter Tampering Policy – The Town would like to remind water customers removing shut-off locks and or bypassing water meters could result in criminal charges for destruction of property or theft. Mr. Martin worked with Mr. Cassell to draft a Public Notice on water meter tampering. Mr. Martin requests Council to review the draft and discuss it at the June 12, 2025, Council meeting.

- Presentation of Fire and EMS 2024 Annual Report - Mr. David Haynes, Fire and EMS Chief, presented the Fire and Emergency Medical Services Report prepared by Mrs. Jenna Prater. In 2024, the Fire and Emergency Medical Services Department responded to a total of 1,624 incidents. On September 27, 2024, the Fire and Emergency Medical Services Department responded to over 30 calls during Hurricane Helene. The Chilhowie Fire and Emergency Medical Services Department received 72.68 points out of 100 to qualify for an ISO Class 3.

Motion by Brent Foster, second by Bill Clear Council accepts the 2024 Fire and Emergency Medical Service Annual Report. The motion was approved with the following recorded vote:

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

- United Way Impact Awards and Dinner - The Town of Chilhowie won the 2024 Impact Award for their contribution to the Celebrity Bagging Event. The United Way Impact Awards and Dinner was held on Wednesday, April 30, 2025, at the Southwest Virginia Higher Education Center. Mr. Martin presented the 2024 Impact Award to Mayor Heninger.

- Adoption of 2025 Police Week Resolution – There are more than 800,000 Law Enforcement Officers that serve across the United States of America. The first recorded death of a Law Enforcement Officer in the line of duty was in 1876. Since 1876 there have been over 26,000 Law Enforcement Officers that have given the ultimate sacrifice. Aaron Smith, Deputy Police Chief, thanked Council on behalf of the Police Department for their support. Council thanked the Chilhowie Police Department for everything they do for the Community. Mrs. Eller presented the following:

RESOLUTION

WHEREAS, in 1962, President John F. Kennedy signed the first proclamation recognizing May 15th as Peace Officers Memorial Day and the week in which it falls as National Police week; and

WHEREAS, the members of the Chilhowie Police Department work tirelessly to protect and serve our residents, businesses, and visitors, and keep our community safe; and

WHEREAS, police officers report for duty aware of the sacrifices they may be called upon to make and risk their lives each and every day to safeguard the public and enforce the laws of the Town and Commonwealth; and

WHEREAS, three Sons of Chilhowie, Smyth County Deputy, and former Chilhowie Police Officer, Hunter D. Reedy, Smyth County Deputy Chris Pascal and Virginia State Trooper Lucas B. Dowell, sacrificed their lives in the line of duty protecting the citizens of the Commonwealth; and

WHEREAS, Virgina Police Week and Officers Memorial Day are opportunities to reflect upon the dedication and service of our police, honor officers who have fallen in the line of duty, and recognize the sacrifices made by the families of those officers and the families of those who continue to protect and serve our community.

NOW, THEREFORE, I, **Gary L. Heninger**, Mayor of the Town of Chilhowie, and on behalf of the Chilhowie Town Council hereby proclaim May 11-17, 2025, as

POLICE WEEK

In the Chilhowie and urge the community to join in commemorating law enforcement officers, past and present, who have dedicated themselves to their community.

Adopted this 8th day of May 2025

_____
Mayor

Attest: _____
Town Clerk

Motion by Brent Foster, second by P.J. Wolfe Council adopts the 2025 Police Week Resolution. The motion was approved with the following recorded vote:

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

- Surveillance Cameras for Town Hall and Police Department – The Town is looking at options for surveillance cameras for the Town Hall. Mr. Martin wants to ensure the staff is safe during the workday. Mr. Martin presented Council a quote from Tri-Cities I.T. in the amount of $13,777 for surveillance cameras. Respectfully Mr. Martin requested Council to allow the Town to explore options for surveillance cameras. Council requested Mrs. Eller to reach out to Tri-Cities I.T. and obtain a quote for surveillance cameras in the Town Park as well.

Motion by Brent Foster, second by P.J. Wolfe Council approves the Town to continue to explore options for a surveillance camera for the Town Hall and Town Park. The motion was approved with the following recorded vote:

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

- Discussion of Proposed Monitoring System in Council Chamber – The Town is looking at purchasing a 60-inch flat screen television to place on the back wall and a 50-inch television to place on the side of the dais for the audience. A laptop will project presentations onto the televisions. The televisions can also be used to display the Agenda pages.

Motion by Julie Sturgill, second by Shannon Donnelly Council approves moving forward with proposed monitoring system in the Council Chambers. The motion was approved with the following recorded vote:

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

- Joint Smyth County Meeting with Finance and Personnel Committee – A joint meeting with Smyth County, Finance and Personnel Committee, and Town of Marion's Committee will be held on Monday, May 12, 2025, at 6:30 p.m. at the Smyth County Administrative Office; to discuss Emergency Medical Services reimbursements from Smyth County.

- Beautification of Front of Town Hall – The Town is very proud of the Town Hall; it is the center of the Town's Government. The front of the Town Hall needs renovation and modernization. The Town staff will begin to provide ideas that will be presented at the Council meeting on Thursday, June 12, 2025, for Council's input.

- Business Appreciation Luncheon, Smyth County Chamber of Commerce – The Smyth County Chamber of Commerce extended an invitation to the Business Appreciation Luncheon on May 14, 2025, at 11:30 a.m. at the Holston Hills Golf Course. Mrs. Sturgill reported on Saturday May 17, 2025; the Smyth County Chamber is hosting Arts on Main. The Arts on Main is a celebration and vendor event of local and Appalachian Artist. The event will include vendors, art demonstrations, and shopping.

- Virginia Department of Transportation Public Meeting for Six Year Improvement Program – The Virginia Department of Transportation will be holding a meeting on Tuesday, May 13, 2025, at 4:00 p.m. at the Southwest Virginia Higher Education Center in Abingdon to discuss what the Virginia Department of Transportation intends to accomplish over the next six years.

- Board of Zoning Appeals Variance Requests – The Town received a Zoning Permit for the lots at 132 and 124 Pendleton Avenue. The houses at 132 and 124 Pendleton Avenue are owned by the same owner, but the owner would like to sell 132 Pendleton Avenue and keep 124 Pendleton Avenue. The Town of Chilhowie's Zoning Ordinance requires each lot to have an eighty-foot frontage. If the lots at 132 and 124 Pendleton Avenue were to be subdivided, each lot requires an 18-foot variance. The Board of Zoning Appeals approved the 18-foot variance.

Department Reports:

Mr. Martin, Town Manager, reported Thursday, May 8, 2025, is the 80th anniversary of Victory in Europe Day. After our Nation was attacked many young men went to war against Nazi Germany, the Empire of Japan, and Mussolini's Fascit Italy. The ones that came home undoubtedly built the Chilhowie Community that we have inherited and now have the honor and responsibility of safekeeping. Unfortunately, not all the young men got to come home. Mr. Andy Rhudy and Elmer Heath were both from Chilhowie and never made it home. Private Rhudy's body was repatriated home to Chilhowie after the war and rests at Mountain View Cemetery. Private Heath remains on the European soil he helped liberate as he is buried in Henri-Chappele American Cemetery in Belgium. Mr. Martin is deeply grateful for the men who were able to come home and build our Community, and more importantly those who did not make it home.

Mr. Martin and Mayor Heninger met with the Virginia Department of Transportation at the end of April addressing pedestrian safety concerns at the Exit 35 interchange. The Federal Highway Safety Administration has placed constraints on the Virginia Department of Transportation on addressing pedestrian safety concerns. The Town and the Virginia Department of Transportation continue to investigate all options to address the pedestrian safety concerns. The replacement of the drain tile on Whitetop Road across from McDonalds is slated to be repaired before July 1, 2025. Virginia Department of Transportation stated the upcoming bridge replacement project on Interstate 81near mile marker 34 is slated to begin in the Spring 2027 with construction timeline estimated at 30 months. A bridge repair project is scheduled for the Whitetop Road and Highway 107 bridge in Town. The project is slated to begin on June 22, 2025, and traffic will be impacted by lane closures. The project completion is scheduled for July 11, 2025. During the bridge project, the Town's walking trail from the H.L. Bonham House to the Town Park that runs under the 107 bridge will be closed.

Mr. Martin took the opportunity to take the Town's Administrative staff to lunch on Administrative Professionals Day on Wednesday, April 23, 2025. Mr. Martin and Chief Haynes are scheduled to attend a class at the Higher Education Center to learn more about recent changes to the National Flood Insurance Program.

Mrs. Felicia Eller, Clerk Treasurer, reported on Thursday, April 24, 2025, Council worked through the Proposed 2025-2026 Budget. Mrs. Eller respectfully requests Council to authorize the Town Manager to move forward with advertising a Public Hearing to be held during the regular Council meeting on June 12, 2025, at 7:00 p.m.

Motion by Brent Foster, second by Shannon Donnelly Council authorizes the Town Manager to advertise for a Public Hearing to be held during the regular Council meeting June 12, 2025, at 7:00 p.m. The motion was approved with the following recorded vote:

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

On Friday, May 30, 2025, Mr. Daniel Combs will retire from the Town after thirty years of service. Mr. Combs requested a picnic in the Town Park. Mrs. Eller extended an invitation to Council to join the Town staff in celebrating Mr. Combs.

Aaron Smith, Deputy Police Chief, reported Chief Moss assisted with a Crisis Intervention Team training. Chief Moss received training for the new BolaWraps in the Police Department and will train each Officer once all the equipment has arrived. Deputy Chief Aaron Smith and Lieutenant Ben Perry attended Leaders Helping Leaders Network.

Tyler Keen, Assistant Public Works Director, reviewed highlights from the past month. The Public Works Department marked fifty-one Miss Utilities, repaired eight water leaks, replaced four meters on the requested list, replaced twelve pressure reducer valves, installed seven new water taps, installed one new sewer tap, serviced the Town Manager's vehicle, and replaced sections of the rotten porch at the H.L. Bonham House. The Public Works staff hauled off approximately $1,600 worth of scrap metal. Mr. Keen and Mr. Preece attended the Virginia Rural Water Conference in Ronoke, Virginia. The Public Works Department assisted Mr. Stephen Fields, Special Events and Recreation Coordinator, to extend the ball field in the Town Park.

Chris Johnson, Foreman Building, Grounds, and Streets, reported the Splash Pad has been pressure washed. Mr. Johnson plans on conducting a trial run of the Splash Pad in the first week of May to ensure everything is working properly. The Community Garden received tables, raised garden beds, and a water source. Mr. Johnson requested permission from Council to enforce the rule of no golf balls in the Town Park to ensure everyone's safety during mowing season. A discussion ensued on how local Churches can participate in decorating the Town for Christmas.

Stephen Fields, Special Events and Recreation Coordinator, thanked the Public Works Department for assisting in extending the infield at the softball field at the Town Park. This month the Older Americans Day will be held on Thursday, May 22, 2025, in the Town Park from 9 a.m. to 1 p.m. The first concert of the season will be held on Saturday, May 24, 2025, with Kayla McKinney from 6 p.m. to 8 p.m.

Closed Session:

- Discussion of Public Contract - Justification Section 2.2-3711 (A)(6) of the Code of Virginia, as Amended -

Motion by Shannon Donnelly, second by P.J. Wolfe and unanimously passed Council hereby enters into Closed Session under Section 2.2-3711(A)(6) of the Code of Virginia as amended, to discuss Administrative Personnel. The motion was approved with the following recorded vote:

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

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

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

Ms. Kathy Wright stated the Chilhowie Apple Festival refunded vendor fees for the 2024 Apple Festival due to Hurricane Helene.

Motion by Brent Foster, second by Julie Sturgill Council accepts the Master Plan from Chilhowie Apple Festival for the 2025 Apple Festival. The motion was approved with the following recorded vote:

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

Mr. Foster expressed his appreciation to the Mayor and Town Manager for writing a Letter of Support requesting Governor Youngkin to sign the Save Local Pharmacies Act. In Chilhowie two of the three pharmacies are independent local pharmacies. Signing the Save Local Pharmacies Act into law will ensure their ability to continue to serve the residents of Chilhowie and surrounding Counties. Governor Youngkin signed the Save Local Pharmacies Act.

Motion by Julie Sturgill, second by Brent Foster Council adjourns this meeting at 8:55 p.m. The motion was approved with the following recorded vote:

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

_____Mayor
Gary L. Heninger

_____Clerk
Felicia Eller, CMC