Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, July 10, 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: **Councilor Bob Jeter.**

Also Present: **Mr. Brian Martin, Town Manager; Mrs. Felicia Eller, CMC, Clerk-Treasurer; Messrs. Paul Cassell, Town Attorney; Andrew Moss, Police Chief; Chris Johnson, Foreman Building, Grounds, and Streets; Leroy Sullivan, Wastewater Operator and Tyler Keen, Public Works Director**

Mayor Heninger called the meeting to order. Reverand 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 10, 2025, and continued June 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

Public Hearing: Mrs. Felicia Eller presented the following:

Notice of Public Hearing
For
Proposed Ordinance Prohibiting Camping on Public Property
Except in Designated Areas

Pursuant to Section 15.2-1427 of the Code of Virginia (1950), as amended, the Town of Chilhowie Town Council will conduct a Public Hearing on the proposed Ordinance of the Town of Chilhowie prohibiting camping on public property except in designated areas. The Public Hearing will begin at 7:00 p.m. on Thursday, July 10, 2025, in the Council Chambers, Chilhowie Town Hall, 325 East Less Highway, Chilhowie, Virginia.

By Order of Mayor Heninger and Chilhowie Town Council.

J. Brian Marting
Town Manager

Mayor Heninger opened the Public Hearing at 7:04 p.m.
Brent Foster: Do we have any designated areas?
Paul Cassell: Areas will be designated under the Ordinance by the Town Manager.
Brent Foster: Okay.
Chris Johnson: How do we identify camping? Today in the park, I found a sheet, bread, leaves, and a box of food at the river.
Brian Martin: That's defined as camping.
Paul Cassell: Camping is defined as residing in or using blankets or other items for sleeping during the night or personal belongings being on public property.
Mayor Heninger closed the Public Hearing at 7:06 p.m.

Citizen Time:

Ms. Beverly Hadie, Smyth County Animal Shelter, appeared before Council to request monetary contribution on behalf of Smyth County Animal Shelter. Ms. Hadie explained that the County has many organizations for pet rescue. Smyth County Animal Shelter has Animal Control who brings lost and abandoned animals to be reclaimed, adopted or euthanized. 40 years ago, all volunteers for Smyth County Humane Society came into existence, reducing the population of unwanted animals. All Spay and Neuter work is conducted through the Margert Mitchell foundation. A van runs 2 times a week for people that cannot afford to spay or neuter their own pets. For cats the shelter has a trap and neuter release program to cut down on the cat population. The shelter assists with emergency vet care, collects food and takes food to the local food banks for those animals in need.

Smyth County Animal Rescue attempts to rehome, spay and neuter, vaccinate and gives additional medical care to the animals in need. The Animal Shelter has four employees and a few part-time employees. The shelter is funded by grants, donations and fundraising. The Symth County Shelter is asking Municipalities to donate for the cause to save animals.

Old Business:

- Update on Removal or Repair of Identifies Unsafe (Burned Out) Structures - The Town has made progress removing burned out structures. The property on Popular Avenue is being remodeled. The property at 1487 Old Stage is in negotiation with local developers. The property at 640 West Main is being renovated and funded by Church and Project Crossroads. The property owners at 205 Greever Street had a contract on the property that fell through. The Town will continue to work with the property owners of 205 Greever Street. The property owners at 319 Vance Drive is posted for demolition and the property owner has 30 days to respond. Appreciation was expressed to the Town Staff for their efforts in the clean-up process and mowing the abandoned properties. By the

end of the 2025-year additional liens will be placed on each property the Town is maintaining by mowing.

- 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. One area added to the project is to reline 700 feet of sewer line and rehab the manholes on Skyview Drive.

Motion by Brent Foster, second by Bill Clear Council accepts the change Order Number 3 in the amount of $382,606.17. 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 Hurricane Recovery - The Joint Project Application (JPA) has been approved. The design of the replacement crossing for the three Arial Crossings was advertised in the Smyth County News Messenger with bids being due by Wednesday, July 16, 2025, at 2:00 P.M. The Town held a Bid Opening for the project on Wednesday, July 16, 2025, with two contractors present.

- Adoption of Proposed Ordinance Prohibiting Camping on Public Property - There is an increase in the homeless population in this region and surrounding areas. Other Municipalities are adopting Ordinances due to public safety concerns. The Supreme Court also authorizes such Ordinances.

Motion by Brent Foster, second by P.J. Wolfe Council to adopt the proposed Ordinance Prohibiting Camping on Public Property. 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, AAA Paving provided a bid for milling and overlaying to VDOT specifications for Aker Avenue. AAA Paving has not returned calls for the scheduling project. May have to put the project out for new bids.

- 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 requires renovation

and modernization. The Council was asked to email Mrs. Eller on ideas. The council continued this matter to regular scheduled Council meeting on August 14, 2025.

- Request for Sponsorship, Chilhowie Community Apple Festival- The Town offers a kind match to the Apple Festival, in lieu of a contribution. The Apple Festival issues a banner that is displayed thanking all contributors.

- Surveillance Cameras for Town Hall and Police Department- Mrs. Eller, reported staff are still gathering information and requested to continue the matter. A Tri Citi IT representative will appear before Council during the regular scheduled meeting on August 14, 2025, to discuss the quotes provided for the surveillance of the Police Department, Town Hall and The Recreation Park.

- Live Stream Council Meeting- A representative from Tri Citi IT will appear before Council to review the different types of options for live streaming. To be continued at the council meeting on August 14, 2025.

New Business:

- Discussion of Utilities Disconnection Code Section- In posting meter tampering on social media a citizen posted the Town was not in compliance with State Code. The Code states Town owned utilities cannot be disconnected until the account is Forty-five days in arrears. The Town will not disconnect service for non-payment in July 2025. The disconnect for July 2025 will take place on August 30, 2025, to comply with the code.

- Adoptions of Resolution for fiscal Year 2025-2026 Tax Levy- Mrs. Eller Presented the following:

RESOLUTION

Tax Levy for
Fiscal Year 2025-2026

Upon all real estate in the Town of Chilhowie, Virginia, $0.17 cents per $100.00 of assessed valuation.

Upon all tangible personal property in the Town of Chilhowie, Virginia, $0.35 cents per $100.00 of assessed valuation. Minimum tax: $5.00.

Upon all machinery and tools within the Town of Chilhowie, Virginia, $0.35 cents per $100.00 of assessed valuation: Minimum tax: $5.00.

Upon all mobile homes in the Town of Chilhowie, Virginia, $0.35 cents per $100.00 of assessed valuation. Minimum tax: $5.00.

Upon motion of_____, second by_____ Council hereby adopts and sets the foregoing tax levy for the fiscal year 2025-2026.

Record of vote:

Aye:

Nay:

Absent:

Acknowledge and signed:

_____ _____

Gary L. Heninger, Mayor Felicia C. Eller, Clerk

Motion by Brent Foster, second by Shannon Donnelly Council adopt Resolution for the Fiscal Year 2025-2026 Tax Levy. The motion and 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

- Adoption of Appropriation of Fiscal Year 2025-2026- Mrs. Eller presented the following:

RESOLUTION

WHEREAS, pursuant to §15.2-2506 of the Code of Virginia, 1950, as amended, the Town of Chilhowie published notice of and subsequently held a public hearing on June 12, 2025, for presentation and citizen comment on the proposed fiscal year 2025-2026 Town Budget;

WHEREAS, pursuant to §15.2-2503 of the Code of Virginia, as amended, the Town Council of the Town of Chilhowie approved and adopted the 2025-2026 Town Budget on June 24, 2025;

NOW, THEREFORE BE IT RESOLVED that pursuant to §15.2-2506 of the Code of Virginia, 1950, as amended, the Town Council of the Town of Chilhowie hereby resolves that the funds for the contemplated expenditures budgeted in said 2025-2026 Town Budget be appropriated on an as needed basis for the year beginning July 1, 2025.

RESOLVED, this 10th day of July 2025 by vote of the Chilhowie Town Council.

Record of vote;

Aye:

Nay:

Absent:

Acknowledged and signed:

_____	_____
Gary L. Heninger, Mayor	Felicia C. Eller, Clerk

Motion by Brent Foster, second by P. J. Wolfe Council adopts the Resolution for the FY 2025-2026 Budget as presented. The motion and 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

- Quarterly Report for Highway Safety Initiative-Deputy Chief Smith
  Concluded another year: 349 Summons issued, 488 Officers Hours Worked, 108 Shifts while working on the highway.

- Discussion of Updates of the Council Chambers -Mr. Martin suggested renovating the Council Chambers, but not at a great expense. Such as install electrical outlets on the Dais in the amount of $580.00.

Motion by Brent Foster, second by Bill Clear Council to approve the expenditure for the electrical outlets on the Dais in the amount of $580.00. The motion and 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

- HVAC Repair for H.L. Bonham House- The Bonham House has two HVAC units, and the upstairs unit has failed. Options for repair are 20KW single, stage heat pump $8,400.00, 5Ton 20KW 2-Stage heat pump $11950.00 1-year compressor $4,550.00. Council instructed to send a letter to the Town of Saltville, Town of Marion and Smyth County requesting one-fourth the cost.

Motion by Brent Foster, second by P.J. Wolfe Council to request assistance from the other localities with the expense and maintenance and repair for the H.L. Bonham House the following recorded vote:

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

Council also instructed to obtain additional quotes from different HVAC Service Companies for the cost of replacing the unit in the H.L. Bonham House. The Council authorized the Town Manager to use his discretion to spend up to the amount of $12,000.00 on replacement of the HVAC Unit.

Motion by P.J. Wolfe, second by Julie Sturgill Council to give authorization to the Town Manager to replace the HVAC unit with up to $12,000.00 for H.L. Bonham House, the following recorded vote:

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

- Daniel Caldwell appeared before Council and presented on Air Med Care which owns 400 aircraft across the Country. Membership covers all costs for the air lift. They had five helicopters in the area with air transport in more demand to provide a benefit package to the employees and all elected officials to cover the cost of transportation. This benefit package with referred to the Finance and Personnel Committee to review options and costs for the Town and Employee. The Finance and Personnel Committee will meet on August 14, 2025, at 6:15 p.m.

Motion by Brent Foster, second by Julie Sturgill Council to refer this matter to the Finance and Personnel Committee on August 14, 2025, at 6:15PMthe following recorded vote:

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

Department Reports:

Mr. Martin, Town Manager, reported the drainage issues related to the damaged metal grate on Whitetop Road across from McDonalds, which is scheduled to be repaired before July 1st. This has not been completed by Virginia Department Of Transportation, no timeline has been given. Mr. Martin will be attending the VDOT I-81 meeting on July 16, 2025, to discuss Exit 35.

Mrs. Felicia Eller, Clerk-Treasurer, reported on the change to the Chamber sign to a bigger Town of Chilhowie Logo. The Council chose a Logo, and the Chamber is getting the Sign Company to change the sign.

Chief Haynes reported Saltville needed an ambulance and the Town loaned Saltville an ambulance. Chilhowie had an agreement with Bristol for the swift water rescue and Logan

Ashlin has been deployed to Texas. VDEM will reimburse the Town for the employees' pay. Chief Haynes completed the inspection of the carnival for the Town of Saltville.

Chief Andrew Moss reported on the upcoming third annual Cops and Roders to be held at the Farmer's market July 12, 2025, 4:00pm-7:00pm. The National Night Out event is set for August 5, 2025 at the Town's Recreational Park.

Mr. Keen, Public Works Director, reviewed highlights from the past month. Miss utilities marked, repaired service line breaks, changed faulty pressure reducer valves, checked on possible leaks. Worked on Bonham House getting the building ready for necessary repairs. Unblocked sewer lines across Town as needed. Replace hot water heaters located at splash pad. Hung TVs in council chambers. Made a spread sheet of working pressures in all 7 of the water systems vaults hung on wall. Weeded and mowed all tanks and pumps station.

Chris Johnson, Foreman Building, Grounds, and Streets, reported brush pick-up through out town, built fence around cooling unit located at Loaves and Fishes because someone had been camping behind the building, cleaned out brush and weeded the area.

Stephen Fields reported on the Concerts in the park. Mr. Fields has plans for larger concerts for the upcoming year 2026.

Any Other Council Business:

Councilwoman Sturgill request the removal the flower planters in front of the Town Hall. The Council will decide on where to relocate the planters in town.

Motion by Brent Foster, second by Julie Sturgill Council to remove flower planters from Town Hall. The motion was approved with the following recorded vote:

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

Closed Session:

- Discussion of Town Manager's Annual Evaluation-Justification 2.2-3711(A)(1), of the Code of Virginia, as Amended

Motion by P.J. Wolfe, second by Shannon Donnelly 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 the following recorded vote:

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

Motion by Brent Foster, second by Julie Sturgill and unanimously passed Council hereby enters into Open Session. 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

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

Motion by Brent Foster, second by Julie Sturgill Council adjourns this meeting at 9:00 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

_____Mayor
Gary L. Heninger

_____Clerk
Felicia Eller, CMC