Virginia: **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, January 11, 2024, at 7:00 p.m.**

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

Absent: **None.**

Also Present: **Mr. John E.B. Clark, Jr., Town Manager; Mrs. Felicia Eller, CMC, Clerk-Treasurer; Messrs. Paul Cassell, Town Attorney; Andrew Moss, Police Chief; and David Haynes, Fire/EMS Chief.**

Mayor Heninger called the meeting to order. Mrs. Stephanie Porter Nichols gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Brent Foster, second by Julie Sturgill Council accepts the regular December 14, 2023 and continued January 4, 2024 meeting minutes with a correction on the continued January 4, 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

Citizen Time:

Ms. Heather Carter, Chilhowie Library Branch Manager, expressed her appreciation for Council approving the Community Garden. Ms. Wann applied for the Community Garden Grant in December 2023. In January 2024, Ms. Wann learned the Community Garden have been approved for grant funds. The library will begin adult garden classes each Friday, February through May 2024.

Ms. Carter accepted grant funds from Virginia Commission Through the Arts. The grant funds will assist the Summer Reading Program held at the Library. Mr. Jeffry Marsh, Magician and Juggler, will perform during the Summer Reading Program, June 14, 2024.

Monday January 15, 2024 the Library will be closed to the public. Volunteers from Emory and Henery College is scheduled to organize and clean out closets. Saturday, January 20, 2024 a yoga class is scheduled at 2:30 p.m. The yoga class will be held every second and fourth Saturday of the month. Ms. Vicki Henderson donated a homemade quilt to the Friends of the Library, $800 was raised by raffling off the quilt.

Old Business:

- Review of Bids on Sewer Infiltration and Inflow Project – Sealed bids for the Infiltration and Inflow Project were opened on December 21, 2023. Two bids were received, Portland Utilities and Morgan Contracting Incorporation. The lowest bidder was Portland Utilities for the amount of $3.4 million. The bid is higher than the estimated cost. The scope of the project may be reduced by 20%, if the contractor agrees.

  The Town of Chilhowie recently submitted requested information required for the parity request. Rural Development requested additional information after the first submission. The Town has gathered the additional information and submitted. The deadline to close the Infiltration and Inflow Project is March 31, 2024.

- Review of Lead Service Line Inventory Project –The deadline for completion of the Lead Service Line Inventory is October 2024. Letters explaining the self-certification process have been mailed to citizens requesting information that will assist with the Lead Service Line Inventory. The citizens are required to take a picture of the water line coming into their house and submit it to the Town or Hurt and Proffitt. In return a one-time credit of $25 will be applied to the customer's utility bill. The citizens that do not submit the self-certification, Hurt and Proffitt along with Town staff, will go door to door to inspect the service line. The Town of Chilhowie will not be reimbursed for the project until the Lead Service Line Inventory Project closes.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes the Town Manager and Staff to execute mass mailing of Lead Service Line Self- Certification Information. 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

- Arrival of Sewer Vactor Truck, Training and Financing – The Town of Chilhowie received the new sewer Vactor Truck on December 31, 2023 from Infrastructure Solutions Group, Richmond, Virginia. The Public Works Department trained to operate the Vactor Truck on January 11, 2024. The Vactor Truck is financed through the Bank of Marion with the first payment due August 1, 2024.

- Update on Revenue Anticipation Note (RAN) – Thursday, January 11, 2024, the Revenue Anticipation Note closed. Mrs. Felicia Eller, Clerk-Treasurer, opened three new accounts with the Local Government Investment Pool. There was $960,673.94 placed into the Local Government Investment Pool Revenue Anticipation Note account. Mrs. Eller transferred

funds in the amount of $39,326.06 into the Local Government Investment Pool Revenue Anticipation Note account to cover fees that were deducted during the closing of the Revenue Anticipation Note to maintain a balance of $1,000,000.

New Business:

- Posting of Recreation/Special Events Coordinator and Hiring Procedure – The employment opportunity for the Recreation/Special Events Coordinator was advertised in the Smyth County Newspaper, Saltville Progress, and Facebook. Deadline for resumes and applications is January 22, 2024 at 4:00 p.m. Wellness and Parks Committee will interview the candidates for the position.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes the Wellness and Parks Committee to conduct interviews to fill the vacant position for the Recreation and Special Events Coordinator. 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

- Cleaning of Town Shop Area and Placement of Surplus Equipment to GovDeals.com and to other Venues – Public Works is cleaning up the grounds of the Public Works Shop area. Staff has compiled a list of vehicles and equipment that are no longer in use. Staff is requesting to place the vehicles and equipment on GovDeals.com to advertise for bid. A reserve will be set for the vehicles and equipment. If the reserve is not met, the vehicles and/or equipment will not be sold. If the vehicles and/or equipment are not sold, the items will be sold to Berry's Iron and Metal for scrap metal.

  Mr. Clark stated there is a Boring Machine at the Town shop that was purchased ten years ago, and is rarely used. Mr. Clark has received several calls from neighboring Localities interested in purchasing the Boring Machine. Mr. Clark would like to gather more information and revisit the matter during the next Council meeting.

Motion by Julie Sturgill, second by Brent Foster Council authorizes to declare 2005 Chevy Impala, 2005 Chevy Silverado, 1973 Ford Dump Truck, 2012 GMC Sierra, 2008 Chevy Colorado, 2008 Chevy Silverado, 1994 Ford F700 Vac Truck, 16-foot Tilt Trailer, 16-foot Low Boy Trailer, John Deere Zero Turn Lawnmower, and a 10-foot Homemade Trailer surplus and authorizes to sale on GovDeals.com. 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 Transition of Public Works, Wastewater and Water Operations – The transition of Public Works, Wastewater, and Water Operations has been smooth. Mr. Clark, executed two memos. The first memo stated that if a Public Works employee is called out to remove snow before midnight after a full day's work, the pay rate will be time and a half. If a Public Works employee is called out after midnight, the employee will be paid straight time, and a $150 stipend. If the employee is out all night, the employee will not be expected to report to work at the start of their shift. The second memo addressed compensation time. An hourly employee must be paid overtime rates, and not granted compensation time.

- Proposal on Junior Volunteers for Fire/EMS Department – Mr. David Haynes, Fire/EMS Chief, reported there are interest from local teenagers to join the Fire and EMS Department through a Junior Program. A Junior Volunteer Program would allow local teenagers join the Fire and EMS Department, and hopefully one day become a volunteer or even a full-time employee.

  The Town of Chilhowie's current insurance provided by the Virginia Risk Sharing Association does not provide coverage for workers compensation for volunteers. The Fire and EMS Department carries an additional insurance policy to provide workers compensation to volunteers. Mr. Haynes discussed the different insurance policy proposals provided by Provident for the supplemental accident policy to cover the junior members. Mr. Haynes recommends Plan III to Council; Plan III is estimated to cost the Town $6,987 per year.

  Mr. Paul Cassell, Town Attorney, stated all Junior Volunteers will need to sign a waiver. Mr. Cassell urges the Fire Department to maintain high supervision over Junior Members.

Motion by Bob Jeter, second by Julie Sturgill Council approves the Junior Volunteer Program with the Fire and EMS Program and approves Plan III of the Insurance proposal submitted by Provident. 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

- Route 107 Sewer Building and Sewer Meter Serving Green Hill Subdivision at Packing House Road - The sewer meter on Packing House Road is out of service. The Town is currently estimating the flow from historic low and historic high. The meter tracks flow from the Smyth County system in the Greenhill Area. The estimated flow percentage is compared to the Town's total flow. The Town bills Smyth County for a percentage of the cost for operation and maintenance.

  A new meter will be approximately $7,000. Mr. Clark has contacted Smyth County Administrator, Shawn Utt. Mr. Clark and Mr. Utt are in agreement to split the cost of the

new meter. The new meter will generate more revenue for the Town, due to a more accurate reading.

The sewer line along Highway 107 was installed in 2012. Since the sewer line was placed, the Town has been treating the sewer at no cost. Beginning January 2024, the Town will begin to collect revenue for the sewer along Highway 107.

- Meeting of Planning Commission on Comprehensive Plan Kickoff- The Planning Commission met on Tuesday, January 9, 2024. The Planning Commission reviewed two communications with no issues found. During the meeting the Planning Commission met with Mr. Jordan Powers, Mount Rogers Planning District Commission, to discuss the rewrite of the Comprehensive Plan. Planning Commission will begin to meet monthly beginning Tuesday, February 6, 2024 with Mr. Powers, to work through the re-write of the Comprehensive Plan. Mount Rogers Planning District Commission will invoice the Town for $15,000 for the rewrite of the Comprehensive Plan. The Town will pay $7,500 up front and the remaining $7,500 will be paid once the Comprehensive Plan is complete and adopted by Council.

- Notice of Virginia Municipal League Local Government Day February 1, 2024 – The Virginia Municipal League is holding a Local Government Day in Richmond Virginia on February 1, 2024. Mr. Clark, stated he will be attending and all Council members are encouraged to attend.

Department Reports:

Mrs. Felicia Eller, Clerk/Treasurer, discussed the reimbursement from Smyth County for Emergency Medical Service expenditures for the past five months. Mrs. Eller also discussed December 2023 account balances.

Mr. David Haynes, Fire and EMS Chief, reported on January 1, 2024 the Fire Department placed the new trucks into service. The Ladder Truck is limited to fire duty until the rest of the supplies arrive. The tanker truck responded to three calls in its first day of service.

Any Other Council Business:

Mr. Brent Foster expressed his appreciation to the Chilhowie Police Department for ensuring everything was fine with three Greever's Drug Store employees that returned to the store late at night. The employees pulled into the Greever's Drug store parking lot after hours, and before they could get out of their vehicles a Town Police Officer was present.

Mr. Foster stated today we lost a very valuable former member of the Town of Chilhowie. The Town of Chilhowie does miss and will continue to miss Mr. Billy Jo Testerman.

Mr. Foster stated Mr. Charlie Brown was a member of the Town of Chilhowie, and will be missed by everyone here. Mr. Charlie Brown will be greatly missed and we've lost a Chilhowie icon with him.

Closed Session:

- Consultation with Town Attorney on Delinquency of Major Utility Customer – Justification Section 2.2-3711(A)(7) of the Cod of Virginia, as Amended –

Motion by Brent Foster, second by Julie Sturgill and unanimously passed Council hereby enters into Closed Session under Section 2.2-3711(A)(7) of the Code of Virginia as amended, to discuss a Delinquency of Major Utility Customer. 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

Motion by Bob Jeter, second by Shannon Donnelly and unanimously passed Council hereby enters into Open Session. 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

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)(7) 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	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Motion by Julie Sturgill, second by Brent Foster Council adjourns this meeting at 8:28 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