**Virginia:** **At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, July 9, 2026, at 7:00 p.m.**

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

**Absent:** **Councilors Bob Jeter and P.J. Wolfe.**

**Also Present:** **Mr. Brian Martin, Town Manager; Mrs. Felicia Eller, Clerk/Treasurer; Messrs. Trent Crewe, Town Attorney; Andrew Moss, Police Chief; Aaron Smith, Deputy Chief; Tyler Keen, Public Works Director, and Chris Johnson, Foreman Building, Grounds and Streets.**

Mayor Heninger called the meeting to order. Mr. Cody Sturgill, Chilhowie 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 June 11, 2026, and Continued June 18, 2026, 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 | Absent |

***Yard Sale Ordinance Discussion:***

In 2001, the Planning Commission identified concerns related to residential yard sales and began monitoring the issue. The primary concerns included traffic congestion on secondary streets caused by vehicles parking in roadways and blocking driveways, creating disruptions to traffic flow. Local businesses also reported a decline in sales during yard sales and expressed concerns that yard sale transactions were not subject to sales tax.

The Planning Commission presented its findings and recommendations to the Town Council on October 14, 2004. At that meeting, the Council adopted the Town's Yard Sale Ordinance.

In 2017, the Town experienced an increase in individuals from outside the Community conducting yard sales on Town-owned property. In response, the Council approved the establishment of a Community Yard Sale to be held at the Farmers Market on the first Saturday of each month from April through October. The program was well received, has operated successfully, and continues to be held each year.

Following the discussion, it was agreed that property owners should retain the ability to hold yard sales on their own property.

Motion by Brent Foster, second by Julie Sturgill Council rescinds the Yard Sale Ordinance. The motion was approved with the following recorded vote:

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

***Special Presentation:***

- Mrs. Tarah Keterson, Virginia Clean Cities – Virginia Clean Cities representative Ms. Tara Kesterson and Alliance AutoGas representative Mr. Happy Fox presented information on alternative fuel opportunities for the Town. Ms. Kesterson provided an overview of Virginia Clean Cities, its mission to promote domestic alternative fuels, and available technical assistance, grant opportunities, and fleet evaluation resources. She discussed the continued growth of electric vehicles in Virginia and explained that Chilhowie is well-positioned for Level 2 electric vehicle charging infrastructure due to its location along Interstate 81. The public charging stations can attract visitors, support local businesses, and encourage economic development, while highlighting programs that assist communities with planning and funding Electric Vehicle infrastructure.

  Mr. Fox presented information on propane Autogas as an alternative fuel for municipal fleets, explaining that bi-fuel vehicle conversions can reduce fuel costs, lower emissions, and provide greater energy security while maintaining manufacturer warranties. The services offered by Alliance AutoGas, include fleet analysis, vehicle conversions, fueling infrastructure, and training, and noted that rebates and state contract purchasing options are available.

  Following the presentation, Council discussed fuel economy, maintenance, warranty coverage, and infrastructure considerations. Mr. Martin shared that he intends to provide the Town's fleet inventory for a preliminary cost-benefit analysis of propane conversions and discussed pursuing grant funding for one or two Level 2 Electric Vehicle Charging Stations near Town Hall to serve downtown businesses and visitors.

***Old Business:***

- Update on Removal or Repair of Identifies Unsafe (Burned Out) Structures – Chief Haynes reported three Certified Letters were mailed to property owners located at Old Stage Road, Sunset Drive, and Overlook drive. The Town has received notification that one Certified Letter was received; however, no response has been received from the property owner. In accordance with the Town’s Unsafe Burned-Out Structure Ordinance the property owner has thirty days to respond to the Certified Letter.

Mr. Vernon Sturgill, 125 Poplar Avenue, addressed Council regarding the condition of the former trailer court property located behind the El Camprestre restaurant adjacent to his residence.

Mr. Sturgill stated that the former trailers have been removed; however, concrete pads, utility lines, debris, and remnants from the former motel remain on the property. He expressed concern that the area has become heavily overgrown with bamboo and vegetation, making it difficult to determine what debris remains. Overgrowth has created a habitat for wildlife, including skunks and opossums and poses an ongoing nuisance to neighboring property owners.

Mr. Martin shared a recent inspection that did not identify an abandoned trailer on the property as initially reported but acknowledged that the overgrown vegetation may constitute a weed and trash violation. Council agreed to conduct additional research and reevaluate the property for possible code enforcement action.

The enforcement efforts of the trailer park had been delayed due to the belief that the property was included in the sale of Taylor's Construction. Approximately 45 days earlier it was confirmed the trailer park was not sold with Taylor's Construction. Mr. Sturgill stated he has been dealing with the condition of the property for more than 40 years and requested the matter continue to be addressed until resolved.

- Update on Hurricane Helene Recovery, Approval of Pay Request Number 9 – All three Aerial Crossings have successfully been replaced, eliminating the need for temporary bypass pumps. A substantial completion walkthrough has been conducted, with only a small number of minor punch-list items remaining before the project is formally closed out.

  Mr. Martin respectfully requests Council to approve Pay Request Number 9 in the amount of $85,618.75.

Motion by Brent Foster, second by Julie Sturgill Council approves Pay Request Number 9 in the amount of $85,618.75. The motion was approved with the following recorded vote:

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

- Update on Double D Water Project – The Double D Water Project is being completed in house by Town staff, resulting in a significant cost savings. All required property easements have been obtained and recorded, allowing construction to proceed as planned.

The six-inch water tap has been completed and approximately 480 feet of six-inch water line has been installed. The next phase of work includes installation of the fire hydrant, followed by the installation of approximately 840 feet of four-inch water line. Once installation is complete, the new line will undergo pressure testing and bacteriological sampling before service connections are made to individual customers.

During construction, the Water Department has identified two water leaks in the existing system. Portions of the water line dates back to the 1960s, prior to the area being annexed into the Town. Replacing the aging infrastructure will improve the Town's water system's reliability and accountability.

- Smyth County Regional Industrial Facility Authority – A letter was submitted to Mrs. Kendra Hayden, Smyth County Economic Development Director, expressing the Town's interest in participating in the Smyth County Regional Industrial Facility Authority. Discussions have been ongoing between the three Towns regarding formation of a Regional Industrial Facility Authority. Membership in the authority would provide participating localities with the opportunity to voluntarily participate in future economic development or industrial projects and share in the resulting revenues based on each Locality's level of participation. Participant in individual projects would be optional, not mandatory.

***New Business:***

- Adoption of Resolution for Fiscal Year 2026-2027 Tax Levy – Mrs. Eller read the following:

**RESOLUTION**

**Tax Levy for**
**Fiscal Year 2026-2027**

Upon all real estate in the Town of Chilhowie, Virginia, $0.19 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 2026-2027.

**Record of vote:**

**Aye:**
**Nay:**
**Absent:**

**Acknowledge and signed:**

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

Motion by Brent Foster, second by Bill Clear Council adopts the Resolution for Fiscal Year 2026-2027. 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 | Absent |

- Adoption of Appropriation of Fiscal Year 2026-2027 – Mrs. Eller read 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 11, 2026, 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 2026-2027 Town Budget on June 18, 2026;

**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 2026-2027 Town Budget be appropriated on an as needed basis for the year beginning July 1, 2026.

RESOLVED, this 9th day of July 2026 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 Julie Sturgill, second by Shannon Donnelly Council adopts the Resolution for Fiscal Year 2026-2027. 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 | Absent |

- Requests to Surplus Bypass Hoses, Torch and Tanks – Mr. Martin respectfully request Council to deem the Bypass Hoses, Torch and Tanks as surplus. The equipment was purchased for use during the Town's Wastewater bypass operations following Hurricane Helene. With the completion of the Aerial Crossings the equipment is no longer needed and is not suitable for use by the Public Works Department or Fire Department due to its specialized purpose.

  If placed on GovDeals there are concerns regarding the cost and logistics of cleaning, packaging, and shipping the specialized equipment. It was recommended to solicit sealed bids from regional buyers who could arrange local pickup.

Motion by Brent Foster, second by Julie Sturgill Council deems Bypass Hoses, Torch and Tanks and surplus equipment and solicit sealed bids for surplus equipment. The motion was approved with the following recorded vote:

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

- Quarterly Report for Highway Safety Initiative – Mr. Aaron Smith, Deputy Chief, presented the year-to-date for the Highway Safety Program. Police Officers issued a total of 504 summonses and worked 430 hours conducting Interstate Enforcement. The Police Officer working the Highway Safety Initiative assisted the Smyth County Sheriff's Office on 20 occasions, Saltville Police Department 4 occasions, Marion Police Department 1 occasion, Virginia State Police 2 occasions, Chilhowie Fire Department 6 occasions, backed up the on-duty Police Officer 7 occasions, and assisted six motorists. The Police Officer conducted three consent searches which resulted in additional criminal charges.

- Presentation from Chief Executive Officer of Ethic Cards – A video presentation from representatives of Compass Ethics was shown recognizing the Town of Chilhowie Police Department and Chief Moss for their participation in the Compass Ethic Cards program.

Representatives from Compass Ethics commended Chief Moss and the Police Department for their commitment to professional development, ethical awareness, and strengthening a Community trust. The Town of Chilhowie Police Department was recognized as a Compass Leader in Ethical Culture for voluntarily participating in the Compass Ethic Cards initiative and demonstrating a commitment to Law Enforcement excellence and maintaining the highest standards of professional and ethical service. Chief Moss was presented with a Certificate of Recognition on behalf of the Police Department and the Town of Chilhowie.

Chief Moss presented information regarding the Compass Ethic Cards program, an ethics engagement application designed for law enforcement personnel. The program provides officers with opportunities to participate in brief, research-based discussions focused on ethical challenges, decision making, and responsibilities within the Law Enforcement profession.

Ethic Cards Program consists of 52 scenarios, representing 52 weeks in a year, with each card presenting a different ethical situation for officers to consider and discuss. The program was introduced to the Police Department after being presented at the Law Enforcement Conference. The Chilhowie Police Department is one of only eight agencies in Virginia and approximately 120 agencies nationwide currently participating.

The program is continually updated with new scenarios and resources. The program encourages Police Officers to have meaningful conversations with one another about ethic decision-making, professional responsibility, operational judgement, public trust, and team well-being. The Police Department has seen Police Officers engage with the program beyond scheduled discussions, including conversations with Police Officers from other Agencies. The program incorporates research related to Police Officer wellness, stress management, and maintaining healthy habits while serving in a demanding profession. The Town of Chilhowie purchased a three-year subscription to the Ethic Cards Program using available grant funding, with the cost being approximately $3,000.

- Update on Request for Crosswalk at Chilhowie Public Library – During the Council meeting on Thursday, June 18, 2026, Council instructed Mr. Martin to reach out to Virginia Department of Transportation to request a crosswalk at the Chilhowie Public Library. Mr. Martin spoke with Mr. Lewis and Mr. Dotson at the Virginia Department of Transportation Abingdon Area Headquarters, and they indicated they would review the request and evaluate potential options for funding through future safety improvement programs. Due to the low-speed limit and low traffic volume in the area, the project may be difficult to justify under current criteria and is not expected to receive the same priority level as other crosswalk projects currently being pursed. However, the Virginia Department of

Transportation will continue to review the request and determine whether it may be included as a part of future safety funding opportunities.

- Update on Town Community Service Program – The Town has recently had its third participant finish the Town Community Service Program. The program provides an opportunity for youth completing community service hours to gain positive experiences through involvement with various Town Departments. The program focuses on providing constructive work opportunities while encouraging personal growth, responsibility, and positive engagement within the Community.

  The Town works with Highlands Community Services to coordinate participants and does not accept youth with violent offenses. The most recent participant was from outside the Town's jurisdiction after her local Community was unable to accommodate her. The Town welcomed the opportunity to assist, and the participant and her family appreciated the experience.

  Mr. Martin encouraged local students who need volunteer service hours, including those participating in programs such as Smyth Promise Scholarship Program, to consider completing their hours through the Town. These opportunities allow young people to contribute to their Community while gaining valuable experience. Mr. Martin will provide a letter of support for the students who participate.

- Update on FY 2023-2024 and FY 2024-2025 Audits – When Mrs. Eller took seat of October 2023, the Town was significantly behind on completing required Audits, with a backlog of approximately five years. Through continued efforts, the Town has reduced the backlog and is currently working with Hicok, Brown, and Company to complete the Fiscal Year 2024 and Fiscal Year 2025 Audits concurrently.

  The goal is to have the Fiscal Year 2024 Audit completed by October 31, 2026, and the Fiscal Year Audit 2025 Audit completed by December 31, 2026. Completion of these Audits will bring the Town current.

***Department Reports:***

Mr. Martin expressed appreciation to the Town Council, Town staff, Contractors, Engineering Consultants, Volunteers and Partner Organizations for their continued efforts throughout the recovery process of Hurricane Helene. Recognition was also given to the Virginia Department of Environmental Quality (DEQ) for its assistance in securing the $2.28 million recovery grant.

The new upgrade safety signage and push-button solar-powered crosswalk signals have been installed near Chilhowie High School and Chilhowie Middle School. The project was completed at no cost to the Town, with funding and installation support provided by the Virginia Department

of Transportation. Recognition was given to the Virginia Department of Transportation representatives, particularly Mr. Lewis, for their assistance in helping bring the project to a completion.

The Wastewater Department has been working to identify potential sources of PFAS discharge in response to upcoming state requirements. Initial investigations identified more than a dozen potential sources, which have since been reduced to six confirmed areas of concern, with additional investigations ongoing.

The Wastewater Treatment Plant's five-year permit renewal is underway. This is the Town's first re-permitting process since the Town's transition away from land application of biosolids. Public notification requirements remain before the final permit can be issued, and staff will coordinate publication of the required notice.

Mr. Martin provided an update on the Bonham House, reporting that an additional roof leak has been identified and is currently being evaluated. The Building and Grounds Department is developing a materials list for the installation of an ADA-compliant ramp to replace the existing chairlift, which has required frequent repairs and ongoing maintenance. Smyth County has agreed to assist with maintenance costs, while the other two Towns have indicated they will consider providing support once cost estimates are available.

The Town remains under drought conditions. While no water restrictions are currently in place, residents are encouraged to conserve water due to declining water levels and the significant resources required to pump, treat, and distribute approximately 1.4 million gallons of water per day.

Following a recent electrical surge believed to have resulted from a lightening strike, the Wastewater Treatment Plant's oxidation ditch motor experienced a failure involving its three-phase power supply. Due to the critical nature of the equipment and the potential impact of a failure at the Wastewater facility, Mr. Martin authorized the procurement of an additional replacement motor to ensure the Town has adequate backup capacity. An insurance claim has been submitted to Virginia Risk Sharing Association.

The Town is exploring additional water supply options, including the potential reopening of the original Grosses Spring. The spring served as the Town's primary water source from 1932 until the early 1990s and continues to have significant flow potential. The Town is coordinating with the Virginia Department of Health and has obtained equipment to measure flow rates, turbidity, and water quality. The evaluation process will require extensive data collection over an extended period to determine the feasibility of returning the spring to service.

Mrs. Eller reported that it is time to begin the Town Manager evaluation process. Council members were requested to complete and return their evaluations to Mrs. Eller within the next few weeks. The completed evaluations will be compiled and presented for discussion during the closed session of August 13, 2026, Town Council meeting.

Mrs. Prater provided an update on the implementation of Cloud Permit, reporting that the Town has transitioned from the training and testing phase into soft production. The first permit was successfully issued through the system on July 8, 2026. Mrs. Prater stated they are working toward making the system available to the public by mid-August.

Chief Moss and Chief Testerman participated in the Changing Season's Forum on Homelessness at the Chilhowie Christian Church on June 27, 2026, discussing available resources and ways the Community can assist with related concerns.

Lieutenant Perry and Deputy Chief Smith recently completed the FBI Public Information Officer course. The Police Department plans to utilize this additional training to enhance public communication efforts and provide timely information to the Community.

The Flock Camera technology assists the Police Department with criminal investigations and improves public safety. Chief Moss addressed concerns about misinformation regarding the technology and explained that the Flock Cameras are used responsibly and in accordance with established policies. Flock Cameras have assisted the Police Department in identifying suspects and solving cases, including theft, hit-and-run incidents, and other criminal investigations that may have otherwise been difficult to resolve.

The Cops and Rodders will be held at the Will Walkers Famers Market on Friday, July 10, 2026, from 4:00 p.m. to 8:00 p.m. National Night Out is scheduled for Tuesday, August 4, 2026, at the Town Park from 6:00 p.m. to 9:00 p.m.

Mr. Keen reported the Public Works Department repaired nine water leaks, cleared one clogged sewer line, installed one new water service tap, completed 67 Miss Utilities, and cleared brush from Town-owned property on Overlook Drive. The department also assisted Mr. Johnson with painting and repairing the columns at the Bonham House. Mr. Keen reported that construction continues on the Double D Water Project, with approximately 480 feet of the planned 600 feet of water line installed.

The Public Works Department recently underwent an unannounced inspection by the Occupational Safety and Health Administration (OSHA). Three non-critical deficiencies were identified during the inspection, all of which have been corrected, and documentation has been submitted to Occupational Safety Health Administration.

Mr. Keen expressed appreciation to Chief Haynes, Mrs. Prater, and Mr. Ashlin for providing CPR and AED training to all Public Works Department employees.

Mr. Chris Johnson, Building, Streets, and Grounds Foreman, reported the Building and Grounds Department is now fully staffed. With all positions filled, the department anticipates making significant progress in completing projects that had previously been delayed due to staffing shortages.

***Any Other Council Business***

Mr. Martin expressed appreciation for the dedication and professionalism of the Town staff, recognizing their commitment to providing quality service to the Community. He commended employees for their proactive approach to addressing challenges, citing the Public Works Department's prompt response to the recent Occupational Safety and Health Administration (OSHA) inspection. All identified deficiencies were addressed quickly, and corrective actions were implemented without delay. He further recognized the efforts of all Town Departments, particularly the first responders, for their continued commitment to serving the Community and maintaining high professional standards.

Councilman Sturgill recognized a local student from Northwood Middle School who's winning "If I were mayor" essay was featured in the Virginia Town and City magazine. Council congratulated the student on the achievement and acknowledged the positive recognition it brings to the Community.

Motion by Bill Clear, second by Julie Sturgill Council adjourns this meeting at 8:18 p.m. The motion was approved with the following recorded vote:

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

_____Mayor
Gary L. Heninger

_____Clerk
Felicia Eller, CMC