

Virginia: At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, January 11, 2018 at 7:00 p.m.

Present: Honorable Gary L. Heninger, Mayor Presiding; Councilors Donna S. Blevins, Billy L. Clear, Charles E. Doane and F. Brent Foster.

Absent: Councilor Alan W. Counts.

Also Present: Mr. John E. B. Clark, Jr., Town Manager; Mrs. Marlene Henderson, Clerk-Treasurer, MMC; Messrs. Paul Cassell, Town Attorney; Stephen Price, Police Chief; Jay Keen, Public Works Director; David Haynes, Fire Chief and Randy Sturgill, Building Official.

Mayor Heninger called the meeting to order. Larry Hamm gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Donna Blevins, second by Brent Foster Council adopts the regular December 12, 2017, meeting minutes. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

Citizens Time:

Lynn Pease appeared before Council to update the status of the Smyth County Library Board of Trustees. Tuesday, January 9, 2018, the Town of Saltville Town Council passed their Resolution in support of retaining the Smyth County Public Library Board of Trustees in response to the Smyth County Board of Supervisors Resolution. There is a difference of opinion of the term Board of Trustees, Advisory Board or Council. The definition as stated in the Virginia Public Library Trustee Handbook clearly states the Board of Trustees has the authority to allocate and spend money and make personnel decisions for the Library as well as guide and oversee the operations. An Advisory Board or Committee typically only recommends to the Board of Supervisors.

Without a Smyth County Board of Trustees all the money will go directly to the Smyth County Board of Supervisors. This includes but not limited to all the monies that are gained from the Towns of Chilhowie, Marion and Saltville, all the monies from the State of Virginia and all the endowments both past and future and money budgeted from Smyth County Board of Supervisors. The Friends of the Smyth County Public Library are against this elimination of the Smyth County Public Library Board of Trustees and strongly support the Board of Trustees to continue to have input for an effective, responsible representative of Smyth County Public Library. The citizens and Board of Trustees will not only have their ability compromised in having a voice in the over all operation of the Library system. The Friends of the Smyth County Public Library are requesting Council to oppose Smyth County Library becoming a Department of the Smyth County Government and request Council to use their influence to help retain the

Trustee form of Governments for the Smyth County Public Library and pass a Resolution in support the Public Library in retaining their governing Board of Trustees.

Alan Keesee introduced himself to Council stating he lives on the West end of Chilhowie and is the owner and operator of Keesee Customs. He has also worked at General Dynamics for twenty-eight years. Mr. Keesee is seeking election to fill the unexpired term of Donald Hicks.

Old Business:

- Update on Downtown Revitalization Project – A revised Environmental Assessment agreement has been received concerning the demolition of the old Superior Mills building. The Brownsfield Project awarded a \$50,000 grant to the Town to conduct Phase I of the Environmental Assessment for \$10,000 which found lead and asbestos. They have recommended conducting Phase II of the Environmental Assessment. The amount was reduced from \$30,000 to \$23,500, but the goal is not to conduct a Phase II but to demolish the building. The information found will contribute to specs of demolition techniques for hot spots to take extra care when those areas are addressed.

The property owner reviewed the proposed agreement and approved. Vince Maiden is pleased with the agreement and possibly an extra \$6,500 can be used to conduct some monitoring in the future but that is left to the property owner. The main focus is the demolition of the building. The demolition plan is in progress with hopes to advertise for bids in the near future. The Architectural Plans were presented December 18, 2017 and the property owners in attendance of the meeting were well pleased. It is expected there will be thirteen properties to be bid out as a whole but the low bid will be awarded to each property hopefully in April 2018.

- Update on Mill Creek Water Treatment Plant Project and Pay Request Number 10 – Jeff Spickard, The Lane Group, reported the contractor is continuing piping work within the plant. The membrane equipment has been sent and the contractor is waiting for electrical components which were just received. The contractor has completed electrical component installations at the Treatment Plant and it will continue the next few weeks. The required outdoor work, such as a short section of piping installed outside the building, may be affected by the weather and becoming delayed. The contractor has submitted a revised schedule. The revised schedule has been reviewed and the projection for the startup of the first skid is now March 2018. All work completed thus far is satisfactory.

The Pay Request Number 10 is for a total of \$173,958.20. The contractor has requested payment of \$163,680.70, The Lane Group has requested payment of \$8,277.50 and the Bond Council has requested payment of \$2,000 for fees. Due to the project being behind schedule Liquidated Damages can be applied for \$580 per day the project is late for completion. The original completion date is April 4, 2018 but the contractor is putting the Town on notice that it will be late which is laying the ground work for a time extension. If a Change Order is approved it grants a time extension. There are currently pending Change Orders that have not been acted upon yet which would be legitimate.

The Lane Group would make a recommendation to Council for such Change Orders. The contractor has requested a total shut down on Tuesday, January 16, 2018. The Town and Washington County Service Authority discussed the request and will deny the request due to weather conditions and will wait for another day when the weather has improved.

Motion by Brent Foster, second by Donna Blevins Council approves Pay Request Number 10 in the amount of \$173,958.20. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

Mr. Clark reported concerning the temporary fluoride outage all water customers were notified via water cards and the Town's website. The water contains chlorine as required by the Virginia Department of Health.

- Report on Title Search on 132 River Road – Mr. Cassell, Town Attorney, reported the Title Search has been completed and is clean. Mr. Cassell will prepare the Deed and necessary documents for Mr. Keith to sign to transfer the property to the Town.

Motion by Mr. Foster, second by Charlie Doane Council accepts the property and authorizes the Town Manager to execute property documents. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

- Quarterly Report (September to December 2017) Highway Safety Initiative – Chief Price reported the quarter was highly successful. The Town has received a total of \$22,179.07 in fines during this quarter. Officers worked 172 hours and a total of overtime paid to working officers was \$4,051.22.

Officer Reedy has completed his physical assessment at the Police Academy and will begin class January 17, 2018.

- Update on Planning Commission Rewrite of Comprehensive Plan – Councilwoman Donna Blevins reported the Planning Commission is working jointly with Mount Rogers Planning District Commission on Chapter 5 which discusses housing in the Community with lots of statistics from the American Community Survey and Census. Chapter 5 discusses the existing housing conditions and gives a lot of history of the Town of Chilhowie. Community needs such as elderly housing was also discussed during the Planning Commission meeting.

New Business:

- Situation with Operational Medical Director for EMS and Insurance – Fire Chief David Haynes was informed the existing Operational Medical Director would be retiring from Carillion and accepting a teaching position at Emory and Henry College. While employed with Carillion the Operational Medical Director had malpractice insurance provided and paid for by Carillion for services to both the Towns of Chilhowie and Marion. An Operational Medical Director is required in order to operate emergency medical services.

Two insurance providers of the medical malpractice insurance were contacted; the Virginia Municipal League Insurance Pool (VMLIP) and Virginia Fire Insurance Services (VFIS) through Slemple, Brant, Saunders. The Operational Medical Director preferred the VFIS coverage and both were about the same price. The estimated annual premium is \$4,031 and coverage was secured.

Motion by Brent Foster, second by Donna Blevins Council ratifies the action for Operational Medical Director for EMS Insurance. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

- Consideration of Joint Resolution Library Board of Trustees – Bill Rush, Town Manager for the Town of Marion, prepared two Resolutions for the Library Board of Trustees. Mr. Clark spoke with Mr. Carter, Smyth County Administrator, and the Smyth County Board of Supervisors would like to integrate the Smyth County Library into the umbrella of the County Personal Policies and Health Insurance Policies. The options are a Board of Trustees or a Citizen Advisory Board or take no position. The Resolution will be presented to Delegates and Senators opposing what the County is attempting to accomplish.

**A JOINT RESOLUTION IN SUPPORT OF A CITIZEN ADVISORY COUNCIL
FOR THE SMYTH COUNTY LIBRARY SYSTEM**

WHEREAS, the Smyth County Bland Regional Library was dissolved in 2017 and the Smyth County Library was subsequently formed; and

WHEREAS, historically there has been strong citizen volunteerism and guidance in the library system in the form of a board of trustees, composed of volunteer, non-compensated citizens; and

WHEREAS, now that the Smyth County Library is a department of, and governed by, the Smyth County Board of Supervisors, and they are responsible for the continuance of the traditional library services offered and the financial health of all county departments going forward; and

WHEREAS, the citizens residing in the towns of Chilhowie, Marion, and Saltville directly contribute to the library through the county taxes they pay, and through an additional allocation

of cash donated by the towns of Chilhowie, Marion, and Saltville of \$21,100, \$38,270, and \$22,100 respectively, along with several thousand dollar of “in kind” donations in terms of maintenance, utilities, and promotions by all three town municipalities; and WHEREAS, an efficient library is dependent upon the continued volunteer support of charitable organizations such as the Friends of the Library and others, and an advisory board comprised of a citizen member of each voting district would ensure an adequate citizen representation of all districts;

NOW THEREFORE BE IT RESOLVED, by vote of the Town Councils of Chilhowie, Marion, and Saltville, do hereby request the Smyth County Board of Supervisors commit to instituting a library advisory board consisting of citizen members from each voting district.

RESOLVED, this 16th day of January 2018.

Gary Heninger, Mayor
Town of Chilhowie

David Helms, Mayor
Town of Marion

Todd Young, Mayor
Town of Saltville

Motion by Donna Blevins, second by Brent Foster Council adopts the Joint Resolution in Support of a Board of Trustees for the Smyth County Library System. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

- Report on Contract with Enterprise on Vehicle Rental – Mr. Clark, Town Manager, reported at times employees are driving their personal vehicles to meetings and/or trainings and the Town is reimbursing the employee via mileage. If the Town used a vehicle rental business such as Enterprise the Town can save money. Enterprise has an office in Marion and Abingdon. The policy would be if the trip is less and 100 miles round trip the employee can take their personal vehicle but if the trip is more than 100 miles round trip the employee would go through the Treasurer to obtain a rental vehicle and Enterprise would deliver a vehicle.

Motion by Donna Blevins, second by Brent Foster Council accepts the contract with Enterprise on Vehicle Rental. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

Department Reports:

Mr. Clark reported the two surplus police vehicles were previously advertised on Govdeals.com with no bids being received. The police vehicles as well as the Subaru Impreza and 1996 Dodge

Pickup are now being advertised for sealed bids. A \$200 minimal was set for the Subaru and Dodge, there are no minimal for the two police vehicles. The Town has the right to refuse any and all bids and are being sold on an as-is where-is basis. Bids are due by 2 pm, January 31, 2018.

Chief Haynes reported after six attempts the Fire/EMS Department has received a grant to replace an ambulance. Chief Haynes is currently working with three vendors to get the right vehicle for the Department. The grant is 80% with a 20% match and the matching funds are budgeted.

Closed Session:

- To discuss public safety and security as allowed under Section 2.2-3711(A) (19) of the Code of Virginia, as amended.

Motion by Brent Foster, second by Donna Blevins and unanimously passed Council hereby enters into Closed Session to discuss public safety and security as allowed under Section 2.2-3711(A)(19) of the Code of Virginia, as amended. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

Upon motion by Brent Foster, second by Bill Clear Council hereby enters into Open Session. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	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)(19) 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 certifies 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:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

Mr. Brian Martin, serving as Town Manager of the Town of Saltville reported the Town of Saltville adopted the Joint Resolution in Support of a Board of Trustees for the Smyth County Library System.

Motion by Brent Foster, second by Donna Blevins Council adjourns the meeting at 8:17 p.m.
The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Absent	Charlie Doane	Aye
Brent Foster	Aye		

Gary L. Heninger

Mayor

Marlene L. Henderson, MMC

Clerk