

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

**Present:** Honorable Gary L. Heninger, Mayor presiding; Councilors Donna S. Blevins, Billy L. Clear, Alan W. Counts, Charlie Doane, Emily B. Dungan and F. Brent Foster.

**Absent:** None.

**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 and David Haynes, Fire Chief and Randy Sturgill, Building Official.

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

**Approval of Minutes:**

Motion by Brent Foster, second by Donna Blevins Council adopts the regular September 13, 2018 meeting minutes as written. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

**Citizens Time:**

Jeff Pease, 752 Skyview Drive, appeared before Council to give the Chilhowie Library Progress Report. The Library was open nineteen days during the month of September and serviced the needs of 1,262 visitors. Story Time for the Headstart and two Pre K classes has resumed. New reading materials are now circulating. For Halloween the Library will show the movie "Hocus Pocus" Saturday, October 20, 2018 at 6 p.m.

Over twenty concerned citizens attended the Smyth County Board of Supervisors meeting held October 9, 2018 requesting the Supervisors reinstate the Library Board to seven members.

**New Business:**

- Notice of Clinch Valley Community Action Taking Over Headstart Building and Program – Doug Sheets, Executive Director of Clinch Valley Community Action, operates several programs in Smyth and Wythe Counties for a number of years including Headstart programs. Clinch Valley Community Action has received grant funding for Headstart programs and requests to utilize the existing Headstart building located behind the Old High School. The main concern is serving the seventeen children that are attending the Headstart. Clinch Valley Community Action will care for the building. The program is trying to hire the existing staff at the Headstart and will be hosting a job fair and a notice will be advertised in the paper on October 20, 2018. December 1, 2018 is the transition date for the current Mountain CAP program to end and the Clinch Valley

Community Action program to begin. The Headstart office has issued funds for any repairs to the facility.

Minor repairs will be noted within the lease. The current contract lease is for five years beginning December 1, 2018 through December 1, 2023. The Clinch Valley Community Action is responsible for any safety hazards, repairs and utilities. A maintenance person will be maintained by the Clinch Valley Community Action for mowing and repairs.

Motion by Brent Foster, second by Bill Clear Council authorizes Town Manager to sign a new lease on behalf of Council for one year and will be renewable for up to five years. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

**Old Business:**

- Update on East Lee Sidewalk Project – Jay Keen, Public Works Director, reported the gas line has been relocated as well as a section of eight inch sewer line. The contractor is now ready to begin the sidewalk drainage structures. Once completed the sidewalk will tie into the existing sidewalk on Church Street. Three temporary construction easements have been obtained from Chilhowie Baptist Church, Smyth County Tile and Stone and the William and Pam Boswell residence.
- Presentation of Pay Request Number 11 and Bids on Line-of-Credit Financing – Pay Request Number 11 for the East Lee Highway Sidewalk Project is in the amount of \$15,822.52. Mobilization for Boring Contractors in the amount of \$15,000 and Thompson and Litton engineering services in the amount of \$822.52. The Town will be reimbursed 80% of the Pay Request for a total reimbursement of \$12,658.02.

Motion by Brent Foster, second by Alan Counts Council approves Pay Request Number 11 for East Lee Highway Sidewalk Project in the amount of \$15,822.52. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

The bid request from local banks for a line of credit was advertised. One bid was received that was acceptable from New People’s Bank. New People’s Bank submitted their bid on time at the rate of 4% interest on a \$300,000 line of credit. The bid received from the Bank of Marion was received at 2:25 p.m. after the bid closed at 2:00 p.m. therefore the Bank of Marion bid was unacceptable.

Motion by Donna Blevins, second by Brent Foster Council accepts the New People's Bank bid of 4% interest for a \$300,000 line of credit for the East Lee Highway Sidewalk Project. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Update on Mill Creek Water Treatment Plant and Presentation of Pay Request Number 18 – Jeff Spickard, The Lane Group, reported the project is winding down but has not achieved substantial completion. There are one or two more items to be completed before substantial completion can be reached. The contractor has completed most of the computer programming and has provided the final round of training for the membrane equipment, the operators now know how to pin the fibers. The electrical work has been wired in and both membranes are complete. Pay Request Number 18 represents the work of the contractor in the amount of \$39,049.21. After Pay Request Number 18 there is over \$200,000 remaining in the project. There is \$117,000 left in retaining and the rest is for work that is not yet completed. The water treatment plant is producing water.

A check list of items to be completed has been sent to the Contractor. There are concerns that have yet to be resolved such as chlorine and fluoride pumps. Liquidated damages of \$540 per day are still in effect and will remain until substantial completion is met. Once substantial completion is met the liquidated damages stops and the Contractor has thirty days to finish the entire project. Then a special demonstration period must occur by having a ninety day run cycle with no issues.

Motion by Brent Foster, second by Alan Counts Council approved Pay Request Number 18 for the Mill Creek Water Treatment Plant in the amount of \$39,049.21. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Update on Downtown Revitalization Project and Presentation of Pay Request Number 10 – Dennis Amos, Hurt and Proffitt, appeared before Council to report Pay Request Number 10 is in the amount of \$64,420.25. The Contractor continues to make progress with the stormwater drainage line. From a payment standpoint the Contractor is 36% complete.

Motion by Brent Foster, second by Bill Clear Council approves Pay Request Number 10 for the Downtown Revitalization project in the amount of \$64,420.25. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Presentation of Change Order Number 1 and Number 2 on Downtown Revitalization Project – Dennis Amos, Hurt and Proffitt, reported Change Order Number 1 is to provide and install a 42” galvanized grate over the outlet of the stormwater system at the river. Contract time is to adjust for weather days through September 25, 2018. The increase of the contract price for Change Order Number 1 is \$1,050.

Motion by Brent Foster, second by Alan Counts Council accepts Change Order Number 1 in the amount of \$1,050. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

Change Order Number 2 is to install a 12” HDPE drain line under a building. The drain line is to be installed using directional drilling. The north end of the pipe will be capped and left 3’ outside the foundation for the building owner’s use. The south end of the pipe will be connected to the stormwater network in Main Street. The increase in the contract price for the Change Order Number 2 is \$12,825.

Motion by Brent Foster, second by Donna Blevins Council accepts Change Order Number 2 in the amount of \$12,825. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Presentation of Contract for Farmers Market – Council authorized the Town Manager to negotiate with Hurt and Proffitt on the contract for a Farmers Market structure. The base contract is one that rural Development uses and the other contract is one of the American Institute of Architects uses and those two contracts are combined. The design fee accepted is in the amount of \$31,650 and \$5,000 was allocated for geotechnical testing. Additionally \$16,750 was budgeted for grading, \$9,450 for stone, \$3,000 for erosion control and \$5,000 for mobilization; leaving approximately \$179,700 available for the building’s construction.

The matter of dedicating the Farmers Market structure to Will Walker was discussed. It was suggested to name it “The Will Walker Farmers Market and Community Pavilion.” Mayor Heninger has discussed this idea with all Council members and the Walker family and all approve.

Motion by Brent Foster, second by Donna Blevins Council dedicates the Farmers Market structure as “The Will Walker Farmers Market and Community Pavilion.” The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Report on closing of \$1,852,000 Rural Development – The loan was closed on October 4 at 11 a.m. The Bank of Marion who provided the interim financing was paid off. The rate on the forty year loan is 2.375%. Payments on the loan will not begin until November 2020. Before the Town starts payments, two interest payments of \$44,000 will be made in October 2019 and October 2020. The total monthly payment will be \$6,186, with the Town paying \$3,464.15 and the Washington County Service authority paying \$2,721.84.
- Report on Third Quarter Highway Safety Initiative – The quarterly summary for the Highway Safety Initiative for July 2018 through September 2018 stated 329 summonses were issued; the total amount in fines paid to the Town was \$24,738.88, 204 hours worked and \$5,175.87 overtime paid to officers that worked. Other duties performed during the Highway Safety Initiative were backing up officers on duty, assisting Smyth County Sheriff’s Office, Saltville Police Department, Virginia State Police and assisting Chilhowie Fire Department.

**New Business:**

- Report on Fire Services Board on Fire and Emergency Medical Services Study – The Virginia Department of Fire Programs will be conducting a comprehensive one day study on October 25, 2018. A public meeting will be held on October 25, 2018 at 6 p.m.
- Proposal on State Championship Sign – The Virginia Department of Transportation does not place State Championship Signs for localities. An estimate has been submitted from Jerry’s Signs to create and install a sign stating “1970 VHSL Football Group A State Champions and 2014 VHSL Girls Basketball Champions.” The cost for the sign is estimated to be \$3,450. The height of the sign allows for additional panels to be added in the future.

Motion by Donna Blevins, second by Bill Clear Council approves the purchase of the sign at the cost of \$3,450 but delay the installation. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Appointments on Chilhowie Planning Commission – There are two Planning Commission members whose terms will expire December 31, 2018. Mrs. Henderson has spoken to the two members and they are willing to be reappointed.

Motion by Brent Foster, second by Charlie Doane Council appoints Lynn Pease and Jim Bonham to serve on the Planning Commission for a four year term expiring December 31, 2022. The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

- Notice of Delinquent Property Sales – There will be a Public Auction for a Special Commissioner Sale of Real Estate for Delinquent Taxes on Monday, October 29, 2018 at 11 a.m. There are three within the Town of Chilhowie that will be sold. Pearle Cooper, 811 Meadowbrook Drive; Gary Finely, 207 Double D Drive and Maggie Body Montgomery, 501 Whitetop Road.
- Engineering Interviews for Additional Work at Water Treatment Plant – The Town and Washington County Service Authority Steering Committee recommended solicitation for engineering services be done for the remaining work at the water treatment plant. This work involves security and safety, on site water storage tank improvements, control and process analysis. The following three firms were interviewed: Thompson and Litton of Wise, Bennett and Associates of Blacksburg and WRT of Blacksburg. The committee voted to offer WRA of Blacksburg the job and contract negotiations are on-going.

### **Department Reports:**

Marlene Henderson reported the Smyth County Chamber of Commerce annual meeting will be held Tuesday, November 6, 2018 at 6 p.m. at Riverfront Café. Student Government Day is scheduled for Tuesday, October 23, 2018.

Steve Price, Chief of Police attended a three day executive in-service conference for members of the Southwest Virginia Criminal Justice Training Academy. There were thirty-four Chiefs and Sheriffs in attendance. He also attended the Virginia Association of Chiefs of Police Conference in Roanoke for four days. There were hundred fifty Chief of Police in Attendance.

A police vehicle was struck by another motorist in the side of the police vehicle during Apple Festival. The accident has been submitted to the Virginia Municipal League Insurance. An adjuster will submit an estimate for repairs. VML Insurance will work with the other drivers insurance for recovery of the cost.

Jay Keen, Public Works Director, reported Reid's Store Pump Station motor went out five weeks ago and a new motor and pump have been ordered. The life of the motor and pump is ten to twelve years. The other motor has now quit working; but the new motor and pump ordered have been received and installed. Mr. Keen is awaiting a cost estimate for the additional pump and motor.

David Haynes, Fire Chief, reported the Fire and EMS Study has been scheduled and will be conducting an on-site visit on October 25, 2018. A Town Hall meeting will be held the same day at 6 p.m.

Mayor Heninger reported Chilhowie High School Marching Band attended the Band Competition at the Lonesome Pine Festival and won seven first places in different events and was Grand Champion of the competition. Congratulations to Chilhowie High School Marching Band on a job well done.

Motion by Alan Counts, second by Donna Blevins Council adjourns this meeting at 8:27 p.m.  
The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Charlie Doane	Aye
Emily Dungan	Aye	Brent Foster	Aye

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Gary L. Heninger Mayor

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Marlene L. Henderson, MMC Clerk