

Virginia: At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, April 11, 2019 at 7:00 p.m.

Present: Honorable Gary L. Heninger, Mayor presiding; Councilors Donna S. Blevins, Billy L. Clear, Alan W. Counts, Emily Dungan, and Lewis W. Shortt, Jr.

Absent: Councilman Brent Foster.

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

Mayor Heninger called the meeting to order. Pastor Dan Gray, of the Chilhowie United Methodist Church gave the Invocation.

Approval of Minutes:

Motion by Alan Counts, second by Donna Blevins Council adopts the regular March 13, 2019 meeting minutes as written. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

Citizens Time:

Lieu Via Gary, 1172 West Lee Highway, appeared before Council on behalf of Chilhowie Garden Club's President Gwen Beattie. Mrs. Gary reported the Chilhowie Garden Club is implementing a Yard of the Month program to encourage citizens to maintain their property. Only residents within the Town limits are eligible for the Yard of the Month prize. Citizens are able to make nominations by emailing Gwen Beattie at chilhowiegardenclub@gmail.com.

Jeff Pease, 752 Skyview Drive, appeared before Council to give the Library report for March 2019. During the month of March the Library was open twenty days with an average of eighty-two visitors per day. Eighteen new patrons signed up during the month of March. Two adult programs and nine children programs were held. A family movie will be shown Saturday, April 13, 2019 at 2 pm.

Public Presentations:

- Check Presentation to RAM Event – Rev. Emily Edmondson appeared before Council to express gratitude to the Town of Chilhowie for their continued support. Rev.

Edmondson stated that the Town of Chilhowie is the most progressive Town within the County. The RAM Event is scheduled for May 17th, 18th and 19th at the Mountain Empire Airport. The event will provide dental, vision and medical services to roughly 1,000 people. There are also fifty free hearing aids donated by Sounds Hearing Supplies to be given to first fifty participants. Mayor Heninger presented Rev. Edmondson with a check supporting the RAM Event.

- Resolution Honoring Molly Rhudy for Her Achievements in Track and Setting a New State Record in the 55 Meter Dash – Mrs. Marlene Henderson presented the following:

**RESOLUTION IN HONOR OF MOLLY RHUDY
WINNING STATE TRACK EVENTS**

WHEREAS, Molly Rhudy is a senior at Chilhowie High School; and,

WHEREAS, following graduation she plans to further her education after high school graduation, and;

WHEREAS, she is the daughter of Andy and Julie Rhudy of Chilhowie, and;

WHEREAS, in addition to being an outstanding student she plays on the Lady Warrior Basketball Team, Lady Warrior Indoor Track and Lady Warrior Outdoor Track Team, in addition to being a Warrior Football Cheerleader; and,

WHEREAS, along with other members of the Chilhowie girls track team she qualified to participate in the Virginia High School League (VHSL) Indoor Track State Indoor Championship February 25-26 at Roanoke College in Salem, and;

WHEREAS, she placed first in the long jump, second in the triple jump and sixth in the 300 meter dash, and;

WHEREAS, she placed first in the 55 meter dash finals in 7.27 seconds and so doing set a new record in the 1 and 2A competition for the event;

NOW THEREFORE LET IT BE RESOLVED that the Town of Chilhowie through its Mayor, Town Council and Employees hereby recognizes Ms. Rhudy for her extraordinary achievement in winning and placing in the track events and setting a new state record in the 55 meter dash;

AND LET IT BE FURTHER RESOLVED that the Town of Chilhowie embraces this achievement that Ms. Rhudy has brought on herself, family, school and community

congratulates all who helps make these extraordinary achievements possible including family, staff, participants, coaches, fans and students of Chilhowie Senior High School.

**RESOLVED THIS 11TH DAY OF APRIL, 2019 BY THE MAYOR
AND CHILHOWIE TOWN COUNCIL**

Gary L. Heninger, Mayor

Marlene Henderson, Clerk-Treasurer

Motion by Donna Blevins, second by Lewis Shortt Council approves the Resolution as presented. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Presentation of Virginia Fire Services Board Report on Town of Chilhowie Fire/EMS – The Virginia Fire Services Board was unable to appear before Council due to a prior commitment.

Motion by Donna Blevins, second by Lewis Shortt Council continues this matter to April 18, 2019. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Presentation of Mount Rogers Planning District Commission Hazardous Mitigation Plan – Mr. James Dillon, Mount Rogers Planning District Commission, appeared before Council to report the Hazardous Mitigation Plan is required by FEMA to be adopted every five years. The Hazardous Mitigation Plan addresses natural disasters the area is vulnerable to. The Plan must be adopted in order to receive any grant funding and to be eligible to receive funds to rebuild if a natural disaster was to occur.

RESOLUTION PRE-DISASTER HAZARD MITIGATION PLAN

WHEREAS, the Federal Emergency Management Agency, the Commonwealth of Virginia’s Department of Emergency Management, and the Mount Roger Rogers Planning District Commission agree that a regional Pre-Disaster Hazard Mitigation Plan shall be developed for the Mount Rogers Planning District; and

WHEREAS, the Mount Rogers Planning District Commission has completed the necessary tasks required by the agreement between the Virginia’s Department of Emergency Management and the Mount Rogers Planning District Commission; and

WHEREAS, the Pre-Disaster Hazard Mitigation Plan contains risk assessments and potential losses of each of the identified hazards, a mitigation strategy to reduce or eliminate the risk of damage from future incidents, and a process to update the plan every five (5) years, thereby making the Town of Chilhowie, Virginia, a jurisdiction of the Mount Rogers Planning District, eligible for federal disaster relief and hazard mitigation grant assistance.

NOW THEREFORE, BE IT RESOLVED, that the Town of Chilhowie adopts the Pre-Disaster Hazard Mitigation Plan.

Adopted _____

Mayor

Clerk

Motion by Lewis Shortt, second by Alan Counts Council approves the Resolution Pre-Disaster Hazard Mitigation Plan as presented. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

Old Business:

- Update on Mill Creek Water Treatment Plant Project –

Bobby Lane

Thank you John, Mayor and Council. I am going to give you a brief status report on Mill Creek Water Plant Project, we did reach a milestone. Since the last meeting the Certificate of Substantial Completion on the project was prepared and issued. The Substantial Completion Certificate was signed by the Engineer, Owner and Contractor on March 25, 2019. With that signing the Contractor has begun working on his final punch list and he is moving on pretty well. That is due thirty-five days after the Substantial Completion which will be May 1, 2019. We are very hopeful that he will complete the punch list by this time.

On April 6th, last Saturday, the 90 day owner's acceptance testing of the facility began. Council will recall that the specifications require a 90 day owner's acceptance test; that is underway and is going pretty well. Of course we just started last Saturday, but it is going pretty well. So good news for once on this project but I will obviously continue to monitor the

progress and do what we can to help move it along. I really do appreciate the opportunity to serve the Town. I would be glad to address any questions you may have.

Mayor Heninger You all have anything?

Lewis Shortt The Contractor that is so far behind is he catching up on stuff?

Bobby Lane He is finishing up his punch list and he has reached substantial completion. He has got to finish the punch list in order to be finally completed and he is working on it.

Mayor Heninger Thank you Bobby.

Bobby Lane Thank you all.

- Update on Farmer's Market Project and Submission of Pay Request Number 3 – Pay Request Number 3 is in the amount of \$10,867.50 for engineering services provided by Hurt and Proffitt.

Motion by Lewis Shortt, second by Donna Blevins Council approves Pay Request Number 3 in the amount of \$10,867.50. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

A pre-bid conference for the Farmer's Market structure was held on March 26, 2019. Bids are due April 18th at 2 p.m. Bid reviews will be conducted during the continued meeting on April 18, 2019.

Jay Keen, Public Works Director, reported the Town has completed the rough grading for the Farmer's Market structure site and fine grading will be completed the next day. Drainage will be complete once the structure is complete. Once the structure is complete Mr. Keen will contact Kevin Sigmon, Senior Urban Forester for Appalachian Electric Power, to discuss the possible placement of trees within the property.

Concerning the revised deed to the property Mr. Paul Cassell, Town Attorney, has been in contact with Smyth County Attorney requesting the revised deed. Mr. Cassell will request the deed once more by sending a letter.

- Update on Downtown Facades Project – A pre-bid conference was held March 26, 2019 with several interested contractors attending. Bids are due by 3 pm on April 18, 2019. A walk through was conducted with contractors reviewing the scope of the work. Phase one will be work conducted on the north side of Main Street. Phase two will be work conducted on the south side of Main Street. Contractors expressed concern for many unknowns within the project. Randy Sturgill, Building Official, will be serving as the Building Inspector for this project.
- Presentation of Highway Safety Initiative for First Quarter 2019 – Deputy Chief, Aaron Smith, reported to Council that during the first quarter the department wrote seven hundred sixty-three speeding tickets, answered eighteen calls for on duty officer who was on another call, backed up on duty officer twenty-three times, assisted Smyth County Sherriff’s Office fourteen times, assisted Saltville Police Department once, assisted Virginia State Police six times, assisted the Chilhowie Fire Department seven times and assisted six motorist. The Officers worked 151.5 hours during the first quarter.

Motion by Donna Blevins, second by Emily Dungan Council accepts the Highway Safety Initiative for First Quarter 2019 report. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Presentation of Pay Request Number 17 on East Lee Highway Project and Additional Work Update – Pay Request Number 17 is in the amount of \$16,152 for concrete testing conducted by Thompson and Litton which is required by the Virginia Department of Transportation. The next Pay Request will be for the additional work of removing the rip rap along the eastern end of the project and replacing with grass.

At this time there are no solution found by the Virginia Department of Transportation for the bump at the intersection of Lee Highway and Aker Avenue. The Virginia Department of Transportation is currently exploring options.

Motion by Alan Counts, second by Donna Blevins Council approves Pay Request Number 17 on East Lee Highway Project in the amount of \$16,152. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Update on Virginia Department of Transportation Resolution for No Parking on Sidewalk – John Clark, Town Manager, has submitted a letter to Mr. Conrad Hill, Virginia Department of Transportation. No response has been received at this time.

Motion by Donna Blevins, second by Lewis Shortt Council will pursue No Parking on Sidewalk with the Department of Transportation. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

New Business:

- Update from Chamber of Commerce on Project Including Downtown Revitalization – Sarah Gillespie, Executive Director of Chamber of Commerce of Smyth County, appeared before Council to report that during the Fall of 2018 the Chamber of Commerce hosted a Small Business Boot Camp that issued \$60,000 split between the small business owners that participated in the Boot Camp. One business owner decided not to open therefore the Chamber of Commerce kept the funds that would be awarded to that business. The Chamber is planning to host another Small Business Boot Camp in September 2019 to distribute the \$15,000 that was unspent from the previous Boot Camp.

Mrs. Gillespie reported that there is a grant opportunity through the Department of Housing and Community Development to become a Downtown Affiliate. Becoming an affiliate of the Downtown would open up a lot of training and networking opportunities. The grant will require the attendance of an annual workshop that Mrs. Gillespie would attend on behalf of the Town.

Motion by Emily Dungan, second by Lewis Shortt Council authorizes Sarah Gillespie, Executive Director of Chamber of Commerce of Smyth County to apply to the Department of Housing and Community Development to become a Downtown Affiliate. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Presentation of 2019 Community Apple Festival Plan – Mrs. Rebecca Smith, Co-Chairman of the Apple Festival Committee, appeared before Council to present the 2019 Community Apple Festival Plan. The plan is the same as the previous year with the exception of closing Chilhowie Street through the intersection of Pine Avenue to the intersection of Sanders Avenue. The additional street closing is in regard to pedestrian safety. Mrs. Smith will obtain signatures from the residence that live on this street giving

permission for the street closure during the Apple Festival. The signatures will be submitted with the Virginia Department of Transportation permit request.

Motion by Donna Blevins, second by Lewis Shortt Council approves the 2019 Community Apple Festival Plan. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Update on Request from Smyth County on Providing EMS Services to Saltville Area and Request for Continued Meeting to April 18 – Smyth County submitted a letter requesting the Chilhowie EMS Department provide services to the Town of Saltville on March 22, 2019. Chilhowie EMS staff requested options to be fully reviewed such as revenue, quick response vehicle be stationed in the Town of Saltville and new hires must meet training standards.

Chilhowie EMS staff has composed a letter with three options that Council will review during the April 18, 2019 continued meeting. Mr. Paul Cassell, Town Attorney, recommended obtaining an Intergovernmental Agreement concerning this matter.

Motion by Alan Counts, second by Lewis Shortt Council continues this matter to April 18, 2019. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Formulation of 2019-2020 Budget Proposal and Request for Continued Meeting April 25 - John Clark, Town Manager, Marlene Henderson, Clerk-Treasurer and Staff has been working diligently on the 2019-2020 Budget. A Budget Workshop with Council was requested.

Motion by Donna Blevins, second by Lewis Shortt Council continues the Budget Workshop to April 25, 2019 at 6:15 p.m. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Update on the Local Choice Employee Health Insurance Rates for 2019-2020 – Marlene Henderson, Clerk- Treasurer, reported the Local Choice Employee Health Insurance Rates has decreased by 10% for 2019-2020 with coverage remaining the same.

Motion by Alan Counts, second by Donna Blevins Council accepts the renewal rates for the Local Choice Employee Health Insurance rates for fiscal year 2019-2020. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Notice of Two Meetings Sponsored by Virginia Municipal League – A Newly Elected Officials Conference will be held at the Washington County Service Authority office on Tuesday, April 23, 2019 from 9 a.m. until 4 p.m. A Virginia Municipal League dinner will be held at the Holston Hills Community Golf Course on Tuesday, April 23, 2019 at 6 p.m.
- Presentation of 2018 Annual Report Chilhowie Fire Department – Brandon Moore, Assistant Fire Chief appeared before Council to present the 2018 Annual Report. Mr. Moore reported that during 2018 calls continued to increase. The Department instructed education opportunities through-out the community by hosting CPR classes and child safety seat installations. The Fire Department has also conducted a lot of training during 2018 implementing a Smyth County Fire and Rescue Academy with graduation set for the second week of May. The Department also obtained several grants that assisted with equipment purchased. The Chilhowie Fire Department currently has an ISO rating of a 3 but is striving for an ISO rating of a 2.

Motion by Alan Counts, second by Bill Clear Council accepts the 2018 Annual Report of the Chilhowie Fire Department. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

- Update on New Inoperable Vehicle Notices – Steve Price, Police Chief, reported that twelve previous Inoperable Vehicle Notices were sent out and eleven complied. The one vehicle that has not come into compliance is currently in the Hospital on life support. Currently six Inoperable Vehicle Notices have been sent out and three is already complied. The deadline for compliance is May 31, 2019.
- Update on Sludge Application Situation – Jay Keen, Public Works Director, reported that the current land the sludge is applied to was soil tested. Last year seven ton per acre was applied but after the soil testing only two ton can be applied per acre. The current spreader is unable to apply only two ton. After reviewing the matter it was found that it is cheaper to haul fifteen ton of sludge to West Virginia than it is to haul six ton to Carter

Valley, Tennessee. The Sludge building is currently at maximum capacity and is unable to press any additional sludge. A container to hold the sludge until it is hauled to West Virginia will be on site Monday, April 15, 2019.

The Virginia Department of Environmental Quality is hosting a Public Hearing in the Town Hall Community Room, Thursday, April 25, 2019 at 6 p.m. concerning the proposed land application properties.

- Presentation of Girls and Boys Recreation Reports – Ron Cahill, Recreation and Special Events Coordinator, reported that the 2018-2019 girls and boys basketball program consisted of 77 players. Total revenue for the program was \$3,080 and total expenditures were \$6,404. The main expense was \$20 per hour janitor fees for using the Elementary and Middle School gyms. Overall the program was successful and more areas have expressed interest in joining the circuit next season.

Motion by Donna Blevins, second by Emily Dungan Council accepts the 2018-2019 Girls and Boys Basketball Recreation report. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

Committee Reports:

- Update on Fire and Police Committee Meeting Concerning Police Car – A representative from Enterprise is schedule to appear before Council to discuss lease options for police cars.

Motion by Lewis Shortt, second by Emily Dungan Council continues this matter to April 25, 2019 at 6:15 p.m. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Aye
Lewis Shortt	Aye	Brent Foster	Absent

Department Reports:

Marlene Henderson, Clerk-Treasurer, reported that the Town has received the first Lodging Tax for Motel 6 in the amount of \$579.84.

Randy Sturgill, Building Official, reported Scholle is scheduled to break ground next week for their building extension.

Steve Price, Police Chief, reported Officer Millsaps has now completed twelve weeks of the academy. Chief Price also attended a Southwest of Virginia Chiefs of Police Conference and stated the Department can obtain State accreditation and once State accredited the Town could receive a Virginia Municipal League 10% premium deduction.

Ron Cahill, Recreation Director and Special Events Coordinator, reported the annual Easter Egg Hunt will be held in conjunction with the Little League Opening Day on Saturday, April 13, 2019 at 9:30 a.m. at the Little League Fields.

Paul Cassell, Town Attorney, stated that he would be contacting the Smyth County Board of Supervisors Attorney via letter requesting the revised deed for the Farmer's Market area.

Any Other Council Business:

Councilwoman, Emily Dungan, inquired if the Parks and Recreation Committee should meet to set criteria for recognizing athletes. It was suggested for the School to notify the Town of such accomplishments and the Town would recognize the student as it occurs.

Motion by Lewis Shortt, second by Bill Clear Council continues this meeting until April 18, 2019 at 6:15 p.m. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Alan Counts	Aye	Emily Dungan	Absent
Lewis Shortt	Aye	Brent Foster	Aye

Gary L. Heninger Mayor

Marlene L. Henderson, MMC Clerk