

Virginia: At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, August 8, 2019 at 7:00 p.m.

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

Absent: None.

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; Randy Sturgill, Building Official and Ron Cahill, Recreation and Special Events Coordinator.

Mayor Heninger called the meeting to order. Rev. John Graham, Mountain View United Methodist Church, gave the Invocation. The Pledge of Allegiance was recited.

Approval of Minutes:

Motion by Donna Blevins, second by Brent Foster Council adopts the regular July 11, 2019 meeting minutes with a correction. 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	Aye

Citizens Time:

Roger Hall, 152 Scenic View Drive, appeared before Council to inquire about the new Fire Hydrant Program that charges each water customer an additional \$1 per month. Mr. Hall reported that five years ago he had requested a fire hydrant to be placed near his house when the Town was installing a water line through his property to tap an existing water line. Mr. Hall inquired as to what was happening with the \$2 Capital Improvement money that each water customer is paying per month. Plus his water bill increases each month. He inquired what he receives for his service and complained that citizens' within the County has no representation within the Town Council. Mr. Hall stated that the Town should notify all of the water customers via letters when there is a project under discussion therefore the citizens can come and express their thoughts.

Jeff Pease, 752 Skyview Drive, appeared before Council to give the Library report for July 2019. The Library was busy during the month of July with the summer reading programs and finished with a petting zoo. The Library staff is currently reorganizing shelving to create more usable space. Ink art is also on display within the adult section of the Library. A meeting was also held

during July to discuss building repairs and the possible extension of the Library. Leaks in the roof have recently been repaired. Books have been purchased in Memory of Sherry Whitely. Pressure canning lessons through the Virginia Corporate Extension Office are open to the public and will be scheduled in the near future.

Becky Johnson, Little League President, and Todd Doane appeared before Council to discuss issues experienced during the 2019 Little League season. The 2019 Little League season consisted of 250 kids that developed sixteen teams. The Little League Board strives to make each year bigger and better and to improve the program. They have raised enough money to replace both scoreboards at the Little League fields prior to the next season. The Little League is considering creating a league for 13 and 14 year olds and requests the use of the baseball field in the Recreation Park to accommodate this age group.

Mrs. Johnson discussed issues experienced by the Little League this past season such mowing of the fields not completed for a tournament, drainage issues on Field 1, the Old High School not unlocked when requested, toilets backing up and lack of communication. Mr. Doane discussed the Recreation Sports such as Basketball and Football. Concerning basketball there were a serious lack of gym space and time to practice. He suggested the Town work with the School Principals to secure gym time prior to the beginning of the basketball season. Concerning Football, Mr. Doane stated there has been a lack of communication with parents and other programs are practicing. The Little League appreciates everything the Town does for the program and would like to see the community grow.

Rev. John Graham of Mountain View United Methodist Church, appeared before Council on behalf of the Loaves and Fishes Food Pantry. The Ministerial Association along with the Town of Chilhowie established the Loaves and Fishes Food Pantry in 2002. Mr. Graham expressed his gratitude to the Town for being the backbone supporter of the Food Pantry. There is currently one distribution day per month on the third Thursday of each month. The Food Pantry distributed 389 boxes of food to 314 households which feeds 888 individuals.

Mr. Graham thanked the Town for the new paved parking area and reported the Food Pantry has received two new stock trailers, donated by Tom Bishop, that are equipped with cooling systems that keeps everything stored at 70 degrees. Mr. Graham invited Town Council members and Town staff to stop by the Food Pantry for a tour and thanked the Town for assisting them to put food on neighbors' tables.

John Clark, Town Manager, responded to Roger Hall's questions and complaints. Mr. Clark reported the water and sewer rates increased to support the new Mill Creek Water Treatment Plant. Operation and maintenance cost for the Treatment Plant increased from \$130,000 per year to an estimated \$187,000 per year for the new Water Treatment Plant, and if the Town did not

upgrade the plant the Town of Chilhowie would have been on a boil water notice for many months. With the plant upgrade the Town Council can assure to provide safe water to all customers. The \$2.00 Capital Improvement money collected with the water and sewer bills was used to offset the cost of purchasing water from Washington County Service Authority while the Mill Creek Water Treatment Plant was offline during the months of March through September of 2016. The Town also has purchased water periodically from Washington County Service Authority during the upgrading of the Mill Creek Water Treatment Plant.

Concerning Mr. Hall's complaint of not having a fire hydrant within or near the subdivision he resides, Mr. Randy Sturgill, Building Inspector, reported there is a working fire hydrant within 800 feet of Mr. Hall's residence. The Fire Department has released a Frequently Asked Questions providing information that explains the Fire Hydrant Replacement Program that is being funded by the \$1.00 added to each water bill.

On Mr. Hall's complaint about the increase of the water and sewer rates it was stated that even with the rate increase the Town's water and sewer rate is still less than Smyth County's. Smyth County operates their own water system while the Town of Chilhowie operates their own water system. Mr. Clark reported that citizens are notified of projects and rate increases thru Public Hearings. The Public Hearing on this matter was advertised and held during the month of June 2019.

Old Business:

- Update on Farmer's Market Project and Presentation of Pay Request Number 5 – Dennis Amos, Hurt and Proffitt, reported the footers are in place, concrete slabs are poured and the brick columns are coming along. The Contractor has had some inquiries which have been addressed. With the project now off the ground the project should move quickly. Construction pay request is in the amount of \$88,218.55 and the engineering pay request is in the amount of \$483.00 for a total pay request of \$88,701.55.

Motion by Donna Blevins, second by Brent Foster Council approves Pay Request Number 5 for the Farmer's Market Project in the amount of \$88,701.55. 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	Aye

- Formal Notice of Additional Funding From Rural Development – John Clark, Town Manager reported the Town has formally received notice from Rural Development

that the Town has been awarded additional funding requested for the Farmer's Market Structure in the amount of \$33,500.

- Update on Water Treatment Plant – A letter was sent to Frizzell Construction Company, August 9, 2019. Frizzell Construction Company requested to reimburse the Town for the loss of water instead of liquidated damages and the letter sent denies the request. Paul Cassell, Town Attorney, reported the Town is able to obtain the cost for loss of water as well as the liquidated damages. Within the letter it states this is the last written offer and the offer expires Friday, August 16, 2019. The controls were part of the bid package and it was suggested for the Contractor to sub that part of the project. The goal is to complete the project.
- Update on Downtown Facades Project – Angela Wolfe, Mount Rogers Planning District Commission, has sent letters soliciting the project for bids. The bid opening is scheduled for August 27, 2019 at 2:00 p.m. A letter has also been sent to two local contractors notifying them of this opportunity to bid. A business on Main Street has also been notified but they must first pre-qualify.

New Business:

- Update from Chamber of Commerce on Business Boot Camp Project – Sarah Gillespie, Executive Director of the Smyth County Chamber of Commerce, appeared before Council to announce the fifth round of the Business Boot Camp classes have begun. Ms. Gillespie requested \$5,000 to \$10,000 donation from the Town to support the program. The program has opened or expanded ten businesses and has invested \$300,000 into the area within the past five years. Money requested is not budgeted.

The Business Boot Camp winners are under contract for two years. If the business closes within the two years the owner must repay the money awarded from the project. Businesses are reimbursed with project money awarded for purchases made for their business instead of receiving a lump sum. The program can reimburse for materials purchased for the business and is able to pay invoices for large equipment or for the rental of large equipment.

- Presentation of Resolutions for Mount Rogers Planning District Commission Water and Wastewater Grant Fund – Mr. Clark, Town Manager, reported there is Federal money available for water and wastewater projects. The Town has implemented this type of funds in previous years for sewer line repair and replacement.

Mrs. Marlene Henderson presented the following:

RESOLUTION

WHEREAS, Mount Rogers Planning District Commission (PDC) has funding available through the Southwest Virginia Water / Wastewater Funding Program in the maximum amount of \$100,000 per project, and;

WHEREAS, the PDC is soliciting applications for this money with a deadline for applications of August 26, 2019, and;

WHEREAS, the Town of Chilhowie operates a regional water treatment plant for customers in Chilhowie, Smyth and Washington Counties, that also serves the Smyth County Water Department and customers in the Washington County Service Authority, and;

WHEREAS, within corporate limits a two inch line on Lyons Gap Road is insufficient in meeting the needs of residents there for pressure and volume, and;

WHEREAS, the existing two inch line does not allow for a hydrant and fire protection is insufficient, and;

WHEREAS, many of the residents served by the line are in Heatherwood Apartments comprising 28 units and;

WHEREAS, a significant number or majority of these residents are low and moderate income, and;

WHEREAS, the Fire Chief has designated this area as the most glaring fire protection deficiency within the corporate limits, and;

WHEREAS, by replacing the existing two inch line with 1,700 feet of a six inch line and one hydrant would alleviate the volume and fire deficiency issues,

LET IT BE RESOLVED that the Chilhowie Town Council by this resolution formally requests funding from the PDC's Southwest Virginia Water / Wastewater Program in the amount of \$35,750, with the Town of Chilhowie contributing another \$35,750 for a total project cost of \$71,500;

NOW THEREFORE LET IT BE FURTHER RESOLVED that the Chilhowie Town Council authorizes its Town Manager John Clark to submit and sign all authorized documentation to Mount Rogers PDC for this request.

This resolution is approved by the Chilhowie Town Council at its August 8, 2019 Meeting by a vote of six ayes and 0 noes.

Gary L. Heninger, Mayor

Marlene L. Henderson, Clerk

Motion by Brent Foster, second by Alan Counts Council adopts 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	Aye

Mrs. Marlene Henderson presented the following:

RESOLUTION

WHEREAS, Mount Rogers Planning District Commission (PDC) has funding available through the Southwest Virginia Water / Wastewater Funding Program in the maximum amount of \$100,000 per project, and;

WHEREAS, the PDC is soliciting applications for this money with a deadline for applications of August 26, 2019 and;

WHEREAS, the Town of Chilhowie, with approximately 2500 customers, is not only a provider of potable water to the Town of Chilhowie but also a direct provider to customers in Smyth and Washington Counties, and;

WHEREAS, the Town sells wholesale water to Smyth County at seven master meter locations, and;

WHEREAS, the Town and Washington County Service Authority (WCSA) jointly operate a three (3) Million Gallon per Day facility at its Mill Creek Regional Water Treatment Plant that serves Town customers plus WCSA customers in eastern Washington County, and;

WHEREAS, the Town pumps from the regional water treatment plant to two pump stations, Reid Store and Widener Spring Pumps Stations, to distribute throughout the system and adjoining systems, and ;

WHEREAS, water pumped from these tanks go to six storage tanks holding an effective capacity of approximately 3,442,000 gallons per day (GPD) and licensed capacity of approximately 1,400,000 gallons GPD, and;

WHEREAS, the Widener Spring Pump Station, at 490 gallons per minute, pumps directly to four of these tanks, and indirectly serves two more and is an essential part of the distribution system, and;

WHEREAS, the two pumps and two motors there are and approaching the end of their useful life by industry standards,

LET IT BE RESOLVED that the Chilhowie Town Council by this resolution formally requests funding from the PDC's Southwest Virginia Water / Wastewater Program in the amount of \$24,000, with the Town contributing 20% or \$6,000 for a total project cost of \$30,000, consisting of two pumps at \$7,500 each, two motors at \$6,000 each and \$3,000 for installation to serve the multi-regional water system;

NOW THEREFORE LET IT BE FURTHER RESOLVED that the Chilhowie Town Council authorizes its Town Manager John Clark to submit and sign all authorized documentation to Mount Rogers PDC for this request.

This resolution is approved by the Chilhowie Town Council at its August 8, 2019 Meeting by a vote of six ayes and 0 noes.

Gary L. Heninger, Mayor

Marlene L. Henderson, Clerk

Motion by Lewis Shortt, second by Bill Clear Council adopts 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	Aye

- Update on New Planned Transports for Temporary Detention Orders – Steve Price, Police Chief, reported the transport of mental health patients has been an ongoing battle for years. The State of Virginia has budgeted \$2.5 million for alternative transportation for mental health patients. The program is under discussion and if approved will decrease the number of transports conducted by Police Officers by half. A meeting is scheduled for Sheriffs and Police Chiefs on Monday, August 12, 2019. At this time the program is set to go live on September 15, 2019. The company that is to provide the transport service has secure vehicles and trained personnel. However, if a patient is deemed violent Police Officer’s must transport the patient.

Committee Reports:

- Report from Wellness and Parks Committee on Fee Schedule – Ron Cahill, Recreation and Special Events Coordinator, reported the Wellness and Parks Committee met on July 30, 2019 and discussed usage fees and rental fees for the Town Hall Community Room, Old High School and Recreation Park. The Committee suggested to negotiate rates with reoccurring events, but to exclude rental fees for school sponsored events and governmental activities. Other exclusions include Little League and Chilhowie Baptist Church Upward Program. Additional exemptions may be granted on a case by case basis. The new rates are to be effective January 1, 2020.

Mr. Cahill reported the Football Director has recently resigned and he is in search of a qualified person to serve as the Football Director.

Department Reports:

Mr. John Clark, Town Manager, expressed gratitude toward Pam Boswell, Mayor and Town Staff for pictures from the Chilhowie High School and Old High School to decorate the Council Chamber.

Mrs. Marlene Henderson, Clerk-Treasurer, reported the Town has done away with a land line phone system and has recently installed a voice over internet provider (VOIP) phone system that will save the Town \$10,295 per year.

Mr. Randy Sturgill, Building Official, reported the Fire Department created a Fire Hydrant Replacement Program Frequently Asked Questions information sheet that is available to the public. The information sheet also contains contact information for the Fire Department for any additional questions a citizen may have concerning the program.

Mr. Steven Price, Police Chief, reported there was a large turnout for the Law Enforcement National Night Out that was held in the Recreation Park, Tuesday, August 6, 2019 and was sponsored by the Smyth County Sheriff's Department. This event provides an opportunity for the Police Officers to interact with the citizens in the community.

Chief Price also reported the Police Department received \$14,620 from the 2019-2020 DMV Grant. Richmond is requesting more multi-jurisdiction check points and the Department hopes to join forces with Washington County and the Virginia State Police.

Mr. Jay Keen, Public Works Director, reported the bridget device has been installed on the intersection of Aker Avenue and Highway 11 and is working great. Mr. Keen also has met with a representative from Jerry's Signs concerning a new sign for the Lucas Dowell Memorial Park. The quote for the sign is \$5,130. He requested to move forward with the purchase and installation of the new sign so it will be completed prior to Apple Festival.

Motion by Brent Foster, second by Lewis Shortt Council approves the purchase of a new sign for the Lucas Dowell Memorial Park at the amount of \$5,130 from funds saved from the switch from a land line to the VOIP phone system. 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	Aye

Closed Session:

- To discuss Police Chief Evaluation as allowed by Section 2.2-3711 (A)(1) of the Code of Virginia, as amended

Motion by Donna Blevins, second by Brent Foster and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss Police Chief Evaluation, as allowed by Section 2.2-3711(A)(1) of the Code of Virginia as amended. The motion was approved with the following recorded vote:

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

Motion by Brent Foster, second by Donna Blevins and unanimously passed the Council of the Town of Chilhowie hereby enters into Open Session. The motion was approved with the following recorded vote:

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

CERTIFICATION OF CLOSED SESSION

The Council of 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)(1) of the Code of Virginia requires a certificate by the Committee 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.

The motion was approved with the following recorded vote:

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

- To discuss Town Manager Evaluation as allowed by Section 2.2-3711(A)(1) of the Code of Virginia, as amended

Motion by Donna Blevins, second by Alan Counts Council continues this matter. The motion was approved with the following recorded vote:

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

Motion by Lewis Shortt, second by Brent Foster Council adjourns this meeting at 9:36 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	Aye

Gary L. Heninger Mayor

Marlene L. Henderson, MMC Clerk