

Virginia: At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, August 13, 2020 at 7:00 p.m.

Present: Honorable Gary L. Heninger, Mayor presiding; Councilors Donna S. Blevins, Billy L. Clear, F. Brent Foster, Lewis W. Shortt, Jr., Julie Sturgill and P.J. Wolfe.

Absent: None.

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

The meeting was held in the Community Room in order to practice Social Distancing due to the COVID-19 pandemic.

Mayor Heninger called the meeting to order. Randy Sturgill 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 9, 2020 meeting minutes. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Citizens Time:

Heather Carter, representative of the Chilhowie Library, appeared before Council to give the Library update for July 2020. The Chilhowie Library closed the doors to the public in March 2020 due to the COVID-19 pandemic. During the month of May the Library began offering curbside service. With the high demand of patrons obtaining Library materials via curbside the Library extended the service to two days per week, Tuesdays and Thursdays. During the month of July, the Library extended the hours for curbside service from 11 a.m. until 6 p.m. The Library is also offering children virtual story times which are posted to the Library's Facebook page.

Ms. Carter expressed her gratitude toward the Town Council for additional funding during the 2020-2021 Fiscal Year and toward the Town Staff for the assistance with the roof leaking at the Old High School.

Public Hearing:

- Notice of Intent and Public Hearing Meeting
Rural Development Application on Two Emergency Vehicles and Adoption of Resolution - Mrs. Marlene Henderson presented to following:

Notice of Intent and Public Meeting

The Town of Chilhowie will file an application with the USDA Rural Development for financial assistance to develop a plan for purchasing two emergency vehicles in the Fire/Building Code and Police Department. A public meeting for comments will be held at the at the Chilhowie Town Hall, 325 East Lee Highway, Chilhowie, Virginia at 7:00 p.m. Thursday, August 13, 2020 to discuss the proposed project and to provide the opportunity for public comments. Persons having questions about this should contact the Town Hall at 646-3232.

John E.B. Clark, Jr.
Town Manager

Mayor Heninger opened the Public Hearing at 7:10 p.m.
No one wished to speak
Mayor Heninger closed the Public Hearing at 7:11 p.m.

RESOLUTION OF GOVERNING BODY OF TOWN OF CHILHOWIE, VIRGINIA

The governing Body of the Town of Chilhowie, consisting of six members, and a Mayor in a duly called meeting held on the 13th day of August 2020, at which a quorum was present **RESOLVED** as follows:

BE IT HEREBY RESOLVED that in order to facilitate obtaining financial assistance from the Untied States of America, United States Department of Agriculture, Rural Development (the Government) in the development of emergency vehicles to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Mayor and/or Town Manager of the Town of Chilhowie be authorized to execute on behalf of the Town of Chilhowie the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the financial assistance.

This Resolution is hereby entered into the permanent minutes of the meeting of this Board.

TOWN OF CHILHOWIE

By: _____
GARY L HENINGER, MAYOR

Attest: _____
JOHN E.B. CLARK, TOWN MANAGER

CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Town of Chilhowie in a duly assembled meeting on the 13th day of August 2020.

CLERK-TREASURER

Motion by Brent Foster, second by Lewis Shortt Council adopts the Resolution to obtain funding from Rural Development to purchase emergency vehicles. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Old Business:

- Report on Tourism Association Meeting Regarding Smyth County Chamber of Commerce – The Smyth County Tourism Association met Monday, August 10, 2020 at the H.L. Bonham Tourism Center to discuss the requested office and meeting space for the Smyth County Chamber of Commerce and the hiring of a Tourism Director. Mr. Paul Cassell, Town Attorney, is currently revising the Agreement between the Town of Chilhowie and the Tourism Association that will be reviewed in September 2020.

During the Tourism Association Meeting Mayor Helms, Town of Marion, expressed his concern that the Town of Chilhowie Council voted for the Chamber of Commerce move and that it was published in the Smyth County News and Messenger and no one in Marion knew about it until they read it in the paper. Mayor Helms also expressed concern for the Chamber of Commerce’s lack of communication. Mr. John Clark, Town Manager, responded that it is the Smyth County Chamber of Commerce’s responsibility to notify the Towns and County of any communications and/or notifications.

- Update and Presentation of Phase I Pay Request on Facades Project – A progress meeting was recently held. Mr. Randy Sturgill, Building Official, met with the Foreman for Wallberg Construction to review items that is not complete within the scope of the work for Phase I. The Contractor should reach substantial completion within two weeks and then a punch list will be generated.

Pay Request Number 18 has been submitted for payment in the amount of \$18,641.25, which includes an invoice from Hurt and Proffitt in the amount of \$1,398.75 and an invoice from Wallberg Construction for construction complete in the amount of \$17,242.50.

Motion by Brent Foster, second by Donna Blevins Council approves Pay Request Number 18 as submitted in the amount \$18,641.25. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

New Business:

- Update on COVID 19 Funding – Mr. Shawn Utt, Smyth County Administrator, provided an email concerning CARES Act Funding the County has received that shall be awarded to the Localities based on population. The Town of Chilhowie is to receive \$297,272. This money is to be used for COVID-19 items that includes strict guidelines. Mr. David Haynes, Fire and EMS Chief, has compiled a list of items to purchase along with the justification of purchasing those items.
- Update on Old High School Roof – Several weeks ago during a heavy rain storm the Old High School roof leaked in several locations. A new roof is not included in the 2020-2021 Budget. Mr. Paul Williams, Contractor, repaired the loose seams at the connections and compounded the area. Once the weather begins to get cold Mr. Williams plans to clean each seam on the roof and apply compound which should prevent leaks until the next fiscal year.
- Update on Delinquent Utility Bills – Letters were sent to fifty-eight water and/or sewer customers that are significantly delinquent. The Town has not issued cut offs of delinquent water and/or sewer accounts since February 2020 due to the COVID-19 pandemic. The letters give the customers until August 15, 2020 to pay their bill in full or to make arrangements for payment.
- Update on Potential Funding for Sewer System Evaluation Study – The Town of Chilhowie has been approved by the Department of Environmental Quality for the Virginia Clean

Water Revolving Loan Fund Program. The Town’s sewer system is very tight and more environmentally friendly, but it experiences inflow and infiltration issues during high levels of rain fall. With the funding awarded a one-year study will be conducted during dry and wet seasons to locate inflow and infiltration problem areas. The grant funding requires 25% match, and the current budget includes \$10,000 and \$12,000 will be included in the 2021-2022 Budget for the match requirements.

- Authorization to Solicit Proposals on East Lee Highway II Sidewalk and Drainage Project – The Virginia Department of Transportation, Transportation Alternatives, has tentatively selected the Town of Chilhowie for funding in the amount of \$389,867 for the East Lee Highway II Sidewalk and Drainage Project. This project will tie in the Old High School and Farmer’s Market to the Downtown area. It will also improve drainage issues at Walton Avenue during heavy rains. The funding opportunity requires 20% match, \$14,400 is included in the 2020-2021 Budget.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes Town Manager to solicit proposals for Statement of Qualifications for engineering services. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on Tree Removal Near Little League Field – Mr. Jay Keen, Director of Public Works, reported there is a large maple tree, located at the Little League Fields, that is rotten in the center and is leaning over the privacy fence, overtop a house, garage and out building on Hood Street. Mr. Keen solicited three bids, one contractor refused to bid, Fox Valley submitted a bid for \$5,500 that did not include brush removal and Real Tree Specialist quoted \$5,000 and all debris would be removed and chipped.

Motion by Brent Foster, second by P.J. Wolfe Council accepts bid from Real Tree Specialist in the amount of \$5,000. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Report on Additional Funding at Farmer’s Market and Dedication Date of Facility – Rural Development has approved additional funding in the amount of \$31,000 for paving of the Farmer’s Market location. The project must be complete by November 17, 2020.

Motion by Brent Foster, second by Donna Blevins Council authorizes the Town Manager to advertise for bids for paving of the Farmer's Market location. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

The dedication of the Farmer's Market is scheduled for August 27, 2020, but Smyth County Welding is creating plaques for the market and they will not be complete by that time. After discussion Council postpones the dedication date until the plaques are complete.

Mr. Ron Cahill, Recreation Director and Special Events Coordinator, reported the Farmer's Market is doing well with an average of 200 to 300 patrons per market day with 95% wearing mask due to the COVID-19 pandemic. On average there are five to six vendors per market day and the vendors are reporting they are doing well financially.

- Virginia Department of Transportation Notice on Route 107 / Interstate Project – The Virginia Department of Transportation is proposing to reconstruct a portion of Route 107 to add a lane between I-81 northbound and southbound ramps at exit 35. The Virginia Department of Transportation advertised the project proposal in the local newspapers in mid- July 2020.
- Approval of Phase II Facades Project Bid – A bid opening for the Chilhowie Downtown Revitalization Project was held August 5, 2020. Wallberg Construction submitted the only bid received in the total amount of \$86,235. The bid amount is within the Virginia Department of Housing and Community Development's budget. Phase II of the project is the southside of Main Street.

Motion by Julie Sturgill, second by Brent Foster Council accepts the bid from Wallberg Construction in the amount of \$86,235 for the Downtown Revitalization Phase II Facades Project. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Approval of Line of Credit for Temporary Funding of Facade Project – Mrs. Marlene Henderson, Clerk – Treasurer, requested approval to obtain a \$150,000 line of credit from the Bank of Marion to pay invoices for the Facade Project until the Virginia Department of Housing and Community Development is able to reimburse the pay requests. The Virginia Department of Housing and Community Development has requested a copy of

the Audit. Mrs. Henderson submitted a draft copy of the Audit with a letter requesting to accept the draft copy of the Audit. If no money is spent through the line of credit no payment will be owed.

Motion by Brent Foster, second by Julie Sturgill Council approves the request to obtain a line of credit in the amount of \$150,000. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Council Consideration on Proceeding with Vacant Police Chief Position – Mr. John Clark, Town Manager, presented three choices to proceed to fill the vacant Police Chief position, hire within the department, accept the proposal from the Virginia Association of Chiefs of Police to assist with the hiring process or to conduct the hiring process in house. The Virginia Association of Chiefs of Police would review all candidates and narrow them down to a few by Council’s requirements. The cost for the Virginia Association of Chiefs of Police assistance with the hiring process is \$3,500 plus any additional expenses such as lodging and mileage.

Motion by Donna Blevins, second by Julie Sturgill Council appoints Acting Police Chief Aaron Smith to fill the vacancy of the Police Chief position. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Nay
Brent Foster	Nay	Lewis Shortt	Nay
Julie Sturgill	Aye	P.J. Wolfe	Nay

Motion failed.

After a discussion Councilwoman Julie Sturgill recommended tabling the matter for six months leaving Aaron Smith acting as Police Chief and then reevaluate the matter.

Motion by Brent Foster, second by Bill Clear Council will accept assistance from the Virginia Association of Chiefs of Police for the hiring process to fill the vacate Police Chief position. The motion was approved with following recorded vote:

Donna Blevins	Nay	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

- Consideration of Appointment to the Mount Rogers Planning District Commission Board – Ms. Cathy Smith’s four-year term as the Chilhowie representative on the Mount Rogers

Planning District Commission has expired. Council was requested to appoint someone or reappoint Ms. Cathy Smith to serve on the Mount Rogers Planning District Commission.

Motion by Brent Foster, second by P.J. Wolfe Council continues this matter. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Committee Reports:

- Fire and Police Committee on Emergency Vehicle Funding – The Fire and Police Committee met Tuesday, July 14, 2020 and discussed potential funding opportunity for emergency vehicles through Rural Development. The funding opportunity is 55% for a police vehicle and up to \$50,000 toward a fire truck. The Fire and Police recommended utilizing the 55% funding opportunity toward a police vehicle instead of leasing through Enterprise and declined the funding opportunity of \$50,000 toward a fire truck.
- Finance and Personnel on Two Additional Fire/EMS Positions in Lieu of Additional County Funding - The Finance and Personnel Committee met Tuesday, July 14, 2020 to discuss additional funding from Smyth County Board of Supervisors and potential use. The Committee recommends using the additional Smyth County Board of Supervisors funding to hire two additional full-time personnel and to reallocate part time wages in the current budget to hire one more additional full-time personnel for a total of three full time employees.

Motion by Donna Blevins, second by Brent Foster Council approves the use of the additional funding for the hiring of additional Fire and EMS personnel. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Department Reports:

Mr. John Clark, Town Manager, reported the next Smyth 12 meeting is scheduled for Tuesday, August 18, 2020 at 4 p.m.

Mrs. Marlene Henderson, Clerk-Treasurer, reported Innovative Computer Solutions has received money from the COVID-19 Small Business Administration and would like to install free internet

access points at the H.L. Bonham Tourism Center, Old High School, Little League Fields, Loaves and Fishes Food Pantry and the Recreation Park. Innovative Computer Solutions would provide maintenance for the internet access points for two years for free. The Town can eliminate the Old High School WIFI cost and gain access to the internet at all Town facilities.

Motion by Brent Foster, second by P.J. Wolfe Council approves the request from Innovative Computer Solutions to install internet access points at the H.L. Bonham Tourism Center, Old High School, Little League Fields, Loaves and Fishes Food Pantry and Recreation Park. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Mayor Heninger reported the tracking devices have been installed in ten Town vehicles, the Town Manager vehicle was the first device to be installed; and are working great. At this time the Mayor and Town Manager has access to the tracking device reporting and the Acting Chief of Police will obtain access as well.

Mr. David Haynes, Fire and EMS Chief, reported the Fire Department's thermo-image cameras are sixteen to seventeen years old and are not working well. The Fire Department has been awarded a FEMA Fire Act grant to replace two thermo-image cameras. The grant requires a 5% match for a total cost to the Town of \$1,000.

Motion by Lewis Shortt, second by Brent Foster Council approves the FEMA Fire Act grant for the replacement of two thermo-image cameras. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Mr. Aaron Smith, Acting Police Chief, reviewed some police activity from the month of July 2020 and reported Officer Prater is now in week five of the Police Academy and is doing well.

Mr. Jay Keen, Director of Public Works, reported the bathrooms at the Farmer's Market structure is fully functional.

Mr. Ron Cahill, Recreation Director and Special Events Coordinator, reported a Cruise Around is scheduled for Saturday, August 22, 2020. The Cruise Around will be from Chilhowie to Damascus to Abingdon.

Mr. Cahill also reported according to the Governor’s Mandate there will be no recreation football and cheerleading this Fall. He has been in contact with the other teams within the circuit and they are cancelling their football and cheerleading season as well.

Motion by Bill Clear, second by Brent Foster Council cancels the Fall 2020 Recreation Football and Cheerleading season due to the COVID-19 Pandemic. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Mr. Cahill also reported that a local travel softball team coach has been in contact requesting the use of the Little League Fields for tournaments. Mr. Cahill requested Liability Insurance listing the Town as the additional insured and to be in full compliance with the Governor’s mandates concerning the COVID-19 pandemic. Mr. Keen stated that it is a liability for anyone to be using the Little League fields until the tree is removed. He requested the Little League fields and well as the Recreation Park baseball field be temporarily closed.

Motion by P.J. Wolfe, second by Brent Foster Council closes the Little League Fields and the Recreation Park baseball field until further notice. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Closed Session:

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

Motion by Brent Foster, second by P.J. Wolfe and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss Town Manager Evaluation as allowed under 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
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	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
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	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 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.

The motion was approved with the following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Motion by Brent Foster, second by Lewis Shortt Council adjourns this meeting at 9:10 p.m. The motion was approved with following recorded vote:

Donna Blevins	Aye	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Gary L. Heninger

Mayor

Marlene L. Henderson, MMC

Clerk

