

**Virginia:** At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, November 12, 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., and Julie Sturgill.

**Absent:** Councilmember P.J. Wolfe

**Also Present:** Mr. John E.B. Clark, Jr., Town Manager; Mrs. Marlene L. Henderson, Clerk-Treasurer, MMC; Messrs. Paul Cassell, Town Attorney; 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 September 10, 2020, October 8, 2020 and Special Called November 5, 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	Absent

**Citizens Time:**

Ms. Heather Carter, Chilhowie Library, appeared before Council to give the Library report for the month of September and October. September was National Library Card Signup month and Chilhowie Library teamed up with the Chilhowie Elementary School Library and signed up thirty kids for Library cards. During the month of October, the Library celebrated Halloween by handing out goodie bags that contained books, candy, stickers and pencils. Ms. Carter expressed her appreciation for the Chilhowie Police Department and the Friends of the Library for providing materials for the goodie bags.

During the month of November, the Chilhowie Library opened the doors to the public by appointment only. Curbside pickup is still available. During the month of December, the Library hopes to open fully to the public.

**Public Hearing:**

- Proposal to Adjust Fire/Emergency Medical Fees to 2020-2021 Levels –

Mrs. Marlene Henderson presented the following:

Public Hearing Notice

The Chilhowie Town Council will be holding a Public Hearing on the Fire Department and Emergency Medical Services fee schedules. The proposed new fees for 2020-2021 will in some cases replace fees that have been in effect since fiscal year 2017-2018 for the Department. A copy of the proposed fees, also showing the present fee schedule, are available for inspection at the Chilhowie Town Hall, 325 East Lee Highway, Chilhowie, Virginia. Citizens interested about these fees are invited to appear and speak thereon at the Chilhowie Town Hall at 7:00 p.m., November 12, 2020.

By Authority of the Mayor and Town Council,

John E.B. Clark, Jr.

Town Manager

Mayor Heninger opened the Public Hearing at 7:06 p.m.

David Haynes            I can answer any question you may have.

Mayor Heninger        Anybody have anything on it?

Cathy Smith            May I ask what is the reason for the increase in fees?

David Haynes            Well, there were several reasons. One there were some items that changed at the Fire Training Center that we needed to be able to charge for that wasn't in the old schedule, so we added those. We wanted to make sure our fees for EMS stay above the Medicare reimbursement rate because if you don't stay above it then you will not get paid for those.

Cathy Smith            I understand that.

David Haynes            Right, and there were some other things when we put the original fee schedule together and we left out some different types of incidents that we run and we realized we didn't have the ability to assess a fee for it and we needed to so we added those. Some of it was general updating, so if you

are responding to a call or some type of event and you are charging for personnel services, we have to make sure the rate of pay keeps up with where we are actually at. I generally went through and updated everything for inflation. It works a little bit better with things that were not in the original fee schedule we felt that needed to be added.

Cathy Smith            Okay.

Brent Foster            Does Marion do the same thing?

David Haynes            I do not know how they set their fees. I think they have a billing fee for fires, but I think its probably based on...most insurances will pay \$500 for residential and \$1,000 for commercial and that is probably where their fees are set. I do not know if they have one as extensive as this.

Brent Foster            Okay.

David Haynes            I think it is a good idea to have this simply if you respond upon Interstate or damage a piece of equipment you need to have something. It is good to have something to go back if we are billing a carrier for damaged equipment so we know what those items costs.

Mayor Heninger closed the Public Hearing at 7:09 p.m.

Motion by Donna Blevins, second by Brent Foster Council approves the proposed Fire and Emergency Medical Department Fee Schedule. 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	Absent

**Old Business:**

- Presentation from Hurt and Proffitt for Sewer System Evaluation Study – A Request for Proposals for the project was advertised in August and September and only one response from Hurt and Proffitt was received. Dennis Amos, Vice President of Engineering of Hurt and Proffitt, reported the Sewer System Evaluation Study will identify areas of infiltration and inflow into the sewer system by utilizing smoke testing, flow monitoring, camera investigation and reviewing Town records.

The total cost of the project is \$90,000 and the Department of Environmental Quality has granted \$67,500 or 75% for the project. The Town's match is \$22,500. The Town has applied for funding through the Mount Rogers Water and Wastewater fund. Mount Rogers Planning District Commission is working closely with the Department of Environmental Quality on this project therefore Mount Rogers Planning District Commission is covering the \$22,500 match leaving the Town with no matching requirement. The project will result in a lot of staff in-kind and consulting work as the project moves forward.

Motion by Brent Foster, second by Bill Clear Council approves the contract for Hurt and Proffitt for the Sewer System Evaluation Study. 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	Absent

- Update on East Lee Highway Pedestrian II Project and Committee Interviews – The East Lee Highway Pedestrian II Project is slated to be along East Lee Highway from Church Avenue to Walton Avenue to Main Street. Once completed it will connect Main Street with the Farmer's Market, Old High School and the Chilhowie Library. A Request for Proposals was advertised in the Smyth County News and two responses were received, Thompson and Litton and Mattern and Craig. Mr. Clark, Town Manager, is prepared to set up two interviews with the two firms, staff and the Public Works Committee.

Motion by Brent Foster, second by Lewis Shortt Council refers this matter to the Public Works Committee. 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	Absent

- Completion of Grants from Rural Development on Police Vehicle and Code Vehicle – Mrs. Marlene Henderson, Clerk-Treasurer, and Mr. John Clark, Town Manager, prepared and submitted the necessary forms to Rural Development to apply for grant funds. The two vehicles funded were a Police vehicle and a Code vehicle or Fire/EMS. The estimated cost for both vehicles was \$80,900, Rural Development funded \$60,600 leaving a total cost to the Town of \$20,300.
- Delivery of CARES ACT FUNDING from Chilhowie – John Clark, Town Manager, accompanied Ms. Sarah Gillespie, Executive Director of the Chamber of Commerce of Smyth County, to deliver checks to the small business within the Town limits that was awarded grant funds through the Smyth Strong Program. The businesses awarded are as follows: Eller Taxi, A2Z Pest Control, Hodge Podge on Main, Goodman Jewelers,

Antiques at Winterhurst, Captured by Brandi Photography, Chilhowie Drug and Loaves and Fishes.

- Schedule of Police Search – Six Police Chief candidates are to be interviewed by the Virginia Chiefs of Police Association panel and Town Council panel on Wednesday, November 18, 2020. Once the interviews are concluded the two panels will join to discuss the Virginia Chiefs of Police Association’s recommendations.
- Achievement of Certified Municipal Clerk for Felicia Eller – Mrs. Felicia Eller, Finance Clerk II – Human Resources, has received her designation as a Certified Municipal Clerk. In order to achieve the Certified Municipal Clerk status, she completed extensive educational programs to obtain sixty educational points and fifty experience points. Mrs. Eller is one of one-hundred and ten Certified Municipal Clerks in the state of Virginia. Mrs. Eller will continue with training to become a Master Municipal Clerk. Mayor Heninger presented Mrs. Eller with the Certified Municipal Clerk plaque.
- Notice of Completion of Paving at Farmer’s Market – AAA Paving completed the paving at the Farmer’s Market. The Fire and EMS Department is to mark the pavement.

**New Business:**

- Advertisement on Tourism Director and Situation with Lease on Building – Smyth County Tourism Association published an ad advertising the opening for a Tourism Director for Smyth County. The application deadline is November 13, 2020 and the Tourism Association is scheduled to meet November 30, 2020 to review the applicants. Mrs. Donna Blevins, Tourism Board Member, reported the Smyth County Tourism Association has approved the request made by the Chamber of Commerce of Smyth County to have an office and meeting space at the H.L. Bonham Tourism Center.

Concerning the lease agreement between the Town and Smyth County Tourism Association, the Board does not want to change the existing lease, however the Board does request a lease be made between the Chamber of Commerce of Smyth County and the Smyth County Tourism Association. Mr. Paul Cassell, Town Attorney, stated the lease between the Town and the Tourism Association is poorly written and needs to be revised for both parties.

- Notice of Public Hearing for Board of Zoning Appeals for Proposed Retail Store Between West Lee Highway and West Main Street – JMB Investments is proposing to relocate the Dollar General store and is requesting a variance for one parking spot. The Zoning Ordinance requires one parking space for every 250 square feet of retail space. The

proposed building space requires twenty-six parking spaces and the lot size allows for twenty-five parking spaces. JMB Investments also request a variance of seven feet to meet the required ten feet for a setback. The Board of Zoning Appeals has scheduled a Public Hearing for November 19, 2020 at 5:30 p.m.

- Report on Transition at Sewer Treatment Plant – Wastewater Superintendent Bill Rutledge has recently retired from the Town. Mr. Luke Lowe is now serving as the Wastewater Superintendent. The Town has recently hired a former Washington County employee that holds a Class 1 Operators License.
- Request to Solicit Consultant to Replace Town’s Web Page - The Town’s current website is not very effective and appears choppy and outdated. Mr. John Clark, Town Manager, requested to obtain a consultant to advertise a Request for Proposal and assist the Town to develop a new webpage.

Motion by Brent Foster, second by Donna Blevins Council authorizes the Town Manager to solicit for a consultant to redesign and replace the Town’s website. 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	Absent

- Proposal on iPads – Utilizing CARES ACT money the Town is able to purchase iPads for Council and staff at the cost of \$16,200. The Agenda would then be emailed to Council cutting down on the cost of producing a paper Agenda.

Motion by Donna Blevins, second by Brent Foster Council approves the purchase of iPads for Council and staff. 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	Absent

- Consideration of Employee Christmas Bonus and Christmas Dinner – Christmas bonuses for full and part time Town employees is in the amount of \$11,500. Food City Gift Cards in the amount of \$50.00 for employees’ total cost is \$2,600 for a total cost of \$14,100.

Motion by Brent Foster, second by Julie Sturgill Council approves the Employee Christmas Bonuses and Food City Gift Cards. 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	Absent

Concerning the Employee and Family Annual Christmas Dinner and the rapid increase in COVID-19 within the area Council postpones the Annual Christmas Dinner to Spring 2021.

Motion by Julie Sturgill, second by Brent Foster Council postpones the Employee and Family Annual Christmas Dinner to Spring 2021. 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	Absent

- Report on Veterans Day Program and Consideration of Christmas Parade – Mr. Ron Cahill, Recreation/Special Events Coordinator, reported the Veterans Day Program went well with most of the participants remaining in their vehicles during the tribute.

Concerning the Annual Christmas Parade, surrounding areas have cancelled this year's events due to the COVID-19 Pandemic. If the parade was to be held it would be extremely challenging to make all the provisions to follow the Governor's mandates. The Annual Christmas Bazaar is cancelled for 2020. After discussion Council cancels the Annual Christmas Parade but requests the Farmer's Market Structure be decorated.

Motion by Donna Blevins, second by Brent Foster Council cancels the 2020 Annual Christmas Parade. 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	Absent

- Audit Report for Fiscal Year 2018 – The 2018 Audit Report was included in Council's packet. Juan Garcia with Hickok, Brown and Company will appear before Council during the December 10, 2020 meeting to give their report.
- Consideration of the Purchase of a Dump Truck – The Town has received three quotes to purchase a Dump Truck for the Public Works Department. Worldwide Equipment is the

lowest quote at \$95,230. This item is included in the Budget but will be financed for three years paying \$32,000 annually.

Motion by Brent Foster, second by Bill Clear Council approves the purchase of a dump truck in the amount of \$95,230 and the financing of three years. 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	Absent

**Committee Reports:**

- Fire and Police Committee on Twenty-Four Hour Shift Employees Vacation Benefits – The current vacation time policy states how many hours of vacation an employee accrues during a pay period and it does not benefit a twenty-four-hour shift employee. The twenty-four-hour shift employee would struggle to accrue enough time to take one vacation day under the existing policy.

Mr. David Haynes, Fire and EMS Chief, proposed the following vacation time accrual schedule for twenty-four-hour shift employees: Zero to two years of service the employee would earn ten hours per month for a total of five days of vacation a year. Two to ten years of service the employee would earn sixteen hours per month for a total of eight days of vacation per year. Ten plus years of service an employee would earn twenty-two hours per month for a total of eleven days of vacation per year. Chief Haynes reported that the absence of a twenty-four-hour shift employee would be covered by volunteers and part time employees.

Motion by Brent Foster, second by Bill Clear Council approves the proposed vacations time accrual schedule for twenty-four-hour shift employees. 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	Absent

- Finance and Personnel Committee on Purchase of Eight Mega Pixel Camera for Police Purposes at a Cost of \$359.95 – Councilman Brent Foster recently relocated Greevers Drug Store to across the street in the old SunTrust building. Mr. Foster reported the Greevers Drug Store security camera has always included the intersection. The Police Department has used recordings of the intersection from Greevers Drug Store on numerous occasions.

Mr. Foster proposed to install an eight mega pixel camera facing the intersection if the Town would purchase the camera at the cost of \$359.95.

Motion by Donna Blevins, second by Lewis Shortt Council approves the purchase of an eight mega pixel camera at the cost of \$359.95. The motion was approved with following recorded vote:

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

Councilman Brent Foster abstained from the motion due to owning Greevers Drug Store.

**Department Reports:**

Mrs. Marlene Henderson, Clerk-Treasurer, reported the revenue intake is on schedule with 36% of fines collected, 38% of meals tax collected and 35% of lodging taxes are collected.

Mr. David Haynes, Fire and EMS Chief, requested to place an order for four turnout gear sets. These items are included in the current budget.

Motion by Brent Foster, second by Lewis Shortt Council approves the purchase of four turnout gear sets. 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	Absent

Mr. Aaron Smith, Acting Police Chief, reported on the quarterly report for the Highway Safety Initiative. The Police Department issued 167 summonses, worked 132 hours and initiated 170 traffic stops this quarter. The Police Department also participated in the Virginia Drug Take Back Program on October 24, 2020 and collected ninety-two pounds that was turned over to the DEA.

**Any Other Council Business:**

Mr. Bill Clear, Councilman, stated that he has been by the baseball fields and there were people on the field practicing baseball and not a single person was wearing a mask. Mr. Ron Cahill, Recreation/Special Events Coordinator stated he would contact the Coaches.

Motion by Brent Foster, second by Donna Blevins Council continues this meeting at 8:30 p.m. until Wednesday, November 18, 2020 at 8:15 a.m. The motion was approved with following recorded vote:

