

Virginia: At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, December 10, 2020 at 7:00 p.m.

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

Absent: Councilmember Donna Blevins

Also Present: Mr. John E.B. Clark, Jr., Town Manager; Mrs. Felicia Eller, CMC, Deputy Clerk; 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 P.J. Wolfe, second by Brent Foster Council adopts the regular November 12, 2020 meeting minutes. The motion was approved with following recorded vote:

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

Citizens Time:

Gary Montgomery appeared before Council on behalf of Chilhowie Lions Club. Mr. Montgomery reported the Chilhowie Lions Club has funding to assist those who qualify with purchases of eyeglasses and other medical supplies. Mr. Montgomery also stated the sidewalk project in Town is good but there are currently no cross walks.

Old Business:

- Notice of Funding from Virginia Department of Transportation on East Lee Pedestrian Connect II and Resolution – The total project cost is \$487,334 of which 20% will be the Town’s responsibility. The cost for preliminary engineering is included in the current budget.

Mrs. Felicia Eller presented the following:

RESOLUTION
AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF PROJECT
UNDER AGREEMENT WITH THE
VIRGINIA DEPARTMENT OF TRANSPORTATION
AND PROVIDE SIGNATURE AUTHORITY

WHEREAS, the Town of Chilhowie is a recipient of the Virginia Department of Transportation funds under various grant programs for transportation related projects; and

WHEREAS, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment of funding its local share; and

THEREFORE, IT IS HEREBY RESOLVED, by the Town of Chilhowie hereby commits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED, that the Town Manager and/or his designees is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

In witness whereof, the foregoing was adopted by the Town Council of the Town of Chilhowie, Virginia on December 10, 2020.

Town Clerk

Motion by Brent Foster, second by Lewis Shortt Council adopts the Resolution as presented. The motion was approved with following recorded vote:

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

Mr. Clark, Town Manager, received the Standard Project Administration Agreement and was requested to digitally sign the document and submit to speed up the process. Mr. Clark requested Council to ratify the document.

Motion by P.J. Wolfe, second by Bill Clear Council approves the ratification of the Standard Project Administration Agreement. The motion was approved with following recorded vote:

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

- Report on Board of Zoning Appeals Meeting on Proposed Dollar General Store on West Main and West Lee Highway – The Board of Zoning Appeals met November 19, 2020 to discuss two variances requested by JMB Investment Company. JMB Investment Company proposed to relocate the Dollar General Store to the lot across from Smyth Farm Bureau between West Main Street and West Lee Highway. The variances requested are for one parking space and a seven-foot variance to meet the ten-foot setback requirement along West Main Street.

The Board of Zoning Appeals held a Public Hearing and after much discussion granted the variance for one parking space and granted a variance for the seven feet setback upon the condition that JMB Investment Company investigates all possibilities of pushing the building north by seven feet to meet the ten foot setback required by the Zoning Ordinance. JMB Investment Company discovered the building can be pushed north by an additional two feet for a five-foot setback.

- Report on Fire and Emergency Medical Services Scheduling and Department Update – The twenty-four-hour shifts began six weeks ago and is working well. There are three shifts, one of those shifts’ employ two full time employees while the other two shifts employ one full time employee with the other employee position being part time or volunteer.
- Update on New Tourism Director Search – Mr. Ron Thomason left the position of Tourism Director June 2020. The Tourism Committee advertised the position and received thirteen applications and plan to interview five next week. The Tourism Committee hopes to have a new Tourism Director by January 2021. Once the new Tourism Director is hired, they will be presented with a new lease agreement from the Town.
- Notice of Article in Virginia Municipal League Magazine on Downtown Revitalization Project – An article discussing the Downtown Revitalization Dedication including a picture of the ribbon cutting was published in the Virginia Municipal League Magazine. The Town hopes to begin Phase II of the Downtown Revitalization Project within a couple of months.

New Business:

- Introduction of Ms. Rose Likins as New Library Director and Signage at Lucas Dowell Memorial Park – Ms. Margaret Linford, Library Board, appeared before Council to express the Library’s gratitude to the Town for all their support. Ms. Linford introduced Ms. Rose Likins as the new Library Director. Ms. Likins served as an ambassador to Prue and El Salvador for the United States and worked at the Arlington Public Library for ten years.

Ms. Rose Likins echoed the gratitude that Ms. Linford expressed toward the Town. She stated she found a thriving Library with a terrific staff and supportive community. Ms. Likins is excited to be the new Library Director and has many ideas for new programs. Due to COVID the Library is providing curb side pick up only.

Ms. Heather Carter, Chilhowie Library, reported that she installed a Story Walk at the Lucas Dowell Memorial Park along the sidewalk. The Story Walk includes two Christmas stories, one traveling toward the Library along the sidewalk and the other as you travel away from the Library along the sidewalk.

- Presentation of Memorial Signs to go on Farmer’s Market – Mr. Corey Johnson, Smyth County Machine and Fabrication, contacted the Town several months ago offering to create two signs at no cost to the Town in honor of Will Walker and Lucas Dowell. The families of Mr. Walker and Mr. Dowell have seen the signs and are very pleased with the end results. The signage will be installed at the Will Walker Farmer’s Market and Community Pavilion and Lucas Dowell Memorial Park closer to a Dedication Ceremony scheduled for Spring 2021.
- Report on Public Information Meeting on New Sludge Application Site – The Department of Environmental Quality held a virtual conference and Public Hearing concerning the new sludge application sites. The Town ran out of room on the current permitted application site and requested to land apply sludge on a twenty-five-acre farm for John Berry and a sixty-three-acre farm for Seth Heath. These sites qualified for the land application. The other option is to haul the sludge to Tennessee at a much higher cost to the Town.
- Report on Grant Award from Mount Rogers Planning District Commission on Wastewater Improvement – Mr. Brian Reed, Mount Rogers Planning District Commission, gave notice of the Town being funded \$15,000 for replacement of ultraviolet lights and a grit chamber chain for the Sewer Treatment Plant.
- Resolution in Recognition on Former Tourism Director – Smyth County has created a Resolution in Recognition of Ron Thomason upon his retirement as Smyth County Director of Tourism and has requested each Mayor of the three Localities to sign the Resolution.

The Smyth County Board of Supervisors will present Mr. Thomason the Resolution at a later date.

Motion by Lewis Shortt, second by Brent Foster Council approves the Resolution in Recognition of Ron Thomason. The motion was approved with following recorded vote:

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

- Update on Lyons Gap Water Project – The Town has been awarded \$35,750 for the Lyons Gap Water Project and is currently working with Thompson and Litton on the preliminary design. The project will address issues at Whitehall and Heatherwood Apartments by replacing the two-inch water line with a six-inch line and the installation of four fire hydrants. The water line replacement will serve Heatherwood Apartments and the houses on the left side of Lyons Gap Road. Residents will not be required to pay a reconnection fee for the upgraded service.

Committee Reports:

- Recommendation on Engineer to Design and Administer East Lee Pedestrian II Connector Project – A Request for Proposal was advertised for the East Lee Pedestrian II Connector Project and two firms responded, Mattern and Craig and Thompson and Litton. The Public Works Committee met Tuesday, December 8, 2020 to interview each firm. Each firm was given twenty-five minutes to give a formal presentation followed by unlimited questions and answers. The firms were then graded using firm data sheets as required by the Virginia Procurement Act. There were five categories with each category having a maximum of twenty points. The Public Works Committee found Thompson and Litton scored the highest with a total of 455 points for an average of 91.00.

Motion by P.J. Wolfe, second by Lewis Shortt Council accepts the Public Works Committee’s recommendation of Thompson and Litton. The motion was approved with following recorded vote:

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

Department Reports:

Mr. John E.B. Clark, Jr., Town Manager, reported concerning the Phase II of the Facades there has been a lot of back and forth with a property owner of a southside building, but they have

recently come to an agreement. Mr. Clark will have more information on that phase of the project come spring.

Mr. Randy Sturgill, Building Official, reported the Downtown Revitalization Project is in the punch list phase. A walk through was conducted and the punch list includes less than two weeks of work.

Mr. Aaron Smith, Acting Chief of Police, reported that Officer Gage Prater has successfully completed the Police Academy training and graduated in November 2020. Acting Chief Smith expressed his gratitude to Officer Prater for his dedication and hard work and stated he is a good asset to the Chilhowie Police Department.

Mr. Ron Cahill, Recreation Director and Special Events Coordinator, reported he is reviewing the latest Governor of Virginia Mandates to determine where the Town stands with recreation.

Closed Session:

- Selection of Police Chief – Justification 2.2-3711(A)(1) of the Code of Virginia, as amended –

Motion by Brent Foster, second by Lewis Shortt and unanimously passed the Council of the Town of Chilhowie hereby enters into Closed Session to discuss the Selection of Police Chief 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	Absent	Bill Clear	Aye
Brent Foster	Aye	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Motion by Brent Foster, second by Lewis Shortt 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	Absent	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	Absent	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 appoints Lieutenant Andrew Moss of Marion Police Department to serve as Chief of Police of Chilhowie Police Department beginning January 4, 2020. The motion was approved with following recorded vote:

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

Any Other Council Business:

Mr. Andrew Moss, Police Chief, stated that he is excited and humbled the Town of Chilhowie chose him as the new Chief. Chief Moss looks forward to working with the Department.

Mrs. Julie Sturgill, Councilwoman, would like to recognize Deputy Chief Aaron Smith for a job well done as Acting Chief over the past several months.

Motion by Brent Foster, second by Julie Sturgill Council recognizes Deputy Chief Aaron Smith for an excellent job acting as the Chief of Police over the past six months. The motion was approved with following recorded vote:

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

Mr. Bill Clear, Councilman, reported employees at the Town Shop expresses their gratitude to the Town for the Employee Christmas Bonuses and Food City Gift cards.

Mrs. Sturgill also suggested gifting the six volunteer Fire and EMS members with the Food City Gift card the full time and part employees received from the Town.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes the purchase of six \$50 Food City gift cards for volunteer Fire and EMS members. The motion was approved with following recorded vote:

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

Mayor Heninger wished everyone a Merry Christmas and a Happy New Year. He also stated that he has enjoyed working with everyone over the past year.

Motion by Brent Foster, second by Julie Sturgill Council adjourns this meeting at 8:09 p.m. The motion was approved with following recorded vote:

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

Gary L. Heninger Mayor

Felicia Eller Deputy Clerk