

Virginia: At the regular meeting of the Council of the Town of Chilhowie held at the Municipal Building, March 11, 2021 at 7:00 p.m.

Present: Honorable Gary L. Heninger, Mayor presiding; Councilors Donna 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 Henderson, MMC, Clerk-Treasurer; Messrs. Paul Cassell, Town Attorney; Jay Keen, Director of Public Works; Andrew Moss, 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 Brent Foster, second by Lewis Shortt Council adopts the regular February 11, 2021 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

Public Presentation:

- Resolution Honoring Service of Bill Rutledge-

RESOLUTION IN HONOR OF

William “Bill” Rutledge III’S

RETIREMENT FROM THE EMPLOYMENT OF THE TOWN OF CHILHOWIE

WHEREAS, William “Bill” Rutledge III began working for the Town of Chilhowie in September 1991; and

WHEREAS, Bill planned, directed, and reviewed the work of operation and maintenance of the sewer treatment plant; and

WHEREAS, Bill conducted reviews of all records, lab reports and testing at the sewer treatment plant so as to be compliant with the Virginia Department of Environmental Quality; and

WHEREAS, Bill assured that the procedures of the sewer treatment plant complied with State occupational health and safety regulations; and

WHEREAS, Bill was liked and respected by all Town employees and citizens that knew him; and

WHEREAS, Bill retired from work October 16th, 2020; and

WHEREAS, Bill will be missed on a professional and personal level.

NOW, THEREFORE LET IT BE RESOLVED that the Town Council of Chilhowie adopts this resolution to express gratitude and appreciation William “Bill” Rutledge III for his hard work and dedication to the Town of Chilhowie and that this resolution be entered into the minutes of the Town so as to be a permanent part of the records of the Town of Chilhowie, Virginia.

Adopted this 11th day of March 2021.

Gary L. Heninger, Mayor

Attest: _____
Marlene L. Henderson, Clerk-Treasurer

- Resolution Honoring Service of Jimmy Doane-

**RESOLUTION IN HONOR OF
JAMES A. “JIMMY” DOANE’S**

RETIREMENT FROM THE EMPLOYMENT OF THE TOWN OF CHILHOWIE

WHEREAS, James A. “Jimmy” Doane began working for the Town of Chilhowie in August of 1999 in the Public Works Department; and

WHEREAS, as a meter reader became acquainted with all the streets of the town and streets and roads in Smyth and Washington Counties where the Town delivers water; and

WHEREAS, Jimmy worked diligently as a representative of the Town as a water meter reader and other duties in public works when needed; and

WHEREAS, Jimmy kept accurate records and communicated them to the Town staff for the purposes of billing customers; and

WHEREAS, this work allowed the Town to collect needed revenues from the Town's number one source of its income, namely its water and sewer system to support essential Town functions; and

WHEREAS, Jimmy was universally liked and respected by all Town employees and citizens who knew him; and

WHEREAS, Jimmy retired from work on December 31, 2020; and

WHEREAS, Jimmy will be missed on both a professional and personal level.

NOW, THEREFORE LET IT BE RESOLVED that the Town Council of Chilhowie adopts this resolution to express gratitude and appreciation to Jimmy Doane for his hard work and dedication to the Town of Chilhowie and that this resolution be entered into the minutes of the Town of so as to be a permanent part of the records of the Town of Chilhowie, Virginia.

Adopted this 11th day of March 2021.

Gary L. Heninger, Mayor

Attest:

Marlene L. Henderson, Clerk-Treasurer

Motion by Brent Foster, second by Julie Sturgill Council adopts the Resolutions Honoring Bill Rutledge and Jimmy Doane. 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

- Introduction of Ms. Amanda Livingston, Director of H.L. Bonham Tourism Center – Mrs. Donna Blevins, Councilwoman, introduced Amanda Livingston as the new Smyth County Tourism Director. Mrs. Livingston served as the Assistant Tourism Director for the Tourism Department for the Town of Abingdon. Prior to working for the Town of Abingdon Mrs. Livingston worked for Barter Theater. Mrs. Livingston is a Certified Marketing Professional through Southeast Tourism Society. Mrs. Blevins stated she is very impressed with Mrs. Livingston and she is doing a great job organizing the H.L. Bonham Tourism Center.

Mrs. Livingston appeared before Council to announce the job position is an honor and delight. She is currently working on three themes for Tourism that Smyth County excels in, Outdoors, Visiting Friends and Family and Road Trips. Mrs. Livingston is also working on a new website for Smyth County Tourism and social media outlets such as Facebook and Instagram. She hopes to reopen the H.L. Bonham Tourism Center to the public May 2021.

Citizen Time:

No one wished to speak.

Old Business:

- Update on Sewer System Evaluation Study – Hurt and Proffitt has sped up the study over the past couple of weeks by installing flow meters at five locations in February and beginning smoke testing the week of March 2, 2021. Crews began utilizing cameras in the lines the week of March 8, 2021. Mr. Dennis Amos, Hurt and Proffitt, reviewed the study process and discussed locations experiencing inflow from the surface during rain events. Mr. Amos discussed the H&R Block area experiencing infiltration issues. During the smoke testing forty-eight locations were found where smoke was rising from the ground. Smoke testing is continuing at this time.
- Update on Town Request to Revise Lease with Tourism Authority/Smyth County Chamber of Commerce Move to Building – Council previously passed the lease remedies the Town Attorney identified. The revised lease includes terms, uses of the property for regional development and a termination clause the original lease did not include.

During the Tourism Association meeting held Monday, March 8, 2021 the Association approved a Memorandum of Understanding separate from the lease for the Chamber of Commerce of Smyth County to move into the H.L. Bonham Tourism Center. The revised Lease Agreement is to be presented at the Smyth 12 meeting for approval.

Motion by Brent Foster, second by Lewis Shortt Council approves the revised Lease Agreement and authorizes the Town Manager to execute the document. 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

- Update on Possible Renaming of Railroad Avenue – The Town sent a letter to the First Baptist Church concerning the possibility of renaming Railroad Avenue to Lomans Avenue. No response has been received.

Motion by Lewis Shortt, second by Brent Foster Council drops this matter from the Agenda. 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

- Update on Crosswalk Across East Lee Highway Near Pine Avenue – This idea was original discussed during the quarterly meeting of the Planning Commission held in January 2021. The Virginia Department of Transportation has been contacted concerning a crosswalk across East Lee Highway near Pine Avenue and the project is progressing. The Virginia Department of Transportation is installing a ramp that is required by the Americans Disability Act on the south side of East Lee Highway along with striping and signage.

Motion by Brent Foster, second by Julie Sturgill Council authorizes the Town Manager to continue the 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

- Presentation on New Mutual Tolling Agreement on Mill Creek Regional Water Treatment Plant Dispute – The work continues in regard to figuring out the Mill Creek Regional Water Treatment Plant dispute. Mr. Paul Cassell, Town Attorney, requested Council to approve a New Tolling Agreement that extends the Agreement through April 14, 2021.

Motion by Brent Foster, second by Donna Blevins Council approves the New Mutual Tolling Agreement that is extended through April 14, 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	Aye

- Presentation of Final Pay Request on Phase I Facades Project and Update – The final Phase I Facades Project pay request is in the amount of \$6,573.75. The first pay request for the beginning of Phase II Facades Project is in the amount of \$4,000.00 for a total of \$10,573.75.

Motion by Donna Blevins, second by P.J. Wolfe Council approves the final pay request for Phase I and the first pay request for Phase II in the total amount of \$10,573.75. 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 Facades Project is to be complete by March 31, 2021 but was held up for at least year due to the lack of bidders and rebidding process. The Town along with Mount Rogers Planning District Commission has requested an extension to March 31, 2022.

New Business:

- Run Off Water Complaint Behind 524 Old Stage Road – Mr. Aaron Lundy, 524 Old Stage Road, contacted Mr. John Clark, Town Manager, concerning water run off and ponding in the vicinity of Mr. Lundy’s property, Chilhowie United Methodist Church property and Hood Street. The matter was discussed at length.

Motion by P.J. Wolfe, second by Donna Blevins 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	Abstain	Lewis Shortt	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Mr. Brent Foster, Councilman, abstained from the vote due to being an adjoining property owner.

- 2021-2022 Budget Request to Smyth County Regarding Fire/EMS – The Town sent a letter to Smyth County concerning Fire and EMS budgetary request. The Town is requesting an increase of funding from the County from \$185,000 which was received 2020-2021 to \$255,000 for 2021-2022. The additional funding would allow the EMS Department to add two full time employees, for a total of four to have two persons each shift and would complete the staffing of the EMS unit. The Chilhowie EMS Department response to calls for Smyth County and the Town of Saltville has increased over the past year which can be attributed to the COVID-19 pandemic.
- 2021-2022 Budget Request to Smyth County Regarding Recreation – The Town sent an additional letter to Smyth County concerning recreation. The Town serves 245 youths in recreation football, cheerleading and girls and boys basketball. The Town also maintains fields for Little League, Inc. The Town spends approximately \$70,000 on recreation

programs. The Town is requesting a 25% increase from the current County contribution of \$4,500 to \$5,625 for 2021-2022.

- Update on Veterans of Foreign Wars Police Officer of the Year Ceremony – Sergeant Ben Perry has been selected for the 2020 Officer of the Year award sponsored by the VFW Post #4667.

Motion by Brent Foster, second by P.J. Wolfe Council recognizes and congratulates Sergeant Ben Perry for the 2020 Officer of the Year award sponsored by the VFW Post # 4667. 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

- Update on Meeting with Virginia Department of Transportation on Maintenance Issues – Towns with a population over 3,500 people in Virginia receives maintenance money from the Virginia Department of Transportation, but the Town of Chilhowie does not due to the population being less than 3,500. During a meeting held with two representatives of Virginia Department of Transportation street sweeping, paving, crosswalks and snow removal was discussed. Street sweeping is to begin after April 15, 2021, and the Town will provide the Virginia Department of Transportation a priority list of streets that need to be paved.

A “gentleman’s agreement” has occurred between the Town and the Virginia Department of Transportation for the Town to obtain salt from them and the Town snowplows and applies salt to both Town and Virginia Department of Transportation streets. Accounting in the District of Richmond has noticed the situation and stated it affected their accounting, therefore the Town may have to pay for salt in the future or the Virginia Department of Transportation can consider the Town a Snow Contractor and operate under that premise in 2021-2022.

- Beginning of 2021-2022 Budget Process – The Department Heads are to submit their department capital requests by Friday, March 12, 2021. Mid-April staff will meet with full Council for a budget workshop meeting.

Committee Reports:

- Finance and Personnel Committee on Fire/EMS Training Building, Business License Extension, Mount Rogers Cigarette Tax Board, New Fire Truck(s) Funding – The Finance and Personnel Committee met Thursday, March 4, 2021. The Fire Department is

requesting a training center classroom be erected at the burn building site in conjunction with Smyth County who would split the cost. An agreement for this project between the Town and Smyth County has not been presented at this time. The training classroom would serve all of Smyth County Fire and EMS training while outside the County agencies will be charged a fee for the use of the facilities. The estimated cost for the project is \$300,000 which would be financed through Rural Development Rural Community Center Program over the next forty (40) years. The Town's annual payment would be \$5,568 and the County's annual payment would also be \$5,568. The Town is currently covering the cost of Doctor Bruzzo estimated at \$5,000 per year for Operational Medical Director services provided. Smyth County is now taking that responsibility saving the Town the annual \$5,000 that could be applied to the training classroom annual payment.

Motion by Brent Foster, second by Donna Blevins Council approves the project and Chief David Haynes to apply for Rural Development loan funds and develop an agreement with Smyth County for the training center classroom. 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

A request was made during the previous Council meeting to extend the date Business Licenses accrues penalty. Mr. Cassell, Town Attorney, reported the Town is allowed to do so without adopting a resolution. The date is extended until May 1st.

Motion by Donna Blevins, second by Brent Foster Council approves the date of May 1st for Business License to accrue penalty. 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

Mount Rogers is proposing the Town join the Mount Rogers Cigarette Tax Board by adopting and Ordinance approving the formation of a joint entity. The Mount Rogers Cigarette Tax Board allows Smyth County to institute a cigarette tax within the County. The Board will employ a person to travel through the region checking cigarette tax at stores within the County. Currently the Cigarette Tax for the Town is \$0.08.

Motion by Brent Foster, second by P.J. Wolfe Council authorizes a Public Hearing to be held during the regular scheduled Council meeting Thursday, April 8, 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	Aye

Mr. David Haynes, Fire and EMS Chief, stated there is a need for new fire trucks, the current fleet is seventeen (17) years old. The Department is currently spending money on repairs and upkeep for the current fleet. The Fire and EMS Department has been downsizing the fleet with a goal of three fire trucks, two ambulances and one command vehicle. Chief Haynes discussed three different scenarios for the purchase of new fire trucks and required equipment. He suggested the purchase of three fire trucks at the cost of \$2.5 million amortized over twenty years. Other options for the purchase of fire trucks such as leasing was discussed, and the matter was discussed at length.

Motion by Brent Foster, second by Donna Blevins Council continues the matter through the budget cycle. 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:

Mrs. Marlene Henderson, Clerk-Treasurer, reported the revenues are doing well at the eight-month mark at 67%. Water revenues are 66%, sewer revenues are 65%, ambulance billing is 60%, meals tax revenue is 75% and lodging revenue is at 69% of the budgeted amount. Mrs. Henderson also reported the Town is currently working with Converge, credit card company, to set up online utility payment collection. iPads are scheduled to be delivered the following week and Council's accounts will be set up with the iPads being used the following month. Mr. Brent Foster, Councilman, requested to upload a years' worth of minutes to the iPads.

Mr. David Haynes, Fire and EMS Chief, presented Council with the Fire Department Annual Report. Council commended the Department on their continued service.

Mr. Andrew Moss, Chief of Police, reported he had met with other Chiefs in response to the Marcus Act, which addresses the mental health crisis. All Officers have been through the intercept two training, which is a jail diversion for mental health patients that would get better assistance through a mental health facility instead of the jail system. Chief Moss attended the Smyth County School Board Safety Committee meeting and participated in the drills of the High School and

Middle School. The Officers now have smart phones to utilize the Power DMS system and is expecting that to go live between April 1st and May 1st, 2021.

Mr. Ron Cahill, Recreation/Special Events Coordinator, reported Saturday, March 20, 2021 the Town in conjunction with the Library is hosting an East Egg Drive Through and story walk from 11 a.m. until 2 p.m. Mr. Cahill plans to meet with the Farmer's Market vendors on Thursday, March 25, 2021. During the months of May and June Arts and Crafts vendors are welcome to join the Farmer's Market, after July 1st Arts and Crafts vendors are welcome on Tuesdays and hosting produce only on Thursdays for the remainder of the Farmer's Market season.

Any Other Council Business:

Mr. P.J. Wolfe, Councilman, inquired what the status is concerning the properties on Mason Ally and the Rainbow. Citizens would like to know if anything can be done due to the properties being overgrown and rundown becoming eyesores. Chief Haynes stated the Rainbow property is in process.

Motion by Brent Foster, second by Julie Sturgill Council adjourns this meeting at 8:58 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