



Mayor: Gary L. Heninger
Council: Donna S. Blevins
Billy L. Clear
Brent Foster
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TOWN OF CHILHOWIE

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Town Manager: John E. B. Clark, Jr.
Clerk/Treasurer: Marlene L. Henderson
Police Chief: Andrew K. Moss
Director-Public Works: Jay Keen
Fire Chief: C. David Haynes
Building Official: Randy Sturgill
Director-Recreation/Special Events: Jeff Smarr
Legal: Cassell & Crewe. P.C.

Town Manager's Report to Mayor and Town Council October 14, 2021

Mt. Rogers Cigarette Tax Board Proceedings

As you recall in the 2021-22 budget formulation, the Town began the process of joining the Mt. Rogers Cigarette Board (Board). The Board's formulation was allowed by the General Assembly's action this past session and was mirrored by one already in existence in Northern Virginia. The Board covers all counties, cities and towns in the Mt. Rogers Planning District Commission (PDC), plus any other adjoining locality that wants to join the entity, I believe. The formulation of the Board allows for uniform rates in the participating localities. Additionally, it allows retailers to have one standard stamp in a region as opposed to different stamps and rates in various localities in that region.

The Town adopted the ordinance allowing the Town to join the Board in April. In June the Town adopted the .40 per pack fee. The Board and tax was and is still scheduled to become effective in January, 2022, along with the uniform tax rate. In fiscal year 202-21 we budgeted \$55,000 (although took in around \$41,000). This fiscal year we budgeted \$100,000, with the current .8 cents remaining until January, 2022.

I have been in several monthly meetings of the Board. They are currently advertising for an Inspector. The Inspector will be an employee of the Board, who are Administrators of the localities in the PDC. The selected Inspector will monitor stamps in various stores of participating localities and have the same benefits as PDC employees. The Board has also been insured through the Virginia Risk Sharing Association, I believe, and retained counsel for by law formulation and other legal matters.

Initially, it was thought all localities in the PDC would join. All localities in Smyth County have joined, along with Wythe County, and perhaps Bland and the City of Bristol, have joined. But Washington County has not, and some towns within; as have not Grayson, Wythe and Galax and some / all towns within. Hopefully all localities in the PDC will join in the near future after the benefits become better known.

Status of Contract on Old High School Roof (OHS)

You have in your agenda packet a September 17 letter from me to Mr. Travis Taylor of LaFerney Commercial Roofing acknowledging their low bid on the OHS roof. In the letter packet I signed their proposal and added my letter that they had to supply a certificate of insurance and a valid Virginia Contractor's license. Additionally, I asked that work begin within eight weeks, as I believe they had stated to Building Official Randy Sturgill.

I received an email back from Mr. Taylor on September 27, which is attached in your agenda. Mr. Taylor said that materials could not be received within eight weeks and said if that was an absolute requirement they would have to cancel their bid. I replied that that timeline was not absolute, considering what I knew of material delays affecting a wide variety of businesses. However, I did ask that I be periodically updated on the construction time frame.

Public Hearings on Amending the Charter for Elections and Clutter Ordinance

You have in your agenda packet the narrative of two public hearings the Council be holding. Both Public hearings were advertised in accordance with the law in the Smyth County News, a paper of General Circulation, on September 29 and October 6.

One public hearing will be for amending the Town's Charter to allow for new elections dates in November, as opposed to the traditional May. This change was passed by the General Assembly and signed by the Governor this past session. As I understand the new election date for three Council members whose term would have ended on June 30, 2022 will now end on December 31, 2022, with an election in November making it a four and a half year term. For the Mayor the term will also be extended from June 30, 2022 to December 31, 2022, making it a two and a half year term.

Another public hearing will be on amending various sections of the Town's existing Weed and Abatement Ordinance with a new ordinance, Section 22-41, Weed and Clutter Abatement. This new law was evidently approved by the General Assembly in the last session to better enable localities to addresses issues like this if it passes this enabling legislation.

Solid Waste Contract with GFL Environmental

Town Attorney Paul Cassell and I received a draft contract from Mr. Patrick Luce, Environmental Contract Manager for GFL Environmental on September 27. On September 29 Director of Public Works Jay Keen and Clerk Treasurer Marlene Henderson and I had a joint phone with Mr. Luce on some details on the contract, and then followed up on that conversation with Paul. Additionally, we sent a September 17 letter to the other four companies that had submitted proposals, in the interest of keeping them informed, that we were negotiating with GFL Environmental.

We found the submitted contract to be a fair contract. We suggested added several caveats, clarifications and additions. These included defining the pick up boundaries outside of the corporate limits to be within one half mile; that only the Smyth County transfer station be utilized; language more concisely defining and timing of the transportation consumer price increase; language more concisely defining cost adjustments beyond the company's control, language more concisely defining the assignment of the contract, etc. etc.

At this writing I have heard nothing back from the company, although in our conversation with Mr. Luce the changes seemed acceptable. My goal is to get this contract finalized as soon as possible in the interest of a variety of logistics. The contract is slated to begin on January 1, 2022 and end December 31, 2024.

Sewer System Evaluation Study (SSES) II

You have in your agenda packet two pieces of documentation giving the Town grant funds for the second SSES II project. The first is \$64,125 from the Department of Environmental Quality (DEQ), and the second is the required 25% match from the Mt. Rogers PDC at \$21,325. This, like the first study, will require no direct funding from the Town, save staff time.

As you recall, the first SSES I study identified Infiltration and Inflow (I&I) issues in and near the corporate limits. That study showed \$2.1 million dollars of needed improvements. The second SSES II study will concentrate in the system from the corporate limits east into Seven Mile Ford.

The Town has been tentatively approved for the above mentioned \$2.1 million. As stated before the program is 50% - 50% grant and loan, but I still don't know what the top amount of the grant is.

Also attached is October 6, 2021 contract with Hurt and Proffitt on the project in the amount of \$85,500. They project will involve the same basic tasks as the first SSES I project. The SSES II will involve smoke testing, inspections of 25 manholes and camera work covering up to 13,250 feet of lines. The contract is slated to be completed by April, 2022. The findings can then be incorporated into the existing project allocation. By incorporating the Phase I and Phase II together in one program we can get more "bang for the buck" as opposed to only using the Phase I SSES Study.

Streetscape Planting on East Lee Highway

As approved by Council in September, we hired Mr. Nathan Brown of Barrington Landscape Architects to devise a plan to beautify the Town by planting on East Main Street In your agenda. Mr. Brown has prepared the plan and it is in your agenda packet in 11 inch by 14 inch copies. Mr. Brown will be presenting the plan at the October Council meeting for approval.

The plan purposes planting from Second Avenue to near Advance Auto on both sides of East Lee Highway. It shows 101 trees, consisting of Redbuds, Flowering Dogwoods and Winter King Hawthorns, all suitable for urban plantings. Also in the plan are shrubs and grasses. The grasses can be planted in existing drainage ditches, particularly in front of the Chilhowie Center. The Virginia Department of Transportation will as also need to approve the plan. By contract Nathan is submitting that information.

If approved by Council we could put the plan out to bid. If Council approves the bid and financial allocation, plantings could begin late this year.

Respectfully Submitted,

John E. B. Clark, Jr.
Town Manager