



**Urbanna Town Council
Monthly Meeting
AGENDA
Town Council Chambers
45 Cross Street
Thursday, September 23, 2021 7:00 PM**

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Comment
- V. Public Comment Response Period
- VI. Minutes
 - a. August 26, 2021*
 - b. September 9, 2021*
- VII. Reports
 - a. Town Administrator
 - b. Treasurer's Report*
 - c. Finance Committee
 - d. Water Committee
 - e. Planning Commission
 - f. Pool Committee
 - g. Chesapeake Bay Region Cigarette Tax Board
- VIII. Old Business
 - a. Marina culvert
 - b. Charter changes
 - i. Mayor's vote
 - ii. Staggered terms
 - c. DMV Select-Presentation by DMV representative
- IX. New Business
- X. Announcements
- XI. Executive Session- Pursuant to Section §2.2-3711(A) (29), *Code of Virginia* for the following purpose:
Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.
- XII. Open Session
- XIII. Adjourn

*Document included in meeting packet

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**Town of Urbanna
Town Council
Monthly Meeting
Council Chambers-45 Cross St
August 26, 2021**

CALL TO ORDER & ROLL CALL

Mayor Hartley called the meeting to order at 7:01pm

Present

Mayor Barbara Hartley
Council Members
 Marjorie Austin
 Larry Chowning
 Bill Goldsmith
 Merri Hanson
 Steve Hollberg (arrived at 7:02pm)
 Bill Smith
Garth Wheeler-Town Administrator
Roy Kime-Zoning Administrator
Martha Rodenburg-Town Clerk
Andrea Erard-Town Attorney
Members of the public

All present said the Pledge of Allegiance

Garth Wheeler made a statement regarding meeting recordation and persons wishing to speak before council.

Mayor Hartley proposed two additions to the agenda:

- A presentation of a check to the Middlesex Fire Department
- Executive Session to be entered into after the Public Comment Response
- A voice vote was taken and all voted yes

A check was presented to the Middlesex Fire Department Chief Ray Burch in the amount of \$15,000

MINUTES

Councilmember Austin made a motion to approve the minutes of the August 12, 2021 Special Meeting.

Councilmember Smith seconded

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes.

Motion passed 7-0

Councilmember Austin made a motion to approve the minutes of the August 12, 2021 Work Session.

Councilmember Smith seconded
Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes.
Motion passed 7-0

REPORTS

Town Administrator

- Water issues/well repair
- FOIA Training
- Charter Amendment/Code Book Management-Municode
- DMV Select Program

Treasurers Report

Garth Wheeler there was no change to the Treasurer's report as presented at the August 12, 2021 work session.

Finance Committee

There was no finance committee report given

Water Committee

Councilmember Smith reported on the following
USDA application
Professional Engineering report from Kimley-Horn

Planning Commission

Councilmember Hanson presented the report from the August

Pool Committee

Garth Wheeler reported the committee continues to move forward and the Town Attorney is reviewing documentation.

OLD BUSINESS

There was no old business

NEW BUSINESS

Council & Staff Retreat

Councilmember Hollberg moved to allow Garth Wheeler to plan and educational retreat for council and staff.

Councilmember Austin seconded

Discussion took place regarding cost and a current line item in budget for training purposes

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes.

Motion passed 7-0

Electronic Participation in Meetings Policy

Councilmember Austin made a motion to accept the electronic participation-meetings policy as presented (attached)

Councilmember Goldsmith seconded

The implementation of the policy was discussed

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes.

Motion passed 7-0

FOIA Officer

Councilmember Austin made a motion to accept Martha Rodenburg [Town Clerk] as Freedom of Information Act (FOIA) officer for the Town of Urbanna.

Councilmember Goldsmith seconded

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes.

Motion passed 7-0

PUBLIC COMMENT & PUBLIC COMMENT RESPONSE

- Dan Snead spoke regarding Virginia St. dock/pier, infrastructure needs, fire hydrant/safety concerns
- Phil Friday spoke regarding dinghy dock, Virginia St. dock/pier
- Sandra Sturgill spoke regarding Virginia St. dock/pier
- Beth Justice spoke regarding Virginia St. dock/pier, fire hydrant/safety concerns
- Alana Courtney spoke regarding Virginia St. dock/pier
- Geanie Longest spoke regarding replacement of the town pool
- Bill Hight spoke regarding replacement of town pool, Virginia St. dock/pier, fire hydrant/safety concerns

- Councilmember Hanson thanked all for their input regarding the Virginia St. dock/pier, plans regarding the property continue to be explored.
- Mayor Hartley stated the Virginia St. dock/pier issue was not on agenda, and action regarding the project would not take place.

- Councilmember Hollberg spoke regarding town financial health and financing sources for marina/waterfront projects, including the BIG grant. Financing sources to repair culvert. Virginia St. dock/pier permit.
- Councilmember Goldsmith spoke regarding citizen opposition to Virginia St. dock/pier. BIG grant funds for marina, not Virginia St. dock/pier.

- Councilmember Chowning asked Councilmember Smith to speak regarding fire hydrant issues.
- Councilmember Smith spoke regarding waterline infrastructure affecting fire hydrants and continuing efforts to upgrade. Various grants are being explored for infrastructure and wells.

- Councilmember Goldsmith spoke regarding funding for water infrastructure improvements coming from the water fund and not the general fund.

- Councilmember Hollberg spoke to the complexity of the work being done by Councilmember Smith regarding funding for water infrastructure improvements.

ANNOUNCEMENTS

There were no announcements

EXECUTIVE SESSION

Councilmember Hollberg moved to go into closed meeting pursuant to Virginia Code section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, and the disposition of publicly held real property, because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body-new well.

Councilmember Goldsmith seconded

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes

Motion passed 7-0

Andrea Erard, Town Attorney, read the certification of executive session:

Whereas, the Urbanna Town Council has convened an Executive Session meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the Urbanna Town Council that such executive meeting was conducted in conformity with Virginia law; Now, Therefore Be It Resolved that the Urbanna Town Council 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 executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Urbanna Town Council.

Councilmember Goldsmith moved

Councilmember Austin seconded

Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley responded yes to certify

The council re-entered open session

OPEN SESSION

New Business (item not on agenda)

Councilmember Chowning made a motion [for council] to write a letter to the Coast Guard asking them to keep Millford Haven station open year-round

Councilmember Smith seconded

Mayor Hartley asked to add to the motion to follow language used in letters by [other localities] Further discussion took place regarding the importance of Coast Guard in past fire emergencies in Urbanna, safety of waterman during off-season.

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes

Motion passed 7-0

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Goldsmith seconded

Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley voted yes.

Motion passed 6-0

Meeting adjourned at 8:35pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx

DRAFT

Electronic Participation in Meetings Policy

It is the policy of the Town of Urbanna that individual members of the Council may, with the approval of a quorum that is physically assembled, participate in meetings of the governing body by electronic communications means as permitted by Virginia Code Section 2.2-3708.2.

A Council member who seeks to participate electronically must notify that the Mayor that:

1 – The member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance (medical condition or disability need not be identified) or (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance; or

2 – The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation electronically is limited to each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

If a participation by a member through electronic communication means is approved by a vote of the quorum that is physically assembled (electronic participation may only be disapproved for failure to follow this policy), the minutes must record the remote location from which the member participated. (The remote location need not be open to the public.) However, if three or more members are gathered at the same remote location, then such remote location shall be open to the public.

If electronic participation is approved, the minutes must reflect that the member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance.

If the member participates electronically because of a personal reason, the minutes must reflect the specific nature of the personal matter cited by the member.

Whenever an individual member participates from a remote location that is open to the public there must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

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**Town of Urbanna
Town Council
Working Session
Council Chambers-45 Cross St
September 9, 2021**

CALL TO ORDER & ROLL CALL

Mayor Hartley called the meeting to order at 7:03pm

Present

Mayor Barbara Hartley
Council Members
 Marjorie Austin
 Larry Chowning
 Bill Goldsmith
 Merri Hanson-via Zoom
 Steve Hollberg
 Bill Smith
Garth Wheeler-Town Administrator
Roy Kime-Zoning Administrator
Martha Rodenburg-Town Clerk
Andrea Erard-Town Attorney

Members of the public

Councilmember Hanson participated via Zoom due to travel for family health matter

Councilmember Austin moved to allow Councilmember Hanson to participate remotely

Councilmember Goldsmith seconded

Austin, Chowning, Goldsmith, Hollberg, and Hartley voted yes

Motion passed 6-0

All present said the Pledge of Allegiance

PRESENTATION OF DISTINGUISHED SERVICE AWARDS

George DeVries and Boyd Wiley were presented with Distinguished Service Awards for their service to the Town of Urbanna, including their time served as members of Town Council.

Andrew Bury was also recognized for his years of service as the Town Attorney for the Town of Urbanna.

Mr. Bury was not present, and will have his award delivered to him by Councilmember Smith.

REPORTS

Town Administrator

Garth Wheeler reported on the following

- Status of Oyster Festival
- DMV Select

- Farmer's Market-September 11
- BIG Grant
-

Councilmember Hollberg made a motion to draft something formally for Roy Kime, Garth Wheeler, and the Finance Committee to pursue short term financing with area lenders for \$136,000 to be dedicated to projects at the marina that would be in the scope of the BIG (Boating Infrastructure Grant) grant.

Councilmember Austin seconded

Austin, Chowning, Goldsmith, Hanson, Hollberg, and Hartley voted yes

Motion passed 7-0

Treasurer's Report

Garth Wheeler gave the Treasurer's report

Water Committee

Councilmember Smith reported on the following

- Due to Labor Day holiday, the committee did not meet
- Professional engineering report in progress
- USDA application
- Timeline for new well construction

Planning Commission

Councilmember Hanson reported the following

- No planning Commission meeting in September

Finance Committee

No report given

Pool Committee

Councilmember Goldsmith reported discussions were taking place with pool construction companies and potential partnerships.

OLD BUSINESS

HRSD Update

- Meeting held with Town Attorney and HRSD attorneys
- Information will be given to Town in a timely fashion

No action taken by Council

Virginia St. dock/pier

- Research on-going
- To be discussed at October working session with potential Council action to be taken at October meeting of Council

No action taken by Council

NEW BUSINESS

Repairs to culvert at marina

- GW reported potential contractors approached

No action taken by Council

Charter changes

- Discussion took place regarding changing the Town Charter to clarify the Mayor's voting rights
- Discussion took place regarding changing the Town Charter to adjust Council terms to be staggered 4-year terms

At the recommendation of Andrea Erard, Town Attorney, the matter was tabled

Food truck event

- Discussion took place regarding a potential food truck event to take place in Taber Park in April proposed by Councilmember Austin

No action taken by Council

Museum in the Streets-West Point Historical Society

- Councilmember Chowning spoke regarding tour taken of town with members of West Point Historical Society

No action taken by Council

Department of Labor and Industry-Covid-19 Regulations

- Andrea Erard, Town Attorney gave a presentation on Virginia Department of Labor regulations effective September 8, 2021 regarding Covid-19 precautions in the workplace
- Discussion took place

No action taken by Council

PUBLIC COMMENT & PUBLIC COMMENT RESPONSE

Sandra Sturgill spoke to say comments that had been attributed to her were untrue

ANNOUNCEMENTS

Councilmember Chowning announced he would be attending the Chesapeake Bay Region Cigarette Tax Board meeting, to be held Friday, September 17, 2021.

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Smith seconded

Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes.

Motion passed 6-0

Meeting adjourned at 8:20pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx

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Treasurer's Report

Account Balance thru 08/31/2021	Prior Year	Prior Month	Statement Date
	8/31/20	7/31/21	8/31/21
SonaBank General Operating Bank Account	372,229.78	591,997.20	583,885.32
Renter Water Deposits	-14,516.66	14,551.66	14,551.66
Net Operating General Bank Account	368,103.29	524,624.26	564,998.69
BB&T Historic Trust	16,871.33	18,045.57	21,795.73
BB&T Pool Replacement Account	36,757.92	36,761.26	36,761.57
SonaBank Water Fund Reserve	113,351.11	113,747.30	113,782.20
SonaBank General Fund Reserve	94,392.58	94,608.08	94,628.82
SonaBank Cares Local Recovery	n/a	237,591.65	237,602.06
Taber Trust – Account Value as of 6/30/21		1,476,022.72	
	8/31/20	7/31/21	8/31/21
Meals Tax collected in August	11,483.64	14,800.26	16,638.47
Lodging Tax collected in August	0.00	3,166.70	1,625.18

EXPENDITURES:
Business as usual

REVENUE
Business as usual

