



Urbanna Town Council
REGULAR & 2025 ORGANIZATIONAL MEETING
Thursday, January 9, 2025 - 6:00pm
Town Council Chambers - 390 Virginia St., Suite B, Urbanna, Virginia

AMENDED AGENDA

Amended 01-08-2025

1. Call to Order
2. Approval of Electronic Participation by a Council Member (if needed)
3. Roll Call of Members
4. Pledge of Allegiance
5. Review and Adoption of Meeting Agenda
6. 2025 Organizational Matters
 - a. Adoption of 2025 Meeting Schedule
 - b. Resolution 2025-002 - Adoption of Code of Ethics Revisions and 2025 Council By-Laws & Rules of Procedure
 - c. Resolution 2025-001 - Appointments to Boards, Committees, and Commissions (Amended)
7. Approval of Minutes
 - a. June 27, 2024 Work Session Draft Minutes
 - b. December 12, 2024 Regular Meeting Draft Minutes
8. Reports
 - a. Staff Reports
 - i. Town Administrator
 - ii. Treasurer
 - iii. Town Clerk
9. Public Comment 1
10. Council Response to Public Comment 1
11. Unfinished Business
 - a. Authorize Public Hearing for Amendment to FY2025 Budget (Amended)
12. New Business
 - a. Designation of Town Clerk as FOIA Officer
13. Public Comment 2
14. Council Response to Public Comment 2
15. Council Announcements & Requests
16. Closed Meeting (if necessary)
17. Adjourn or Recess



Agenda Item Summary – Opening the Meeting

January 9, 2025

Agenda Item: 1 – Mayor calls the meeting to order at 6:00 p.m. or as close thereto as possible, but not before.

Agenda Item: 2 – If necessary, approval of electronic participation by a Council Member.

Mayor: Councilmember _____ has requested to participate electronically in tonight's meeting due to [*state reason]. May I have a motion to approve?

Sample Motion: I move to approve Councilmember _____'s electronic participation in tonight's meeting due to [*state reason]. Second required followed by voice vote.

Agenda Item: 3 – Mayor directs the Clerk to call the roll for attendance purposes.

Agenda Item: 4 – Those able, stand for the Pledge of Allegiance led by the Mayor.

*Allowed reasons for electronic participation per § 2.2-3708.3 of the Code of Virginia:

1. The Councilmember has a temporary or permanent disability or medical condition that prevents their physical attendance.
2. The Councilmember must provide care to a family member due to a medical condition or to a person with a disability at the time the public meeting is being held thereby preventing their physical attendance.
3. The Councilmember's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.
4. The Councilmember is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. (This reason cannot be used more than six times per year.)

If participation is approved, the minutes must state the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description.



Agenda Item Summary

January 9, 2025

Agenda Item: 5 – Review and Adoption of Agenda

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Adoption Motion: I move to adopt the agenda as presented.

Sample Change Motion(s): I move to [add, remove, move] the discussion of _____ as/to Item _____ on this agenda.



Agenda Item Summary

January 9, 2025

Agenda Item: 6a – Adoption of 2025 Meeting Schedule

Background: § 15.2-1416(B) of the Code of Virginia requires that the days, times, and places of regular meetings to be held during the ensuing months shall be established at the first meeting which meeting may be referred to as the annual or organizational meeting.

Fiscal Impact: None

Staff Recommendation: Review the draft schedule and offer any amendments. Amendments can be made by consensus of the Council. Then, approve the schedule, either as presented or with the amendments discussed.

Council Action Requested: Yes

Sample Adoption Motion: I move to adopt the 2025 Meeting Schedule as presented [or, with the discussed amendments made by consensus of the Council].



**Urbanna Town Council
2025 MEETING SCHEDULE**

Unless otherwise indicated, all meetings shown on this schedule will take place in the Town Hall Council Chambers located at 390 Virginia Street, Suite B, Urbanna, Virginia.

MONTH	TIME	DATE	MEETING TYPE
January	6:00pm 6:00pm	Thursday, January 9 Thursday, January 23	Organizational & Regular Work Session
February	6:00pm 6:00pm	Thursday, February 13 Thursday, February 27	Regular Work Session
March	6:00pm 6:00pm	Thursday, March 13 Thursday, March 27	Regular Work Session
April	6:00pm 6:00pm	Thursday, April 10 Thursday, April 24	Regular Work Session
May	6:00pm 6:00pm	Thursday, May 8 Thursday, May 22	Regular Work Session
June	6:00pm 6:00pm	Thursday, June 12 Thursday, June 26	Regular Work Session
July	6:00pm 6:00pm	Thursday, July 10 Thursday, July 24	Regular Work Session
August	6:00pm 6:00pm	Thursday, August 14 Thursday, August 28	Regular Work Session
September	6:00pm 6:00pm	Thursday, September 11 Thursday, September 25	Regular Work Session
October	6:00pm 6:00pm	Thursday, October 9 Thursday, October 23	Regular Work Session
November	6:00pm	Thursday, November 13 Thanksgiving	Regular *No Work Session
December	6:00pm	Thursday, December 11 Christmas	Regular *No Work Session

***Adjustments to Regular Schedule:**

No work sessions in November and December due to holidays.

If the Mayor, or the Vice Mayor if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for councilmembers to attend a scheduled meeting, the meeting shall be continued to the next occurring Monday at 6:00pm in the Council Chambers of the Town Hall.

Council may hold such special meetings as it deems necessary at such times and places as it may find convenient, and it may adjourn from time to time as it may find convenient and/or necessary. A special meeting of the Council shall be called pursuant to Section 1-4 of Council Bylaws in accordance with Section 15.2-1418 of the Code of Virginia.



Agenda Item Summary

January 9, 2025

Agenda Item: 6b – Resolution 2025-002 Adoption of 2025 Council Bylaws & Rules of Procedure

Background: Bylaws and Rules of Procedure for public bodies provide a procedural outline and guidance for the efficient running of public meetings. Council is able to define accepted procedures tailored specifically to the uniqueness of the Town of Urbanna. This document also communicates the Council's transparency with the citizens by informing them of Council's guidelines and expectations.

The attached is a draft of standard bylaws and procedures generally congruent with the current edition of Roberts Rules of Order applicable to small bodies such as the Council.

Minor revisions to the Code of Ethics, which Council adopted by Resolution in March 2023, are also attached.

Fiscal Impact: None

Staff Recommendation: Review the draft document and offer any amendments. Amendments can be made by consensus of the Council. Then, approve the Resolution adopting the documents, either as presented or with any amendments discussed.

Council Action Requested: Yes

Sample Adoption Motion: I move to approve Resolution 2025-002, adopting the revisions to the Code of Ethics for the Town of Urbanna Town Council as presented, AND adopting the 2025 Council Bylaws and Rules of Procedure as presented [or, with the discussed amendments made by consensus of the Council].



BYLAWS & RULES OF PROCEDURE
OF THE
TOWN COUNCIL
OF
THE TOWN OF URBANNA, VIRGINIA
FOR
CALENDAR YEAR 2025

Adopted _____

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SECTION 1 – MEETINGS

Section 1-1 Organizational Meeting

The first meeting of the Town of Urbanna Town Council (“Council”) in each new calendar year shall be known as the organizational meeting.

Section 1-2 Meeting Time and Location

The time and place of council meetings shall be established at each organizational meeting, consistent with the notice and meeting requirements of the Virginia Freedom of Information Act, Section 2.2-3700 et seq. of the Code of Virginia, as amended (“VFOIA”). The general schedule for meetings shall be a Regular Meeting on the second Thursday of each month, and a Work Session on the fourth Thursday of each month. Meetings shall be called to order at 6:00 p.m. All meetings of the council shall be held in Council Chambers of the Town Hall - 390 Virginia Street, Suite B, Urbanna, Virginia. Should council subsequently prescribe any meeting day, time, or place for the council meetings other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended.

If the Mayor, or the ~~Mayor pro tempore Vice Mayor~~ if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for councilmembers to attend a regularly scheduled meeting, the meeting shall be continued to the next occurring Monday at 6:00 p.m. in the Council Chambers of the Town Hall. Such finding shall be communicated to councilmembers, the press, and posted on the Town’s website and Town Hall door as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required (§ 15.2-1416(B)).

Section 1-3 Annual Budget and Tax Levy Meeting

At the regular meeting in April, annually, council shall determine the sum total necessary to be appropriated for defraying expenses of the town during the ensuing fiscal year and to cover the deficiency in the current fiscal year, on which as a premise council shall proceed to lay a levy on the real and personal property in the town and assess any business which by law a license may be required, for raising a revenue sufficient to meet the several appropriations decided to be requisite for the ensuing fiscal year.

Section 1-4 Special Meetings

A special meeting of the council shall be held when called by the Mayor or requested by ~~any three councilmembers at any time, upon 24 hours’ notice to those not joining in the call, however such notice can be waived by said members two or more members of the council.~~ The call or request shall be made to the Town Administrator, and shall specify the matters to be considered at the meeting. After consultation with the Town Administrator or Mayor, the Town Clerk (“Clerk”) shall immediately notify each councilmember and the town attorney in writing. Such notice shall specify the matters to be considered. No matter not specified in the notice shall be considered at such meeting, unless all members are present. (§ 15.2-1418)

Section 1-5 Quorum and Procedure in Absence of Quorum

At any meeting, a majority of the councilmembers, including the major, shall constitute a quorum. No business shall be transacted at any meeting without a quorum being present. The names of all members present at any meeting shall be recorded in the minutes.

If a quorum fails to attend any regular or special meeting of the town council within 20 minutes following the hour fixed for convening of the council, those members present may adjourn to another day, in which case the Clerk shall give notice of such adjournment to the absent members at least 12 hours prior to the time fixed for such adjourned meeting, and in either case, the Clerk shall enter into the minute book the proceedings taken.

Section 1-6 Policy and Procedure for Electronic Meetings and Remote Participation in Council Meetings

Except as provided hereafter, the council does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic, or other electronic communication means. This remote participation policy is applied strictly and uniformly, without exception, to the entire membership of the council and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. For the purposes of this policy, "electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information. For the purposes of this policy, "remote participation" means participation by an individual councilmember by electronic communication means in a meeting.

Quorum Physically Assembled: For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in Section 51.5-40.1 of the Code of Virginia, as amended, who uses remote participation counts toward the quorum as if the individual was physically present.

Pursuant to Section 2.2-3708.3 of the Code of Virginia, as amended, when a quorum of the council is physically assembled, individual councilmembers may attend a meeting by remote participation if all of the following are satisfied:

- (1) On or before the day of a meeting, the councilmember notifies the Mayor that such 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, 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
 - iii. the member's principal residence being more than 60 miles from the meeting location identified in the required notice for such meeting, or
 - iv. a personal matter and identifies with specificity the nature of the personal matter [*this would include being out of town for business or vacation*]; and
- (2) Council approves the member's participation by a majority vote of the members present at the primary or central meeting location based only on the criteria in this policy. If a councilmember's participation from a remote location is disapproved, such disapproval is recorded in the minutes with specificity.
- (3) Remote participation by councilmembers is subject to the following generally applicable requirements:
 - i. A quorum of the council must be physically assembled at one primary or central meeting location;
 - ii. Participation by a councilmember by electronic communication means due to a personal matter is limited each calendar year to two meetings or 25% of the meetings held per calendar year rounded up to the next whole number [6 meetings], whichever is greater.
 - iii. Council must arrange for the voice of the remote participant to be heard by all persons at the primary or central meeting location.
- (4) The minutes of the meeting must reflect the following:
 - i. The remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description.

- ii. The fact 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, (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; (iii) the distance between the member's principal residence and the meeting location; or (iv) the specific nature of the personal matter cited by the member.

Quorum Not Physically Assembled: Pursuant to Section 2.2-3708.2 of the Code of Virginia, as amended, council may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Virginia Code § 44-146.17, or the Town's local director of emergency management or council has declared a local state of emergency pursuant to Virginia Code § 44-146.21, provided: (1) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and (2) the purpose of the meeting is to provide for the continuity of council operations or the discharge of its lawful purposes, duties, and responsibilities.

If council holds a meeting pursuant to this section, it shall:

- (1) Give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided to councilmembers; and
- (2) Make arrangements for public access to the meeting through electronic communications means, including videoconferencing if already used by the council; and
- (3) Provide the public with the opportunity to comment at those meetings when public comment is customarily received; and
- (4) State in the minutes of the meeting the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held; and
- (5) Otherwise comply with the provisions of the Virginia Freedom of Information Act.

Council applies this policy to all town committees, subcommittees, commissions, or other entities in accordance with Section 2.2-3708.3(D) of the Code of Virginia, as amended.

Section 1-7 Voting Procedures

Section 1-7.1 Standard Procedure – Voice Vote

All questions submitted to council shall be determined by the majority of those members voting on the questions, except where the rules of parliamentary procedure or the requirements of state law specify a greater than majority vote. The Mayor, or Vice Mayor in the Mayor's absence, shall put the questions to the council for a voice vote, unless otherwise provided by law. Any councilmember present at the time of a vote who wishes to abstain or otherwise not participate in the vote must affirmatively so state prior to the council's consideration of the matter or at the time the vote is taken. If it appears to the Mayor, upon voice vote being taken, that councilmembers are divided on any question, the Mayor shall request that the Clerk determine the vote of the individual councilmembers by a roll call vote. The name of each member voting and how they voted must be recorded for all questions. Council has elected not to have a tie breaker as provided for by Section 15.2-1421 of the Code of Virginia, and a tie vote on any motion shall defeat the motion, resolution, or issue upon which the vote was taken. Successive tie votes on a motion to approve and a motion to deny any proposed ordinance, resolution, amendment, or rezoning serves as denial of such proposed ordinance, resolution, amendment, or rezoning. No member may change a cast vote on any matter, except through a reconsideration of the vote by the Council. At the conclusion of the vote on each motion, the Mayor shall announce whether the motion has been adopted or defeated.

Section 1-7.2 Procedure for Roll Call Votes

Roll call votes will be taken on matters that deal with finances, ordinances, and/or other matters as dictated by the Code of Virginia. If it appears to the Mayor, upon voice vote being taken, that councilmembers are divided on any question, the Mayor shall request that the Clerk determine the vote of the individual councilmembers by a roll call vote. Any councilmember may make a motion for a roll call vote on any question before council. A second is not required and the motion is not debatable. A majority vote is required for adoption. The Clerk shall call all roll call votes as follows:

- (1) The councilmembers shall cast votes in alphabetical order on a rotating basis.
- (2) The Mayor shall always cast the last vote.

Section 1-8 Conflicts of Interest

Pursuant to Section 2.2-3100 et seq. of the Code of Virginia, as amended, any councilmember, including the Mayor, who has a personal or financial interest in any matter before council which may lead to biased decision-making including business relationships, family ties, or personal affiliations shall disqualify themselves prior to council's consideration of the matter. Such disqualified councilmember shall not participate in the discussion or vote on any matter which presents a personal conflict of interest. Such disqualification shall be recorded in the meeting minutes. Notwithstanding any other provision of law, if disqualifications of councilmembers leave less than the number required by law to act, the remaining member or members shall constitute a quorum for the conduct of business and have authority to act for the council by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.

Although not required by State Code, council has elected to complete the annual Conflict of Interest forms as specified by the Ethics Council of Virginia, and adhere to the VFOIA and Conflict of Interest training schedule.

Section 1-9 Council to Sit with Open Doors

Except for meetings held by electronic communication means in accordance with the Virginia Code and these rules of procedure, council shall sit with open doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, council may hold closed meetings as provided by VFOIA.

Section 1-10 Minutes and Recordation of Meetings

At all meetings of the Council at which a quorum is present, minutes of the meeting shall be taken in accordance with VFOIA and shall be approved by the Council. The electronic online record of the minutes are the official minutes of the Council for legal purposes.

Minutes shall be prepared based on both written notes and video or audio recordings. The specific language of the minutes of any given meeting shall be at the discretion of the Clerk, who shall endeavor to render the minutes in the most accurate and neutral way possible.

Minutes shall not be considered official until approved by council and recorded by the Clerk. After council approval, but prior to recordation, the Clerk may make clerical additions or corrections to the minutes that do not materially affect the substance or content of the minutes. These include, but are not limited to correction of misspellings, typographical errors and incorrect grammar; page renumbering; and clarification of content, such as acronym usage.

Should an error or evidence of an error in the minutes of any meeting of the council be discovered after recordation, the Clerk shall bring the error before the council at the next official meeting as is practical. The council, by voice vote of a majority of those members present at the meeting at which the error was made, shall correct the minutes by

amendment. Councilmembers not present at said meeting shall abstain from voting on the correction. Should no majority of councilmembers present at the meeting in which an error was made in the minutes be or remain seated as councilmembers, a majority vote of the presently seated councilmembers shall then correct the minutes by amendment.

When video or audio recordings of council meetings are made, the Clerk shall cause their preservation for the period of time as prescribed by the Library of Virginia, General Schedule No. GS-19. The council may at its discretion direct the preservation of specific recordings, and the Town Attorney may request preservation of specific recordings only if such recordings are needed to support legal proceedings, pending or anticipated.

Approved and draft minutes of the council shall be preserved as prescribed by the Library of Virginia, General Schedule No. GS-19. Minutes shall be posted to the Town website within seven working days of approval.

Verbatim transcription of the proceedings of any meeting in its entirety shall not be undertaken except by majority roll call vote of the council. Any verbatim transcription generated, whether of an entire meeting or portion(s) thereof, shall not be adopted or made part of the official minutes of any meeting. A request by the Town Attorney shall be made only if such transcription is needed to support legal proceedings, pending or anticipated.

SECTION 2 – DUTIES OF PRESIDING OFFICERS

Section 2-1 Mayor Serves as Presiding Officer

The Mayor shall preserve order and decorum, and shall discharge all duties prescribed by state law for presiding officers of town council meetings and such other duties usually pertaining to presiding officers. In the case of the Mayor's absence from any meeting, the Vice Mayor shall preside over the meeting.

If any person behaves in a riotous or disorderly manner in any public meeting of the town council or any division, committee, agency or authority thereof, or causes any unnecessary disturbance therein, by force, shouting, or any other action calculated to disrupt such meeting, or shall refuse to obey any ruling of the presiding officer of such meeting relative to the orderly process thereof, he shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding \$1,000.00 or confinement in jail not exceeding 12 months, or both, at the discretion of the jury or court trying the case without a jury.

Section 2-2 Mayor May Administer Oaths

The Mayor shall have power to administer an oath to any person concerning any matter submitted to the council or connected with its powers and duties.

Section 2-3 Town Clerk

The Clerk shall be ex officio clerk of the town council. The Clerk shall keep the minutes of the council and perform such other administrative duties as council may prescribe. The Clerk shall call all roll call votes as prescribed in Section 1-7.2.

Section 2-4 Parliamentarian

The Town Administrator shall serve as the Parliamentarian. In the case of the Town Administrator's absence from any meeting, the Clerk shall serve as temporary Parliamentarian.

SECTION 3 - CONDUCT OF BUSINESS (Also see Appendix A – Code of Ethics)

From time to time, council may adopt and amend resolutions for the transaction of its business; the procedure and order of business at its meetings; the appointment and jurisdiction, power and duties of standing and special committees; the official conduct of its members; the manner of calling and conducting hearings and investigations and

the issuance of subpoenas for the attendance of witnesses and the production of books and papers; the presentation of petitions and other communications to the council and recognition of non-members to address the council thereon; and such other matters not inconsistent with state law, Town Code, or other ordinances as may be deemed appropriate to facilitate the execution of the powers and the performance of the duties of the town council as provided by state law and the Town Charter.

Section 3-1 Meeting Agendas

3-1a Agenda Preparation

All requests for inclusion of items on a council agenda must be made in writing and must be in the office of the Clerk by 12:00 p.m. (Noon) no later than seven calendar days prior to the date of the council meeting. A written item summary, along with electronic copies of any other documentation or presentations to be made, must be provided for inclusion in the agenda packet.

Requests received after the deadline may be considered for a proposed amendment to the current agenda or be placed on a future agenda.

Any matter not disposed of at a regular meeting shall be included on the agenda of the next regular meeting, except that council may continue consideration and disposition of the matter to a date, time, and/or place other than the next regular meeting upon a majority vote of those members present.

3-1b Agenda Release

For all regular meetings of the council, the Clerk shall cause to be prepared and provided to each member of council and the council's attorney at least three calendar days in advance of such meeting, an electronic copy of the final agenda packet listing all matters to be considered by the council at such meeting. The Clerk shall make the final agenda packet available to the public in the Town Hall and on the Town website at the same time it is provided to the council. The Clerk shall have copies of the agenda only available at each meeting.

Any councilmember desiring a printed packet of the agenda materials must inform the Clerk by 12:00 p.m. (Noon) at least three calendar days prior to the council meeting. In an effort to conserve resources, the agenda materials will be shown on the screen during each meeting, when possible.

Section 3-1.1 Councilmember Agenda Review and Preparation

Not less than 48 hours in advance of each meeting, councilmembers should thoroughly review all matters on the agenda. The addition, deletion, or change of items on the agenda may be offered by motion during the Review and Adoption of Meeting Agenda. Changes to minutes may be offered by motion during the Approval of Minutes. Any item not on the adopted agenda shall not be acted upon at the present meeting unless it is with the unanimous consent of Council that the item be put on the floor for action.

Section 3-2 Order of Business

Except as provided herein, no regular, special, or closed meeting or public hearing of the council shall continue after 9:00 p.m., but such meeting or public hearing shall be continued to the next regular meeting or adjourned to another date, time, and place established by a majority vote of those members present. Any agenda item or public hearing matter under consideration by the council at 9:00 p.m. may proceed and be acted upon prior to the adjournment of the meeting or public hearing. After 9:00 p.m., council may consider and act upon any or all of the matters remaining on the meeting or public hearing agenda but not yet considered by the council upon a majority vote of those members present.

Section 3-2.1 Regular Meetings

At regular meetings of the council, the order of business shall generally be as follows:

1. Call to Order
2. Approval of Participation of Member(s) by Electronic Means (if necessary)
3. Roll Call of Members
4. Pledge of Allegiance
5. Review and Adoption of Meeting Agenda (Changes, additions, etc. shall be made by motion.)
6. Approval of Minutes (Corrections shall be made by motion.)
7. Scheduled Public Hearings (if any) (See Section 6)
8. Staff and Committee Reports
9. Public Comment 1 (See Section 5)
10. Council Response to Public Comment 1 (if any)
11. Unfinished Business (if any)
12. New Business (if any)
13. Public Comment 2 (See Section 5)
14. Council Response to Public Comment 2 (if any)
15. * Council Requests and Announcements
16. Closed Meeting (if needed)
17. Appointments to Boards, Committees, and Commissions (if needed)
18. Adjourn or Recess

* This time is generally used for individual councilmembers to share information with other councilmembers and the public and to make any announcements of interest to citizens. Councilmembers may also request information from staff and/or items requiring action for inclusion on a future agenda during this time.

Section 3-2.2 Work Session Meetings

At Work Session meetings of the council, the order of business shall generally be as follows:

1. Call to Order
2. Approval of Participation of Member(s) by Electronic Means (if necessary)
3. Roll Call of Members
4. Pledge of Allegiance
5. Review and Adoption of Meeting Agenda (Changes, additions, etc. shall be made by motion.)
6. Public Comment (See Section 5)
7. Council Response to Public Comment (if any)
8. Work Session Matters (if any)
9. Action Items (if any)
10. * Council Requests and Announcements
11. Closed Meeting (if needed)
12. Adjourn or Recess

* This time is generally used for individual councilmembers to share information with other councilmembers and the public and to make any announcements of interest to citizens. Councilmembers may also request information from staff and/or items requiring action for inclusion on a future agenda during this time.

Section 3-2.3 Special Meetings

At special meetings of the council, the order of business shall generally be as follows:

1. Call to Order
2. Approval of Participation of Member(s) by Electronic Means (if necessary)
3. Roll Call of Members
4. Review and Adoption of Meeting Agenda (Changes, additions, etc. shall be made by motion.)
5. Special Meeting Matters
6. Closed Meeting (if needed)
7. Adjourn or Recess

Section 3-3 Manner of Addressing Council Generally

- (1) Any person, including a councilmember, who speaks to the council shall address the Mayor and shall confine comments to the question before the council.
- (2) No person in attendance at a meeting of the council shall be permitted to address the council while the members are considering any motion, resolution, or ordinance preliminary to a vote on the same, except at the discretion of the Mayor.
- (3) During those times when the public is addressing the council, the Clerk shall act as timekeeper and notify speakers and the council that the allotted time for addressing the council has expired. Speakers shall conclude their remarks at that time unless the consent of a majority of the council is affirmatively given to extend the speaker's allotted time. The time allotted to members of the public is outlined in Section 4-1 and Section 5-1a.
- (4) All agenda item presentations to the council shall normally be limited to no more than ten (10) minutes, except as hereinafter provided.
- (5) Where persons desire to be heard, other than during public comment periods, upon matters not on the agenda, the consent of a majority of the councilmembers present shall be required.

Section 3-4 Use of Offensive Language or Gestures; Sectarian or Political Discussion

No member of council shall, in debate at any meeting of the council use any language or gesture calculated to offend or insult another councilmember or any other person. No discussion of a sectarian or partisan character shall be engaged in by any councilmember.

Section 3-5 Priority in Speaking to Council

When two or more councilmembers wish to speak at the same time, the Mayor shall name the one to speak.

Section 3-6 Speaking More than Once on Same Subject

In any debate before the council, no councilmember shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless by consent of the Mayor.

Section 3-7 Form of Petitions, etc.

Every petition, communication, or address to the council shall be submitted to the Clerk in writing in respectful language and shall be submitted by the agenda preparation deadline defined in Section 3-1a for inclusion in the agenda packet.

Section 3-8 Motions

No proposition for action by the council shall be entertained by the Mayor until a motion for the same has been duly

made and seconded, except as specifically noted elsewhere.

Section 3-9 Decision on Points of Order

The Mayor, when presiding at a meeting of the council, without vacating the chair, may give reasons for any decision made by the Mayor on any point of order, and such decision shall be made without debate.

Section 3-9.1 Same; Appeal to Council

Any councilmember may appeal to the council from the decision of the Mayor on any question of order, a majority vote of those present being necessary to overrule the Mayor.

Section 3-10 Motion to Adjourn

At a meeting of the council, a motion to adjourn shall be always in order, needs no second, and shall be decided without debate.

Section 3-11 Motions While a Question is Under Debate

When a question is under debate at a meeting of the council, no motion shall be received unless it be one to amend, to commit or refer to a committee, to postpone, to close debate, to make a substitute motion, to lay on the table, to recess, or to adjourn. Any motion to close debate shall require approval by a two-thirds vote of those members present.

Section 3-12 Reconsideration of Motions, etc., Upon Which Vote Has Been Announced

At any meeting of the council, when any vote upon any motion, resolution, ordinance, or question has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side, provided that such motion shall be made at the session at which it was decided, or at the very next meeting of the council after notice in advance to the other councilmembers, Town Administrator, Clerk, and Town Attorney. For the purpose of this Section, "session" shall include any adjourned or special meeting occurring prior to the next Regular Meeting. This section shall have no application to a motion to rescind a previous action taken.

Section 3-13 Suspending Rules

The rules of the council may be suspended with the unanimous concurrence of the members present.

Section 3-14 Robert's Rules of Order

The proceedings of the council, except as otherwise provided in these rules and by applicable State law or Town Charter, shall be governed by the most current edition of Robert's Rules of Order applicable to small bodies, or by standard practices typically followed by town councils.

Section 3-15 Confidential and Privileged Information

Documents, information, and discussions from a closed session, attorney-client privileged communication, or any other confidential and/or privileged information shall not be disclosed without the approval of the council. In the event confidential or privileged information is released or otherwise disclosed without the consent of the council, the council shall vote either to authorize the disclosure or reaffirm the confidentiality and/or claim of privilege. In addition, the council may, in its discretion, sanction or censure a member for improper disclosure of confidential or privileged information. No recording device shall be used during any Closed Meeting of the council. Minutes will not be taken during any Closed Meeting of the council unless required by law.

Section 3-16 Appointments

The Council encourages citizens to apply for and to serve on town commissions, committees, and other like bodies. To

this end, the council shall cause notice to be placed on its website and such other notice as it may from time to time deem appropriate and necessary, identifying positions which it intends to fill.

The council will maintain a standard application for all positions. Such applications will be kept on file in the Clerk's office for a period of two years and may be considered from time to time by the council as it desires. Prior to making an appointment, the council may choose to interview one or more candidates. Where statutes dictate a process other than this, the council will follow the statutory procedure.

Unless otherwise addressed by state law, town ordinance, or governing organizational documents, the council reserves the right to remove any appointee due to lack of attendance, misconduct, or when, in the council's unanimous judgment, the best interest of the Town would be served by such removal.

For the purposes of this policy, "lack of attendance" means absence from three consecutive meetings, or from any four meetings within any 12-month period.

SECTION 4 - GENERAL CONDUCT AND DECORUM (Also see Appendix A – Code of Ethics)

Section 4-1 Conduct of the Public

The efficient and dignified conduct of public business is the ultimate concern of the council. Accordingly, it is the policy of the council that its meetings be conducted with the highest degree of order and decorum. Council's integrity and dignity will be established and maintained at all times during the conduct of public business, and the council will permit no behavior which is not in keeping with this policy. The soliciting of funds from meeting attendees, the use of threatening or profane language, the failure to comply with time limits on speakers, violation of council rules, or other forms of disruptive conduct will not be tolerated. The Mayor will maintain proper order at all times during all meetings of the council and shall affect the removal from any meeting of any person guilty of improper conduct if the offending party fails or refuses to cease such conduct.

Section 4-2 Conduct of the Council

The Mayor and councilmembers are expected to conduct themselves in a professional and proper manner at all times. The Mayor and councilmembers are representatives of the citizens of the Town of Urbanna and may not bring discredit upon themselves, other councilmembers, their constituents, or their Town at any time.

Section 4-2.1 Adherence to Confidentiality & Public Information Requirements

- (1) No Councilmember shall disclose privileged information to any individual, organization, corporation, or the like.
- (2) Any Councilmember receiving a request for records pursuant to VFOIA shall forward the request to the Town FOIA Officer who shall then handle the response. The FOIA Officer shall copy the Town Administrator, Mayor, and all councilmembers on the response.

Section 4-2.2 Expulsion and Suspension of Councilmembers; Fines for Disorderly Conduct

All disciplinary action must be reviewed and approved by a majority of the council and will include legal guidance from the Town Attorney and possibly the Commonwealth's Attorney as required.

- (1) Council may, with the concurrence of two-thirds of the councilmembers, expel or suspend any councilmember; provided, that no such expulsion or suspension shall be made without reasonable notice to the councilmember complained of and an opportunity afforded him to be heard in his defense.
- (2) Council may fine any of its members for disorderly conduct. Disorderly conduct includes, but is not limited to, actions, statements, or behavior which brings discredit upon other councilmembers, committee members, the

Town Council as a body, the Town, or Town citizens. Disorderly conduct also includes, but is not limited to, disclosing privileged information to any individual, organization, corporation, or the like (see Section 4-2.1).

Section 4-2.3 Interactions with Staff

- (1) No one councilmember shall direct the Town Administrator or any staff member to take any action on behalf of the council without a majority consensus of the council.
- (2) No councilmember shall unduly burden Town staff with requests or contacts outside of normal working hours or meetings. Email requests made to staff should also be copied to the Town Administrator and Mayor (at a minimum).

Section 4-3 Conferences and Conventions

- (1) Each councilmember shall make the sole determination as to which government-related conference or training they will attend, except those which may be required by state code.
- (2) Any councilmember who consents to attend an event shall be responsible to take reasonable and timely action to cancel any required registration fees or hotel deposit if they no longer to attend. If the member does not take such action, they shall reimburse to the Town a sum equal to the non-refundable fee/deposit.

SECTION 5 PUBLIC COMMENT PERIODS

Public Comment periods provide a time for citizens to speak on community issues that are not scheduled for public hearing. The Mayor will explain the time limits and requirements for introduction before opening the comment period.

Section 5-1 Speakers

No person shall address the council from the audience unless recognized by the Mayor and, if so recognized, will come forward to state their comments from the podium using a provided microphone.

Those wishing to speak during Public Comment periods must sign up on the form provided by the council at the meeting site, and the Mayor shall verify that all such registration has been completed before beginning each comment period. Speakers will be called in the order they sign up. All speakers, except as hereinafter provided, shall limit their remarks to three (3) minutes. Speakers may not yield any unused portion of their speaking time to others. Each speaker shall be limited to one appearance at each comment period. Written comments submitted to the Clerk by 12:00 p.m. (Noon) on the day of the meeting will be provided to the council at or before the time of the meeting.

Speakers wishing to address the council shall clearly state their name and address. All comments are addressed to the Mayor. Speakers may address only those matters within the scope of the Council's authority that are not on the agenda for a public hearing for that meeting. No speaker is to engage in political statements, personal attacks upon councilmembers, staff, or any other person, nor are speakers entitled to use abusive language or discuss matters outside the purview of the council.

Violation of this rule shall enable the Mayor by directive to take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary, and take such other steps the Mayor deems appropriate, including, after consultation with the Commonwealth's Attorney and a majority vote of the Council, bringing appropriate charges against the person in the name of the Town Council.

Section 5-2 Close of Public Comment Period

When a public comment period shall have been closed by the order of the Mayor, no further public comments are in order.

Section 5-3 Council Response

After all speakers have been heard, councilmembers may provide brief responses to issues such as clarifications of facts, answers to questions, etc. Councilmembers shall limit their response to only those comments presented during the immediately preceding public comment period.

SECTION 6 - PUBLIC HEARINGS

The order of business for public hearings shall be:

- staff presentation
- applicant's presentation (if any, in land use matters)
- public hearing comments
- council discussion
- action (if appropriate)

Section 6-1 Speakers

Speakers may address the council only on matters pertaining to or germane to the issue for which the public hearing is being held. If any written or printed materials not already included in the agenda packet are presented to the council, a copy shall also be submitted to the Clerk for entry into the public record. No speaker is to engage in political statements; personal attacks upon councilmembers, Town employees or officials, or any other person; nor are speakers entitled to use abusive language or discuss matters outside the issue for which the public hearing is being held.

Violation of this rule shall enable the Mayor by directive to take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary, and take such other steps the Mayor deems appropriate, including, after consultation with the Commonwealth's Attorney and a majority vote of the council, bringing appropriate charges against the person in the name of the Town Council.

Those wishing to speak during Public Hearing comment periods must sign up on the form provided at the meeting site, and the Mayor shall verify that all such registration has been completed before beginning the hearing. Speakers will be called in the order they sign up. All speakers, except as hereinafter provided, shall limit their remarks to three (3) minutes and all remarks shall pertain only to the Public Hearing matter under consideration. Speakers may not yield any unused portion of their speaking time to others. Each speaker shall be limited to one appearance at each public hearing, except at the discretion of the Mayor, and only after all other speakers have been given an opportunity to be heard on the subject being considered. Written comments on public hearing matters submitted to the Town Administrator by 12:00 p.m. (Noon) on the day of the meeting will be provided to the council at or before the time of the meeting.

Section 6-2 Staff & Applicant Presentations

Staff presentations on public hearing matters should be concise and normally limited to no more than ten (10) minutes except when necessary to properly inform the public of the issue before the council. The applicant in a land use case or their representative(s) shall be allowed a maximum of ten (10) minutes to present their case. If any written or printed materials not already included in the agenda packet are presented to the council, a copy shall also be submitted to the Clerk for entry into the public record.

Section 6-3 Councilmembers' Participation

Councilmembers may ask questions of speakers or staff for clarification; however, Councilmembers shall limit their comments in public hearings to ensure participation by the public without council interference.

Section 6-4 Close of Hearing

When a public hearing shall have been closed by the order of the Mayor, no further public comments are in order.

SECTION 7 - ADOPTION AND AMENDMENT OF BY-LAWS

Section 7-1 Adoption

These bylaws shall be adopted annually at the organizational meeting of the Town Council. Upon adoption, the provisions of these rules of order shall supersede any previous rules of order, shall take effect immediately, and shall continue until amended and formally readopted. The full text of these rules shall be made part of the minutes of the meeting at which they were adopted. The Clerk shall provide a copy of these rules and any amendment thereto to the Mayor, all councilmembers, and the public within thirty (30) days of adoption.

Section 7-2 Amendment

Amendment of these by-laws may be made as an item of new business on the meeting agenda or amendment thereof at any meeting of the council. Amendment to these by-laws shall be by vote of a majority of councilmembers. Unless otherwise specified, any amendment is effective upon adoption; no amendment shall be made retroactively effective. The full text of an amendment shall be made part of the minutes of the meeting at which they were adopted.

Section 7-3 Savings Clause

If any provision of these Bylaws and Rules of Procedure be found inconsistent with the provisions of Virginia law, the Town Charter, Town Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions shall remain in effect.

Section 7-4 Interpretation and Nature of Bylaws and Rules of Procedure

These Bylaws and Rules of Procedure are rules of parliamentary procedure and are for the convenience of the Town's councilmembers only. They do not have the force of law. Only councilmembers or the Parliamentarian have standing to raise a point of order or to challenge a ruling of the Mayor or other action of the council on the basis of compliance or non-compliance with these Bylaws and Rules of Procedure or, if the questioned action is not expressly covered by these procedures, by Robert's Rules of Order as provided in Section 3-14. In no event may questions over compliance herewith be raised judicially. Non-compliance with these Bylaws and Rules of Procedure must be raised at the time of the noncompliance, prior to continued debate or a vote. If a challenge is raised in a timely manner by a member with standing as provided for herein, the only relief shall be the correction of the error in conformance with the Bylaws and Rules of Procedure. If a challenge is not timely made, the right to challenge the noncompliance is waived. In no event will a violation hereof result in the voiding or overturning of any action of the council. Failure to comply with these Bylaws and Rules of Procedure or Robert's Rules of Order shall not invalidate council action otherwise valid by law.

APPENDIX A



Code of Ethics Town of Urbana Town Council

Recognizing that persons holding a position of public trust are under constant observation by the media and interested town residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the governing body should adhere to the following Standards of Conduct.

1. Avoid the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens, or staff personnel at all times during public meetings and during the performance of public duties.
2. Act in a financially responsible manner to ensure public trust and set a high standard of integrity, paying government bills on a local, state, and federal level.
3. Show impartiality, integrity, and ethical behavior during Town Council meetings and in their conduct with citizens, staff, and colleagues.
4. Make a conscientious effort to be well prepared for each meeting by reading packet materials and communications, and by seeking information as deemed prudent.
5. Avoid offering public criticism of colleagues, citizens, or staff town employees, recognizing the dignity of each individual.
6. Work to create a positive environment in public meetings where citizens and staff will feel comfortable in their roles as observers or participants.
7. Maintain an attitude of courtesy and consideration toward all colleagues, citizens, and staff during all discussions and deliberations.
8. Be tolerant. Allow citizens, staff employees, and or colleagues sufficient opportunity to present their views.
9. Be respectful and attentive. Avoid comments, body language, or distracting activity that conveys a message of disrespect for presentations from citizens, staff personnel, or colleagues.
10. Be concise. Avoid taking more time to address an issue before the body than is necessary and essential for an adequate consideration of the these matters being discussed.
11. Communicate directly with the Town Administrator, Town Attorney, and the Mayor on Town matters to enhance communication between staff and the Town Council.
12. Avoid the use of electronic devices during meetings to communicate with others regarding town business.

RESOLUTION 2025-002

**ADOPT REVISIONS TO THE CODE OF ETHICS FOR THE TOWN COUNCIL
OF THE TOWN OF URBANNA, VIRGINIA AND
ADOPT THE 2025 COUNCIL BYLAWS AND RULES OF PROCEDURE**

WHEREAS a professional Code of Ethics was adopted on March 9, 2023 via Resolution 2023-003 to serve as the Urbanna Town Council’s guide for best practices and proper decision making during their tenure on council; and

WHEREAS this Code of Ethics sets the standard for council to work honestly and with integrity, which can help create a healthier work environment, and serves as a baseline for effectively dealing with issues; and

WHEREAS this Code of Ethics is designed to ensure Council members conduct themselves in a manner that is socially-acceptable and respectful of one another, Town staff, citizens, and others; and

WHEREAS the principles set forth in this Code of Ethics outline the mission and values of the Town of Urbanna; and

WHEREAS Town Council now wishes to make revisions to the current Code of Ethics; and

WHEREAS Town Council also wishes to establish for itself a set of Bylaws and Rules of Procedure pursuant to Town Code Section 2-35a and 2-42;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of The Town of Urbanna, Virginia (“Council”) that the revisions to the Code of Ethics for the Town of Urbanna Town Council are adopted as presented; and

BE IT FURTHER RESOLVED that Council adopts the 2025 Council Bylaws and Rules of Procedure as set forth in the January 9, 2025 organizational meeting.

DONE this 9th day of January, 2025.



Agenda Item Summary

January 9, 2025

Agenda Item: 6c – Resolution 2025-001 – Appointments to Boards, Commissions, and Committees

Background: Several Council and Citizen appointments expired December 31, 2024:

- Sandy Sturgill's Council appointment to the Finance Committee expired upon her leaving office.
- Three citizen appointments to the Planning Commission – Donald Drayer, Lewis Hall, and Penelope Lister. Mr. Drayer and Ms. Lister have expressed interest in reappointment. Because the staggered expiration of terms is currently out of sync, staff recommends appointing one person to a one-year term, one to a two-year term, and one to a four-year term.
- Two citizen appointments to the Historic Architecture Review Board (HARB) - Meriweather (Tammie) Putney and Peni Roberts. Both have expressed interest in reappointment. Because the staggered expiration of terms is currently out of sync, staff recommends appointing one person to a two-year term, and one to a three-year term.
- A spreadsheet showing all current appointments is attached.

Fiscal Impact: None

Staff Recommendation: Adopt Resolution 2025-001.

Council Action Requested: Yes

Sample Adoption Motion: I move to adopt Resolution 2025-001 appointing:

Marjorie Austin **Robert Wilson** to the vacant Council seat on the Finance Committee for a term concurrent with her **his** elected term on Town Council;

[REDACTED] to the Town of Urbanna Planning Commission for a one-year term expiring December 31, 2025;

Penelope (Gari) Lister to the Town of Urbanna Planning Commission for a two-year term expiring December 31, 2026;

Donald Drayer to the Town of Urbanna Planning Commission for a four-year term expiring December 31, 2028;

Peni Roberts to the Town of Urbanna Historic Architecture Review Board for a 2-year term expiring December 31, 2026; and

Meriweather (Tammie) Putney to the Town of Urbanna Historic Architecture Review Board for a three-year term expiring December 31, 2027;

and I move to approve the 2025 Board, Committee, and Commission appointments as presented **amended**.

**Town of Urbanna
2025 Board, Committee, and Commission Appointments**

Planning Commission		5 members - all town residents, one shall be member of Council, at least 1/2 are landowners; 4-year staggered terms Established by Town Code Section 16-1, State Code 15.2-2210				
Name	Phone	Email	PO Box	Street Address	Began	Expires
					01/09/2025	12/31/2025
Merri Hanson (Council Member)						12/31/2026
Penelope (Gari) Lister (Citizen)					01/09/2025	12/31/2026
Katherine "Katie" Wilson (Citizen)						12/31/2027
Donald Drayer (Citizen)					01/09/2025	12/31/2028
Ted Costin (Staff)						
Christine Branch (Staff)						

Historic Architecture Review Board (HARB)		5 members - at least 3 are town residents, 1 alternate allowed; 5-year staggered terms Established by Town Code Section 17-4.9.8				
Name	Phone	Email	PO Box	Street Address	Began	Expires
Amy Denney (Citizen)					01/11/2024	12/31/2025
Barbara Hartley (Citizen)					01/11/2024	12/31/2025
Peni Roberts (Citizen)					01/09/2025	12/31/2026
Meriweather (Tammie) Putney (Citizen)					01/09/2025	12/31/2027
Patricia Wheeler (Citizen)					01/11/2024	12/31/2028
Ted Costin (Staff)						

Board of Zoning Appeals (BZA)		5 members - all town residents; recommended by Council, appointed by County Circuit Court; 5-year staggered terms				
Name	Phone	Email	PO Box	Street Address	Began	Expires
Lewis Hall					03/01/2024	02/28/2025
John A. Anzivino					03/01/2024	02/28/2026
Kelly D. Pollok					03/01/2024	02/28/2027
John D. Magness					03/01/2024	02/29/2028
Martha J. Lowe					03/01/2024	02/28/2029
Christine Branch (Staff)						
Ted Costin (Staff)						

Finance Committee		Phone	Email	PO Box	Street Address	Began	Expires
Name							
Bill Goldsmith (Mayor)							
Robert Wilson (Council Member)							
Larry Chowning (Council Member)							
Marnie Harte (Citizen)							
Roy Kime (Citizen)							
Michele Hutton (Staff)							
Ted Costin (Staff)							

Water Committee		Phone	Email	PO Box	Street Address	Began	Expires
Name							
Bill Goldsmith (Mayor)							
Alana Courtney (Council Member)							
Marjorie Austin (Council Member)							
Roy Kime (Citizen)							
David Overman (Citizen)							
Christine Branch (Staff)							
Ted Costin (Staff)							

Personnel Committee		Phone	Email
Name			
Bill Goldsmith (Mayor)			
Merri Hanson (Council Member)			
Larry Chowning (Council Member)			
Ted Costin (Staff)			

Second Saturdays Oversight		Phone	Email
Name			
Marjorie Austin (Council Member)			
Beth Justice (Council Member)			

Middle Peninsula Planning (MPPDC)		Phone	Email
Name			
Ted Costin (Town Administrator)			
Bill Goldsmith (Mayor)			

Middle Peninsula Chesapeake Bay Public Access Authority (PAA)		Phone	Email
Name			
Ted Costin (Town Administrator)			
Larry Chowning-Alternate			

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**RESOLUTION 2025-001
APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS**

WHEREAS there is currently one vacant councilmember seat on the Finance Committee due to Sandy Sturgill's term ending on December 31, 2024; and

WHEREAS there are currently three vacant citizen seats on the Town of Urbanna Planning Commission due to the December 31, 2024 expiration of the terms of Donald Drayer, Lewis Hall, and Penelope Lister; and

WHEREAS there are currently two vacant citizen seats on the Town of Urbanna Historic Architecture Review Board (HARB) due to the December 31, 2024 expiration of the terms of Meriweather (Tammie) Putney and Peni Roberts; and

WHEREAS Mr. Drayer and Ms. Lister have expressed interest in reappointment to the Planning Commission, and Mr. Putney and Ms. Roberts have expressed interest in reappointment to the HARB; and

WHEREAS one additional citizen has expressed interest in serving on the Planning Commission - list name; and

WHEREAS the Town Council now desires to fill these vacancies, making adjustments to some terms in order to correct those staggered term expirations that are currently out of sync;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of The Town of Urbanna, Virginia that Robert Wilson is appointed to the vacant Council seat on the Finance Committee for a term concurrent with his elected term on Town Council; is appointed to the Town of Urbanna Planning Commission for a one-year term expiring December 31, 2025; Penelope (Gari) Lister is appointed to the Town of Urbanna Planning Commission for a two-year term expiring December 31, 2026; Donald Drayer is appointed to the Town of Urbanna Planning Commission for a four-year term expiring December 31, 2028; Peni Roberts is appointed to the Town of Urbanna Historic Architecture Review Board for a 2-year term expiring December 31, 2026; and Meriweather (Tammie) Putney is appointed to the Town of Urbanna Historic Architecture Review Board for a three-year term expiring December 31, 2027.

DONE this 9th day of January, 2025.



Agenda Item Summary

January 9, 2025

Agenda Item: 7 – Approval of Minutes

Background: a. June 27, 2024 Draft Minutes
b. December 12, 2024 Draft Minutes

Fiscal Impact: None

Staff Recommendation: Review the draft minutes and offer any amendments. Amendments can be made by consensus of the Council. Then, approve the minutes, either as presented or with the amendments discussed.

Council Action Requested: Yes

Sample Adoption Motion: I move to approve the minutes of the December 23, 2024 meeting as presented [or, with the discussed amendments made by consensus of the Council].

**Town of Urbanna
Town Council
Work Session
Council Chambers-390 Virginia St. Suite B
June 27, 2024**

CALL TO ORDER & ROLL CALL

Members of Council

Present

Mayor Bill Goldsmith
Marjorie Austin
Larry Chowning
Beth Justice
Sandy Sturgill

Absent

Alana Courtney
Merri Hanson

Others Present

Ted Costin-Town Administrator
Martha Rodenburg-Town Clerk
Michele Hutton-Town Treasurer
Members of the public and press

Mayor Goldsmith called the meeting to order at 6:00pm
All present said the Pledge of Allegiance

APPROVAL OF AGENDA

Councilmember Austin made a motion to approve the agenda as presented.

Councilmember Sturgill seconded.

Councilmember Justice made a motion to amend the agenda to include Old Business-Kayak Trail.

Councilmember Austin seconded.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

PUBLIC COMMENT

There was no public comment

COUNCIL COMMENT

There was no council comment

PROJECT UPDATES/DISCUSSION

Councilmember Sturgill explained the Urbanna Beautification, Inc. (UBI) want to pay for the completion of the sidewalk at the pool, as well as plant flowers.

Councilmember Chowning made a motion to recognize Councilmember Sturgill and the UBI are to complete the sidewalk from the park entrance to the sidewalk at side of pool.

Councilmember Austin seconded.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

ACTION ITEMS

FY 2024-2025 Budget Resolution 2024-RES-002

Mr. Costin gave the background and overview of budget. The public hearing on the proposed budget took place on June 13, 2024, and the 7-day waiting period had been met.

Councilmember Austin asked if she can add an amendment to the proposed motion. Discussion took place regarding the proper verbiage for the change in the motion.

Councilmember Austin informed all present the reason for her request to add. She has spoken with Middlesex County staff and supervisors to see if they are willing to help out the town to keep the DMV Select. Should that effort be successful, both the Town of Urbanna and Middlesex County would have to amend their budgets in the future.

Mr. Costin reminded all that budgets are flexible and it's not unusual to make amendments. The language of this motion recognizes the possibility. Any amendment would have to go through the usual notification and public hearing process.

Councilmember Chowning added the DMV was hanging by a cliff. Mr. Costin clarified that, as of July 1, the DMV Select would be closed, but looking for help to re-open it.

Councilmember Austin made a motion to approve Resolution 2024-RES-002 to adopt the budget as prepared for the 2024-2025 fiscal year, with consideration of amendments to follow.

Councilmember Justice seconded.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

DRAFT

RESOLUTION 2024 RES-002

FY2023-24 BUDGET APPROVAL & APPROPRIATIONS RESOLUTION

A RESOLUTION TO APPROVE AND APPROPRIATE DESIGNATED FUNDS AND ACCOUNTS FROM DESIGNATED ESTIMATED REVENUES FOR FY2024-2025 FOR THE OPERATING BUDGETS AND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TOWN OF URBANNA, VIRGINIA

WHEREAS the Urbanna Town Council has prepared and duly advertised a FY2024-2025 budget for informative and fiscal planning purposes; and

WHEREAS it is necessary to approve the FY2024-2025 budget and appropriate sufficient funds for the contemplated expenditures as are contained in the FY2024-2025 budget.

NOW THEREFORE BE IT RESOLVED by the Urbanna Town Council that:

SECTION 1

The following amounts aggregating \$1,611,132 are approved and appropriated as set forth in the attached budget document, subject to the conditions set forth in this Resolution for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

SECTION 2

It is the intent of the Urbanna Town Council that all taxes levied during FY2024-2025 be appropriated for FY2024-2025.

SECTION 3

The Town Administrator may authorize the transfer of any unencumbered balance, or portion thereof, from one classification of expenditure to another within the same department or appropriation category.

SECTION 4

The Town Administrator may increase appropriations for non-budgeted revenue that may occur during the fiscal year as follows:

1. Insurance recoveries received for damage to any town property.
2. Refunds or reimbursements made to the town.

SECTION 5

All outstanding encumbrances, both operating and capital, in all town funds at June 30, 2024 shall be an amendment to the adopted budget and shall be reappropriated to the 2024-2025 fiscal year to the same department and account for which they were assigned in the previous year subject to any applicable public hearing requirements.

SECTION 6

Appropriations designated for capital projects will not lapse at the end of the fiscal year. The Town Administrator may approve transfers between funds to enable the capital projects to be accounted for properly. Upon completion of a capital project, the Town Administrator is authorized to close out the project and transfer any remaining balances to the original funding source.

SECTION 7

The Town Administrator is authorized to approve transfers among capital projects as long as funding sources are consistent and total net appropriation is not increased. If the actual contract amount for a project is less than the appropriation, the Town Administrator may approve the transfer of excess funds back to the original funding source upon completion of the project.

SECTION 8

Upon completion of a grant program, the Town Administrator is authorized to close the grant and transfer balances back to the funding source.

SECTION 9

The Town Administrator is authorized to approve transfers among funds and as long as the total net appropriation is not increased.

SECTION 10

All appropriations are declared to be maximum, conditional and proportionate appropriations, but only in the event that the aggregate revenues collected and other resources available during the fiscal year ending June 30, 2025, for which the appropriations are made, are sufficient to pay all the appropriations in full; otherwise, said appropriation shall be deemed to be payable in such proportion as the total sum of all realized revenue is to the total amount of the revenues estimated by the Town Council to be available for appropriation in the fiscal year ending June 30, 2025.

SECTION 11

No department, agency or individual receiving appropriations under the provisions of this Resolution shall exceed the amount of its or his appropriation except with the prior consent and approval of the Town Council.

SECTION 12

The Town Administrator is authorized to make such rearrangements of positions and appropriations within the several departments under the control of the Town Council that may best meet the needs and interests of the Town of Urbanna, Virginia.

SECTION 13

This Resolution shall be effective on and after July 1, 2024.

Adopted: June 27, 2024

Certified to be true and accurate:



Martha Rodenburg, Town Clerk

Ms. Austin	√Aye	Nay	Abstain	Absent
Mr. Chowning	√Aye	Nay	Abstain	Absent
Ms. Courtney	Aye	Nay	Abstain	√Absent
Ms. Hanson	Aye	Nay	Abstain	√Absent
Ms. Justice	√Aye	Nay	Abstain	Absent
Ms. Sturgill	√Aye	Nay	Abstain	Absent
Mayor Goldsmith	√Aye	Nay	Abstain	Absent

Discussion took place regarding the Taber Fund, which currently stands at approximately \$900,000.

Special Use Permit 2024-SUP-02-Carts, Inc.

Mr. Costin spoke to the matter that was carried over from the previous meeting, and spoke to the Town Code language regarding travel trailers, with his interpretation being the intent of the ordinance is a travel trailer does not allow for them to be used as housing.

Occupancy of travel trailers during Oyster Festival could be written into their master plan, which would cover the entire town. Mr. Costin has discussed this with Oyster Festival officials, and they are supportive of the change.

The mayor summarized the staff recommendation to strike the Planning Commission's suggested condition, which would allow occupancy of the travel trailer during Oyster Festival, and have the next Oyster Festival master plan address travel trailer occupancy.

Further discussion took place regarding allowing the travel trailer occupancy in relation to the SUP, which staff does not recommend due to possible future problems.

Councilmember Austin made a motion to approve Ordinance No. 2024-05, which grants Special Use Permit 2024-SUP-02.

Councilmember Sturgill seconded.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

ORDINANCE NO. 2024-05

ORDINANCE NO. 2024-05 GRANTS A SPECIAL USE PERMIT (2024 SUP APPLICATION 02) FOR 131 GRACE STREET [20A-21-8] TO ALLOW FOR THE SALES/SERVICE OF VEHICLES (PRIMARILY RECREATIONAL). THE PROPERTY IS LOCATED IN THE B-1 ZONING DISTRICT AND CONSISTS OF +/- .516 ACRES.

BE IT ORDAINED by the Urbanna Town Council, at the regularly scheduled meeting on June 13, 2024, that a Special Use Permit is hereby granted for Lot 20A-21-8, 131 Grace Street, to allow for the sales and service of vehicles, primarily recreational vehicles, subject to the following terms and conditions:

1. All federal, state and local laws shall be observed at all times.
2. The property shall be maintained in a clean and orderly manner at all times.
3. This Ordinance shall be recorded in the Middlesex County Clerk's Office by the property owner; the property owner shall provide a stamped copy of the recorded Ordinance to the Town Administrator.
4. Hours of operation shall not exceed 8 am and 9 pm, seven days per week, but no outside activity after 9 pm.
5. Golf Cart display and temporary signage shall be limited to the hours of operation.
6. Existing lighting shall be maintained to allow safe egress and ingress as well as security. However, all lighting must be constant intensity.
7. Signage shall be limited to four (4) existing building mounted signs, one (1) existing building mounted digital message board, and one (1) wrapped vehicle.
8. No additional signage, such as but not limited to banners and bandit signs are permitted following second weekend in November until March first. No devices such as moving inflatables, that draw attention to the premises or product are

permitted except for three days associated with July 4, Labor Day, and Memorial Day.

9. If owner and/or applicant violates any of the conditions above or fails to adhere to the representations set forth in the application and supporting materials, this special use permit may be terminated upon notice being given the applicant and hearing by the Town Council.

This Ordinance shall take effect upon adoption.

Adopted: June 27, 2024

Certified to be true and accurate:



Martha Rodenburg, Town Clerk

Ms. Austin	√Aye	Nay	Abstain	Absent
Mr. Chowning	√Aye	Nay	Abstain	Absent
Ms. Courtney	Aye	Nay	Abstain	√Absent
Ms. Hanson	Aye	Nay	Abstain	√Absent
Ms. Justice	√Aye	Nay	Abstain	Absent
Ms. Sturgill	√Aye	Nay	Abstain	Absent
Mayor Goldsmith	√Aye	Nay	Abstain	Absent

Utility Easement Resolutions-Thurston Properties

Mr. Costin presented the background regarding the matter.

Town previously installed utilities on two parcels owned by Thurston Properties, LLC.

Per state law, resolutions accepting the easements must be adopted.

Resolutions will be recorded with the deeds.

Grants right of access, not ownership.

Mayor Goldsmith added the utilities are there, this codifies their existence.

Councilmember Austin made a motion to accept the Resolutions as presented.

Councilmember Sturgill seconded.

Councilmember Austin asked if this wasn't already a part of the sale.

Goldsmith added, contract for sale didn't include this, and easements came to at closing.

Closing discussed, no date set.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

Prepared by:
Andrea Erard,
Town Attorney
9702 Gayton Road
Suite 324
Richmond, VA. 23238

Tax Map: 19(12) Parcel 1
Instrument No.: 21-2899

Return to: Town of Urbanna, P.O. Box 179 Urbanna, VA 23175

This deed is Exempt from recordation taxation in accordance with Section 58.1-811(A)(3) of the Code of Virginia of 1950 as amended.

DEED OF EASEMENT - UTILITIES

THIS DEED OF EASEMENT, made this ___ day of June 2024, by and between **THURSTON PROPERTIES, LLC**, a Virginia Limited Liability Company, and their heirs, successors, and assigns, hereinafter referred to as "Grantor", and the **TOWN OF URBANNA**, a political subdivision of the Commonwealth of Virginia, its successors and assigns, hereinafter referred to as "Grantee".

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantee, its successors and assigns, a perpetual easement for the purpose of installing, constructing, maintaining, inspecting, operating, repairing, altering, replacing, and removing utilities, and other appurtenant facilities within an easement area on the property of the Grantor located near Virginia Street in the Town of Urbanna, Virginia, together with all rights and privileges hereinafter enumerated pertaining to said property, being more particularly bounded and described as follows:

A 7,714.39 s.f. permanent easement and right-of-way for Town utilities (the "Easement") located under, over, in and across the land of the Grantor identified as Tax Map 19(12) Parcel 1, Instrument No.: 21-2899, in Middlesex County, Virginia, together with reasonable access thereto over the lands of the Grantor, and all rights and privileges hereinafter enumerated pertaining to the Easement, the location of which is marked as "Total Easement Area" on the plat made by Koontz, Bryant, Johnson, Williams, dated May 9, 2024 entitled "Plat Showing Variable Width Waterline Easement on Tax Map 19(12) Parcel 1 in the Town of Urbanna," a copy of which is attached hereto and a part hereof, and to be recorded herewith as part hereof.

The Easement shall be for the purpose of constructing, installing, maintaining, inspecting, operating, protecting, replacing, repairing, and removing utilities (collectively, the "Facilities").

Further, this Easement is granted subject to the following conditions:

1. All utilities and appurtenant facilities which are installed in the Easement shall be and remain the property of Grantee.

2. At no time shall Grantor charge Grantee for the use of the property occupied by Grantee or for the privilege of exercising the rights granted under this deed.
3. Grantee, its agents and employees, shall have reasonable use of the Easement for the purposes named, and shall have the rights and privileges, including the right of ingress and egress over Grantor's adjoining lands, reasonably necessary to the utilization of the Easement; provided, however, that its rights to use adjoining lands for ingress and egress shall be exercised in such manner as shall occasion the least practicable damage and inconvenience to Grantor and only during periods of actual construction or maintenance, and further, this right shall not be construed to allow Grantee to erect or install any building or structure of any kind on such adjoining lands. Grantee shall repair damage to roads, fences or other improvements caused by it, its agents or employees, while exercising this right of ingress and egress.
4. Grantee, its agents and employees, shall have the right to alter, trim, cut, and remove all trees, limbs, undergrowth, shrubbery, landscape plantings of any kind, fences, buildings, structures or other obstructions or facilities, natural or artificial, on or in the said Easement which it deems, in any way, to interfere with the proper and efficient construction, operation, and maintenance of the utilities in the said Easement; provided, however, that unless hereinafter otherwise agreed, except for trees, limbs, and undergrowth removed, Grantee shall at its own expense repair, restore, or replace any and all facilities currently located on or in the said Easement which may be disturbed, damaged or removed to as nearly as possible to their original condition, and shall remove all trash and other debris generated by its work from the Easement and shall restore the surface thereof to as nearly as possible to its original condition.
5. Grantor reserves the right to make any use of the Easement herein granted in a manner which may not be unreasonably inconsistent with the rights herein conveyed or which does not unreasonably interfere with the use of the Easement by Grantee for the purposes aforesaid; provided, however, that unless hereinafter otherwise agreed, Grantor shall not erect any roadway, building, or other structure, excepting a fence, on the Easement without obtaining prior written approval of the Grantee, which approval will not be unreasonably withheld, conditioned, or delayed.
6. Grantee will comply with all applicable laws in connection with any activities pursuant to this Deed of Easement (including any use of the Easement and construction, installation, maintenance, inspection, operation, replacing, repair, and removal of the Facilities). The discharge or disposal of any toxic or hazardous materials within the Easement area is strictly prohibited. Grantee will promptly remediate, in compliance with all applicable laws, any discharges, spills, or other pollution or contamination arising from its use of the Easement.
7. Upon completion of any construction, repair, alteration, replacement, or removal of utilities or appurtenant facilities, any temporary Easement granted hereby shall be inoperative and of no further force and effect.

8. It is agreed among the parties hereto, that this deed includes all the agreements between the parties and no representation or statements, verbal or written, have been made, modifying, adding to or changing the terms of the agreement between the Grantor and the Grantee. This Agreement contains the entire understanding of the parties and may not be modified except by subsequent writing signed on behalf of the party or parties to be bound thereby.
9. The Grantor makes no covenant, warranty, or representation whatsoever as to Grantor's ownership of the Easement, suitability of the Easement area for the construction of the Facilities, or any existing restrictions or prohibitions on use of the Easement. The Grantor does covenant, upon the request of the Grantee, to obtain the consent to this Easement of any of Grantor's lienholders or Grantor's deed of trust trustees having an interest in the Property.
10. The Easement and covenants set forth in this deed shall run with the land and shall be binding on the Grantor and the Grantee, their heirs, successors and assigns.
11. Except as otherwise provided herein, any delay of the Grantee in the use or exercise of any rights granted herein, or in the installation of the utilities shall not result in the loss, limitation or abandonment of any right, title, interest, easement or estate herein granted.
12. Pursuant to Va. Code § 15.2-1803, 1950, as amended, the Urbanna Town Council approved a Resolution, a copy of which is recorded with this deed, accepting the Easement herein and authorized the Town Manager to sign this Deed.

[Signatures to follow.]

WITNESS, the following signatures and seals as of the date first written above.

THURSTON PROPERTIES, LLC

By: _____ (SEAL)
JOHN T. MULLINS, MEMBER

By: _____ (SEAL)
BARBARA A. MULLINS, MEMBER

STATE OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of June, 2024 by JOHN T. MULLINS and BARBARA A. MULLINS as Members of THURSTON PROPERTIES, LLC.

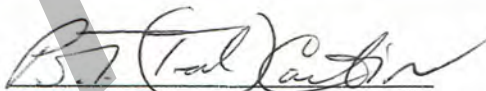
[Affix Seal]

Notary Public

My commission expires on ____ / ____ / ____

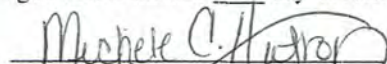
My identification number: _____

Witness the following signature:


Ted Costin, Town Administrator

Commonwealth of Virginia,
County of Middlesex, to-wit:

The foregoing instrument was acknowledged before me this 28th day of June, 2024 by Ted Costin, Town Administrator.


Michele C. Hutton
Notary Public

Registration Number: 348257
My commission expires: 4/30/2028

Approved as to form:

Andrea Erard,
Town Attorney



GRAPHIC SCALE



1 inch = 50 feet

LEGEND

TOTAL EASEMENT AREA= 7,174.39 S.F. (0.165 ACRES)

VIRGINIA STREET
STATE ROUTE 602/227
50' R.O.W.

EXISTING PROPERTY LINE

Curve Table

Cv#	R	L	Chd Bearing	Chd
C1	415.50'	72.29'	S74° 45' 59"E	72.20'
C2	100.00'	14.41'	S63° 52' 38"E	14.39'
C3	416.86'	44.09'	N88° 57' 58"E	44.07'

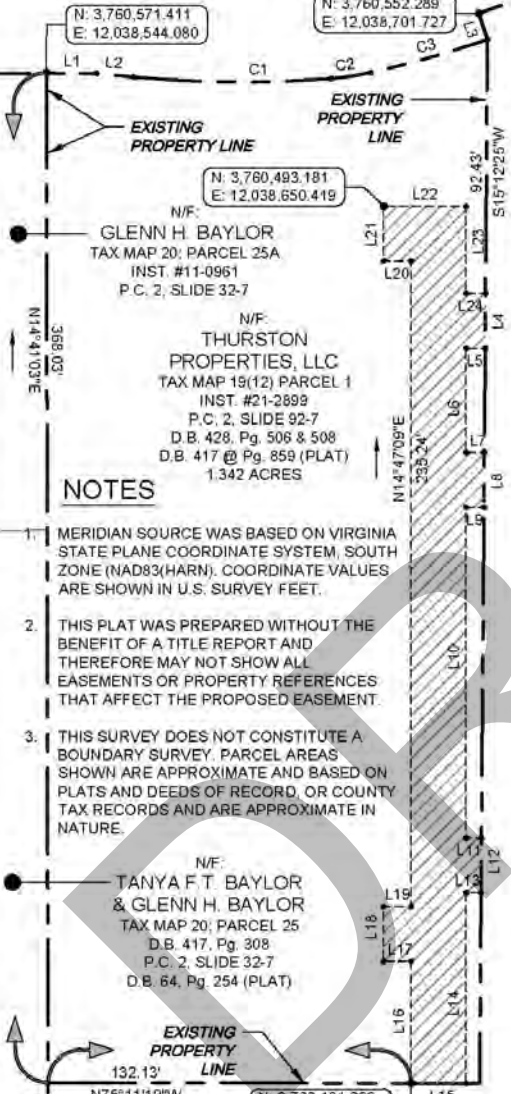
Line Table

Line #	Distance	Bearing
L1	18.23'	S75° 01' 57"E
L2	13.55'	S69° 46' 57"E
L3	10.00'	N04° 03' 49"W
L4	20.00'	S15° 12' 25"W
L5	6.93'	N75° 12' 51"W
L6	38.08'	S14° 47' 09"W
L7	6.65'	S75° 12' 51"E
L8	20.00'	S15° 12' 25"W
L9	6.50'	N75° 12' 51"W
L10	120.50'	S14° 47' 09"W
L11	5.62'	S75° 12' 51"E
L12	20.00'	S15° 12' 25"W
L13	5.47'	N75° 12' 51"W
L14	69.37'	S14° 47' 09"W
L15	20.00'	N75° 11' 19"W
L16	44.35'	N14° 47' 09"E
L17	10.00'	N75° 12' 51"W
L18	20.00'	N14° 47' 09"E
L19	10.00'	S75° 12' 51"E
L20	10.00'	N75° 12' 51"W
L21	20.00'	N14° 47' 09"E
L22	30.00'	S75° 12' 51"E
L23	31.65'	S14° 47' 09"W
L24	7.08'	S75° 12' 51"E

WAVERLY ROAD
STATE ROUTE 1010
VARIABLE WIDTH R.O.W.

NOTES

- MERIDIAN SOURCE WAS BASED ON VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83/HARN). COORDINATE VALUES ARE SHOWN IN U.S. SURVEY FEET.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT SHOW ALL EASEMENTS OR PROPERTY REFERENCES THAT AFFECT THE PROPOSED EASEMENT.
- THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY. PARCEL AREAS SHOWN ARE APPROXIMATE AND BASED ON PLATS AND DEEDS OF RECORD, OR COUNTY TAX RECORDS AND ARE APPROXIMATE IN NATURE.



PLAT SHOWING:
VARIABLE WIDTH WATERLINE EASEMENT
ON TAX MAP 19(12), PARCEL 1
IN THE TOWN OF URBANNA
TO BE ACQUIRED FROM: THURSTON PROPERTIES, LLC
BY: THE TOWN OF URBANNA
DATE: MAY 9, 2024 SCALE: 1" = 50'



1703 N. Parham Rd. Suite 202 Henrico, Va 23229
(804) 740-9200 FAX (804) 740-7338 www.KBIWgroup.com

RESOLUTION ACCEPTING UTILITY EASEMENT


WHEREAS Thurston Properties, LLC agrees to convey a utility easement to the Town of Urbanna located on Tax Map 19(12) Parcel 1, Instrument No.: 21-2899; and

WHEREAS the Town of Urbanna wishes to accept the conveyance of the easement.

NOW THEREFORE BE IT RESOLVED by the Urbanna Town Council at its regularly scheduled meeting on June 27, 2024 that, in accordance with Virginia Code § 15.2-1803, 1950, as amended, the Urbanna Town Council accepts the utility easement as shown on the plat made by Koontz, Bryant, Johnson, Williams, dated May 9, 2024 entitled "Plat Showing Variable Width Waterline Easement on Tax Map 19(12) Parcel 1 in the Town of Urbanna," and authorizes the Town Administrator to execute any and all documents necessary for, or related to, the conveyance and pay any associated costs and fees; and

BE IT FINALLY RESOLVED by the Urbanna Town Council that this Resolution shall be recorded in the land records of the Middlesex County Circuit Court.

Dated this 27 day of June, 2024.



Martha Rodenburg, Clerk to the Council

Urbanna Well #3-Phase 2-Engineer

Mr. Costin presented the background.

- Two bids received and reviewed by Kimley-Horne.
- Project will connect well to the existing water system.
- Contract will be paid using USDA loan.

Councilmember Austin made a motion to award the contract for Phase II of the Urbanna Well Number 3 Replacement to Toano Well and Pump Service for \$285,000 and authorize the Town Administrator to execute all necessary documents.

Councilmember Justice seconded.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes
Motion passed 5-0

OLD BUSINESS-KAYAK TRAIL

- Councilmember Justice asked about the status of the Kayak Trail.
- Phase I put together per Larry, given to Middle Peninsula Planning District Commission (MPPDC), it was put online, but not user friendly.
- Mayor has brought this to the attention of MPPDC, and they are working on improving it. Setting a meeting with Kurt Smith, Deputy Director of MPPDC was discussed.

ANNOUNCEMENTS

- Councilmember Austin attended the VML Small Town Government conference.
- Michele Hutton gave an update on the Hometown Heroes banner celebration.

ADJOURN

Councilmember Austin made a motion to adjourn.

Councilmember Sturgill seconded.

Austin, Chowning, Justice, Sturgill, and Goldsmith voted yes
Motion passed 5-0

Meeting adjourned at 6:52pm

Submitted by:

Martha J. Rodenburg
Town Clerk

Approved by Town Council xx/xx/xxxx

**DRAFT MINUTES
TOWN OF URBANNA TOWN COUNCIL
REGULAR MEETING OF DECEMBER 12, 2024**

A regular meeting of the Town Council of the Town of Urbanna, Virginia, was held on the 12th day of December, 2024 beginning at 6:00 p.m. in the Council Chambers of Town Hall located at 390 Virginia Street, Suite B in Urbanna, VA.

AGENDA ITEM 1. CALL TO ORDER & ROLL CALL

Mayor Goldsmith called the meeting to order at 6:00pm.

AGENDA ITEM 2. ROLL CALL

Marjorie Austin	Present
Larry Chowning	Present
Alana Courtney	Absent (Arrived prior to Agenda Item 6.)
Mayor Bill Goldsmith	Present
Merri Hanson	Present
Beth Justice	Present
Sandy Sturgill	Absent

Others Present:

Ted Costin, Town Administrator
Andrea Erard, Town Attorney
Michele Hutton, Town Treasurer
Christine Branch, Town Clerk
Members of the public

AGENDA ITEM 3. PLEDGE OF ALLEGIANCE

The Major led the Pledge of Allegiance.

AGENDA ITEM 4. APPROVAL OF AGENDA

Councilmember Austin made a motion to approve the agenda as presented. Councilmember Justice seconded. The Major called for any discussion. The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	Absent
Mayor Bill Goldsmith	Yes
Merri Hanson	Yes
Beth Justice	Yes
Sandy Sturgill	Absent

The motion passed 5-0 w/2 absent.

AGENDA ITEM 5. REMEMBRANCE OF FORMER MAYOR HOLLBERG

Major Goldsmith noted that Steven S. Hollberg, former Mayor of the Town of Urbanna, passed away on November 22, 2024. Councilmember Austin said she would let Council know when arrangements have been made. The suggestion was made that staff send a Norfolk Pine to Mrs. Hollberg as a remembrance from Council. This will be done when arrangements are announced.

AGENDA ITEM 6. PUBLIC HEARING

6.a. Resolution 2024-005 – Charter Change

Mayor Goldsmith noted the arrival of Councilmember Courtney.

Mr. Costin provided background on the need to amend the Town Charter to clarify that the Mayor’s presence at Council meetings counts toward the determination of a quorum.

Mayor Goldsmith opened the public hearing. There being no speakers, Mayor Goldsmith closed the public hearing.

Councilmember Austin made a motion to adopt Resolution 2024-005 which requests a change to the town’s charter by the General Assembly to establish the mayor as a member of council and as such counts towards the determination of quorum. Councilmember Justice seconded. The Major called for any discussion.

Councilmember Chowning said there have been a few times in the past where this was an issue and approving this amendment would prevent it from happening in the future.

The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	Yes
Mayor Bill Goldsmith	Yes
Merri Hanson	Yes
Beth Justice	Yes
Sandy Sturgill	Absent

The motion passed 6-0 w/1 absent.

Counselor Erard said she would track the bill through the General Assembly and keep Council updated on its progress.

RESOLUTION 2024-005

RESOLUTION OF THE TOWN COUNCIL TO REQUEST THE GENERAL ASSEMBLY TO AMEND THE TOWN CHARTER TO CLARIFY THAT THE MAYOR’S PRESENCE AT TOWN COUNCIL MEETINGS COUNTS TOWARDS THE ESTABLISHMENT OF A QUORUM

WHEREAS the Charter for the Town of Urbanna is not clear as to whether or not the presence of the Mayor at a meeting counts toward the establishment of a quorum; and

WHEREAS the Urbanna Town Council requires clarification that the Mayor does count toward the establishment of a quorum so as to ensure the efficient and proper operation of the Town;

NOW THEREFORE BE IT RESOLVED by the Urbanna Town Council at its regular monthly meeting on December 12, 2024, following a duly advertised public hearing, that the Urbanna Town Council respectfully requests that the General Assembly amend the Charter of the Town of Urbanna to clarify that the Mayor’s presence at a meeting counts toward the establishment of a quorum.

DONE this 12th day of December, 2024.

AGENDA ITEM 7. MINUTES

There were no minutes available for review.

AGENDA ITEM 8. REPORTS

8.a. Town Administrator

Mr. Costin presented his report. He noted the Environmental Site Assessment for the 390 Virginia Street property was received that afternoon and showed that nothing of concern was found. He will review the report in more depth.

Mr. Costin discussed the availability of a grant to secure an energy audit and provided a draft of a letter in support of the Energy Efficiency and Conservation Block Grant for Marketing, Education, and Outreach committing to work with Middlesex County on this effort (Attachment A). He said the Town has a good shot at the grant since the deadline has already been extended twice.

Councilmember Austin made a motion to endorse the letter to be executed by the Mayor confirming the Town's support of the grant application and its willingness to engage in the work of the grant. Councilmember Justice seconded. The Major called for any discussion.

Councilmember Hanson asked if we needed to confer with the current building owner. Mr. Costin said no because the proposal is to move forward with other Town properties first. The grant allows up to 10 Town facilities, including street lights.

The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	No
Mayor Bill Goldsmith	Yes
Merri Hanson	Yes
Beth Justice	Yes
Sandy Sturgill	Absent

The motion passed 5-1 w/1 absent.

8.b. Treasurer

Ms. Hutton presented the October 2024 Treasurer's report, which was emailed to Council and was included in the meeting agenda packet posted to the Town website. She said an additional \$9,000 in real estate tax and \$400 in personal property tax had been received since the report was run.

Ms. Hutton said there is a property which has 4 years of delinquent taxes owed which may have to go to a tax sale. Councilmember Chowning said the Town should partner with the County in the sale. Ms. Hutton said the County uses a different service than the Town and that she has been in discussion with them.

Councilmember Chowning asked the percentage collected. Ms. Hutton said approximately 93% of all taxes owed have been collected.

Councilmember Austin asked if all the Oyster Festival meal taxes have been paid. Ms. Hutton said the deadline has not passed yet. She said she tracks the vendors' figures over the past several years to help ensure sales are accurately reported.

Ms. Hutton took the opportunity to give an update on the Christmas Parade weekend activities and thanked everyone for their support. She said she would be submitting an article to the Sentinel to thank everyone involved.

8.c. Finance Committee

Mayor Goldsmith said the committee did meet but Councilmember Sturgill was unable to attend tonight’s meeting to provide a report. He said the most important thing discussed was the MPPDC Surety Agreement, which is later on tonight’s agenda.

AGENDA ITEM 9. PUBLIC COMMENT

There was no public comment.

AGENDA ITEM 10. COUNCIL COMMENT

There were no council comments made at this time.

AGENDA ITEM 11. OLD BUSINESS

Councilmember Chowning said the replacement sign from the accident was put up today. The Town has now depleted its supply of poles. Mr. Costin said this could be discussed next month during budget discussions.

Councilmember Courtney said there has been no resolution to the need for a No Parking sign at the _____ property. She said a school bus and other trucks park there regularly and are causing damage to the land. Mr. Costin said a drawing had been provided to Docks on the Bay for a rehab project there and we are awaiting their response. Councilmember Hanson asked if a temporary sign could be placed there. Mr. Costin said yes but enforcing it would be a challenge. Mayor Goldsmith suggested using one of the No Parking signs from the Oyster Festival.

AGENDA ITEM 12. NEW BUSINESS

12.a. MPPDC Regional All Hazard Mitigation Plan

Mr. Costin said the Town’s hazard mitigation plan is maintained by the Middle Peninsula Planning District Commission (MPPDC) and is in need of an update. A draft Service Agreement was included in the agenda packet. He said the fiscal impact to the Town is less than \$400. He recommends the Town Administrator be the lead contact with the Mayor as backup.

Councilmember Austin made a motion to authorize the Town Administrator to execute the service agreement with the Middle Peninsula Planning District Commission to undertake the All Hazards Mitigation Plan Update and to participate as fully as possible. Councilmember Justice seconded. The Major called for any discussion.

Mayor Goldsmith said this is just one of things the MPPDC does for the Town and it would be arduous if we had to do it ourselves.

The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	Yes
Mayor Bill Goldsmith	Yes
Merri Hanson	Yes
Beth Justice	Yes
Sandy Sturgill	Absent

The motion passed 6-0 w/1 absent.

12.b. MPPDC Surety Agreement

Mr. Costin explained that many of the programs managed by the MPPDC for the Town and region operate on a reimbursement basis and they have been granted a line of credit by the Virginia Resources Authority (VRA). VRA is now seeking the support of Middle Peninsula local governments to act as a third layer of

collateral by serving as “co-signers” and providing a moral obligation pledge. Staff recommends that Council support the agreement providing moral obligation and support for the MPPDC’s VRA financing with the caveat that all MPPDC member jurisdictions agree.

Councilmember Chowning said the caveat is important.

Councilmember Hanson asked the possible fiscal impact to the Town. Mr. Costin said \$24,000 for each town; counties commit to a higher amount. Major Goldsmith summarized how MPPDC projects work and said this is not a great risk to the Town.

Councilmember Austin made a motion to authorize the Town Administrator to execute the Surety Agreement as presented, providing moral obligation and support for the MPPDC’s VRA financing and to convey to the MPPDC that support is in anticipation of all member jurisdictions participating.

Councilmember Hanson seconded. The Major called for any discussion. The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	No
Mayor Bill Goldsmith	Yes
Merri Hanson	Yes
Beth Justice	Yes
Sandy Sturgill	Absent

The motion passed 5-1 w/1 absent.

12.c. 2025 Organizational Meeting Date

Mr. recommended the normal second Thursday meeting date be used for the initial 2025 organizational meeting – January 9, 2025. Councilmember Hanson said she would not be available on that date.

Councilmember Austin made a motion that Council hold its 2025 organizational meeting on Thursday, January 9, 2025 at 6 pm in the council chambers of the town’s office at 390 Virginia Street, Suite B in Urbanna. Councilmember Justice seconded. The Major called for any discussion. The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	Yes
Mayor Bill Goldsmith	Yes
Merri Hanson	No
Beth Justice	Yes
Sandy Sturgill	Absent

The motion passed 5-1 w/1 absent.

Mr. Costin asked Councilmembers to be thinking of the top five things they’d each like to accomplish in 2025 and bring that list to the January 23, 2025 work session for a strategic planning session.

AGENDA ITEM 13. PUBLIC COMMENT

Tammie Putney said there used to be a barrier on the _____ property and someone moved it to the side. He said moving it back would prevent buses and other vehicles from parking on the property. Mayor Goldsmith said that would be a groundskeeping issue and could be taken care of.

AGENDA ITEM 14. ANNOUNCEMENTS

Mayor Goldsmith wished everyone a Merry Christmas.

Councilmember Hanson mentioned the Urbanna Main Street Home Tour and Polar Express events both happening this weekend.

AGENDA ITEM 15. ADJOURN

Councilmember Austin made a motion to adjourn. Councilmember Justice seconded. The members were polled:

Marjorie Austin	Yes
Larry Chowning	Yes
Alana Courtney	Yes
Mayor Bill Goldsmith	Yes
Merri Hanson	Yes
Beth Justice	Yes
Sandy Sturgill	Absent

**The motion passed 6-0 w/1 absent.
The meeting was adjourned at 6:54pm.**

ATTEST:

William Goldsmith, Mayor

Christine H. Branch, Town Clerk

ATTACHMENT A



TOWN OF URBANNA

390 VIRGINIA ST. SUITE B, PO BOX 179, URBANNA, VA 23175
PHONE: 804-758-2613, FAX: 804-758-0389

December 13, 2024

Address:

?

?

Dear ??????:

This is to advise you that at its regular monthly meeting held on December 12, 2024, the Urbanna Town Council voted to support the Energy Efficiency and Conservation Block Grant for Marketing, Education, and Outreach submitted by the County of Middlesex.

The Town of Urbanna, located in Middlesex County, is committed to its partnership role set out in the grant to find and implement sustained impacts for energy efficiency and conservation not only for the town, but also for residents throughout Middlesex County.

Should you have any questions or concerns about this endorsement, please direct them to the Town Administrator, P. S. T. (Ted) Costin at the above or t.costin@urbannava.gov.

Thank you.

Respectfully,

William Goldsmith, DVM
Mayor, Town of Urbanna

Cc: Matt Walker, Middlesex County Administrator



Agenda Item Summary

January 9, 2025

Agenda Item: 8a – Staff Reports

- i. **Town Administrator – Ted Costin**
Council Action Requested: No
- ii. **Treasurer – Michele Hutton**
Council Action Requested: No
- ii. **Town Clerk – Christine Branch**
Council Action Requested: No



TOWN OF URBANNA

390 VIRGINIA ST. SUITE B, PO BOX 179, URBANNA, VA 23175
PHONE: 804-758-2613, FAX: 804-758-0389

To: The Honorable Mayor and Members of the Town Council
From: P. S. T. (Ted) Costin, Administrator
Date: January 3, 2025
Subject: December 2024 Report given January 2025

Given the holidays occurring at mid-week points, it has been a month of little activity with a couple of exceptions.

The mayor and I met with Signature Pools to review last year's activity with an eye towards improvements for next year that would entice membership. A Finance Committee meeting for this topic and starting the Fiscal Year 25-26 budget is requested.

I met with state then local interests regarding Main Street. This resulted in coming current in reporting as well as receiving a six-month extension on grant funded activities.

The Kayak Launch project is underway as the Eagle Scout candidate is now clear to begin the effort. We met on January 3, 2025.

I have begun to assemble the Top Five items of concern to each of you as I have received them in preparation for the work session later this month. I have been asked to do the same for staff and share those as well. A pattern or two is already emerging.

The Well Project is progressing, but will be delayed due to supply chain issues involving the electrical upgrade portion of the project.

The Virginia Street Terminus was barricaded and signed as No Parking. Since then, issues on adjacent property have presented themselves and corrective action, unless coordinated, could negate any improvement taken on the town's property. A meeting with VDOT and shoreline contractor is being organized to address issues comprehensively.

The most significant activity has been the issuance of notices concerning disconnection of water service to delinquent account holders. Several issues have come forward and these are being addressed as presented as the notices have resulted in a response.

If you have any questions or concerns, please bring them forward.

Thank you.



Treasurer's Report

The Balances Below, Reflect Bank Statements as of Month's End.

Account Balance thru 11/30/2024	Prior Year 11/30/23	Prior Month 10/31/24	Statement Date 11/30/24
Primis Bank General Operating Bank Account	957,916.63	952,764.69	1,071,865.64
Renter Water Deposits	-16,326.66	-17,101.66	-17,101.66
Net Operating General Bank Account (Adjusted Bal)	930,523.60	942,498.25	1,073,496.38
Primis – USDA Well Replacement reopened (8/2/24)	2,508.53	74,470.54	67,880.75
C&F Bank Historic Trust (new 3/1/2023)	46,315.99	59,981.34	60,533.76
C&F Bank - Water Fund Reserve (11 mo CD) 1/17/24	115,315.11	119,741.16	Next int 12/15
C&F Bank - General Fund Reserve (11 mo CD) 1/17/24	95,439.46	99,064.36	Next int 12/15
C&F Bank -Operating Reserve (11 mo CD) 1/17/24	N/A	414,925.34	Next int 12/15
Taber Trust – Account Value	846,246.84	1,063,289.62	1,063,289.62
Taxes listed below are collected for prior month(s)	11/30/23		11/30/24
Meals Tax collected in November	15,123.86	13,071.47	13,278.88
Lodging Tax collected in November	2,909.03	1,194.09	6,055.32
Cigarette Tax collected in November	1,351.82	562.33	1,055.48

EXPENDITURES:

Change over complete from Johnston Controls to Starbrite
at a cost of \$1,294.00

11/19/24 Docks of the Bay \$27,500.00

REVENUE:

- Heavy real estate and personal property payments processed

Meals Tax

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month:
 Type: Revenue Activity Includes Accounts with Zero Activity:
 Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	NOV
100-12110-0001	Meals Tax - Local					
88764.57	14797.23	16604.09	15038.79	13071.47	13278.88	
Fund Total		14797.23	16604.09	15038.79	13071.47	13278.88
Grand Total	Count: 1	14797.23	16604.09	15038.79	13071.47	13278.88

January 3, 2025
11:04 AM

Lodging Tax

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month:
 Type: Revenue Activity Includes Accounts with Zero Activity:
 Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov
100-12100-0001	Lodging Tax					
20153.63	2610.92	5686.36	1869.72	1194.09	6055.32	
Fund Total		2610.92	5686.36	1869.72	1194.09	6055.32
Grand Total	Count: 1	2610.92	5686.36	1869.72	1194.09	6055.32

Water Sales

January 3, 2025
10:49 AM

2025 Rev

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month:
Type: Revenue Activity Includes Accounts with Zero Activity:
Subtotal CAFR: NO

Account No	Description	Jul	Aug	Sep	Oct	Nov
Total						
100-12100-0001	Lodging Tax					
20153.63	2610.92	5686.36	1869.72	1194.09	6055.32	
Fund Total						
20153.63	2610.92	5686.36	1869.72	1194.09	6055.32	
Grand Total	Count: 1					
20153.63	2610.92	5686.36	1869.72	1194.09	6055.32	

Range of Accounts: 100-11010-0001 to 100-11010-0001 Start Month: July
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year
 Subtotal CAFR: No

**Totals as of
Jan 3, 2024**

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec
100-11010-0001	Current Real Estate Taxes						
250042.42		0.00	1839.18	733.53	44580.26	136728.93	66160.52

Fund Total
250042.42 0.00 1839.18 733.53 44580.26 136728.93 66160.52

Grand Total Count: 1
250042.42 0.00 1839.18 733.53 44580.26 136728.93 66160.52

January 3, 2025
10:47 AM

Town of Urbar
2025 Revenue Summary

Range of Accounts: 100-11030-0001 to 100-11030-0001 Start Month: July
 Type: Revenue Activity Includes Accounts with Zero Activity: N Ye
 Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec
100-11030-0001	Current Year Personal Property						
8542.57		0.00	16.35	0.00	1349.77	4158.94	3017.51

Fund Total
8542.57 0.00 16.35 0.00 1349.77 4158.94 3017.51

Grand Total Count: 1
8542.57 0.00 16.35 0.00 1349.77 4158.94 3017.51



MEMORANDUM

Date: January 9, 2025

To: The Honorable Mayor and Members of the Town Council
Town Administrator

From: Christine H. Branch, Town Clerk

Subject: Monthly Clerk's Report
(for informational purposes only, no action required)

CURRENT & ONGOING PROJECTS

- Compile a listing of all Resolutions, Ordinances, and Council Actions
- Update/create bylaws for all Boards, Committees, and Commissions
- Update website calendar with additional events, including county events and meetings
- Researching and organizing all town files
- Investigate software for increased website and agenda management efficiency
- Agenda preparation and coordination with Town Administrator

FUTURE PROJECTS

- Meet with Middlesex County administration for introductions and possible increased collaboration – January 15, 2025
- Develop a records management policy and procedure
- Conversion of paper records to electronic to ensure compliance with Virginia Public Records Act and best practices
- Investigate hardware and software upgrade needs with Franktronics and develop cost analysis

TRAINING & OTHER

- Attending International Institute of Municipal Clerks Region II Conference from January 21-24, 2025 in Henrico (returning for 01/23/2025 Council Work Session)



Agenda Item Summary

January 9, 2025

Agenda Item: 9 – Public Comment Period 1

Mayor opens Public Comment Period and asks if all who desire to speak have had a chance to sign up.

NO SPEAKERS: Mayor closes Public Comment Period.

SPEAKERS: Mayor explains that each individual has three minutes to address Council on matters not scheduled for Public Hearing. Clerk will keep time.

Agenda Item: 10 – Council Response to Public Comment Period 1

After all speakers have been heard, Mayor asks for any councilmember response.

Councilmembers may provide brief responses to issues such as clarifications of facts, answers to questions, etc. Councilmembers shall limit their response to only those comments presented during the immediately preceding public comment period.



Agenda Item Summary

January 9, 2025

Agenda Item: 11a – Authorize Public Hearing for Amendment to FY2025 Budget

Background: The Town received an allocation of approximately \$475,000 in State and Local Fiscal Recovery Funds (“SLFRF”) as a subrecipient from the Commonwealth of Virginia under the American Rescue Plan Act (“ARPA”), which is less than the standard \$10,000,000 revenue replacement standard allowance.

As recently as March 27, 2024 staff took action to report to the state/federal tracking authorities the following:

\$237,591.00 in ARPA Funds was used for construction of the community swimming pool which replaced a 60-year old, non-compliant and non-functioning pool, and

\$237,591.00 in ARPA Funds would be used for the purchase of 390 Virginia Street which was serving and still does serve as the Town Hall and administrative office space. The amount realized in net proceeds from the sale of the old Town Hall, approximately \$234,200, will also be used for the purchase.

On February 22, 2024, Council approved purchase of the property and issuance of a note for the purchase thereof, which obligated the payment of funds by the Town. It is now necessary to formally appropriate the ARPA funds and the funds from the sale of old Town Hall to the purpose of acquisition of the property and for that a Public Hearing must be held. This action is not needed for the pool as those funds have been spent.

Fiscal Impact: Cost of advertising the Public Hearing. There is no other fiscal impact since the funds were already accounted for in the FY2025 Budget. This action just appropriates the funds for use in acquiring the property.

Staff Recommendation: Authorize the advertisement and holding of a Public Hearing at the February 13, 2025 Council meeting.

Council Action Requested: Yes

Sample Adoption Motion: I move to authorize the holding of a Public Hearing at the February 13, 2025 Council meeting for the purpose of amending the Town of Urbanna budget for fiscal year 2025 to reflect an allocation of approximately \$471,791 toward the acquisition or improvement of permanent town office space and direct Town staff to properly advertise and make arrangements for this Public Hearing.

TOWN OF URBANNA
NOTICE OF PUBLIC HEARING
ON PROPOSED BUDGET AMENDMENT

Pursuant to Section 15.2-2507 of the Code of Virginia of 1950, as amended, the Council of the Town of Urbanna, Virginia will hold a public hearing to consider amendment of the Town budget in order to reflect the prior obligation of revenue replacement funds under the American Rescue Plan Act (ARPA) to acquisition of a permanent property for the Town administrative offices. The Council may amend the County budget to increase the annual revenue and expenditures for fiscal year 2025 in the approximate amount of \$472,000. Because this amendment exceeds 1% of the total appropriated budget for fiscal year 2025, a public hearing is required.

The public hearing, which may be continued or adjourned, and at which persons may appear and present their views on the proposed budget amendment, will be held at 6:00 p.m., or as soon thereafter as the matter may be heard, on **Thursday, February 13, 2025**, before the Council in the Town Council Chambers, 390 Virginia Street, Suite B, Urbanna, Virginia.

A copy of the full text of the proposed budget amendment is on file in the Office of the Town Clerk, at 390 Virginia Street, Suite B, Urbanna, VA 23175 and is also available on the Town website – urbannava.gov.

If you have a disability for which you require a reasonable accommodation, please contact the Town Clerk at c.branch@urbannava.gov or 804-758-2613 x.201 no later than 24 hours prior to the public hearing.

By order of the Town Council of the Town of Urbanna, Virginia

Publish in Southside Sentinel on January 23 and January 30.

[Publish: Twice, the first time not more than 28 days before the meeting, the second not less than 7 days before the meeting.]

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RESOLUTION 2025-XXX
A RESOLUTION AMENDING THE TOWN OF URBANNA BUDGET FOR FISCAL YEAR 2025 TO REFLECT A CAPITAL OBLIGATION OF \$471,791 TO ACQUISITION OR IMPROVEMENT OF PERMANENT TOWN OFFICE SPACE

WHEREAS the Town of Urbanna, Virginia (the “Town”) received an allocation of approximately \$475,000 in State and Local Fiscal Recovery Funds (“SLFRF”) as a subrecipient from the Commonwealth of Virginia under the American Rescue Plan Act (the “ARPA Funds”), which is less than the standard \$10,000,000 revenue replacement standard allowance; and

WHEREAS the Town previously used \$237,591 in ARPA Funds on repairs to its community swimming pool, in order to provide clean outdoor recreation opportunities when indoor recreation opportunities were unavailable or difficult to use due to the Covid-19 pandemic; and

WHEREAS the Town realized a total of approximately \$234,200 in net proceeds from the sale of the old Town Hall; and

WHEREAS the Town entered into a lease in November 20, 2021, with option to purchase, for the property at 390 Virginia Street in the Town, Tax Map ID 20-26 (the “Property”), has made acquisition of the Property, or a similar property to serve as the Town Hall and administrative office space, part of its adopted long-term capital plans; and

WHEREAS, on February 22, 2024, the Town approved purchase of the Property and issuance of a note for the purchase thereof, which obligated the payment of funds by the Town; and

22 **WHEREAS** the Town wishes to budget and appropriate the ARPA funds to the purpose
23 of acquisition of the Property;

24 **NOW, THEREFORE, BE IT RESOLVED** by the Town Council of The Town of Urbanna, Virginia
25 that:

- 26 1. The Town budget for fiscal year 2025 is amended such that total general fund revenues are
27 increased by \$471,791, representing the total remaining ARPA Funds and the net proceeds
28 of the sale of the old Town Hall, held in the Town's reserve by a transfer in under Line 100-
29 41050-0101.
- 30 2. The Town budget for fiscal year 2025 is amended such that total general fund
31 expenditures are increased by \$471,791 under Line 100-12600-9400 for the purpose of
32 expenditures for acquisition of the Property.
- 33 3. The sum of \$471,791 is hereby appropriated for use in accordance with the fiscal year
34 2025 budget as amended by this resolution.
- 35 4. This resolution is in effect upon adoption.

36 **DONE** this 13th day of February, 2025.



Agenda Item Summary

January 9, 2025

Agenda Item: 12a – Designation of Town Clerk as FOIA Officer

Background: § 2.2-3704.2(a) of the Code of Virginia requires that local public bodies subject to the provisions of the Virginia Freedom of Information Act designate and publicly identify one or more officers (FOIA officer) whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of this chapter.

Fiscal Impact: None

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Adoption Motion: I move to designate the Town Clerk as the FOIA Officer for the Town of Urbanna.



Agenda Item Summary

January 9, 2025

Agenda Item: 13 – Public Comment Period 2

Mayor opens Public Comment Period and asks if all who desire to speak have had a chance to sign up.

NO SPEAKERS: Mayor closes Public Comment Period.

SPEAKERS: Mayor explains that each individual has three minutes to address Council on matters not scheduled for Public Hearing. Clerk will keep time.

Agenda Item: 14 – Council Response to Public Comment Period 2

After all speakers have been heard, Mayor asks for any councilmember response.

Councilmembers may provide brief responses to issues such as clarifications of facts, answers to questions, etc. Councilmembers shall limit their response to only those comments presented during the immediately preceding public comment period.



Agenda Item Summary

January 9, 2025

Agenda Item: 15 – Council Announcements & Requests

Mayor calls on each councilmember by name to share any announcements or requests.

This time is generally used for individual councilmembers to share information with other councilmembers and the public and to make any announcements of interest to citizens. Councilmembers may also request information from staff and/or items requiring action for inclusion on a future agenda during this time. This time should not be used to respond to Public Comment issues.



Agenda Item Summary

January 9, 2025

Agenda Item: 16 – Closed Meeting (if necessary)

16a – Motion to Convene Closed Meeting

Motion: I move that the Town of Urbanna Town Council convene in Closed Meeting in accordance with (see list of allowed subjects).

Motion must be seconded. Clerk performs roll call vote.

16b – Motion to Reconvene in Open Session

Motion: I move that the Town of Urbanna Town Council reconvene in open session.

Motion must be seconded. Mayor calls voice vote.

16c – Certification of Closed Meeting

Motion: I move that the Town Council of the Town of Urbanna approve Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended, certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act.

Motion must be seconded. Clerk performs roll call vote. If any councilmember disagrees, they must so state at this time.

16d – Action on Closed Meeting (if necessary)

If any action, other than Citizen Appointments to Boards & Commissions, is to be taken as a result of matters discussed in Closed Meeting, that motion would be made now.

§ 2.2-3711. (EFFECTIVE JULY 1, 2024)
CLOSED MEETINGS AUTHORIZED FOR CERTAIN LIMITED PURPOSES.

PERSONNEL – Section 2.2-3711 (A)(1) of the Code of Virginia for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

PUBLIC PROPERTY – Section 2.2-3711 (A)(3) of the Code of Virginia to discuss or consider the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

PROTECTION OF PRIVACY OF INDIVIDUALS – Section 2.2-3711 (A)(4) of the Code of Virginia to protect the privacy of individuals in personal matters not related to public business.

PROSPECTIVE BUSINESS OR INDUSTRY OR EXPANSIONS OF EXISTING BUSINESS OR INDUSTRY – Section 2.2-3711 (A)(5) of the Code of Virginia for discussion concerning a prospective business or industry, or the expansion of an existing business or industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

INVESTING OF PUBLIC FUNDS – Section 2.2-3711 (A)(6) of the Code of Virginia for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the Town would be adversely affected.

LEGAL MATTERS – Section 2.2-3711 (A)(7) of the Code of Virginia for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party.

LEGAL MATTERS – Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter requiring the provision of legal advice by counsel.

HAZARDOUS WASTE SITING – Section 2.2-3711 (A)(14) of the Code of Virginia to discuss the terms, conditions, and provisions of a hazardous waste siting agreement after a finding in open meeting that an open meeting will have an adverse effect upon the negotiating position of the Town or the establishment of the terms, conditions, and provisions of the siting agreement, or both.

TERRORIST ACTIVITY – Section 2.2-3711 (A)(19) of the Code of Virginia for Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

PUBLIC CONTRACTS – Section 2.2-3711 (A)(29) of the Code of Virginia to discuss 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.

CERTIFICATION OF CLOSED MEETING

Motion: I move that the Town Council of the Town of Urbanna approve Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended, certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act.

Motion must be seconded. Clerk performs roll call vote. If any councilmember disagrees, they must so state at this time.

STANDING RESOLUTION – 1 (SR-1) A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the Town Council of the Town of Urbanna 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,

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the Town Council of the Town of Urbanna that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Urbanna hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered by the Town Council of the Town of Urbanna in the Closed Meeting to which this certification resolution applies; and
2. Only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed, or considered by the Town Council of the Town of Urbanna.

[ROLL CALL VOTE]