

**Town of Urbanna
Town Council
Monthly Meeting
Council Chambers-390 Virginia St. Suite B
May 26, 2022**

CALL TO ORDER & ROLL CALL

Mayor Hartley called the meeting to order at 7:02pm

Present

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

All present said the Pledge of Allegiance

APPROVAL OF AGENDA

Councilmember Hollberg requested to have "removal of fence at marina" added to New Business
Councilmember Hollberg made a motion to approve the agenda as amended
Councilmember Smith seconded
Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes
Motion passed 7-0

APPROVAL OF MINUTES

Councilmember Austin made a motion to approve the April 28, 2022 minutes as presented
Councilmember Smith seconded
Austin, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes
Chowning abstained
Motion passed 6-0-1

Councilmember Austin made a motion to approve the May 12, 2022 minutes as presented
Councilmember Hollberg seconded
Austin, Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes
Motion passed 7-0

REPORTS

Town Administrator

Garth Wheeler reported

- Farmer's Market
 - Held May 14th
 - 9 out of 18 vendors present due to weather
 - 19 vendors currently scheduled for the June market
- Second Saturdays
 - Successful despite rainy weather
 - Several vendor cancellations due to weather
 - That Damn Mary brewery participated
 - Large volunteer presence
 - Post-event meeting scheduled for May 27
- DMV Select
 - Maribel Kimble has been asked to serve on a regional committee of DMV Selects
 - Waiting to hear from DMV regarding grand opening date
 - Week of 5/16/22-5/20/22-\$4,671.47 in transactions
- Audit
 - Received final draft of 2019 audit from Davis Associates
 - Preliminary drafts of 2020 and 2021 audits received previously
- Memorial Day service
 - Scheduled for May 30, 2022 at Town Marina

Urbanna Creek Waterfront Committee

Garth Wheeler reported

- Meeting scheduled June 3, 2022 to discuss possible improvements to marina and along Urbanna Creek
- Discussing the placing of mooring balls for transient boaters using BIG grant funds
- Councilmember Hollberg has been helpful in keeping project moving along

Treasurer's Report

- Michele Hutton presented the April 2022 report (*attached*)
- Cigarette tax revenue transferred to Historic Trust
- Lodging tax collections behind, Mrs. Hutton is pursuing this with short term rental owners and management companies
- Hometown Heroes banners have sold out (41 banners). June 24th will be the dedication service
- Mr. Wheeler added \$6070.32 in cigarette tax transferred to museum fund

Pool Committee

Councilmember Goldsmith reported

- Town Attorney working on a Memorandum of Understanding between Town and Friends of Urbanna (FoU) so tax deductible donations can be made through FoU for the pool.
- Contracts need to be developed for charter memberships
- Letter to be crafted to petition court to request Taber Fund monies to be used for pool construction

Councilmember Goldsmith made a motion to authorize the Town Attorney to file a motion with the circuit court requesting the ability to use funds in the amount of \$500,000 of principal from the Taber trust fund for use in the construction of the new pool

Councilmember Austin seconded

Councilmember Hollberg requested clarification that the funds would be withdrawn from the principal

Councilmember Goldsmith stated the town isn't in a position to fund the pool without using Taber fund money

- Memberships, reimbursement grants, and other grants can be used to replenish Taber fund
- Whether or not funds from Taber trust can be used needs to be known soon, in order to find other funding sources of funding if the request is denied

Councilmember Hollberg commented the town should be working towards financing the entire project

Mayor Hartley reiterated the requirement of the court's approval to withdraw funds from the Trust

Councilmember Chowning commented these requests had been turned down in the past

Additional discussion took place regarding the need to pursue this action and acknowledging the chance it could be denied

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

Motion passed 7-0

Finance Committee

Councilmember Goldsmith reported

- Announcements for next budget and hearings are scheduled to be published
 - Final vote scheduled for June 23, 2022 meeting
- There was a discrepancy in last budget between what was published and the actual budget being worked with (\$795,000), while the resolution stated \$765,000. Because what was published and the resolution were in disagreement, a motion was needed to resolve this.

Councilmember Goldsmith made a motion to amend the Section 1 amount of total for budget from \$765,000 to \$795,000 to make it match in perpetuity

Councilmember Hollberg seconded

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

Motion passed 7-0

(corrected resolution attached)

Water Committee

Councilmember Smith reported

- Committee met May 23
- Financing of well- there is some delay in getting engineering services agreement, apologies from USDA on delay
- Water supply contract with Bethpage, ready for council approval
- Cartegraph will be going live in July
- Water system upgrade
 - VDH application for available grants and loans in process at AH Environmental. Includes all five phases of the water infrastructure upgrades for the town
- Water rates-public hearing to take place at upcoming meeting
- Urbanna Harbor service inquiry-AH Environmental is verifying VDOPT requirements for approval or disapproval of waterline bridge attachment before this can go forward

Pool Committee-additional comments

Councilmember Goldsmith added Garth Wheeler has engaged Bay Design to do site work to see if new pool can be located in the same spot as the old pool.

Mayor Hartley asked if core samples had been completed

- Garth Wheeler responded it was being worked on

Planning Commission

Councilmember Hanson reported

- Idea Incubator summary report sent to council
- Thank you to Gari Lister for facilitating, Larry Chowning for speaking about Urbanna's economic heydays, members of Planning Commission, and town staff for assistance
- Councilmember Hanson, Gari Lister, and Roy Kime attended the national conference for the Main Street program and found it to be informative. They will compile notes with possible future suggestions.
- July 14th Planning Commission meeting will be a town hall. Rebecca Rowe, with Virginia Main Street will be attending to discuss the program
- Discussions taking place regarding golf cart access between town and Bethpage campground
- Possibility of creating a contest to develop 48 hours in Urbanna type feature for regional publication

PUBLIC COMMENT & PUBLIC COMMENT RESPONSE

Nancy Greenwood spoke to request the town provide space in Taber Park for construction of pavilion proposed by Urbanna Beautification (UBI)

- Councilmember Goldsmith commented they were still waiting decision on location of pool
- After discussion between Ms. Greenwood and Council, it was decided Garth Wheeler would meet with representatives of UBI to develop a resolution to bring to Council at the next meeting requesting the town to approve giving a space in Taber Park for construction of a pavilion.

Dan Snead spoke regarding recent vandalism and harm to osprey nests in/near Waterman's Park. Both are class 1 misdemeanors.

- Discussion took place about possible solutions, including signage and cameras.

Councilmember Goldsmith made a motion to provide a sign dedicated to the osprey at Waterman's Park, and install a security camera and a sign associated.

Councilmember Austin seconded

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

Motion passed 7-0

Mike Jolly of the Oyster Harbor Condominium Association spoke regarding

- Osprey nests that are no longer active and rip rap that has been disturbed. Signage noting these are class 1 misdemeanors should be added
- Clock is not working again
- Need for brick paver work to be completed around Dominion poles that were erected last year

Staff responded they will get a bricklayer to complete work then bill Dominion

Garth Wheeler stated the low-hanging Verizon wire along Cross Street had been raised

Mayor Hartley thanked staff for installation of flags along Virginia and Cross Streets

Councilmember Hollberg discussed possibility of installing a collection box at ramp to collect fees from early arrivals and putting cameras and signage up to enforce payment

- Further discussion of the current signage and cameras and their effectiveness took place. It was determined that staff would continue to monitor.

Councilmember Austin announced she had acquired a map of Virginia and West Virginia from 1865, by a relative of John Mitchell for the town donated by Richard and Mary Theabold

Councilmember Chowning inquired about the status of the "Medal of Honor Recipient" sign for the Beryl Newman bridge.

- Garth Wheeler responded it had been ordered

Councilmember Hollberg asked what signage was in place at playground in Taber Park regarding what time it closes, due to reports of “shenanigans” taking place after hours

- There is a sign stating the park closes at midnight
- Garth Wheeler commented reports of this activity should be made to the sheriff’s department, but he would contact them to patrol park more often

OLD BUSINESS

There was no old business

NEW BUSINESS

Resolution requesting Middlesex County support for a 4-way stop at the intersection of Virginia and Cross Streets

Councilmember Hollberg made a motion to accept the resolution

Councilmember Goldsmith seconded

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

Austin voted no

Motion passed 6-1

(resolution attached)

Transfer of Taber Trust funds to Pool Fund Reserve Account

Councilmember Hollberg explained there is a cash balance of \$58,000 remaining in the Taber fund after other funding obligations have been met, and recommends transferring this money to the Pool Fund reserve. This money is not earning interest and the transfer will not affect the budget. This will increase the Pool Fund reserve and is a step forward in financing the pool.

Councilmember Hollberg made a motion requesting Mayor Hartley transfer \$58,000 from the Taber fund to the Pool Fund reserve

Councilmember Austin seconded

- Councilmember Hanson asked how the [Taber] reserve fund is funded for the next fiscal year in order to meet obligations to the non-profit entities funded out of that
- Councilmember Hollberg explained that it is funded with the dividends and interest created from the current principal
- Councilmember Smith commented by taking \$500,000 out of the principal fund, the dividends and interest may be less in the next fiscal year
- Councilmember Goldsmith recognized this as a good faith gesture to show the town is moving forward with building the pool, but recommended tabling the motion until it is determined whether or not principal can be used for financing the pool, so that those funds aren’t locked into the pool fund and cannot be used for anything else
- Councilmember Chowning recommended getting the fund advisors’ opinion
- Roy Kime commented if the \$500,000 is removed from [Taber Trust], \$1million would remain, earning 3% interest. This would amount to \$30,000 and be enough to cover obligations to non-profits
- Councilmember Hollberg commented, based on past performance of the fund, he was confident this could be done. His theory is to demonstrate to others the town is approaching for help that we have taken steps to do this
- Additional discussion took place regarding financing the pool

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

Motion passed 7-0

Town Marina Fence Removal

Councilmember Hollberg explained, the current fence at the north end of the marina is 4 feet inside of the recently surveyed boundary. In order to take steps in establishing a kayak launch, he recommends removing the fence and placing a new fence along the boundary.

Discussion took place as to whether or not the fence should be replaced until ownership of the land on the other side is determined.

Councilmember Hollberg made a motion to instruct staff to remove the current fence at the north boundary of the marina property, and erect an inexpensive temporary fence that better defines the town property, and signage to go with that.

Councilmember Smith seconded

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

Goldsmith voted no

Motion passed 6-1

CLOSED MEETING

Councilmember Goldsmith made a motion to go into closed meeting pursuant to Virginia Code section 2.2-3711(A)(29) for discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body-Bethpage Water Service Agreement.

Councilmember Austin seconded

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

Hollberg was absent

Motion passed 6-0

OPEN MEETING

Councilmember Goldsmith asked if there a motion to reconvene in open meeting and to certify that only the matters that were identified in the motion to go into closed meeting were heard, discussed, or considered

Councilmember Austin made the motion

Councilmember Chowning seconded

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

Motion passed 7-0

Councilmember Smith made a motion to approve the contact language for the Bethpage Water Service Agreements.

Permission for the Town Administrator to facilitate a meeting with Bethpage to consummate said agreement

It was agreed if any changes are made to the agreement, it will be brought back to council for approval

Councilmember Austin seconded

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

Motion passed 7-0

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Smith seconded

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

Motion passed 7-0

Meeting adjourned at 8:58pm

Submitted by:



Martha J. Rodenburg

Town Clerk

Approved by Town Council 06/23/2022



Treasurer's Report

Account Balance thru 4/30/2022	Prior Year	Prior Month	Statement Date
	4/30/21	3/31/22	4/30/22
Primis Bank General Operating Bank Account	589,116.91	695,908.41	661,108.90
Renter Water Deposits	-14,511.66	-14,511.66	14,651.66
Net Operating General Bank Account	588,447.15	695,908.34	650,959.12
TRUIST Historic Trust	17,614.07	23,516.26	27,799.07
TRUIST Pool Replacement Account	36,760.34	36,763.69	36,763.99
Primis Bank Water Fund Reserve	113,648.11	113,994.81	114,021.98
Primis Bank General Fund Reserve	94,549.14	94,750.60	94,765.66
Primis Bank Cares Local Recovery	0.00	237,651.86	237,680.51
Primis Bank DMV	0.00	464.31	464.31
Taber Trust – Account Value		1,502,728.75	1,476,014.25
	4/30/21	3/31/22	4/30/22
Meals Tax collected in April	10,997.62	8,226.71	5,405.25
Lodging Tax collected in April	327.69	00.00	00.00
Cigarette Tax collected in April	n/a	469.22	700.11

APRIL EXPENDITURES:

4/7 Cigarette Tax transferred to Historic Trust \$3,582.49
 4/7 River Realm \$5,000.00

REVENUE as of 4/30/2022

- Calls & emails placed to those owing lodging tax. Some short-term rentals now using a service, checks do not state an owner or rental name. I do not know to whom to credit.....and more calls placed.
- DMV April payment will post in May

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2021
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As of: 05/10/22
Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total	Jul											
100-12110-0001	Meals Tax - Local											
117726.91	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	8226.71	5405.25	5952.00	0.00
Fund Total												
117726.91	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	8226.71	5405.25	5952.00	0.00
Grand Total	Count: 1											
117726.91	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	8226.71	5405.25	5952.00	0.00

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month: July Start Year: 2021
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As of: 05/10/22
Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total	Jul											
100-12100-0001	Lodging Tax											
14690.17	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00	53.60	0.00
Fund Total												
14690.17	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00	53.60	0.00
Grand Total	Count: 1											
14690.17	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00	53.60	0.00

Range of Accounts: 100-11010-0001 to 100-11010-0002 Start Month: July Start Year: 2021
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 05/10/22
Subtotal CAFR: No

Account No Total	Description Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
100-11010-0001 253330.66	Current Real Estate Taxes 0.00	0.00	361.79	1908.08	86912.74	149606.91	3161.13	7931.54	3448.47	0.00	0.00	0.00
100-11010-0002 1122.23	Real Estate Tax - Delinquent 0.00	0.00	0.00	0.00	0.00	88.09	26.97	0.00	1007.17	0.00	0.00	0.00
Fund Total 254452.89	0.00	0.00	361.79	1908.08	86912.74	149695.00	3188.10	7931.54	4455.64	0.00	0.00	0.00
Grand Total 254452.89	Count: 2 0.00	0.00	361.79	1908.08	86912.74	149695.00	3188.10	7931.54	4455.64	0.00	0.00	0.00

Range of Accounts: 100-11030-0001 to 100-11030-0002 Start Month: July Start Year: 2021
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 05/10/22
Subtotal CAFR: No

Account No Total	Description Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
100-11030-0001 8475.77	Current Year Personal Property 0.00	0.00	14.85	7.70	4211.73	4065.73	42.59	36.31	96.86	0.00	0.00	0.00
100-11030-0002 193.29	Delinquent Personal Property 0.00	115.35	0.00	0.74	40.69	28.84	7.67	0.00	0.00	0.00	0.00	0.00
Fund Total 8669.06	0.00	115.35	14.85	8.44	4252.42	4094.57	50.26	36.31	96.86	0.00	0.00	0.00
Grand Total 8669.06	Count: 2 0.00	115.35	14.85	8.44	4252.42	4094.57	50.26	36.31	96.86	0.00	0.00	0.00

Range of Accounts: 500-17010-0001 to 500-17010-0001 Start Month: July Start Year: 2021
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 05/03/22
Subtotal CAFR: No

Account No Total	Description Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
500-17010-0001 269344.10	Water Sales Charges 16617.35	54615.16	15450.08	45620.23	14608.38	37425.02	5152.05	40378.87	34721.51	4755.45	0.00	0.00
Fund Total 269344.10	16617.35	54615.16	15450.08	45620.23	14608.38	37425.02	5152.05	40378.87	34721.51	4755.45	0.00	0.00
Grand Total 269344.10	Count: 1 16617.35	54615.16	15450.08	45620.23	14608.38	37425.02	5152.05	40378.87	34721.51	4755.45	0.00	0.00

FY2021-22 BUDGET APPROVAL & APPROPRIATIONS RESOLUTION

A RESOLUTION TO APPROVE AND APPROPRIATE DESIGNATED FUNDS AND ACCOUNTS FROM DESIGNATED ESTIMATED REVENUES FOR FY2021-22 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 FY2021-22 budget for informative and fiscal planning purposes; and

WHEREAS it is necessary to approve the FY2021-22 budget and appropriate sufficient funds for the contemplated expenditures as are contained in the FY2021-22 budget.

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

SECTION 1

The following amounts aggregating \$795,000¹ 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, 2021 and ending June 30, 2022.

SECTION 2

It is the intent of the Urbanna Town Council that all taxes levied during FY2021-2022 be appropriated for FY2021-2022.

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, 2021 shall be an amendment to the adopted budget and shall be reappropriated to the 2021-2022 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, 2022, 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, 2022.

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, 2021

Adopted this day, Thursday, June 24, 2021

Upon a motion by Councilmember Goldsmith, seconded by Councilmember Hollberg this Resolution was duly and legally passed by the Urbanna Town Council.

Chowning	_____Aye	<u>X</u> _____Nay
Smith	<u>X</u> _____Aye	_____Nay
Hollberg	<u>X</u> _____Aye	_____Nay
Goldsmith	<u>X</u> _____Aye	_____Nay
Hanson	<u>X</u> _____Aye	_____Nay
Austin	X_____Aye	_____Nay

AYES: 5

NAYS: 1

ABSTAIN: 0

ABSENT: 0

A TRUE COPY:

TESTE: _____



Martha Rodenburg

TOWN CLERK



RESOLUTION

RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO PLACE A FOUR-WAY STOP AT THE INTERSECTION OF CROSS STREET AND VIRGINIA STREET IN THE TOWN OF URBANNA

WHEREAS, the Town of Urbanna has received complaints from Town residents of safety concerns at the intersection of Virginia Street and Cross Street regarding vehicle operators not paying attention to current street signage, and

WHEREAS, this intersection's current two-way stop sign is confusing in its current format, and

WHEREAS, the Mayor and members of Town Council have recently had citizens express their concerns during Public Comment during Town Council meetings, and

WHEREAS, multi-way stop control can be useful as a safety measure to enhance overall intersection safety and efficiency, and

NOW, THEREFORE, BE IT RESOLVED, at a Urbanna Town Council meeting held on Thursday, May 26, 2022, Town Council voted to direct the Town Administrator to contact the Virginia Department of Transportation to conduct a highway safety feasibility study of the intersection of Cross Street and Virginia Street and to contact the appropriate Middlesex County officials to accomplish this task.

Adopted the 26th day of May, 2022

A Copy Teste:

Martha J. Rodenburg
Town Clerk