

**Town of Urbanna
Town Council
Joint Public Hearings with Planning Commission
Monthly Meeting
Council Chambers-390 Virginia St. Suite B
August 8, 2024**

CALL TO ORDER & ROLL CALL

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

Present-Members of Council

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

Members of Planning Commission

Lewis Hall
Don Drayer
Gari Lister
Katie Wilson

Other Attendees

Ted Costin-Town Administrator
Andrea Erard-Town Attorney
Michele Hutton-Town Treasurer
Martha Rodenburg-Town Clerk

All stood for the Pledge of Allegiance

APPROVAL OF AGENDA

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

Councilmember Sturgill seconded.

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

Motion passed 7-0

JOINT PUBLIC HEARINGS-URBANNA TOWN COUNCIL AND THE URBANNA PLANNING COMMISSION

Councilmember Hanson, acting as vice-chair of the Planning Commission called the Planning Commission to order and established a quorum.

Rezoning Ordinance 2024-ORD-08

Mayor Goldsmith opened the joint public hearing regarding Ordinance 2024-ORD-08.

Staff Presentation

Mr. Costin presented the staff report covering all of the rezoning ordinances. The rezoning is for the properties brought into the Town of Urbanna through a Boundary Line Adjustment (BLA) which took place in 2023. The properties owned by Hampton Roads Sanitation District are not participating due to administrative reasons. He noted there is no law which requires adjacent property owner notification for a Boundary Line Adjustment, only properties being incorporated receive legal notices. All required legal notices and public hearings took place prior to the approval of the Boundary Line Adjustment in 2023.

It was explained when a BLA takes place, the zoning designation of all property incorporated becomes zoned the lowest zoning designation of the incorporated locality. R-1 is the lowest zoning designation in the Town of Urbanna. Mr. Costin proceeded to explain each proposed designation for the all the properties participating.

Public Comment Regarding Rezoning Ordinance 2024-ORD-08

- Lisa Walker-426 Laurel Farms Ln-President of Laurel Farms Homeowners Association (LF-HOA) spoke to the history of the property, which is a part of the LF-HOA. She is opposed to the re-zoning due to the LF-HOA Covenants, Conditions & Restrictions (CC&R) document which does not allow for this.
- Pam Houck-246 Laurel Farms Ln-Vice-President of LF-HOA spoke against the re-zoning due to the LF-HOA CC&R.
- Greg Houck-246 Laurel Farms Ln-Member of LF-HOA spoke against the re-zoning due to the LF-HOA CC&R.
- Scott Krejci-346 Laurel Farms Ln- Member of LF-HOA spoke against the re-zoning due to the LF-HOA CC&R.
- Joe Prete-22 Laurel Farms Ln- Member of LF-HOA spoke against the re-zoning.
- Mark Williams-Thurston Properties, LLC representative. Property will meet CC&R restrictions when developed.

Mr. Costin clarified some properties are only identified with Tax Map numbers, since addresses are given by Middlesex County when the property is developed with a structure.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-08

Ms. Lister commented the property would be required to meet the LF-HOA CCR requirements if developed, with Ms. Erard agreeing.

Discussion took place clarifying the property is subject to LF-HOA.

Ms. Lister moved to recommend approval of Ordinance 2024-ORD-08.

Mr. Drayer seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-08

Councilmember Sturgill stated she saw no reason to vote against the ordinance, if the property would still be governed by LF-HOA CCR requirements.

Councilmember Austin made a motion to approve Ordinance 2024-ORD-08.

Councilmember Justice seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-08

ORDINANCE NO. 2024-08 REZONES TAX MAP 19 (12)1 CONSISTING OF +/- 1.479 ACRES FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO R-2 (HIGH DENSITY RESIDENTIAL DISTRICT); THIS PROPERTY IS LOCATED NORTHWEST AND ADJACENT TO 85 LAUREL FARMS LANE.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that the public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 19 (12)1 consisting of +/- 1.479 acres from R-1 (low density residential district) to R-2 (high density residential district).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 19 (12)1 consisting of +/- 1.479 acres be rezoned from R-1 (low density residential district) to R-2 (high density residential district) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-09

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-09.

Public Comment Regarding Rezoning Ordinance 2024-ORD-09

- Pam Houck-246 Laurel Farms Ln-Vice-President of LF-HOA spoke to her understanding that, construction for a well on the lot, would not be approved by the LF-HOA due to their CC&R.
- Greg Houck-246 Laurel Farms Ln-Member of LF-HOA read the section of their CC&R regarding its restrictions.
- Lisa Walker-426 Laurel Farms Ln-President of Laurel Farms Homeowners Association (LF-HOA) questioned the rezoning if nothing is going to change, and spoke to possible litigation.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-09

Mr. Drayer questioned if the property had to be zoned B-1, with Mr. Costin explaining the goal is to have all Town of Urbanna property in the rezoning be designated as B-1. The recorded deed for the lot is noted that it is only to be used as a well lot. Further discussion took place, with Mr. Costin stating the bond issuance matter later in the agenda has nothing to do with the lot being discussed, but for a well on another lot currently under construction.

Ms. Lister moved to recommend approval of Ordinance 2024-ORD-09.

Mr. Drayer seconded.
Drayer, Hall, Hanson, Lister, and Wilson voted yes.
Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-09

Discussion took place with Councilmember Sturgill saying she understood the speakers’ concerns, and Councilmember Austin questioning where water would come from if another well can’t be put in, which affects [all Town of Urbanna water customers], not only the people living on Laurel Farms Ln.
Councilmember Chowning said he thinks, if [the Town of Urbanna] has to put a well there, they don’t have to live by the rules of the association. It is a public health issue.

Councilmember Austin made a motion to approve Ordinance 2024-ORD-09.
Councilmember Justice seconded.
Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.
Motion passed 7-0

ORDINANCE NO. 2024-09

ORDINANCE NO. 2024-09 REZONES TAX MAP 19(12)1A CONSISTING OF A +/- .38 ACRE PARCEL FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-1 (GENERAL COMMERCIAL DISTRICT); THIS PROPERTY IS LOCATED NORTHWEST AND ADJACENT TO 85 LAUREL FARMS LANE.


WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 19(12)1A consisting of a +/- .38 acre parcel from R-1 (low density residential district) to B-1 (General commercial district).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 19(12)1A consisting of a +/- .38 acre parcel be rezoned from R-1 (low density residential district) to B-1 (General commercial district) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-10

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-10.

Public Comment Regarding Rezoning Ordinance 2024-ORD-10

There was no public comment.
Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-10

Mr. Hall moved to recommend approval of Ordinance 2024-ORD-010.

Ms. Lister seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-10

Andy Bury stated from the floor the acreage of the property noted in Ordinance 2024-ORD-10 was incorrect. Mr. Costin and Ms. Erard responded the acreage was from the most recent records of the Commissioner of Revenue. Per code, this is the information that was used.

Councilmember Austin made to approve Ordinance 2024-ORD-10.

Councilmember Justice seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-10

ORDINANCE NO. 2024-10 REZONES TAX MAP 20-26 CONSISTING OF +/- 3.9881 ACRES FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-1 (GENERAL COMMERCIAL DISTRICT); THIS PROPERTY IS LOCATED AT 390 VIRGINIA STREET.


WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20-26 consisting of +/- 3.9881 acres from R-1 (Low Density Residential District) to B-1 (General Commercial District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20-26 consisting of +/- 3.9881 acres be rezoned from R-1 (Low Density Residential District) to B-1 (General Commercial District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-11

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-11.

Public Comment Regarding Rezoning Ordinance 2024-ORD-11

There was no public comment.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-11

Ms. Lister moved to recommend approval of Ordinance 2024-ORD-011.

Mr. Drayer seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-11

Councilmember Austin made a motion to approve Ordinance 2024-ORD-11.

Councilmember Justice seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-11

ORDINANCE NO. 2024-11 REZONES TAX MAP 20-27 CONSISTING OF +/- 4.4292 ACRES FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO R-2 (HIGH DENSITY RESIDENTIAL DISTRICT); THIS PROPERTY IS LOCATED ADJACENT TO 390 VIRGINIA STREET.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and


WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20-27 consisting of +/- 4.4292 acres from R-1 (Low Density Residential District) to R-2 (High Density Residential District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20-27 consisting of +/- 4.4292 acres be rezoned from R-1 (Low Density Residential District) to R-2 (High Density Residential District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-12

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-12.

Public Comment Regarding Rezoning Ordinance 2024-ORD-12

There was no public comment.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-12

Ms. Wilson moved to recommend approval of Ordinance 2024-ORD-012.

Mr. Drayer seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-12

Councilmember Austin made to approve Ordinance 2024-ORD-12.

Councilmember Sturgill seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-12

ORDINANCE NO. 2024-12 REZONES TAX MAP 20B (1)2B CONSISTING OF A +/- .621 ACRE PARCEL FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO R-2 (HIGH DENSITY RESIDENTIAL DISTRICT); THIS PROPERTY IS LOCATED AT 133 WAVERLY ROAD.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20B (1)2B consisting of a +/- .621 acre parcel from R-1 (Low Density Residential District) to R-2 (High Density Residential District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20B (1)2B consisting of a +/- .621 acre parcel be rezoned from R-1 (Low Density Residential District) to R-2 (High Density Residential District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-13

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-13.

Public Comment Regarding Rezoning Ordinance 2024-ORD-13

Eileen Smith-256 Waverly Rd.-spoke against the rezoning.

Mary Powell-267 Waverly Rd.-spoke against the rezoning.

Zack Lapinsky-167 Cross St.-spoke in favor of the rezoning and spoke to concerns raised by previous speakers.

Mayor Goldsmith closed the public hearing.

In response to Mr. Lapinsky stating a trailer park would not be put on the property, Ms. Erard stated that anything that is a by-right use under that zoning designation could be constructed on the property.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-13

Ms. Lister spoke in favor of the ordinance, due to the need for more housing.

Discussion took place regarding the process of approving future development, including any proposals that did not fall under by-right usage, with Mr. Costin reading the list of by-right uses under R-2.

Ms. Lister moved to recommend approval of Ordinance 2024-ORD-013.

Mr. Drayer seconded.

Drayer, Hanson, Lister, and Wilson voted yes.

Hall abstained.

Motion passed 4-0-1.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-13

Mayor Goldsmith clarified any proposed development of the property that is not by-right under R-1 would have to go through an approval process by the Planning Commission and Town Council.

Answering a question by Councilmember Austin, Mr. Costin explained a mobile home park would require a Special Use Permit (SUP).

Further discussion took place, with Councilmember Chowning indicating his support.

Councilmember Austin made a motion to approve Ordinance 2024-ORD-13.

Councilmember Sturgill seconded.

Austin, Chowning, Hanson, Sturgill, and Goldsmith voted yes.

Courtney and Justice voted no.

Motion passed 5-2

ORDINANCE NO. 2024-13

ORDINANCE NO. 2024-13 REZONES TAX MAP 20B (1)1 CONSISTING OF +/- 9.4837 ACRES FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO R-2 (HIGH DENSITY RESIDENTIAL DISTRICT); THIS PROPERTY IS LOCATED EAST OF 133 WAVERLY ROAD.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20B (1)1 consisting of +/- 9.4837 acres from R-1 (Low Density Residential District) to R-2 (High Density Residential District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20B (1)1 consisting of +/- 9.4837 acres be rezoned from R-1 (Low Density Residential District) to R-2 (High Density Residential District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-14

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-14.

Public Comment Regarding Rezoning Ordinance 2024-ORD-14

There was no public comment.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-14

Mr. Costin explained this is a private road that provides access to the town's well and water tank.

Mr. Hall moved to recommend approval of Ordinance 2024-ORD-014.

Ms. Lister seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-14

Councilmember Sturgill made a motion to approve Ordinance 2024-ORD-14.

Councilmember Austin seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-14

ORDINANCE NO. 2024-14 REZONES TAX MAP 20B(13)A CONSISTING OF A +/- .413 ACRE PARCEL FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-1 (GENERAL COMMERCIAL DISTRICT); THIS PROPERTY IS LOCATED SOUTHWEST OF 133 WAVERLY ROAD.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20B(13)A consisting of a +/- .413 acre parcel from R-1 (Low Density Residential District) to B-1 (General Commercial District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20B(13)A consisting of a +/- .413 acre parcel be rezoned from R-1 (Low Density Residential District) to B-1 (General Commercial District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-15

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-15.

Public Comment Regarding Rezoning Ordinance 2024-ORD-15

There was no public comment.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-15

Mr. Costin restated the blacked-out parcels on the map of the properties being rezoned are owned by HRSD, and are not a part of the rezoning package. In March, they indicated they would participate, but their paperwork was not submitted.

Mr. Hall moved to recommend approval of Ordinance 2024-ORD-015.

Ms. Wilson seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-15

Councilmember Austin asked if the rezoning of the HRSD properties would require a public hearing, to which Ms. Erard responded it would.

Councilmember Austin made a motion to approve Ordinance 2024-ORD-15.

Councilmember Sturgill seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-15

ORDINANCE NO. 2024-15 REZONES TAX MAP 20B(1)3A CONSISTING OF A +/- .902 ACRE PARCEL FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-1 (GENERAL COMMERCIAL DISTRICT); THIS PROPERTY IS LOCATED AT 138 LAUREL HILL DRIVE.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20B(1)3A consisting of a +/- .902 acre parcel from R-1 (Low Density Residential District) to B-1 (General Commercial District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20B(1)3A consisting of a +/- .902 acre parcel be rezoned from R-1 (Low Density Residential District) to B-1 (General Commercial District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-16

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-16.

Public Comment Regarding Rezoning Ordinance 2024-ORD-16

There was no public comment.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-16

Ms. Lister moved to recommend approval of Ordinance 2024-ORD-016.

Mr. Hall seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-16

Councilmember Austin made a motion to approve Ordinance 2024-ORD-16.

Councilmember Justice seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-16

ORDINANCE NO. 2024-16 REZONES TAX MAP 20B(1)2 CONSISTING OF A +/- .791 ACRE PARCEL FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-1 (GENERAL COMMERCIAL DISTRICT); THIS PROPERTY IS LOCATED SOUTH OF 330 VIRGINIA STREET.

WHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 20B(1)2 consisting of a +/- .791 acre parcel from R-1 (Low Density Residential District) to B-1 (General Commercial District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 20B(1)2 consisting of a +/- .791 acre parcel be rezoned from R-1 (Low Density Residential District) to B-1 (General Commercial District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Rezoning Ordinance 2024-ORD-17

Mayor Goldsmith opened the joint public hearing for Ordinance 2024-ORD-17.

Public Comment Regarding Rezoning Ordinance 2024-ORD-17

There was no public comment.

Mayor Goldsmith closed the public hearing.

Planning Commission Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-17

Ms. Lister moved to recommend approval of Ordinance 2024-ORD-017.

Mr. Hall seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

Town Council Discussion and Vote Regarding Rezoning Ordinance 2024-ORD-17

Councilmember Austin made a motion to approve Ordinance 2024-ORD-17.

Councilmember Justice seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

ORDINANCE NO. 2024-17

ORDINANCE NO. 2024-17 REZONES TAX MAP 2B(1)2A CONSISTING OF +/- 1.3 ACRES FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-1 (GENERAL COMMERCIAL DISTRICT); THIS PROPERTY IS LOCATED SOUTH OF 330 VIRGINIA STREET.

WIHEREAS the Urbanna Town Council has conducted a duly advertised public hearing on August 8, 2024; and

WIHEREAS the Urbanna Town Council has determined that public necessity, convenience, general welfare, and good zoning practices support the rezoning of Tax Map 2B(1)2A consisting of +/- 1.3 acres from R-1 (Low Density Residential District) to B-1 (General Commercial District).

BE IT ORDAINED by the Urbanna Town Council that Tax Map 2B(1)2A consisting of +/- 1.3 acres be rezoned from R-1 (Low Density Residential District) to B-1 (General Commercial District) and that the Town of Urbanna Zoning Map be updated to reflect this change.

This Ordinance shall take effect upon adoption.

Adopted: August 8, 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 |

Lewis Hall made a motion to adjourn the Planning Commission.

Mr. Drayer seconded.

Drayer, Hall, Hanson, Lister, and Wilson voted yes.

Motion passed 5-0.

The Planning Commission adjourned at 7:24pm.

Mayor Goldsmith called for a 3-minute recess.

The meeting resumed at 7:28pm.

PUBLIC HEARING-Proposed Issuance of Bonds and Loan Resolution

Staff Presentation

Mr. Costin and Mayor Goldsmith explained in order to complete the well replacement project, a loan resolution and resolution authorizing bond issuance and sale are necessary. This loan process is to cover cost overruns from Phase I and allow for the payoff of the first loan and entering into a second loan to cover costs associated with Phase I and initiation of Phase II. The original approved loan was found to be insufficient due to escalation of costs.

R. T. Taylor of Davenport and Co. further explained the details and the reason for the matter being brought before council.

Webster Day of Spilman, Thomas & Battle, bond counsel for the Town of Urbanna discussed the process and requirements taking place in the matter.

Mayor Goldsmith opened the public hearing.

Public Comment

There was no public comment.

Mayor Goldsmith closed the public hearing.

Town Council Discussion and Vote Regarding Proposed Issuance of Bonds and Loan Resolution

Councilmember Austin made a motion to adopt the resolution authorizing the issuance and sale of a bond of the Town of Urbanna, Virginia, in a principal amount not greater than \$350,000, as an additional bond pursuant to an initial resolution adopted December 15, 2022, by the council, as presented.

Councilmember Courtney seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A BOND OF THE TOWN OF URBANNA, VIRGINIA, IN A PRINCIPAL AMOUNT NOT GREATER THAN \$350,000, AS AN ADDITIONAL BOND PURSUANT TO AN INITIAL RESOLUTION ADOPTED DECEMBER 15, 2022, BY THE COUNCIL

Pursuant to a resolution adopted December 15, 2022 (the “Initial Resolution”), the Council of the Town of Urbanna (the “Town”) authorized the issuance of a bond in the maximum principal amount of \$1,056,000 to pay costs of capital improvements to the Town’s water system, including a new water well (the “Project”).

The Town is not in default in the performance of any of the covenants, conditions, agreements and provisions in the Initial Resolution.

Within the limitations of and in compliance with the Initial Resolution, the Town is authorized to issue additional bonds secured on parity with the Initial Bond to finance the cost of completing the Project.

The Council has determined the cost of the Project will be greater than initially estimated and has determined that it is necessary to issue its revenue bond in the maximum principal amount of \$350,000 (the “First Additional Bond”), the proceeds of which, together with other available funds, are estimated to be sufficient to pay the cost of the Project.

The United States of America has indicated its willingness to purchase the First Additional Bond upon certain terms and conditions, and the Town, after mature consideration of the conditions of the municipal bond market, has determined to satisfy such terms and conditions and award the First Additional Bond to the United States of America (the “Government”).

On August 8, 2024, the Council held a public hearing on the proposed issuance of the First Additional Bond, in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended.

BE IT RESOLVED BY THE COUNCIL OF TOWN OF URBANNA:

1. The foregoing recitals are made a substantive part of this resolution. Capitalized terms used and not otherwise defined in this resolution have the meanings given them in the Initial Resolution. Whenever used in this resolution, unless a different meaning clearly appears from the context:

“Authorized Officers” means the Mayor, Vice Mayor and Town Administrator of the Town, any one of whom may act;

“Initial Resolution” means the resolution adopted December 15, 2022, by the Council and entitled “RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND AWARD OF WATER REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED

\$1,056,000 AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF THE BONDS;”
and

“First Additional Bond” means the bond issued pursuant to this resolution.

2. Pursuant to Article VII, Section 10(a)(3) of the Constitution of Virginia and the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (the “Act”), there is authorized to be issued a bond of the Town in the maximum principal amount of \$350,000 to provide funds to finance the cost of completing the Project. To the extent permitted by Section 15.2-2601 of the Act, the Council elects that the First Additional Bond will be issued under the provisions of the Act without regard to the requirements, restrictions or provisions in any charter or local or special act applicable to the Town.

3. (a) The First Additional Bond will be issued as one fully registered bond without coupons. Subject to subsection (b) below, each of the Authorized Officers is authorized to determine and approve all of the other final details of the First Additional Bond, including but not limited to its description and series designation, dated date, interest rate or rates, and the dates and amounts of payments of principal and interest. An Authorized Officer’s determination and approval of the final details of the First Additional Bond shall be evidenced conclusively by such officer’s execution and delivery of the First Additional Bond in accordance with this resolution.

(b) Despite anything in this resolution to the contrary:

- (i) The original principal amount of the First Additional Bond will not exceed \$350,000;
- (ii) The per annum interest rate on the Initial Bonds will not exceed 4.00%;
and
- (iii) The due date of the last installment of principal will not be later than 40 years after the date of the First Additional Bond.

(c) Payments on the First Additional Bond will be payable in lawful money of the United States of America by check or draft mailed to the registered owner of the First Additional Bond at its address as it appears on the registration books, except that the final installment on the First Additional Bond shall be payable upon presentation and surrender of the First Additional Bond at the office of the Town Manager who is appointed Registrar for the Bonds.

4. Installments of principal due on the First Additional Bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Notwithstanding the above, the Town may at any time deliver moneys to the Government with instructions that such moneys be credited against future installments due on the First Additional Bond in inverse chronological order. Prepayments shall not affect the obligation of the Town to pay the remaining installments payable as provided in the First Additional Bond.

5. The First Additional Bond will be signed by an Authorized Officer and the Town's seal will be affixed to it and attested by the Town Clerk or Deputy Town Clerk.

6. The First Additional Bond will be in substantially the following form:

No. R-1

#[amount]

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

TOWN OF URBANNA

Water Revenue Bond, Series of [year]

Dated: [date]

The Town of Urbanna, a body politic and corporate of the Commonwealth of Virginia (the "Town"), for value received, promises to pay, solely from the revenues described and pledged in the Bond Resolution, as defined below, to the payment of the principal of and interest on this bond, to the United States of America, or registered assigns, the principal sum of

[amount] DOLLARS

(\$[amount])

and to pay, solely from such source, to the registered owner hereof interest on the unpaid principal balance until payment of the entire principal sum at the rate of [rate]% per year. Installments of combined principal and interest of #[amount] are payable beginning [date], and continuing on the same day of each month thereafter until the principal of this bond is paid in full. Any payment on this bond shall be applied first to interest accrued to such payment date and then to principal. If not sooner paid, the final installment shall be due and payable 40 years from the date of this bond. Such installments shall be payable in lawful money of the United States of America by check or draft mailed to the registered owner at its address as it appears on the registration books kept for that purpose at the office of the Town Manager who has been appointed Registrar, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been issued pursuant to the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (the "Act") and a resolution adopted by the Council of the Town (the "Council") on August 8, 2024 (the "Bond Resolution") under the Act. The purpose of this bond is to provide funds, together with other available funds, to finance costs of capital improvements to the Town's water system, including a new water well and connection, and costs of issuing this bond. Reference is made to the Bond Resolution and any amendments to it for the provisions, among others, describing the pledge and covenants securing this bond, the nature and extent of the security, the terms and conditions upon which this bond is issued, the rights and obligations of the Town and the rights of the bondholder.

Capitalized terms used but not otherwise defined in this bond have the meanings given them in the Bond Resolution.

Both principal of and interest on this bond are payable solely from the Gross Revenues of the System, and nothing in this bond or in the Bond Resolution shall be deemed to create or constitute a general obligation of or a pledge of the faith and credit of the Commonwealth of Virginia or any county, city, town or other political subdivision of the Commonwealth, including the Town.

Pursuant to the Bond Resolution, the Town has pledged the Pledged Revenues to the payment of the principal of and interest on this bond. The lien of such pledge is on parity with the lien of the pledge of Pledged Revenues for the payment of the Town's \$1,056,000 Water Revenue Bond, Series of 2024.

Additional bonds secured equally and ratably with this bond by a pledge of Pledged Revenues may be issued from time to time under the conditions, limitations and restrictions set forth in the Bond Resolution.

This bond is fully registered as to both principal and interest in the name of United States of America. Transfer of this bond may be registered upon the registration books of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by the Mayor, Vice Mayor or Town Administrator of the Town and attested by the Town Clerk of the Town.

ATTEST:

[NOT FOR SIGNATURE]
Town Clerk, Town of Urbanna

[NOT FOR SIGNATURE]
Mayor, Town of Urbanna

7. The First Additional Bond will be fully registered as to both principal and interest. Transfer of the First Additional Bond may be registered upon books maintained for that purpose at the office of the Registrar. Prior to due presentment for registration of transfer the Registrar shall

treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

8. The Town shall pay promptly, as provided in the First Additional Bond, the principal of and interest on the First Additional Bond, but such principal and interest shall be payable solely from Gross Revenues, and nothing in the First Additional Bond or in this resolution will be deemed to create or constitute a general obligation of or a pledge of the faith and credit of the Commonwealth of Virginia or of any county, city, town or other political subdivision of the Commonwealth of Virginia, including the Town.

9. This resolution is adopted and the First Additional Bond is authorized within the limitations of, and in compliance with, the Initial Resolution, including Article VI of the Initial Resolution. All covenants and provisions of the Initial Resolution apply with full force and effect to the First Additional Bond and to the owner thereof, except as otherwise provided herein. As supplemented by this resolution, the Initial Resolution is ratified and confirmed and deemed to be in full force and effect. When issued, the First Additional Bond will constitute one of the Bonds.

10. The Authorized Officers and the Town Clerk are each authorized and directed to take all proper steps to have the First Additional Bond prepared and executed in accordance with its terms and to deliver the First Additional Bond to the Government upon payment of its purchase price or the Government's agreement to pay the purchase price of the First Additional Bond.

11. The Town shall refinance the unpaid principal balance of the First Additional Bond upon the request of the Government if at any time it shall appear to the Government that the Town is able to do so with funds obtained from responsible private sources at reasonable rates and terms for loans for similar purposes and periods of time.


12. The Town Clerk is authorized and directed to see to the immediate filing of a certified copy of this resolution with the Circuit Court of Middlesex County, Virginia, pursuant to Section 15.2-2607 of the Act.

13. This resolution shall take effect immediately.

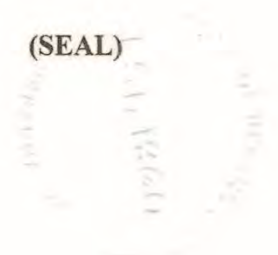
* * *

The undersigned Town Clerk of the Town of Urbanna, Virginia, certifies that (a) the foregoing constitutes a true, complete and correct copy of a resolution adopted by the Council at a meeting of the Council held on **August 8, 2024**, (b) such meeting was a duly called and held regular meeting (c) during the consideration of the foregoing resolution, a quorum was present, and (d) how each member of Council present at the meeting voted with respect to the adoption of the foregoing resolution was recorded at the meeting as follows:

| <u>Member</u> | <u>Attendance</u> | <u>Vote</u> |
|--------------------------|-------------------|-------------|
| William Goldsmith, Mayor | Present | Aye |
| Marjorie Austin | Present | Aye |
| Larry Chowning | Present | Aye |
| Alana Courtney | Present | Aye |
| Merri Hanson | Present | Aye |
| Beth Justice | Present | Aye |
| Sandy Sturgill | Present | Aye |


Town Clerk, Town of Urbanna, Virginia

(SEAL)



Councilmember Austin made a motion to adopt the United State Department of Agriculture (USDA) Loan Resolution for Public Bodies as presented.
Councilmember Sturgill seconded.
Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.
Motion passed 7-0

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Town Council

OF THE Town of Urbanna

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Public Well Project (Cost Overrun)

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Urbanna

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Three Hundred Fifty Thousand & 00 100

pursuant to the provisions of Code of VA; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ 0

under the terms offered by the Government; that the N/A

and N/A of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas 7 Nays 0 Absent 0

IN WITNESS WHEREOF, the Town Council of the

Town of Urbanna has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this 2024, 8th day of August

Town of Urbanna

(SEAL)

By [Signature]

Attest: [Signature]

Title Mayor

Title Town Clerk Martha J Rodenburg

MINUTES

Councilmember Austin made a motion to approve the minutes of the March 28, 2024 work session as presented.

Councilmember Sturgill seconded.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.

Motion passed 7-0

REPORTS

Town Administrator

Mr. Costin presented his report which included the following:

- Pool operational and construction issues are being addressed as they arise.
- Two swim meets had to be canceled due to excessive heat, but the championships did take place.
- Pre-construction meeting was held regarding the well on July 24.
- Would like a meeting regarding the July 4th events.
- No progress on “No Wake” signage, signage at end of Virginia St., or Friends of Urbanna MOU.
- Progress has been made in pole removal by Dominion.
- Home Occupation and B-1 amendments were completed.
- Oyster Festival Queen candidate, Anna Crown, is donating a handicap swing for Taber Park.
- FY2023 audit draft received, and revisions are necessary.
- Met with DEQ officials and staff regarding a kayak launch at the Town Marina, and spoke to the possibility of the project being part of a potential Eagle Sout service project.
- All-hands staff meeting took place.
- Staff is monitoring Hurricane Debbie.

Treasurer

Ms. Hutton presented the June Treasurer’s report which was included in the agenda packet.

In response to a question from Councilmember Austin, Ms. Hutton explained golf cart permits can be issued to anyone, regardless of where they live, as long as they have the required documentation. It is the owner’s responsibility to follow the law. Discussion of enforcement took place.

Business licenses are being processed and Ms. Hutton will be following up with known businesses that have not submitted their applications.

Discussion took place regarding the collection of delinquent water accounts and past difficulties in doing so, as well as the need to establish a uniform policy that is enforced consistently.

OLD BUSINESS

Councilmember Sturgill asked where the closing on Town Hall stood. Ms. Erard responded that everything on the town side was completed, but was waiting for documents from the seller.

NEW BUSINESS

There was no New Business.

PUBLIC COMMENT

- Tammy Putney spoke regarding his past issues with non-payment of a tenant water bill that caused a lien to be placed on his property.

COUNCIL COMMENT

Ms. Erard spoke to the requirement to follow State Code in regards to collection enforcement.

Discussion took place regarding notifying property owners of non-payment of water bills by their tenants, as well as disconnection procedures.

Mr. Costin added there is a penalty for turning off or on the town owned water meters.

ANNOUNCEMENTS

Councilmember Austin asked for everyone to keep Bill Hight in their prayers following his accident.

Mayor Goldsmith announced the overpayment of the Bank Franchise Fee had been paid off.

Councilmember Chowning announced a fundraiser had been held by Friends of Urbanna.

ADJOURN

Councilmember Austin made a motion to adjourn.

Councilmember Sturgill seconded.

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

Motion passed 7-0

Meeting adjourned at 8:09pm

Submitted by:

Martha J. Rodenburg, Town Clerk

Approved by Town Council February 13, 2025

ATTEST:

Christine H. Branch, Town Clerk