



Town of Farmville

Town Council

August 9, 2023 at 7:00 PM
Council Chamber of the Town Hall
116 North Main Street, Farmville, VA

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Adoption of Agenda**
6. **Declaration of Personal Interest**
7. **Presentation of Old Dominion EMS Alliance Regional Award for Telecommunicator of the Year**
8. **Introduction of Farmville Fire Department New Firefighter**
9. **Update from Town Attorney**
 - a. August 2, 2023 Memorandum from Hefty Wiley & Gore, P.C.
10. **Public Hearing**

Public Hearing - Resolution No. 2023-07-01 - to rezone approximately 31 acres from R-1 to

 - a. R-2 - 300 block of Meriwood Farm Road, Official Zoning Map Amendment, Comprehensive Plan Amendment
11. **Public Comment Period**
 - a. Public Comment Sign-Up Sheet
12. **Consent Agenda**
 - a. Draft Minutes of the July 5, 2023 Work Session and July 12, 2023 Regular Council Meeting
13. **Finance Report**
 - a. July 2023 Finance Report
14. **Old Business**

Request Adoption of Resolution No. 2023-07-01 - to rezone approximately 31 acres from

 - a. R-1 to R-2 - 300 block of Meriwood Farm Road, Official Zoning Map Amendment, Comprehensive Plan Amendment
15. **New Business**
 - a. Authorize Town Manager to Sign Deed of Easement on behalf of the Town for Fiber New Facilities Building
 - b. Request Adoption of Resolution No. 2023-08-01 Approval of SafetyStick technology for monitoring and enforcement of illegal parking areas
 - c. Request Adoption of Resolution No. 2023-08-02 Approval of Enterprise Zone Local Economic Development Incentive for Architectural Services Reimbursement

- 16. Town Manager's Report**
- 17. Comments by the Mayor and Town Council**

HEFTY WILEY & GORE, P.C.

TO: Gary Elder
Farmville Town Attorney

FROM: Eric Gregory
Danielle Powell
Hefty Wiley & Gore, P.C.

DATE: August 2, 2023

RE: Planned Unit Developments and the Comprehensive Plan

MEMORANDUM

You asked us to provide guidance concerning the issue of whether a locality's comprehensive plan must include a planned unit development before such a development or an ordinance allowing for planned unit developments could be approved or promulgated. Our legal analysis follows, with options for consideration.

Question Presented: Must a Planned Unit Development be included in a locality's comprehensive plan prior to adopting a Planned Unit Development Ordinance or approving a Planned Unit Development?

Answer: No, a Planned Unit Development does not have to be included in a locality's comprehensive plan prior to adopting a Planned Unit Development Ordinance or approving a Planned Unit Development. However, though not legally required, because the comprehensive plan is one of the most important, and most relied upon factors used in providing guidance for zoning decisions, it is advisable to have consistency between the two documents.

Legal Analysis:

I. What is a Comprehensive Plan and what is its purpose?

A comprehensive plan is a plan for the physical development of a territory within a locality's jurisdiction and provides localities the opportunity to be proactive and deliberate regarding its physical development.¹ The comprehensive plan provides a reference and helps provide guidance for making planning decisions in a coordinated, adjusted, and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the

¹Virginia Code Section 15.2-2223(A).

inhabitants, including the elderly and persons with disabilities.² While the comprehensive plan *must* show the long-range recommendations for general development, it *may* include public and private development use, such as different kinds of residential areas.³ The inclusion of private development guidelines and standards is permissible and provide helpful guidance on a locality's desires and goals but it is not mandatory.

Despite its importance, the comprehensive plan is not an instrument of land use control,⁴ and does not have the status of a zoning ordinance.⁵ It is advisory only and serves as a guide for the development and implementation of the zoning ordinance.⁶ In fact, the comprehensive plan is one of several factors to be considered when making a zoning decision.⁷ Therefore, a zoning decision is not necessarily unreasonable or legally deficient simply because a governing body chooses not to follow its comprehensive plan. Consulting and relying on a comprehensive plan, however, facilitates reasonable and well-informed decisions. And, decisions that conform to the comprehensive plan are more likely to be found reasonable and are likely to reduce the potential discrimination claims in the decision-making process by landowners.

II. What are the contents of Farmville's Comprehensive Plan and does it reference Planned Unit Developments (PUD)?

Farmville's Comprehensive Plan meets the general requirements listed above, expresses the aspirations of the locality, and provides a vision for transportation, land use, housing and recreation for the community.⁸ Included in the comprehensive plan is a mention of a "mindful increase," to moderate and higher density residential as well as mixed-use land uses to "help address the community need and encourage infill and redevelopment."⁹ Adding residential density is also discussed in the future land use map. An illustration indicates there can be between 18 to 36 units

² Virginia Code Section 15.2-2223(A); 2010 Va. AG LEXIS 2, *3-6 ("[A] comprehensive plan serves as a general guideline for the development and implementation of a zoning ordinance").

³ 15.2-2223(C)(1).

⁴ "A comprehensive plan ... acts as an indirect instrument of land use control with respect to public areas, public buildings, [and] public structures, ... whether publicly or privately owned." Once the plan has been recommended by the local planning commission and adopted by the governing body, such proposed public facilities *must* be submitted and approved by the local commission as being substantially compliant with the adopted comprehensive plan." *Emphasis added.* 2002 Va. AG LEXIS 51, *9.

⁵ Bd. of Supervisors v. Allman, 215 Va. 434, 434, 211 S.E.2d 48, 48 (1975); Bd. of Supervisors v. Safeco Ins. Co., 226 Va. 329, 331, 310 S.E.2d 445, 446 (1983).

⁶ *Id.*; Hartley v. Bd. of Supervisors, 110 Va. Cir. 203, 203 (Cir. Ct. 2022).

⁷ See Section 15.2-2284; in addition to the comprehensive plan, zoning ordinances and districts should consider: (i) existing use and character of property, (ii) the suitability of property for various uses, (iii) the trends of growth or change, (iv) the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, (v) the transportation requirements of the community, (vi) the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, (vii) the conservation of natural resources, (viii) the preservation of flood plains, (ix) the protection of life and property from impounding structure failures, (x) the preservation of agricultural and forestal land, (xi) the conservation of properties and their values and (xii) the encouragement of the most appropriate use of land throughout the locality.

⁸ Commentary is based on Farmville's Comprehensive Plan adopted June 10, 2020.

⁹ Farmville Comprehensive Plan, "Existing Conditions," p.50.

per acre as well as 50 plus units per acre¹⁰. There is also a summary related to future conditions of residential uses which contemplates up to 24 units per acre for both urban residential and mixed-use commercial.¹¹ Mixed uses are also envisioned in the Downtown Commercial district, stating residential use “should be welcomed in the downtown...[t]he overall focus of downtown land use should not be on any one use, but on the maintenance of a cohesive district where a variety of businesses and uses all contribute to the success of their neighbors.”¹²

A planned unit development is a “form of development characterized by a unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses.”¹³ Although the term “planned unit development,” is not used explicitly in the comprehensive plan, mention of increased residential density and mixed-use development seems to anticipate future zoning which could include planned unit developments in both the mixed-use and commercial districts.

III. Options for consideration

If council wishes to adopt a PUD Ordinance, Council the following options are suggested for consideration:

1. Option One: Adopt PUD ordinance only

Because the comprehensive plan is a guide and strict compliance is not required, Council could adopt a PUD Ordinance and without amending its comprehensive plan.¹⁴ This is reasonable, especially if Council desires to adopt an ordinance with a cap of up to 24 units per acre, which is within the parameters provided by its adopted comprehensive plan. Council is not prohibited from adopting an ordinance outside of the parameters of its plan. Doing so may create inconsistencies between the comprehensive plan and zoning ordinance but this does not present a legal impediment.

2. Option 2: Amend the Comprehensive Plan and adopt PUD ordinance

Council can amend the Comprehensive Plan adopt a PUD Ordinance to clarify the Town’s long-range vision for increased residential or commercial density. This process can happen simultaneously or concurrently, thereby avoiding delays, if desired. Using this option would align the ordinance with the comprehensive plan, ensure Council does not have conflicting policies, and minimizes confusion about the locality’s goals. If council prefers this option, a basic outline of the next steps is below:

¹⁰ Farmville Comprehensive Plan, “Future Land Use,” p.54.

¹¹ Farmville Comprehensive Plan, “Future Land Use,” p.56.

¹² Farmville Comprehensive Plan, “Future Land Use,” p.57.

¹³ Virginia Code Section 15.2-2201.

¹⁴ Of course, Council would need to follow requirements of 15.2-2204 and 15.2-2285, any other applicable laws, before adopting the ordinance.

- a. To amend the comprehensive plan: Council can either prepare the amendment and refer it to the planning commission for a public hearing or Council can direct the planning commission to prepare the amendment and submit it to a public hearing within 60 days or a longer timeframe, as Council deems appropriate. In acting on any amendments to the plan, the governing body must act within 90 days of the planning commission's recommending resolution. The Virginia Department of Transportation will also need to review the amendment prior to the adoption of an amendment.
- b. To amend the zoning ordinance: Zoning text amendment needs to be initiated by a resolution of intent adopted by the governing body, or a motion adopted by the planning commission and must state the public purpose for the proposed action.¹⁵ The planning commission must have a public hearing before recommending an amendment to Council and Council must have a public hearing prior to adopting an ordinance amendment.

Thank you,
Eric Gregory
Danielle Powell
Hefty, Wiley and Gore, P.C.

¹⁵ Virginia Code Section 15.2-2286(A)(7); the resolution can recite the purposes set forth in Virginia Code §15.2-2286(A)(7) (public necessity, convenience, general welfare, or good zoning practices), rather than state specific, independent purposes).

Brian R. Vincent
Mayor

Mary H. McKay
Clerk of Council



COUNCIL
A. D. "Chuckie" Reid
Adam B. Yoelin
Daniel E. Dwyer
Donald L. Hunter
John Hardy
Sallie O. Amos
Tommy Pairat

Town of Farmville
Town Council
PUBLIC HEARING NOTICE

The Farmville Town Council will hold a public hearing on Wednesday, August 9, 2023, at 7:00 PM in the Council Chamber, located on the second floor of the Town Hall, 116 North Main Street, Farmville, Virginia to receive public comment on the following item:

- **Resolution No. 2023-07-01 – to rezone approximately 31 acres from R-1 to R-2. The site is located on the 300 block of Meriwood Farm Road and consists of parcel numbers 0037000(OA)00-060B, 0037000(OA)00-061, and 0037000(OA)00-062.**

Official Zoning Map Amendment

The Zoning Map is being updated to reflect the change resulting from the rezoning.

- **Rezone tax parcel numbers 0037000(OA)00-060B, 0037000(OA)00-061, and 0037000(OA)00-062 from R-1 to R-2.**

Comprehensive Plan Amendment

The Comprehensive Plan Amendment revises the Existing Land Use Map and the Future Land Use Map. The following is a description of the changes:

- **Existing Land Use Map amends tax parcels 0037000(OA)00-060B, 0037000(OA)00-061, and 0037000(OA)00-062 from Vacant/Undeveloped to Residential.**
- **Future Land Use Map amends tax parcels 0037000(OA)00-060B, 0037000(OA)00-061, and 0037000(OA)00-062 from Low Density Residential to Moderate Density Residential.**

The Farmville Town Council will consider the request following the public hearing. Any person(s) wishing to comment on the above matter should plan to attend this meeting or submit written comments. If you do not feel comfortable attending the meeting, you can participate by contacting the Clerk of Council's office and ask to participate in the public hearing by phone. Once a person has formally made this request, they will be provided with a conference call number. Please send your requests to Mary McKay at mmckay@farmvilleva.com or by calling (434) 392-9465 by 5:00 PM on Wednesday, August 9, 2023.

Questions and comments related to the public hearing may be directed to the Department of Community Development, 116 North Main Street, PO Drawer 368, Farmville, Virginia, 23901 or by calling (434) 392-8465, between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

It is the intent of the Town to comply with the Americans with Disabilities Act. Should you need special accommodation, please contact C. Scott Davis, LP.D., Town Manager, at (434)392-5686, prior to the meeting.



**PUBLIC HEARING COMMENTS
RESOLUTION NO. 2023-07-01
(Rezone approx. 31 acres from R-1 to R-2
300 block of Meriwood Farm Road/ Official Zoning Map
Amendment/Comprehensive Plan Amendment)
August 9, 2023
Guests Sign Up Sheet**

<i>Name</i>	<i>Address</i>	<i>Topic</i>	<i>Via</i>



**PUBLIC COMMENT PERIOD
(held after PUBLIC HEARINGS)**

August 9, 2023

Guests Sign Up Sheet

(Please limit comments to three minutes)

<i>Name</i>	<i>Address</i>	<i>Topic</i>	<i>Via</i>
SARAH MADDOX	FARMVILLE, VA	PIEDMONT AREA VETERANS' COUNCIL	IN PERSON



Town of Farmville

Agenda Item Summary

MEETING DATE: August 9, 2023

ITEM NUMBER: 12.a. – Draft Minutes of the July 5, 2023 Work Session and July 12, 2023 Regular Council Meeting

BACKGROUND:

RECOMMENDATION: Approve the Consent Agenda, as presented.

FISCAL IMPACT:

ATTACHMENTS:

1. 2023-07-05 Work Session-DRAFT
2. 2023-07-12 Regular Council Meeting-DRAFT

REGULAR WORK SESSION OF THE FARMVILLE TOWN COUNCIL
HELD ON JULY 5, 2023

At the regular work session of the Farmville Town Council held on Wednesday, July 5, 2023, at 6:00 PM, in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there were present Mayor Brian Vincent, presiding, and Council members Sallie Amos, A.D. “Chuckie” Reid, Dan Dwyer, Adam Yoelin, and John Hardy.

Staff present were Town Manager Scott Davis, Chief of Police Andy Ellington, Town Attorney Gary Elder, Finance Director Julie Moore, Interim Community Development Director and IT Support Ashley Atkins-Austin, Deputy Clerk Jacqueline Vaughan, and Clerk of Council Mary McKay.

Mayor Vincent called the meeting to order.

The Clerk called the roll, noting Tommy Pairet and Donald Hunter as absent, however, entered the meeting at 6:02 PM and 6:42 PM, respectively.

ADOPTION OF AGENDA

A motion was made by Mr. Reid to adopt the agenda, seconded by Mrs. Amos, and with all in favor stating “aye”, the motion passed.

DECLARATION OF PERSONAL INTEREST

There were no declarations of personal interest made.

INTRODUCTION OF FARMVILLE POLICE DEPARTMENT NEW OFFICER

Chief Andy Ellington introduced the Department’s new Officer, William Norman, who was welcomed by Mayor Vincent.

FINANCE REPORT

Finance Director Julie Moore reported the total revenue for May 2023 is approximately 92% of what is budgeted and on track excluding items such as the bond payment. The total revenue compared to the prior year is up again for May due to receiving grant funds for projects at the airport and from the sale of the golf course. Expenses are below 92%, which means the departments are staying within their budgets. Ms. Moore advised in a month or so with the fiscal year ending, some line items may be over budget and approval will need to be requested to allow allocations to be moved from one department to another, which is a standard process.

Included in the FY 2023-2024 adopted budget were loan proceeds and payments for four police cars and a leaf truck to be financed. A Resolution will be brought forward at the July 12, 2023 Regular Council Meeting requesting permission for the Town Manager to sign the loan documents. The proposed loan has a three-year term and an interest rate of 3.65 percent.

DISCUSSION: PROPOSED RESOLUTION NO. 2023-07-01 – TO REZONE APPROXIMATELY 31 ACRES FROM R-1 TO R-2 – 300 BLOCK OF MERIWOOD FARM ROAD

A verbal report was provided by Interim Community Development Director Ashley Atkins-Austin. The request is to rezone approximately 31 acres from R-1 Low Density Residential to R-2 Medium Density Residential. The area is located in the 300 block of Meriwood Farm Road and consists of three parcels and adjacent to the Wal-Mart Shopping Center. The Future Land Use Map of the Comprehensive Plan shows this area as Low Density Residential which would allow for a density of up to four units per acre. The proposed amendment to the Future Land Use Map would allow for Moderate Density Residential in this area and would allow up to 10 units per acre. The Comprehensive Plan Existing Land Use Map shows this area as being vacant. The amendment to the Existing Land Use Map would change this area to Residential. Included in the Staff Report was a memorandum from Mitch Bowser with VHB stating they have done preliminary work of locating water and sewer lines but have not completed an analysis to determine if the water and sewer mains have the capacity for the new development nor have they completed a physical feasibility study for connecting to the utilities identified. The developer will work with Public Works staff on the availability of water and sewer for their project. VHB also has completed a high-level summary of the potential traffic impacts for this area. Included in the Staff Report to Council was a letter from Chuck Conran and Nancy Carr from VHB noting from their analysis, the existing South Main Street access intersection should have the capacity to accommodate the development. The site is not located in an overlay district floodplain or other protected area and is currently mostly wooded. Staff findings are that this application appears to meet the standards of review for a rezoning set forth in Section 29-14.d.1 of the Town Zoning Ordinance. Staff recommended approval of the proposed rezoning and amendments to the Official Zoning Map, Future Land Use Map, and Existing Land Use Map. The Planning Commission recommended approval to Town Council of the rezoning with an affirmative vote of 6-1.

Mr. Yoelin made an inquiry, going from R-1 to R-2, if there was no intention to go up in the numbers of suggested housing developments from 140-150? Going to R-2 allows the

developer to go up to 10 units per acre, and if the developer did go up to 310 units, the traffic report dealing with the intersections is based on the 140-150 number. He further asked when does Council receive a report if the developer goes up to 310 units? Ms. Atkins-Austin advised the developer would return for subdivision approval from Town Council at which point a full analysis would be required.

Mr. Dwyer inquired if a threshold of more than 140-150 units would have to come back before Council? Ms. Atkins-Austin advised regardless, the developer must return to the Town Council with the subdivision plan, and the Town Council can either approve or deny the plan.

Mr. Hardy noted his concern about the potential, if ever built, for increased traffic as the proposed development is connected to property that has already been approved.

Town Manager Davis advised it may be better for Council members Yoelin and Hardy to ask their questions of the applicant or their consultant during the Public Hearing process on July 12, 2023.

DISCUSSION: PROPOSED ORDINANCE NO. 225 – TO PROVIDE A GIFT OF \$350,000 TO F.I.D.A. TO PROVIDE LOAN(S) TO ENTITIES FOR ECONOMIC DEVELOPMENT IN THE MAIN STREET CORRIDOR

Town Manager reported staff have been in conversation with a group who is interested in rehabilitating some buildings on Main Street. Town Council is being asked to gift \$350,000 to the Farmville Industrial Development Authority (F.I.D.A.) from the proceeds of the sale of the golf course. The F.I.D.A. would loan funds to an entity to rehabilitate and provide some economic development on the Main Street Corridor. A brief discussion was held clarifying the request being made.

DISCUSSION: AMENDING ABM BUILDING SOLUTIONS LLC CONTRACT FOR MORE DATA ON WATER USAGE

Town Manager provided a verbal report. Representatives from ABM Building Solutions LLC will provide a presentation at the July 12, 2023 Regular Council meeting without a report on the current water meter system. It is thought there is not enough data to provide an accurate picture of the water loss. The current meters are not tested on a regular basis and based on the town's records, there is an approximate loss of 9-10%. Also mentioned as an example was a large commercial leak at Centra Southside Community Hospital and the water loss which had to be estimated. ABM is suggesting all meters including residential be tested. What was brought forward for Council's consideration was a contract addendum to test the larger meters only, as it appears more detrimental in regard to revenue loss at the commercial-level size than with the

residential meters losing water. The additional cost of approximately \$25,000 would be added to the overall contract cost if all the town's water meters were replaced by ABM.

Council member Hardy asked for a synopsis of the testing process to be completed.

Town Manager advised ABM staff could provide any needed details at next week's meeting. A discussion was held beginning with an inquiry made by Mayor Vincent on the total proposed cost. Council member Yoelin expressed his concern over the doubling costs and noted even though he supports modernizing the water meter system, he questioned having to go back and double the costs to get the actual data needed after the original document was signed. The discussion continued with several Council members providing comments and posing additional questions. Council member Hardy asked about the necessity for testing instead of moving forward and placing the meter upgrade costs into the budget.

Town Manager advised if ABM completes the work, there are no upfront costs as the costs are paid through the savings realized. If ABM does not complete the work, there are out of pocket costs and then there is only the information we would need to do something with. Information is still needed on the exact water meter loss in order to install an accurate system.

Mrs. Amos inquired about the relevancy of a question she was curious about. If ABM's system was in place would the location of the large water leak have been known? Town Manager advised the leak did not involve the meter but the actual waterline.

Mayor Vincent concluded the discussion noting from the Council Retreat, there was a focus on asset management and understanding the town's assets before any further decisions are made.

TOWN MANAGER'S REPORT

Town Manager Davis extended a thank you to Jacqueline Vaughan who was asked to lead the planning group and committee this year for the Fireworks After Dark Event. He also thanked the Public Works Department, Farmville Police Department, Farmville Fire Department, Hampden-Sydney College Volunteer Fire Department, and all the sponsors and committee members who were dedicated to the success of the event as well as all who were in attendance.

Dr. Davis spoke on one of the goals he set at the onset of his employment, one of which was for the Town of Farmville to be more financially sound and to receive acknowledgement from outside agencies that certain standards have been met. He thanked the Council for their support and for allowing Finance Director Julie Moore to be hired, allowing financial policies and best practices to be put into place. He concluded by making an announcement that for the first time in

the history of Farmville, a Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting has been awarded.

A report was provided on the Granite Falls Subdivision housing development in Prince Edward County off Fairgrounds Road. An approximate total of 10-12 housing units will be within the Town limits on the back side of the development. The Town's water and sewer ordinances state that if not adequately available, the Town Manager can ask the Town Council for a waiver of hookup to the Town Water/Sewer. A Resolution will be brought forward to the July 12, 2023 Regular Council Meeting to allow a waiver for this development as the ordinance states. The referenced housing units will be located approximately 2000 feet from any water access to the property and sewer is approximately 3500 feet from the nearest sewer line. Another person's property also would have to be crossed to carry the waterline through to that development.

Mr. Hardy inquired of the possibility of providing Town water and sewer for the entire subdivision. Town Manager mentioned already having a discussion with Prince Edward County, noting the developer was not interested in the cost of bringing water and sewer to the subdivision.

Mr. Dwyer asked about other services such as garbage pickup, with the Town Manager noting the topic was not yet addressed to his knowledge.

COMMENTS BY THE MAYOR AND MEMBERS OF TOWN COUNCIL

Mr. Pairet extended a thank you to the Town Manager for his leadership and the great job he and Finance Director Julie Moore and staff have done being fiscally responsible with the Town's finances.

Mr. Hardy thanked Jackie Vaughan and everyone who was involved with the Fireworks After Dark Event.

Mayor Vincent concluded by offering remarks on the event and thanked Town staff for all their efforts in bringing the community together. Congratulations also was offered for the GFOA award.

There being no other business and on a motion by Mr. Dwyer, seconded by Mr. Reid, with all in favor stating "aye", the meeting adjourned at 6:46 PM.

APPROVED:

ATTEST:

Brian R. Vincent, Mayor

Mary H. McKay, Clerk of Council

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON JULY 12, 2023

At the regular meeting of the Farmville Town Council held on Wednesday, July 12, 2023, at 7:00 PM, in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there were present: Mayor Brian Vincent, presiding, and Council members Sallie Amos, A.D. “Chuckie” Reid, Dan Dwyer, Tommy Pairet, Adam Yoelin, Donald Hunter and John Hardy.

Staff present were Town Manager C. Scott Davis, Chief of Police Andy Ellington, Town Attorney Gary Elder, Finance Director Julie Moore, Interim Community Development Director and IT Support Ashley Atkins-Austin, Public Works Director Robin Atkins, Fire Chief Daniel Clark, Deputy Clerk Jacqueline Vaughan, and Clerk of Council Mary McKay.

Mayor Vincent called the meeting to order, and all guests were welcomed.

The Clerk called the roll, noting all Council members were present.

The Lord’s Prayer was recited, followed by the Pledge of Allegiance led by Vice-Mayor Reid.

ADOPTION OF AGENDA

A motion was made by Mr. Hunter to adopt the agenda as presented, seconded by Mr. Dwyer, and with all in favor stating “aye”, the motion passed.

DECLARATION OF PERSONAL INTEREST

There were no declarations of personal interest made.

PUBLIC HEARING-RESOLUTION NO. 2023-07-01 – TO REZONE APPROXIMATELY 31 ACRES FROM R-1 TO R-2 – 300 BLOCK OF MERIWOOD FARM ROAD, OFFICIAL ZONING MAP AMENDMENT, COMPREHENSIVE PLAN AMENDMENT

Town of Farmville
Town Council
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Official Zoning Map Amendment

The Zoning Map is being updated to reflect the change resulting from the rezoning.

- **Rezone tax parcel numbers 0037000(OA)00-060B, 0037000(OA)00-061, and 0037000(OA)00-062 from R-1 to R-2.**

Comprehensive Plan Amendment

The Comprehensive Plan Amendment revises the Existing Land Use Map and the Future Land Use Map. The following is a description of the changes:

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The Farmville Town Council will consider the request following the public hearing. Any person(s) wishing to comment on the above matter should plan to attend this meeting or submit written comments. If you do not feel comfortable attending the meeting, you can participate by contacting the Clerk of Council's office and ask to participate in the public hearing by phone. Once a person has formally made this request, they will be provided with a conference call number. Please send your requests to Mary McKay at mmckay@farmvilleva.com or by calling (434) 392-9465 by 5:00 PM on Wednesday, July 12, 2023.

Questions and comments related to the public hearing may be directed to the Department of Community Development, 116 North Main Street, PO Drawer 368, Farmville, Virginia, 23901 or by calling (434) 392-8465, between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

It is the intent of the Town to comply with the Americans with Disabilities Act. Should you need special accommodation, please contact C. Scott Davis, LP.D., Town Manager, at (434)392-5686, prior to the meeting.

Robert Dillman of 109 Jesse's Way was present and addressed the Council to provide comments on the proposed rezoning request. As a systems engineer and program manager, Mr. Dillman noted that without specific quantified key factors, it would seem like a decision can't be well made at this time.

Mayor Vincent reported for informational purposes, there will not be a vote on the rezoning request at this meeting due to a discrepancy in having sent out notices to the surrounding neighbors. Notices will be sent out and another public hearing on this issue will be held next month.

David Davino of 105 Jesse's Way was present and also provided comments on the proposed rezoning request. He noted his concerns about the plan including how the proposed development is going to impact traffic and of the environmental impact for the area.

With no one else signed up or wishing to speak, Mayor Vincent closed the Public Hearing for Resolution No. 2023-07-01.

PUBLIC HEARING – ORDINANCE NO. 225 – TO PROVIDE A GIFT OF \$350,000 TO FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY TO PROVIDE LOAN(S) TO ENTITIES FOR ECONOMIC DEVELOPMENT IN THE MAIN STREET CORRIDOR

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ORDINANCE NO. 225 - TO PROVIDE A GIFT OF \$350,000 TO THE FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY TO PROVIDE A LOAN(S) TO ENTITIES FOR ECONOMIC DEVELOPMENT IN THE MAIN STREET CORRIDOR.

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Ordinance No. 225 can be viewed on the Town's website or by contacting the Clerk of Council's office to request a copy.

Questions and comments related to the public hearing may be directed to the Town Manager's Office, 116 North Main Street, PO Drawer 368, Farmville, Virginia, 23901 or by calling (434) 392-5686, between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

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With no one signed up or wishing to speak, the Public Hearing was closed for Ordinance No. 225.

PUBLIC COMMENT PERIOD

Dina Cruz called into the meeting for comments to be heard from those impacted by detention at the ICA-Farmville Detention Facility. A description was provided of the effects caused by imprisonment at the facility. It was asked for Council to choose not to renew the Detention Center contract with ICA on September 15th.

Flor Lopez called into the meeting and read testimony from a detainee from the ICA-Farmville Detention Facility. The statement noted terrible conditions and a request for Council's support to close the facility.

Roslyn Gilliam, a resident of Jackson Heights, 611 Monroe Street, was present to commend Robin Atkins and the Public Works Department staff for the wonderful job they're doing in the town.

With no one else signed up or wishing to speak, Mayor Vincent closed the Public Comment Period and returned the meeting to the regular order of business.

PRESENTATION BY ABM BUILDING SOLUTIONS LLC

Chrissy Sherriff and Whit Blake were present to provide a progress report on the energy audit and infrastructure improvement program development and offered some details and a proposed timeline for the next steps moving forward. Mr. Blake reported on the recommendation of upgraded water meters implementing an AMI solution and the next step of additional testing on the large meters. Another option was described of using degradation tables provided by the manufacturer to determine water loss.

Several questions were posed by Council members. Mr. Pairet asked if the meters could determine the amount of water being produced versus the amount being used. Mr. Blake advised with the current manual read system, information must be compared to the water production records at the plant. Using an AMI system, real-time information is provided.

Mr. Pairet further inquired, referencing a previous question from Council member Sallie Amos, concerning a recent major water leak on private property, whether the location of a water leak could be specified or a red flag if water loss is occurring. Mr. Blake advised leak detection is something that can be implemented as part of the solution and depends on the pipe but can be looked at to see if a viable solution.

Mr. Hunter inquired if leak detection is at an additional cost with Mr. Blake confirming there would be an additional cost to implement it as part of the solution. He noted also that not all technologies have the capability.

Mr. Hardy provided comments on the discussion including whether there is a need to do further testing when we know the meters need to be replaced.

Mr. Yoelin asked if the meter technology allows for the control of the water flow and can be turned off from a distance, with Mr. Blake advising there are remote shut off meters but not all manufacturers have this capability.

A summary of the energy savings and infrastructure improvements for the town's buildings was provided, noting the recommended assets to be upgraded. Energy conservation measures and technical solutions were also reviewed and discussed. Ms. Sherriff provided a summary of solar options and available incentives. Possible site locations were mentioned. Ms. Sherriff reported on the Parking Smarter options. The progress report concluded with some additional discussion held on proposed costs.

CONSENT AGENDA

On motion by Mr. Reid, seconded by Mr. Hardy, and with all Council members stating "aye", the consent agenda was approved as presented. The consent agenda includes the draft minutes of the June 7, 2023 Work Session and the June 14, 2023 Regular Council meeting.

FINANCE REPORT

On motion by Mr. Hunter, seconded by Mr. Reid, and with all Council members stating "aye", the finance report was approved as presented.

BACKGROUND: A report for June 2023 was provided by Finance Director Julie Moore. A total of \$16,450.29 was earned at the Virginia Investment Pool (VIP), for a total so far with VIP of \$44,088.32. There is a total earned for June 2023 of \$16,362.20 in the Sweep Accounts with Benchmark Community Bank, for a total so far of \$32,700.98. There is a total earned income of \$39,634.34 with the money placed with the Local Government Investment Pool (LGIP) for June, for a total earned of \$339,520.57 since investing at LGIP. There is a total earned income for June of \$72,446.83.

REQUEST TO AMEND ABM BUILDING SOLUTIONS LLC CONTRACT FOR MORE DATA ON WATER USAGE

Mr. Pairet made a motion to not sign the contract and put the money towards the cost of the meters, seconded by Mr. Hunter, and with a recorded vote of Council members Reid, Dwyer, Pairet, Yoelin, Hunter, Hardy and Amos voting "yes", the motion passed unanimously.

BACKGROUND: At the January 11, 2023 Regular Council meeting, findings from the preliminary assessment performed in fall 2022 by ABM were presented and what ABM's infrastructure improvement programs can offer. A proposal for an in-depth analysis was described

at the February 1, 2023 Work Session offering more insight into ABM's infrastructure improvement program. Council authorized the Town Manager to sign a Letter of Intent with ABM Building Solutions LLC at the February 8, 2023 Regular Council meeting. A discussion was held at the July 5, 2023 Work Session on amending the ABM contract for more data on water usage. At the July 12, 2023 meeting, ABM representatives provided a progress report on the development of the energy audit and infrastructure improvement program being provided for the town. Council members held a brief discussion on the request being made and voted not to make the additional fee amendment to the contract.

**REQUEST ADOPTION OF RESOLUTION NO. 2023-07-01 – TO REZONE
APPROXIMATELY 31 ACRES FROM R-1 TO R-2 – 300 BLOCK OF MERIWOOD FARM
ROAD, OFFICIAL ZONING MAP AMENDMENT, COMPREHENSIVE PLAN
AMENDMENT**

Mayor Vincent advised this request is being moved to the next regular meeting, notices will be sent to neighboring property owners, and another public hearing will be held at that time. Town Manager Davis advised Will Allen was in attendance and available to answer questions from Council members. Mr. Allen reported working with Harper Associates and represents the development group who is working on the project located on Meriwood Farm Road. Mr. Allen provided clarification on several items:

- The location was selected to go with a rezoning because of the lot configurations being larger than what is seen as desirable in the marketplace and there may be an opportunity to customize the lots for buyer preferences. Mr. Allen mentioned the group doesn't think there is a market in Farmville for 310 units and was unsure how the math was derived for 310 units as previously mentioned. What was presented is approximately 100 units, with kind of a balance of 50/50 split between smaller lots, single-family detached homes and town homes. The town homes would be between 1400 to 2000 square feet.
- Apartments are not permitted in R-2 zoning.
- Concerning questions on affordability, the homes would be market rate. This project is not designed for a subsidized housing program.
- Concerning traffic and utilities, reference was made to the initial study completed by VHB, a multi-disciplined engineering firm who confirm that all local, state, and federal

guidelines are being met. The same standards would apply for environmental impact concerns.

Several questions were asked by Council members with a discussion held for clarification.

REQUEST ADOPTION OF ORDINANCE NO. 225 – TO PROVIDE A GIFT OF \$350,000 TO FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY TO PROVIDE LOAN(S) TO ENTITIES FOR ECONOMIC DEVELOPMENT IN THE MAIN STREET CORRIDOR

Mr. Pairet made a motion to adopt Ordinance No. 225 to provide a gift of \$350,000 to Farmville Industrial Development Authority to provide loan(s) to entities for economic development in the Main Street Corridor, seconded by Mr. Hunter, and with a recorded vote of Council members Dwyer, Pairet, Yoelin, Hunter, Hardy, Amos and Reid voting “yes”, the motion passed unanimously.

BACKGROUND: Town Manager reported at the July 5, 2023 Work Session that staff have been in conversation with a group who is interested in rehabilitating some buildings on Main Street. Town Council is being asked to gift \$350,000 to the Farmville Industrial Development Authority (F.I.D.A.) from the proceeds of the sale of the golf course. The F.I.D.A. would loan funds to an entity to rehabilitate and provide some economic development on the Main Street Corridor. A Public Hearing was held this evening on the proposed Ordinance.

ORDINANCE NO. 225

TO PROVIDE A GIFT OF \$350,000 TO THE FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY TO PROVIDE A LOAN(S) TO ENTITIES FOR ECONOMIC DEVELOPMENT IN THE MAIN STREET CORRIDOR.

WHEREAS, the Town of Farmville (Town) is a corporate and political subdivision of the Commonwealth of Virginia, and the Farmville Industrial Development Authority (FIDA) is a political subdivision of the Commonwealth of Virginia; and

WHEREAS, the FIDA has been created to, among other things, promote the economic development of the Town of Farmville and the Town may provide funds to the FIDA to further its purposes; and

WHEREAS, the Town is further empowered to make gifts to the FIDA, to secure and promote the economic development of the Town, and to promote the resources and advantages of the Town.

NOW THEREFORE BE IT ORDAINED by the Farmville Town Council this 12th day of July, 2023, that the Town of Farmville Town Council is providing a gift of \$350,000 to the Farmville Industrial Development Authority for the Farmville Industrial Development Authority to provide a loan or loans to entities for economic development in the Main Street corridor of the Town of Farmville.

BE IT FINALLY ORDAINED that the \$350,000 be allocated by Town of Farmville Town Council from the proceeds of the sale of the municipal golf course.

Approved: _____
Mayor

Attest: _____
Clerk of Council

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. "Chuckie" Reid: _____.

The Honorable Sallie O. Amos _____.

The Honorable Daniel E. Dwyer _____.

The Honorable Tommy Pairret _____.

The Honorable Adam Yoelin _____.

The Honorable Donald L. Hunter _____.

The Honorable John Hardy _____.

**REQUEST ADOPTION OF RESOLUTION NO. 2023-07-02 – TO ENTER INTO A
CAPITAL LEASE WITH A BANK TO PURCHASE VEHICLES**

Mr. Reid made a motion to adopt Resolution No. 2023-07-02, seconded by Mr. Pairret, and with a recorded vote of Council members Pairret, Yoelin, Hunter, Hardy, Amos, Reid and Dwyer voting “yes”, the motion passed unanimously.

BACKGROUND: In the FY 2023-2024 adopted budget, there are four police cars and one leaf truck to be financed. Town Manager is requesting permission to sign the capital lease to purchase the vehicles.

(The remainder of this page was left blank intentionally.)

Resolution 2023-07-02

INCUMBENCY CERTIFICATE/CORPORATE RESOLUTION

I, Mary McKay, Town Clerk, Town of Farmville, VA a Virginia Municipal Corporation (herein the "Corporation"), do hereby certify:

1. That I am the duly elected, qualified and acting Town Clerk of the Corporation and have the custody of the corporate records, minutes and corporate seal.
2. That the following named person(s) has/have been properly designated, elected and assigned to the office in the Corporation as indicated below; that such person(s) hold(s) such office at this time and that the specimen signature appearing beside the name of each officer is his or her true and correct signature.

NAME	TITLE	SIGNATURE
C. Scott Davis	Town Manager	

3. That a meeting of the Town Council of the Corporation was duly called, convened and held on 7/12/2023, at which meeting a quorum was present and voted throughout and approved the following resolution:

WHEREAS, the Council has determined it is in the best interest of the Corporation to undertake the financing of the purchase of (1) Leaf Truck and (5) Police Vehicles (the "Project"), and the Town Manager has now presented a proposal for the financing of such Project;

WHEREAS, HomeTrust Bank has indicated its willingness to provide financing for the Project in accordance with its proposal dated June 12, 2023. The amount financed shall not exceed \$505,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.65%, and the financing term shall not exceed three years from closing;

WHEREAS, the Corporation wishes to enter into a Municipal Lease and Option Agreement ("Lease") dated 7/18/2023 by and between HomeTrust Bank as "Lessor" and Town of Farmville, VA as "Lessee";

WHEREAS, all lease payments due by the Corporation pursuant to the Lease for fiscal year ending June 30, 2024 are within an available, unexhausted and unencumbered appropriation;

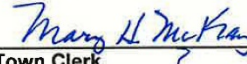
NOW, THEREFORE, BE IT RESOLVED, that the Corporation be, and hereby is, authorized to enter into the Lease with HomeTrust Bank for a period of three years, and be it further;

RESOLVED, that the above named officer(s) of the Corporation be, and hereby is/are authorized, empowered and directed to sign on its behalf, the Lease and any addenda, schedules, notes, UCC Financing Statements or any other instruments issued under the provision of the Lease and any other instrument or document which may be necessary or expedient in connection with the fulfillment of the provisions of the Lease; also to include the Director of Finance to be included in the signing of any disbursements, and be it further;

RESOLVED, that the Corporation has not and will not issue more than \$10 Million in debt during the calendar year in which the Lease is written, in order that this transaction be in compliance with the "Small Issuer Exemption" as defined in Section 265(b) of the *Internal Revenue Code of 1986*, as currently amended.

IN WITNESS WHEREOF, I have duly executed this certificate and affixed the seal hereto this 7/18/2023.

Seal of
Corporation


Town Clerk

Date: 7/18/2023

REQUEST ADOPTION OF RESOLUTION NO. 2023-07-03 – CERTIFICATION FROM TOWN COUNCIL OF NOT REQUIRING GRANITE FALLS SUBDIVISION TO CONNECT TO THE TOWN WATER AND SEWER SYSTEMS

Mr. Hardy made a motion to adopt Resolution No. 2023-07-03 Certification from Town Council of not requiring Granite Falls Subdivision to connect to the Town water and sewer systems, seconded by Mrs. Amos, and with a recorded vote of Council members Yoelin, Hunter, Hardy, Amos, Reid, Dwyer, and Pairet voting “yes”, the motion passed unanimously. Before the recorded vote was made, Mr. Hunter inquired if approval by Council is needed if at a later point a connection is wanted? Town Manager reported on an easement being needed to cross another property to get water there and permission from VDOT for the sewer line to go down Fairgrounds Road. He added if other land is developed, potentially there could be a closer point for a connection. The request being made is to waive the connection requirement now so that the property can be built on.

BACKGROUND: Within the proposed development of Granite Falls Subdivision located off of Fairgrounds Road, there will be approximately 10-12 housing units that are located within the town limits. The town’s water and sewer ordinances state if not adequately available, the Town Council may waive a connection to the town’s water and sewer systems. The Town Manager provided a summary of the proposed request at the July 5, 2023 Work Session.

RESOLUTION NO. 2023-07-03

**CERTIFICATION FROM TOWN COUNCIL OF NOT REQUIRING GRANITE FALLS
SUBDIVISION TO CONNECT TO THE TOWN WATER AND SEWER SYSTEMS**

WHEREAS, Section 28-51 states “Every house, mobile home, house trailer or other unit used as a residence and every place of business, manufacturing plant or other business establishment shall be connected to the town water system, unless the water system is inaccessible. It shall be the duty of the town manger to determine whether or not the water system is accessible in each case; if he determines that it is inaccessible, he shall certify the finding in writing to the council, which, if it approves the finding, shall cause a permanent record thereof to be recorded in its minutes.”; and

WHEREAS, the parcels located within the town limits are minimal and are approximately 2,000 feet from the nearest water connection and would need to cross privately owned property; and

WHEREAS, Section 28-127(b) states “No sewer connection shall be required where it will be necessary to construct a private sewer line, exclusive of the branch pipes constructed by the town for the purpose of making such connections, over one hundred (100) feet in length, unless the town manager or local board of health deems it necessary for the protection of health and so notifies the owner in writing.”; and

WHEREAS, the parcels located within the town limits are minimal and are approximately 3, 500 feet from the nearest sewer connection; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Farmville, the parcels of Granite Falls Subdivision located within the town limits shall not be required to connect to town water and sewer and is so certified by Town Council; and

BE IT FURTHER RESOLVED that this resolution shall be effective upon passage.

Approved: _____
Mayor

Attest: _____
Clerk of Council

I certify that the above resolution was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. “Chuckie” Reid: _____.

The Honorable Sallie O. Amos _____.

The Honorable Daniel E. Dwyer _____.

The Honorable Tommy Pairt _____.

The Honorable Adam Yoelin _____.

The Honorable Donald L. Hunter _____.

The Honorable John Hardy _____.

TOWN MANAGER'S REPORT

No additional comments were offered.

COMMENTS BY MAYOR AND TOWN COUNCIL

Mr. Reid announced a Virginia Municipal League regional dinner is being planned for fall 2023 to be held in Farmville, and reported VML will be covering the cost. He noted Longwood University has offered to provide a site for the event. A date will be forthcoming.

Mr. Yoelin thanked the residents from Jesse's Way who participated in the meeting as well as the callers concerning the ICA-Farmville Detention Center.

Mr. Hunter mentioned the upcoming National Night Out event, and noted Parkview Gardens will be holding an event on Friday, August 4th.

Mr. Hardy provided thanks again to everyone who worked on the Downtown Fireworks After Dark event held on July 3, 2023.

Mayor Vincent also noted the fun evening downtown, greatly appreciates all the work put in from all, and thanked Mrs. Vaughan who helped organize the event. There were a lot of comments received concerning the fellowship downtown.

Mayor Vincent provided a monthly report:

- Attended the Farmville Train Station's 120th birthday last month with old photos and videos of the old Pepsi commercial being mentioned.
- Ran 50K Night Train, 31 miles, on the High Bridge Trail.
- Attended Isabelle Johnson's birthday celebration at Centra Pace and presented her with a Proclamation recognizing her 100th birthday.
- Attended meeting with Justin Pope, Longwood University Vice-President, to discuss a potential application they were asking for some assistance with. Town Manager and Finance Director were asked to provide figures for what a busy week with full lodging occupancy and increased business to restaurants would look like.

There being no other business and on a motion by Mr. Hunter, seconded by Mr. Pairt, with all in favor stating "aye", the meeting adjourned at 8:47 PM.

APPROVED:

ATTEST:

Brian R. Vincent, Mayor

Mary H. McKay, Clerk of Council

DRAFT



Town of Farmville

Agenda Item Summary

MEETING DATE: August 9, 2023

ITEM NUMBER: 13.a. – July 2023 Finance Report

BACKGROUND: A verbal report will be provided by Finance Director Julie Moore.

RECOMMENDATION: Approve the Finance Report, as presented.

FISCAL IMPACT:

ATTACHMENTS:

1. Finance Report - July 2023
2. Variable Revenue Chart - July 23
3. Rescue Squad-July 23
4. Rescue Squad-YTD-July 23
5. Manual Checks for the Month of July 2023

TOWN OF FARMVILLE
FINANCE REPORT OF CASH RECEIPTS AND DISBURSEMENTS
FOR THE MONTH OF JULY 2023

FUND NUMBER	FUND TITLE	BALANCE 07/01/2023	NET CHANGE	BALANCE 07/31/2023
<u>UNRESTRICTED FUNDS</u>				
10	GENERAL FUND	\$ 2,593,824.84	\$ (429,191.08)	\$ 2,164,633.76
15	ST MAINT FUND	1,386,147.11	(1,038,076.95)	348,070.16
40	WATER FUND	2,237,071.69	(122,181.51)	2,114,890.18
42	SEWER FUND	2,930,167.92	64,736.16	2,994,904.08
44	TRANSPORTATION FUND	975,409.67	153,865.63	1,129,275.30
45	AIRPORT FUND	<u>146,179.08</u>	<u>(1,397.67)</u>	<u>144,781.41</u>
TOTAL	UNRESTRICTED FUNDS	10,268,800.31	(1,372,245.42)	8,896,554.89
<u>RESTRICTED FUNDS</u>				
10	ARPA-COVID FUNDS	6,363,230.17	(232,965.74)	6,130,264.43
10	ENHANCED 911-WIRELESS	383,285.11	10,322.97	393,608.08
10	E911-RESERVE	133,000.30	16.94	133,017.24
10	SET ASIDE ACCOUNT	2,383,976.05	168,363.60	2,552,339.65
10	E-CITATION	22,394.74	744.76	23,139.50
10	MEDICAL COMPENSATION	287,929.52	(7,188.58)	280,740.94
61	PAULETTE FUND	165.38	-	165.38
70	NARCOTICS FUND	10,887.92	1.39	10,889.31
70	TASK FORCE	<u>2,146.58</u>	<u>0.27</u>	<u>2,146.85</u>
TOTAL	RESTRICTED FUNDS	9,587,015.77	(60,704.39)	9,526,311.38
TOTAL ALL FUNDS		\$ 19,855,816.08	\$ (1,432,949.81)	\$ 18,422,866.27

UNRESTRICTED FUNDS - ACCOUNTED FOR AS FOLLOWS:

CHECKING ACCOUNT-BENCHMARK (BANK WIRE)	\$ 0.01
PETTY CASH	2,500.00
PETTY CASH-GOLF COURSE	-
PETTY CASH-RECREATION	-
VIP ACCT - GOLF SALE PROCEEDS	943,489.75
VIP ACCTS - UNRESTRICTED	2,032,336.62
LGIP ACCT - UNRESTRICTED	2,254,731.05
CHECKING ACCT-BENCHMARK-AIRPORT	264,659.61
CHECKING ACCOUNT-BENCHMARK-UNRESTRICTED	<u>3,398,837.85</u>
TOTAL UNRESTRICTED FUNDS	\$ 8,896,554.89

RESTRICTED FUNDS - ACCOUNTED FOR AS FOLLOWS:

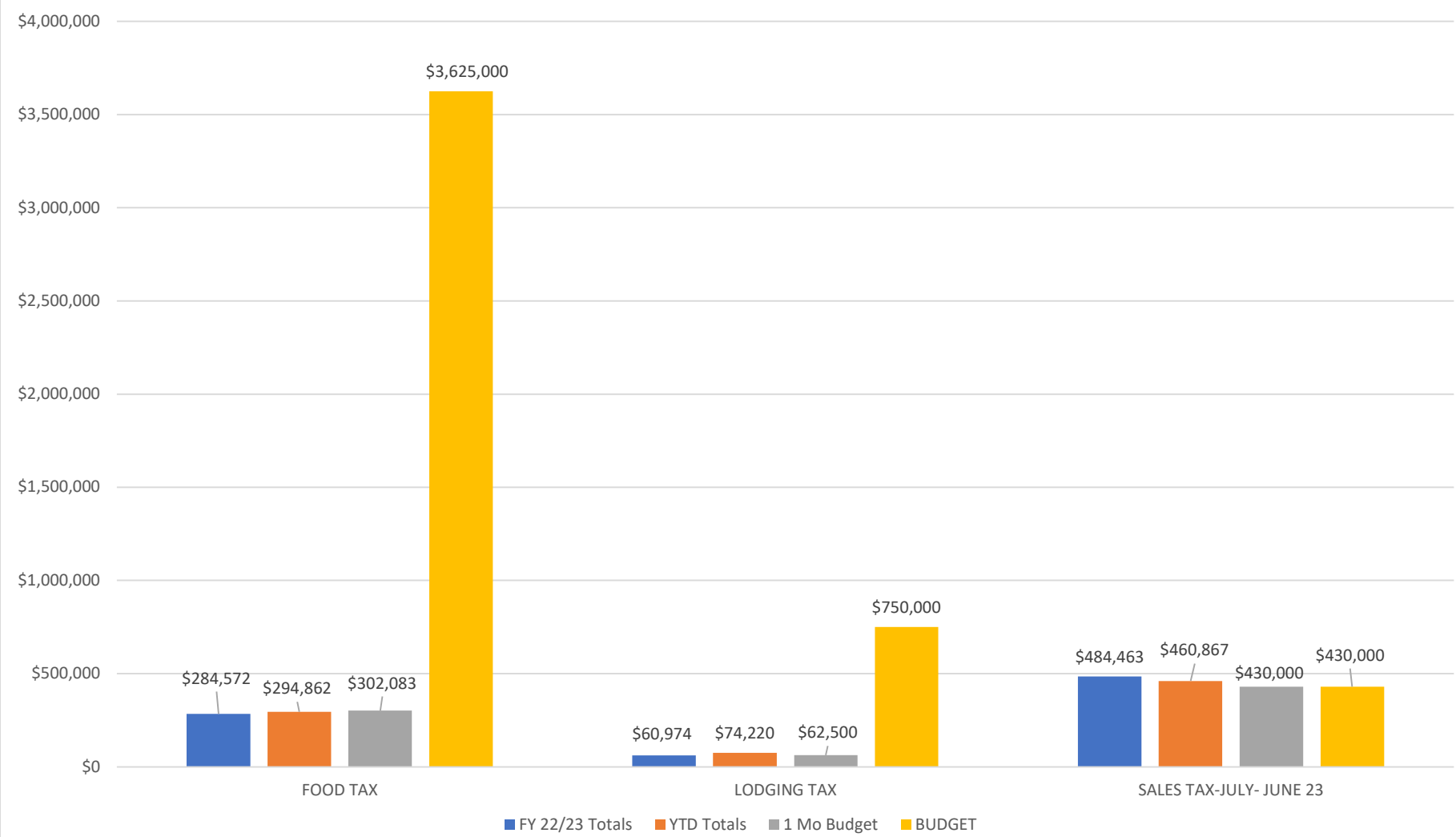
INTEREST CHECKING-BENCHMARK-ARPA-COVID FUNDS	\$ -
LGIP ACCT - ARPA -COVID FUNDS	6,130,264.43
MONEY MARKET - BENCHMARK - 911 WIRELESS	88,757.60
VIP ACCT - WIRELESS	304,850.48
INTEREST CHECKING-BENCHMARK-E911 RESERVE	133,017.24
INTEREST CHECKING-BENCHMARK-SET ASIDE ACCOUNT	639,915.78
LGIP ACCT - SET ASIDE ACCOUNT	896,255.56
VIP ACCT - SET ASIDE ACCOUNT	1,016,168.31
INTEREST CHECKING-FARMERS BANK-E-CITATION ACCOUNT	23,139.50
INTEREST CHECKING-BENCHARK-MEDICAL COMPENSATION	280,740.94
PASSBOOK SAVINGS - BENCHMARK - PAULETTE TRUST FUND	165.38
INTEREST CHECKING-BENCHMARK - NARCOTICS FUND-STATE	10,889.31
INTEREST CHECKING-BENCHMARK-TASK FORCE	<u>2,146.85</u>
TOTAL RESTRICTED FUNDS	\$ 9,526,311.38

RESPECTFULLY SUBMITTED:

Julie A. Moore

Julie A. Moore, CPA, CFE, CGFM

Variable Revenue -
July 2023



JULY MONTHLY COST-RESCUE SQUAD

<u>Date</u>	<u>Vehicle</u>	<u>DESCRIPTION OF SERVICE</u>	<u>Man</u>	<u>LABOR</u>	<u>MATERIAL</u>	<u>EQUIPMENT</u>	<u>FUEL</u>
			<u>Hours</u>	<u>COST</u>	<u>COST</u>	<u>COST</u>	<u>COST</u>
7-Jul	Medic 12	Headlight & signal light bulbs	6	\$170.83	\$22.90		
		2 new tires, 4 rear tires balanced -East End			\$1,204.98		
20-Jul		Cut grass at Rescue Squad	8		\$109.56		
17-Jul	Rescue 14	Checked brakes-ok, balanced 6 tires-East End	4	\$97.60	\$210.00		
25-Jul	Rescue 3	Checked brakes, calipers & pads, nothing found	2	\$37.40			
25-Jul	Rescue 14	Repaired exhaust leak & tube to EGR cooler	3	\$90.28	\$83.50		
25-Jul	Rescue 12	Oil & filter change, new air filter, new rear brake pads	7	\$130.91	\$204.78		
26-Jul	Rescue 11	Tightened valve stem leaking air from tire	2	\$48.82			
13-Jul	Rescue 11	Replaced left & right upper balljoints, replaced steering linkage, replaced front swing bar, front end alignment-Goodman Truck	26	\$554.25	\$3,176.05		
		Cut grass at Rescue Squad				\$310.00	
		Fuel Cost					\$2,028.25
		Total Labor Cost		\$1,130.09			
		Total Material Cost		\$5,011.77			
		Total Equipment Cost		\$310.00			
		Total Fuel Cost		\$2,028.25			
		Total July		\$8,480.11			
		YTD Total		\$8,480.11			

Year-to-Date Costs - Rescue Squad
July - June 2024

2023-2024

	<u>July</u>	<u>August</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>Total</u>
Labor	1,130.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$1,130.09
Materials	5,011.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$5,011.77
Equipment	310.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$310.00
Fuel	<u>2,028.25</u>	<u>0.00</u>	0.00	0.00	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$2,028.25</u>
	\$8,480.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,480.11

Town of Farmville
Manual Checks for the Month of July 2023

8-1-23

<u>Checks-63141-63360</u>	<u># of Checks</u>	<u>Amount of Checks</u>
Checks	57	\$795,569.53
Direct Deposit	<u>153</u>	<u>\$1,607,782.35</u>
Total	210	\$2,403,351.88



Town of Farmville

Agenda Item Summary

MEETING DATE: August 9, 2023

ITEM NUMBER: 14.a. – Request Adoption of Resolution No. 2023-07-01 - to rezone approximately 31 acres from R-1 to R-2 - 300 block of Meriwood Farm Road, Official Zoning Map Amendment, Comprehensive Plan Amendment

BACKGROUND: The Planning Commission met on June 21, 2023, and recommended approval to the Council on a vote of 6-1. A report was provided by Interim Community Development Director Ashley Atkins-Austin at the July 5, 2023 Work Session. A Public Hearing was held on July 12, 2023. A vote was postponed so that notices could be sent to the adjoining property owners. Will Allen from Harper Associates provided information and answers to questions at the July 12, 2023 Regular Council meeting. Another Public Hearing is scheduled for August 9, 2023.

RECOMMENDATION: Adopt Resolution No. 2023-07-01

FISCAL IMPACT:

ATTACHMENTS:

1. Resolution 2023-07-01

RESOLUTION NO. 2023-07-01

TO REZONE, AMEND THE COMPREHENSIVE PLAN, AND AMEND THE OFFICIAL
ZONING MAP FOR PARCEL NUMBERS **0037000(0A)00-060B, 0037000(0A)00-061, and
0037000(0A)00-062**

WHEREAS, the owner of parcel numbers 0037000(0A)00-060B, 0037000(0A)00-061, and 0037000(0A)00-062 requests to rezone approximately 31 acres from R-1 to R-2 that is located on the 300 block of Meriwood Farm Road; and

WHEREAS, the Comprehensive Plan shall be amended to revise the existing land use map and the future land use map for these same parcel numbers; and

WHEREAS, the Official Zoning Map shall be amended to reflect the rezoning of these parcels from R-1 to R-2; and

WHEREAS, the Town of Farmville Planning Commission made a recommendation to the Farmville Town Council after holding a public hearing on June 21, 2023 to rezone parcel numbers 0037000(0A)00-060B, 0037000(0A)00-061, and 0037000(0A)00-062 from R-1 to R-2, amend the Comprehensive Plan to revise the existing land use map and the future land use map for these same parcels, and amend the Official Zoning Map to reflect the rezoning of these parcels from R-1 to R-2; and

WHEREAS, the Town of Farmville Town Council held a public hearing on this Resolution on August 9, 2023; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Farmville, parcel numbers 0037000(0A)00-060B, 0037000(0A)00-061, and 0037000(0A)00-062 shall be rezoned from R-1 to R-2, the Comprehensive Plan shall be amended to revise the existing land use map and the future land use map for these same parcel numbers, and the Official Zoning Map shall be amended to reflect the rezoning of these parcels from R-1 to R-2; and

BE IT FURTHER RESOLVED that this ordinance shall be effective upon passage.

Approved: _____
Mayor

Attest: _____
Clerk of Council

I certify that the above resolution was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. "Chuckie" Reid: _____.

The Honorable Sallie O. Amos _____.

The Honorable Daniel E. Dwyer _____.

The Honorable Tommy Pairet _____.

The Honorable Adam Yoelin _____.

The Honorable Donald L. Hunter _____.

The Honorable John Hardy _____.



Town of Farmville

Agenda Item Summary

MEETING DATE: August 9, 2023

ITEM NUMBER: 15.a. – Authorize Town Manager to Sign Deed of Easement on behalf of the Town for Fiber New Facilities Building

BACKGROUND: The Town Manager will provide a verbal report.

RECOMMENDATION: Authorize the Town Manager to Sign a Deed of Easement on behalf of the Town of Farmville for Fiber New Facilities Building

FISCAL IMPACT:

ATTACHMENTS:

1. Deed of Easement Fiber New Facilities Building

DEED OF EASEMENT

This DEED OF EASEMENT ("Deed of Easement") is made and entered into this ____ day of _____, 2023, by and between the TOWN of FARMVILLE, a political subdivision of the Commonwealth of Virginia (the "Grantor") and THE VISITORS OF LONGWOOD UNIVERSITY, a body corporate and an institution of higher education of the Commonwealth of Virginia (the "Grantee").

WITNESSETH

That for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants unto Grantee, its successors and assigns, a perpetual, non-exclusive right and easement (the "Easement") to lay, erect, construct, operate, maintain, and repair a communication line or system, including without limitation the necessary cables, wire, pedestals, poles, fixtures, manholes and conduits thereof, and all equipment, accessories, and appurtenances necessary in connection therewith (collectively, the "Communications Facilities"), under, the roads situated in the Town of Farmville, Virginia, shown and identified as "Venable Street" and "South Main Street" (collectively, the "Roads") on that plat entitled "Exhibit A 30" Wide Communication Facilities Easement Survey for Commonwealth of Virginia, The Visitors of Longwood University across Venable Street and South Main Street (30" Wide Prescriptive Right of Way)", prepared by Maxey & Associates, P.C., dated May 23, 2023 (the "Plat"), with the areas subject to the Easement (the "Easement Areas") shown and designated as "Proposed 30" Wide Communication Facilities Easement" and "Proposed 30" Wide Communication Facilities Easement" on the Plat.

1. The Easement is subject to all existing easements, rights-of-way, covenants, encumbrances, and restrictions of record and is further subject to the following conditions:

- A. At no time shall Grantor charge Grantee for the use of the Roads or for the privilege of exercising the rights granted herein.
- B. Grantee shall have the right to lay, erect, construct, install, use, operate, inspect, maintain, repair, replace, rebuild, remove, improve, and make such other changes, alterations, additions to or extensions of the Communication Facilities within the Easement Areas as are consistent with the purposes expressed herein. The Communication Facilities constructed or placed within the Easement Areas shall remain the property of the Grantee.
- C. Grantee shall have the right to license, permit, or otherwise agree to the joint use or occupancy of the Communication Facilities by any other person, firm, or corporation for communication or electrification purposes,

and further, to license, permit, or otherwise agree to the joint use or occupancy of the easement by an affiliate of Grantee.

- D. If there are existing utilities within the Easement Areas that are owned by Grantor, Grantee shall construct and install any underground Communication Facilities below such existing utilities owned by Grantor. Any underground Communications Facilities must be sleeved in sch80 PVC pipe and be located at least 18" from such existing utilities owned by Grantor. There shall also be a location tape in the ditch and an aboveground marker depicting the type of line and direction of travel of said line.
- E. Grantee shall have the right of ingress to and egress from the Easement Areas over the Roads as may be necessary to exercise Grantee's rights herein. Following Grantee's exercise of such right of ingress and egress over the Roads, for the purposes contemplated herein, and upon completion of any activity contemplated herein by Grantee upon the Easement Areas, Grantee shall restore the portions of the Roads disturbed by Grantee and the Easement Areas as nearly to their original condition as practicable, including, but not limited to, backfilling of trenches, repaving, reseeding or resodding of lands, replacement of Grantor's property, removal of trash and debris, and removal of any of Grantee's equipment, accessories or appurtenances not consistent with the construction, maintenance or operation of the Communications Facilities or the exercise of any right expressed herein.
- F. Grantee shall have the right to alter or remove any structures or obstructions, natural or artificial, and to trim, cut and remove trees, shrubbery or other natural obstructions on, under or over the Easement Areas which Grantee deems interfere with or threaten the efficient and safe operation, construction or maintenance of the Communication Facilities.
- G. If Grantor at any time deems it necessary or advisable to relocate for Grantor's convenience any of the Communication Facilities, Grantee shall relocate such Communication Facilities to a place acceptable to Grantor, provided Grantor, for no additional consideration, shall grant unto Grantee such replacement easement as may be necessary to effect such relocation, subject to the same rights, privileges and conditions, as herein set forth, and Grantor shall reimburse Grantee the reasonable, direct costs of such relocation.
- H. Subject to the terms herein, the foregoing Easement shall be perpetual in nature, shall run with the land, and shall be binding upon the parties and their respective successors and permitted assignees.

2. The parties hereto acknowledge and agree that notwithstanding anything contained in this Deed of Easement to the contrary, so long as the Commonwealth of Virginia (the "Commonwealth") is a party hereto, the following provisions shall control over any conflicting provisions hereof:

- A. With respect to tort liability for acts or occurrences with respect to this Deed of Easement, including product liability, the Commonwealth is either constitutionally immune (or partially immune) from suit, judgment, or liability, insured, or covered by a financial plan of risk management that is in the nature of self-insurance, all as determined by applicable laws, government policies and practices.
- B. No equitable, quasi-contractual, or injunctive remedies, other than those specifically authorized by law, may be used or are effective against the Commonwealth.
- C. No liens may be placed against, or shall attach to, any property owned by the Commonwealth.
- D. This Deed of Easement shall be governed by, and construed according to, the laws of the Commonwealth, and any legal action against the Commonwealth shall be instituted and maintained only in the state courts of the Commonwealth.
- E. Grantor acknowledges that neither Grantee, nor the Commonwealth have agreed to provide any indemnification or save harmless agreements running to Grantor. No provision, covenant, or agreement contained in this Deed of Easement shall be deemed, in any manner, to be a waiver of the sovereign immunity of the Commonwealth, or any of its boards, agencies, or other political subdivisions, including Grantee, from tort or other liability.

3. Grantor represents that its rights to the Roads are pursuant to prescriptive easements and that Grantor has the authority to grant this Easement. Grantor shall cooperate with Grantee in securing consent of lien holders or partial releases/subordination of liens, if any, and the consents of any other parties that may be necessary to secure Grantee's rights hereunder. Grantor covenants and agrees for itself, its assigns and successors, that the consideration herein mentioned and shown above shall be in lieu of any and all claims to compensation and damages by reason of the location of the Easement Areas or the laying, erecting, constructing, installing, using, operating, inspecting, maintaining, repairing, replacing, rebuilding, removing, improving, or making such other changes, alterations, additions to or extensions of the Communications Facilities, and that Grantee shall have the right to enter upon and take possession of the Easement Areas upon acceptance of this Deed of Easement.

[Signature pages to follow]

WITNESS the following signatures and seals.

GRANTOR: TOWN OF FARMVILLE,
a political subdivision of the Commonwealth of Virginia

By: _____
Scott Davis,
Town Manager

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

The foregoing Deed of Easement was acknowledged before me this ____ day of _____, 2023, by Scott Davis, acting in his capacity as Town Manager for the Town of Farmville, on behalf of the Town.

My commission expires: _____

Registration No. _____

Notary Public

Grantee:

THE VISITORS OF LONGWOOD UNIVERSITY,
a body corporate and an institution of higher education of
the Commonwealth of Virginia

By:

Matthew McGregor
Vice President for Administration and Finance

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

The foregoing Deed of Easement was acknowledged before me this ____ day of _____, 2023, by Matthew McGregor, acting in his capacity as Vice President for Administration and Finance of the Visitors of Longwood University, on behalf of the University.

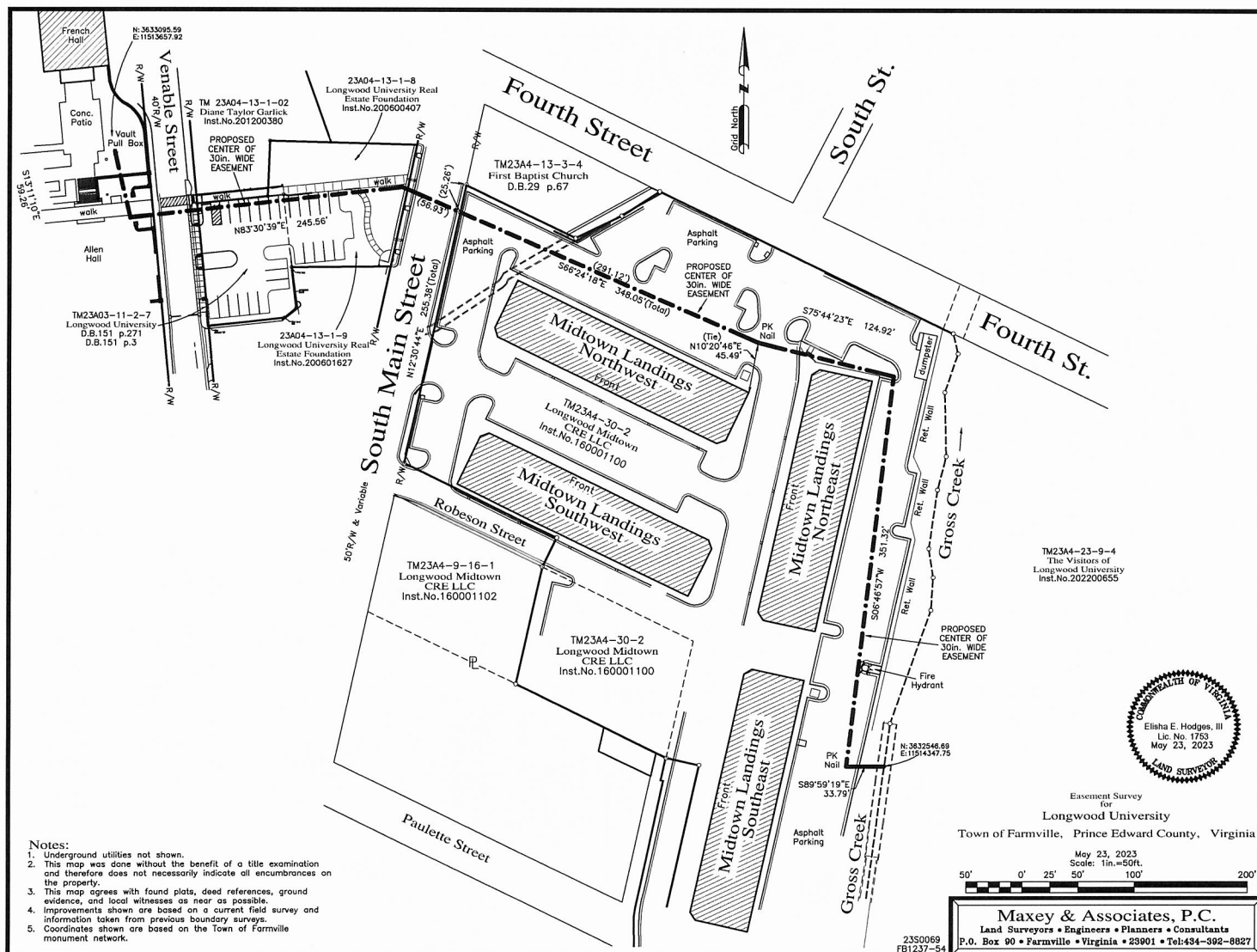
My commission expires: _____

Registration No. _____

Notary Public

Exhibit A

[Label plat Exhibit A and attach it in lieu of this page]





Town of Farmville

Agenda Item Summary

MEETING DATE: August 9, 2023

ITEM NUMBER: 15.b. – Request Adoption of Resolution No. 2023-08-01 Approval of SafetyStick technology for monitoring and enforcement of illegal parking areas

BACKGROUND: Chief of Police Andy Ellington provided a presentation at the August 2, 2023 Work Session on the SafetyStick technology proven to reduce illegal parking. Photographed violations are captured, reviewed by law enforcement and, if approved, violators receive a parking ticket in the mail. The vendor is paid 40% of each ticket issued, with a minimum of \$140 per month per device required. Installation of the devices is at no cost to the town.

RECOMMENDATION: Adopt Resolution No. 2023-08-01

FISCAL IMPACT:

ATTACHMENTS:

1. Resolution 2023-08-01

Resolution #2023-08-01

Approval of SafetyStick technology for monitoring and enforcement of illegal parking areas

WHEREAS, the Town of Farmville Police Department would like to partner with MPS Intelligent Infrastructure for installation of SafetyStick technology for monitoring and enforcement for areas marked no parking, loading zone, bus loading areas, fire lanes fire hydrant areas, and any other areas to reduce illegal parking; and

WHEREAS, MPS will install and maintain the SafetySticks by receiving 40% of the face value of the citation for all violations and as long as MPS profits \$140 per month per SafetyStick; and

WHEREAS, Town Council recognizes the need for enhanced monitoring and enforcement of illegal parking; NOW THEREFORE,

BE IT RESOLVED BY THE TOWN OF FARMVILLE TOWN COUNCIL:

1. The Town of Farmville Town Council approves the Farmville Police Department to partner with MPS Intelligent Infrastructure for monitoring and enforcement of illegal parking areas.
2. This resolution shall be in full force and effect upon passage.

Approved:

Mayor

Attest: _____
Clerk of Council

I certify that the above resolution was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. "Chuckie" Reid: _____.

The Honorable Sallie O. Amos	_____.
The Honorable Daniel E. Dwyer	_____.
The Honorable Tommy Pairt	_____.
The Honorable John Hardy	_____.
The Honorable Donald L. Hunter	_____.
The Honorable Adam Yoelin	_____.



Town of Farmville

Agenda Item Summary

MEETING DATE: August 9, 2023

ITEM NUMBER: 15.c. – Request Adoption of Resolution No. 2023-08-02 Approval of Enterprise Zone Local Economic Development Incentive for Architectural Services Reimbursement

BACKGROUND: The Town Manager will provide a verbal report.

RECOMMENDATION: Adopt Resolution No. 2023-08-02

FISCAL IMPACT:

ATTACHMENTS:

1. Resolution 2023-08-02

Resolution #2023-08-02

Approval of Enterprise Zone Local Economic Development Incentive for Architectural Services Reimbursement

WHEREAS, Caryn Kayton is the owner of 216 N. Main Street which is located within the Enterprise Zone; and

WHEREAS, the Town of Farmville allows for owners of property in the enterprise zone to request for certain local economic development incentives with one being architectural design fee reimbursement for historic district; and

WHEREAS, Caryn Kayton has submitted a request for architectural design fee reimbursement for 216 N. Main Street which is located in the historic district; and

WHEREAS, Town Council recognizes the investment of property owners enhances the economic vitality of the enterprise zone and specifically the main street corridor; NOW THEREFORE,

BE IT RESOLVED BY THE TOWN OF FARMVILLE TOWN COUNCIL:

1. The Town of Farmville Town Council approves architectural design fee reimbursement of \$2,100 to Caryn Kayton for architectural services rendered for 216 N. Main Street from the General Fund.
2. This resolution shall be in full force and effect upon passage.

Approved:

Mayor

Attest: _____
Clerk of Council

I certify that the above resolution was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. “Chuckie” Reid:	_____.
The Honorable Sallie O. Amos	_____.
The Honorable Daniel E. Dwyer	_____.
The Honorable Tommy Pairet	_____.
The Honorable John Hardy	_____.
The Honorable Donald L. Hunter	_____.
The Honorable Adam Yoelin	_____.