

REGULAR WORK SESSION OF THE FARMVILLE TOWN COUNCIL
HELD ON SEPTEMBER 4, 2024

At the regular work session of the Farmville Town Council held on Wednesday, September 4, 2024, at 6:00 PM, in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there were present Vice-Mayor A.D. “Chuckie” Reid, presiding, and Council members Sallie Amos, Daniel Dwyer, Tommy Pairret, Adam Yoelin, Donald Hunter, and John Hardy.

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

Vice-Mayor Reid called the meeting to order and welcomed all guests.

The Clerk called the roll. Mayor Brian Vincent was absent for the meeting.

ADOPTION OF AGENDA

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

DECLARATION OF PERSONAL INTEREST

There were no declarations of personal interest made.

FINANCE REPORT

Finance Director Julie Moore provided a report for July 2024, the first month in the new budget year FY24-2025.

- The revenue to budget is below the one month amount due mainly because of taxes and fees received annually such as real estate taxes and business licenses. The General Fund revenue will lag behind the amount budgeted until this revenue starts being collected. Also, the Street Maintenance Fund receives quarterly payments, and the first payment in the budget year has not yet been received.
- The General Fund and Transportation Fund revenue is slightly below compared to prior year. The General Fund is below due to communication and sales taxes that are received months behind. The Transportation Fund last year received reimbursements for some buses and this year there have been no reimbursements received thus far.
- Expenses to budget are below the one-month budgeted amount which is considered positive.

- Expenses versus prior year – The total expenses are slightly above prior year due to some capital purchases made in July 2024 from the Sewer Fund, such as the service truck with the crane.

Council members also were provided with proposed budget adjustments for review. Any time there is a change in the budget greater than 1% of the total budget, per state code a public hearing is required. A summary of the three documents was provided:

- (1) Transfer of funds between departments
- (2) Items included in FY24 budget and were encumbered at year end
- (3) Items included in FY24 budget not encumbered but were not fully completed in FY24

The money to be dispersed for the ABM expenses needs to be rolled over to the new budget year as only one payment was made in FY24.

For the Water Fund and Sewer Fund, ARPA-related items for projects to be committed in 2024 need to be rolled forward until completion.

Mr. Pairet asked if it is the town's goal to be in a position where transfer of funds between departments is no longer needed. Ms. Moore advised that would be the goal, but there probably will always be a need to move funds. She mentioned having budgeted items and grant funds not being received, would cause the total line to be over budget, and result in an audit finding.

DISCUSSION ON ORDINANCE NO. 230 – FARMVILLE LAND BANK

Town Manager Davis provided background information concerning the proposed ordinance. The land bank entity and receivership for condemnable properties topic was discussed at the May 1, 2024, Work Session and described as a tool for the town to use when dealing with condemnable properties instead of just tearing down the structure. After the public hearing was held on June 12, 2024, the proposed ordinance was revised. In addition to the authority for creation, governance, and purpose, more language was added to explain the process of the land bank being a receiver, which was taken straight from the Code of Virginia. How the receivership works and the due process for the property owner was reviewed in detail.

Council members asked questions with different scenarios when receivership may come into play and discussion was held. Town Manager Davis fielded questions received.

- When a property is sold and the land bank entity receives payment for more than what was invested in the property, the remainder would go back to the property owner.

- The property owner is notified that a structure does not meet the Uniform Statewide Building Code and given the opportunity to repair the property. If the property is not repaired within the specified timeframe, then the land bank decides if the property is worth repair, and the town would go through the process of receivership. The owner would have another opportunity before the court to say whether the property would be repaired. If the owner states the repairs will be made, a reasonable timeframe must be agreed upon as set by the court. If the owner cannot provide the repairs or does not argue against the receivership, then the property would go to the land bank. The land bank has no authority until the town is willing to condemn the property.
- With a deceased owner, there would be an estate and a deed of trust to a property.

Mr. Elder provided information on notices being given to unknown property owners through an order of publication in the newspaper.

Mr. Hunter advised that the town is not going to just tear down someone's house because they are deceased, find out who the next of kin could be, or who has estate rights.

Mr. Elder also reported on the entitlement of lienholders to receive notice if there is a judgment against a property. Lienholders would be made whole when a property is sold. The land bank would be the first lienholder when a property is sold because the land bank would operate through the locality.

- An amendment could be made designating more than one land bank entity if criteria has been met and the locality is comfortable doing so.
- There would be no purpose for a land bank to be used for other than repairable properties as the value is in keeping the structure on the land.
- It was thought that the land bank would not start the offer of sale lower than what was invested in the property. It was asked if the owner would be responsible for the remainder if a property sold for less than what the land bank had invested.

Mr. Elder advised that a land bank takes some of the financial burden off of the town and mentioned that the town's standard method to fix the problem is to demolish the structure. The town foots the bill for that work. A land bank also would provide an opportunity to preserve the structure. It was asked what problem a land bank would solve that the current ordinance cannot address.

There was a consensus from Council members to move forward with a public hearing and hold a vote on the topic.

**DISCUSSION ON ORDINANCE NO. 236 – TO REZONE APPROXIMATELY 0.278 ACRES
GEORGIA STREET AND MONROE STREET INTERSECTION**

Community Development Director Ashley Atkins-Austin reported on the request to rezone one parcel containing approximately 0.278 acres from B-3 Highway Commercial to R-2 Medium Density Residential and identified as Tax Map Number 110AV(02)0A-049A. The rezoning would require a zoning map change. The Planning Commission recommended approval to Town Council with a vote of 6-0 at their Wednesday, August 21, 2024, meeting and Ms. Atkins-Austin reported that staff also recommends approval.

A public hearing is scheduled for September 11, 2024.

TOWN MANAGER'S REPORT

The Town Manager reported that contractors are working to remove and install a new underground tank at the splashpad site. Work is being completed on the handicap accessibility on Main Street near Walgreens. An update will be provided at the next meeting.

It was asked if the splashpad area would be seeded this fall for new grass in the spring. If the grass seeding doesn't do as well, placing sod in the area will be considered. Thoughts about placing a fence around the site, similar to the playground area, were requested. Town Manager Davis noted that it is more if the geese return to the area, than people walking on the grass, and mentioned the aesthetics of a fence being installed. An update was provided on the pouring of concrete for sidewalks and receiving drawings for the bathroom to be built in the spring. Addressing visitors driving too close to the splashpad and the access for cutting grass on the property was mentioned. There is a plan to look at planting trees in the area that would offer some shade. Information was reported about a grant being applied for by Hampden-Sydney College to provide for trees being planted at the park.

COMMENTS BY MAYOR AND TOWN COUNCIL

Council member Hardy read the obituary of former Town Council member Sally Thompson, who recently passed away.

Council member Dwyer reported being contacted by a local resident with a suggestion made to plant a tree or some sort of holly at the Downtown Plaza area in dedication to Mrs. Thompson. Mr. Dwyer also served on a committee with Mrs. Thompson who, along with former

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Mayor David Whitus, was responsible for starting the town's annual Christmas tree kickoff to the holiday season.

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 6:54 PM.

APPROVED:

ATTEST:

A.D. "Chuckie" Reid, Vice-Mayor

Mary H. McKay, Clerk of Council