

**TOWN COUNCIL MEETING MINUTES
AUGUST 8, 2022
7:00 P.M.**

PRESENT

Mayor: Roy M. Gladding
Vice Mayor: Anita J. Latane
Council Members: Kay Carlton
Fleet Dillard
Kenneth A. Gillis

Town Manager: Eric Pollitt
Town Clerk: Patsy K. Scates
Town Attorney: Diane M. Lank
Chief of Police: James G. Ashworth, Jr.

ABSENT

Council Members: Marcia W. Jenkins
Troy L. Balderson

VISITORS:

Bill Croxton John Harvey
Cyanne Yates

ALL TO
ORDER

Mayor Gladding called the meeting to order.

MINUTES
APPROVED

On motion of Fleet Dillard, seconded by Kay Carlton, Council voted unanimously to approve the July 11, 2022, Council Meeting Minutes.

Votes were cast as follows:

COMMITTEE
REPORTS

Kay Carlton:	Aye	Kenneth A. Gillis:	Aye
Fleet Dillard:	Aye	Anita J. Latane:	Aye

ATER/
WER

Council Member Gillis stated that he did not have much to report on for the water and sewer report other than we had a couple of leaks within the town.

Council Member Balderson is not present tonight so the public facilities report was tabled.

APP
AIN ST

Vice Mayor Latane reported that the Tappahannock Farmers Market is scheduled for August 20, 2022, and the Third Thursday event is scheduled for August 18, 2022, and the Winterfest event is in the planning stages.

FINANCE

Vice Mayor Latane asked Town Manager Pollitt to report on the finance report.

Town Manager Pollitt reported the end of the year close out for the fiscal year has not been completed yet and we are making sure it is correct before it is presented to the council members.

FINANCIAL
REPORTS
TABLED

The financial report for the months of June 2022, July 2022 was tabled.

COUNCIL
ORDINANCES

On motion of Kenneth A. Gillis, seconded by Anita J. Latane, Council voted unanimously to grant permission to Faye Johnson, Town Treasurer to destroy paid personal property taxes for years of 2013, 2014, 2015, 2016, 2017 and 2018.

COMMISSION

Votes were cast as follows:

TREASURER
DESTROY

Kay Carlton:	Aye	Kenneth A. Gillis:	Aye
Fleet Dillard:	Aye	Anita J. Latane:	Aye

LD
TAXES

Mayor Gladding stated that council should consider approving the MOU Agreement between Essex County, Tappahannock Main Street, and the Town of Tappahannock for a term of two years to expire on June 30, 2024.

Mayor Gladding stated that the council members should have a copy of the previous MOU Agreement in their packet and there are no changes to the agreement just extending the term for two years.

Council Member Dillard asked if the MOU Agreement has been executed by Essex County.

Town Manager Pollitt stated that he e-mailed the Essex County Administrator to let him know that he is recommending the approval of the agreement with no changes and he has not heard any feedback as far as their desire to make any changes. He does not know if Essex County intends to sign the document but he stated that Essex County has set aside funds for the Tappahannock Main Street Program as presented in the MOU Agreement.

On motion of Anita J. Latane, seconded by Kenneth A. Gillis, Council voted unanimously to approve the MOU Agreement between Essex County, Tappahannock Main Street, and the Town of Tappahannock for a term of two years expiring on June 30, 2024.

COUNCIL APPROVES MOU AGREEMENT FOR A TERM OF TWO YEARS EXPIRES JUNE 30, 2024

Votes were cast as follows:

Kay Carlton: Aye Kenneth A. Gillis: Aye
Fleet Dillard: Aye Anita J. Latane: Aye

Mayor Gladding stated that council should consider approving the USDA -RD loan resolution for the tractor and equipment and grant Town Manager Pollitt the authority to sign and execute the documents.

Town Manager Pollitt stated that the purchase of this piece of equipment was outlined in the Budget for fiscal year 2022/2023 and this resolution is needed in the process of approving the loan.

On motion of Fleet Dillard, seconded by Kay Carlton, Council voted unanimously to approve the loan resolution and grant Town Manager Pollitt the authority to sign and execute the documents. (See Resolution – Exhibit A)

COUNCIL APPROVES LOAN RESOLUTION FOR USDA-RD FOR TRACTOR & EQUIPMENT

Votes were cast as follows:

Kay Carlton: Aye Kenneth A. Gillis: Aye
Fleet Dillard: Aye Anita J. Latane: Aye

Mayor Gladding stated that council should consider approving IRF Loan for redevelopment of the Ordinary Restaurant.

On motion of Anita J. Latane, seconded by Kay Carlton, Council voted unanimously to approve the following IRF Loan for development of the Ordinary Restaurant Resolution.

COUNCIL APPROVES IRF LOAN FOR DEVELOPMENT OF ORDINARY RESTAURANT (RESOLUTION)

Resolution:

Be it resolved that, the Town of Tappahannock wishes to apply for \$250,000 of Industrial Revitalization Funds for the construction and development of 314 South Water Lane for the 1710 Tavern Project (The Ordinary)

Whereas Private Investment from Gregory and Jennifer Hutt and Ross-Simpson Properties in the amount of \$450,000 will also be expended on this project, it is projected that the Town of Tappahannock in general, and the Downtown Historical District, specifically, will benefit as a result of the implementation of the project.

Be it further resolved that Town Manager, Eric Pollitt, is hereby authorized to sign and submit appropriate documents for the submittal of this Industrial Revitalization Fund proposal.

Votes were cast as follows:

Kay Carlton: Aye Kenneth A. Gillis: Aye
Fleet Dillard: Aye Anita J. Latane: Aye

Mayor Gladding recognized the loss of a former Council Member William "Felix" Brooks.

Mayor Gladding stated that this is the first council meeting since the fire on Prince Street. He stated that he wanted to update everyone that the insurance companies will hopefully do an inspection of the site last week and hopefully the properties will be released for cleanup.

Mayor Gladding thanked everyone for the support that helped with the fire and he recognized some of the organizations and businesses that raised funds to help support the victims of the fire.

Mayor Gladding recognized Mr. Bill Croxton.

Bill Croxton stated that at EDA Meeting they were approached by Bay Transit requesting a donation but they do not have any income. He stated that he understands that the council members have already

BAY TRANSIT REQUEST MORE FUNDS

approved providing some funds to Bay Transit but he is requesting that the council members to reconsider providing Bay Transit with more funds.

Mayor Gladding recognized Cyanne Yates.

Cyanne Yates stated her concerns about the fire hydrants not working or not having any water pressure to handle the fire on Prince Street, she also expressed her concerns about businesses being in compliance and up to date on the fire code regulations and replacement and inspection of water and sewer lines.

Mayor Gladding recognized John Harvey.

John Harvey updated the council members on the support that the Tappahannock Main Street assisted in with the displacement of the businesses and the citizens during the Prince Street Fire and he thanked the Tappahannock Town Council for their support.

The council members publicly thanked everyone for their support for the help of the fire on Prince Street.

On motion of Fleet Dillard, seconded by Anita J. Latane, the Tappahannock Town Council voted to convene in a closed meeting to discuss acquisition of real property exemption in accordance with the Virginia Freedom of Information Act. Pursuant to Section 2.2-3711(A) 3 of the Code of Virginia, 1950, as amended for discussion of acquisition of real property exemption.

MOTION FOR CLOSED SESSION

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth A. Gillis:	Aye
Fleet Dillard:	Aye	Anita J. Latane:	Aye

On motion of Fleet Dillard, seconded by Kay Carlton, Council certified that WHEREAS, the Tappahannock Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712(D), of the Code of Virginia requires a certification by the Tappahannock Town Council that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED by the Tappahannock Town Council this 8th day of August 2022, hereby certifies that, to the best of each members knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting pursuant to Section 2.2-3711 paragraph (A) .3. Acquisition of Real Property Exemption were heard, discussed, or considered by the Tappahannock Town Council.

Certification as follows:

Kay Carlton:	Aye	Kenneth A. Gillis:	Aye
Fleet Dillard:	Aye	Anita J. Latane:	Aye

On motion of Fleet Dillard, seconded by Kay Carlton, Council voted to grant authority to Eric Pollitt, Town Manager to employ independent council for the purpose of proving advice regarding the acquisition of real property within the Town of Tappahannock.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth A. Gillis:	Opposed
Fleet Dillard:	Aye	Anita J. Latane:	Aye

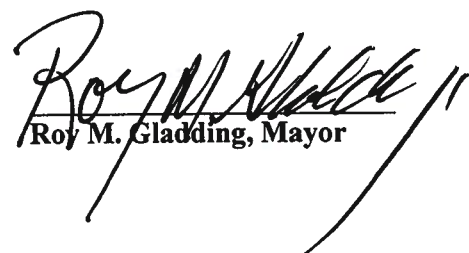
Mayor Gladding asked for any comments or questions.

There being none, the meeting was adjourned at 8:20 p.m.

Track 100/101

Roy M. Gladding, Mayor

Patsy K. Scates, Town Clerk



DA
n RD 1942-47
. 12-97)

**LOAN RESOLUTION
(Public Bodies)**

FORM APPROVED
OMB NO. 0575-0015

A RESOLUTION OF THE Town Council

OF THE Town of Tappahannock

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

2022 DCI Mower & Tractor with Attachments

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

WHEREAS, it is necessary for the Town of Tappahannock

(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

\$71,000.00

pursuant to the provisions of Code of Virginia; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with 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 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 held by the Government and executed or assumed by the Association, and default to constitute default under any other instrument incident to the making or insuring of the loan may be construed by the Government 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 contract or 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 the Government. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, no persons are 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 0575-0015. 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.





CODE OF CONDUCT

No employee, officer, or agent of the owner shall participate in the selection, award, or administration of a contract supported by Rural Development funds if a conflict of interest, real or apparent, would be involved.

TOWN OF TAPPAHANNOCK

BY:

Ben Pallitt

Town Manager



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