TOWN OF ABINGDON, VIRGINIA
TOWN COUNCIL REGULAR MEETING
MONDAY, AUGUST 8, 2022 – 6:30 pm
TOWN HALL - COUNCIL CHAMBERS

DRAFT AGENDA

Please note there will be an opportunity during the meeting for citizens to address the Town Council when the Mayor declares public comments open. We request that anyone addressing the Council sign up, approach the podium when called, state your first and last name, and provide your complete mailing address.

A. WELCOME – ***Mayor Webb***
B. ROLL CALL – ***Kim Kingsley, Clerk***
C. PLEDGE OF ALLEGIANCE – ***Mike Owens, Councilmember***
D. PRAYER – ***Brooke Bednar***
E. APPROVAL OF AGENDA – ***Mayor Webb***
F. PUBLIC COMMENTS – Please place your name on the sign-up sheet provided; comments are limited to three (3) minutes per person.
- Town of Abingdon residents
- Other public comments (e.g. property owners, organizations)

G. APPROVAL OF MINUTES
- July 11, 2022 meeting

H. PROCLAMATIONS
1. Proclamation honoring the Abingdon High School Class 3A VHSL as runner-up in the State Baseball Championship
2. Proclamation honoring Abingdon High School Class 3 Tennis Doubles State runner-up

I. PUBLIC HEARING - Please place your name on the sign-up sheet provided; comments are limited to five (5) minutes per person.
1. **Public Hearing –** proposed special use permit, Owner Evans Properties, Inc., to build a single family dwelling as is required for action within the designated flood hazard area per Section 15-9 of the Zoning Ordinance in the AE Flood Hazard District. Tax Map ID 013-7-1 at 190 Blacks Fort Lane and South Court Street
2. **Public Hearing -** proposed special use permit, Owners, David Brown of HFBG Properties, LLC, and Representative Matt Bundy, Bundy Architecture and Engineering, Inc. for conversion of second-floor space into multifamily use. Tax Map ID 012-1-40 at 155 E. Valley Street

J. RESOLUTIONS
1. Resolution approving special use permit to build a single-family dwelling as is required for action within the designated flood hazard area per Section 15-9 of the Zoning Ordinance in the AE Flood Hazard District. Tax Map ID 013-7-1 at 190 Blacks Fort Lane – ***Mayana Rice,***

Director of Community Development

2. Resolution approving special use permit, Owners, David Brown of HFBG Properties, LLC, and Representative Matt Bundy, Bundy Architecture and Engineering, Inc., for conversion of second-floor space into multifamily use. Tax Map ID 012-1-40 at 155 E. Valley Street – ***Gabe Cristofari, Planner/GIS Specialist***

K. FIRST READING OF ORDINANCES

1. Consideration of amendment to FY2022-2023 Budget Ordinance pursuant to Code of Virginia, 1950, as amended, Section 58.1-3830 to correct cigarette tax rate at $.40 per pack- ***Steve Trotman, Director of Finance***

L. SECOND READING OF ORDINANCES

M. CONSIDERATION OF BIDS

N. NEW BUSINESS

1. Presentation regarding Emory & Henry College campus and project updates – ***President John Wells*** and ***Allison Mays, Senior Advancement Officer for Major Gifts and Planned Giving***
2. Doug's Super Wash (Per Section 18-7-10). Appeal to the Town Council regarding a decision made by the Planning Commission (Jun 27, 2022) to not allow the exterior painting of the Doug's Super Wash to be Benjamin Moore "Red" 2000-10 as it does not comply with the Entrance Corridor standards outlined in Section 18-9-11 (d) Design review guidelines (8) Façade colors. – ***Mayana Rice, Director of Community Development***
3. Consideration of professional services to perform engineering design, construction, and costs analysis for East Main Street Flood Mitigation – ***Michael Surrett, Director of Public Works***
4. Consideration of solid waste disposal services – ***Michael Surrett, Director of Public Works***

O. OLD BUSINESS

P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER

Q. COUNCIL MEMBER REPORTS

R. APPOINTMENTS TO BOARDS AND COMMITTEES

1. Virginia Highlands Small Business Incubator
   - Reappointment of Kent Peterson, who is eligible to serve an additional term
   - Reappointment of Sylvia Robbins, who is eligible to serve an additional term
   - Reappointment of Michael A. Spiegler, who is eligible to serve an additional term
   - Reappointment of Doris Clendenen Shuman, who is eligible to serve an additional term
2. Sinking Spring Cemetery Committee
   -Appointment to fill the vacancy for one of whom is related to or descended from family relatives or ancestors buried in the cemetery

If Council so desires, closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for position(s) on the Virginia Highlands Small Business Incubator and Sinking Spring Cemetery Committee.

S. CLOSED SESSION

1. Closed Session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1), a personnel matter involving demotion, discipline, or resignation of a specific employee(s).

T. ADJOURNMENT

TOWN OF ABINGDON
COUNCIL MEETING
MONDAY, JULY 11, 2022 – 6:30 pm
COUNCIL CHAMBERS – MUNICIPAL BUILDING

The meeting of the Abingdon Town Council was held on Monday, July 11, 2022 at 6:30 pm in the Council Chambers of the Municipal Building.

A. WELCOME – ***Mayor Webb***

B. ROLL CALL

Members of Council Present:
Dwyane Anderson
Mike Owens
Amanda Pillion
Donna Quetsch, Vice Mayor
Derek Webb, Mayor

C. PLEDGE OF ALLEGIANCE

D. PRAYER – Abingdon Community Pastor Tyler Vencill, Highlands Fellowship

E. APPROVAL OF AGENDA (VIDEO 6:42 – 7:09)

On motion of Mrs. Quetsch, seconded by Mr. Anderson, approved the agenda as presented.

The roll call vote was as follows:

Mr. Anderson	**Aye**
Mr. Owens	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**
Mayor Webb	**Aye**

F. PUBLIC COMMENTS (VIDEO 7:09 – 10:38)

- J. W. Hornsby, Kiwanis Club

G. APPROVAL OF MINUTES (VIDEO 10:38 – 11:16)

- June 13, 2022 meeting
- June 23, 2022 mid-month meeting

On motion of Mr. Owens, seconded by Mrs. Pillion, approved the June 13, 2022 and June 23, 2022 minutes as presented.

The roll call vote was as follows:

Mr. Anderson	**Aye**

Mr. Owens	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**
Mayor Webb	**Aye**

H. PROCLAMATIONS

I. PUBLIC HEARING - Please place your name on the sign-up sheet provided; comments are limited to five (5) minutes per person.

1. Public hearing to solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a potential project in our community. **(VIDEO 11:18 – 15:12)**

Tonya Triplett, Director of Economic Development and Tourism, advised Council the public hearing for information regarding the Virginia Department of Housing and Community Development provides funding for local governments to address critical community development needs. Mrs. Triplett stated approximately $17,000,000 was available this budget year, and the Town will apply.

Mrs. Triplett provided the example of a $400,000 grant that allowed the Town to distribute $336,000 to small businesses to provide meals to Faith In Action during Covid-19. An additional $40,000 was used for administration fees, and $25,000 provided equipment to Faith In Action to carry on the services.

Counsel Cameron Bell stated that the public hearing was required to start the application process.

Mayor Webb opened the public hearing. Hearing no comments, Mayor Webb closed the public hearing.

J. RESOLUTIONS

K. FIRST READING OF ORDINANCES

L. SECOND READING OF ORDINANCES

M. CONSIDERATION OF BIDS

N. NEW BUSINESS

1. Presentation from Virginia Highlands Festival – ***Ryan Henderson, Board President*** and ***Deidre Cole, Executive Producer*** **(VIDEO 15:20 – 20:42)**

Executive Producer Deidre Cole thanked the Council, citizens, and Tonya Triplett for their support, invited Council to attend a ribbon-cutting for the juried arts and crafts and announced a call for volunteers.

O. OLD BUSINESS

P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER (VIDEO 20:49 – 31:17)

1. Wastewater Operations Report – ***Ryan Sullivan, Woodard & Curran***

Ryan Sullivan and Chris Pritt provided Council with a quarterly report regarding the operations at the Wolf Creek Water and Reclamation facility. Councilmember Mike Owens stated it was refreshing to see accountability and work accomplished.

(VIDEO 31:18 – 32:56)

Town Manager Mike Cochran provided Council with a diagram regarding the proposed Court Street realignment, including a single lane in a single direction. He felt it was a good design and would maintain parking for the Courthouse and businesses for approximately 1 ½ to 2 years during construction. Mayor Webb said he was happy to be coordinating with the County and looks suitable for everyone.

Q. COUNCIL MEMBER REPORTS - None

S. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 33:10 – 50:28)

On motion of Mr. Owens, seconded by Mr. Anderson, to convene in closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for the purpose of considering applications for appointment for position(s) on Recreation Advisory Commission, Board of Building Code Appeals, Board of Zoning Appeals, District Three Government Cooperative, and Sustain Abingdon.

The roll call vote was as follows:

Mr. Owens	**Aye**
Mr. Anderson	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**
Mayor Webb	**Aye**

On motion by Mr. Owens, seconded by Mrs. Quetsch, reconvened in open session. (VIDEO 50:28 – 51:23)

The roll call vote was as follows:

Mr. Owens	**Aye**
Mr. Anderson	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**
Mayor Webb	**Aye**

Mr. Owens moved that the Town Council certify that, in closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in the motion.

The certification was as follows:

Mr. Owens	**I so certify**
Mr. Anderson	**I so certify**
Mrs. Pillion	**I so certify**
Mrs. Quetsch	**I so certify**
Mayor Webb	**I so certify**

(VIDEO 51:23 – 59:39)

1. Recreation Advisory Commission

Mayor Webb announced this matter was tabled and requested the Clerk to advertise for the vacancy.

2. Board of Building Code Appeals

On motion by Mr. Owens, seconded by Mr. Anderson, appointed Daniel Swanson, Cullen Barker, and Chris Brewer to the Board of Building Code Appeals to fill the expired terms of Charlie Day, Tandy Rasnake, and Michael Scott.

The roll call vote was as follows:

Mr. Owens	**Aye**
Mr. Anderson	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**
Mayor Webb	**Aye**

3. Board of Zoning Appeals

Mayor Webb announced this matter was tabled and requested the Clerk to advertise for the vacancy.

4. District Three Government Cooperative

On motion by Mrs. Pillion, seconded by Mrs. Quetsch, appointed Councilmember Dwyane Anderson to fill the unexpired term of James Anderson on District Three Government Cooperative board.

The roll call vote was as follows:

Mr. Owens	**Aye**
Mr. Anderson	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**

Mayor Webb	**Aye**

5. Sustain Abingdon

On motion by Mr. Owens, seconded by Mr. Anderson, appointed Kathlyn Baker to fill the unexpired term of Chelsea Goulding on the Sustain Abingdon committee.

The roll call vote was as follows:

Mr. Owens	**Aye**
Mr. Anderson	**Aye**
Mrs. Pillion	**Aye**
Mrs. Quetsch	**Aye**
Mayor Webb	**Aye**

Mayor Webb declared the meeting adjourned.

_____
Mayor Derek Webb

_____
Kimberly Kingsley, Clerk

S T A F F R E P O R T

TO: **ABINGDON TOWN COUNCIL**

FROM: **MAYANA RICE, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: **REQUEST FOR A SPECIAL USE PERMIT FOR A DEVELOPMENT WITHIN THE FLOOD HAZARD DISTRICT**

PUBLICATION DATE: **AUGUST 1, 2022**

MEETING DATE: **AUGUST 8, 2022**

LOCATION: **COUNCIL CHAMBERS, TOWN HALL**
133 WEST MAIN STREET, ABINGDON, VA

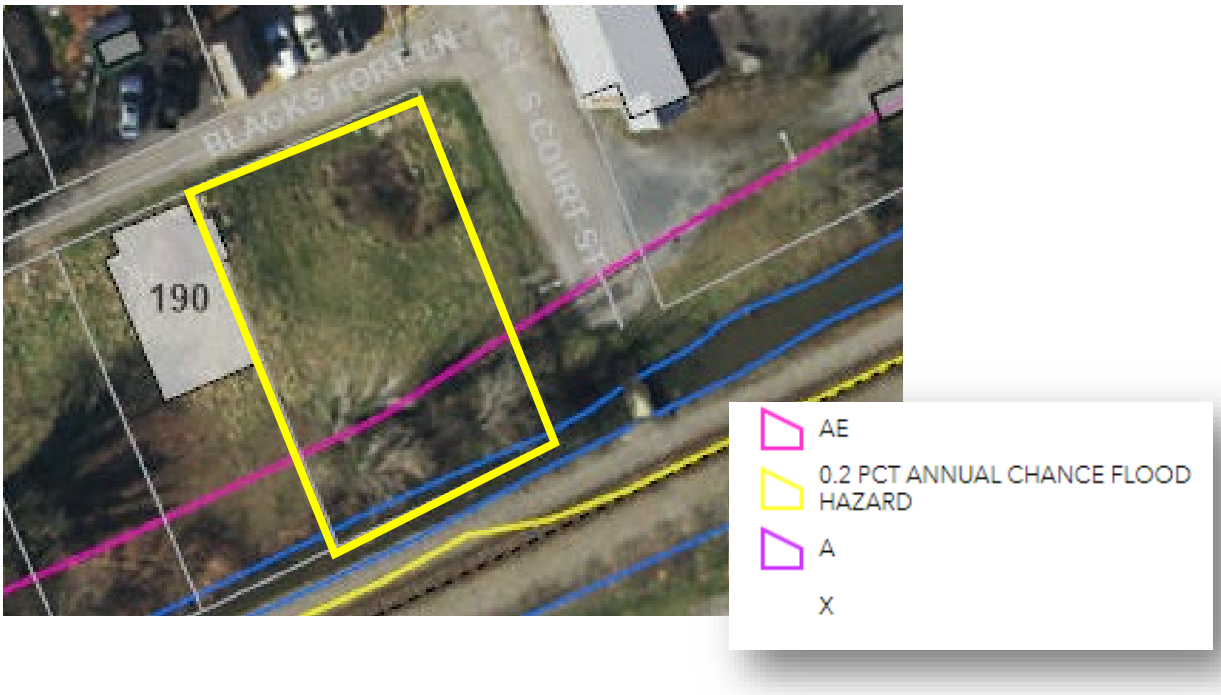
REQUEST:

Debbie Evans (Owner) has requested approval of a Special Use Permit per Section 15-9 of the Town of Abingdon Zoning Ordinance to a home in the AE Flood Hazard District, located at approximately Blacks Fort Lane and South Court Street, Abingdon VA (Parcel 013-7-1).

The property is currently zoned Limited Business (B-1).

VICINITY MAP:

FLOOD HAZARDS:



ZONING MAP:

B-1
PARK ST
137
195
232
226
214
216
B-1
186
182
M-I
220
247
R-3
190
B-1
A ST
244
224
310

STAFF FINDINGS:

1. **Location.** The Subject Property contains approximately 0.1 acres and is vacant.

2. **Background.** The site is vacant. The applicant is wanting to build a new structure on the property and is required to submit a SUP for building on a parcel within the floodplain.

   On July 25, 2022 the Planning Commission approved the proposal as presented with a 5 to 1 motion in the affirmative, there motion is as follows:

   The Planning Commission moved to approve the special use permit to allow a single-family residence to be constructed on a parcel that is encumbered by the AE FEMA flood designation.

   Mr. Wilson stated FEMA has a 0.00 increase regulation concerning a regulatory floodway. The study shows a minimal increase lower than 1 foot. FEMA leaves the decision of allowing a minimal increase to the flood plain to the local building official. He voted against it, indicating that as an engineer he could not support additional structures in the floodway.

3. **Access.** Access to the site will continue to be Park Street

4. **Adjacent Land Uses/Zoning.** Adjoining properties are Limited Business (B-1) to the north and west. The adjacent parcel to this one is zone Limited Industrial (M-1) and the properties to the south are zoned Residential (R-3).

5. **Topography.** The parcel is relatively flat in this location with a general slope to the south.

6. **Applicable Requirements of the Zoning Ordinance.**

   Utilization of the flood hazard district.
   15-9
   All uses, activities and development occurring within any flood hazard district shall be undertaken only upon the issuance of a special use permit. Such development shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and the Town of Abingdon Subdivision Regulations (VA USBC is available online, public libraries and at the office of the building official at the Abingdon Town Hall). Prior to the issuance of any such permit, the administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways or any watercourse, drainage ditch or any other drainage facility or system.

Staff Findings:

Town Engineer, Tyler Vencill reviewed the information and made the determination that this does require a special use permit in order to redevelop this structure.

15-9-3.

Site plans and permit applications. All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

(a) *The elevation of the base flood at the site.*

(b) *The elevation of the lowest floor (including basement).*

(c) *For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.*

(d) *Topographic information showing existing and proposed ground elevations.*

Staff Findings:

Building plans were submitted that complied with the requirements for 15-9-3.

15-9-4.

The following uses shall be permissible in the floodway district provided that they are in compliance with the provisions of the underlying district and provided that the development will not increase base flood elevations:

(c)

Open accessory residential uses such as yard areas, gardens, play areas and previous loading areas, but not storage or other structures.

(d)

Encroachments, including fill, new construction, substantial improvements and other developments are prohibited unless certification such as hydrologic and hydraulic analyses (with supporting technical data) is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood. *Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the administrator. Development activities which increase the water surface elevation of the base flood may be allowed, provided that the developer or applicant first applies — with the Town of Abingdon's*

endorsement — for a conditional flood insurance rate map and floodway revision, and receives the approval of the Federal Emergency Management Agency.

(e)

If Section 15-9-5(d) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 15-12.

Staff Findings:

Per the Town Engineer the flood report utilized good engineering practices to obtain the impact on the Base Flood Elevation. With the support of the building permit application, there is support for allowing this SUP to be approved.

STAFF SUGGESTED CONDITIONS OF APPROVAL:

If the Town Council decides to approve the Special Use Permit request, staff suggests the following conditions of approval be attached in order to secure substantial protection for public health, safety, and general welfare:

1. Submittal of all applicable building permits to the Community Development Department to ensure compliance with the VA USBC for both construction permitting and for any required flood proofing.

REQUIRED ACTIONS OF THE TOWN COUNCIL :

A. **Sample Motions.**

- **Sample Motion for Approval:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 19-9-6 of the Town of Abingdon Zoning Ordinance, I move to approve the Blacks Fort Lane Special Use Permit.

- **Sample Motion for Denial:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 19-9-6 of the Town of Abingdon Zoning Ordinance, I move to deny the Blacks Fort Lane Special Use Permit.

- **Sample Motion for Continuance:** Having reviewed and considered the application materials, staff report, and public comment, I move to continue the Blacks Fort Lane Special Use Permit.

B. The Town Council's decision must be supported by findings related to the below determinations.

1. To provide findings in support of the above determinations, the Town Council may wish to adopt in whole or in part the findings in the staff report, and the Planning Commission's recommendation.

2. The Town Council also should make original findings based on other relevant information entered into the record during the meeting, including the applicant's presentation and public comment.

Exhibits:

A: Applicant's Submittal Packet
B: Town Engineer Memo

CC:

Debbie Evans devans2125@embarqmail.com

S:\Shared With Me\Planning Department\Planning Commission Meetings\1. Planning Commission\2022\7. July 2022\Blacks fort Lane\Staff Report Blacks Fort LN.docx

RE: Floodplain study review

Tyler Vencill

Wed 6/29/2022 2:31 PM

To: Mayana Rice <mrice@abingdon-va.gov>;

Mayana,

The Flood Report states the home is to be built on posts and the main floor elevated to 2-feet above the BFE. The sketch says 6 block high foundation. I would agree that the report used good engineering practices to obtain the impact on the BFE and that it is within the constraints of the Ordinance for utilization of Flood Zone AE, only if the construction of the home is in compliance with the input data of the study. If you have a building permit that indicates the appropriate changes to the structure then I would support recommending the SUP for approval.

Hope that helps,

J. Tyler Vencill, P.E. | Civil Engineer
Town of Abingdon
133 West Main Street | P O Box 789 | Abingdon, Virginia | 24210
Office - 276.628.3167 | Fax - 276.698.3412
tvencill@abingdon-va.gov | http://www.abingdon-va.gov

If you need to send an attachment greater than 10MB, please use the following link to my File Box:
https://abingdon.sharefile.com/r-r490e623bdaf48da8

From: Mayana Rice
Sent: Monday, June 27, 2022 10:05 AM
To: Tyler Vencill <tvencill@abingdon-va.gov>
Subject: Floodplain study review

Hey there!

If you would review this study and provide a memo that would be great. The study probably needs to be reviewed quickly so that the applicant can submit the SUP if the study is good.

If the study needs to be updated - then obviously we'll need that before you write an actual memo for a meeting.

Thanks for your assistance!
M

Town of Abingdon, Virginia Department of Planning	Special Use Permit Application Non-refundable Application Fee - $75

To the Town Council and Planning Commission

Special Use Permit is required under Section No. _____ of the Zoning Ordinance in the _____ zone for the use of

_____

Applicant Information:

Name of Owner: Debbie Evans

Address: 327 Oakland St Telephone #: 2766088176

Representative: _____

Representative is: ☐ Lessee/Renter or Other (please specify): _____

Representative's Telephone Number: _____ Email: _____

Representative's Address: _____

Property Information:

Location: Corner Black Fort Lane AND COURT ST

Tax Map Number: 013 7 1

Describe proposed improvements and give details of operation(s). (Please describe operations thoroughly, as required by section 17-3-2 of the Zoning Ordinance [See reverse] and attach separate sheet(s) if necessary):

Proposed to build new house at this location in accordance with requirements for above ground house put in at least 2 ft posts as per requirements for town ordinance and engineering survey by Matt Bundy

Additional Details: Size of house will be 28 x 32. ~~Requirements~~ Engineering survey sent to email.

- For new developments only: Site plan must be attached showing boundaries and dimension of property, width of internal and external streets, location and size of building(s) on the site, roadways, walks, off street parking as required but this ordinance, landscaping, and signs. [Ref. Article 18 of the Zoning Ordinance]

- There is an application fee for Special Use Permit of $75.00, as established in Section 17-3-1, c of the Zoning Ordinance, plus the cost of advertising.

§15.2-2206, Code of Virginia, as amended:

And locality may by ordinance require that a person applying to the local governing body, local planning commission or board of zoning appeals pursuant to this chapter be responsible for all required notices. The locality shall require that notice be given as provided by § 15-2-2204.

Code: 011/Budget line item: 100-3-13-030-0300

Certification:

Signature of Owner: Debbie Evans Date: 6-28-22

Signature of Representative: _____ Date: _____

Adjacent Owners:	Addresses:

To be Completed by Staff Only:

Action Taken by Planning Commission:

☐ Approved as presented.

☐ Disapproved (see below for explanation).

☐ Modified and approved (see below for modifications).

Modifications / Reasons for Disapproval:

_____

_____

_____

_____

Signature: _____ Date: _____

Department of Planning, Town of Abingdon

Action Taken by Town Council:

☐ Approved as presented.

☐ Disapproved (see below for explanation).

☐ Modified and approved (see below for modifications).

Modifications / Reasons for Disapproval:

_____

_____

_____

_____

Signature: _____ Date: _____

Mayor, Town of Abingdon

Typical Timeline

Deadline for applications are due on the first Monday of the month in order for the application to be placed on that months agenda. The staff needs to have sufficient time to review site plans & post public notices per VA code section §15.2- 2204.

If you have any questions, please call the Planning Department at 276-628-3167

TOWN OF ABINGDON
Building Inspection Department

133 WEST MAIN STREET • P. O. BOX 789
ABINGDON, VIRGINIA • 24212
Phone: 276.628.6611
Fax: 276.698.3412
Email: inspections@abingdon-va.gov

Office Use Only

App ID#: _____

Permit #: _____

Date Recd: _____

Recd By: _____

Application for Building Permit

Location of Property

Street Address: Black fort lane

Property Owner

Name: Evans properties

Phone: 2766088176

Mailing Address: 23300 Wycoff drive

General Contractor

Note: Owners doing their own work do not need to complete this section.

Company Name:

License Number and Expiration Date: /

Mailing Address:

Phone:

Email: Devans2125@embarqmail.com

Project Description (check box that applies)

1.) Residential (1 and 2 family dwelling)

2.) New Structure and/or Certificate of Occupancy

3.) Building Plans? No

Value of Project: 150000.00

Additional Comments:

Applicant Signature

All answers to questions and additional statements, within this application for permit, are true, as confirmed by my signature below.

Applicant (Print Name): Debbie evans

Signature of Applicant:

Date: April 4, 2022

Owner Affidavit

My signature below confirms that I am familiar with the Code of Virginia, Title 54.1-1111 which regulates contractors; I am aware that anyone who performs work for me is required to have a state contractor license and trade certification (if applicable); that I may be subject to with-holding taxes for those working on my project; and that I am not subject to licensure as a contractor or subcontractor for this project.

Signature of Owner Applicant:

Date: April 4, 2022

Information

Required Inspections:

1. Footing Inspection – prior to concrete placement.
2. Foundation wall – basement only and prior to backfill.
3. Concrete slabs – prior to concrete placement.
4. Concealment Inspection - prior to wall coverings.
5. Final Inspection.

Adopted Codes:

2015 Virginia Construction Code

Residential 2015

Permit Fees:

$0.09 per square foot for residential construction

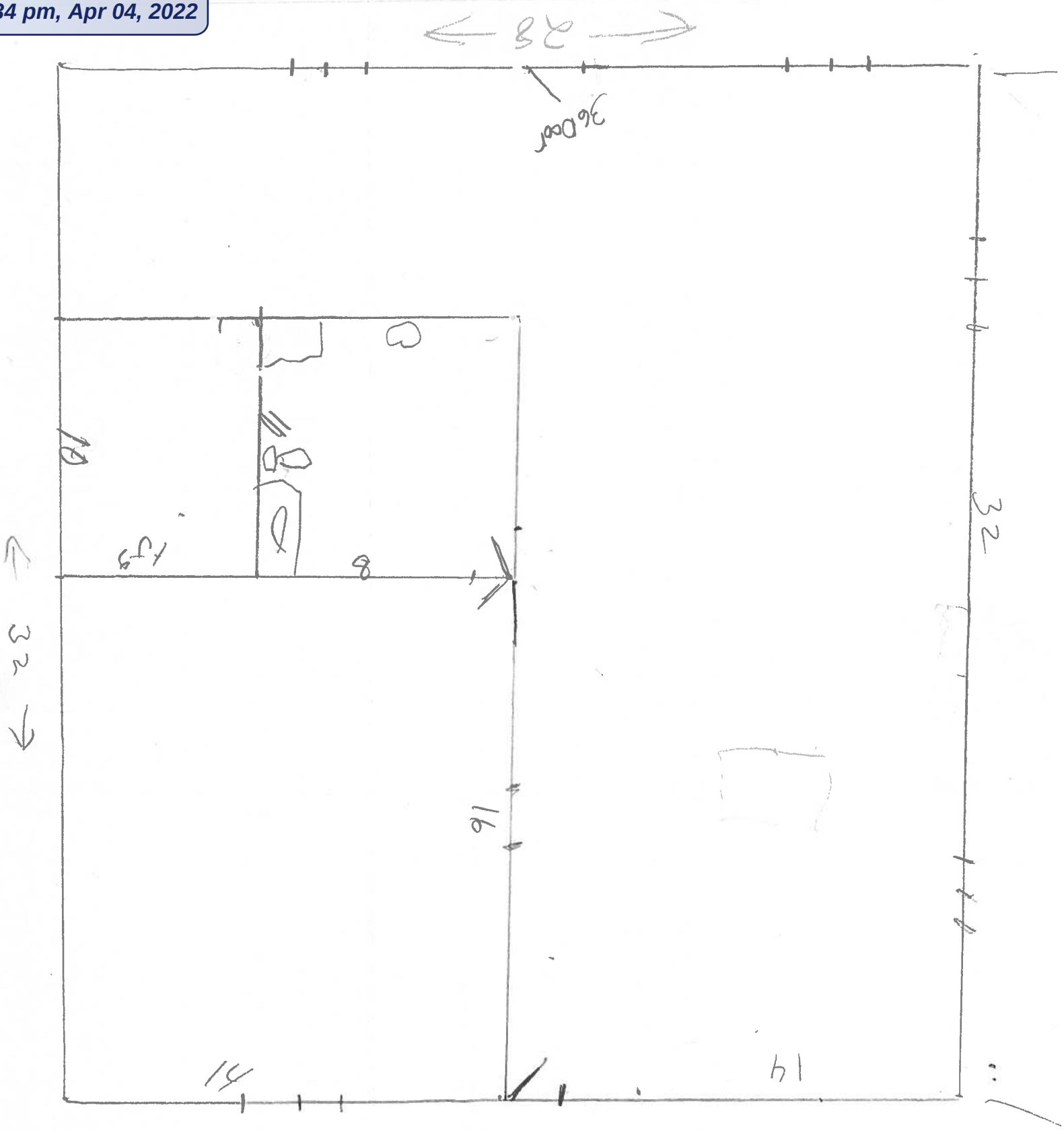
$0.11 per square foot for commercial construction

$20.00 minimum

$40.00 for foundation only

Attachments Submitted:

RECEIVED
By Laura Dowell at 3:34 pm, Apr 04, 2022



1) Building 28x32
2) Engineered TGI floor system.
3) Framing on 16" centers.
4) Engineered roof system.
5) 6 Blocks high foundation.

~~Home plans.net~~

Debbie Evans
2766088176

BUNDY ARCHITECTURE AND ENGINEERING, INC.

June 17, 2022

Ms. Debbie Evans
Via email

Re: Flood Plain Impact Analysis for Blacks Fort Lane Property

Dear Ms. Evans:

Pursuant to your request, we have performed a hydrologic analysis of the impact of a new residence to be constructed on the vacant lot located directly to the east of 190 Blacks Fort Lane with respect to the 1% chance flood elevation under FEMA guidelines.

The drainage way impacted is Town Creek near Mile 2.3 between Tributary 1 and Tributary 2. A detailed study of this area has been performed by FEMA and section T from the study is located just upstream of the property with a BFE of 2039.0.

The flood elevation at the property from the detailed study is approximately 2038.6. The residence will be fully located in the 1% zone and the 1% Floodway. To limit the impact to the base flood elevation, the structure is to be construction on posts with the main floor elevated a minimum of 2 ft above the Base Flood Elevation. For this analysis, 1 ft wide posts spaced at 10 ft center to center with a total length of 50 ft were input into the model. Additionally, a 4 ft wide stairway was input into the model.

A HEC-RAS analysis of the channel has been prepared to analyze the impact of the residence on the 100 yr (1%) flood elevation. The flow rate from the flood study at mile 2.24 is given as 680 cfs. Since this is below the confluence of Tributary 1, which is below our site, this flow rate is slightly conservative.

Attached are the detailed calculations for the BFE with pertinent data as follows:

100 yr Flow Rate (from Study)	680 cfs
Assumed BFE at Section 1 of Model	2038.3
100 Yr BFE at section 3 before addition	2038.62
100 Yr BFE at section 3 after addition	2038.61
100 Yr BFE at section 4 before addition	2038.94
100 Yr BFE at section 4 after addition	2039.00

SITE PLAN SCALE: 1"=100'

Pre construction WS Profile:

HEC-RAS Plan: Plan 05 River: TOWN CREEK Reach: 1 Profile: PF 1

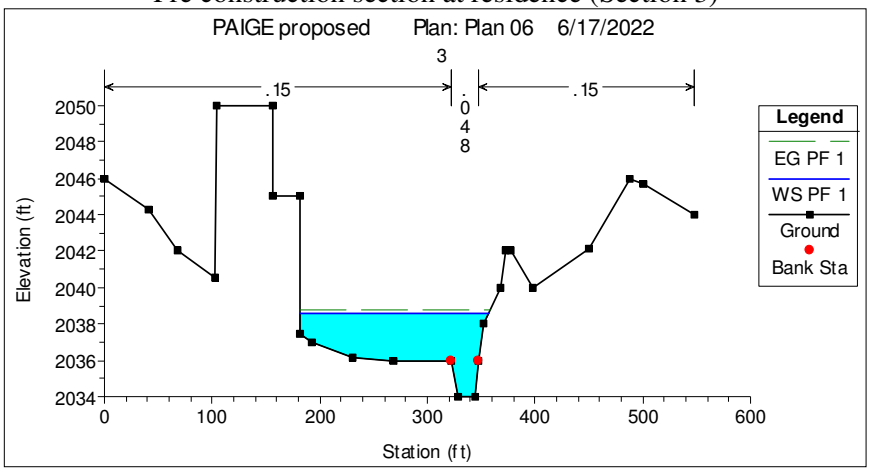
Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
1	514	PF 1	680.00	2034.00	2038.94	2037.26	2039.34	0.004107	5.42	246.93	143.28	0.44
1	340	PF 1	680.00	2034.00	2038.62		2038.75	0.002252	3.77	447.68	175.90	0.32
1	182	PF 1	680.00	2032.00	2038.41		2038.50	0.001073	3.09	575.89	185.11	0.22
1	10	PF 1	680.00	2032.00	2038.30	2034.92	2038.36	0.000572	2.25	612.56	163.48	0.17

Post construction WS Profile:

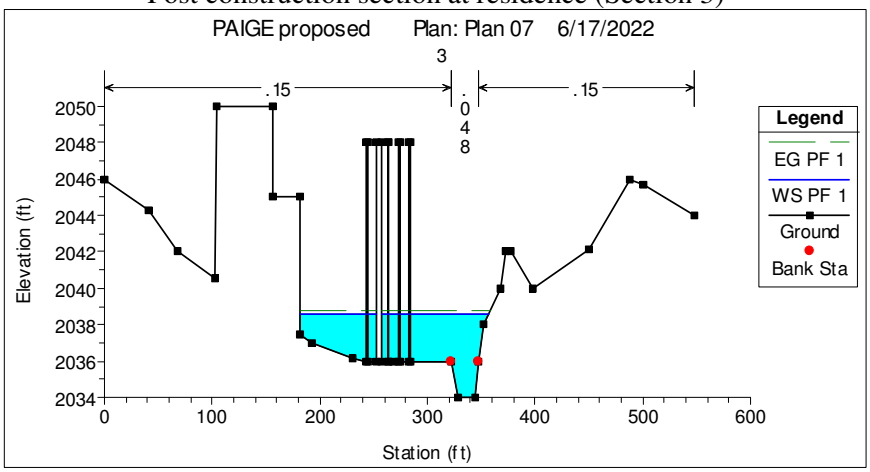
HEC-RAS Plan: Plan 05 River: TOWN CREEK Reach: 1 Profile: PF 1

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
1	514	PF 1	680.00	2034.00	2039.00	2037.26	2039.37	0.003906	5.32	254.79	146.07	0.43
1	340	PF 1	680.00	2034.00	2038.61		2038.77	0.002588	4.03	424.50	166.83	0.35
1	182	PF 1	680.00	2032.00	2038.41		2038.50	0.001073	3.09	575.89	185.11	0.22
1	10	PF 1	680.00	2032.00	2038.30	2034.92	2038.36	0.000572	2.25	612.56	163.48	0.17

Pre construction section at residence (Section 3)



Post construction section at residence (Section 3)



Based on this analysis, in my professional opinion, the residence constructed on maximum of 5 rows of maximum 12" wide posts and a maximum of 4 ft wide stairs results in a 0.06 ft rise in the Base Flood Elevation which is insignificant with respect to the accuracy of the original FEMA analysis methods and input data. We recommend any solid construction other than the piers and stairs and any construction materials which may be damaged by flood waters such as HVAC compressors be placed at a minimum elevation of 2041.00. We recommend a licensed land surveyor provide you the proper elevation benchmark on site and certify the final elevations after construction.

Please let me know if you have any questions or require further information.

Very truly yours,

Matthew T. Bundy, A.I.A., P.E.
Vice President

A RESOLUTION APPROVING SPECIAL USE PERMIT PURSUANT TO SECTION 15-9 UTILIZATION OF FLOOD HAZARD DISTRICT OF THE TOWN OF ABINGDON ZONING ORDINANCE, PROPOSED DEVELOPMENT IN THE FLOOD HAZARD DISTRICT, CURRENTLY B-1 LIMITED BUSINESS DISTRICT, LOCATED APPROXIMATELY 190 BLACKS FORT LANE AND SOUTH COURT STREET, TAX MAP NO. 013-7-1

WHEREAS, §15.2-2200 of the Code of Virginia 1950, as amended, established that the governing body of any town may enact and enforce ordinances for the general purpose of promoting the public health, safety, convenience and welfare of its general public; and

WHEREAS, the Town adopted an Ordinance on August 2, 2010, pursuant to Section 15-9 Utilization of the flood hazard district of the Town's Zoning Ordinance, for all uses, activities and development occurring within any flood hazard district shall be undertaken only upon the issuance of a special use permit.

WHEREAS, the Planning Department of the Town reviewed the application requesting a special use permit and made a report of its findings and recommendations to the Planning Commission on July 25, 2022.

WHEREAS, the Planning Commission reviewed and made a recommendation of 5 to 1 in favor of approval to the Town Council concerning the application of a special use permit on July 25, 2022.

NOW THEREFORE, BET IT RESOLVED, the Town Council has determined that the development would not adversely affect the capacity of the channels or floodways or any watercourse, drainage ditch or any other drainage facility or system as a result of approving special use permit, pursuant to Section 15-9 Utilization of the flood hazard district of the Town's Zoning Ordinance, for development in the flood hazard district, currently zoned B-1, Limited Business District, located at approximately 190 Blacks Fort Lane and South Court Street, Tax Map # 013-7-1justifying issuance of said special use permit and the Community Development Department shall issue a Special Use Permit reflecting the approval of this Ordinance.

_____

Derek Webb, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on August 8, 2022. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Derek Webb, Mayor		
Donna Quetsch, Vice Mayor		
Amanda Pillion		
Dwyane Anderson		
Mike Owens		

WITNESS MY HAND and the seal of the Town of Abingdon as of _____ , 2022.

(SEAL)

_____
Kimberly Kingsley, Clerk

S T A F F R E P O R T

TO: **ABINGDON TOWN COUNCIL**

FROM: **MAYANA RICE, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: **REQUEST FOR A SPECIAL USE PERMIT TO CONVERT 2nd FLOOR TO MULTIFAMILY USE**

PUBLICATION DATE: **August 2, 2022**

MEETING DATE: **August 8, 2022**

LOCATION: **COUNCIL CHAMBERS, TOWN HALL**
133 WEST MAIN STREET, ABINGDON, VA

REQUEST:

David Brown of HGBG, LLC (Owners) and Matt Bundy (Representative) have requested approval of a Special Use Permit per Section 15-9 of the Town of Abingdon Zoning Ordinance to convert a portion of the 2nd floor (southern corner), to multifamily, located at 155 E. Valley Street, Abingdon VA (Parcel 012-1-40).

The property is currently zoned Limited Industrial District (OI).

VICINITY MAP:

ZONING MAP:

R3
OI
OH
44
234
230
224
155
165
159
153
OAK HILL ST
FOOD CITY CIR
BREWER

STAFF FINDINGS:

1. **Location.** The Subject Property contains approximately .764 acres and contains one structure addressed as 155 E. Valley Street.

2. **Background.** The structure currently is utilized by a variety of businesses as office space. Their application states*:* renovate 2nd floor into multifamily spaces, specifically the southern corner of the 2nd floor. The only change to the footprint of the building will be two elevated balconies located on the South facing elevation. The remaining sections of the structure will continue to be used as office space for businesses. On July 25, 2022 the Planning Commission unanimously approved the proposal as presented, there motion is as follows:

   The Planning Commission moved to approve the special use permit to convert the southern corner of the 2nd floor to multifamily use as presented, and meets the requirements of Section 19-9-6 of the Town of Abingdon's Zoning Ordinance.

3. **Access.** Access to the site will continue to be Food City Circle.

4. **Adjacent Land Uses/Zoning.** Adjoining properties are zoned Office & Institutional (OI), Residential (R-3), and Old & Historic (OH) to the west. A parcel adjacent to the Northwest corner of 155 E. Valley Street has its eastern half-zoned OI and its western half-zoned R-3. Primarily an OH parcel sits adjacent to the West of 155 E. Valley Street. The adjacent parcel to the North and East is zoned Office & Institutional (OI), and the properties to the south are zoned Old & Historic (OH).

5. **Topography.** The parcel is relatively flat in this location with a general slope to the West. The parcel is located on a slight hill directly behind structures fronting East Valley Street.

6. **Applicable Requirements of the Zoning Ordinance.**

   Article 9 OI Office & Institutional District

   9-2 Special uses.

   The following uses may be permitted in the OI office and institutional district with a special use permit in accordance with regulations in 17-3 of this ordinance:

   9-2-6. Multi-family dwellings with area, setback, frontage, yard and height regulations as required in Article 7 of this ordinance.

   7-3 Area regulations.

   7-3-1. For lots served by public water and sewer, the minimum lot area shall be:

(c) 10,000 square feet plus 2,500 square feet for each additional dwelling unit over two dwelling units for multiple-family dwellings. Multiple-family dwellings shall only be permitted in areas served by public water and sewer systems.

STAFF FINDINGS:
The parcel size can accommodate the request. It is roughly 33,000 square feet.

7-7 Height regulations.

Buildings may be erected up to 35 feet in height;

STAFF FINDINGS:

The only exterior aspects concerning the conversion of the South corner of the 2nd floor into a multifamily space, are two doors installed into the South facing elevation leading out to two newly constructed balconies for each apartment space.

All other aspects of the project will be located in the interior of the structure, thus not altering area, setbacks, frontage, yard, or height regulations.

STAFF SUGGESTED CONDITIONS OF APPROVAL:

If the Town Council decides to approve the Special Use Permit request, staff suggests the following conditions of approval be attached in order to secure substantial protection for public health, safety, and general welfare:

1. Submittal of all applicable building permits to the Community Development Department to ensure compliance with the VA USBC for construction permitting.

REQUIRED ACTIONS OF THE TOWN COUNCIL:

A. **Sample Motions.** The role of the Town Council in this instance is to decide on the Special Use Permit request. The following sample motions have been provided by Staff for consideration by the Town Council:

- **Sample Motion for Approval:** Having reviewed and considered the application materials, staff report, Planning Commission decision, and public comment, in accordance with the requirements of Section 19-9-6 of the Town of Abingdon Zoning Ordinance, I move to approve HGBG, LLC Special Use Permit.

- **Sample Motion for Denial:** Having reviewed and considered the application materials, staff report, Planning Commission decision, and public comment, in accordance with the

requirements of Section 19-9-6 of the Town of Abingdon Zoning Ordinance, I move to deny the HGBG, LLC Special Use Permit.

- **Sample Motion for Continuance:** Having reviewed and considered the application materials, staff report, Planning Commission decision, and public comment, I move to continue HGBG, LLC Special Use Permit.

B. The Town Council's decision must be supported by findings related to the below determinations.

1. To provide findings in support of the above determinations, the Town Council may wish to adopt in whole or in part the findings in the staff report.

2. The Town Council also should make original findings based on other relevant information entered into the record during the meeting, including the applicant's presentation and public comment.

Town of Abingdon, Virginia Department of Planning	Special Use Permit Application Non-refundable Application Fee - $75

To the Town Council and Planning Commission

Special Use Permit is required under Section No. ___17-3___of the Zoning Ordinance in the ___OI__ zone for the use of

_____MULTIFAMILY_____

Applicant Information:

Name of Owner: HGBG, LLC, David Brown, ___manager_____

Address: ___155 East Valley Street_____ Telephone #:___276-628-1123_____

Representative: __Matt Bundy_____

Representative is: ☐ Lessee/Renter or Other (please specify): _____ARCHITECT_____

Representative's Telephone Number: _____ Email:_____

Representative's Address: _____190 East Main Street_____

Property Information:

Location: ____155 East Valley Street_____

Tax Map Number: _____012-1-40_____

Describe proposed improvements and give details of operation(s). (Please describe operations thoroughly, as required by section 17-3-2 of the Zoning Ordinance [See reverse] and attach separate sheet(s) if necessary):

Conversion of 2nd floor space to multifamily

_____

_____

_____

Additional Details:

- For new developments only: Site plan must be attached showing boundaries and dimension of property , width of internal and external streets, location and size of building(s) on the site, roadways, walks, off street parking as required but this ordinance, landscaping, and signs. [Ref. Article 18 of the Zoning Ordinance]

- There is an application fee for Special Use Permit of $75.00, as established in Section 17-3-1, c of the Zoning Ordinance, plus the cost of advertising.

§15.2-2206, Code of Virginia, as amended:

And locality may by ordinance require that a person applying to the local governing body, local planning commission

or board of zoning appeals pursuant to this chapter be responsible for all required notices. The locality shall require that notice be given as provided by § 15-2-2204.

Code: 011/Budget line item: 100-3-13-030-0300

Certification:	
Signature of Owner:	Date: 6-21-22
Signature of Representative:	Date: 6.21.22

Adjacent Owners:	**Addresses:**
K-VAT-T FOOD STORES INC	PO BOX 1158, ABINGDON, VA 24212
TRUHLIK,CHARLENE AND PURSER WILLIAM	147 E VALLEY STREET, ABINGDON, VA 24212
BUNN, JAMES AND BROOKE	153 E VALLEY STREET, ABINGDON, VA 24212
HUMPHREYS, TODD	230 OAK HILL STREET, ABINGDON, VA 24212
CUMBOW, JOSHUA AND LESLIE	224 OAK HILL STREET, ABINGDON, VA 24212
To be Completed by Staff Only:	

Action Taken by Planning Commission:

☐ Approved as presented.

☐ Disapproved (see below for explanation).

☐ Modified and approved (see below for modifications).

Modifications / Reasons for Disapproval:

_____

_____

_____

_____

Signature: _____ Date: _____

Department of Planning, Town of Abingdon

Action Taken by Town Council:

☐ Approved as presented.

☐ Disapproved (see below for explanation).

☐ Modified and approved (see below for modifications).

Modifications / Reasons for Disapproval:

_____

_____

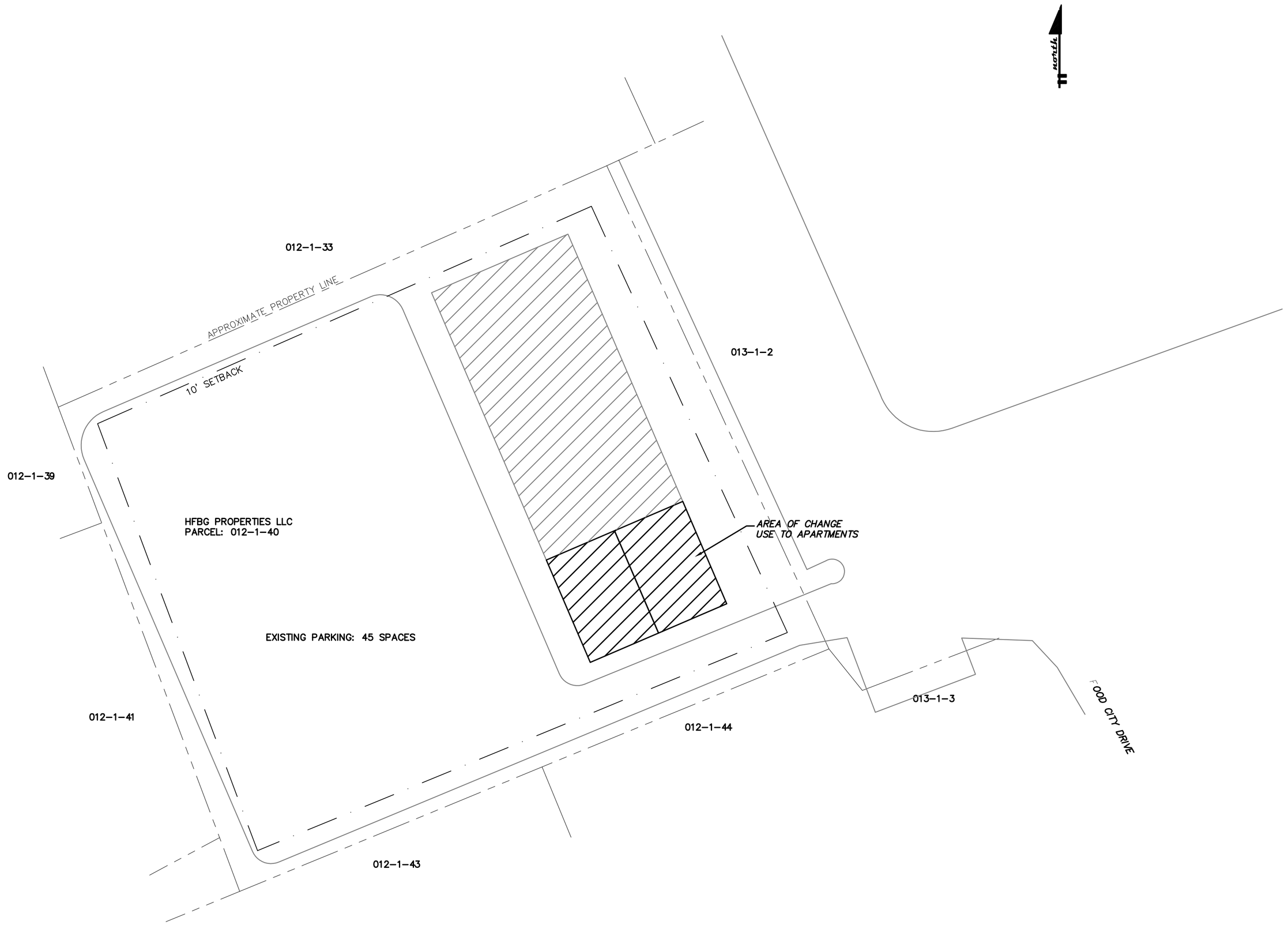
_____

_____

Signature: _____ Date: _____

Mayor, Town of Abingdon

Typical Timeline
Deadline for applications are due on the first Monday of the month in order for the application to be placed on that months agenda. The staff needs to have sufficient time to review site plans & post public notices per VA code section §15.2- 2204.
If you have any questions, please call the Planning Department at 276-628-3167



SITE PLAN

1"=20'

20 10 0 20 40

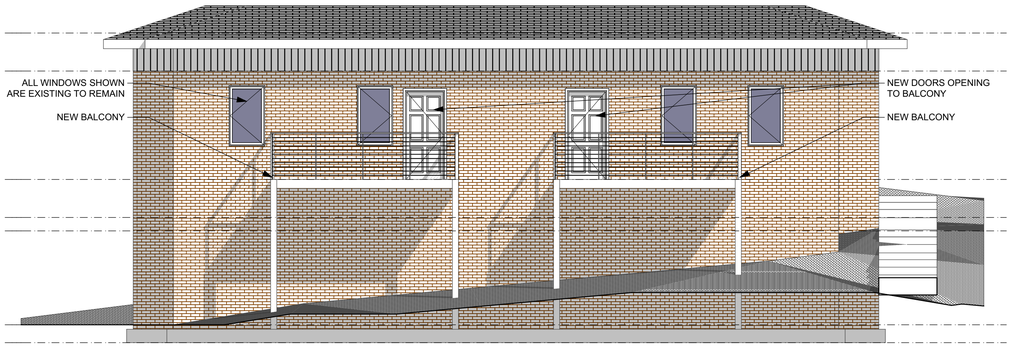
155 VALLEY STREET
ABINGDON, VA

Date:	Description
07/15/22	

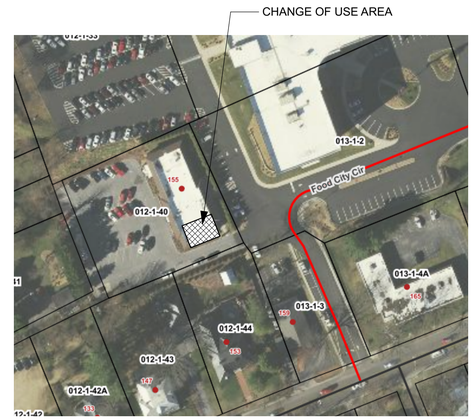
COMMONWEALTH OF VIRGINIA
MATTHEW TODD BUNDY
LIC. NO. 36139
07/15/22
PROFESSIONAL ENGINEER

Project #: 22018
Drawn By:
Approved By: MTB

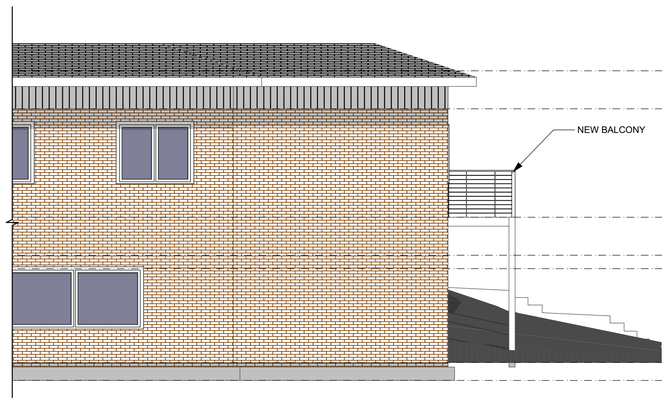
bundy
ARCHITECTURE & ENGINEERING
190 E MAIN ST ABINGDON, VA P.276.628.1067



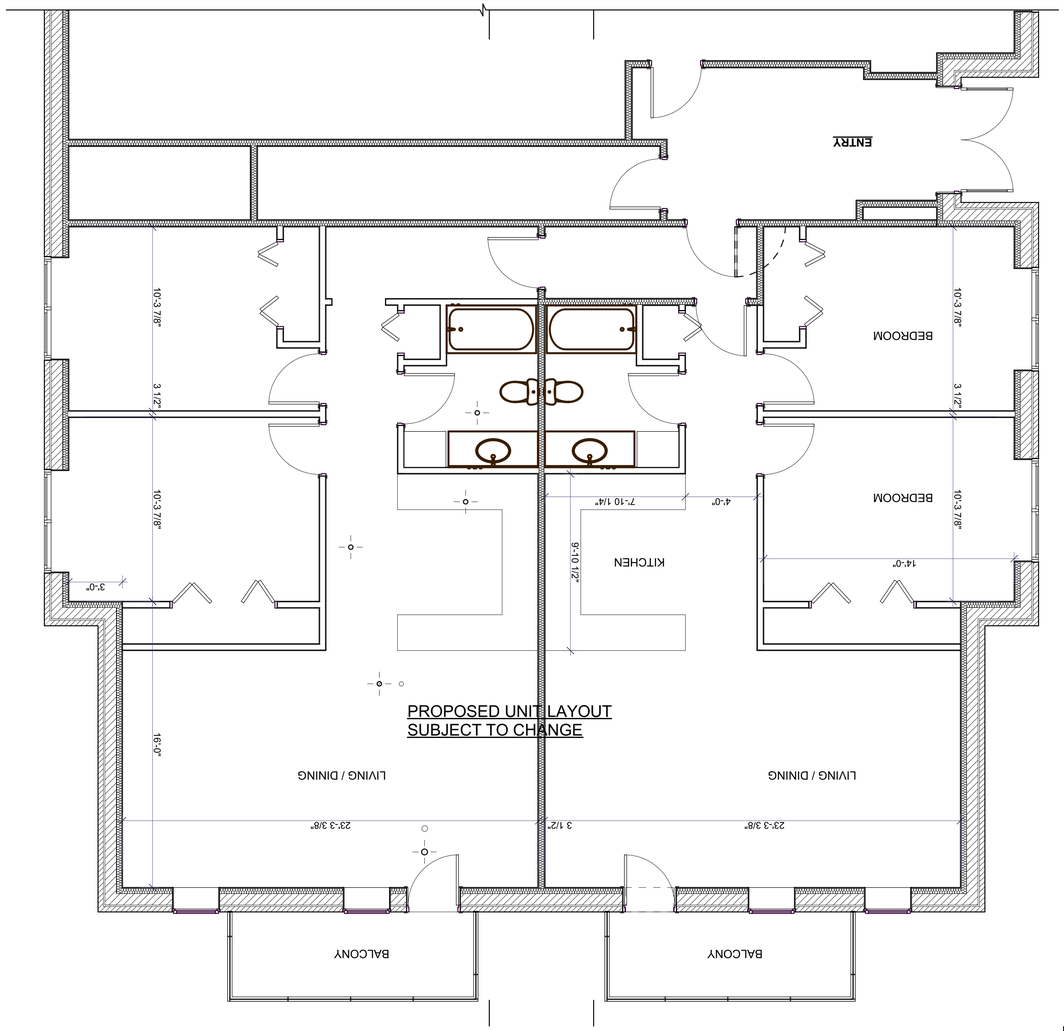
PARTIAL NORTH ELEVATION 3/16" = 1'-0"



LOCATION PLAN 1/8" = 1'-0"



PARTIAL EAST ELEVATION 3/16" = 1'-0"



PROPOSED UNIT LAYOUT
SUBJECT TO CHANGE

1/4" = 1'-0" FIRST FLOOR LAYOUT OPTION

Residential Conversion

155 E. Valley St. Abingdon, VA 24210

Revision History

Change Name	Date
PLANING SUBMITTAL	6-21-2022

COMMONWEALTH OF VIRGINIA
MATTHEW TODD BUNDY
LIC. NO. 19393
6-21-2022
ARCHITECT

Project #: **22018**

Modified by
N.R.
Checked by
M.T.B.

bundy
ARCHITECTURE & ENGINEERING
190 E MAIN ST ABINGDON, VA P.276.628 1067 F. 276.698.3088

A-1

bundy
ARCHITECTURE & ENGINEERING, INC.

July 15, 2022

Mr. Gabe Cristofari
Town of Abingdon
Via email

Re: 155 E. Valley Street, Abingdon Virginia

Dear Mr. Cristofari:

Pursuant to the owners request, we have prepared preliminary plans for the conversion of a portion of the existing two story office building into multi-family residential consisting of two apartment units. Other portions of the building will remain in their current use as office space.

The current zoning for the property is Office/Institutional (O/I) and the Town of Abingdon Zoning Ordinance lists multi-family housing as a Special Use in this zoning district. From the Comprehensive Plan dated 8/28/2020 the following community goals are stated:

> From Community Goals (Abingdon in 2040)
>
> "A Town of Complete Neighborhoods: Abingdon will have a thriving downtown and will be known for more than Main Street. We will have distinct neighborhoods with a mix of land uses, allowing people to learn, play, and work near their homes"
>
> "A Connected, Walkable and Bikeable Small Town: Abingdon's streets will be well-connected, well-served by public transit and safe and inviting for pedestrians and bicyclists of all ages, and everyone will have easy access to nature via an extensive trail network connected to the Creeper Trail"

The requested Special Use of multifamily provides mixed land use in this property by converting an existing partially vacant building into residential while the remaining building is office space. It is in a location that is walkable to town parks, businesses and amenities.

With respect to the impact on adjacent land uses, the proposed use of multifamily residential would reduce the potential traffic in the area from the existing use of business and would not create unusual noise, light, dust, odors or fumes. The adjacent uses are single family residential and office commercial and this small scale multi-family change would not have a significant impact on these uses.

We are pleased to be of service in this matter. Feel free to contact me if you have any questions or comments.

Very truly yours,

Matthew T. Bundy, A.I.A, P.E.

Adjacent Owners	Addresses
K-VAT-T Food Stores Inc	PO Box 1158, Abingdon, VA 24212
Truhlik, Charlene & William Purser	147 E. Vallet Street, Abingdon, VA 24212
Bunn, James & Brooke	153 E. Valley Street, Abingdon, VA 24212
Humphreys, Todd	230 Oak Hill Street, Abingdon, VA 24212
Cumbow, Joshua & Leslie	224 Oak Hill Street, Abingdon, VA 24212
Webb, Derek	390 Oakmont Drive, Abingdon, VA 24211

NOTICE OF PUBLIC HEARING
for the
Town of Abingdon Planning Commission

A request for modifications to a property located at within the Town of Abingdon has been filed with the Town of Abingdon's Planning Commission. The request is described below:

Location: 155 E. Valley Street, Abingdon VA

Proposal: Proposed special use permit to convert the 2nd floor of the two-story masonry building into a space for multifamily housing. Tax Map ID 012-1-40 at 155 E. Valley Street, Abingdon VA.

Owner: David Brown, HGBG, LLC
Representative: Matt Bundy, Bundy Architecture & Engineering, Inc.

You are receiving this notice because public records indicate that you own property adjacent to the property listed in this request, which has been scheduled for a hearing before the Planning Commission. Recipients of this notice may wish to share it with their neighbors whose property is nearby the above noted location.

The purpose of the hearing is to allow citizens to comment regarding potential impacts the proposed changes would have on their properties or on the area in general, and to identify issues or concerns related to the appropriateness of the request.

If you would like more information about this request, you could contact the Town of Abingdon at (276) 628-3167 prior to the hearing.

PLANNING COMMISSION MEETING

MEETING DATE: July 25, 2022 TIME: 4:30 PM
LOCATION: Town of Abingdon Town Hall, 133 W. Main St., Council Chambers – 2nd Floor

The meeting facilities of the Town of Abingdon are accessible to people with disabilities.
Anyone needing special accommodations should call 276-628-3167.

Order Confirmation

Order# 0001348117

Client:	TOWN OF ABINGDON	**Payor :**	TOWN OF ABINGDON
Phone:	2766283167	**Phone:**	2766283167
Account:	2157052	**Account:**	2157052
Address:	PO BOX 789 ABINGDON VA 24212	**Address:**	PO BOX 789 ABINGDON VA 24212

Sales Rep	Accnt Rep	Ordered By		
aperrone_tri	retailopen_TR	Kim Kingsley	**Fax:**	2766286611
			EMail:	kkingsley@abingdon-va.gov

Total Amount	**$680.40**
Payment Amount	**$0.00**
Amount Due	**$680.40**
Tax Amount:	0.00
Payment Meth:	Invoice - Statement

Tear Sheets	Proofs	Affidavits	PO Number:
0	0	1	

Ad Number	Ad Type	Ad Size	Color
0001348117-01	CLS Legal Liner	2 X 28 li	$0.00

Production Method
AdBooker (liner)

Production Notes

Product and Zone	Placement	Position	# Inserts
TRI Bristol Herald Courier	C-Legal Ads	Legal Notices	2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING The Town of Abingdon will

Run Dates 7/10/2022, 7/17/2022

Product and Zone	Placement	Position	# Inserts
TRI heraldcourier.com	C-Legal Ads	Legal Notices	17

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING The Town of Abingdon will

Run Dates 7/10/2022, 7/11/2022, 7/12/2022, 7/13/2022, 7/14/2022, 7/15/2022, 7/16/2022, 7/17/2022, 7/18/2022, 7/19/2022, 7/20/2022, 7/21/2022, 7/22/2022, 7/23/2022, 7/24/2022, 7/25/2022, 7/26/2022

TagLine: NOTICEOFPUBLICHEARINGTHETOWNOFABINGDONWILLHOLDAPUBLICHEARINGBEFORETHEMEMBERSOFTHEPLANNINGCOMMISSIONONJULY252022AT430PMINTHECOUN

Order Confirmation

Order# 0001348117

Ad Content Proof

Note: Ad size does not reflect actual ad

NOTICE OF PUBLIC HEARING

The Town of Abingdon will hold a public hearing before the members of the Planning Commission on July 25, 2022 at 4:30 pm, in the Council Chambers of the Town Hall, 133 West Main Street, Abingdon, Virginia pursuant to Virginia Code Section § 15.2-2204 to consider the following:

PROPOSED SPECIAL USE PERMIT

Proposed special use permit to convert the second floor of the two-story brick building into a space utilized for multifamily use. Tax Map ID 012-1-40 at 155 E. Valley Street, Abingdon VA.

A copy of this proposal is on file for review by the public in the Community Development Office, 133 West Main Street, Abingdon, VA 24210. All interested citizens are invited to attend.

_____
Michael Cochran, Town Manager

NOTICE OF PUBLIC HEARING

The Town of Abingdon will hold a public hearing before the members of the Planning Commission on July 25, 2022 at 4:30 pm, in the Council Chambers of the Town Hall, 133 West Main Street, Abingdon, Virginia pursuant to Virginia Code Section § 15.2-2204 to consider the following:

PROPOSED SPECIAL USE PERMIT

Proposed special use permit to convert the second floor of the two-story brick building into a space utilized for multifamily use. Tax Map ID 012-1-40 at 155 E. Valley Street, Abingdon VA.

A copy of this proposal is on file for review by the public in the Community Development Office, 133 West Main Street, Abingdon, VA 24210. All interested citizens are invited to attend.

_____
Michael Cochran, Town Manager

Please Advertise in Bristol Herald Courier under the Town of Abingdon Seal on:

July 10, 2022
July 17, 2022

TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, JULY 25, 2022 4:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING

A meeting of the Abingdon Planning Commission was held on Monday, July 25, 2022, at 4:30 PM in the Council Chambers of the Municipal Building.

A. Kenny Shuman - Chairman called the meeting to Order

B. Roll Call – Mayana Rice, Community Development Director

Members Present:

Mrs. Donna Quetsch	**Present**
Mr. Jeff Johnson	**Present**
Mr. Michael Weaver	**Present**
Mr. Chad Pennington	**Present**
Mr. Scott Wilson	**Present**
Mr. Kenny Shuman	**Present**

Members Absent: Mr. Kirk Sproles

Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mrs. Mayana Rice – Community Development Director
Mr. Gabe Cristofari – Planner/GIS

Guests: None

C. APPROVAL OF MINUTES: REGULAR MEETING, MAY 23, 2022. (VIDEO 5:00 – 6:00)

- June 27, 2022, Regular Meeting

On a motion by Mr. Wilson seconded by Mrs. Quetsch, the Planning Commission approved the Regular Meeting Minutes for June 27, 2022, as presented.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Jeff Johnson	**Abstain**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

D. PUBLIC COMMENTS: None

E. PUBLIC HEARING FOR SPECIAL USE PERMIT

1. ***Special Use Permit; HGBG LLC, David Brown, 155 E. Valley Street, Abingdon, VA 24210; Owner. Matt Bundy, Bundy Architecture and Engineering, Inc.; Representative.*** *Special use permit for conversion of 2nd floor space into multifamily*. ***Located at 155 E. Valley Street, Abingdon, VA 24210. Tax Map (012-1-40).*** **(VIDEO 6:14 - 16:10)**

    A. Staff report

    B. Applicant presentation

    C. PC discussion and decision

    Mr. Gabriel Cristofari gave the Staff Report

    Mr. Cristofari explained David Brown of HGBG, LLC (Owners) and Matt Bundy (Representative) have requested approval of a Special Use Permit per Section 15-9 of the Town of Abingdon Zoning Ordinance to convert a portion of the 2nd floor (southern corner), to multifamily, located at 155 E. Valley Street, Abingdon VA (Parcel 012-1-40). The property is currently zoned Office & Institutional (OI).

    The structure currently is utilized by a variety of businesses as office space. Their application states: Renovate 2nd floor into multifamily spaces, specifically the southern corner of the 2nd floor. The only change to the footprint of the building will be two elevated balconies located on the South facing elevation. The remaining sections of the structure will continue to be used as office space for businesses.

    Access to the site will continue to be Food City Circle.

    Adjoining properties are zoned Office & Institutional (OI), Residential (R-3), and Old & Historic (OH) to the west. A parcel adjacent to the Northwest corner of 155 E. Valley Street has its eastern half-zoned OI and its western half-zoned R-3. Primarily an OH parcel sits adjacent to the West of 155 E. Valley Street. The adjacent parcel to the North

and East is zoned Office & Institutional (OI), and the properties to the south are zoned Old & Historic (OH).

The parcel is relatively flat in this location with a general slope to the West. The parcel is located on a slight hill directly behind structures fronting East Valley Street.

7-3-1 of the zoning code states lots served by public water and sewer, the minimum lot area shall be:

(c) 10,000 square feet plus 2,500 square feet for each additional dwelling unit over two dwelling units for multiple-family dwellings. Multiple-family dwellings shall only be permitted in areas served by public water and sewer systems.

The parcel size can accommodate the request. Parcel is roughly 33,000 square feet.

7-7 of the zoning code states height regulations as follows:

Buildings may be erected up to 35 feet in height.

The only exterior aspects concerning the conversion of the South corner of the 2nd floor into a multifamily space, are two doors installed into the South facing elevation leading out to two newly constructed balconies for each apartment space.All other aspects of the project will be located in the interior of the structure, thus not altering area, setbacks, frontage, yard, or height regulations.

The applicant's written statement claiming how the conversion of a portion of the 2nd floor into multifamily space fits into Abingdon's Comprehensive Plan, and the proposed projects effect on the neighborhood is as follows:

Pursuant to the owners request, we have prepared preliminary plans for the conversion of a portion of the existing two story office building into multi-family residential consisting of two apartment units. Other portions of the building will remain in their current use as office space.

The current zoning for the property is Office/Institutional (OI) and the Town of Abingdon Zoning Ordinance lists multi-family housing as a Special Use in this zoning district. From the Comprehensive Plan dated 8/28/2020 the following community goals are stated:

> *From Community Goals (Abingdon in 2040)*
> *"A Town of Complete Neighborhoods: Abingdon will have a thriving downtown and will be known for more than Main Street. We will have distinct neighborhoods with a mix of land uses, allowing people to learn, play, and work near their homes"*

"A Connected, Walkable and Bikeable Small Town: Abingdon's streets will be well-connected, well-served by public transit and safe and inviting for pedestrians and bicyclists of all ages, and everyone will have easy access to nature via an extensive trail network connected to the Creeper Trail"

The requested Special Use of multifamily provides mixed land use in this property by converting an existing partially vacant building into residential while the remaining building is office space. It is in a location that is walkable to town parks, businesses and amenities.

With respect to the impact on adjacent land uses, the proposed use of multifamily residential would reduce the potential traffic in the area from the existing use of business and would not create unusual noise, light, dust, odors or fumes. The adjacent uses are single family residential and office commercial and this small-scale multi-family change would not have a significant impact on these uses.

Staff suggested conditions of approval are as follows:

If the Planning Commission decides to approve the Special Use Permit request, staff suggests the following conditions of approval be attached in order to secure substantial protection for public health, safety, and general welfare:

1. Submittal of all applicable building permits to the Community Development Department to ensure compliance with the VA USBC for construction permitting.

Planning Commission asked if staff had received any responses from the adjacent property owners concerning the conversion of a portion of the 2nd floor into multifamily. Mr. Cristofari replied no, only certified mailer receipts stating they had received the notice.

On a motion by Mr. Wilson seconded by Mr. Pennington, the Planning Commission moved to approve the special use permit to convert the southern corner of the 2nd floor to multifamily use as presented, and meets the requirements of Section 19-9-6 of the Town of Abingdon's Zoning Ordinance.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Jeff Johnson	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

2. ***Special Use Permit; Debbie Evans, 327 Oakland Street, Abingdon, VA 24210; Owner.*** *Debbi Evans. Special use permit to build house in flood zone****. Located at the corner of Blacks Fort Lane and Court Street. Tax Map (013-7-1)*** **(VIDEO 16:15 - 37:33)**

A. Staff report

B. Applicant presentation

C. PC discussion and decision

Mrs. Mayana Rice gave the Staff Report

Mrs. Rice explained Debbie Evans (Owner) has requested approval of a Special Use Permit per Section 15-9 of the Town of Abingdon Zoning Ordinance to a home in the AE Flood Hazard District, located at approximately Blacks Fort Lane and South Court Street, Abingdon VA (Parcel 013-7-1). The property is currently zoned Limited Business (B-1).

The site contains approximately 0.1 acres and is vacant. The applicant wants to build a new structure on the property and is required to submit a SUP for building on a parcel within the floodplain.

Access to the site will continue to be Park Street.

Adjoining properties are Limited Business (B-1) to the north and west. The adjacent parcel to this one is zone Limited Industrial (M-1) and the properties to the south are zoned Residential (R-3).

The parcel is relatively flat in this location with a general slope to the south.

Town Engineer, Tyler Vencill reviewed the information and made the determination that this does require a special use permit in order to redevelop this structure.

According to Town Code 15-9-3, site plans and permit applications. All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

(a) The elevation of the base flood at the site.
(b) The elevation of the lowest floor (including basement).
(c) For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.
(d) Topographic information showing existing and proposed ground elevations.

According to Town Code 15-9-4, the following uses shall be permissible in the floodway district provided that they are in compliance with the provisions of the

underlying district and provided that the development will not increase base flood elevations:

> *(d) Encroachments, including fill, new construction, substantial improvements and other developments are prohibited unless certification such as hydrologic and hydraulic analyses (with supporting technical data) is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood.*

The flood report submitted stated the drainage way impacted in Town Creek near mile 2.3 between tributary 1 and tributary 2 has a base flood elevation of 2,039, the base flood at the property in question is 2,038.6.

To limit the amount of impact on the base flood elevation, the structure will constructed on posts with the main floor elevated a minimum of 2 feet above the base flood elevation.

In the study to determine how the proposed structure would affect the flood plain, the applicant indicated a 1 foot wide post spaced at 10 feet center to center with a total length of 50 feet was inputted into the model. A 4-foot stairway was also included in the model.

Town Engineer, Tyler Vencill reviewed the flood report along with the support of the building permit application, and determined enough information has been provided to allow the proposal to move forward.

Debbie Evans informed the Planning Commission her intention is to build a small 28 ft. x 32 ft., 1 bed/1 bath structure.

Mr. Wilson stated FEMA as a 0.00 increase regulation concerning a regulatory floodway. The study shows a minimal increase lower than 1 foot. FEMA leaves the decision of allowing a minimal increase to the flood plain to the local building official.

Planning Commission stated the applicant should look into the ability to get flood insurance for the building.

Clarification was provided concerning the block foundation shown in the drawing submitted. No block foundation will be used, the structure will be constructed on posts allowing water in the case of a flood to flow freely under.

On a motion by Mr. Johnson seconded by Mr. Weaver, the Planning Commission approved the Certificate of Appropriateness as presented subject to all appropriate building submittals to the building official relative to the flood plain.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Jeff Johnson	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Scott Wilson	**Nay**
Mr. Kenny Shuman	**Aye**

F. ZONING CODE SIGN RESOLUTION (VIDEO 39:40 – 44:43)

Mrs. Rice stated she was not expecting a vote tonight, but rather to use this opportunity to update the Planning Commission on the process of opening up the sign code.

Initially the subject of billboards brought before the Planning Commission by the Lamar Sign Company kick started the discussion on whether billboards were wanted. Planning Commission said no to billboards at a previous meeting. Lamar Sign Company has appealed the decision where it will go before Town Council.

Before moving forward on a vote to adopt the new sign code as presented to the Planning Commission, a final decision by the Town Council concerning the allowance of billboards in town must be reached.

Edits will be made to the initial draft based on comments received during the June 27, 2022 Planning Commission Meeting. Additional comments or edits are welcome throughout the process before adaptation.

G. OLD BUSINESS/MATTERS NOT ON THE AGENDA

H. ANNOUNCEMENTS

I. ADJOURNMENT

On a motion by Mr. Johnson seconded by Mr. Pennington, recommending that the meeting be adjourned with no further business to address.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Jeff Johnson	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**

Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

Adjourn Time 5:43 P.M.

_____ _____

Kenny Shuman, Chairman

Mayana Rice, Director of Community Development

J. BREAK

K. RECONVENE AT 6:00 PM FOR PUBLIC OPEN HOUSE ZONING ORDINANCE

No action will be taken by the Planning Commission, however a quorum of the body may be in attendance.

The next regularly scheduled meeting will be on August 22, 2022, at 5:30 pm in the Council Chambers, 2nd floor of the Town Municipal Building.

A RESOLUTION APPROVING SPECIAL USE PERMIT PURSUANT TO SECTION 17-3 SPECIAL USE PERMIT OF THE TOWN OF ABINGDON ZONING ORDINANCE, PROPOSED CONVERSION OF SOUTHERN CORNER OF 2ND FLOOR INTO MULTIFAMILY USE, CURRENTLY ZONED OI, OFFICE & INSTITUTIONAL, LOCATED AT 155 EAST VALLEY STREET, TAX MAP NO. 012-1-40

WHEREAS, §15.2-2200 of the Code of Virginia 1950, as amended, established that the governing body of any town may enact and enforce ordinances for the general purpose of promoting the public health, safety, convenience and welfare of its general public; and

WHEREAS, the Town adopted an Ordinance on August 2, 2010, pursuant to Section 17-3 Special use permit Town's Zoning Ordinance, for all uses, conform to the comprehensive plan of the Town or to specific elements of such plan and to official policies adopted in relation thereto, not have undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes and vibration with due regard for timing of operation, screening or other matters which might be regulated to mitigate adverse impact, and shall be undertaken only upon the issuance of a special use permit.

WHEREAS, the Planning Department of the Town reviewed the application requesting a special use permit and made a report of its findings and recommendations to the Planning Commission on July 25, 2022.

WHEREAS, the Planning Commission reviewed and made a unanimous recommendation to the Town Council concerning approval of the application of a special use permit on July 25, 2022.

NOW THEREFORE, BET IT RESOLVED, the Town Council has determined that the development would not adversely affect the surrounding neighborhood as a result of approving special use permit, pursuant to Section 17-3 of the Town's Zoning Ordinance, for the conversion of southern corner of the 2nd floor into multifamily use, currently zoned OI, Office & Institutional, located at 155 East Valley Street, Abingdon, Virginia, Tax Map # 012-1-40 justifying issuance of said special use permit and the Community Development Department shall issue a Special Use Permit reflecting the approval of this Ordinance.

_____

Derek Webb, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on August 8, 2022. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes

of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Derek Webb, Mayor		
Donna Quetsch, Vice Mayor		
Amanda Pillion		
Dwyane Anderson		
Mike Owens		

WITNESS MY HAND and the seal of the Town of Abingdon as of _____ , 2022.

(SEAL)

_____
Kimberly Kingsley, Clerk

AN ORDINANCE FOR THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA AMENDING THE FY2022-2023 BUDGET FOR THE TOWN OF ABINGDON, VIRGINIA

WHEREAS, after following appropriate procedures, on June 13, 2022, the Council of the Town of Abingdon adopted a budget for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

WHEREAS, pursuant to Code of Virginia, 1950, as amended, Section 58.1-3830, local cigarette taxes authorized for maximum tax rate imposed by a locality of cigarettes shall not exceed two cents ($0.02) per cigarette sold. The amendment corrects the proposed rate from $0.45 to the maximum of $0.40 per pack.

NOW THEREFORE, BE IT ORDAINED, by the Council of the Town of Abingdon, Virginia, pursuant to Section 15.2-2500, et seq. of the Code of Virginia that the cigarette tax is amended from $0.45 per pack to $0.40 per pack and any tax paid in excess of $0.40 per pack since July 1, 2022, be refunded.

_____
Mayor Derek Webb

This amended ordinance was adopted on August 8, 2022 to take effect immediately.

The undersigned clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on August 8, 2022. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATENDANCE	VOTE
Derek Webb, Mayor		
Donna Quetsch, Vice Mayor		
Amanda Pillion		
Mike Owens		
Dwyane Anderson		

WITNESS MY HAND and the seal of the Town of Abingdon as of August 8, 2022.

(SEAL)_____
Town Clerk
Town of Abingdon, Virginia

S T A F F R E P O R T

TO: **ABINGDON PLANNING COMMISSION**

FROM: **MAYANA RICE, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: **DOUG CARWASH APPEAL OF THE PLANNING COMMISSION DECISION**

PUBLICATION DATE: **AUGUST 1, 2022**

MEETING DATE: **AUGUST 8, 2022**

LOCATION: **COUNCIL CHAMBERS, TOWN HALL**
133 WEST MAIN STREET, ABINGDON, VA

Turnhart Acquisition Corporation request approval of a Certificate of Appropriateness (COA) by the Planning Commission for a new commercial carwash in February 2022. The renderings (attached) that were provided were the basis for approval. The façade included a mixture of brick, glass and red painted trim.

The applicants returned to the Planning Commission in May 2022 to request that the brick be changed to a cement board and the entire façade (not including glass) be painted red. The Planning Commission indicated that the siding proposed was not acceptable and neither was the red color. The applicants indicated that they would be able to complete the project with actual brick. The applicants also indicated they would return with a muted color.

The applicants returned to the Planning Commission in June 2022 with a new red color. The Planning Commission indicated they did not agree that the red proposed met the entrance corridor guidelines (d) (8) *Facade colors preferably shall be of low reflectance white, earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity, metallic, fluorescent, day glow, or neon colors are discouraged.*

The Planning Commission indicated that the original COA stood and they rejected any additional changes to the original approval.

There are two areas within the Abingdon Town limits that have the requirement for a COA the Old and Historic District and the Entrance Corridor.

When the original Planned Unit Development (The Meadows) was approved, the entire project was part of the Entrance Corridor. As such, an agreement was made between the original property owners and the Town of Abingdon that indicated this the Planning Commission would continue to enforce the Entrance Corridor standards through the use of a COA for all development within The Meadows.

Section 6.3 Certificate of Appropriateness. Before physical development of each Tract, the Owner of said Tract shall apply for and receive a Certificate of Appropriateness (COA) from the Town of Abingdon Planning Commission and/or the Town of Abingdon Town Council.

Because of this agreement, the approval of a COA is still required and a decision by the Planning Commission is required for site design and final façade.

The applicants have requested the Town Council reverse the decision by the Planning Commission and allow the approved COA to be modified to allow the structure (brick façade) to be painted red.

The motion on this appeal should be to either:

1. Approval the amendment to the original COA and allow the structure to be painted the identified red in the appeal letter.

2. Deny the COA amendment and provide findings to support the motion.

Dennis E. Jones
Attorney At Law
dejones@bvu.net

Equal Justice for ALL

DENNIS E. JONES
ATTORNEY AT LAW, P.L.C.

PARALEGALS
Ava Hilton
avahilton@bvu.net
Anna Jones
annajones@bvu.net

230 CHARWOOD DR., STE A ▲ ABINGDON, VA 24210
TELEPHONE: (276) 619-5005 ▲ FACSIMILE: (276) 619-5007
www.dejlegal.com

July 27, 2022

HAND DELIVERED

Mike Cochran, Town Manager
Town of Abingdon
133 West Main Street
Abingdon, VA 24210

RE: **NOTICE OF APPEAL**
Business Name: Doug's Super Wash
Location: 140 Cook Street
Tax Map#: 021-8-9A
Property Owner: Turnhart Acquisition Corporation

Dear Mr. Cochran:

Please be advised that I represent Doug's Super Wash.

Pursuant to action taken by the Town of Abingdon's Planning Commission ("Commission") meeting on June 27, 2022 and notice to Jeremy Fields, representative of Doug's Super Wash dated June 29, 2022, the Commission denied the request of Doug's Super Wash to change the color of the exterior material for the facility. This letter serves as an appeal of that decision.

Doug's Super Wash applied for and received a Certificate of Appropriateness for the construction of an automatic car wash. The exterior building materials included but were not limited to brick, glass, and architectural metal panels. The facility was to be located at 140 Cook Street, Abingdon, Virginia.

Subsequent to the issuance of the Certificate of Appropriateness, Doug's Super Wash sought approval for a modification of the color of the exterior paint color. Doug's Super Wash sought approval to use Benjamin Moore "Red" 2000-10. At it's June 27, 2022 meeting the Commission disapproved the modification without explanation. By letter dated June 29, 2022, Gabriel Cristofari, Planner/GIS Specialist forwarded to Jeremy Fields Notice of the decision. Exhibit "A."

Doug's Super Wash has an existing facility located at 2605 E. Stone Drive, Kingsport, Tennessee. The signature color of Doug's Super Wash is Red. Exhibits "B" – "G". The architectural rendition of the final construction of Doug's Super Wash, Exhibits "H" – "M,"

provides a visualization of Doug's Super Wash. Doug's Super Wash seeks approval to paint the brick exterior a Benjamin Moore "Red" 2000-10, which was denied and no articulated reason was provided.

The architectural features and requested color scheme for Doug's Super Wash are consistent with the architectural features and color schemes of other commercial establishments located in the development. Doug's Super Wash adjoins the property of the Waffle House and the Holiday Inn Express, both located on Cook Street, and is adjacent to Pal's and Food City.

The Waffle House (Exhibit "N") is a brick structure accented with yellow lettering.

The Holiday Inn Express (Exhibit "O") is a tri-colored brick structure, accented with green, blue and white lettering.

Food City (Exhibits "P" and "Q") is a brick structure, accented with red lettering.

Pal's (Exhibit "R") is a block building painted a bright cyan blue, accented with red lettering and red soft drink container.

There are no lawful ordinances or regulations existing in the Town of Abingdon prohibiting the painting of Doug's Super Wash red. The action of the Commission denying the request of Doug's Super Wash to amend the Certificate of Appropriateness and its failure to provide an objection reason for the denial was arbitrary, capricious and unreasonable.

For the forgoing reasons Doug's Super Wash requests that the decision of the Commission be reversed and Certificate of Appropriateness be amended to allow Doug's Super Wash to paint the brick exterior a Benjamin Moore "Red" 2000-10.

Sincerely,

DENNIS E. JONES, ESQ.

DEJ/amh

Enc. Exhibits "A" – "R"

Cc: Doug Ratliff

TOWN OF ABINGDON
133 WEST MAIN STREET • P. O. BOX 789 • ABINGDON, VIRGINIA • 24212
gcristofari@abingdon-va.gov
276.492.2234
Community Development Department

June 29, 2022

Jeremy Fields
245 Birch Street
Blountville, TN 37664

Re: Certificate of Appropriateness for exterior material change at 140 Cook Street, Abingdon, Virginia

Dear Jeremy Fields:

This letter is being provided to you, per requirements under the Town of Abingdon Code of Ordinances §8-10, to serve as notice regarding the decision(s) rendered by the Town of Abingdon Planning Commission at its June 27, 2022, meeting with regard to the above referenced site and the application for a Certificate of Appropriateness for exterior material change was submitted for approval at that meeting.

The Planning Commission voted unanimously to deny:

1. Moved to not revisit the previous approval, denying the amendments proposed.

Please see the attached Certificate of Appropriateness Approval Sheet provided for reference. If any of the above features are proposed to be altered there may need to be additional review by the Planning Commission.

Please do not hesitate to contact our offices should you have questions or concerns regarding this matter.

Sincerely,

Gabriel Cristofari
Planner/GIS Specialist
Town of Abingdon, VA

— EXHIBIT "A" —

Certificate of Appropriateness
Town of Abingdon Planning Commission

Project Address: 140 Cook Street

Tax Map#: 021-8-9A

Representative: Jeremy Fields

Planning Commission Meeting: June 27, 2022

Action Taken By PLANNING COMMISSION

× Disapproved (See below for explanation)
☐ Approved with Modifications (See below for explanation)
☐ Approved (As presented, with no modifications)

Next Step(s):

1. No further action needed.

Signature:

Date: 6/29/2022

Planner/GIS Specialist
Town of Abingdon
Planning Commission

THIS CERTIFICATE OF APPROPRIATENESS IS VALID FOR A PERIOD OF ONE (1) YEAR FROM THE DATE ABOVE. IF YOUR PROJECT HAS NOT COMMENCED WITHIN THIS ONE-YEAR PERIOD, PLEASE CONTACT THE TOWN OF ABINGDON COMMUNITY DEVELOPMENT EPARTMENT TO DISCUSS AN EXTENSION.

EXHIBIT "B"

EXHIBIT "C"

DOUG'S
UPGRADE YOUR
WASH BY ADDING:
CERAMIC SHINE
$5
DRY & SHINE
$3
DOUG'S

EXHIBIT "D"

EXHIBIT "E"

EXHIBIT "F"

EXHIBIT "G"

7/6 21

modernwash COPYRIGHT 2020

5220 SCOTTSVILLE RD.
BOWLING GREEN, KY 42104
800.511.7208
info@modernwash.net

Douglas Ratliff Car Wash

Abingdon, Virginia

EXHIBIT "H"

EXHIBIT "I"

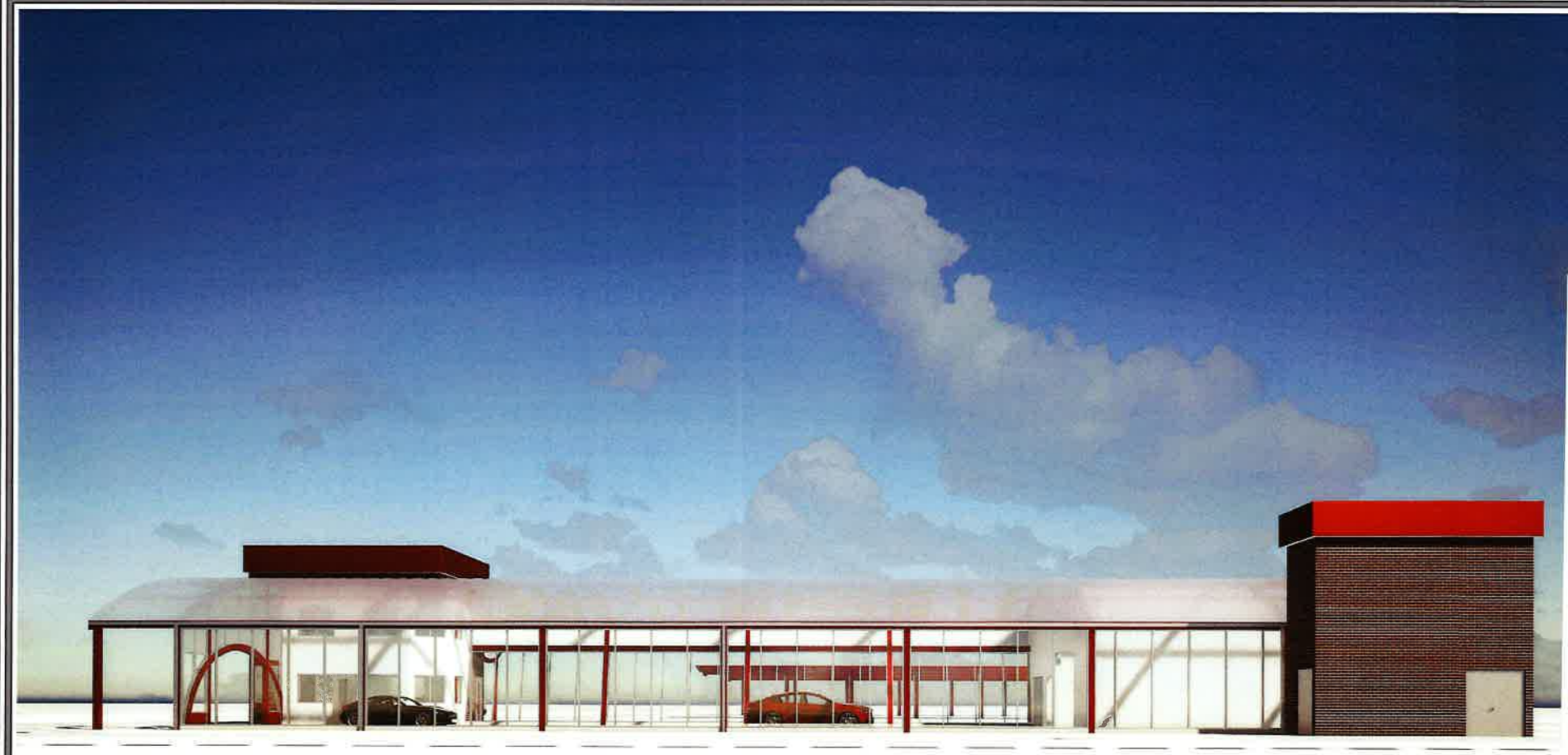
ENTER
7/6/21
modernwash COPYRIGHT 2020
Abingdon, Virginia
Douglas Ratliff Car Wash
2

EXHIBIT "J"

EXHIBIT "K"

7.6.21
modernwash
Abingdon, Virginia
Douglas Ratliff Car Wash
6
EXIT

EXHIBIT "L"



7/6/21 modernwash COPYRIGHT 2020 Abingdon, Virginia | Douglas Ratliff Car Wash | 1

EXHIBIT "M"

EXHIBIT "N"

FOOD CITY
Hallmark
Abingdon Therapy Services
Jersey Mike's Subs
Great Clips
OMBRÉ
Holiday Inn Express & Suites

EXHIBIT "O"

EXHIBIT "P"

EXHIBIT "Q"

EXHIBIT "R"

7/6/21

modernwash COPYRIGHT 2020

5220 SCOTTSVILLE RD.
BOWLING GREEN, KY 42104
800.511.7208
info@modernwash.net

Douglas Ratliff Car Wash

Abingdon, Virginia

FREE VACUUMS
BK-768-LI
ENTER

FREE VACUUMS

FREE VACUUMS
EXIT

EXIT
KL-478-MS

EXIT

ENTER

FREE VACUUMS

S T A F F R E P O R T

TO: **ABINGDON PLANNING COMMISSION**

FROM: **MAYANA RICE, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: **REQUEST FOR AN AMENDMENT TO THE CERTIFICATE OF APPROPRIATENESS FOR A NEW STRUTURE (CARWASH)**

PUBLICATION DATE: **JUNE 21, 2022**

MEETING DATE: **JUNE 27, 2022**

LOCATION: **COUNCIL CHAMBERS, TOWN HALL**
133 WEST MAIN STREET, ABINGDON, VA

REQUEST:

Turnhart Acquisition Corporation (Owners) and Jeremy Fields with Appalachia Design Services (Representative) requested approval of a Certificate of Appropriateness for a new commercial carwash (Doug's Super Carwash), located at 140 Cook Street, Abingdon VA (Parcel 021-8-9A). They received approval with the drawings attached. The façade at that time was identified as brick with red accent trim.

The Property is within the Meadows Planned Unit Development. As such there is a requirement for the approval of an entrance corridor COA as well as the additional standards identified in the covenant:

6.2 Minimum Design Requirements. A minimum of fifty percent (50%) of 1st floor front and side exterior building elevations, excluding glass, that are visible from the public right of way shall be comprised from the following materials: natural clay brick; and/or natural quarried stone products. Secondary façade materials, which may be used up to forty percent (40%) on exterior building walls include: hard coat stucco, concrete materials (not limited to architectural split face block, tilt up concrete, or precast concrete); synthetic stucco (EIFS); fiber cement siding; and/or other materials as approved by the Abingdon, VA Planning Department, or their designee. Painted smooth faced concrete block, wood, architectural metal, and/or other materials differing from those used as primary and secondary materials may be utilized, in an amount not to exceed ten percent (10%).

The Entrance Corridor Guidelines:

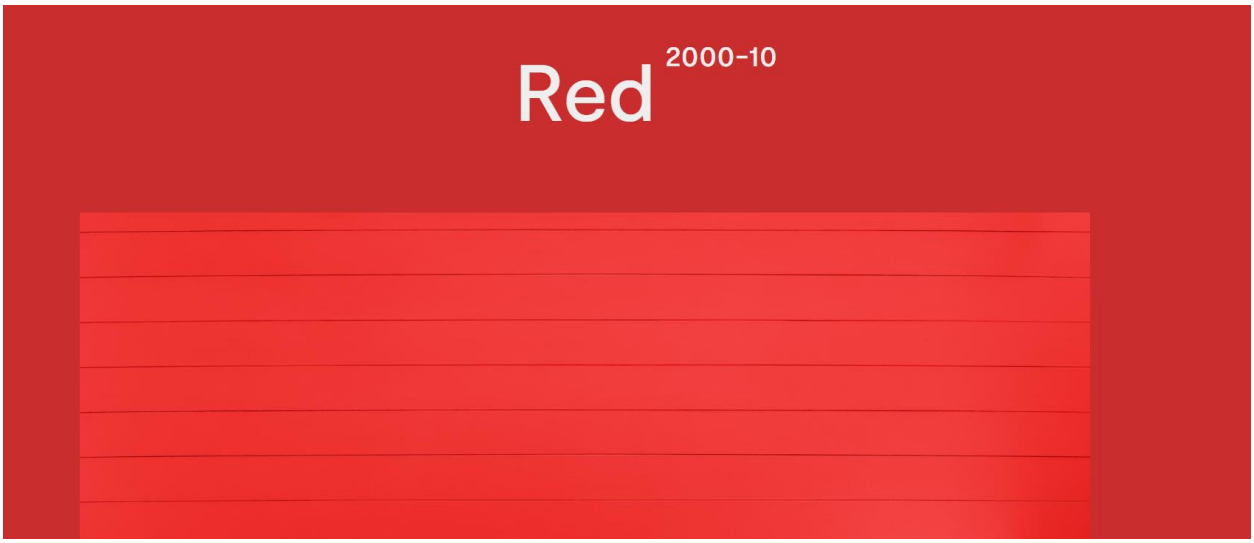
> ***(d)*** *Design review guidelines.*
>
> > ***(1)*** *New buildings or exterior alterations to existing structures should include one or a combination of the following materials/methods of construction:*
> > ***(2)*** *Wood frame, (or fiber cement board), with brick, stone, or concrete foundations; brick construction or brick facing; finished concrete block; roof materials of standing seam metal, asphalt shingle, and rubber membrane/parapet for flat roof forms.*
> > ***(7)*** *Site materials shall be limited to local stone, asphalt, concrete, and exposed aggregate concrete.*
> > ***(8)*** *Facade colors preferably shall be of low reflectance white, earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity, metallic, fluorescent, day glow, or neon colors are discouraged.*

Staff Findings:

The applicants provided a fiber cement board they wished to utilize as a façade and they requested a Classic Red at the May 23, 2022 meeting.

The Planning Commission voted unanimously to reject the fiber cement and the Classic Red.

The applicants have now submitted an alternative red sample and are requesting the brick on the structure be permitted to be fully painted "red". This would be a deviation from the original approval of a mixture of glass, brick and a red trim.



A. **Sample Motions.** The role of the Planning Commission in this instance is to decide on the Certificate of Appropriateness request. The following sample motions have been provided by Staff for consideration by the Planning Commission:

- **Sample Motion for Approval:** Having reviewed the amendments made by the applicant, I move to approve the Doug's Super Wash Certificate of Appropriateness with Red 2000-10.

- **Sample Motion for Denial:** Having reviewed the amendments made by the applicant, I move to deny the Doug's Super Wash Certificate of Appropriateness with Red 2000-10.

- **Sample Motion for Continuance:** Having reviewed the amendments made by the applicant, I move to continue the Doug's Super Wash Certificate of Appropriateness because (insert request for more information).

CC:

Jeremy Fields jeremyfields@adscad.com

S:\Shared With Me\Planning Department\Planning Commission Meetings\1. Planning Commission\2022\6. June 2022\Staff Reports\Staff Report - 140 Cook Street Dougs Carwash.docx

TOWN OF ABINGDON
133 WEST MAIN STREET • P. O. BOX 789 • ABINGDON, VIRGINIA • 24212
mrice@abingdon-va.gov
276.492.2137
Community Development Department

March 1, 2022

Jeremy Fields
245 Birch Street
Blountville TN 37664

Re: Certificate of Appropriateness for
Doug's Super Wash Abingdon, Virginia

Dear Mr. Fields:

This letter is being provided to you, per requirements under the Town of Abingdon Code of Ordinances §8-10, to serve as notice regarding the decision(s) rendered by the Town of Abingdon Planning Commission at its February 28, 2022, meeting with regard to the above referenced site and the application for a Certificate of Appropriateness for a new structure which was submitted for approval at that meeting.

The Planning Commission voted unanimously to recommend approval with conditions defined below:

1. Submittal of a final site plan shall occur prior to the issuance of an approved Building Permit, to the Community Development Department.
2. Submittal of a final landscape plan with identified plant material shall occur prior to the issuance of an approved Building Permit, to the Community Development Department.
3. Submittal of a final lighting plan shall occur prior to the issuance of an approved Building Permit, to the Community Development Department.
4. Submittal of a sign Certificate of Appropriate to the Planning Commission for any signs deemed "monument".
5. Submittal of a sign permit to the Community Development Department for any wall signs.
6. Submittal of all applicable building permits to the Community Development Department.

Please see the attached Certificate of Appropriateness Approval Sheet provided for reference. If any of the above features are proposed to be altered there may need to be additional review by the HPRB.

Please do not hesitate to contact our offices should you have questions or concerns regarding this matter.

Sincerely,

Mayana Rice, AICP
Community Development Director
Town of Abingdon, VA

Copy:
Planning Commission Members
Cameron Bell, Town Attorney
Rick Statzer, Building Official
Tyler Vencill, Town Engineer

S:\Shared With Me\Planning Department\Planning Commission Meetings\1. Planning Commission\2022\2. February 2022\Decision Letter

TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, JUNE 27, 2022 5:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING

A meeting of the Abingdon Planning Commission was held on Monday, June 27, 2022, at 5:30 PM in the Council Chambers of the Municipal Building.

A. Kenny Shuman - Chairman called the meeting to Order

B. Roll Call – Mayana Rice, Community Development Director

Members Present:

Mrs. Donna Quetsch	**Present**
Mr. Michael Weaver	**Present**
Mr. Chad Pennington	**Present**
Mr. Kirk Sproles	**Present**
Mr. Scott Wilson	**Present**
Mr. Kenny Shuman	**Present**

Members Absent: Mr. Jeff Johnson

Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mrs. Mayana Rice – Community Development Director
Mr. Gabe Cristofari – Planner/GIS

Guests: None

C. APPROVAL OF MINUTES: REGULAR MEETING, MAY 23, 2022. (VIDEO 5:08 – 5:45)

- May 23, 2022, Regular Meeting

On a motion by Mrs. Quetsch seconded by Mr. Chad Pennington, the Planning Commission approved the Regular Meeting Minutes for May 23, 2022, as presented.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Kirk Sproles	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

D. PUBLIC COMMENTS: (VIDEO 5:46 – 10:00)

Mr. Greg Lilly, prior to the meeting submitted a written comment voicing his stance against allowing existing billboards to be upgraded to digital billboards. Mr. Lilly references the Town of Abingdon's current sign code (21-7-1) stating nonconforming signs (billboards), shall not be enlarged, nor any feature of a nonconforming sign be increased. However, in the proposed new sign code nonconforming signs as of 2022 may be altered with the approval of a special use permit. Mr. Lilly believes digital billboards would not be a fitting addition to the entrance corridor to Abingdon. Additionally, Mr. Lilly states upgrading to a digital billboard would be a safety issue, causing driver's attention to be directed to the digital billboard and not the road. Lastly, Mr. Lilly encouraged the Planning Commission to not adopt the new code section, allowing billboards to be upgraded with the approval of a special use permit.

Mr. Brad Dorris, attended the meeting to voice his opposition against the proposed amendment to the off premise signage, specifically upgrades to existing billboards. Mr. Dorris asked the Planning Commission to not support the proposed amendment.

E. CERTIFICATES OF APPROPRIATNESS

1. ***Certificate of Appropriateness; Doug's Super Wash, Turnhart Acquisition Corporation, 2506 S. Front Street, Richlands, VA 24641; Owner. Memo for exterior material change. Located at 140 Cook Street, Abingdon, VA 24210. Tax Map (021-8-9A).*** **(VIDEO 10:01 - 20:08)**

    A. Staff report

    B. Applicant presentation

    C. PC discussion and decision

    Mrs. Mayana Rice gave the Staff Report

    Mrs. Rice explained Turnhart Acquisition Corporation and Jeremy Fields with Appalachia Design Services requested approval of a Certificate of Appropriateness

for a new commercial carwash, located at 140 Cook Street, Abingdon, VA. 140 Cook Street is located in The Meadows PUD. Any parcel within The Meadows PUD must go before the Planning Commission because at the time of the PUD's establishment the entire PUD was in the Entrance Corridor. They received approval of the COA in March 2022 as presented. The façade at that time was identified as brick with red accent trim. In May 2022, the applicants came back to the Planning Commission proposing to change the brick portion of the structure to a cement board painted red. This request was denied by the Planning Commission. Now the applicant is requesting to paint the brick portion of the structure red, making the entire structure red. Two pieces of code pertaining to this project are the minimum design requirements for the Meadows Plan Development, and the Entrance Corridor Guidelines. The minimum design requirements for the Meadows Plan Development are:

- A minimum of fifty percent (50%) of 1st floor front and side exterior building elevations, excluding glass, that are visible from the public right of way shall be comprised from the following materials: natural clay brick; and/or natural quarried stone products. Secondary façade materials, which may be used up to forty percent (40%) on the exterior building wall include: hard coat stucco, concrete materials; synthetic stucco; fiber cement siding; and/or other materials differing from those used as primary and secondary materials may be utilized, in an amount not to exceed ten percent (10%).

Whereas the Entrance Corridor Guidelines are:

- New buildings or exterior alterations to existing structures should include one or a combination of the following materials/methods of construction:

- Wood frame, (or fiber cement board), with brick, stone, or concrete foundations; brick construction or brick facing; finished concrete block; roof materials of standing seam metal, asphalt shingle, and rubber membrane/parapet for flat roof forms.

- Site materials shall be limited to local stone, asphalt, concrete, and exposed aggregate concrete.

- Facade colors preferably shall be of low reflectance white, earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity, metallic, fluorescent, day glow, or neon colors are discouraged.

Mrs. Rice pulled up the previously approved drawings so as to have a visual for the board, staff, and applicant to observe as the proposal was being discussed.

Mrs. Rice mentioned the red being proposed is slightly different than the red proposed back in May 2022.

Mr. Shuman states he cannot see a reason to change because the initially approved structure in March matches what is allowed in The Meadows PUD.

Mrs. Quetsch states she believes painting the whole structure the proposed red color would not match the design guidelines for the area.

Jeremy Fields of Appalachia Design stated the reasoning behind wanting to paint the brick portion of the structure red is to remain consistent with Doug's Super Wash trademark look. Mr. Fields continues by stating the trademark color is important to drawing costumers to the business. The applicant further explains how Pal's exterior is painted blue to match their trademark.

Mr. Sporles asked the applicant if the grout was going to be white. Mr. Fields responded no, the brick would be laid and then painted.

Mr. Sproles further elaborated on his previous question asking while laying the brick what color would the grout be if left as is. Mr. Fields responded the grout would be red if not painted.

Mr. Fields adds you cannot buy specifically red bricks due to the range in color.

On a motion by Mrs. Quetsch seconded by Mr. Wilson, the Planning Commission moved to not revisit the previous approval, denying the amendment proposed.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Kirk Sproles	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

2. ***Certificate of Appropriateness; Ombre Nails Bar, 113 Cook Street. Abingdon, VA, 24210; owner. Brenna Olvera, Bristol Sign Company Walden, LLC; Representative.*** *COA for signage.* ***Located at 113 Cook Street, Abingdon, VA 24210. Tax Map (021-8-2)*** **(VIDEO 20:16 - 25:08)**

A. Staff report

B. Applicant presentation

C. PC discussion and decision

Mr. Gabriel Cristofari gave the Staff Report

Mr. Cristofari explained Ombre Nails Bar (Owner) and Brenna Olvera of Bristol Sign Company Walden LLC (Representative) have requested approval of a Certificate of Appropriateness for a new wall sign, and black vinyl lettering attached to an existing open space on the tenant monument sign structure located at one of the entrances to the shopping plaza, located at 113 Cook Street, Abingdon (Parcel 021-8-2). The proposed wall sign will consist of channel letters mounted on a raceway, and be internally light using 120 volt white LED lighting modules.

The Subject Property contains approximately 10.595 acres and is legally described as PARCEL 2 PT THE MEADOWS PROJECT NEW AREA 10.595 (Tax Map 021-8-2). Generally, the Subject Property is located at 113 Cook Street. 113 Cook Street is one of many structures housed within the 10.595-acre parcel. Other structures within the parcel include a Food City and various restaurants and retail stores. There has been no previous sign at the proposed location. The area is a newly developed part of town and is currently in development still. Access to the site will be Cook Street. Adjoining properties to the North, East, and South are zoned B-2 (General Business District) parcels. To the West are AFOS zoned parcels (Agricultural, Forestal and Open Space District).

The proposed wall sign will be one set of 24" channel letters (OMBRE) mounted on a 7" raceway. One set of 16" channel letters (NAILS BAR) mounted on a 4" raceway. Both sets of lettering will have black returns, black trim caps, have white acrylic plex faces, and be internally lit. Illumination of the sign will consist of 120 volt white LED lighting modules. The total square footage of the proposed wall sign is 18.98 sq. ft. The total length of the primary elevation is roughly 33.1 ft. making the allowable square footage 62 sq. ft. The square footage for the proposed wall sign meets both the Meadows Restrictive Covenants and Reciprocal Access Easement Agreement, Section 2-A-3 and the Abingdon's General Sign Standards.

Meadows Restrictive Covenants and Reciprocal Access Easement Agreement.

Section 2 Permitted Sign Specifications & Approval Processes.

A. Wall Signs.

Wall signs include any signage on structures and/or buildings whether leased or owned

1. *Primary (Front Elevation) – Each Tenant/Owner shall be permitted one or more signs. Up to Two (2) square feet of wall sign area shall be allowed for each horizontal linear foot of exterior wall length. If an exterior wall length is less than twenty (20) feet, the maximum allowable sign area on that wall shall be forty (40) square feet.*

Additionally, the type of lettering used and the method of illuminating the proposed wall sign meets the required/appropriate means outlined in the Meadows Restrictive Covenants and Reciprocal Access Easement Agreement:

All signs shall be channel letters, or a similar application. The use of LED lighting is encouraged.

There will be two signs, black vinyl letting attached to the existing tenant panels found on the existing tenant monument structure at the entrance into the plaza.

On a motion by Mr. Pennington seconded by Mr. Weaver, the Planning Commission approved the Certificate of Appropriateness as presented.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Kirk Sproles	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

F. ZONING CODE ARTICLE 21 SIGNS DISCUSSION (VIDEO 25:09 - 1:07:08)

Mr. Shuman asked if there has been any action by the Council regarding digital billboards.

Mrs. Rice stated there has been no action by either the Planning Commission or Town Council concerning digital billboards. In 2021, when the Lamar sign company came to staff asking if there was a possibility of doing digitals billboards, staff reviewed the code internally, then with Lamar, and then consulted the town's attorney, staff responded no off premise signage is not allowed. If Lamar wished to further the proposal they would have to apply for a text amendment. Staff later brought the proposal to Planning Commission and were not opposed to it, but needed to see a presentation. Later Lamar provided a presentation to Planning Commission, where two concerns materialized:

1. Does the community want digital billboards?

2. Is there a possibility if we allow upgrading of billboards, would they begin to pop up all over town specifically digital?

After the presentation the Planning Commission wanted to hear what Town Council thought. Lamar presented a presentation to Town Council and they were neither opposed or approving of the idea. Town Council instructed Lamar to go back to Planning Commission and provide language for a possible text amendment.

Mrs. Rice stated tonight was a workshop opportunity to review and comment on the sign code. In hopes of adopting a resolution amending the sign code.

Board of Architectural Review was switched out with Historic Preservation Review Board (HPRB).

Currently there is no mention of temporary signage being allowed or not allowed in the OH District. Staff added language stating temporary signage is allowed in the OH District if a COA is approved by the HPRB.

Previously if signs in the Entrance Corridor met code requirements, then the COA for signage did not have to go before Planning Commission, but was approved internally by the Town Manager. Based on discussions with Planning Commission staff has changed this language within the code so all sign COA applications in the Entrance Corridor go before Planning Commission.

Fee schedule is not approved by Town Council, but by the Town Manager.

Staff added language about wayfinding signage which would be incorporated into a possible future Master Sign Plan for the town. Signage such as this can be found in Kingsport directing people to attractions, hospitals, etc. One specific town related attraction is the Creeper Trail who has town signage currently.

Mr. Shuman mentioned Planning Commission developed, but did not implement a wayfinding sign plan where certain sections of town were to be given signs to assist people in finding their way to certain sites. For example, one area was called the Falcon District.

Mr. Wilson mentions the wayfinding around town is not great based on people while visiting asked where the Creeper Trail is.

Under exempt signs staff crossed out a few type of signs because right now for example it is hard to manage temporary signage as the current code reads. Staff added language where temporary signage is not eliminated, but needs to go through a permitting process.

Mr. Wilson suggested trailer should be added where it says, *signs displayed on an operable truck, bus, or other vehicle while in use in the normal conduct of business. This section shall not be interpreted to permit the parking for display purposes a vehicle to which a sign is:1 attached or the use of such a vehicle as a portable sign,* due to a significant amount of trailer signs.

Under prohibited signs currently, any sign or banner in or across a right of way are not allowed. However, staff and Mr. Cochran Abingdon's new Town Manager, have been discussing specific areas were these types of signage can be hung related to town sponsored events. Eventually staff would provide language allowing signage on public light poles.

Off premise signage was added as not prohibited. Another form of off premise signage added is signs in individual yards advertising businesses or events that are off premise.

Staff added Section 21-5-8, for billboards and is follows:

(1) No new billboards are allowed to be constructed within the Town limits of Abingdon.

(2) Non-conforming billboards as of 2022 may be altered with the approval of a special use permit.

(3) Minimum standards for alterations.

a. Alterations may only take place in the B-2 Zoning Sub district A permit for the construction of a replacement off-site/billboard sign with a digital billboard may only be issued after the removal of the existing off-site sign(s) and support structures unless said pole is to be used as a replacement.

b. Billboards must comply with the setback requirements for B-2 Zoning as a primary structure.

c. Billboards may not be located closer than 500 feet to another billboard.

d. Billboards height shall not exceed 35 feet.

e. Multiple digital billboards are not allowed on one parcel.

f. No replacement sign shall be expanded in size. permitted to be placed on-top of under an existing billboard or beside an existing billboard. To be eligible for the replacement with a digital sign, any side-by-side or stacked billboards must be removed and replaced.

g. All existing billboards replaced with a digital or automatic changeable message copy may include a digital sign face for 100% of the coverage of the sign or display surface area.

h. The message shall not be changed more than once every 12 seconds, move, flash, or display animation, as prohibited in this article.

i. Digital billboards shall not exceed three-tenths (0.3) foot candles over ambient light.

There are about 7 locations in town's various B-2 Districts based on staff driving around town and documenting each location of a billboard.

Mrs. Quetsch stated since the subject of digital billboards has been brought up, she has received numerous forms of feedback stating residents do not want digital billboards. She has not received any feedback from residents in favor or digital billboards.

Mr. Wilson, Mr. Shuman, and Mr. Sproles stated they are also against the idea of digital billboards.

Based on questions raised by Mr. Sproles and Mr. Shuman, Mr. Weaver stated a clear definition of deteriorated would have to be written to avoid subjectivity concerning a billboard's condition.

Mr. Shuman posed the idea of a small sign being allowed for short term rentals in town. If the property is located in the OH District, they would need to be approved by the HPRB.

Mr. Weaver stated he is of the opinion he does not want to waste Lamar sign company's time. It seems the board has come to the conclusion digital billboards are not wanted in the Town of Abingdon.

All other changes beside additional language about billboards the Planning Commission found appropriate. Mrs. Rice will bring back the amended sign code at the next meeting as a resolution for adoption to be granted approval and be forwarded to Town Council. A public hearing will happen after the next Planning Commission meeting.

Mr. Weaver asked about window signs. Mrs. Rice responded language was added so window signs can only be located on the interior of a structure.

G. BERKLEY GROUP ZONING CODE UPDATE (VIDEO 1:07:09 - 2:05:00)

Rebecca from the Berkley Group presented a few final aspects found in the zoning code draft.

Rebecca stated a red lined version could not be provided, but she could provide pseudo minutes of each work session they have had. For the open house the Berkley Group will be creating a "Major Changes" document.

In the definitions section Rebecca reviewed what definitions would be in this specific section.

Mr. Wilson mentioned wherever sewer is mentioned within the code, if it is a sanitary sewer the language should read sanitary sewer and not just sewer.

Rebecca mentioned she will be implementing some changes to put some finishing touches before the July 25th Open House.

Mr. Nathan Berg suggested creating a list of hot topic subjects to further public engagement.

The schedule of events as it stands now are as follows:

1. Open house on July 25, 2022 at 6 PM

2. Work session going over comments collected during open house
3. Go to Town Council

A perspective finish date would be late August.

Rebecca inquired if home stays are staying as is or are they eliminated. Mrs. Rice responded home stays are eliminated. Only short terms rentals are allowed, they will be allowed in all the zoned districts.

Rebecca brought to the boards attention the topic of conditional zoning and proffers again due to the uncertainty when last touched upon last work session. Rebecca mentioned including proffers will allow the board to further guarantee a project is completed as first agreed upon, when a rezoning amendment is approved for a specific project.

The overall zoning map is not changing. The only map changing is the OH District to condense the amount of sub-district down to five zones. The five new zones are:

1. Civic & Business
2. Residential
3. Artisan
4. Sinking Spring Cemetery
5. Muster Grounds

Mrs. Rice asked Rebecca if there was a discuss prior to her arrival if there was a discussion about zoning areas that are not zoned, specifically around the railroad. Rebecca responded there was an initial discussion but nothing came to fruition. Rebecca said she should have to check if the budget would allow for it because that task was not included initially.

H. OLD BUSINESS/MATTERS NOT ON THE AGENDA (VIDEO 2:05:05 - 2:12:36)

Mr. Nathan Berg presented more information on pocket neighborhoods.

I. ANNOUNCEMENTS

F. ADJOURNMENT

On a motion by Mr. Wilson seconded by Mrs. Quetsch, recommending that the meeting be adjourned with no further business to address.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Kirk Sproles	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

Adjourn Time 7:46 P.M.

_____ _____

Kenny Shuman, Chairman

Mayana Rice, Director of Community Development

The next regularly scheduled meeting will be on July 25, 2022, at 4:30 pm in the Council Chambers, 2nd floor of the Town Municipal Building.

The roll call vote was as follows:

Mrs. Donna Quetsch	**Aye**
Mr. Michael Weaver	**Aye**
Mr. Chad Pennington	**Aye**
Mr. Kirk Sproles	**Aye**
Mr. Scott Wilson	**Aye**
Mr. Kenny Shuman	**Aye**

Adjourn Time 7:46 P.M.

Kenny Shuman, Chairman

Mayana Rice, Director of Community Development

The next regularly scheduled meeting will be on July 25, 2022, at 4:30 pm in the Council Chambers, 2nd floor of the Town Municipal Building.

Town of Abingdon Virginia

REQUEST FOR PROPOSAL

East Main Street Drainage Improvement and Related Engineering Services

Proposal Release: Thursday, May 12, 2022

Proposal Due Date: Friday, June 3, 2022 at 2:00 p.m.

Postal Return Address:
Kevin W. Worley
Public Works Project Manager
Town of Abingdon
P. O. Box 789
Abingdon, Virginia 24212-0789

Courier Delivery Address:
Kevin W. Worley
Public Works Project Manager
Town of Abingdon
299 Kings Mountain Drive
Abingdon, Virginia 24210

This public body does not discriminate against faith-based organizations in accordance with the Code of Virginia, § 11-35.1 or against a bidder because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by law relating to discrimination in employment.

TABLE OF CONTENTS

Page

1. Purpose…….. 3
2. Scope of Work…….. 3
3. Firm Selection Schedule…….. 3
4. Instruction to Offerors…….. 3-4
5. Submittal Requirements…….. 4
6. Selection Process…….. 4
7. Evaluation Criteria…….. 5
8. Pre-Proposal Conference (N/A) …….. 5
9. Submissions and Deadlines…….. 6
10. Civil Rights …….. 7-8
11. Proprietary and Confidential Information …….. 8
12. Attachment A. Proprietary and Confidential Information Identification Form…….. 9
13. Attachment B. State Corporation Commission (SCC) Form …….. 10
14. Attachment C. Non-Collusion Affidavit …….. 11
15. Supporting Documents – Town Creek Flood Mitigation Study – Available Upon Request …….. 12

East Main Street Drainage Improvement
and Related Engineering Services

PURPOSE

In accordance with the Virginia Public Procurement Act § 2.2-4303, the Town of Abingdon (Town) requests proposals to procure engineering services related to East Main Street Drainage Improvements. The Town reserves the right to utilize the selected firm from this RFP process to provide comprehensive services as well as any other engineering services needed to evaluate and improve the drainage and any recommendations or needs identified in the on-going flood mitigation.

SCOPE OF WORK

The Town seeks professional engineering services for the development of engineering design and construction documents for stormwater infrastructure improvements in response to frequent flooding along East Main Street near the crossing of Town Creek. Drainage Improvements will be designed per the proposed improvements for Alternative #2 in the Town Creek Flood Study, to include box culverts under East Main Street, Tanner Street and Park Street, repairing the large hole that has formed through stream daylighting at 341 East Main Street, and re-grading and lowering the channel for Town Creek to accommodate the new culverts (1,200 linear feet). Property acquisition of 341 East Main Street may be required to accommodate the construction work, in which case trees can be planted as public green space in that location. Further details will be determined during the engineering design phase.

Services may include but are not limited to field survey and base mapping, environmental studies (401/404 permitting), hydrologic and hydraulic calculations, preliminary design (30%), intermediate design (60%), property acquisition assistance for 8 plats, final engineering design (90%), Final plans and required approvals, bid assistance, construction administration and construction inspection.

FIRM SELECTION SCHEDULE

The Town would like to complete the selection process and have a contract with the selected firm in June 2022.

INSTRUCTION TO OFFERORS

Proposals must be submitted in accordance with the instructions and requirements contained in this RFP. Failure to do so may result in the proposal being considered non-responsive and it may be rejected. An Offeror must promptly notify the Town of any ambiguity, inconsistency or error which may be discovered upon examination of the RFP.

The Town reserves the right to make the final determination of responsible Offerors and to waive informalities and/or irregularities and to accept or reject any or all offers. Proposals should be as thorough and detailed as possible so that the Town may properly evaluate the capabilities of respective Offerors to provide the required services. It is not the intent of the specifications to be proprietary, or to exclude any individual, business or firm.

Offerors are required to submit the following items for a complete proposal:

The specialized experience and technical expertise of the firm is to be demonstrated, showing comparable experience with projects similar to the identified projects. Comprehensive statement detailing the firms understanding of the project as presented in the scope of service. List of previous clients that may be contacted as reference. The Offeror must have a minimum experience of three (3) projects of similar size and complexity that have been completed within the last five (5) years. Include customer name and contact information with telephone number and email addresses.

Any other special experience and qualifications relative to this project including current staffing workload to be responsive to the immediate needs of the project. A listing of specific requirements, if any, which the Town will need to provide or meet prior to starting the work. The Offeror shall submit a method and plan outlining how the requirements contained in this proposal will be met. Detailed timeline including milestones for key action items based on Offerors understanding of the scope of work. Attachments A, B and C included at the end of this RFP.

SUBMITTAL REQUIREMENTS

Submissions shall be made in writing; to include one version with proprietary information redacted, if applicable. As it is expected that each Offeror may have different needs for information, it is incumbent on each Offeror to make whatever inquiries it deems necessary in order to respond to the RFP. The Town assumes no responsibility for oral instructions, suggestions or interpretations.

No bid may be withdrawn after opening except for clerical errors, as set forth in section 2.2-4330 of the Virginia Code. Bidder must give the Town a notice in writing of the request to withdraw a bid within two (2) business days after bid opening.

The Town is not responsible for any costs incurred with the development and delivery of the proposal. It is the sole responsibility of the Offeror.

SELECTION PROCESS

In accordance with Virginia Public Procurement Act, Chapter 43, Article 2, Section 2.2-4302.2 of the Code of Virginia, and Chapter 2, Article V, Section 2-176 of the Abingdon Municipal Code, the Town will choose a firm through competitive negotiation. In order of preference, two or more offerors whose professional qualification and proposed services are deemed most in line with the Town's needs. Negotiations shall then be conducted beginning with the offeror ranked first. If a contract satisfactory and advantageous to the Town can be negotiated at a price considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations with the offeror ranked second, and so on, shall be undertaken until a fair and reasonable price is agreed upon. Should the Town determine in writing and in its sole discretion that only one offeror is fully qualified or that one offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that offeror.

The Town will utilize a selection committee to review all proposals. Members of that committee may check references as appropriate in evaluating qualification of responding firms. The selection committee will make its recommendation to the Town Council for final approval.

EVALUATION CRITERIA

The Town will utilize a selection committee to review all proposals for services including checking references as appropriate in evaluating qualifications of responding firms.

The following criteria will be used to evaluate proposals, not necessarily listed in the order of importance, will be used to evaluate the response to this RFP:

Experience	Demonstrated qualifications and capacity of the Offeror. This will include: Years in business, service capabilities and experience of the firm in providing the requested services for public governmental entities. Verification of positive references with other clients will be considered in the evaluation process.	**20 pts**
Familiarity	Demonstrated understanding, approach and explanation of the services offered as it relates to the desired outcomes as outlined in the scope of services and the experience to perform.	**20 pts**
Resources	Demonstrated capabilities of the Offeror. This will include proactive business practices and philosophies of Offeror to ensure the Offeror has the ability to perform, and that the Offeror can complete the tasks within a reasonable timeframe.	**20 pts**
Workload	Describe the current workload of the key personnel proposed for the project. Explain the use of personnel, time, meetings and reports.	**10 pts**
Execution	Method and plan outlining how the requirements contained in this proposal will be met.	**15 pts**
Completion	Projected time frame, from beginning to a prompt completion date	**10 pts**
Intangibles		**5 pts**

PRE-PROPOSAL CONFERENCE

N/A

SUBMISSIONS AND DEADLINES

For consideration, one (1) hard copy and one (1) PDF file of the **PROPOSALS must be received no later than 2:00 p.m., Friday, June 3, 2022.** The submittals are to be marked on the outside **"BID PROPOSAL – East Main Street Drainage Improvement and Related Engineering Services"**.

Mailed submissions must be received by the deadline and addressed to:

Kevin W. Worley
Public Works Project Manager
Town of Abingdon
P. O. Box 789
Abingdon, Virginia 24212-0789

Courier delivered must be received by the deadline and addressed to:

Kevin W. Worley
Public Works Project Manager
Town of Abingdon
299 Kings Mountain Drive
Abingdon, Virginia 24210

Questions concerning the proposal can be directed, **in writing**, to Kevin Worley and/or Tyler Vencill by using the contact information below, and shall be received no later than Wednesday, May 25, 2022. Any questions received after Wednesday, May 25, 2022 may not be answered in fairness to other bidders.

Email: kworley@abingdon-va.gov
tvencill@abingdon-va.gov

Proposals received after the stated deadline will not be accepted. After the PROPOSALS are reviewed, the Town may meet with the firm or firms they deem best qualified for a more detailed discussion of the project. The Town reserves the right to reject any and all proposals for any reason.

This Request for Proposal does not commit the Town to pay any costs incurred by the individuals or firms in the preparation and submission of the proposal. The Town of Abingdon reserves the right to reject any or all proposals at any time without penalty.

CIVIL RIGHTS

The Town of Abingdon assures compliance with Title VI of the Civil Rights Act of 1964, as amended. The consultant and all sub-consultants selected for this project will be required to submit a Title VI Evaluation Report (EEO-D2) within 10

work days of notification of selection when requested by the Department. This requirement applies to all consulting firms when the contract amount equals or exceeds $10,000.

ANTI-DISCRIMINATION: By submitting their proposals, offers certify to the Town that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians with Disabilities Act, the Americans with Disabilities Act and Code of Virginia 2.2-4311, 2.2-4311.2, and 2.2-4312 of the Virginia Public Procurement Act (VPPA). If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipients religion, religious belief, refusal to participate in a religious practice, or on the race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, status as a veteran, or disability, and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (Code of Virginia 2.2.4343.1E).

Contract amount equals or exceeds $10,000.

1. During the performance of this contract, the contractor agrees as follows:
    a. During the performance of this contract, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, status as a veteran, or disability, or any other basis prohibited by law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
    b. The Contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, shall state that it is an equal opportunity employer.
    c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting these requirements.
    d. The requirements of these provisions 1. and 2. are a material part of the contract. If the Contractor violates one of these provisions, the Town may terminate the affected part of this contract for breach, or at its option, the whole contract. Violation of one of these provisions may also result in debarment from City contracting regardless of whether the specific contract is terminated.

2. The contractor will include the provisions of Paragraph a.1, preceding above, in every subcontract or purchase order equals or exceeds $10,000, so that the provision will be binding upon each subcontractor or vendor.

ANTI-DISCRIMINATION OF CONTRACTORS: A bidder, offeror, or contractor shall not be discriminated against in the solicitation or award of this contract because of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, status as a veteran, or disability, or any other basis prohibited by state law relating to discrimination in employment or because the offeror employs ex-offenders unless the Town has made a written determination that employing ex-offenders on the specific contract is not in its best

interest. If the award of this contract is made to a faith-based organization and an individual, who applies for or receives goods, services, or disbursements provided pursuant to this contract objects to the religious character of the faith-based organization from which the individual receives or would receive the goods, services, or disbursements, the public body shall offer the individual, within a reasonable period of time after the date of his objection, access to equivalent goods, services, or disbursements from an alternative provider.

PROPRIETARY AND CONFIDENTIAL INFORMATION

The Town promises to keep confidential, subject to the terms of this paragraph and to the extent permitted by law, Proprietary Information submitted in response to this Request for Proposal. For purposes of this paragraph, "Proprietary Information" means all confidential and/or proprietary knowledge, data or information in which the Offeror has a protectable interest, including: (a) trade secrets, inventions, ideas, know-how, improvements, discoveries, developments, designs and techniques; (b) information regarding research and development, new products marketing and selling, business plans, licenses, records, facility locations, documentation, software programs, price lists, contract prices for purchase and sale of the Offeror's services, customer lists, prospect lists, pricing on business proposals to new and existing customers, supplier pricing, equipment configurations, ledgers and general information, employee records, mailing lists, accounts receivable and payable ledgers, budgets, financial and other records of the Offeror; and (c) information regarding the skills and compensation of other employees of the Offeror. "Proprietary Information" does not include, however, information that is publicly available or readily ascertainable by independent investigation. To qualify Proprietary Information for protection from disclosure, the Offeror must: 1) request protection of the Proprietary Information before, or contemporaneously with, submission of the Proposal; 2) identify the Proprietary Information to be protected; and 3) state the reasons why the information is proprietary. The Offeror cannot designate as Proprietary Information a) an entire proposal; b) any portion of a proposal that does not contain Proprietary Information; c) line item prices; or d) the total proposal price. The Town may decline to defend against a lawsuit filed against it to compel release of information designated as proprietary, but in that event the Town will provide reasonable notice to the Offeror regarding its decision to defend pending lawsuits.

ATTACHMENT A. PROPRIETARY/CONFIDENTIAL INFORMATION IDENTIFICATION FORM

Code of Virginia 2.2-4342F (updated 07/01/18): "Trade secrets or proprietary information submitted by a bidder, offeror, or contractor in connection with a procurement transaction or prequalification application submitted pursuant to subsection B of § 2.2-4317 shall not be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.); however, the bidder, offeror, or contractor shall (i) invoke the protections of this section prior to or upon submission of

the data or other materials, (ii) identify the data or other materials to be protected, and (iii)state the reasons why protection is necessary. A bidder, offeror, or contractor shall not designate as trade secrets or proprietary information (a) an entire bid, proposal, or prequalification application; (b) any portion of a bid, proposal, or prequalification application that does not contain trade secrets or proprietary information; or (c) line item prices or total bid, proposal, or prequalification application prices."

Trade secrets or proprietary information shall be identified in writing on this form, either before or at the time the data or other material is submitted. Note: If proprietary/confidential information is identified, Bidder/Offeror must submit a redacted copy (in electronic PDF format) of their bid/proposal in addition to the required number of copies requested. The proprietary or trade secret material must be clearly identified in the redacted bid/proposal copy by a distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute a trade secret or proprietary information. The designation of an entire proposal document, line item prices, and/or total proposal prices as proprietary or trade secrets is not acceptable. If, after being given reasonable time, the offeror refuses to withdraw such a classification designation, the proposal will be rejected.

Name of Bidder/Offeror: _____

SECTION/TITLE	PAGE NUMBER(S)	REASON(S) FOR WITHHOLDING FROM DISCLOSURE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*Bidder/Offeror may attach additional sheets if necessary

☐ Check this box if there are none.

ATTACHMENT B. STATE CORPORATION COMMISSION (SCC) FORM

STATE CORPORATION COMMISSION IDENTIFICATION NUMBER:
Pursuant to Code of Virginia 2.2-4311.2 subsection B, a bidder/offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 is required to include in its bid/proposal the identification number issued to it by the State Corporation Commission (SCC) and shall not allow the identification number to lapse, be revoked or cancelled at any time during the term of the contract. Any bidder/offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law is required to include in its bid/proposal a statement describing why the bidder/offeror is not required to be so authorized. A link to the SCC site is at http://www.scc.virginia.gov.

Select one of the following boxes. The undersigned Offeror:

☐ is a corporation or other business entity with the following SCC identification number: _____

☐ is not a corporation, limited liability company, limited partnership, registered limited liability partnership, or business trust.

☐ is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the Offeror in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from bidder's out-of-state location).

☐ is an out-of-state business entity that is including with this bid an opinion of legal counsel which accurately and completely discloses the undersigned Offeror's current contacts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of § 13.1-757 or other similar provisions in Titles 13.1 or 50 of the Code of Virginia. Attach opinion of legal counsel to this form.

☐ has not completed any of the foregoing options but currently has pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wishes to be considered for a waiver to allow them to submit the SCC identification number after the due date for bids/proposals. The Town reserves the right to determine in its sole discretion whether to allow such waiver.

Signature: _____ Date: _____

Name: _____
(Print)

Name of Firm: _____

Title: _____

ATTACHMENT C. NON-COLLUSION AFFIDAVIT

Under oath, I hereby affirm under penalty of perjury:

(1) That I am the offeror or a partner of the offeror, or an officer or employee of the offeror's corporation with authority to sign on its behalf;

(2) That the attached proposal or proposals have been arrived at by the offeror and have been arrived at and submitted without collusion or any design to limit bidding or competition;

(3) That the contents of the proposal or proposals have not been communicated to any person not an employee or agent of the offeror on any bid furnished with the proposal or proposals, and will not be communicated to any such person prior to the official opening of the proposal or proposals; and

(4) That I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signature: _____ Date: _____

Name: _____
(Print)

Name of Firm: _____

Title: _____

TOWN OF _____,

STATE OF _____, to wit:

I, _____, a Notary Public, do certify that_____ whose name is signed to the foregoing has this date acknowledged the same before me in my Town foresaid.
Given under my hand this _____day of _____ , 20_____ .

My Commission expires _____.

Notary Public _____ .

Supporting Documents

Town Creek Flood Mitigation Study

"Available Upon Request"

Interview Score Sheet - Tabulation Summary

Project: **East Main Street Drainage Improvement and Related Engineering Services**

Evaluation Criteria		Available Points	AMT				Mattern and Craig				Thompson and Litton			
			Evaluator Scores				Evaluator Scores				Evaluator Scores			
			1	2	3	4	1	2	3	4	1	2	3	4
EXPERIENCE	Demonstrated qualifications and capacity of the Offeror. This will include: Years in business, service capabilities and experience of the firm in providing the requested services for public governmental entities. Verification of positive references with other clients will be considered in the evaluation process.	**20**	**20**	**20**	**20**	**20**	**20**	**18**	**18**	**19**	**20**	**17**	**19**	**18**
FAMILIARITY	Demonstrated understanding, approach and explanation of the services offered as it relates to the desired outcomes as outlined in the scope of services and the experience to perform.	**20**	**20**	**20**	**20**	**20**	**19**	**20**	**17**	**19**	**19**	**20**	**18**	**18**
RESOURCES	Demonstrated capabilities of the Offeror. This will include proactive business practices and philosophies of Offeror to ensure the Offeror has the ability to perform, and that the Offeror can complete the tasks within a reasonable timeframe.	**20**	**20**	**20**	**15**	**20**	**18**	**18**	**19**	**19**	**18**	**16**	**19**	**18**
WORKLOAD	Describe the current workload of the key personnel proposed for the project. Explain the use of personnel, time, meetings and reports.	**10**	**10**	**8**	**8**	**8**	**8**	**10**	**9**	**8**	**5**	**10**	**9**	**8**
EXECUTION	Method and plan outlining how the requirements contained in this proposal will be met.	**15**	**15**	**14**	**13**	**15**	**15**	**12**	**12**	**14**	**12**	**12**	**12**	**14**
COMPLETION	Projected time frame, from beginning to a prompt completion date	**10**	**8**	**10**	**10**	**10**	**10**	**10**	**10**	**10**	**8**	**10**	**9**	**10**
Intangibles (explain)	Invested in the Town in such a way to ensure project value from start to compleation, and that the project is completed successfully without delay.	**5**	**5**	**5**	**5**	**5**	**4**	**4**	**1**	**4**	**3**	**4**	**1**	**4**
	Total Score	**100**	**98**	**97**	**91**	**98**	**94**	**92**	**86**	**93**	**85**	**89**	**87**	**90**
Average Score			**96**				**91.25**				**87.75**			
Ranking by evaluator			1	1	1	1	2	2	3	2	3	3	2	3
Ranking by scores		1 to 3	1				2				3			

ABINGDON, VIRGINIA

REQUESTS FOR PROPOSALS

SOLID WASTE DISPOSAL SERVICES

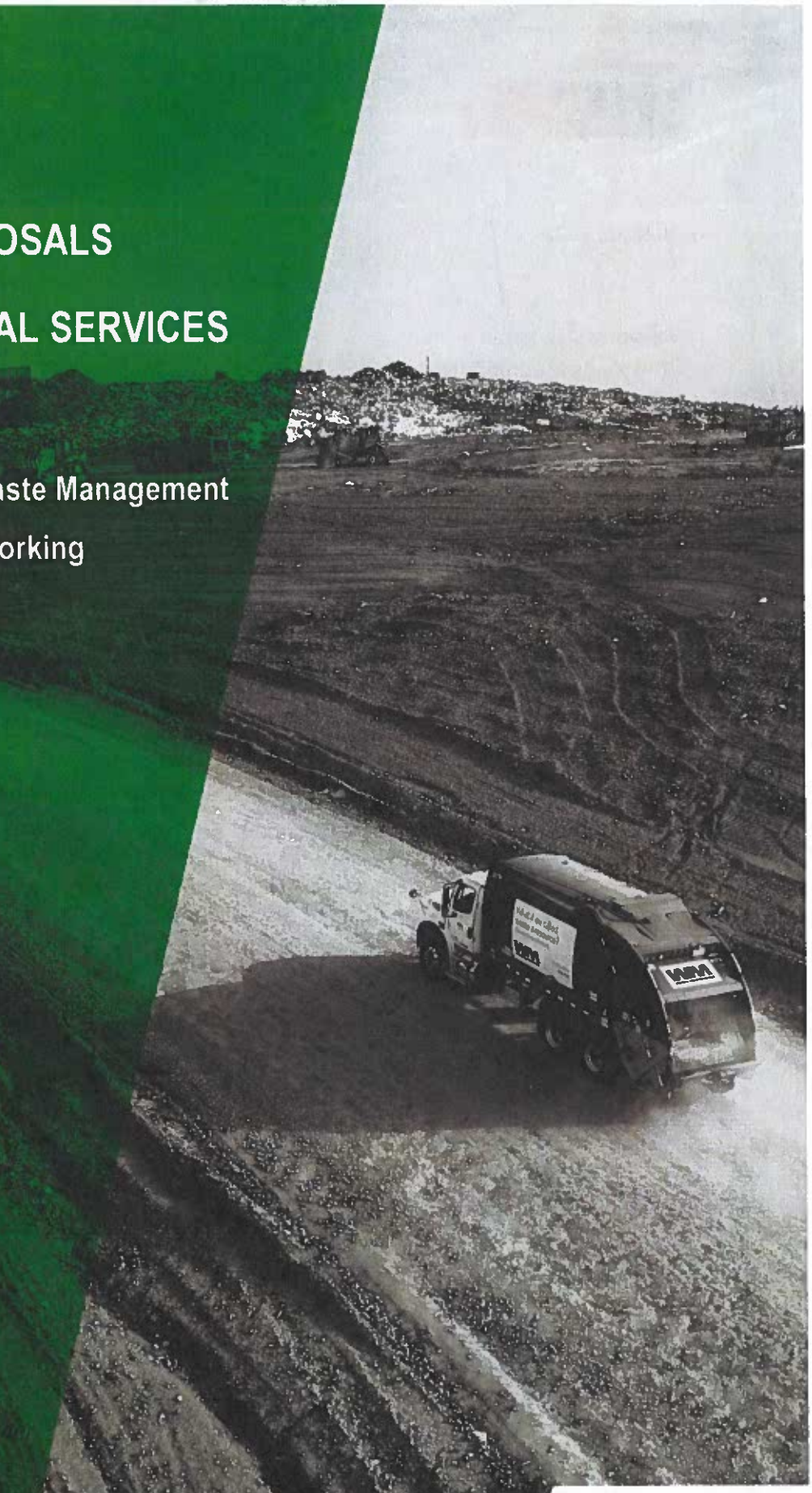
SUBMITTED BY

Eco-Safe Systems, LLC dba Waste Management

The Right Way is our Way of Working

CONTACT

Justin Rodda,
District Manager
(423) 361-8047
jrodda@wm.com



WASTE MANAGEMENT

WASTE MANAGEMENT
Eco-Safe Systems, LLC
385 Harr Lane, Blountville, TN 37617

July 25, 2022

Town of Abingdon
299 Kings Mountain Drive
Abingdon, Virginia 24210

Attn: Kevin Worley

Dear Kevin:

Eco-Safe Systems, LLC (dba WM) is pleased to have the opportunity to provide the Town of Abingdon with the enclosed proposal for Solid Waste Services.

Waste Management is the leading provider of comprehensive waste and environmental services in North America. We are strongly committed to a foundation of financial strength, operating excellence, and professionalism. We are proud of the work we do, our dedicated staff, and the customers we serve.

We have a proven track record of providing our customers with waste programs, including disposal, that meet their goals for diversion, service optimization, and cost reduction. We have implemented programs for more than nearly 20 million customers across North America for whom we provide a variety of environmental solutions.

The offerings we provide to our customers clearly differentiate our company from our competitors and demonstrate the value, service, and sustainability solutions we hope to continue to provide to Town of Abingdon if awarded this contract.

Waste Management extends our appreciation for allowing us to provide the enclosed proposal to Town of Abingdon. We look forward to your feedback, and if you have any questions or need clarification regarding our proposal or the information provided, please do not hesitate to contact me.

Justin Rodda | District Manager | (423) 361-8047 | jrodda@wm.com

Justin Rodda

Waste Management is **your partner for environmental service and solutions** whose people **go above and beyond** to **serve and solve** every challenge **the right way**.

Data contained in this proposal represents the most recently published information for Waste Management's wholly owned operations, unless otherwise indicated.

A. DESCRIPTION OF FIRM

EXPERIENCE

Our proposed key personnel have more than 37 years of combined experience in landfill management and our staff is MOLO and TDEC Certified with Management and Operator Certificates.

Introducing our Town of Abingdon Service Team

At Waste Management, we believe that developing a strong relationship with you and your community is important to our long-term partnership. Our priority is to thoroughly understand our customers' program goals and service expectations – we listen first and act second. Through on and off the street research, our conversations with you, and this RFP process, we have developed substantial insight into your expectations for your program.

Appreciating our customers' unique needs allows us to customize services and program offerings. We will work with you, your community, and internally, as your Waste Management Town of Abingdon service team, to implement and execute disposal services that align with all of your requirements and expectations.

Your local Town of Abingdon service team brings a diversity of backgrounds, skillsets, and job responsibilities. However, we all connect back to a common denominator, you - our customer.

Your Waste Management Town of Abingdon service team will include:

Operations

- Justin Rodda, District Manager
- Johnny Lane, District Operations Manager
- Joy Inman, Environmental Engineer

AUDITED FINANCIAL STATEMENT FOR 2020

Please see the following pages.

REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

To the Board of Directors and Stockholders of Waste Management, Inc.

Opinion on Internal Control over Financial Reporting

We have audited Waste Management, Inc.'s internal control over financial reporting as of December 31, 2020, based on criteria established in Internal Control-Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission (2013 framework) (the COSO criteria). In our opinion, Waste Management, Inc. (the Company) maintained, in all material respects, effective internal control over financial reporting as of December 31, 2020, based on the COSO criteria.

As indicated in the accompanying Management's Report on Internal Control Over Financial Reporting, management's assessment of and conclusion on the effectiveness of internal control over financial reporting did not include the internal controls of Advanced Disposal Services, Inc., which is included in the 2020 consolidated financial statements of the Company and constituted approximately 10.6% of total consolidated assets, excluding goodwill, as of December 31, 2020, approximately 1.3% of total consolidated revenues and less than 1% of consolidated operating income, for the year then ended. Our audit of internal control over financial reporting of the Company also did not include an evaluation of the internal control over financial reporting of Advanced Disposal Services, Inc.

We also have audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the 2020 consolidated financial statements of the Company, and our report dated February 22, 2021 expressed an unqualified opinion thereon.

Basis for Opinion

The Company's management is responsible for maintaining effective internal control over financial reporting and for its assessment of the effectiveness of internal control over financial reporting included in the accompanying Management's Report on Internal Control Over Financial Reporting. Our responsibility is to express an opinion on the Company's internal control over financial reporting based on our audit. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audit in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether effective internal control over financial reporting was maintained in all material respects.

Our audit included obtaining an understanding of internal control over financial reporting, assessing the risk that a material weakness exists, testing and evaluating the design and operating effectiveness of internal control based on the assessed risk, and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion.

Definition and Limitations of Internal Control Over Financial Reporting

A company's internal control over financial reporting is a process designed to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles. A company's internal control over financial reporting includes those policies and procedures that (1) pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the company; (2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with generally accepted accounting principles, and that receipts and expenditures of the company are being made only in accordance with authorizations of management and directors of the company; and (3) provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use, or disposition of the company's assets that could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent or detect misstatements. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

/s/ ERNST & YOUNG LLP

Houston, Texas
February 22, 2021

REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

To the Board of Directors and Stockholders of Waste Management, Inc.

Opinion on the Financial Statements
We have audited the accompanying consolidated balance sheets of Waste Management, Inc. (the Company) as of December 31, 2020 and 2019, the related consolidated statements of operations, comprehensive income, cash flows, and changes in equity for each of the three years in the period ended December 31, 2020, and the related notes (collectively referred to as the "consolidated financial statements"). In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Company at December 31, 2020 and 2019, and the results of its operations and its cash flows for each of the three years in the period ended December 31, 2020, in conformity with U.S. generally accepted accounting principles.

We also have audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the Company's internal control over financial reporting as of December 31, 2020, based on criteria established in Internal Control-Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission (2013 framework), and our report dated February 22, 2021 expressed an unqualified opinion thereon.

Adoption of ASU No. 2016-02 (Topic 842)
As discussed in Note 2 to the consolidated financial statements, the Company changed its method of accounting for leases in the 2019 financial statements to reflect the accounting method change due to the adoption of ASU No. 2016-02, *Leases (Topic 842)*, and the related amendments.

Basis for Opinion
These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on the Company's financial statements based on our audits. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud. Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

Critical Audit Matters
The critical audit matters communicated below are matters arising from the current period audit of the financial statements that were communicated or required to be communicated to the audit committee and that: (1) relate to accounts or disclosures that are material to the financial statements and (2) involved our especially challenging, subjective or complex judgments. The communication of critical audit matters does not alter in any way our opinion on the consolidated financial statements, taken as a whole, and we are not, by communicating the critical audit matters below, providing separate opinions on the critical audit matters or on the accounts or disclosures to which they relate.

Landfill Amortization

Description of the Matter

At December 31, 2020, the Company's landfill assets, net of accumulated amortization, totaled $7.2 billion and the associated amortization expense for 2020 was $568 million. As discussed in Note 3 of the financial statements, the Company updates the estimates used to calculate individual landfill amortization rates at least annually, or more often if significant facts change. Landfill amortization rates are used in the computation of landfill amortization expense.

Auditing landfill amortization rates and related amortization expense is complex due to the highly judgmental nature of assumptions used in estimating the rates. Significant assumptions used in the calculation of the rates include: estimated future development costs associated with the construction and retirement of the landfill, estimated remaining permitted airspace and unpermitted expansion airspace, airspace utilization factors, projected annual tonnage intakes, and projected timing of retirement activities.

How We Addressed the Matter in Our Audit

We obtained an understanding, evaluated the design, and tested the operating effectiveness of the Company's controls over determining landfill amortization rates and calculating amortization expense. Our audit procedures included, among others, testing controls over: the Company's process for evaluating and updating the significant assumptions used in the development of the landfill amortization rates, management's review of those significant assumptions, and the mathematical accuracy of the calculation and recording of amortization expense.

To test the landfill asset amortization rates, our audit procedures included, among others, assessing methodologies used by the Company and testing the significant assumptions discussed above, inclusive of the underlying data used by the Company in its development of these assumptions. We compared the significant assumptions used by management to historical trends and, when available, to comparable size landfills accepting a similar type of waste. Regarding unpermitted expansion airspace, we evaluated the Company's criteria for inclusion in remaining airspace. In addition, we considered the professional qualifications and objectivity of management's internal engineers responsible for developing the assumptions. We involved EY's engineering specialists to assist with the evaluation of the Company's landfill future development cost and airspace assumptions. We also tested the completeness and accuracy of the historical data utilized in the development of the landfill amortization rates.

Landfill – Final Capping, Closure and Post-Closure Costs

Description of the Matter

At December 31, 2020, the carrying value of the Company's landfill asset retirement obligations related to final capping, closure and post-closure costs totaled $2.2 billion. As discussed in Note 3 of the financial statements, the Company updates the estimates used to measure the asset retirement obligations annually, or more often if significant facts change.

Auditing the landfill asset retirement obligation is complex due to the highly judgmental nature of the assumptions used in the measurement process. These assumptions include: estimated future costs associated with the capping, closure and post closure activities at each specific landfill; airspace consumed to date in relation to total estimated permitted airspace; the projected annual tonnage intake; and the projected timing of retirement activities.

How We Addressed the Matter in Our Audit

We obtained an understanding, evaluated the design, and tested the operating effectiveness of the Company's controls over the calculation of asset retirement obligations. Our audit procedures included, among others, testing the Company's controls over the landfill asset retirement obligation estimation process and management's review of the significant assumptions used in the estimation of the liability, including the amount and timing of retirement costs.

To test the landfill asset retirement obligation valuation, we performed audit procedures that included, among others, assessing methodologies used by the Company, testing the completeness of activities included in the estimate (e.g., gas monitoring and extraction), and testing the significant assumptions discussed above, inclusive of the underlying data used by the Company in its development of these assumptions. We compared the significant assumptions used by management to historical trends and, when available, to comparable size landfills accepting the same type of waste. In addition, we considered the professional qualifications and objectivity of management's internal engineers responsible for developing the assumptions. We involved EY and external engineering specialists to assist us with these procedures. Specifically, we utilized the EY engineering specialists to evaluate the reasons for significant changes in assumptions from the historical trend, and to determine whether the change from the historical trend was appropriate and identified timely. We utilized the external engineers to evaluate the estimates of remaining landfill airspace. We also tested the completeness and accuracy of the historical data utilized in preparing the estimate.

Acquisition of Advanced Disposal Services, Inc. – Valuation of Customer Relationship and Landfill rights/permits

Description of the Matter

As described in Note 18 to the consolidated financial statements, during the year ended December 31, 2020, the Company completed the acquisition of Advanced Disposal Services, Inc. ("Advance Disposal") for net consideration of $4.1 billion. The transaction was accounted for as a business combination.

Auditing the Company's accounting for its acquisition of Advance Disposal was complex due to the significant estimation required by management in determining the fair value of the acquired customer relationships and landfill assets included within Other intangible assets and Property and equipment, respectively, in Note 18, both of which utilize prospective financial information. The Company valued the customer relationship asset using an income approach; specifically, the multi-period excess earnings model. The significant assumptions used to value customer relationships included, among others, the attrition rate, revenue growth rate, and discount rate. The Company valued the landfill assets using an income approach; specifically, a discounted cash flow model. The significant assumptions used to value landfill assets included, among others, the forecasted revenue and revenue growth (including forecasted waste volumes and rate per ton), discount rate, and forecasted capital expenditures. These assumptions are forward-looking and could be affected by future economic and market conditions.

How We Addressed the Matter in Our Audit

We obtained an understanding, evaluated the design, and tested the operating effectiveness of the Company's controls over its accounting for the Advance Disposal acquisition. For example, we tested controls over the valuation of customer relationships and landfill assets, including management's review of the valuation models, and underlying data and assumptions used to develop the estimated fair value of these assets.

To test the estimated fair value of the customer relationship and landfill assets, we performed audit procedures that included, among others, evaluating the Company's selection of the valuation methodology, evaluating the significant assumptions used to determine the valuation calculations, and testing the completeness and accuracy of the underlying data supporting the significant assumptions. We involved our valuation specialists to assist with evaluating the methodology and significant assumptions used by the management to determine the fair value estimates. Additionally, we performed sensitivity analyses of the identified significant assumptions and compared them, as applicable, to current industry and market trends, the assumptions used by the Company to value similar assets in other acquisitions, as well as historical results, among other procedures.

/s/ ERNST & YOUNG LLP

We have served as the Company's auditor since 2002.

Houston, Texas
February 22, 2021

WASTE MANAGEMENT, INC.

CONSOLIDATED BALANCE SHEETS
(In Millions, Except Share and Par Value Amounts)

	December 31,	
	2020	2019
ASSETS		
Current assets:		
Cash and cash equivalents	$ 553	$ 3,561
Accounts receivable, net of allowance for doubtful accounts of $33 and $28, respectively	2,097	1,949
Other receivables, net of allowance for doubtful accounts of $7 and $1, respectively	527	370
Parts and supplies	124	106
Other assets	239	223
Total current assets	3,540	6,209
Property and equipment, net of accumulated depreciation and amortization of $20,095 and $18,657, respectively	14,148	12,893
Goodwill	8,994	6,532
Other intangible assets, net	1,024	521
Restricted trust and escrow accounts	347	313
Investments in unconsolidated entities	426	483
Other assets	866	792
Total assets	$ 29,345	$ 27,743
LIABILITIES AND EQUITY		
Current liabilities:		
Accounts payable	$ 1,121	$ 1,065
Accrued liabilities	1,342	1,327
Deferred revenues	539	534
Current portion of long-term debt	551	218
Total current liabilities	3,553	3,144
Long-term debt, less current portion	13,259	13,280
Deferred income taxes	1,806	1,407
Landfill and environmental remediation liabilities	2,222	1,930
Other liabilities	1,051	912
Total liabilities	21,891	20,673
Commitments and contingencies		
Equity:		
Waste Management, Inc. stockholders' equity:		
Common stock, $0.01 par value; 1,500,000,000 shares authorized; 630,282,461 shares issued	6	6
Additional paid-in capital	5,129	5,049
Retained earnings	11,159	10,592
Accumulated other comprehensive income (loss)	39	(8)
Treasury stock at cost, 207,480,827 and 205,956,366 shares, respectively	(8,881)	(8,571)
Total Waste Management, Inc. stockholders' equity	7,452	7,068
Noncontrolling interests	2	2
Total equity	7,454	7,070
Total liabilities and equity	$ 29,345	$ 27,743

See Notes to Consolidated Financial Statements.

WASTE MANAGEMENT, INC.

CONSOLIDATED STATEMENTS OF OPERATIONS
(In Millions, Except per Share Amounts)

	Year Ended December 31,		
	2020	2019	2018
Operating revenues	$ 15,218	$ 15,455	$ 14,914
Costs and expenses:			
Operating	9,341	9,496	9,249
Selling, general and administrative	1,728	1,631	1,453
Depreciation and amortization	1,671	1,574	1,477
Restructuring	9	6	4
(Gain) loss from divestitures, asset impairments and unusual items, net	35	42	(58)
	12,784	12,749	12,125
Income from operations	2,434	2,706	2,789
Other income (expense):			
Interest expense, net	(425)	(411)	(374)
Loss on early extinguishment of debt, net	(53)	(85)	—
Equity in net losses of unconsolidated entities	(68)	(55)	(41)
Other, net	5	(50)	2
	(541)	(601)	(413)
Income before income taxes	1,893	2,105	2,376
Income tax expense	397	434	453
Consolidated net income	1,496	1,671	1,923
Less: Net income (loss) attributable to noncontrolling interests	—	1	(2)
Net income attributable to Waste Management, Inc.	$ 1,496	$ 1,670	$ 1,925
Basic earnings per common share	$ 3.54	$ 3.93	$ 4.49
Diluted earnings per common share	$ 3.52	$ 3.91	$ 4.45

CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME
(In Millions)

	Year Ended December 31,		
	2020	2019	2018
Consolidated net income	$ 1,496	$ 1,671	$ 1,923
Other comprehensive income (loss), net of tax:			
Derivative instruments, net	15	8	8
Available-for-sale securities, net	11	15	5
Foreign currency translation adjustments	20	55	(105)
Post-retirement benefit obligation, net	1	1	2
Other comprehensive income (loss), net of tax	47	79	(90)
Comprehensive income	1,543	1,750	1,833
Less: Comprehensive income (loss) attributable to noncontrolling interests	—	1	(2)
Comprehensive income attributable to Waste Management, Inc.	$ 1,543	$ 1,749	$ 1,835

See Notes to Consolidated Financial Statements.

WASTE MANAGEMENT, INC.

CONSOLIDATED STATEMENTS OF CASH FLOWS
(In Millions)

	Year Ended December 31,		
	2020	2019	2018
Cash flows from operating activities:			
Consolidated net income	$ 1,496	$ 1,671	$ 1,923
Adjustments to reconcile consolidated net income to net cash provided by operating activities:			
Depreciation and amortization	1,671	1,574	1,477
Deferred income tax expense (benefit)	165	100	25
Interest accretion on landfill liabilities	103	98	95
Provision for bad debts	54	39	54
Equity-based compensation expense	94	86	89
Net gain on disposal of assets	(9)	(27)	(47)
(Gain) loss from divestitures, asset impairments and other, net	43	113	(58)
Equity in net losses of unconsolidated entities, net of dividends	60	55	41
Loss on early extinguishment of debt, net	53	85	—
Change in operating assets and liabilities, net of effects of acquisitions and divestitures:			
Receivables	(179)	(53)	(16)
Other current assets	10	(23)	(16)
Other assets	53	10	(14)
Accounts payable and accrued liabilities	(37)	243	203
Deferred revenues and other liabilities	(174)	(97)	(186)
Net cash provided by operating activities	3,403	3,874	3,570
Cash flows from investing activities:			
Acquisitions of businesses, net of cash acquired	(4,085)	(521)	(460)
Capital expenditures	(1,632)	(1,818)	(1,694)
Proceeds from divestitures of businesses and other assets (net of cash divested)	885	49	208
Other, net	(15)	(86)	(223)
Net cash used in investing activities	(4,847)	(2,376)	(2,169)
Cash flows from financing activities:			
New borrowings	5,790	4,683	359
Debt repayments	(7,807)	(533)	(499)
Premiums paid on early extinguishment of debt	(30)	(84)	—
Net commercial paper borrowings (repayments)	1,808	(1,001)	453
Common stock repurchase program	(402)	(248)	(1,004)
Cash dividends	(927)	(876)	(802)
Exercise of common stock options	63	67	52
Tax payments associated with equity-based compensation transactions	(34)	(33)	(29)
Other, net	(20)	(11)	(38)
Net cash (used in) provided by financing activities	(1,559)	1,964	(1,508)
Effect of exchange rate changes on cash, cash equivalents and restricted cash and cash equivalents	4	2	(3)
(Decrease) increase in cash, cash equivalents and restricted cash and cash equivalents	(2,999)	3,464	(110)
Cash, cash equivalents and restricted cash and cash equivalents at beginning of period	3,647	183	293
Cash, cash equivalents and restricted cash and cash equivalents at end of period	$ 648	$ 3,647	$ 183
Reconciliation of cash, cash equivalents and restricted cash and cash equivalents at end of period:			
Cash and cash equivalents	$ 553	$ 3,561	$ 61
Restricted cash and cash equivalents included in other current assets	28	15	49
Restricted cash and cash equivalents included in restricted trust and escrow accounts	67	71	73
Cash, cash equivalents and restricted cash and cash equivalents at end of period	$ 648	$ 3,647	$ 183

See Notes to Consolidated Financial Statements.

WASTE MANAGEMENT, INC.

CONSOLIDATED STATEMENTS OF CHANGES IN EQUITY
(In Millions, Except Shares in Thousands)

	Waste Management, Inc. Stockholders' Equity								
		Common Stock		Additional Paid-In	Retained	Accumulated Other Comprehensive	Treasury Stock		Noncontrolling
	Total	Shares	Amounts	Capital	Earnings	Income (Loss)	Shares	Amounts	Interests
Balance, December 31, 2017	$ 6,042	630,282	$ 6	$ 4,933	$ 8,588	$ 8	(196,964)	$ (7,516)	$ 23
Adoption of new accounting standards	80	—	—	—	85	(5)	—	—	—
Consolidated net income	1,923	—	—	—	1,925	—	—	—	(2)
Other comprehensive income (loss), net of tax	(90)	—	—	—	—	(90)	—	—	—
Cash dividends declared of $1.86 per common share	(802)	—	—	—	(802)	—	—	—	—
Equity-based compensation transactions, net of tax	151	—	—	60	1	—	2,345	90	—
Common stock repurchase program	(1,008)	—	—	—	—	—	(11,673)	(1,008)	—
Divestiture of noncontrolling interest	(19)	—	—	—	—	—	—	—	(19)
Other, net	(1)	—	—	—	—	—	(7)	—	(1)
Balance, December 31, 2018	$ 6,276	630,282	$ 6	$ 4,993	$ 9,797	$ (87)	(206,299)	$ (8,434)	$ 1
Consolidated net income	1,671	—	—	—	1,670	—	—	—	1
Other comprehensive income (loss), net of tax	79	—	—	—	—	79	—	—	—
Cash dividends declared of $2.05 per common share	(876)	—	—	—	(876)	—	—	—	—
Equity-based compensation transactions, net	164	—	—	56	1	—	2,585	107	—
Common stock repurchase program	(244)	—	—	—	—	—	(2,247)	(244)	—
Other, net	—	—	—	—	—	—	5	—	—
Balance, December 31, 2019	$ 7,070	630,282	$ 6	$ 5,049	$ 10,592	$ (8)	(205,956)	$ (8,571)	$ 2
Adoption of new accounting standards	(2)	—	—	—	(2)	—	—	—	—
Consolidated net income	1,496	—	—	—	1,496	—	—	—	—
Other comprehensive income (loss), net of tax	47	—	—	—	—	47	—	—	—
Cash dividends declared of $2.18 per common share	(927)	—	—	—	(927)	—	—	—	—
Equity-based compensation transactions, net	172	—	—	80	1	—	2,158	91	—
Common stock repurchase program	(402)	—	—	—	—	—	(3,687)	(402)	—
Other, net	—	—	—	—	(1)	—	4	1	—
Balance, December 31, 2020	$ 7,454	630,282	$ 6	$ 5,129	$ 11,159	$ 39	(207,481)	$ (8,881)	$ 2

See Notes to Consolidated Financial Statements.

Waste Management Credit Ratings

Moody's	Standard & Poor's	Fitch
Baa1/P-2/Stable	A-/A-2/Stable	BBB+/F-2/Negative

Dun & Bradstreet Rating	D&B Number
5A2	19-467-2085

The three largest bonding companies we use all have an AM Best Rating of A+.

Eco-Safe Landfill

Eco-Safe Landfill is a permitted municipal solid waste landfill that opened in September 2012. The facility is permitted by the Tennessee Department of Environment and Conservation. The facility currently accepts Municipal Solid Waste, Construction and Demolition Debris, Municipal and Industrial Sewage Sludge, Contaminated Soils, and Asbestos, and can accept waste though out Tennessee, Virginia, and North Carolina.

Acceptable waste can be brought via walking floor trailers, tippers, dump trucks. Frameless trucks are not permitted.

Offloading assistance is not provided.

This location does not accept hazardous waste.

Eco-Safe Landfill

385 Harr Lane, Blountville, TN 37617

Phone: (423) 574-1900

Hours: 6:30 a.m.to 4:30 p.m. Monday-Friday, closed Saturday and Sunday

Observed Holidays: Thanksgiving Day, Christmas Day

Eco-Safe Landfill has an estimated landfill capacity of 84 years of airspace remaining.

Town of Abingdon

REQUEST FOR BIDS

Project Title:

Town of Abingdon Virginia Solid Waste Services

Bid Release Date: Friday, July 15, 2022

Bid Opening/Due Date: 2:00pm on Friday, July 29,2022

Postal Return Address: Kevin Worley
Town of Abingdon
P. 0. Box 789
Abingdon, Virginia 24212-0789

Courier Delivery Address: Kevin Worley
Town of Abingdon
299 Kings Mountain Drive
Abingdon, Virginia 24210

Contents

DESCRIPTION 3

CONTROL PARAMETERS 3

SITE CONDITIONS 3

SCHEDULE 3

CONTRACT AWARD 3

MINIMUM REQUIRMENTS 4

SELECTION PROCESS 4

SUBMISSIONS AND DEADLINES 4

CIVIL RIGHTS 6

ANTI-DISCRIMINATION 6

Contract amount equals or exceeds $10,000 6

PROPRIETARY AND CONFIDENTIAL INFORMATION 7

ATIACHMENT A. PROPRIETARY/CONFIDENTIAL INFORMATION IDENTIFICATION FORM 8

ATIACHMENT B.
STATE CORPORATION COMMISSION (SCC) FORM 9

ATIACHMENT C. NON-COLLUSION AFFIDAVIT 10

ATIACHMENT D.
NOTICE OF EXCEPTIONS 11

Solid Waste landfill Tipping Fee Bid Form 12

DESCRIPTION

The Town of Abingdon Virginia is hereby soliciting bids for a three (3) year contract for per ton "Landfill Tipping Fee" for Solid Waste, Brush, Bulk Waste, and White Goods effective September 1,2022, thru June 30, 2025. The town operates on an annual budget from July 1st through June 30th and as such the contract pricing for the annual per ton tipping fee set forth at the beginning of each fiscal year must be firm for full fiscal year and shall not be subject to change during the year.

CONTROL PARAMETERS

The Town of Abingdon Virginia reserves the right, based on financial restraints, to restrict the solicitations of bidders based on two controlling parameters.

a. Geographical location: Facility must be within 40 mile radius of the Town of Abingdon Virginia;and
b. Single Trip Driving Time: Facility must be within GO-minute single trip drive from the Town of Abingdon Virginia.

SITE CONDITIONS

The area of the landfill to be accessed by the town's trucks shall be kept clear of garbage and debris so that the town's trucks are not required to drive in, or through, garbage and debris to access the landfill. Additionally, the town's trucks shall not to be required to drive in, or through, soft soil/rock areas that could result in the town's trucks becoming mired down.

SCHEDULE

Request for Bid Release: Friday,July 15, 2022

Sealed Bid Due Date: Friday,July 29,2022, by 2:00PM

Sealed Bid Opening:Friday,July 29, 2022 at 2:00PM {Bidders not required for opening to be considered}

Award Date:Thursday,August 18, 2022 (Following Abingdon Town Council Approval)

Contract To Begin: Thursday,September 1, 2022

CONTRACT AWARD

After Council approval, the Town will enter a law binding contract with the lowest responsive and responsible bidder. Documents and information submitted in this Request for Bid will be used in that contract.

MINIMUM REQUIRMENTS

The Town will evaluate all written submittals. All Bids must meet the specification as outlined in this Request for Bid. The

Town reserves the right to investigate the qualifications and experience of the proposers. Bids not sufficiently detailed or in an unacceptable form may be rejected by the Town. Dates and documentation included in the bid become public information upon award of the contract. Town of Abingdon reserves the right to reject any and all bids.

SELECTION PROCESS

Award to the lowest responsive and responsible bidder. Selection for this contract will be based on Brush Rate Per Ton Tipping Fee. This is noted and listed on the bid. All other tipping fees will also be required on the bid form to meet the criteria as responsible and responsive.

SUBMISSIONS AND DEADLINES

All vendors submitting bids are required to present All the required vendor information, as accompanying information to their bid submittal, regardless if these documents have been submitted in previous solicitations, in order for their bid submittal to be considered a valid bid.Bid form and required vendor information documents are enclosed.

Fully responsive Bids will contain the following Information:

1. Bid Form completely filled out and signed.(see attachments)
2. Attachments A,B,C and D. {see attachments)
3. List of current posted tipping fees.
4. Proof of Insurance

Bids must be sealed and received no later than 2:00p.m.,Friday Just 29,2022.The submittals are to be marked on the outside "Town of Abingdon VIrginia Solid Waste Services" along with the Proposers company name.

Mailed submissions must be received by the deadline and addressed to: Kevin Worley

Town of Abingdon

P. 0. Box 789

Abingdon,Virginia 24212·0789

Courier delivered must be received by the deadline and addressed to: Kevin Worley

Town of Abingdon

299 Kings Mountain Road

Abingdon,Virginia 24210

Questions concerning the Request for Bid can be directed to Michael Surrett by using the contact information below.
Phone(276)628-2361

Email: msurrett@abingdon-va.gov

Bids received after the stated deadline will not be accepted.

This Request for Bid does not commit the Town to pay any costs incurred by the individuals or firms in the preparation and submission of the Bid. The Town of Abingdon reserves the right to reject any or all Bids at any time without penalty.

The Town of Abingdon Is an equal opportunity owner/employer and will not discriminate against any vendor because of race, creed, color, religion, sex, national origin, or ADA disability status.

CIVIL RIGHTS

The Town of Abingdon assures compliance with Title VIof the Civil Rights Act of 1964,as amended. The consultant and all sub-consultants selected for this project will be required to submit a Title VIEvaluation Report (EEO-D2) within 10

work days of notification of selection when requested by the Department. This requirement applies to all consulting firms when -the contract amount equals or exceeds $10,000.

ANTI-DISCRIMINATIONBy submitting their proposals, offers certify to the Town that they will conform to the provisions of the FederalCivil Rights Act of 1964,as amended, as well as the Virginia Fair Employment Contracting Act of

1975,as amended,where applicable,the Virginians with Disabilities Act,the Americans with Disabilities Act and Code of Virginia 2.2-4311,2.2-4311.2,and 2.2 4312 of the Virginia Public Procurement Act (VPPA). If the award is made to a faith based organization,the organization shall not discriminate against any recipient of goods,services,or disbursements made pursuant to the contract on the basis of the recipients religion,religious belief,refusal to participate in a religious practice,or on the race,color,religion,national origin,sex,pregnancy,childbirth or related medicalconditions,age,maritalstatus,sexualorientation,gender identity,status as a veteran,or disability,and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds

provided;however,if the faith based organization segregates public funds into separate accounts,only the accounts and programs funded with public funds shall be subject to audit

by the public body.(Code of Virginia 2.2.4343.1E).

Contract amount equals or exceeds $10,000.

1. During the performance of this contract,the contractor agrees as follows:

a. During the performance of this contract,the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race,color,religion,nationalorigin,sex,pregnancy, childbirth or related medical conditions,age,marital status,sexual orientation,gender identity,status as a veteran,or disability,or any other basis prohibited by law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal

operation of the contractor. The Contractor agrees to post in conspicuous places,available to employees and applicants for employment,notices setting forth the provisions of this nondiscrimination clause.

b. The Contractor,in all solicitations or advertisements for employees placed by or on behalf of the contractor,shall state that it is an equal opportunity employer.

c. Notices,advertisements and solicitations placed in accordance with federal law,rule or regulation shall be deemed sufficient for the purpose of meeting these requirements.

d. The requirements of these provisions 1. and 2.are a material part of the contract. If the Contractor violates one of these provisions,the Town may terminate the affected part of this contract for breach, or at its option,the whole contract.Violation of one of these provisions may also result in debarment from City contracting regardless of whether the specific contract is terminated.

2. The contractor will include the provisions of Paragraph a.1,preceding above,in every subcontract or purchase order equals or exceeds $10,000, so that the provision will be binding upon each subcontractor or vendor.

ANTI-DISCRIMINATION OF CONTRACTORS: A bidder,offeror,or contractor shall not be discriminated against in the solicitation or award of this contract because of race,color,religion,nationalorigin,sex,pregnancy,childbirth or related medical conditions,age,maritalstatus,sexual orientation,gender identity,status as a veteran,or disability,or any other basis prohibited by state law relating to discrimination in employment or because the offeror employs ex-offenders unless the Town has made a written determination that employing ex-offenders on the specific contract is not in its best interest.If the award of this contract is made to a faith-based organization and an individual,who applies for or receives goods,services, or disbursements provided pursuant to this contract objects to the religious character of the faith-based organization from which the individual receives or would receive the goods, services,or disbursements,the public body shall offer the individual,within a reasonable period of time after the date of his objection,access to equivalent goods, services,or disbursements from an alternative provider.

PROPRIETARY AND CONFIDENTIAL INFORMATION

The Town promises to keep confidential,subject to the terms of this paragraph and to the extent permitted by law, Proprietary Information submitted in response to this Request for Proposal.For purposes of this paragraph,"Proprietary Information" means all confidential and/or proprietary knowledge,data or information in which the Offeror has a protectable interest,including:(a) trade secrets,inventions,ideas,know-how,improvements,discoveries, developments,designs and techniques;(b) information regarding research and development,new products marketing and selling,business plans,licenses,records,facility locations, documentation,software programs,price lists, contract prices for purchase and sale of the Offeror's services, customer lists,prospect lists,pricing on business proposals to new and existing customers,supplier pricing,equipment configurations,ledgers and generalinformation,employee records, mailing lists,accounts receivable and payable ledgers,budgets,financial and other records ofthe Offeror;and (c) information regarding the skills and compensation of other employees of the Offeror."Proprietary Information" does not include,however,information that is publicly available or readily ascertainable by independent investigation.To qualify Proprietary Information for protection from disclosure,the Offeror must:1) request protection of the Proprietary Information before,or contemporaneously with,submission of the Proposal;2) identify the Proprietary Information to

be protected; and 3} state the reasons why the information is proprietary.The Offeror cannot designate as Proprietary Information a) an entire proposal;b) any portion of a proposal that does not contain Proprietary Information;c) line item prices;or d) the total proposal price.The Town may decline to defend against a lawsuit filed against it to compel release of information designated as proprietary,but in that event the Town will provide reasonable notice to the Offeror regarding its decision to defend pending lawsuits.

ATTACHMENT A. PROPRIETARY/CONFIDENTIAL INFORMATION IDENTIFICATION FORM

Code of Virginia 2.2-4342F (updated 07/01/18) "Trade secrets or proprietary information submitted by a bidder, offeror,or contractor in connection with a procurement transaction or prequalification application submitted pursuant to subsection B of§ 2.2-4317 shall not be subject to the Virginia Freedom of Information Act(§ 2.2-3700 et seq.), however,the bidder,offeror,or contractor shall (i) invoke the protections of this section prior to or upon submission of the data or other materials,(ii) identify the data or other materials to be protected, and (iii)state the reasons why protection is necessary. A bidder,offeror,or contractor shall not designate as trade secrets or proprietary information (a) an entire bid,proposal,or prequaliftcation application;(b) any portion of a bid,proposal, or prequaliftcation application that does not contain trade secrets or proprietary information;or (c) line item prices or totalbid,proposal, or prequalification application prices."

Trade secrets or proprietary information shall be identified in writing on this form, either before or at the time the data or other material is submitted.Note:If proprietary/confidential information is identified,Bidder/Offeror must submit a redacted copy (in electronic PDF format) of their bid/proposalin addition to the required number of copies requested. The proprietary or trade secret material must be clearly identified in the redacted bid/proposal copy by a distinct method such as highlighting or underlining and must indicate only the specific words,figures,or paragraphs that constitute a trade secret or proprietary information.The designation of an entire proposal document,line item prices, and/or totalproposal prices as proprietary or trade secrets is not acceptable. If,after being given reasonable time,the offeror refuses to withdraw such a classification designation,the proposalwill be rejected.

Name of Bidder/Offeror:----------

SECTION/TITLE	PAGE NUMBER(S)	REASON(S) FOR WITHHOLDING FROM DISCLOSURE

*Bidder/Offeror may attach additional sheets if necessary

☑ Check this box if there are none.

ATTACHMENT B. STATE CORPORATION COMMISSION (SCC) FORM

STATE CORPORATION COMMISSION IDENTIFICATION NUMBER

Pursuant to Code of Virginia 2.2-4311.2 subsection 8,a bidder/offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1or Title SO is required to include in its bid/proposal the identification number issued to it by the State Corporation Commission (SCC) and shall not allow the identification number to lapse, be revoked or cancelled at any time during the term of the contract. Any bidder/offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1or Title 50 or as otherwise required by law is required to include in its bid/proposal a statement describing why the bidder/offeror is not required to be so authorized. A link to the SCC site is at http:ljwww.scc.virginia.gov.

Select one of the following boxes. The undersigned Offeror:

☐ is a corporation or other business entity with the following SCC identification number: — — — — — — — —

☐ is not a corporation, limited liability company, limited partnership, registered limited liability partnership ,or business trust.

☑ is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the Offeror in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from bidder's out-of-state location).

☐ is an out-of-state business entity that is including with this bid an opinion of legal counselwhich accurately and completely discloses the undersigned Offeror's current contacts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of§ 13.1-757 or other similar provisions in Titles 13.1or 50 of the Code of Virginia. Attach opinion of legal counsel to this form.

☐ has not completed any of the foregoing options but currently has pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wishes to be considered for a waiver to allow them to submit the SCC identification number after the due date for bids/proposals. The Town reserves the right to determine in its sole discretion whether to allow such waiver.

Signature: ----------

Date: — —2/29/22— Name: Justin Rodda

(Print)

Name of firm: Eco-Safe Systems, LLC

Title: DISTRICT MANAGER

ATTACHMENT C. NON COLLUSION AFFIDAVIT

Under oath, I hereby affirm under penalty of perjury:

(1) That I am the offeror or a partner of the offeror, or an officer or employee of the offeror's corporation with authority to sign on its behalf;

(2) That the attached proposal or proposals have been arrived at by the offeror and have been arrived at and submitted without collusion or any design to limit bidding or competition;

(3) That the contents of the proposal or proposals have not been communicated to any person not an employee or agent of the offeror on any bid furnished with the proposal or proposals, and will not be communicated to any such person prior to the official opening of the proposal or proposals; and

(4) That I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signature: ---------- Date: 7/29/22 Name: Justin Rodda

(Print)

Name of Firm: -- Eco-Safe Systems, LLC ---------- Title: DISTRICT MANAGER

~~TOWN OF~~ County Sullivan

STATE OF ---Tennessee ---------J to wit:

I, Angela Taylor, a Notary Public, do certify

that Justin Rodda foregoing has this date acknowledged the same before me in ~~my Town aforesaid~~ Blountville, Tennessee

whose name is signed to the

Given under my hand this 29th day of July, 2022

My Commission expires 10/25/22 ---------- - Notary Public Angela Taylor

ANGELA TAYLOR NOTARY PUBLIC STATE OF TENNESSEE SULLIVAN COUNTY

ATTACHMENT D. NOTICE OF EXCEPTIONS

Eco-Safe Systems, LLC's ("WM") Exceptions in Response to the Town of Abingdon, Virginia's (the "Town") Request for Bids for Solid Waste Services ("RFB")
July 29, 2022

VM's proposal is conditioned on the following exceptions submitted in response to the Town's RFB:

.These exceptions are part of WM's bid proposal package and these exceptions should be included in the final ontract between the parties.

.WM wishes to clarify certain language concerning the cost per ton for disposal services under the heading)escription" on page 3 of the RFB. WM requires the right to an additional increase in its rates to offset changes ı conditions that WM does not control, but which increase WM's costs, such as changes in or new governmental ıws, ordinances, rules, regulations or the enforcement thereof, changes in landfill disposal rates, and other ocumented conditions that increase WM's costs. WM agrees to give the Town thirty (30) days' prior written notice f such increase and to provide documentation substantiating such increase. Any such additional increase due ɔ uncontrollable circumstances shall be effective upon 30-days written notice to the Town.

.WM wishes to clarify certain language under the heading "Contract Award" on page 3 of the RFP, in that WM's id is conditioned upon the signing of a formal contract that is mutually negotiated between the parties.

.WM requires the final contract between the parties to include language that accurately reflects the scope of ervices and rights and obligations agreed to by the parties, as well as necessary definitions, including but not mited to, the following:

a. Unacceptable Waste means any waste or material that (i) the acceptance and handling of which by WM would cause a violation of any permit, condition, legal or regulatory requirement, (ii) can cause substantial damage to WM's equipment or facilities, (iii) presents a danger to the health or safety of the public or WM's employees, (iv) is or contains hazardous waste, special waste that has not been profiled and pre-approved by WM, untreated medical waste, dead animals weighing ten pounds (10 lbs.) or greater, (v) is or contains solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit, or (vi) results from activities associated with the exploration, development, or production of oil or gas or geothermal resources. Title to and liability for Unacceptable Waste shall remain with the generator all times. WM has no obligation to accept, transport, process or dispose of any Unacceptable Waste.

b. A force majeure clause providing that neither party shall be in default for its failure to perform or suspend performance, in whole or in part, due to events or threats of events beyond its reasonable control, whether or not foreseeable, including, but not limited to, fires, floods, tornadoes, hurricanes, ice storms, acts of war or terrorism, riots, epidemics, pandemics, imposition of new or modified domestic or foreign laws, governmental orders, acts of God, and the inability to obtain labor, materials or equipment due to the foregoing circumstances. The affected party shall be excused from performance during the occurrence of such events.

c. Language providing that the disposal of waste, refuse, and debris resulting from storms, floods, fires, tornados, other acts of God, or uncontrollable circumstances ("Disaster Event") is excluded from this contract. Any such services, if mutually agreed to, will be provided under a separate contract. WM acknowledges that the Town has the right to seek proposals from other providers for the disposal of waste and debris resulting from a "Disaster Event."

d. If the Town fails to timely pay WM's invoices, WM should have the right to assess a late fee or late charge o the extent allowed by law. WM also has, upon providing written notice to the Town, the right to suspend its services if payment is more than 60 days' past due.

M's proposal is conditioned upon the parties' entry into a mutually acceptable final contract that incorporates these eptions. WM looks forward to working with the Town to reach mutually agreeable contract terms.

Name of Bidder/Offeror:---------- list exceptions to any portions of ITB/RFP (i.e. General Terms & Conditions, Terms & Conditions, Special Terms &

Conditions}:

_____

_____

_____

_____

_____

☐ Check this box if there are none.

NOTE:THIS FORM IS NOT REQUIRED OR REQUESTED TO BE COMPLETED IN THE FOLLOWING INSTANCES.IF YOU FEEL THIS FORM DOES NOT APPLY TO YOUR SOLICITATION,PLEASE SELECT ONE OF THE FOLLOWING BOXESANDRETURNTHIS FORM WITH YOUR BID/PROPOSAL SUBMISSION.

0 Per Virginia Code§ 2.2-4302.2 (3}:"In the case of a proposal for information technology,as defined in§ 2.2-2006, a public body shall not require an offeror to state in a proposalany exception to any liability provisions contained in the Request for Proposal. Negotiations shall then be conducted with each of the offerors so selected. The offeror shall state any exception to any liability provisions contained in the Request for Proposal in writing at the beginning of negotiations,and such exceptions shall be considered during negotiation."

0 Per Virginia Code§ 2.2-4302.2 (4}:"For architectural or engineering services,the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions, unless such terms and conditions are required by statute, regulation,ordinance,or standards developed pursuant to § 2.2-1132, until after the qualified offerors are ranked for negotiations."

*This document shall be completed & returned with proposal submission.

Solid Waste Landfill Tipping Fee Bid Form

Landfill Tipping Fee- Brush- per ton rate $ 40.00

(This rate will be the basis for contract selection)

Landfill Tipping Fee- Bulk Waste-per ton rate $ 60.00

Landfill Tipping Fee- White Goods- per ton rate $ NA

Landfill Tipping Fee- Solid Waste- per ton rate $ 35.00

Bidders Name: Eco-Safe Systems LLC

Address: 385 Harr Road, Blountville, TN 37617

Contact Person Justin Rodda —— Title: Post Collection District Manager

Email: jrodda@wm.com Phone: (423) 361-8047

Signature:

Date: 7/25/2022

Required documents for this submission:

- Solid Waste Landfill Tipping Fee Bid Form
- Current posted tipping fee schedule
- Attachments A,B,C and D Proof of Insurance

H. BUSINESS LICENSE

TERESA JACOBS, SULLIVAN COUNTY CLERK

LICENSE
0144143

STANDARD BUSINESS TAX LICENSE

wk15 Drawer 15 Site 1
Work Date 04/27/2021

DETACH THIS PORTION FOR CONFIDENTIAL FILE

TERESA JACOBS
SULLIVAN COUNTY CLERK
3258 HIGHWAY 126
SUITE 101
BLOUNTVILLE, TN 37617

LICENSE
0144143

STANDARD BUSINESS TAX LICENSE

Mailing

31584 ECO-SAFE SYSTEMS, LLC

385 HARR LANE
BLOUNTVILLE, TN 37617

Location

ECO-SAFE SYSTEMS, LLC

385 HARR LN
BRISTOL, VA 37617

ECO-SAFE SYSTEMS, LLC

LOCAL ACCOUNT NUMBER	31584
STATE ACCOUNT NUMBER	0106113153
TRANSACTION NUMBER	
CLASS	03
SALES TAX NUMBER	106113153

ISSUE DATE	04/27/21
TAX PERIOD	1/1/2020 - 12/31/2020
PAYMENT DUE BY	4/15/2022
EXPIRATION DATE	05/15/2022

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES

DEPUTY CLERK SIGNATURE Kim Boyd wk15 Drawer 15 Site 1

-- POST AT LOCATION OF BUSINESS --
IF BUSINESS CLOSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE

I. INSURANCE COVERAGE DOCUMENTATION

Certificates of Insurance

Waste Management secures gold-standard insurance coverage to protect our partners. Going above and beyond, we provide environmental site liability coverage, which covers all active sites that are owned or operated by Waste Management. It offers third-party liability for bodily injury and property damage, and off-site clean-up coverage, coverage for both sudden and non-sudden pollution incidents, and transportation coverage including the loading and unloading of the vehicle. Town of Abingdon can rest easy with Waste Management as your service provider knowing that you are always protected by best-in-class insurance. Copies of our certificates of insurance are included on the following pages.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 7/25/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: LOCKTON COMPANIES 3657 BRIARPARK DRIVE, SUITE 700 HOUSTON TX 77042 866-260-3538	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: ACE American Insurance Company	22667
INSURED 1300299: ECO SAFE SYSTEMS, LLC 385 HARR LN BLOUNTVILLE TN 37617	INSURER B: Indemnity Insurance Co of North America	43575
	INSURER C: ACE Fire Underwriters Insurance Company	20702
	INSURER D: ACE Property & Casualty Insurance Co	20699
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 18736959 **REVISION NUMBER:** XXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR X XCU INCLUDED X ISO FORM CG0001 0413 GEN'L AGGREGATE LIMIT APPLIES PER POLICY [X] PRO-JECT [X] LOC OTHER	Y	Y	HDO G72492165	7/1/2022	7/1/2023	EACH OCCURRENCE	$ 5,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 5,000,000
							MED EXP (Any one person)	$ XXXXXXX
							PERSONAL & ADV INJURY	$ 5,000,000
							GENERAL AGGREGATE	$ 6,000,000
							PRODUCTS - COMP/OP AGG	$ 6,000,000
								$
A	AUTOMOBILE LIABILITY X ANY AUTO X OWNED AUTOS ONLY X HIRED AUTOS ONLY X MCS-90 SCHEDULED AUTOS X NON-OWNED AUTOS ONLY	Y	Y	MMT H25559328	7/1/2022	7/1/2023	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$ XXXXXXX
							BODILY INJURY (Per accident)	$ XXXXXXX
							PROPERTY DAMAGE (Per accident)	$ XXXXXXX
								$ XXXXXXX
D	X UMBRELLA LIAB [X] OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $	Y	Y	XEUC27929242 007	7/1/2022	7/1/2023	EACH OCCURRENCE	$ 15,000,000
							AGGREGATE	$ 15,000,000
								$ XXXXXXX
B A C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) [N] If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	WLR C689 8595 (AOS) WLR C689 8558 (AZ,CA & MA) SCF C6891863 7 (WI)	7/1/2022 7/1/2022 7/1/2022	7/1/2023 7/1/2023 7/1/2023	X PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$ 3,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 3,000,000
							E.L. DISEASE - POLICY LIMIT	$ 3,000,000
A	EXCESS AUTO LIABILITY	Y	Y	XSA H25550286	7/1/2022	7/1/2023	COMBINED SINGLE LIMIT $9,000,000 (EACH ACCIDENT)	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
BLANKET WAIVER OF SUBROGATION IS GRANTED IN FAVOR OF CERTIFICATE HOLDER ON ALL POLICIES WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT WHERE PERMISSIBLE BY LAW. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED ON ALL POLICIES (EXCEPT FOR WORKERS' COMP EL) WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER

18736959
TOWN OF ABINGDON
299 KINGS MOUNTAIN DRIVE
ABINGDON VA 24210

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

ACORD 25 (2016/03) The ACORD name and logo are registered marks of ACORD

WM WASTE MANAGEMENT

Town of Abingdon

Department of Public Works

TABULATION OF BIDS RECEIVED FOR:

Solid Waste Service

July 29, 2022

ITEM	DESCRIPTION	BID QUANTITY	UNIT	1ST LOW BIDDER WM - Eco Systems UNIT PRICE	1ST LOW BIDDER WM - Eco Systems TOTAL PRICE	2ND LOW BIDDER NAME ???? UNIT PRICE	2ND LOW BIDDER NAME ???? TOTAL PRICE	3RD LOW BIDDER NAME ???? UNIT PRICE	3RD LOW BIDDER NAME ???? TOTAL PRICE
1	**Brush - Per Ton**	1	Ton	$ 40.00	$ 40.00		$ -		$ -
2	**Bulk Waste - Per Ton**	1	Ton	$ 60.00	$ 60.00		$ -		$ -
3	**White Goods - Per Ton**	1	Ton	N/A	N/A		$ -		$ -
4	**Solid Waste - Per Ton**	1	Ton	$ 35.00	$ 35.00		$ -		$ -
5					$ -		$ -		$ -
6					$ -		$ -		$ -
7					$ -		$ -		$ -
8				$ -	$ -		$ -		$ -
9				$ -	$ -	$ -	$ -		$ -
10				$ -	$ -	$ -	$ -		$ -
11				$ -	$ -	$ -	$ -		$ -
12				$ -	$ -	$ -	$ -		$ -
13				$ -	$ -		$ -		$ -
	BASE BID TOTAL				**$40.00**		**$0.00**		**$0.00**

	ADD ALTERNATE			1ST LOW BIDDER		2ND LOW BIDDER		3RD LOW BIDDER	
1					$ -		$ -		$ -
	BASE BID TOTAL + ADD ALTERNATE								

Tabulated By:

Kevin Worley

Town of Abingdon

Responsive and Responsible Bid **Responsive and Responsible Bid** **Responsive and Responsible Bid**

Shaded cells denotes corrected error in the Bid Schedule

Town of Abingdon

Department of Public Works

TABULATION OF BIDS RECEIVED FOR:

Solid Waste Service

July 29, 2022

ITEM	DESCRIPTION	BID QUANTITY	UNIT	1ST LOW BIDDER WM - Eco Systems UNIT PRICE	1ST LOW BIDDER WM - Eco Systems TOTAL PRICE	2ND LOW BIDDER NAME ???? UNIT PRICE	2ND LOW BIDDER NAME ???? TOTAL PRICE	3RD LOW BIDDER NAME ???? UNIT PRICE	3RD LOW BIDDER NAME ???? TOTAL PRICE
1	**Brush - Per Ton**	1	Ton	$ 40.00	$ 40.00		$ -		$ -
2	**Bulk Waste - Per Ton**	1	Ton	$ 60.00	$ 60.00		$ -		$ -
3	**White Goods - Per Ton**	1	Ton	N/A	N/A		$ -		$ -
4	**Solid Waste - Per Ton**	1	Ton	$ 35.00	$ 35.00		$ -		$ -
5					$ -		$ -		$ -
6					$ -		$ -		$ -
7					$ -		$ -		$ -
8				$ -	$ -		$ -		$ -
9				$ -	$ -	$ -	$ -		$ -
10				$ -	$ -	$ -	$ -		$ -
11				$ -	$ -	$ -	$ -		$ -
12				$ -	$ -	$ -	$ -		$ -
13				$ -	$ -		$ -		$ -
	BASE BID TOTAL				**$40.00**		**$0.00**		**$0.00**

	ADD ALTERNATE			1ST LOW BIDDER		2ND LOW BIDDER		3RD LOW BIDDER	
1					$ -		$ -		$ -
	BASE BID TOTAL + ADD ALTERNATE								

Tabulated By:

Kevin Worley

Town of Abingdon

Responsive and Responsible Bid **Responsive and Responsible Bid** **Responsive and Responsible Bid**

Shaded cells denotes corrected error in the Bid Schedule

Town of Abingdon
Department of Public Works

Bid Opening - Meeting Attendees

PROJECT: Town of Abingdon Solid Waste Services - July 29, 2022 **DATE:** **July 29, 2022**

Name/Title	Representing	Mailing Address	Phone	Email
Kevin Worley, Project Manager	Town of Abingdon	PO Box 789 Abingdon VA 24212	276 628 2361	kworley@abingdon-va.gov
Bidders listed below				
Justin Rodda, District Manager	WM	385 Harr Lane - Blountville, TN 37617	423 361 8047	jrodda@wm.com

Town of Abingdon

Department of Public Works

Tabulation of Received Bids

Solid Waste Services

Friday, July 29, 2022

Bidder	Bid Form Attached	Proof of Insurance	Current Tipping Fees	Attach A	Attach B	Attach C	Attach D				
WM-Eco Systems	Yes	Yes	Yes	Yes	Yes	Yes	Yes				

Town of Abingdon

Department of Public Works

Tabulation of Received Bids

Friday, July 29, 2022

Bidder	Base Bid BRUSH - PER TON		Total Bid
WM - Eco Systems	$40.00		$40.00

PUBLIC DOCUMENT –
SUBJECT TO FREEDOM OF INFORMATION ACT

APPLICATION EXPIRES DECEMBER 31, 2022

Board and Commission Application

The Abingdon Town Council has adopted this application for use by individuals interested in appointment to any of the Town's advisory boards and commissions. To ensure your application will receive full consideration, please answer all questions completely. Questions? Call 276-492-2149

Please return this application either:

- **In person (3rd floor of the Town Hall), 133 West Main Street, Abingdon, VA;**
- **By mail, Boards and Commissions, Town of Abingdon, P.O. Box 789, Abingdon, VA 24212; or**
- **kkingsley@abingdon-va.gov**

*****PLEASE PRINT OR TYPE*****

Name Albert C. Bradley Date: 07/19/2022

Address: 143 Stonewall Hts. City/State: Abingdon, Va. Zip 24210

Do you live inside the Town limits of Abingdon? Yes X No_____

Telephone: (276) 628-4763

Email Address: *(required)* abrad4763@bvu.net

Place of Employment: Retired Town of Abingdon employee

Address: _____

Description of job duties: _____

Educational background:

Abingdon High School – graduated 1964
BA Lynchburg College, Lynchburg, Va (now Lynchburg University) graduated 1968

Rec. 7/25/22

Are you currently serving on a board or commission of the Town of Abingdon? Yes X No _____

If so, which Board(s) or Commission(s)? Veteran's Memorial Park Foundation

When do(es) your present term(s) expire? (mm/yy) N/A

Have you ever served on any boards or commissions in the past, either Abingdon or in other localities? Yes X No __

If so, name and date(s) of service? Town Council, Planning Commission, probably others as well

Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it be helpful? My family has two walled plots in Sinking Springs Cemetery and I understand that this is a requirement

for one of the members of the Sinking Springs Cemetery Committee.

Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes _____ No X

To the best of my ability, all information on this application is true and correct.

SIGNATURE

Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. **

Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

Board of Building Code Appeals **	Planning Commission */**
Board of Zoning Appeals	Recreation Advisory Commission
Economic Development Authority	Sinking Spring Cemetery Committee **
Infrastructure Advisory Committee	Sustain Abingdon Committee
Historic Preservation Review Board */**	Tourism Advisory Committee **
Housing and Redevelopment Authority	Tree Commission
Abingdon Arts Commission	Virginia Highlands Small Business Incubator
Veterans Advisory Board	

***May be required to attend training and/or obtain certification during term**

****Appointment contingent upon residency, qualified voter, or other qualifications as set forth in Ordinance and/or bylaws**

Note: All applicants are subject to background verification.

Revised 2021.01.04