

Town of Windsor

Memorandum

January 24, 2022

TO: The Honorable Mayor and Town Council

FROM: William G. Saunders, IV, Town Manager WGS IV

SUBJECT: American Rescue Plan Act (ARPA) Funding Distribution Plan Discussion

Background

The American Rescue Plan Act (ARPA), a federal act, was passed to invest in localities dealing with the pandemic and impacts thereof. Of the total funding, \$19.53 billion was designated to assist localities with a population under 50,000. The funding is similar to Cares Act funds; however, there are a broader range of uses.

Specifics

The Town of Windsor is due to receive a total of \$2,067,317; half of which has been received, the other half will be received in June 2022.

Unlike the Cares Act funding, which passed through IOW County to the Town, these funds are distributed directly to the Town from the Commonwealth of Virginia. This puts the primary administrative duties and financial responsibilities related to the funding on the Town.

The eligible uses fall into four primary categories:

1. Response to the Public Health Emergency (COVID-19 Mitigation and Prevention)

Response to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses and nonprofits, or aid to impacted industries such as tourism, travel and hospitality. This also includes mitigation and prevention measures similar to those allowable under Cares Act funding.

Potential uses in this category include:

- Personal protective equipment, IT, computer and software, ventilation, etc.
- digiTICKET – electronic ticketing hardware and software for WPD

2. Premium Pay for Eligible Workers

To provide premium pay for eligible workers performing essential work (as determined by each state or tribal government) during the pandemic.

Potential uses in this category include:

- Public safety employee premium pay bonuses
- Public safety employee premium pay retirement
- Other essential worker premium pay bonuses

3. Revenue Reduction

For the provision of government services to the extent of the reduction in revenue (i.e. meals tax, property or income tax, fees, fines, etc.) due to the public health emergency. Specific calculations are required to determine revenue loss, which involves comparing a base line revenue number from prior to the pandemic (June 30, 2019) to revenue totals for Dec. 31st, 2020, 2021, 2022, and 2023. Broader latitude is given for the provision of government services up to the amount of reduction in revenue.

Potential uses in this category include:

- Bank Street Park Improvements
- Demolition of dilapidated structures

4. Necessary Investments in Infrastructure

To make necessary investments in water, sewer, [storm sewer] or broadband infrastructure. Water projects must be eligible for Clean Water State Revolving Fund or Drinking Water State Revolving Fund funding to qualify; sewer and storm water projects must meet Federal Water Pollution Control Act to qualify; or be funded by the Revenue Reduction portion of funding.

Potential uses in this category include:

- Duke Street/Virginia Avenue Water System Upgrade
- Engineering work for future water projects in the Capital Improvement Plan
- Other water system upgrades, equipment, etc.
- Sewer improvements for failing septic systems in Phase 1 of Windsor Woods
- Broadband expansion in rural areas within the Town limits

Enclosures

- ARPA plan spreadsheet
- Response to inquiries from Dec. 2, 2021 work session
- Bank Street property deed and plat
- Information regarding sewer system in Lovers Lane area

Recommended Action

For your consideration

Project	Tranche 1	Tranche 2	Total Cost	Notes	Element of Strategic Plan
Virginia Avenue / Duke Street Water Project	\$ 750,000	\$ -	\$ 750,000	Must be eligible for CWSRF or DWSRF to qualify.	Action Item #1
Other Water Projects	\$ 25,000	\$ 300,000	\$ 325,000	Must be eligible for CWSRF or DWSRF to qualify.	Action Item #1
Stormwater Projects	\$ 50,000	\$ 250,000	\$ 300,000	Potential cost share with IOW County or Town-sponsored projects; must meet FWPCA.	Action Item #1
Sewer Improvements in Windsor Woods	\$ -	\$ 100,000	\$ 100,000	Potential cost share with IOW County.	Action Item #1
Broadband Expansion (Rural areas of town)	\$ -	\$ 65,000	\$ 65,000	Potential grant match with IOW County. +/-50 homes.	Action Item #1
PPE, Covid-19-related improvements	\$ 25,000	\$ 50,000	\$ 75,000	PPE, IT, ventilation, etc.	
E-Ticket	\$ 35,000	\$ -	\$ 35,000	Potential cost share with IOW County Sheriff's Office.	
Public Safety Premium Pay Bonuses	\$ 45,000	\$ 45,000	\$ 90,000	\$5,000 bonus per officer for FY22 and FY23.	
Public Safety Premium Pay Retirement			\$ -	Increase in premiums/costs should Council approve enhanced benefits.	
Essential Worker Premium Pay Bonuses	\$ 25,000	\$ 25,000	\$ 50,000	Research continues on this. \$2,500 per essential worker for FY22 and FY23 proposed.	
Bank Street Park Improvements		\$ 75,000	\$ 75,000	Likely part of Revenue Replacement figure.	Action Item #11
Demolition of Blighted Buildings		\$ 25,000	\$ 25,000	Likely part of Revenue Replacement figure.	Action Item #7
Contingency	\$ 50,000	\$ 50,000	\$ 100,000	For cost overruns in any planned item or new items that are identified.	
Project Totals	\$ 1,005,000	\$ 985,000	\$ 1,990,000		
Total ARPA Funding	\$ 1,033,659	\$ 1,033,659	\$ 2,067,318		
Project Percentage of ARPA Funding	97%	95%	96%		

Revenue Replacement				Calculations show \$516,643.00 qualifies, so far. (December 31, 2020 actual revenue)	
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ARPA Use Legend

1. Response to Public Health Emergency
2. Premium Pay to Eligible Workers
3. Government Services from Revenue Reduction
4. Necessary Investments in Infrastructure

Inquiries from Dec. 2, 2021 Windsor Town Council ARPA Work Session

1. What areas of town do not currently have town water service?

Developed Areas (Street Adjacent)

Buckhorn Drive

Deerpath Trail

Windsor Boulevard (West of Rt. 258)

Undeveloped Areas

West of Rt. 258 & north of Windsor Boulevard

East of N. Court Street

East of Holland Meadows

North of Church Street/Shiloh Drive

East of Walters Highway

North of Windsor Way

2. What areas of town do not currently have county sewer service?

Developed Areas (Street Adjacent)

Buckhorn Drive

Deerpath Trail

Elizabeth Court

Hazelwood Drive

Keaton Avenue

Lovers Lane

Marie Court

Shiloh Drive (West end)

Twin Circle

W. Blackwater Road (West of Rt. 258)

Whitfeld Park Lane

Windsor Boulevard (West of Rt. 258)

Windsor Woods (Phase 1)

-Rolfe Avenue

-Windsor Way

-Wythe Drive

-York Court

Undeveloped Areas

West of Rt. 258 & north of Windsor Boulevard

East of N. Court Street

East of Holland Meadows

North of Church Street/Shiloh Drive

North of Windsor Way

East of Walters Highway

3. Is the town required to make the Bank Street property a park?

Per the recorded deed of gift (Enclosed), as well as the grantor of the property, there is no requirement that the town use the property as a park.

132596

11 MAY 10 2013

CONSIDERATION: \$ -0- GIFT

GRANTEE'S ADDRESS: P.O. Box 307
Windsor, VA 23487

THIS INSTRUMENT PREPARED BY: WILLIAM H. RIDDICK, III – VSB#24217
RIDDICK BABINEAU, PC
P. O. BOX 190
SMITHFIELD, VA 23431

TAX ID NO. 54B-01-271A

**THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER.
THIS DEED PREPARED WITHOUT BENEFIT OF A TITLE EXAMINATION**

THIS DEED OF GIFT, made and entered into this 22nd day of April, 2013, by and between **FB PROPERTIES OF VIRGINIA, LLC**, a Virginia limited liability company, Grantor, party of the first part, and the **TOWN OF WINDSOR**, a Virginia municipal corporation, Grantee, party of the second part.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, the receipt of which is hereby acknowledged by the party of the first part, the said party of the first part does hereby give, grant and convey with SPECIAL WARRANTY OF TITLE, unto the Grantee, the following described real estate, to-wit:

All that certain lot, piece or parcel of land situate, lying and being in the Town of Windsor, County of Isle of Wight, State of Virginia, identified as PARCEL 1, containing 4.137 acres by survey, as shown on that certain plat of survey entitled "PLAT SHOWING SUBDIVISION OF TAX PARCEL 54B-01-271 WALTER E. BARTON, JR. & NANCY B. BRAFORD LOCATED AT 12 BANK STREET TOWN OF WINDSOR ISLE OF WIGHT COUNTY, VIRGINIA SCALE: 1" = 50' JUNE 15, 2005" made by J. D. Vann, Land Surveyor, a copy of which plat is recorded in Plat Cabinet 2, Slide 146, page 14 in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, reference to which plat is here made for a complete metes and bounds description of the property hereby conveyed.

Together with all and singular the buildings and improvements, thereon, the rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.


Being the same property as that conveyed to FB Properties of Virginia, LLC, a Virginia limited liability company, by deed in lieu of foreclosure from Dorothy I, LLC, dated March 4, 2011, and recorded in the aforesaid Clerk's Office of the Circuit Court for the County of Isle of Wight as Instrument No. 110001433.

This conveyance is made expressly subject to the restrictions, conditions, rights-of-way, and easements, if any, contained in the instruments constituting the chain of title to the property conveyed herein, and to matters visible upon inspection.

Whenever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall include all other genders.

WITNESS the following signature of Richard J. Holland, Jr., as President of Farmers Bank, Windsor, Virginia, sole member/manager of FB Properties of Virginia, LLC, a Virginia limited liability company, with due authority:

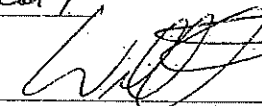
FB PROPERTIES OF VIRGINIA, LLC
a Virginia Limited Liability Company,
By: Farmers Bank, Windsor, Virginia
a Virginia Corporation, its sole Member/Manager

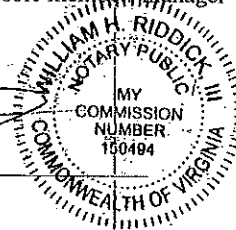
By 
Richard J. Holland, Jr., President

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT, to-wit:

The foregoing instrument was acknowledged before me this 29th day of April, 2013, by Richard J. Holland, Jr., as President of Farmers Bank, Windsor, Virginia, sole member/manager of FB Properties of Virginia, LLC.

My commission expires: 3-31-2017


Notary Public

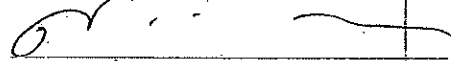


ACCEPTANCE OF DEED

Pursuant to Section 15.2-1803 of the Code of Virginia (1950), as amended, and as authorized by the Town Code, Wallace C. Brittle, Jr., Town Attorney for the Town of Windsor, hereby accepts the foregoing Deed dated April, 22, 2013 from FB Properties of VA, LLC to the Town of Windsor, this acceptance being executed on behalf of the Town Council of the Town of Windsor by Wallace C. Brittle, Jr., Town Attorney.

Given under my hand as County Attorney and authorized representative for the Town Council of the Town of Windsor.

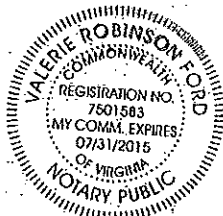
TOWN OF WINDSOR

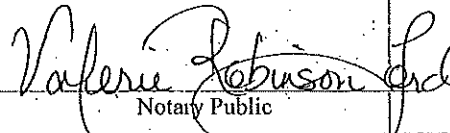

Wallace C. Brittle, Jr., Town Attorney

COMMONWEALTH OF VIRGINIA
COUNTY OF ISLE OF WIGHT, TO-WIT:

The foregoing instrument was acknowledged before me this 10 day of May, 2013, by Wallace C. Brittle, Jr., Town Attorney.

My commission expires: 7/31/2015




Notary Public
Returned Wallace Brittle 5-10-13
Returned 5-10-13

INSTRUMENT #130202376
RECORDED IN THE CLERK'S OFFICE OF
ISLE OF WIGHT COUNTY ON
MAY 10, 2013 AT 01:13PM

SHARON N. JONES - CLERK
RECORDED BY: DDS

OWNER'S CONSENT. THESE RESERVES, THAT THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT CONTAINING 4.137 ACRES, MORE OR LESS AND DESIGNATED AS PARCELS 1 & 2, PARCELS 1 & 2, SITUATED IN THE COUNTY OF WINCHESTER, STATE OF VIRGINIA, BEING THE SAID PARCELS, CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION ACT OF 1940, AS AMENDED, AND THAT THE SAID PARCELS OF LAND HEREBY SUBDIVIDED HAVE BEEN CONVEYED TO MICHAEL J. MICHANUS, DARLENE M. MICHANUS, WALTER E. BARTON, JR., & NANCY B. BRAFFORD, BY DEED BOOK 259 PAGE 28, AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF WINCHESTER, VIRGINIA.

THIS SUBDIVISION KNOWN AS SUBDIVISION OF THE PROPERTY OF WALTER E. BARTON, JR. & NANCY B. BRAFFORD IS APPROVED BY THE COMMISSIONER IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMPLETED TO RECORD.

DATE: 02-22-2005
 COUNTY ENGINEER: [Signature]
 AGENT OF REPRESENTATIVE OF THE GOVERNING BODY: [Signature]

OWNER: Michael J. Michanus
 OWNER: Darlene M. Michanus
 OWNER: Walter E. Barton, Jr.
 OWNER: Nancy B. Brafford

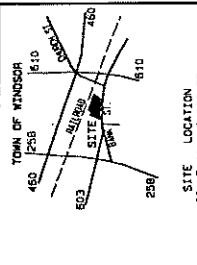
STATE OF VIRGINIA, I, John E. Luster, TO-WIT: A NOTARY PUBLIC COUNTY OF WINCHESTER, STATE OF VIRGINIA, DO HEREBY CERTIFY THAT THE SAID PARCELS OF LAND HEREBY SUBDIVIDED HAVE BEEN CONVEYED TO MICHAEL J. MICHANUS, DARLENE M. MICHANUS, WALTER E. BARTON, JR., & NANCY B. BRAFFORD, BY DEED BOOK 259 PAGE 28, AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF WINCHESTER, VIRGINIA.

MY COMMISSION EXPIRES: 3-31-2005

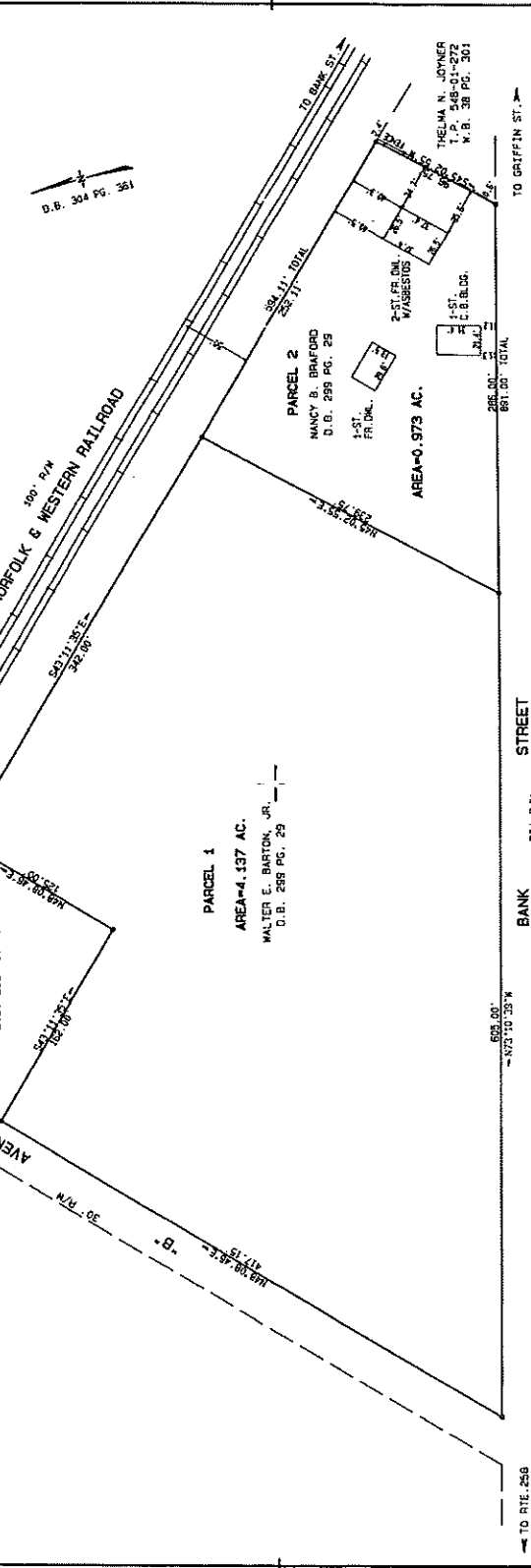
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 22ND DAY OF FEBRUARY, 2005.

NOTE - THIS PARCEL OF LAND IS SERVICED BY THE TOWN OF WINCHESTER FOR WATER AND THE COUNTY FOR SEWER (HAMPTON ROADS SANITATION DISTRICT)

NOTE - A FIVE (5') FOOT PUBLIC UTILITY EASEMENT IS HEREBY RESERVED ALONG ALL LOT LINES.



SITE LOCATION
 SCALE: 1" = 2,000 FT.
 THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD AND TO ANY RIGHTS OF RECORD WHICH A TITLE SEARCH MIGHT UNCOVER.



PLAT SHOWING SUBDIVISION OF TAX PARCEL 548-01-271
 WALTER E. BARTON, JR. & NANCY B. BRAFFORD
 LOCATED AT 12 BANK STREET
 TOWN OF WINCHESTER, VIRGINIA
 SCALE: 1" = 200 FEET
 DATE: JUNE 15, 2005
 REFERENCE - D.B. 269 PG. 28
 - DENOTES IRON PIN FOUND
 - DENOTES IRON PIN SET
 - DENOTES P.K. MAIL

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE PLAT IS LOCATED IN ZONE "A" AS SHOWN ON THE FLOOD HAZARD MAP FILE NO. COMMUNITY PANEL NO. 510265 0065 D DATED 06/14/2002.

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE PLAT IS LOCATED IN ZONE "A" AS SHOWN ON THE FLOOD HAZARD MAP FILE NO. COMMUNITY PANEL NO. 510265 0065 D DATED 06/14/2002.

STATE CERTIFIED LAND SURVEYOR

2-146-14

2-146-14

05-219-1M 34-20

**Isle of Wight (Town of Windsor)
Lovers Lane Sanitary Sewer Conversion
Preliminary Engineering Report
Scope of Work**

ATCS has been asked by Isle of Wight County to provide a Preliminary Engineering Report (PER) to establish a public sanitary sewer service system for the Lovers Lane area in the Town Windsor, Virginia. The proposed service area shall encompass the properties along Lovers Lane (between E Windsor Boulevard to Shiloh Drive), the properties adjacent to the east and west on Shiloh Drive, and the 83-acre EDA property to the east of Lovers Lane (as shown in Attachment A). The area has been identified as having existing septic tanks and drain fields to treat the residential sanitary waste, some of which are beginning to fail.

1.0 PRELIMINARY ENGINEERING REPORT FOR LOVERS LANE SANITARY SEWER SYSTEM

ATCS shall provide a PER to evaluate options for providing public sanitary sewer to the Lovers Lane community. The purpose of this PER is to replace the septic systems with a gravity sewer system that will collect the flows generated from the service area and convey the flow to a new pump station. A stub will be provided to collect the future flows from the 83-acre EDA property to the east to the new pump station. The new pump station will then convey the collected flows to the existing 20-inch HRSD force main. The report will provide a preliminary concept design of a complete sanitary system that will include a gravity collection system, pump station and connection to the existing 20-inch HRSD force main.

The following outline the proposed scope of the PER:

- The PER will assess the capacity available in the existing HRSD force main within E. Windsor Boulevard, provide preliminary calculations using the HRSD Project Flow Calculation Worksheet and establish a connection point on the 20-inch HRSD force main.
- Submit an HRSD Project Information and Pressure Analysis request form.
- Perform a service area study to establish the existing flow to be generated by the various type of land use.
- Provide options for site selection for the new pump station with accompanying preliminary gravity sewer and force main layout.
- Provide preliminary calculations and concept design for the new wet well/dry/well pump stations.
- Provide mapping to show location and service area boundaries.
- Discuss the connections to the existing lots and to the future 83-acre EDA site to the east of Lovers Lane. Laterals to the existing lots are not included in the PER.
- Preliminary probably cost estimate for the gravity sewer, pump station, force main, and connection to the existing force main. Costs for the laterals will not be provided in the preliminary estimate of cost.

2.0 PROJECT MANAGEMENT

After written authorization from the COUNTY to proceed, ATCS shall provide project management as follows:

- A. A project kickoff meeting shall be held with the representatives of COUNTY, ATCS, and other interested parties (as deemed necessary by the COUNTY) to outline the schedule, goals, objectives, responsibilities, project requirements, and other pertinent issues concerning the project.
- B. Upon the completion of the project kickoff meeting, if variations in ATCS' assumptions have occurred, or project goals have been more specifically defined, an adjustment in the Scope of Services and proposal may be required.
- C. Perform the necessary Quality Control reviews in accordance with ATCS's quality control procedures.
- D. Conduct a Pre-final Submission review meeting with the COUNTY to go over the COUNTY's comments on the Pre-final PER.

3.0 COUNTY PROVIDED INFORMATION

At the kick-off meeting (or shortly thereafter), ATCS will need the following information from the County to assist in the evaluation of the above stated PER

- A. Water billing records for the previous 1 year for the defined service area.
- B. Any available as-built information of the utilities or improvements within the service area.
- C. Any anticipated use data of the future development for the 83-acre EDA property.
- D. Any available recent bid tabs from similar County projects that could aide in projecting costs.

4.0 DELIVERABLES

ATCS will provide the following PER deliverables:

- A. PDF electronic submission of both the "Pre-final" and "Final" PER package will be submitted to the COUNTY. This shall include the PER report, associated exhibits, and probable construction cost estimates.
- B. Comment responses from the "Pre-final" submission will be provided with the "Final" submission.

5.0 SCOPE CLARIFICATIONS / EXCLUSIONS

The following are clarifications / exclusions to this proposal Scope of Services:

- A. The PER and conceptual layout will be based upon available record information from the Town and County, County GIS, and other available online information. No topographic surveys nor other field investigations/data collection will be performed as the basis of the design.
- B. Property assessments, surveys, inventories, or any environmental investigations are not included.
- C. Proposed pump station locations will be recommended based upon efficient sanitary sewer system analysis, which may impact existing private parcels. This PER will not include any negotiations or property assessments for any required property acquisitions for the pump station site.
- D. The existing pump stations at the STH Intermodal Park will not be assessed as part of this PER. This PER is based on the assumption that a new sanitary pump station will be constructed to serve the subject service area.
- E. The water systems (domestic and fire) are not included in the PER. If water and fire are to be included, it will be considered additional service.
- F. Any additional analysis, deliverables, or meetings other than those outlined in this scope of work, would be considered additional services.

6.0 FEE

The fee for the PER listed above shall be a Lump Sum fee of Twenty-Eight Thousand Three Hundred and Thirty-Nine Dollars and Forty-Four Cents (\$28,339.44), including other direct costs.

Attachment A PER Study Service Area

