

The regular meeting of the Amherst Town Council was called to order on March 11, 2009 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street with Mayor Jacob P. Bailey presiding. Council members Bobby J. Bondurant, J. Paul Kilgore, Haney Mottley, and Richard Wydner were present. Harold Swisher was absent. Town Manager Jack Hobbs, Police Chief Kenneth Watts, Director of Public Utilities Tom Fore and Office Manager Colan Davis were also present.

The Rev. Barbara Rodgers from Waughs Ferry Road gave an invocation.

A duly advertized public hearing on a proposal to abandon a portion of the Dameron Subdivision plat was opened at 7:03 P.M.

It was reported that Tom Hall has asked that the Town abandon a 6' wide drainage easement across lots 7 and 8 of the Dameron Subdivision so those lots and Lot 6 can be reconfigured into two lots. Monroe Development owns lots 7 and 8 which are located between property owned by Nancy Bain (Lot 6, 235 Sunset Drive) and Judy Mayberry (Lot 9, 273 Sunset Drive). There being no one present who wished to speak, the hearing was closed at 7:04 P.M.

By consensus, the Town Council asked the Town Attorney to draft an appropriate ordinance to effect the requested vacation and the Town Manager to collect monies for that work and the advertisement from the petitioner prior to taking action on the matter.

Anne Marie Clark from Robert E. Lee Soil and Water Conservation District, the agency that does the work to monitor activity and work with landowners in the Buffalo River watershed, came forward to give a presentation on her efforts. David Hannah from Wild Virginia, a Charlottesville-based non-profit organization whose mission statement indicates that it is "dedicated to preserving wild forest ecosystems in Virginia's National Forests" accompanied her. Mr. Wydner made a motion that was seconded by Mr. Mottley to adopt resolution that would encourage the U.S. Forest Service to pay more attention to the drinking water sources in the George Washington National Forest. The motion passed 4-0. Messrs. Bondurant, Kilgore, Mottley and Wydner voted "Aye". Mr. Swisher was absent. A copy of the resolution is attached and made a part of these minutes.

It was reported that the Planning Commission had recommended against the sign ordinance amendments proposed by Crystal Staton and that the Commission will hold public hearings on (1) amending the "Farm machinery display, sales and services" use category of the Zoning and Subdivision Ordinance, which is listed as a permitted use in the B-2 and CBD districts, to read "Agricultural, farm and lawn machinery display, sales and services, provided that all inoperable machinery must not be visible from any public right of way", and (2) rezoning to B-2 all of the land located on the east side of S. Main Street between Macadam Road and Amherst County High School on April 1. The Town Council agreed to hold its public hearing on these three issues during its meeting on April 8.

Mike Lawless from the consulting firm Draper Aden came forward to give a presentation on his group's work on the regional water supply plan. It was reported that the full draft document has not been reviewed by DEQ, so no action is required at this point. It is anticipated that the Town Council's adoption of the plan and associated drought management ordinance will follow public hearings later this year.

Mr. Kilgore made a motion that was seconded by Mr. Wydner to approve the minutes for the February 11, 2009 meeting as previously submitted. The motion passed 4-0. Messrs. Bondurant, Kilgore, Mottley and Wydner voted "Aye". Mr. Swisher was absent.

Mr. Kilgore made a motion that was seconded by Mr. Bondurant to approve the minutes for the February 21, 2009 meeting as previously submitted. The motion passed 3-0. Messrs. Bondurant, Kilgore, and Wydner voted "Aye". Mr. Mottley abstained. Mr. Swisher was absent.

There was a discussion on follow up from the February 21 work session. The Ordinance Committee was asked to make a recommendation on the Charter update matter at the May Council meeting. The Councilors agreed to tentatively schedule a dinner meeting with the Amherst County Board of Supervisors on April 23. Discussion on installing water and sewer infrastructure in the Ambriar area was delayed until after the "stimulus" grant situation is clarified. A decision on paying off the Brockman Park note was deferred until the April meeting. Councilman Kilgore agreed to continue his review of the zoning ordinance. The Town Attorney was asked to report on the process to change the Town election date from spring to fall.

The Town Manager gave a report on staff efforts to take advantage of American Recovery and Reinvestment Act of 2009 ("Stimulus") grant opportunities. Mr. Wydner made a motion that was seconded by Mr. Mottley to adopt resolution authorizing applications to the Virginia Department of Health for funding. The motion passed 4-0. Messrs. Bondurant, Kilgore, Mottley and Wydner voted "Aye". Mr. Swisher was absent. A copy of the resolution is attached and made a part of these minutes.

Mr. Kilgore made a motion that was seconded by Mr. Bondurant to adopt a Resolution to Create an Amherst Centennial Program Committee. The motion passed 4-0. Messrs. Bondurant, Kilgore, Mottley and Wydner voted "Aye". Mr. Swisher was absent. A copy of the resolution is attached and made a part of these minutes.

The Town Manager was asked to readvertise the Planning Commission vacancy in the newspaper.

It was reported that the April 8 agenda would include public hearings on the sign ordinance amendment/use table amendment/S. Main Street rezoning matters, receiving the FY10 budget proposal, discussion on the Amherst LIVE! program for 2009 and a status report on the stimulus grant situation.

It was also reported that the Peebles grand opening is scheduled for March 19, 2009 at 8:30 A.M.

There being no further business, the meeting adjourned at 9:30 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council

A RESOLUTION TO SUPPORT REVISIONS TO THE GEORGE WASHINGTON FOREST MANAGEMENT PLAN AND THEREBY IMPROVE THE MANAGEMENT OF DRINKING WATER SOURCES.

WHEREAS, the U.S. Forest Service is in the process of revising its 1993 Land and Resource Management Plan for the George Washington National Forest; and

WHEREAS, the provision of clean safe drinking water is one of the primary benefits that the George Washington National Forest provides to the communities that surround it; and

WHEREAS, the U.S. Forest Service's agency-wide Strategic Plan for 2004 – 2008 seeks to achieve six goals, including "Improve watershed condition," and

WHEREAS, approximately 44 percent of the land in the George Washington National Forest is within watersheds that provide public drinking water to more than 260,000 residents of western Virginia in 22 communities surrounding the national forest by means of reservoirs and surface waters; and

WHEREAS, drinking water sources from within the George Washington National Forest serve an estimated 5,000 residents and many businesses and institutions in and around the Town of Amherst; and

WHEREAS, the greatest threats to water quality within the George Washington National Forest are ground disturbing activities, such as timber harvesting and road construction, which result in erosion and sedimentation if not managed by the Forest Service staff or its contractors; and

WHEREAS, the 1993 George Washington National Forest Management Plan addresses riparian areas (narrow corridors bordering rivers and streams) and narrow areas bordering reservoirs, but does not provide management objectives for lands within the larger watersheds that determine the health of the water resources in these streams and rivers; and

WHEREAS, the 1993 George Washington National Forest Management Plan permits ground disturbing activities on most of the land (64%) in the surface watersheds that provide drinking water through river intakes; and

WHEREAS, a 2008 report by the National Research Council (part of The National Academies) states that a sustainable supply of clean water is the most important product or commodity produced by our forests; and

WHEREAS, the Town of Amherst works closely with the Robert E. Lee Soil & Water Conservation District and Amherst County to establish a watershed protection program and watershed protection ordinance, participates in a local incentive grant to assist landowners with installing conservation measures to protect the Buffalo River and its surrounding tributaries at the source to provide clean drinking water, and shared the Environmental Protection Agency's 2003 Clean Partner Award with these partner organizations;

NOW, THEREFORE, in order to ensure the quality and quantity of drinking water sources within the national forest boundaries, be it resolved that the Town of Amherst hereby supports the following revisions to the George Washington National Forest Management Plan:

- The U.S. Forest Service should formally identify all the drinking watersheds serving reservoir and surface water resources within the George Washington National Forest. The rivers and streams within these watersheds should be considered public water supplies.
- The U.S. Forest Service should establish management objectives that encompass the health of entire drinking watersheds, in order to ensure that conditions within the watersheds will maintain, protect and enhance drinking water quality.
- The U.S. Forest Service should gather more information to describe and assess watershed conditions, develop a plan to systematically monitor water resource programs and obtain all data pertinent to water quality and watershed conditions, in cooperation with other agencies, organizations, local communities and volunteers.
- The U.S. Forest Service should seek to communicate more effectively with the localities that obtain drinking water from sources within the George Washington National Forest in order to ensure that the drinking watersheds are managed effectively, appropriately and for the public good.
- The U.S. Forest Service should work with local communities, agencies and the larger public to establish policies and develop management plans for the drinking watersheds to permanently maintain, protect and enhance drinking water quality.

BE IT FURTHER RESOLVED that the Clerk is instructed to transmit a certified copy of this resolution to the U.S. Forest Service, the Amherst County Board of Supervisors, Robert E. Lee Soil and Water Conservation District, and Wild Virginia in order to advise each of this action and to request support on this issue.

This Resolution was adopted by the Town Council of the Town of Amherst on March 11, 2009.

Mayor Jacob P. Bailey

Attest:

Clerk of Council

A RESOLUTION ENDORSING THE APPLICATION FOR FUNDING BY THE VIRGINIA DEPARTMENT OF HEALTH – OFFICE OF DRINKING WATER.

WHEREAS, the Town of Amherst intends to apply for funding for various drinking water projects in the Town; and

WHEREAS, the Virginia Department of Health-Office of Drinking Water is able to fund several drinking water projects in the Town of Amherst due in large part to funds provided by the American Recovery and Reinvestment Act of 2009; and

WHEREAS, the Town Council of the Town of Amherst has reviewed project planning material and found that the applications would be appropriate and complete;

THEREFORE, BE IT RESOLVED, the Town Council of the Town of Amherst hereby authorizes the Town Manager to seek funding from the Office for the following projects with the associated not-to-exceed project funding estimates:

- | | |
|--|------------|
| 1. Water Treatment Plant Improvements: Chemical Feed, Rate of Flow Controllers and Telemetry | \$ 750,000 |
| 2. Main Street Water Line Abandonment | 50,000 |
| 3. Automated Water Meter System Installation | 250,000 |
| 4. U.S. Route 60 West Water Line Replacement | 1,275,000 |
| 5. Ambriar Water System Loop, Phase 1 | 750,000 |

THEREFORE, BE IT RESOLVED, that the Town Manager shall immediately begin to process funding applications for these projects and be authorized to sign any and all documents to accept such funding contingent upon review and concurrence by the Town Attorney.

This Resolution was adopted by the Town Council of the Town of Amherst on March 11, 2009.

Mayor Jacob P. Bailey

Attest:

Clerk of Council

A RESOLUTION TO CREATE AN AMHERST CENTENNIAL PROGRAM COMMITTEE.

The Town Council of the Town of Amherst hereby establishes an Amherst Centennial Program Committee as outlined below.

Background and Intent

The Town of Amherst was officially chartered on April 15, 1910. Inquiries and conversations on the matter over the past few months have caused the Town Council to realize that the Town should begin organizing the community's celebration of its centennial anniversary. The Town Council of the Town of Amherst desires to encourage such an endeavor and intends to support and sanction an appropriate program of projects and activities.

Initiatives already underway in support of the centennial celebration idea include the Amherst LIVE! program, design of the Town Square project and the Amherst County Historical Society's Town of Amherst history book. Other known ideas include a time capsule, a founder's day event or other events, installation of monuments, construction of the Town Square project, and design and distribution of coins or medals.

Purpose

The purpose of the Committee is to manage the forum in which the Town's centennial recognition program will be developed. The key purpose of the committee is to make a summary recommendation to the Council as to how the Town should recognize its centennial.

Responsibilities, Authority and Expectations

- The Committee shall solicit input from Amherst's residents, merchants, and property owners; local service and social clubs; government agencies and nonprofit organizations; and any other identified individual or group that has an interest in this matter.
- Following community input, the Committee shall develop a program of events, projects and activities that will appropriately celebrate the Town's centennial anniversary.
- The Committee should meet on a regular and frequent basis.
- The Committee shall make recommendations to the Town Council or make decisions with respect to the centennial program, as it deems necessary and proper, and shall submit a full recommendation to the Town Council by May 15, 2009. As such, it is expected that the report will:
 - Propose a clear and organized program of events, projects and other initiatives that would appropriately recognize the centennial;
 - Identify groups and other individuals that might support or take the lead on those initiatives;
 - Propose a budget, if any, for the program; and
 - Propose how the Town Council should administer the recommended program.

Membership

The Committee shall be comprised of the following individuals:

- Helen Massie
- Judy Mayberry
- Paul Wailes
- Jackie Beidler
- Helen Williams
- Debbie Thomas
- Leah Settle Gibbs
- Haney Mottley
- Bobby Bondurant
- Richard Wydner

The Town Manager or his designee shall serve as the Secretary for the Committee and shall organize meetings, prepare agendas and minutes, serve as the Town's liaison with the Committee, and make periodic reports on the Committee's activities to the Town Council.

Term

It is intended that this is to be a temporary Committee. As such, the appointments made herein and the provisions of this Resolution shall expire as of December 31, 2010.

Funding

The activities of the Committee may be financed by the Town of Amherst only after further action by the Town Council. Committee members are considered volunteers and shall not receive compensation for their service on the Committee.

However, the Town Manager is authorized to make Town staff available to support meetings of the Committee (agenda preparation, hosting meetings in the Town Hall, minutes, reasonable photocopying, etc.) and to serve as the information desk for the Committee.

This resolution was adopted on March 11, 2009 and is to become effective immediately.

Jacob P. Bailey
Mayor

Attest:

Town Clerk