

Mayor Jacob P. Bailey called the regular monthly meeting of the Amherst Town Council to order on August 11, 2010 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Bobby J. Bondurant, J. Paul Kilgore, Haney Mottley, Harold Swisher and Richard Wydner were present. Town Manager Jack Hobbs, Police Chief Kenneth Watts, Town Attorney Tom Berry and Office Manager Colan Davis were also present.

Father Daniel Kelly from St. Francis of Assisi Church gave an invocation.

A duly advertized public hearing on a proposed series of changes to the Zoning and Subdivision Ordinance opened at 7:02 P.M. The Town Manager gave a report on the changes that were recommended for approval by the Planning Commission after its public hearing on July 7. There being no one present who wished to speak, the public hearing was closed at 7:11 P.M. Mr. Wydner made a motion that was seconded by Mr. Mottley to adopt an ordinance that would have the effect of approving the amendments as proposed. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". A copy of the ordinance is attached and made a part of these minutes.

Mr. Kilgore made a motion that was seconded by Mr. Bondurant to adopt a resolution recognizing the good work by the wastewater treatment plant operations crew. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". A copy of the resolution is attached and made a part of these minutes.

Mr. Swisher made a motion that was seconded by Mr. Mottley to approve the minutes for the July 14, 2010 meeting as previously submitted. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

The Town Manager reported that the Virginia Department of Health has offered the Town a loan for the package of construction projects contained in the Town's March, 2010 "Water and Energy Conservation Project" grant application. Mr. Wydner made a motion that was seconded by Mr. Bondurant to not pursue a loan for the project at this time and to withdraw the application until grant monies are offered. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

Mr. Wydner made a motion that was seconded by Mr. Kilgore to adopt a resolution endorsing a series of planning grant applications to the Virginia Department of Health. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". A copy of the resolution is attached and made a part of these minutes.

The Town Council discussed the idea of hosting a final Centennial thank you/wrap-up event. After the Council was reminded that the final Springsted worksession on the sewer capital improvement plant is scheduled for August 17 at 7:00 P.M., and there being no further business, the meeting adjourned at 8:05 P.M.

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Jacob P. Bailey  
Mayor

Attest:

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Clerk of Council

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF AMHERST BY AMENDING CHAPTER 18.1 WHICH REFERS TO THE ZONING AND SUBDIVISION ORDINANCE.**

Be it Ordained by the Council of the Town of Amherst:

***1. That the Code of the Town of Amherst is hereby amended by amending Chapter 18.1, Zoning and Subdivision Ordinance, of the Town Code according to the summary indicated below. A copy of the full text of the revised ordinance shall be maintained within the Town Code.***

- §18.1-901:** Establishes solar panel setbacks and size limits and revise rules for satellite dishes.
- §18.1-906:** Establishes standards for streets and driveways inside a “multifamily” (apartment or condominium) complex.
- §18.1-919:** Clarifies that VDOT’s “527” traffic impact study regulations are effective in the Town.
- §18.1-920:** Adjusts landscaping requirements for commercial developments.
- §18.1-1011:** Clarifies application deadlines for plats and site plans.
- §18.1-1102:** Establishes an expiration date for site plan approvals.
- §18.1-1103:** Clarifies the administration of site plans for large residences being converted to businesses
- §18.1-1402:** Eliminates the variance hardship requirement per the change to Sec. 15.2- 2309 of the Code of Virginia that removed the “approaching confiscation” clause and other updates per the Code of Virginia.
- Chapter 18.1:** Allows day care facilities in R: 1, R: 2, R: 3 and R: 4 districts by special use permit; allows "retail uses not specifically delineated" by right in commercial zones but require all items offered for retail to be under roof or outside materials screened; and clarifies "contractor" uses – i.e. outside storage of materials or equipment, parking lots, etc. (in Table 7.1).
- Chapter 18.1:** Updates subdivision regulations in Articles XII and XIII.

***2. That this Ordinance shall be effective on August 11, 2010.***

***This ordinance was adopted on August 11, 2010.***

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Mayor

ATTEST:

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*Clerk of Council*

**Resolution**  
of the  
**Town Council of the Town of Amherst**

**WHEREAS**, the Rutledge Creek Wastewater Treatment Plant laboratory was accredited as a Certified Laboratory on June 15, 2010 and is one of only ten out of over 300 small Virginia plants to have achieved this status; and

**WHEREAS**, this is a significant accomplishment for the plant operation crew as it involved a significant amount of paperwork and about 500 man-hours of their time since January 2009 which probably avoided consulting fees of \$15-20,000 if the effort had been outsourced; and

**WHEREAS**, the most significant effect of this is that the Town will be able to continue to do much of the required routine testing in-house for BOD (2/wk), total suspended solids (2/wk) and pH (1/d) and thereby avoid logistical problems with dealing with an off-site laboratory every day; and

**WHEREAS**, the plant operations crew estimates that it would cost about \$4,056/yr plus shipping and handling to outsource the lab work but in-house costs will cost only about \$1,000/yr (\$700 for testing supplies and machines plus the \$300/yr accreditation fee); and

**WHEREAS**, the Town Council of the Town of Amherst wishes to acknowledge the services and contributions from certain individuals to the Town of Amherst;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Amherst does, on this date, acknowledge the outstanding service that the plant operations crew members Gary Williams and Shannon Higgins have given our community; and

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Amherst hereby declares that the Town of Amherst's operation has been improved as a result of their work at Rutledge Creek Wastewater Treatment Plant; and

**FINALLY, BE IT RESOLVED** that the Clerk of the Council of the Town of Amherst is ordered to deliver an original copy of this Resolution to Gary Williams and Shannon Higgins as a token of the Council's deep appreciation of their contributions to our community.

*This Resolution was adopted by the Town Council of the Town of Amherst on August 11, 2010.*

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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; and

**WHEREAS**, the Virginia Department of Health-Office of Drinking Water is able to provide funds for the planning of drinking water projects; and

**WHEREAS**, the Town Council of the Town of Amherst has determined that this type of funding would be appropriate for the work that is being considered;

**THEREFORE, BE IT RESOLVED**, the Town Council of the Town of Amherst hereby authorizes the Town Manager to seek planning funds from Virginia Department of Health-Office of Drinking Water for the following projects:

1. WTP Rate of Flow Controllers and Finished Water Meter Replacement Design
2. U.S. Route Rt 60 West In-Town Water Line Upgrade Design
3. U.S. Route 60 West Out-of-Town Water Line Upgrade Design
4. Whitehead Drive Water Line Upgrade Design
5. Maple Lane Water Line Upgrade Design

**BE IT FURTHER RESOLVED**, that the Town Manager is directed to pursue such funding 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 August 11, 2010.*

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Mayor Jacob P. Bailey

Attest:

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Clerk of Council