

AMHERST TOWN COUNCIL
AGENDA – WEDNESDAY, FEBRUARY 12, 2020

Meeting at 7:00 p.m.

Town Hall, 174 S. Main Street, Amherst, VA 24521

- A. Call to Order for the Town Council– 7:00 p.m. - Mayor Tuggle**
- B. Pledge of Allegiance** - *I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*
- C. Invocation- Brian Miles, Amherst Presbyterian Church** - *Any invocation that may be offered before the official start of the Amherst Town Council meeting shall be the voluntary offering to, and for, the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the audience is required to attend or participate in the invocation, and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure by which a volunteer may deliver an invocation are available upon request at the Town Hall.*
- D. Public Hearings and Presentations**
- 1. Presentation for Police Officer of the Year, 2019**
- E. Citizen Comments** – *This time is set aside on the agenda for Town citizens to address Council regarding items not on the agenda for public hearing or presentations. Individual comment time is limited to three minutes, and groups are limited to five minutes. This time is for citizens to address Council, and not designed to be a question and answer session or a discussion time. If follow-up is requested, that will occur after the meeting.*
- F. Consent Agenda** – *Items on the consent agenda can be voted on as a block if all are in agreement with the recommended action or discussed individually.*
- 1. Town Council Minutes (Pgs. 1-6)** – *Draft of the January 8, 2020 meeting minutes are **attached**. Please let Vicki Hunt know of any concerns by Wednesday morning such that any needed corrections can be presented at the meeting.*
- G. Correspondence and Reports**
- 1. Staff Reports (Pgs. 7-16)**
- a. Town Manager Monthly Report - **attached**
 - b. Police Chief Monthly Report - **attached**
 - c. Office Manager Monthly Report - **attached**
 - d. Clerk of Council Monthly Report- **attached**
 - e. Public Works Monthly Reports- **attached**
 - f. Town Attorney Monthly Report – **attached**
- 2. Council Committee Reports (Pgs. 17-18)**
- a. Finance Committee – *Mrs. Carton*
 - b. Community Relations – *Mrs. Ogden- Met January 28, 2020, minutes and leash law proposal*
 - c. Utilities Committee – *Mr. Watts*
- 3. Other Reports (Pgs. 19-27)**
- a. Planning Commission– *Met February 5, 2020, minutes attached*
 - b. Industrial Development Authority- *Met February 3, 2020, minutes attached*
 - c. Robert E. Lee SWCD- *December minutes attached*

H. Discussion Items

- 1. Insurance Claim Appropriation-Roll Call Vote- (Pg. 28)-** *Tracie Wright- The Town has received an insurance settlement from a power surge at the Wastewater Plan. Staff requests appropriation back into the Wastewater budget.*
- 2. Authorize staff to award bids for the USDA Sewer Sliplining Project -** *Sara Carter- Bids for the two parts of the USDA Sliplining project are due on Monday, February 10, 2020. In order to close on the project by the end of March, staff needs to award bids as quickly as possible. Staff requests that Council authorize the Town Manager to award the bids, in conjunction with the Town Engineer, based upon the total USDA grant/loan package.*
- 3. Consider update to Fund Balance Policy (Pgs. 29-31)-** *Sara Carter- Update the Town of Amherst Fund Balance Policy to designate a fund balance for the IDA fund.*
- 4. Amendment to Comprehensive Plan for conservation easement at the Amherst Milling Company-** *Sara Carter- Action on this item was deferred for thirty days at December's meeting. Dave McCormack has requested a thirty day deferral to the March meeting.*
- 5. Authorize IDA Recommended Expenditures (Pgs. 32-35) –** *Sara Carter- The Industrial Development Authority (IDA) requests that Council authorize expenditures from the IDA fund and appropriate money for the expenditures to the appropriate lines.*

I. Matters from Staff

J. Matters from Town Council

K. Anticipated Town Council Agenda Items for Next Month

L. Citizen Comments

M. Adjournment

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on January 8, 2020, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. It was noted that a quorum was present as follows:

P	D. Dwayne Tuggle	P	Kenneth G. Bunch
P	Rachel A. Carton	P	Sarah B. Ogden
A	Kenneth S. Watts	P	Janice N. Wheaton

Also present were the following staff members:

Sara E. Carter	Town Manager	Gary Williams	Director of Plants
W. Thomas Berry	Town Attorney	Becky L. Cash	Lead Water Operator
Vicki K. Hunt	Clerk of Council	Charles Thompson	Utilities Maintenance Foreman
Tracie L. Wright	Office Manager	Gary P. Smith, Jr.	WWTP Operator
Robert A. Shiflett, II	Chief of Police	Fred W. Adams	WWTP Operator Apprentice

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Sarah B. Ogden.

After Chief Shiflett recognized and thanked Katherine K. LaFuze, Virginia Polytechnical Institute and State University Intern, for her exemplary work performed in the Police Department, she was presented with a Certificate of Appreciation by Mayor Tuggle for outstanding performance and work in strengthening our workplace and community through her skills in policy writing and lasting contributions to the Town of Amherst.

There being no one listed to speak on the citizen comment sign-in sheet, no comments were made.

Mrs. Carton made a motion that was seconded by Ms. Ogden to approve the minutes from the December 11, 2019, meeting as presented. After discussion the motion carried 4-0-1 as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Absent	Janice N. Wheaton	Aye

Mrs. Carton made a motion that was seconded by Mr. Bunch to accept the 2020 Meeting Calendar of the Town Council with the following revision: November Town Council meeting will be moved from the second Wednesday in November 2020 (November 11) to the second Thursday in November 2020 (November 12), in observance of Veteran’s Day. After discussion the motion carried 4-0-1 as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Absent	Janice N. Wheaton	Aye

After a brief report by Town Manager Carter, Ms. Ogden made a motion that was seconded by Mrs. Carton to approve adoption of the Resolution in Support of Reconsideration of New Wastewater Regulations Under the Virginia Chesapeake Bay TMDL Phase III Watershed Implement Plan. There being no discussion the motion carried 4-0-1 as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Absent	Janice N. Wheaton	Aye

A copy of the resolution is attached and made a part of these minutes.

After a brief report by Town Manager Carter and discussion, Mr. Bunch made a motion which was seconded by Mrs. Carton to approve expenditure of \$8,945 to cover cost associated with contract with K.L. Shane, Inc. for Filter Inspection Service to determine rehabilitation suitability, as recommended by staff. After discussion the motion carried 4-0-1 as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Absent	Janice N. Wheaton	Aye

Ms. Ogden made a motion that was seconded by Mrs. Carton to approve Town of Amherst Electronic Use Policy as amended to clarify the use and retention of email for Council Members, as recommended by staff. There being no discussion, the motion carried as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Absent	Janice N. Wheaton	Abstain

A copy of the amended policy is attached and made a part of these minutes.

By consensus of Council action on the proposed amendment to the Town’s Comprehensive Plan to change the designated land use for Tax Map parcels 96-4-A and 96-1-1-7, totaling 76+/- acres from Planned Development- Residential to Agricultural to allow a request for a conservation easement by Dave McCormack, Owner, Lazy River LLC, that would, if approved by Town Council, allow land between the developed portion of the Mill Race subdivision and the Amherst Milling Company to be changed from planned development areas to conservation and would allow Mr. McCormick to complete a conservation easement process for the property is deferred to the February 12, 2020, meeting, as requested by Mr. McCormick and recommended by staff.

Mr. Bunch made a motion that was seconded by Ms. Ogden to approve adoption of the Resolution Adopting a Franchise Agreement with Comcast Cable for the Town of Amherst, as recommended by Attorney Berry. After discussion, the motion 4-0-1 via the roll call method with Mmes. Carton, Ogden, Wheaton and Mr. Bunch voting “Aye.” Mr. Watts was absent. A copy of the Resolution is attached and made a part of these minutes.

By consensus discussion on Attorney Berry’s finding on views of other localities in Virginia pertaining to the Second Amendment sanctuary measure is deferred to the February 12, 2020, meeting.

There being no one listed to speak on the citizen comment sign-in sheet, no comments were made.

There being no further business, the meeting adjourned until February 12, 2020, at 7:00 pm on motion by Ms. Ogden seconded by Mr. Bunch at 7:39 PM. The motion carried 4-0-1 with Mmes. Carton, Ogden, Wheaton and Mr. Bunch voting "Aye." Mr. Watts was absent.

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council

FOR APPROVAL

**A RESOLUTION IN SUPPORT OF RECONSIDERATION OF
NEW WASTEWATER REGULATIONS UNDER THE VIRGINIA CHESAPEAKE BAY TMDL
PHASE III WATERSHED IMPLEMENTATION PLAN**

WHEREAS, local governments including the Town of Amherst have led Virginia’s progress toward a restored Chesapeake Bay by collectively investing well over \$2 billion to upgrade wastewater treatment facilities;

WHEREAS, in the past, new laws, regulations, and plans guiding this important undertaking have always been developed in collaboration with local government and the Town of Amherst has supported such efforts;

WHEREAS, Virginia’s Chesapeake Bay TMDL Phase III Watershed Implementation Plan (WIP) adopted on August 23, 2019 breaks from this long tradition of strong state-local collaboration on wastewater improvement plans;

WHEREAS, despite acknowledging that local government wastewater operations are outperforming their Chesapeake Bay TMDL requirements, the Phase III WIP wrongly assumes, without explanation, that in 2025 they will reverse course and spike up to substantially higher levels, contrary to a decade-long demonstrated track record of declining discharges;

WHEREAS, as a result of this mistake, the WIP calls for additional costly regulations on municipal wastewater treatment facilities, which will increase competition for limited State water quality funding and potentially cause delays in other sectors like agriculture and stormwater that also need State funding to meet the Bay goals;

WHEREAS, numerous more cost-effective recommendations for meeting the same water quality goals were recommended by the Virginia Association of Municipal Wastewater Agencies with broad local government support but were rejected in the final Phase III WIP without any written explanation; and

WHEREAS, the Town of Amherst has long supported the overall Chesapeake Bay restoration goals and believes the best path forward for continued progress is for the Governor and General Assembly to closely review the concerns outlined above and to revise the Phase III WIP as warranted before any regulatory actions restricting local wastewater treatment facilities proceed further.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Amherst on this 8th day of January, 2020, that the Town of Amherst supports immediate review and reconsideration by the Governor and General Assembly to correct the Phase III WIP to resolve these concerns and, while such review is in progress, that all regulatory or other efforts imposing new restrictions on local wastewater treatment facilities be suspended in the interim.

This resolution was adopted January 8th, 2020.

Mayor Dwayne Tuggle

Clerk of Council

Town of Amherst

Electronic Use Policy

As the Town has provided additional devices for the use of employees and officials, it has become necessary to outline Town policies for Town owned devices. These policies do not apply to devices owned by individuals and used for Town business.

Ownership- All devices purchased by the Town remain the property of the Town, and at the end of employment, appointment, or term of service, shall be returned to the Town.

Ipad Logon Information- Town Ipad are issued with a passcode. This passcode shall not be changed.

Downloads- No user should download any programs to Town owned devices without permission from their supervisors, or in the case of Town owned Ipad, from the Town Manager.

Retention- Users should remember that one of the purposes of Town email systems is to allow the Town to follow state mandated records retentions policies. Emails should be saved. Access to Council members official Town email boxes shall be maintained by the Town Manager for the purpose of responding to FOIA requests. If your inbox becomes too large, items may be moved to an archive folder, but they shall not be deleted.

Appropriate Use of the Internet and Electronic Communications- Town provided equipment is provided to conduct Town business. Personal uses of Town owned devices should be kept to a minimum and occur outside of work hours. Use of Town internet or equipment may be subject to monitoring without notice. The following uses are explicitly prohibited:

- Transmitting material or messages in violation of federal, state, or local code or ordinances.
- Revealing or sharing passwords.
- Willfully conducting activity that disrupts Town services, the Town network, including computer hacking or spreading viruses.
- Participating in use that interferes with employee productivity.
- Operating a business, soliciting money, advertising or conducting transactions for profit.
- Soliciting for non-Town sponsored events, organizations or functions.
- Intentionally downloading, accessing, viewing, posting, or transmitting information that is abusive, offensive, harassing, threatens violence, or that discriminates on the basis of race, gender, national origin, age, or disability.
- Intentionally accessing, viewing, posting or transmitting sexually explicit material.

**A RESOLUTION ADOPTING A FRANCHISE AGREEMENT WITH COMCAST CABLE
FOR THE TOWN OF AMHERST**

WHEREAS, the Town of Amherst has had Comcast Cable as a long-term service provider for cable services within the Town limits; and,

WHEREAS, Comcast has approached the Town for a renewal of its Franchise so that it may continue to serve Town residents and business and utilize rights-of-way with the Town; and,

WHEREAS, Comcast has offered increased opportunities for residential and business hook-ups within the Town and deleted the density requirement within Town limits for new service; and,

WHEREAS, this Franchise agreement is non-exclusive and still allows other providers within Town limits; and,

WHEREAS, reliable cable and internet service is a public good and economic development benefit;

NOW THEREFORE, BE IT RESOLVED, the Town Council adopts this franchise agreement with Comcast cable for ten years with renewals.

This resolution was adopted on January 8, 2020.

Mayor Dwayne Tuggle

Attest:

Clerk of Council

Town Manager's Report for the February 12, 2020 Town Council Meeting

Committee

Report

A. Industrial Development Authority	Meeting held February 3, minutes attached
B. Planning Commission	Meeting held February 5, minutes attached
C. Board of Zoning Appeals	No meetings/no report
D. Property Maintenance Investigation Board	No meetings/no report
E. Community Relations Committee	Meeting held January 28, minutes attached
F. Finance Committee	No meetings/no report
G. Utilities Committee	No meetings/no report
H. Town/Sweet Briar Sewer Use Advisory Commission	No meetings/no report
I. Lynchburg Regional Business Alliance	No meetings/no report
J. Central Virginia Planning District Commission	Meeting held January 16
K. Amherst County Chamber of Commerce	Meeting held January 8



AMHERST POLICE DEPARTMENT



MONTHLY REPORT

January 2020

Month:	SHIFT WORKING:
OFFICER:	VEHICLE:
MILEAGE START OF SHIFT:	MILEAGE END OF SHIFT:

CALLS FOR SERVICE	NUMBER
MOTORIST ASSIST	28
ALARM	15
PHONE COMPLAINT	57
BOLO	18
MISSING PERSON	1
SHOPLIFTING	
PROBLEM WITH OTHERS	13
DOMESTIC	
CHECK WELFARE	2
NOISE OR DOG COMPLAINT	1
TRAFFIC CRASH	4
EMS CALLS	3
SUDDEN DEATH	1
SUSPICIOUS PERSON	7
CALLS AT AMBRIAR	12
OTHER	57

OFFICER INITIATED	NUMBER
BUILDING CHECKS	172
BUSINESS VISIT	82
BUILDING SEARCH	
TRAFFIC SUMMONS	35
DRUNK IN PUBLIC	
EXTRA PATROLS/ Parks	285 /75
WARRANT SERVICE	4
PROPERTY WALK AROUNDS	41
WARRANTS OBTAINED	3
PARKING TICKETS	
MISD. INVESTIGATION	5
FELONY INVESTIGATION	4
NARCOTICS INV.	
SEARCH WARRANT	
PUBLIC RELATIONS	8
CITIZEN CONTACT	280

WARNINGS	NUMBER
SPEEDING	9
EQUIPMENT VIOLATION	2
RECKLESS DRIVING	
SUSPENDED LICENSE	
INSPECTION/REGISTRATION	6
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	6

TRAFFIC STOPS TICKETED	NUMBER
SPEEDING	23
EQUIPMENT VIOLATION	1
RECKLESS DRIVING	3
SUSPENDED LICENSE	
INSPECTION/REGISTRATION	7
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	2

ARREST	NUMBER
MISDEMEANOR	3
FELONY	2
EPO	
ECO/ PPO	
NARCOTICS VIOLATION	
DUI / DUIG	2

OTHER	NUMBER
ASSIST OTHER OFFICER	31
ASSIST OTHER AGENCY	18
COURT	6
REPORTS	8
SCHOOL / TRAINING	
MEETINGS	13
TOWED / IMPOUNDED VEH	



AMHERST POLICE DEPARTMENT

MONTHLY REPORT



PLEASE LIST ALL PASS ON'S, INVESTIGATIONS, ARREST, IMPOUNDED VEHICLES WITH REASON AND LOCATION, AND BUSINESSES WITH OPEN DOORS OR ANY OTHER SIGNIFICANT COMPLAINTS.

Total calls for service- 242

Total miles patrolled- 8902



TOWN OF AMHERST

P.O. Box 280 174 S. Main Street Amherst, VA 24521
Phone (434)946-7885 Fax (434)946-2087

To: Town Council
From: Tracie Wright
Date: February 5, 2020
Re: January 2020 Monthly Report

Utilities – 1160 bills were cut totaling \$170,132.70.

A/P – A total of 64 checks were cut totaling \$127,572.28 for January 2020 bills.

Meals and Beverage Tax – 14 Businesses paid \$46,277.26 in Meals and Beverage Tax for the month of December.

Taxes – License Fee bills were due by December 5th. Please inform everyone that if they did not receive their bill to please contact us at the office. Code of Virginia states that citizens are responsible for making sure they receive and pay their bills by the due date. As of February 5, 2020 we have a total of \$9,269.82 in outstanding 2019 bills. Dee has sent out second notices. Anything still outstanding by the end of February will be submitted for a bank lien.

Anyone whom had outstanding balances from prior years, and we were also unsuccessful in receiving funds by the Bank Lien process, were added to the Virginia State Debt Set-Off list in December. If anyone on this list is entitled to a State Tax refund will be flagged and the funds will come to the Town for payment instead of the individual as a refund. The Town does fall further down the list, with IRS debt or outstanding child support payments to receive the money first.

End of Year – All fourth quarter tax filings, end of year tax filings, W2's and 1099's have been submitted to the proper taxing agency.

Audit – We did receive the draft from the Auditor's. Sara and I have looked over it and found a couple of minor errors that will be correct. Other than that, everything looked good as well as the increase in Fund Balances.

New Projects –

- New financial software installation set-up to begin soon.

Upcoming Items –

- CIP Process
- Budget Process begins

**CLERK OF COUNCIL REPORT
JANUARY 2020**

COMMITTEE MEETINGS

Planning Commission

Receive and review agenda packet for 1-2-20 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

Industrial Development Authority

Receive and review agenda packet for 1-6-20 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

Town Council

Receive and review agenda packet for 1-8-20 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

Quorums: Confirm quorum for IDA, Planning Commission and Town Council meetings

TOWN WEBSITE DESIGN AND CONTENT MANAGEMENT

Administration of website generating and revising web pages; examining traffic through the site; design for overall look and feel of the site, including photos, color, graphics and layout; creating, editing, posting, updating, and occasionally cleaning up outdated content.

TOWN FACEBOOK ADMINISTRATOR

- Create content and/or design and post:
 - NEW DMV-TO-GO Service and reminders
 - Certificate Presentation to Intern Katie LaFuze
- Share links to community events and news; Monitor feedback

ROTARY CLUB PANCAKE DAY

Receive application for banner permit; preparation of permit application forms; correspond with VDOT

IRON 5K

Receive and review email from Sabrina Graybill, IRON Lives, Inc.; update 2020 IRON 5K letter from Chief Shiflett to VDOT with requested changes; email Chief Shiflett re same

FOIA

Receive, review and answer 7 requests for information

USDA LOAN FOR SEWER SLIPLINING PROJECT

Emails and t/c with Sands Anderson; file Certificate of Clerk re Resolution and Oath of Officers with Circuit Court Clerk, email Sands Anderson forwarding certified copy of same; review closing documents; email Sanders re correction; attend telephone conference re closing

OTHER:

- Prepare Certificate of Recognition for Katie LaFuze, Intern
- Research alternate employee recognition programs/options
- Research and draft website privacy policy; confer with Town Manager
- Prepare 2020 Calendars for Town Hall Holidays, Trash and Recycle, and Town Meetings for posting on outside Town Hall Bulletin Board
- Place new order for business cards Keith Falls
- Emails with High Peak re more formal council shirts
- Legal Ads/Public Hearing Notice: Community Relations Committee 1/28/20
- Prepare miscellaneous purchase orders

Town of Amherst Committees as of January 31, 2020 Update; See Attached.

Town of Amherst Committees as of January 31, 2020

Appointed/Term Expires

TOWN COUNCIL

D. Dwayne Tuggle, Mayor	01/01/19	12/31/22
Rachel A. Carton, Vice Mayor	01/01/19	12/31/20
Kenneth S. Watts	01/01/19	12/31/22
Sarah B. Ogden	01/01/19	12/31/20
Kenneth G. Bunch	01/01/19	12/31/20
Janice N. Wheaton	11/12/19	12/31/22

PLANNING COMMISSION

June Driskill, Chairperson	06/08/16	06/30/20
Janice N. Wheaton	12/11/10	12/31/20 (TC rep)
William Jones	07/01/10	06/30/23
Ted Finney	07/01/17	06/30/21
Kevin Belcher	07/01/18	06/30/22
Clifford Hart	07/01/19	06/30/23
Anne Webster Day	03/13/19	06/30/22

BOARD OF ZONING APPEALS

Gary Mays, Chairman	04/08/15	08/31/20
Ed Carton	09/01/19	08/31/24
Teresa Tatlock	07/10/16	08/31/21
Marvin Hensley	08/31/17	08/31/22
Kevin James Akershoek	09/01/18	08/31/23 Vacancy Advertised

INDUSTRIAL DEVELOPMENT AUTHORITY

Clifford Hart	09/01/19	08/31/23
Sharon Watts Turner	07/01/18	06/30/22
Gary Jennings	05/10/17	06/30/21
Jacob Bailey	06/08/16	06/30/20
Manly Rucker	05/10/17	06/30/21
Kim Odell Stein	07/11/18	06/30/22
Richard Wydner	07/01/19	06/30/23

PROPERTY MAINTENANCE INVESTIGATION BOARD

C. Manly Rucker, III	05/10/17	06/30/20
Bessie H. Kirkwood	07/01/18	06/30/21
Glenda Hash	06/08/16	06/30/20

REGION 2000 REGIONAL COMMISSION/MPO

D. Dwayne Tuggle	01/01/19	12/31/20
Sara Carter	01/01/19	12/31/20

Appointed/Term Expires

CENTRAL VIRGINIA TRANSPORTATION COUNCIL (MPO)

D. Dwayne Tuggle	01/01/19	12/31/20
Sara E. Carter	01/01/19	12/31/20

TOWN/SWEET BRIAR SEWER USE ADVISORY COMMISSION

Clifford Hart	01/01/19	12/31/20
Kenneth S. Watts	01/01/19	12/31/20

JOINT COMMITTEE ON COOPERATION

Kenneth S. Watts	01/01/19	12/31/20
Kenneth G. Bunch	01/01/19	12/31/20
Sarah B. Ogden	01/01/19	12/31/20

(3 Appointments from Amherst County)

TOWN COUNCIL COMMITTEES (FOR THE 01/01/19-12/31/20TERM)
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FINANCE COMMITTEE

Rachel A. Carton (Chairman) and Kenneth S. Watts

- Monitor the budget development process.
- Review accounting procedures, budgets, and bookkeeping activities.
- Interface with auditors.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

Sarah B. Ogden (Chairman) and Rachel A. Carton

- Monitor and review implementation of the Town's bike trails and public parks
- Review the Town's beautification efforts and programs.
- Interface with citizens, business operators, Sweet Briar College and VDOT

UTILITIES COMMITTEE

Kenneth S. Watts (Chairman) and Kenneth G. Bunch

- Monitor the development and construction of capital improvement projects.
- Review proposed utility system upgrades and extensions.
- Interface and assist developers in coordinating Town policies with proposed new developments.

RECODIFICATION COMMITTEE

Kenneth G. Bunch (Chairman) and Kenneth S. Watts

- Monitor the recodification of Town Code process
- Review proposed proof and edits

Utility/Town Maintenance and Construction Report

Jan-20

Water Meter Read	1150
Water Meter Re-Read	24
Disconnects	24
VA-811 Service locations	28
Vehicle PM Work Orders	28
Pump Station/Plant Work Orders	24
Banners Installed/Dismantled	0
Water Services Installed/Replaced	1
Sewer Services Installed/Replaced	0
Minor Leaks ks Repaired	2
Major Leaks Repaired	0
Minor Sewer Problems Resolved	1
Major Sewer Problems Resolved	0

10

Man Hours

Meter Reading	91
Street/Sidewalk Maintenance	457
Safety Training	3
Bush Hogging	0
Flushing Water	2
Equipment Maintenance	75
Xmas decorations	48

Major Issues & Comments

Routine/Annual Work

Projects/Unusual Work

Service Work Orders Meter Reading Prev-Maint Work Orders Disconnects Re-connects Flushing Program in Select Locations	Locating Un-marked/Unknown Water & Sewer System Assets Continue Safety and Shop/Yard Clean-up Staff has been working on finding water valves and addressing issues Working on clearing water right of ways.
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TOWN OF AMHERST
DEPARTMENT OF PLANTS

MONTHLY PRODUCTION AND OPERATIONAL REPORT
 January, 2020

SUBMITTED BY: GARY S. WILLIAMS,
 DIRECTOR OF PLANTS

SUBMISSION DATE:
 February 5, 2020

Grandview Water Filtration Plant,

Daily Water Withdrawal and Production:

	Total, million gallons	Average, million gallons	Max, million gallons	Min, million gallons
Raw Water	9.550	0.310	0.530	0.030
Produced	7.990	0.260	0.480	0.030
Delivered	7.590	0.240	0.440	0.030

Rutledge Creek Wastewater Treatment Plant,

Daily Received and Treated Waste Stream:

	Total, million gallons	Average, million gallons	Max, million gallons	Min, million gallons
Final Effluent	8.128	0.262	0.519	0.157

The first quarter results for Haloacetic acids and Trihalomethanes have been received and calculated into the running annual average spreadsheet. The HAA5's results are at **0.037mg/L** with the exceedance level being 0.060mg/L and THM's are at **0.030 mg/L** with that exceedance level being 0.080 mg/L.

The new sampling/testing cycle for Lead and Copper reporting has started with the first 3 of 20 site locations being tested. 1 of the sites exceeded the lead action level and staff has begun evaluations. If we have the remaining 17 sites pass the Town will be able to move to sampling yearly, should we choose.

Wastewater staff is currently working with the Department of Environmental Quality on a nutrient audit reporting error. The error was found in a rounding method taking a result from mg/L to pounds/day. In the overall, the effect on records is minimal. Annual phosphorus pound will increase and annual nitrogen pounds will decrease. The reporting spreadsheet has been corrected and there should not be any further issues.

W. THOMAS BERRY

ATTORNEY AT LAW

TAN BARK PROFESSIONAL BUILDING, COURT STREET
P.O. BOX 354 * 402 COURT STREET
LOVINGSTON, VIRGINIA 22949

W. THOMAS BERRY
KYLE D. HUGHES

OFFICE PHONE
434-263-4886
Fax: 434-263-4285

February 5, 2020

Town of Amherst
P.O. Box 280
Amherst, VA 24521

Attn: Sara Carter- Town Manager

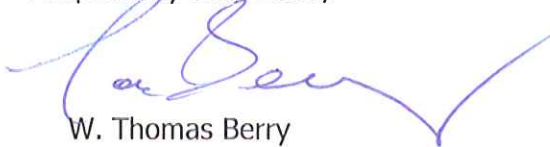
Re: Monthly Report to Town Council
(January 2020)

Dear Ms. Carter and Council,

My report on work regarding the following matters:

1. Town Council Meeting: Attendance at the monthly scheduled meeting on January 8, 2020.
2. Personnel: Review of Town of Amherst Police Department Policy and Procedure (ongoing).
3. Business:
 - A. Preparation on Closing regarding Slip Line Project
 - B. Submit Memorandum of Understanding on School Board Easement.
4. Upcoming Work:
 - A. Police Department policies.
 - B. Town Park.
 - C. Slip Line Funding.
 - D. Planning Commission Review.
5. Access to Town Attorney: My email address is dawn@tomberrylaw.com. Please feel free to use this email access provided, and I will promptly return any communication. My home phone (434) 946-9501; office phone (434) 263-4886.

Respectfully Submitted,



W. Thomas Berry

WTB/tpg

W. THOMAS BERRY, LLC

ATTORNEY-AT-LAW
 P.O. BOX 354/ 402 COURT STREET
 LOVINGSTON, VA 22949
 PHONE: (434) 263-4886

Invoice

Date	Invoice #
2/4/2020	9183

Bill To
Town of Amherst c/o Sara Carter P.O. Box 280 Amherst, VA 24521

Description	Qty	Rate	Terms
			Due on receipt
			Amount
1/2/2020- MOU with School Board	0.3	175.00	52.50
1/3/2020 TALKED TO DOWNEY & MOU	0.5	175.00	87.50
1/8/2020 MONTHLY MEETING	1.5	175.00	262.50
1/13/2020 TALKED TO DOWNEY/EMMERT	0.3	175.00	52.50
1/13/2020 REVIEW ON ABANDONMENT	0.8	175.00	140.00
1/17/2020 AMHERST CIRCUIT COURT CHECK FILING ON EMMERT	0.3	175.00	52.50
1/17/2020 PLANNING COMMISSION	1	175.00	175.00
1/20/2020 REVIEW EMMERT/ANSWER	1	175.00	175.00
1/23/2020 E-MAIL DOWNEY ANTWORKS	0.6	175.00	105.00
1/24/2020 RUTLEDGE LANE EASEMENTS (4)	4	125.00	500.00
Total			\$1,602.50
Payments/Credits			\$0.00
Balance Due			\$1,602.50

WTB

**COMMUNITY RELATIONS COMMITTEE
MINUTES**

January 28, 2020
5:30 PM

Attendees: Sarah Ogden, Chairman and Rachel Carton
Staff: Sara Carter and Bobby Shiflett

The meeting was called to order by Mrs. Ogden at 5:30 pm

The committee discussed the implementation of a leash law within the Town and reaffirmed the Council's previous request to consider a dog park concurrent with the implementation of a leash law.

The committee requested that a park improvement fund be added to the CIP draft currently being considered by the Planning Commission. The recommended amount is \$60,000 and the items to be completed, not in order, as funds are available and not yet used are:

- Improved parking facilities
- Pathways
- Two bridges over the creeks integrated into the path system
- Fire hydrant and yard hydrant
- Lights
- Gate at entrance
- Signage
- Benches and picnic tables
- Patios and pavilions
- Grills for picnic area

The committee requests that should the amount be funded through the CIP that staff develop a plan and address as many of the elements as possible within the given amount for this year.

The committee reviewed leash law language from three jurisdictions and made modifications to the Town of Berryville's language.

The committee requested staff send the draft leash law to Council and Mr. Berry in February's packet with a request to set a public hearing in March for Council to consider the matter.

The meeting adjourned at 6:46 p.m.

Sec. . - Running at large.

During all months of the year, it shall be unlawful for the owner of any dog to permit his dog to run at large within the town.

For the purposes of this article running at large shall mean the act of roaming, running or self-hunting off the property of its owner or custodian and not under the immediate control of its owner or custodian.

Sec. . - Leash law.

(a) It shall be unlawful for the owner, custodian or any person having a dog in his possession to fail to keep and maintain the dog under restraint and control at all times off of the owner's property.

(b) For the purposes of this section, a dog is deemed under restraint and control only when:

(1) The dog is securely confined within a parked or moving motor vehicle; or

(2) The dog is properly confined within a secure enclosure with the permission of the owner of the property where the enclosure is located; or

(3) The dog is securely restrained by either a secure collar and leash, discernable voice command, or other device, not harmful to the dog, having a minimum tensile strength sufficiently in excess of that required to restrict the dog's movements to a radius of no more than three (3) feet of the person owning, having custody of or possessing the dog who shall be physically capable of restricting the dog's movements if the dog is on a sidewalk, street or parking area. Where there are no other dogs or people present, the dog may be within 50 feet of the custodian.

(c) This section shall not apply to any person whose dog is under the direct supervision while such dog is participating in a supervised dog show or exhibition, or in a formal dog obedience training class or program.

(Ord. of 6-18-92; Ord. of 7-14-92)

Sec. . - Unlawful to allow dogs to urinate or defecate on public or private property; exception.

It shall be unlawful for any owner or person in custody of a dog to:

(1) Knowingly or willfully allow the dog to urinate or defecate on the private property of other persons without the consent of such persons.

(2) Knowingly or willfully allow the dog to defecate on public property, except that defecation by a dog on public property shall not constitute a violation of this section if the owner or person in custody of the dog immediately removes the material defecated and disposes of it in a safe and sanitary manner.

Sec. . - Violation of article.

Any violation of the provisions of this article shall constitute and be punishable as a Class 4 misdemeanor and incur a \$50 penalty.

**Town of Amherst
Planning Commission Minutes
February 5, 2020**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill in the Council Chambers of Town Hall at 174 S. Main Street at 7:00 PM on February 5, 2020.

It was noted that a quorum was present as indicated below:

P	June Driskill	P	William Jones
A	Kevin Belcher	P	Anne Webster Day
A	Ted Finney	P	Clifford Hart
A	Janice N. Wheaton		

Town Manager Sara Carter and Clerk of Council Vicki Hunt, in her capacity as Secretary to the Commission, were present.

The minutes from the January 2, 2020, Commission meeting were approved on a motion by Mr. Hart, seconded by Ms. Day, and carried 4-0-3 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Absent	Anne Webster Day	Aye
Ted Finney	Absent	William Jones	Aye
Janice Wheaton	Absent		

Town Manager Carter gave a report on the development of the Town of Amherst FY20-21 Capital Improvement Program proposal that identifies acquisition, construction and improvement of town facilities, and acquisition of capital equipment, copies of which were distributed to the Commissioners.

After discussion, Mr. Hart made a motion that was seconded by Mr. Jones to hold a public hearing at its next meeting on March 4, 2020, on the Town of Amherst FY20-21 Capital Improvement Program proposal, as recommended by staff. The motion carried 4-0-3 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Absent	Anne Webster Day	Aye
Ted Finney	Absent	William Jones	Aye
Janice Wheaton	Absent		

Town Manager Carter reported that Lazy River, LLC, having completed their review and received VDOT approval of their updated site plan for Amherst Milling Company allowing for an adjustment in the placement of the waterline, staff finds that plans are found to be satisfactory and recommends approval of the site plan by the Planning Commission.

After discussion, on a motion by Mr. Hart which was seconded by Ms. Day, per Section 18.1- 1102 of the Town Code, final approval of site plans for Amherst Milling Company is granted by the Planning Commission as presented and as recommended by staff.

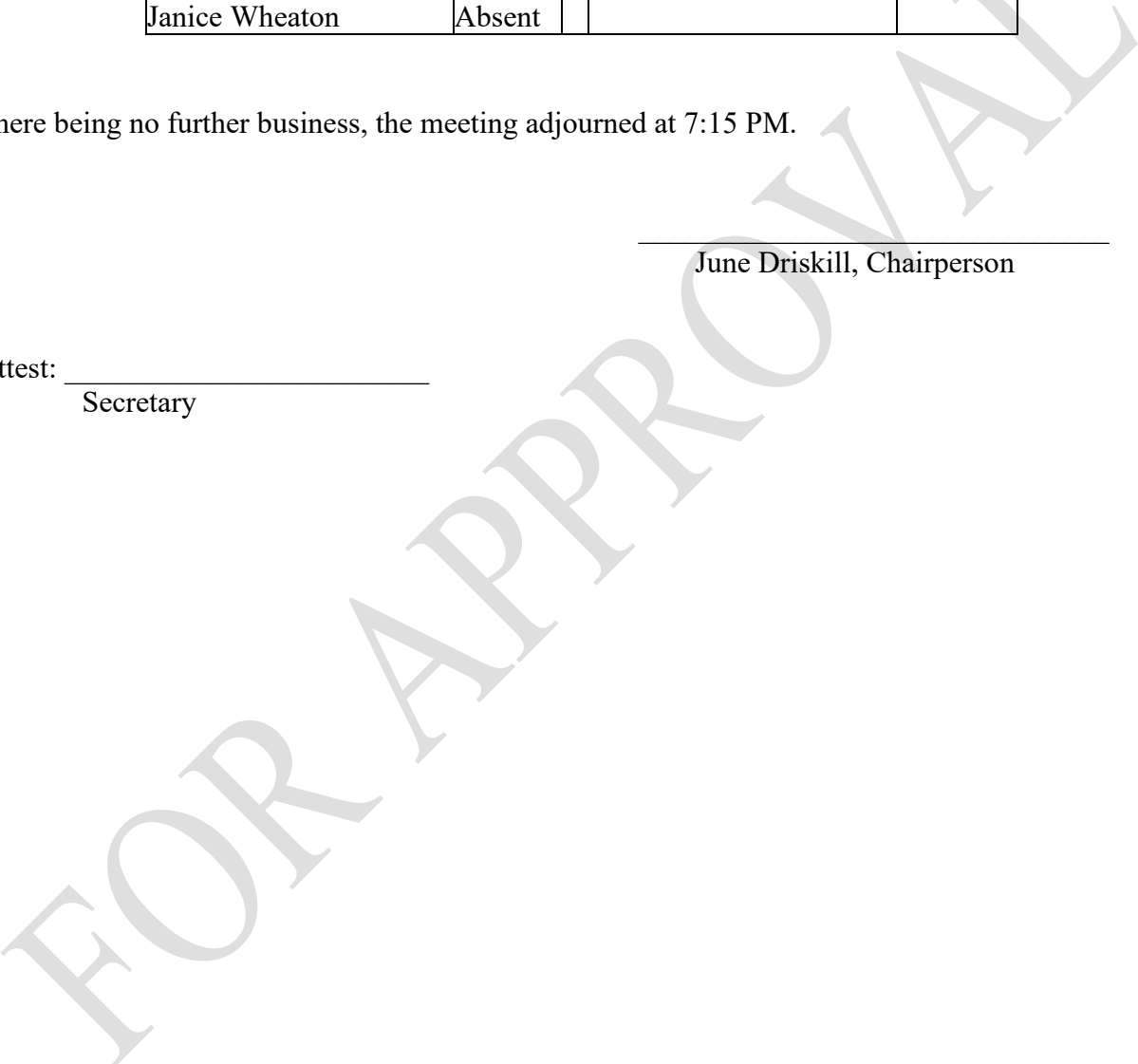
The motion carried 4-0-3 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Absent	Anne Webster Day	Aye
Ted Finney	Absent	William Jones	Aye
Janice Wheaton	Absent		

There being no further business, the meeting adjourned at 7:15 PM.

June Driskill, Chairperson

Attest: _____
Secretary



**Town of Amherst
Industrial Development Authority**

A regular meeting of the Town of Amherst Industrial Development Authority was called to order by Chairman Jacob Bailey on February 3, 2020, at 5:15 PM in the Council Chambers of the Town Hall at 174 S. Main Street. It was noted that a quorum was present as follows:

P	Richard Wydner	P	Sharon W. Turner
P	Jacob Bailey	A	Kim Stein
A	Gary Jennings	P	Clifford Hart
P	C. Manly Rucker, III		

Town Manager Sara E. Carter, in her capacity as Secretary to the Authority, and Clerk of Council Vicki Hunt, were present.

Mr. Rucker made a motion which was seconded by Ms. Turner to approve the minutes of the January 6, 2020, meeting. There being no discussion, the motion carried 5-0-2 with Mrs. Turner and Messrs. Bailey, Wydner, Rucker, and Hart voting “Aye”. Messrs. Jennings and Stein were absent.

Report on Brockman Park Recoupment Program

The Secretary presented a status report on the Brockman Park Recoupment program per the October 2, 2001, agreement whereby the County would direct monies to the Town to defray Brockman Park development costs.

After discussion, Mr. Rucker made a motion that was seconded by Mr. Wydner to direct the Secretary to transmit the 2019 Brockman Park Recoupment report to Amherst County. The motion carried 5-0-2 as follows:

Jacob Bailey	Yes		Sharon W. Turner	Yes
Richard Wydner	Yes		Kim Stein	Absent
Gary Jennings	Absent		Clifford Hart	Yes
C. Manly Rucker, III	Yes			

A copy of the report is attached and made a part of these minutes.

Report on Brockman Park Property Maintenance and Billing

The Secretary presented a report on the costs of maintaining the common areas at Brockman Park that are to be shared among all tenants per the “homeowners association” section of the Brockman Park deed restrictions.

After discussion, Mr. Rucker made a motion that was seconded by Mrs. Turner to authorize the Secretary to bill Centra Health, Steven D. Clancy, LLC and HBH Amherst, LLC for calendar year 2019 expenses. The motion carried 5-0-2 as follows:

Jacob Bailey	Yes	Sharon W. Turner	Yes
Richard Wydner	Yes	Kim Stein	Absent
Gary Jennings	Absent	Clifford Hart	Yes
C. Manly Rucker, III	Yes		

A copy of the report is attached and made a part of these minutes.

Potential Projects

Secretary Carter gave a report on consideration of the Authority for best use of IDA funds and reinvestment of proceeds to be used on Industrial Development Park and other Town improvement projects, including cost estimates.

After discussion, Ms. Turner made a motion that was seconded by Mr. Wydner that the Authority recommends to Town Council reinvestment and use of IDA funds for the following items, as recommended by staff:

- 1) Adoption of an IDA Fund Balance Policy in the amount of \$200,000;
- 2) Updating Brockman Park marketing materials including hiring summer intern in an approximate amount of \$10,000; and,
- 3) Apply for Revolving Loan Fund that will secure USDA grant money for matching funds, developing a revolving loan fund for small businesses in the Town.

The motion carried 5-0-2 as follows:

Jacob Bailey	Yes	Sharon W. Turner	Yes
Richard Wydner	Yes	Kim Stein	Absent
Gary Jennings	Absent	Clifford Hart	Yes
C. Manly Rucker, III	Yes		

Secretary Carter was instructed to work with Draper Aden Associates to determine next steps and costs for grading the front of Brockman Park. Further discussion is deferred on the matter.

There being no further business, the meeting adjourned at 6:26 PM.

Jacob Bailey, Chairman

ATTEST: _____
Secretary

Brockman Park Investment Recoupment Report

Prepared: 01/23/20

Prior to the transfer of any amount by the Town, the IDA shall prepare an annual activity report on the Fund in January of each year for the prior calendar year and submit it to the Town along with estimates for the then-current year. A copy of this report and any accompanying documentation shall be concurrently submitted to the County.

Balance, 6/30/2019		\$	2,210,510.77
FY 20 Activity:			
County: Lot 10: Steven D. Clancy, LLC (BlackBox) Real Estate Taxes	12,694.10		
Lot 10: MTS/Black Box Personal Property Taxes	1,053.99		
Lot 10: MTS/Black Box Business Equipment Taxes	7,405.43		
Lot 9b,c: HBH Amherst, LLC (Horizon) Real Estate Taxes	7,851.31		
<i>Note: Above is as per Commissioner of the Revenue Jane Irby on 1/23/20</i>			
Less - FY98 Assessment	<u>(2,740.65)</u>		
Total FY20 from County		26,264.18	(26,264.18)
Projected Balance, 6/30/2020		\$	2,184,246.59

Brockman Park Owners Association

Maintenance Reimbursement for C918

Date	Vendor	Description	Invoice Amount
01/24/2019	AMERICAN ELECTRIC POWER		\$ 22.88
02/20/2019	AMERICAN ELECTRIC POWER		\$ 22.03
03/26/2019	AMERICAN ELECTRIC POWER		\$ 16.13
04/23/2019	AMERICAN ELECTRIC POWER		\$ 13.10
05/21/2019	AMERICAN ELECTRIC POWER		\$ 13.10
06/25/2019	AMERICAN ELECTRIC POWER		\$ 13.10
07/23/2019	AMERICAN ELECTRIC POWER		\$ 12.82
08/20/2019	AMERICAN ELECTRIC POWER		\$ 12.74
09/24/2019	AMERICAN ELECTRIC POWER		\$ 13.10
10/22/2019	AMERICAN ELECTRIC POWER		\$ 12.88
11/19/2019	AMERICAN ELECTRIC POWER		\$ 12.76
12/20/2019	AMERICAN ELECTRIC POWER		\$ 13.43
Subtotal, Sign Electricity			\$ 178.07

Last year's grass cutting contract=	\$ 5,044.01
Increase by the Consumer Price Index (2.12%)	\$ 106.93

Subtotal, Grass Cutting **\$ 5,150.94**

\$ -
\$ -

Subtotal, Other Property Maintenance **\$ -**

\$ 13.56	\$/light/month per bill
\$ 4.63	\$/light/month other charges
\$ 18.19	Actual per-month cost per BP light
	8 # lights
	12 # months
\$ 1,746.50	Cost to provide street lights at BP

Subtotal, Street Lights **\$ 1,746.50**

Total **\$ 7,075.51**

#Lots **16**

Per Lot Assessment **\$ 442.22**



Prepared 01/23/2020
Printed: 01/23/2020

Robert E. Lee Soil & Water Conservation District

7631-A Richmond Hwy.

Appomattox, VA 24522

Phone 434-352-2819 FAX 434-352-9405

www.releconservation.com

Board of Directors Regular Meeting Minutes

District Office

7631-A Richmond Hwy

Appomattox, VA 24522

December 12, 2019 – 5:00 p.m.

Directors: Barry Lobb, Chairman
(Present) Carolyn Hutcherson, Vice Chair
Julius Sigler, Jr., Treasurer
Doug Perrow, Asst. Treasurer
Bruce Jones

Directors: Paul Spiggle, Asst. Treasurer
(Absent) Bob Martin

Staff/Partners: Jonathan Wooldridge, RELSWCD Ag BMP Conservation Specialist
(Present) Dave Sandman, RELSWCD Ag BMP Conservation Specialist
Julie Stratton, RELSWCD Office Administrator
Hannah Tillotson, RELSWCD Conservation Education Specialist

Others: None

Call to order: The special meeting of the Robert E. Lee Soil and Water Conservation District Board of Directors was called to order December 12, 2019, at 5:03 p.m., by Barry Lobb, Chairman, at the District office, 7631-A Richmond Hwy, Appomattox, Virginia.

Acknowledgement of Guests: None

Adopting the Agenda: Barry Lobb, Chairman, added appointing a new chairman under New Business and asked if there were any other changes to the agenda. There being none, **motion was made to approve the agenda as amended. (Perrow, Sigler, passed 4-0)**

Reading and Approving the 10/24/2019 and 11/21/19 Minutes: Barry Lobb, Chairman, asked if there were any corrections to the minutes (copies filed with the minutes). There being none, the October 24, 2019, and November 21, 2019, minutes were approved as read.

REPORT OF OFFICERS/PARTNERS/STAFF

1-Treasurer's Report-November: Julius Sigler, Jr., Treasurer gave the report (copy filed with minutes). All bank statements were reconciled to the respective ledgers and QuickBooks program. The November treasurer's report will be filed in the District Office. The Budget Report was revised to reflect adjustments for the District Manager/Sr. Conservation Specialist and Office Administrator and

add the PT Conservation Technician and new Office Administrator positions. **Motion was made to approve the revisions to the Budget Report. (Sigler, Perrow, passed 4-0)**

2-DCR Conservation District Coordinator December Report - Mark Hollberg, CDC – absent. The report (copy filed with minutes) was included in the meeting packet for information.

3-RELSWCD Ag BMP Senior Conservation Specialist December Report: Jonathan Wooldridge gave the report (copy filed with minutes).

- Practices and Conservation Plans presented for Board approval –

<u>Contract/ Instance#</u>	<u>Prac</u>	<u>Co</u>	<u>Est. Cost</u>	<u>CS amt</u>	<u>TC</u>	<u>Fund</u>	<u>Comp Date</u>
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Bruce Jones exited the meeting at 5:06 p.m.

Request was made to approve a Nutrient Management Plan for a Precision Agricultural Equipment Tax Credit for Dark Leaf Farm - C/O Joanne Jones, Appomattox County – OCB, and approve a Nutrient Management Plan for a Precision Agricultural Equipment Tax Credit for Ben Cole, Appomattox County –OCB. **Motion was made to approve the Nutrient Managements Plans for Precision Agricultural Equipment Tax Credits for Dark Leaf Farm – C/O Joanne Jones and Ben Cole. (Sigler, Perrow, passed 3-0)**

Bruce Jones rejoined the meeting at 5:08 p.m.

- Request Transfer of Cost Share Practice for the remainder of the practice lifetime for CB PY2015 SL-6 contract #10-15-0048, instance #206269, located in Appomattox County, cost share in the amount of \$153,819.00, due to sale of property. **Motion was made to approve the transfer of cost share practice for CB PY2015 SL-6 contract #10-15-0048, instance #206269. (Perrow, Jones, passed 4-0)**

4-RELSWCD Ag BMP Conservation Specialist 2 December Report – Dave Sandman – oral report.

- Practices and Conservation Plans presented for Board approval – Request approval for the conservation plan for the following contract:

<u>Contract# Instance#</u>	<u>Prac</u>	<u>Co</u>	<u>CS amt</u>	<u>TC</u>	<u>Fund</u>	<u>Comp Date</u>
10-15-0071 207061	SL-6	Camp	\$65,000.00	NA	2019 OCBVACS SL-6 SUPP	6-30-20

Motion was made to approve the conservation plan for 2019 OCBVACS SL-6 Supplemental contract 10-15-0071, instance 207061, practice SL-6, for \$65,000.00 cost share with a completion date of 6-30-2020. (Perrow, Jones, passed 4-0)

5-RELSWCD Office Administrator December Report - Julie Stratton gave the report (copy filed with minutes).

- Tax credit certificates to be signed by a director -

<u>Contract #</u>	<u>Instance #</u>	<u>Practice</u>	<u>Tax Credit Amount</u>
10-20-0002	363352	SL-6N(EQIP)	\$3,520.41
10-19-0008	333322	SL-6	\$2,358.20

6-RELSWCD Conservation Education Specialist December Report – Hannah Tillotson – oral report.

- Request approval for a letter of support on behalf of the James River Association’s grant proposal for funding to the Environmental Protection Agency from the District. **Motion was made to approve a letter of support from the District to the Environmental Protection Agency on behalf of the James River Association’s grant proposal for funding. (Perrow, Sigler, passed 4-0)**

REPORT OF COMMITTEES

7-Personnel Committee – Carolyn Hutcherson, Personnel committee chair.

- **Motion was made to extend the current Office Administrator’s employment until March 1, 2020. (Hutcherson, Jones, passed 4-0)**
- The Personnel Committee met December 12, 2019, at the District Office to review Kyle Bolt’s background check report because it was received after his hire date. The committee passed a motion to approve the report and Kyle Bolt’s continued employment. (copy filed with the minutes)

UNFINISHED BUSINESS

NEW BUSINESS

Motion was made to appoint Bruce Jones as acting Chairman of the Board of Directors effective January 1, 2020, until a new Nominating Committee submits a slate of officers for Board consideration. (Perrow, Sigler, passed 4-0)

PUBLIC COMMENT

ANNOUNCEMENTS – Doug Perrow attended the Annual Meeting held in Norfolk, VA.

ADJOURNMENT - The Chairman adjourned the meeting at 5:30 p.m.

/s/ Bruce Jones
Bruce Jones, Acting Chairman

/s/ Julie M. Stratton
Julie M. Stratton, Office Administrator



TOWN OF AMHERST

P.O. Box 280 174 S. Main Street Amherst, VA 24521
Phone (434)946-7885 Fax (434)946-2087

To: Town Council
From: Tracie Wright
Date: February 5, 2020
Re: Insurance Appropriation Requests

In June 2019 the Wastewater Treatment Plant suffered a lightening strike during a bad storm. Starting in July of 2019 the Town incurred several expenses to fix equipment and communication that was taken out as a result of that lightening strike in the total of \$6,548.33.

The Town did submit this as an insurance claim to VML insurance and in September 2019 we received a reimbursement check for \$5,548.33 for the cost of expenses minus our \$1,000 deductible.

I am requesting that the \$5,548.33 be appropriated to the Wastewater Treatment Operating Budget to replenish their funds.

Thank you.

TOWN OF AMHERST FUND BALANCE POLICY

Last revised: February 12, 2020

Background

The Town of Amherst desires to maintain the financial operations of the Town in a manner consistent with sound financial management principles that require that sufficient funds be retained by the Town to provide a stable financial base at all times and that the Town's financial statements clearly depict the Town's financial condition.

An adequate fund balance level is an essential element in both short-term and long-term financial planning, and serves to mitigate current and future risks (revenue shortfalls and unanticipated expenditures), sustain operations during economic downturns, and enhance creditworthiness. Through the maintenance of sufficient levels of fund balance, the Town can help stabilize funding for operations, stabilize taxes and fees, and realize cost savings in issuing debt.

Purpose

The purpose of this policy is to establish:

- The components of the fund balance in all funds per GASB 54;
- A Permanent Fund principal;
- Minimum contingency expense line levels; and
- Compliance with this policy.

Components of Fund Balance

General Fund - This fund is the Town's general operating fund, which accounts for all governmental activities unless they are in another fund.

Enterprise Funds - The Town currently has two Enterprise Funds in the Water Fund, Sewer Fund. These operations are intended to be self-supporting. As such, the charges for services should be adjusted to cover any deficits.

Capital Projects Fund - Designation shall be made for projects made with issuance of bond proceeds. Any balances for unreserved-designated capital projects are held in the General Fund until funds are used. Cash transfers are made from the supporting operating fund for projects when funds are expended.

Fund Balance - The difference between assets and liabilities in the General Fund and Enterprise Funds. It is noted that this is not the same as "cash in the bank" but serves as a measure of financial resources available for current operations. Each fund's fund balance is divided into five elements as follows:

1. **Nonspendable Fund Balance**, which is composed of components such as fixed assets (i.e. buildings, real estate and equipment), inventories, prepaid items and other non-cash items.
2. **Restricted Fund Balance**, which is composed of Town cash subject to constraints imposed by external parties or law such as state or federal or court mandates, or debt covenants, such as proceeds from the sale of seized assets.
3. **Committed Fund Balance**, which is composed of the amount of Town cash that the Town Council has specified by ordinance, resolution, contract award or other action that imposes constraints on the use of Town cash.
4. **Assigned Fund Balance**, which is composed of the amount of Town cash that the Town intends to use for a specific purpose but has not been designated by formal Town Council action. Examples include multi-year understandings that are subject to future budget approvals and availability of funds.
5. **Unassigned Fund Balance**, which is the residual from all above fund balance categories and is available for any purpose. This category shall include the Permanent Fund principal as articulated below. Negative balances in other governmental funds are reported here.

Fund Balance and Contingency Requirements

General Fund - As a minimum amount needed to meet ongoing expenditure obligations for the Town, the Permanent Fund Principal shall contain an amount at least 15% of annual General Fund revenues. This amount has been identified as the minimum amount needed to safeguard the Town's financial stability, and as one component in maintaining credit worthiness.

Enterprise Funds - The Permanent Fund Principal for enterprise funds shall be at least 1 year of debt payments plus 3 months of operating costs at the end of each fiscal year.

Industrial Development Authority Fund – The IDA shall keep at least \$200,000 as a contingency amount within their fund to be used for the purposes of attracting specific businesses, either through site improvements, direct grants, or other means.

Contingency - The Town will maintain a contingency line in the General Fund to pay for needs caused by unforeseen emergencies, including unanticipated expenditures of a nonrecurring nature, or to meet unexpected small increases in service delivery cost. The annual Town budget shall contain a contingency expense of at least 3% of General Fund expenditures. The Water Fund and Sewer Fund maintenance budgets shall contain monies for reasonable expected Water Fund and Sewer Fund contingencies.

Permanent Funds are cash reserves that are to be used only in the event of severe financial crisis or to take advantage of an extraordinarily significant opportunity. Permanent Funds are composed of cash on the Town's balance sheet and the amounts shown are to be adjusted from year to year to reflect changes in the Town's budgets. Permanent Funds are not considered cumulative or "sinking" funds.

Compliance with Policy

It shall be the goal of the Town Council to adopt a budget that maintains the requirements established herein.

Each component of the Fund Balance shall be reviewed and reported to the Town Council at least annually in conjunction with the development of the operating budget, upon any significant amendments made to the budget throughout the fiscal year, upon debt financing, or upon any significant event. As such, any action, such as approval of any new outlay or ongoing commitment, involving more than \$100,000 will initiate a fund balance reallocation review.

No appropriation from the Restricted Fund Balance or Committed Fund Balance for recurring operational expenditures shall be made unless a plan for permanent funding of such expenditures is also approved at the time of appropriation.

In the event the Permanent Fund principal is required to be drawn below the requirement established above due to an emergency such as natural disaster or due to severe economic circumstances, the Town Manager will present to the Town Council a plan with a time line not to exceed 24 months to restore the Permanent Fund principal to its minimum level established herein.

In the event of deficits, the Town Council may approve a loan or gift from the General Fund to cover the deficit. The preferred method for providing supplemental funding shall be that of a loan accompanied by an appropriate repayment schedule. However, particular circumstances may warrant supplemental funding in the manner of a gift from the General Fund. The unreserved undesignated fund balance requirement established for the General Fund takes this liability into account.

All Fund Balance amounts shall be invested according to the Bookkeeping Policy, and unless otherwise specified, investment revenue shall accrue to the General Fund.

Undesignated Fund Calculation For FY11

Permanent Fund principal for the General Fund (based on FY11 Budget)

GF Revenues	\$ 1,615,853	
Administration Fee (covered in W & S Funds)	660,000	
Net GF Revenues	<u>\$ 955,853</u>	
Ratio	15%	
GF target Permanent Fund principal	\$ 143,378	←

Required contingency in the General Fund (based on the FY 11 Budget)

GF Expenses	\$ 1,615,853	
Current GF Contingency	61,927	3.8%
Target GF Contingency	80,793	5.0%

Permanent Fund principal for the Water Fund (based on FY11 Budget)

<u>Fund 20 WATER FUND</u>	<u>FY11 Budget</u>
3000.0000 MONTHLY BILLING	544,298
3000.0001 WATER REVENUE-SBC	99,870
3000.1000 DEBT SERVICE REVENUE	101,526
3010.0000 SPRINKLER LINE CHARGES	4,968
3020.0000 PENALTIES	7,000
3025.0000 RECONNECT FEE	7,065
3030.0001 MISC-WATER BY THE TRUCK LOAD-PERMIT	50
3040.0000 GRANT REVENUE	30,000
3050.0000 REIMBURSEMENT-CONST & MTN	<u>2,000</u>
4000.4500 ADMINISTRATION FEE	348,000
4000.4700 WTP BOND - PRIN	51,179
4000.4701 WTP BOND - INT	58,981
4000.4750 UH TANK BOND - PRIN	32,555
4000.4751 UH TANK BOND - INT	50,621
4000.4800 DEPRECIATION	202,717
4000.4825 CIP CONTRIBUTION REDUCTION	(219,775)
4000.5000 WATERSHED MANAGEMENT	20,000
4000.5001 STUDY PROJECTS	30,000
6010.4300 LINE MATERIALS	25,000
6010.4400 PUMP STATION OPERATION - SBC	1,500
6020.0710 ELECTRICITY	37,000
6020.0730 WATER PLANT-W/S/T EXP	65,000
6020.4900 PLANT MAINTENANCE	30,000
6020.5000 CHEMICALS	35,000
6020.5110 WATER SAMPLING	21,000
6020.5200 LABORATORY	<u>8,000</u>
Total	<u>796,777</u>

25% operations	\$ 87,000
Debt	51,179
Debt	58,981
Debt	32,555
Debt	50,621
25% operations	5,000
25% operations	6,250
25% operations	375
25% operations	9,250
25% operations	16,250
25% operations	7,500
25% operations	8,750
25% operations	5,250
25% operations	<u>2,000</u>
WF target Permanent Fund principal	\$ 340,960 ←

Permanent Fund principal for the Sewer Fund (based on FY11 Budget)

<u>Fund 30 SEWER FUND</u>	<u>FY11 Budget</u>
3000.0000 MONTHLY BILLING	616,724
3100.0000 PENALTIES	6,000
3180.0100 GRANT - USDA	15,000
3300.0000 REIMBURSEMENT-CONST & MTN	4,000
3400.0000 SBC-RUT CR-OPERATION/LAND	<u>36,000</u>
4000.4500 ADMINISTRATION FEE	312,000
4000.4700 WWTP BOND - PRIN	38,315
4000.4750 WWTP BOND - INT	121,237
4000.4800 DEPRECIATION	230,515
4000.4850 REDUCED CIP CONTRIBUTION	(193,193)
4000.5001 STUDY PROJECTS	22,500
6010.4300 LINE MATERIALS	10,000
6010.4400 PUMP STATIONS OPERATIONS	7,000
6020.0710 RUT CREEK-ELECTRICITY	45,000
6020.0730 RUT. CR.- W/S/T EXP	5,000
6020.4100 RUT CREEK-PLANT MAINTENANCE	27,000
6020.4200 RUT CREEK-MAJOR REPAIRS	8,000
6020.5000 RUT CREEK-CHEMICALS	13,000
6020.5600 RUT CREEK-LAB	16,500
6020.5625 PRETREATMENT EXPENSE	3,750
6020.5650 LABORATORY EQUIPMENT	7,000
6020.7000 RUT CREEK-PERMIT RENEWAL	<u>4,100</u>
Total	<u>677,724</u>

25% operations	\$ 78,000
Debt	38,315
Debt	121,237
25% operations	2,500
25% operations	1,750
25% operations	11,250
25% operations	1,250
25% operations	6,750
25% operations	2,000
25% operations	3,250
25% operations	4,125
25% operations	938
25% operations	1,750
25% operations	<u>1,025</u>
SF target Permanent Fund principal	\$ 274,140 ←

Total of all undesignated fund balances \$ 758,478



TOWN OF AMHERST

P.O. Box 280 174 S. Main Street Amherst, VA 24521
Phone (434)946-7885 Fax (434)946-2087

To: Town of Amherst Town Council
From: Sara Carter
Date: February 8, 2020
Re: Funding Request from the IDA

At the February IDA meeting, the Town Manager presented the IDA with a memo outlining the financial status of the IDA fund and the possibilities for future projects. The IDA has considered the list (included in the packet) and requests Council consider the following expenditures and appropriate funds to the general fund for these purposes.

IDA Recommendations

Immediate Term:

- 1. Proceed with marketing materials and add an internship for Economic Development into the FY 21 budget-** The IDA requests inclusion in the FY 21 budget but also that Council appropriate funds in this year so that work can be completed sooner, and an intern can work for the entire summer.
Appropriate \$5,000 from the IDA fund to 81500-3150, Professional Services.
Appropriate \$5,000 from the IDA fund to 81500-1300, Part Time Wages
- 2. Authorize staff to work with our local USDA representative to pursue matching funds for a revolving loan fund-** Begin application to USDA for the matching funds to develop a revolving loan fund for small businesses in Town. Once the application process is complete, staff will request an appropriation for the matching funds.

The IDA has requested that staff work with our regional Economic Development Team, as well as Draper/Aden (who is completing the statewide site evaluation study) to determine costs for site improvements in the park.



TOWN OF AMHERST

P.O. Box 280 174 S. Main Street Amherst, VA 24521
Phone (434)946-7885 Fax (434)946-2087

To: Town of Amherst Industrial Development Authority
From: Sara Carter
Date: January 27, 2020
Re: Report on IDA Request for Costs and Opportunities for Future Directions

At the January IDA meeting, the Town Manager presented the IDA with a request to consider how the IDA would like to invest the money that is held in the designated fund. To date, the fund has approximately \$350,000. Of this money, approximately \$250,000 is from the recoupment agreement, and \$100,000 has been realized from the Dominion lease. Since that meeting, Dominion has made another payment of \$75,000. The remaining lease amount will bring an additional \$450,000 to the Town, unless Dominion extends the lease by a year, which would increase the amount by another \$300,000.

After a broad discussion, the IDA requested that the Town Manager bring forward a list of ideas with costs for consideration.

Items for Brockman:

Marketing Materials- Staff intends to work with the LRBA to refresh the marketing materials that will be handed out to prospective clients. Additionally, staff would like to have a summer intern work on additional materials and internet postings. The total cost would be \$5-10,000.

Engineered Pad Sites- The total estimated cost to complete all site work at Brockman Park is \$5,000,000. LRBA staff is reaching out to Draper Aden (who is under contract with VEDP to assess sites state wide) to get some smaller site figures for the IDA to consider. Ultimately, on this topic, the question is how much the Town is willing to spend.

Landscaping and Entrance Improvements- The entrance to the Industrial Park and its appearance from Route 60 could be greatly improved with landscaping. This should be done in conjunction with the grading and improvements to the front lots so that work is not undone as property is developed. Currently, there is no landscaping plan for the park. Developing a landscaping plan in conjunction with the engineering work would allow the look of the park to be coordinated throughout its development.

Town Wide Items:

Revolving Loan Fund- There are opportunities for USDA grant money to start a small business revolving loan fund. The Town of Altavista was able to secure a \$99,999 grant with \$35,000 of the Town's money.

Placemaking Opportunities- The Town has been working to address quality of life projects, such as bike lanes, improved trail access and parks. There are opportunities that the Town is pursuing to create centers of activity throughout Town. The future vision is for four distinct hubs- one in the northern end of town, consistent with the residential development there, the downtown area, the Industrial Park area for employment generation and the southern end of town, focused on education, recreation and the arts. Since our last meeting, an opportunity for purchase of a piece of property at the high school has presented itself. There is an opportunity to tie this into future development of the school, recreation, parks, trails and activities at Sweet Briar. The listed price is \$120,400. It may be possible to purchase the property in conjunction with the School Board.

Deal Closing Fund- Because so many of our local competitors have access to regional Tobacco Commission funds, economic developers outside of the area are recommended to have ready cash to allow us to match what the Tobacco localities are able to do. The recommended amount was \$50,000-\$75,000.

Well Study- In consultation with the Town's engineer, the estimated cost to do the first part of a geologic study for well suitability would be \$25,000. The Town did dig some wells at the raw water pump station. Neither of them produced any significant volume. There was not a geologic study done prior to these wells. Alternatively, the Town could work with the County to discuss water sharing options that may exist through the Ebenezer Road pump station.

Technology- Staff has been consulting with local resources to consider if there are opportunities for broadband or WiFi within Town. At this point, there have not been issues found that need to be resolved from a government approach at this time. However, one idea was brought forward that any arts space that is created at the high school should also include technology and have a "maker space" that would allow the union of arts and science and can present collaboration opportunities with the school system, Sweet Briar, and local businesses.

In meeting with our regional partners, they encouraged the Town to consider a balanced approach that works on increasing available sites and improving local quality of life. Megan Lucas, from LRBA, emphasized the importance of place making for site selection and business marketing and John Smolak, Director of Economic Development for AEP, made the following recommendations:

My recommendation from today's discussion would be to focus your next step effort in the following manner. (1) Determine the estimated costs to have an engineered pad ready site which accommodates at minimum a 50,000 sq. ft. shell building with employee parking and truck radius turning and parking. (2) a potential engineered pad to expand the building to 100,000 sq. ft. (3) the pad site would need to include storm water ponds, drainage plan, re-vegetation/erosion control plan and gravel access road into the pad site. (4) local permits to be in place to construct a building required by a client.

I like your ideas on quality of life enhancements for Amherst. The more you can accomplish with the community bike and walking trails and arts center design and construction, the better off you will be.

Staff Recommendations

Immediate Term:

1. **Fund balance policy-** The IDA should develop a fund balance policy that sets a floor to be maintained in the IDA account to ensure that the Town will be well positioned to act when opportunities occur. Staff recommends an amount of \$200,000. The Town has fund balance policy in place for the other three major funds but does not include the IDA fund in this policy. This change would need to be adopted by the Town Council upon an IDA recommendation.
2. **Proceed with marketing materials and add an internship for Economic Development into the FY 21 budget-** Staff recommends placing this within the FY 21 budget but requesting action from Council to proceed with the expenditure of funds prior to the end of the current fiscal year so that work can be completed sooner, and an intern can work for the entire summer.
3. **Work with our local USDA representative to pursue matching funds for a revolving loan fund-** Begin application to USDA for the matching funds to develop a revolving loan fund for small businesses in Town.
4. **Request Council purchase the property at the High School-** In order to secure this land for community based development that would enhance the southern end of Town, recommend to Council that this property be purchased.

Amount to be placed into Reserve: \$200,000

Amount to be expended: \$165,400

Remaining amount for next projects: \$59,600

Remaining amount coming from lease: \$450,000-750,000

Intermediate Plan:

1. **Work with Draper Aden Associates to move forward with engineering work on the front parcels of the Park-** The next project would be working with Draper/Aden, who has done the site rating for VEDP to determine the next steps and costs for grading the front of Brockman Park. Once firm estimates are available from DAA, staff recommends proceeding with site development at Brockman.
2. **Develop a landscaping plan for Brockman Park-** Concurrent with engineering work for the park should be development of a comprehensive landscape plan for the entrance and streetscapes of the park.
3. **Put clearing and grading for front parcels out to bid-** Bid out the clearing and grading of lots on the front portion of Brockman Park. Bid prices should include landscaping portions of the sites as grading is completed.

On-going Research:

On-going with each of these projects should be an exploration of water opportunities. The Town has a connection to the County system at the Ebenezer Road pump station. Working with the County to determine what availability may be there in the future should be exhausted prior to committing funds to a well study, though that may be the correct next step, if there is no availability from the County.