

**AMHERST TOWN COUNCIL**  
**AGENDA – WEDNESDAY, JULY 10, 2019**  
**Meeting at 7:00 p.m.**  
Town Hall, 174 S. Main Street, Amherst, VA 24521  
**REVISED**

- 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** - *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. Citizen Comments** - *Per the Town Council's policy, any individual desiring to speak before the Council who has not met the agenda deadline requirement will be allowed a maximum of three minutes to speak before the Town Council. Any individual representing a bona fide group will be allowed a maximum of five minutes to speak before the Town Council. Placement on the agenda is at the Mayor's discretion.*
- E. Public Hearings and Presentations**
- 1. Public Hearing on Budget Amendment (Pg. 1)**– *A public hearing has been set and advertised for an amendment to the FY 2018-2019 budget. The amendment is required by State Code as the Town has exceeded one percent over total expenditures in the adopted budget.*
  - 2. Iron 5k group (Pg. 2)**- *IRON Lives, Inc. is coming to Council to request the Town's support for the 11<sup>th</sup> annual IRON 5k run in the Town of Amherst on April 19, 2020.*
- 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. 3-23)** – *Draft of the June 12, 2019 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. 24-33)**
    - 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**
    - a. Finance Committee – *Mrs. Carton*

- b. Community Relations – *Mrs. Ogden*
- c. Utilities Committee – *Mr. Watts*

**3. Other Reports (Pgs. 34-40)**

- a. Planning Commission– *no meeting, no report*
- b. Industrial Development Authority- *meeting on July 1, 2019, see attached draft minutes*
- c. Robert E. Lee SWCD- *see attached minutes*

**H. Discussion Items**

- 1. Change Order for Sedimentation Basin Project (Pgs. 41-47)-** *Sara Carter- The on-going project to rehabilitate and add sludge collectors to the sedimentation basins at the Water Treatment Plant has a change order for repair of leaks in basin one. The cost for this change order is \$10,614.77.*
- 2. Appointments to Planning Commission, Industrial Development Authority, and Board of Zoning Appeals (Pgs.48-49)-** *Sara Carter- There are four expiring terms for the above referenced groups. Staff requests Council appoint members to each group.*
- 3. Set Public Hearing for proposed Parking Ordinance changes (Handouts)-** *Tom Berry- Mr. Berry has revised Parking Ordinances suggestions for Council’s consideration in order to set a public hearing for next month.*
- 4. Park Plan Report (Pg. 50-52)-** *Sara Carter- Staff has been requested to develop a proposed plan of action for development of the park property on Scott’s Hill Road. Council is requested to comment and give direction on the development plan.*

**I. Matters from Staff**

**J. Matters from Town Council**

**K. Anticipated Town Council Agenda Items for Next Month**

**L. Citizen Comments**

**M. Closed session-** *Pursuant to § 2.2-3711.A.1, 2.2-3711A.3, § 2.2-3711A.5, and§ 2.2-3711A.7 of the Code of Virginia, for the purpose of discussing a possible lease of Town property for an economic development prospect where no previous announcement has been made, for the purpose of a legal counsel briefing pertaining to probable litigation, and personnel for disciplining of specific public officers.*

**N. Adjournment**



# 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:** July 3, 2019  
**Re:** FY19 Budget Amendment

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Throughout the FY19 Budget year the Town has appropriated funds for capital purchases that total over \$275,000. This amount includes:

Description	Line Item	Total
Purchase of New Police Building	100-4-94000-8000	\$226,772.77
Purchase of Town Park	Purchase of Land/Building	
Pass through of Virginia Brownfields Grant	100-4-81100-5701 Planning Grants	\$50,000

Per Town Council approval these purchases will bring the amended General Fund expenditure budget for FY19 to \$1,405,815.77.

Thank You.

Policy of the Town Council of the Town of Amherst  
**Agenda Development and Presentations to the Town Council**

It is the policy of the Town Council of the Town of Amherst to meet every second Wednesday of the month at 7:00 PM in the Town Hall at 186 S. Main Street in the Town of Amherst. Inclement weather, special meetings, relocation of the meeting venue, cancellations and schedule adjustments for a variety of reasons are possible, so individuals interested in attending a Town Council meeting are encouraged to confirm that a meeting will occur as scheduled by calling the Town Hall at 434/946-7885.

Most items considered by the Town Council are routine in nature or are arranged by the Town Manager, Police Chief or Office Manager. Some items are developed and presented by members of the Town Council or any of its various committees, boards and commissions. Materials supporting such issues are to be developed and distributed to the members of the Town Council as soon as practical or, at a minimum, along with the agenda materials.

There are times when residents of the Town of Amherst, Town business operators, or other individuals desire to speak before the Town Council or request the Town Council to take action or otherwise react on a specific issue. The Town Council has found it difficult to appropriately respond in a timely manner if sufficient notice of the request is not given. Therefore, it is the policy of the Town Council of the Town of Amherst to require that a reproducible (8 ½ x 11) written description of any item to be considered be submitted to the Town Hall by 5:00 PM on the first Wednesday of the month for the meeting to be held that month. Individuals are reminded that such information becomes public information, subject to the Freedom of Information Act, upon receipt at the Town Hall.

However, the Town Council feels that Town residents and business operators have the right to address the Town Council on any issue that may involve the Town. Any individual desiring to speak before the Council who has not met the deadline requirement noted above will be allowed a maximum of three minutes to speak before the Town Council. Any individual representing a bona fide group will be allowed a maximum of five minutes to speak before the Town Council. Placement on the agenda will be at the discretion of the Mayor but usually after the invocation, scheduled public hearings and other matters of privilege.

The Town Council may waive this policy if it finds that strict adherence to its language is too restrictive.

The following is presented as an aid to those who wish to make a request or be heard by the Town Council. Requests may be made on this form or on other materials provided the documentation listed below is contained within those materials.

Name	Sabrina Marth	Date	06/10/19
Organization	IRON Lives, Inc.	Address	PO Box 145
Phone #	434-473-3629	City/State/Zip	Amherst, VA 24521
Description of Issue			
<p><b>IRON Lives Inc. is interested in hosting our 11th Annual IRON 5K Run/Walk in Amherst on April 19, 2020. The race will begin and end at Amherst County High School, and go up to SNAP Fitness. We will also host a Bacon Bash with food and games, for the community to participate in.</b></p>			
Action requested of Town Council			
<p><b>IRON Lives Inc. is requesting the approval of this event so we can continue on with the planning process.</b></p>			

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order June 12, 2019, 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 G. Ogden
P	Kenneth S. Watts	P	Janice N. Wheaton

Also present were the following staff members:

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

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

Mayor D. Dwayne Tuggle opened the floor for citizen comment.

Mr. Sam DeLaura came forward on behalf of his step-son, Roger Martin, who resides on Locust Street, Amherst, VA, to request a waiver of the \$3,500 tap fee. Staff was directed to work with Mr. Martin on a fee schedule for tap fee payment. Further discussions on possible best practices in dealing with hardship cases was referred to the Utilities Committee.

Town Manager Carter gave a brief report on proposed amendments to Amherst Town Code Chapter 22, Article III §22-88 Wastewater Pretreatment Ordinance that would, if approved, streamline the Code to improve the Town’s authority in governing the Pretreatment Ordinance, per EPA and DEQ guidance.

Mayor Tuggle opened a duly advertised public hearing at 7:13 PM, on proposed amendments to Amherst Town Code Chapter 22, Article III §22-88 Wastewater Pretreatment Ordinance.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:14 PM.

Mr. Watts made a motion that was seconded by Mr. Bunch to adopt the proposed amendments to Amherst Town Code Chapter 22, Article III §22-88 Wastewater Pretreatment Ordinance, streamlining the Code to improve the Town’s authority in governing the Pretreatment Ordinance, per EPA and DEQ guidance, as recommended by staff.

There being no discussion, the motion carried 5-0 as follows:

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

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

Mrs. Carton made a motion that was seconded by Mrs. Ogden to approve the minutes from the May 8, 2019, meeting. There being no discussion the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting “Aye.”

After a report given by Ms. Carton, Chairman of the Finance Committee, outlining certain rates and fees removed from the recodified Town Code adopted on May 8, 2019, that should have been included in the budget adopted on May 8, 2019, in accordance with the Town Code, Mrs. Carton made a motion to rescind the May 8, 2019 vote adopting the FY 20 budget, as recommended by the Finance Committee. After discussion, the motion carried 4-1 as follows:

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

Ms. Carton made a motion to adopt the revised Ordinance to Establish the Budget for the Town of Amherst, Virginia for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020 Making Revenue Estimates and Appropriations for Same, and the Town of Amherst Utility Rate and Fee Policy for 2019/20, as recommended by the Finance Committee.

After discussion, the motion 4-1 via the roll call method as follows:

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

A copy of the revised Ordinance and revised Utility Rate and Fee Policy are attached and made a part of these minutes.

Sarah Ogden, Chairman of the Community Relations Committee, reported that the Committee met on June 4, 2019. After viewing the property at Scott’s Hill Road park and discussing next steps on how to proceed, recommendations coming from committee are divided with Chairman Ogden recommending to proceed with the following three primary uses on the property: (a) walking/biking trail with possible connection to High School and Main Street, (b) installation of dog park, and (c) a picnic area, with exact locations and priorities to be determined with citizen engagement; and, Ms. Wheaton having no recommendation needing more information, still having concerns about flooding, isolation, road network to the site, utility placement, surveys, VDOT reports.

Further review and discussions are removed from the Community Relations Committee and referred to staff for determination of location, best use and presentation to council.

After a brief report by Town Manager Carter, Mrs. Carton made a motion that was seconded by Mr. Bunch to approve the Town of Amherst Electronic Use Policy, as recommended by staff. After discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting “Aye.” A copy of the policy is attached and made a part of these minutes.

After a report by Town Manager Carter, Mr. Watts made a motion that was seconded by Mrs. Ogden to authorize Town Manager Carter and Town Attorney Berry to execute a Temporary Right of Way Easement by and between the Town of Amherst and Amherst Mountain Biking Club granting Amherst Mountain Biking Club a temporary non-exclusive easement across Parcel 96-5-7 in Brockman Industrial Park for ingress and egress to lots currently leased by Amherst Mountain Biking Club at Brockman Industrial Park (Parcels 96-5-8 [Lot 8], 96-A-13 [Lot 13], and a portion of 96-A-36), as recommended by staff. After discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting "Aye."

Town Manager Carter gave a report on proposed amendments to Amherst Town Code Section 20-75, that would, if approved, focus on commercial vehicles that are parked on the street overnight, prohibit blocking the bicycle lanes, and issue a directive for vehicles not to park in front of houses that are not their own. By consensus Town Attorney Berry is directed to review and make more revisions to the proposed ordinance for presentation. Further discussion was deferred to the July meeting.

After a report by Office Manager Wright, Mr. Watts made a motion that was seconded by Mrs. Carton to hold a public hearing at its next meeting on July 10, 2019, on an amendment to the FY19 capital improvement budget for funds appropriated for capital purchases from the Town reserve over 1% of the Town's FY19 Expenditure budget, pursuant to §15.2-2507 of the Code of Virginia, as recommended by staff. There being no discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting "Aye."

After a report by Office Manager Wright, Mrs. Carton made a motion that was seconded by Mr. Watts to authorize appropriation of a donation from Amherst Bistro, Crossroads Rt 60, Sardis Express, and Dogwood Café in the amount of \$1,000 to the First Responders Parade and Celebration expense line designated for the event in the Town's budget, as recommended by staff. There being no discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting "Aye."

Mrs. Ogden made a motion that was seconded by Mr. Bunch to adopt a Resolution Confirming the Town of Amherst Commitment to Repayment of USDA Funds for the "Sliplining" Project, as recommended by staff. After discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting "Aye." A copy of the resolution is attached and made a part of these minutes.

Chief Shiflett gave brief update on the upcoming First Responders Parade and Celebration scheduled for June 29, 2019.

Mayor D. Dwayne Tuggle opened the floor for citizen comment. No comments were made.

At 8:23 PM Mrs. Carton made a motion that was seconded by Mr. Watts and carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting in favor that Town Council convene in closed session, pursuant to §2.2-3711A.1 of the Code of Virginia as it relates to the performance of Town Manager.

Mayor Tuggle adjourned the meeting at 8:24 PM.

Mayor Tuggle reconvened the meeting in closed session at 8:34 PM. It was noted that a quorum was

present as follows:

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

At 9:20 PM Mrs. Carton made a motion that Council adjourn the closed session and enter open session, certifying to the best of each member’s knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

The motion 4-0-1 via the roll call method with Mmes. Carton, Ogden, and Messrs. Watts and Bunch voting “Aye.” Mrs. Wheaton was absent.

There being no further business, the meeting adjourned until July 10, 2019, at 7:00 pm on motion by Mrs. Ogden seconded by Mrs. Carton at 9:21 PM. The motion carried 4-0-1 with Mmes. Carton, Ogden, and Messrs. Watts and Bunch voting “Aye.” Mrs. Wheaton was absent.

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D. Dwayne Tuggle  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council



**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF AMHERST BY AMENDING SECTION 22-157 AND ADDING SECTIONS 22-158 AND 22-159 OF CHAPTER 22, ARTICLE III OF THE TOWN CODE, THE AMENDED CODE REFERRING TO THE PRETREATMENT OF WASTEWATER**

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

1. *That Secs. 22-157-159 of the Code of the Town of Amherst is hereby amended to read as follows:*

***DIVISION 3. PRETREATMENT OF WASTEWATER***

[Sec. 22-157. Fats, Oils and Grease Program.](#)

[Secs. 22-158. Virginia Dental Office Dental Rule Compliance Program.](#)

[Secs. 22-159. Hazardous Waste Pharmaceuticals Program.](#)

**Sec. 22-157. Fats, Oils and Grease (FOG) Program (to include Sand Traps).**

(a) *Background and policy.*

- (1) Fats, oils, and greases, hereinafter collectively referred to as **FOG**, are problem substances in wastewater that can be effectively controlled by properly maintained **Grease Control Device (GCD)**. Adequate **GCD** installation and maintenance will lower the number of **FOG** stoppages in the town sewage collection system. Preventing **FOG** from entering the sewerage system also benefits the wastewater treatment plant since the plant's biological treatment processes more effectively remove pollutants when not inhibited by high **FOG** concentrations. **FOG** itself is difficult for plant microorganisms to digest and, therefore, is only partially removed during the wastewater treatment process, and **FOG** can contribute to foaming problems experienced at the plant. **FOG** buildups also cause sewage pump station maintenance problems. **Grease Control Device's (GCD's)** shall be provided by users at their expense when, in the opinion of the pretreatment coordinator, they are necessary for the proper handling of wastewater containing excessive amounts of **FOG**. All restaurants, cafeterias, and similar uses shall have a **GCD** and associated maintenance plan approved by the pretreatment coordinator.
- (2) Similarly, excessive amounts of sand can build up and cause line stoppages in the sewage collection system. Sand interceptors shall be provided by users at their expense when, in the opinion of the pretreatment coordinator, they are necessary for the proper handling of wastewater containing excessive amounts of sand or grit. All car washes shall have a sand trap and associated maintenance plan approved by the pretreatment coordinator. Grease and sand interceptors shall not be required for residential users.
- (3) **Definitions, the following words and terms used in this section shall have the following meanings, unless the context clearly indicates otherwise:**

**Fats, oil and grease (FOG) means material, either liquid or solid, composed of fats, oils or grease from animal or vegetable sources. Examples of FOG include, but are not limited to, kitchen cooking**

grease, vegetable oil, bacon grease and organic polar compounds derived from animal or plant sources that contain multiple carbon triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time.

Food service establishment (FSE) means any commercial, institutional, or food processing facility that discharges kitchen or food preparation wastewaters and that is required to have grease control device (GCD) under the Virginia Uniform Building Code or applicable regulations of the Town of Amherst.

Grease control device (GCD) means a device used to collect, contain, and remove food waste and grease from the wastewater while allowing the remaining wastewater to be discharged to the city's wastewater collection system by gravity. Devices include grease interceptors, grease traps, automatic grease removal devices or other devices approved by the coordinator.

Grease hauler means a contractor who collects the contents of a grease interceptor or trap and transports it to a recycling or disposal facility. A grease hauler may also provide other services related to grease interceptor maintenance for a food service establishment (FSE).

Grease interceptor means a structure or device, usually located underground and outside of a food service establishment, designed to collect, contain and remove food waste and grease from the wastewater while allowing the remaining wastewater to be discharged to the wastewater collection system by gravity.

Grease trap means a device typically located indoors and under the sink, designed for separating and retaining grease prior to the wastewater exiting the trap and entering the wastewater collection system. Such devices are typically passive (gravity fed) and compact with removable baffles.

Public sewer system (PSS) includes the pipelines or conduits, pumping stations, force mains, and all other construction, devices, and appliances used for the conveyance of residential, commercial or industrial sewage or wastewater.

Renderable FOG container means a closed, leak-proof container for the collection and storage of yellow grease.

Virginia Uniform Statewide Building Code includes the model codes incorporated by reference therein, including, specifically, the International Plumbing Code.

Yellow grease means FOG used in food preparation that have not been in contact or contaminated with other sources such as water, wastewater or solid waste. An example of yellow grease is fryer oil, which can be recycled into products such as animal feed, cosmetics and alternative fuel. Yellow grease is also referred to as renderable FOG.

(b) Grease control devices (GCD).

(1) Requirements. All food service establishments (FSE) shall have a grease control device (GCD) or devices which have been approved by the coordinator, and which meet all applicable requirements of the Virginia Uniform Statewide Building Code.

(a) New establishments. New food service establishments (FSE), including those operated by a new owner or for a different use, shall be required to install, operate, and maintain a grease control device in compliance with the requirements of the Virginia Uniform Statewide Building Code.

(b) Existing establishments. Food services establishments (FSE) in operation as of the effective date of this article may continue to operate and maintain their existing grease control devices, provided such grease control devices are in proper operating condition and are not found to be contributing FOG in quantities sufficient to cause line stoppages or to necessitate increased maintenance of the sanitary sewer system. An existing food service establishment shall install a new grease control device that complies with the requirements of the Virginia Uniform Statewide

Building Code if its grease control device is determined by the coordinator not to be in proper operating condition or if the food service establishment is found to be contributing FOG in quantities sufficient to cause line stoppages or to necessitate increased maintenance of the sanitary sewer system.

- (c) Renovations or expansions. Food service establishments (FSE) that are renovated or expanded shall, if required by the Virginia Uniform Statewide Building Code, install new grease control devices meeting the requirements of such Code.
  - (d) Retrofitting. Existing food service establishments (FSE) lacking approved grease control devices by reason of having been grandfathered from such requirement under the Virginia Uniform Statewide Building Code shall, if required, install grease control devices in accordance with this regulation.
- (2) Installation. Grease control devices shall be installed by a plumber licensed in the Commonwealth of Virginia. Every grease control device shall be installed and connected so that it may be readily accessible for inspection, cleaning, and removal of the intercepted food waste and grease at any time.
  - (3) Maintenance. Grease control devices shall be maintained as follows:
    - (a) Grease control devices shall be properly maintained at all times. Maintenance shall include the complete removal of all contents, including floating material, wastewater and settled solids. Decanting or discharging of removed waste back into the grease interceptor or private sewer line or into any portion of the Towns wastewater collection system is prohibited.
    - (b) Grease interceptors shall be pumped out completely when the total accumulation of surface FOG, including floating solids and settled solids, reaches twenty-five (25) percent of the overall liquid volume. At no time shall a grease control device be cleaned less frequently than once every three (3) months unless allowed by the coordinator for good cause shown. Such approval will be granted on a case-by-case basis upon submittal of a request by the food service establishment documenting reasons for the proposed frequency variance. The coordinator shall not approve any request unless the applicant demonstrates that the frequency variance will not result in the introduction of any greater quantities of FOG into the public sewer system than would otherwise be introduced.
    - (c) Grease traps and grease removal devices shall be opened, inspected and completely cleaned of food solids and fats, oils and grease a minimum of once per week, unless allowed by the coordinator for good cause shown. Such approval will be granted on a case-by-case basis upon submittal of a request by the food service establishment documenting reasons for the proposed frequency variance. The coordinator shall not approve any request unless the applicant demonstrates that the frequency variance will not result in the introduction of any greater quantities of FOG into the public sewer system than would otherwise be introduced, and in no event shall the content of food solids and FOG exceed twenty-five (25) percent of the overall liquid depth of the device.
    - (d) The coordinator may establish a more frequent cleaning schedule if the food service establishment is found to be contributing FOG in quantities sufficient to cause line stoppages or to necessitate increased maintenance of the wastewater collection system.
    - (e) Unless authorized by the coordinator, the use of additives including, but not limited to, products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes or bacteria are prohibited for use as grease management control; provided, however, that additives may be used to clean the food service establishment drain lines so long as the usage of such additives will not cause FOG to be discharged from the grease control device to the sanitary sewer system. The use of additives shall not be substituted for the maintenance procedures required by this section. The coordinator shall not approve the use of any additives unless he is satisfied that such use will have no adverse effects upon the public sewer system.
- (c) *Waste disposal.* Waste material from grease control devices shall be disposed of as follows:

- (1) Waste removed from a grease trap shall be disposed of in the solid waste disposal system or by a grease hauler.
  - (2) Waste removed from a grease interceptor shall be disposed of at a facility permitted to receive such wastes. No materials removed from interceptors shall be returned to any grease interceptor, private sewer line or into any portion of the Towns wastewater collection system.
  - (3) Yellow grease shall be disposed of in a renderable FOG container in which contents will not be discharged to the environment. Yellow grease shall not be poured or discharged into the Towns wastewater collection system.
- (d) Inspection, modification and repair. The coordinator shall have the authority to make such inspections as are authorized by law during reasonable hours for the purpose of inspecting, observing, taking measurement, sampling, testing or reviewing the records of the wastewater collection system and grease control devices installed in a food service establishment to ensure that such food service establishment is in compliance with this article. Operational changes, maintenance and repairs required by the coordinator shall be implemented as noted in the written notice issued to the food service establishment by the coordinator. The owner or occupant of such food service establishment, or his or her designee, shall be entitled to accompany the coordinator during such inspection. The coordinator may require existing food service establishments to modify or repair any noncompliant grease control device and appurtenances within thirty (30) calendar days of written notification by the coordinator. The director may grant extensions for good cause shown.
- (e) Recordkeeping. Food service establishments shall maintain records meeting the following requirements:
- (1) Food service establishments shall retain and make available for inspection and copying records of all cleaning and maintenance for the previous three (3) years for all grease control devices. Cleaning and maintenance records shall include, at a minimum, the dates of cleaning/maintenance, the names, volume of waste, including the percentage of grease and settled solids, removed in each cleaning. Such records shall be kept on site and shall be made available to the coordinator upon request.
  - (2) Food service establishments shall retain and make available for inspection and copying records of yellow grease disposal for the previous three (3) years. Yellow grease disposal logs shall include, at a minimum, the dates of disposal, name and business address of the company or person performing the disposal and the volume of yellow grease removed in each cleaning. Such records shall be kept on site and shall be made available to the director upon request.
  - (3) Food service establishments shall retain and make available for inspection and copying records of weekly inspections and cleaning pursuant to (3)(c) of this section for the previous three (3) years.
- (f) *Compliance.* Upon a finding by the pretreatment coordinator that a user has failed to comply with the provisions of this section, the user shall be subject to the permit provisions of this article, including ongoing laboratory sampling of his effluent, and reimbursement of the town for pretreatment program expenses.

(Code 2005, § 17-15.3.5)

**Secs. 22-158 Virginia Dental Office Dental Rule Compliance Program.**

- (a) The explanation for why the rule was developed can be found in the Federal Register - Effluent Limitations Guidelines and Standards for the Dental Category. The rule is

designed to prevent amalgam, which contains mercury, from entering the water that goes to a wastewater treatment plant.

- (b) The requirement to have an amalgam separator by the dental rule does not apply to dental offices where the practice of dentistry consists exclusively of one or more of the following dental specialties:

- oral pathology
- oral and maxillofacial radiology
- oral and maxillofacial surgery
- orthodontics
- periodontics
- prosthodontics
- \*dental offices that discharge to a septic system
- \*discharges to publicly owned treatment works from mobile units

\* Note that while the dental rule does not apply to dentists who discharge to a septic system and dentists that operate out of mobile dental clinics from being required to have amalgam separators, the waste from these two practices must ultimately be discharged to a wastewater treatment plant for treatment. The wastewater treatment plant may have its own restrictions on waste that it will accept, and it might not take dental wastewater that could contain amalgam. It is recommended that the wastewater treatment plant be contacted to see if there are restrictions. If so, installing an amalgam separator would resolve the issue.

- (c) The rule applies to:

- offices where the practice of dentistry is performed, including large institutions such as dental schools and clinics, and permanent or temporary offices
- home offices
- facilities, including dental offices owned and operated by federal, state or local governments including military bases that discharge to a POTW.

- (d) The dental rule does not require installation of an amalgam separator or the associated best management practices (BMPs) if the practice is exempt. Dentists who do not place or remove amalgam except in limited emergency or unplanned events and who certify as such (estimated less than 5%) do need to fill in the first 2 pages of the form and the Certification statement in items 2.b.and submit it, but do not need to install a separator.

- (e) Install an amalgam separator(s) compliant with the ISO 11143 2008 standard, which was published December 1, 1999, or document the specifications of the existing amalgam separator on the Virginia Dental Rule Compliance Form.

Maintain the separator or other amalgam removal device, and document amalgam disposal.

Adopt these best management practices (BMPs):

- 1.) Prohibit discharge of waste (or scrap).
- 2.) Prohibit use of line cleaners that may lead to dissolution of solid mercury from

traps and lines.

Complete the Virginia Dental Rule Compliance Form.

- 1.) Save the form to a computer, and name it with this format:  
Zip code (underscore) Owner last name: Example: 23218\_Jones or  
23218-1201\_Jones.
- 2.) Print a copy to keep in the dental office.
- 3.) Attach the saved form to an email addressed to:  
[DentalRule@deg.virginia.gov](mailto:DentalRule@deg.virginia.gov).
- 4.) A new form should be filled out and submitted as an attachment when the information on the printed form copy is no longer current. Print a copy of the updated form to keep in the dental office.

The form was designed to be filled in electronically, which allows the data to be extracted and compiled on a master spreadsheet. There are instructions which 'pop-up' when the cursor is on certain cells to assist you with entering your data. To ensure your information is correctly interpreted, please complete the Virginia Dental Rule Compliance Form electronically, and send the completed form to [DentalRule@deg.virginia.gov](mailto:DentalRule@deg.virginia.gov). If you cannot complete the form electronically, please call 804-698-4028 for assistance.

- (f) Dental unit water lines, chair-side traps and vacuum lines that discharge amalgam process wastewater to a POTW must not be cleaned with oxidizing or acidic cleaners, including but not limited to bleach, chlorine, iodine and peroxide that have a pH lower than 6 or greater than 8. The purpose of this prohibition is to avoid cleaners that could solubilize mercury.
- (g) Send questions to [DentalRule@deg.virginia.gov](mailto:DentalRule@deg.virginia.gov). Include name and phone number if a call-in response is preferred.
- (h) Amalgam separators remove amalgam particulates from the rinse water before it is discharged to the sewer. The devices prevent amalgam, which contains mercury, from entering the waste stream that goes to a wastewater treatment plant. Choose an amalgam separator that will handle the number of dental chairs that will perform amalgam removal and the amount of water discharged.

The separator must meet ISO 11143 standards, published December 1, 1999, to ensure removal of at least 95 percent of waste mercury at the time of installation. The current reference to the standard is ISO 11143:2008. It was last reviewed and confirmed in 2016, so this is the most current version. The manufacturer should provide a copy of the one-page test report for testing done after December 1, 1999, upon request.

Sites for ISO standard lookup:

- International Organization for Standardization (ISO) 11143:2008 Dentistry - Amalgam Separators
- ISO 11143:2008 Dentistry - Amalgam Separators narrative

Links to the American Dental Association pages on amalgam:

- American Dental Association (ADA) page on Amalgam and Dental Rule

➤ ADA page on Amalgam Separators and Waste Best Management

- (i) EPA intended its form to be a “one-time” effort for dentists to provide the necessary information that an amalgam separator has been installed, and that the form would not need to be resubmitted on a regular basis. However, separators have to be replaced due to mechanical failure, or they will “age out” by June 14, 2027. EPA allows previously installed amalgam separators to be used for up to 10 years from installation before requiring installation of an ISO 11143:2008 compliant separator. Dental offices can change ownership, expand, downsize, and incur changes that would necessitate updating information the DEQ would have on record. Virginia dentists should ensure that the information on the form that they keep at the practice has the most current information on the practice and amalgam separator(s). The form should be updated, saved and printed to keep at the practice, and then emailed to [DentalRule@deq.virginia.gov](mailto:DentalRule@deq.virginia.gov) so DEQ can update its database.
- (j) DEQ is the state regulatory environmental agency, whereas the American Dental Association (ADA) is a professional dental membership association. DEQ issues VPDES permits to wastewater treatment plants to control what they are able to discharge after treatment. POTWs receive flow from domestic sources (households and other sources of sanitary waste) and non-domestic sources that are grouped as industrial users. Industrial users include restaurants, vehicle repair garages, shops, medical facilities, veterinarians, dental practices, etc. Larger industrial users may be significant industrial users based on the flow or pollutants in the discharge. The dental rule was developed by EPA to require a dental practice to remove mercury from the influent of a POTW, so that it does not continue to pass through the POTW to end up in either the effluent or sludge.
- (k) The Virginia Dental Rule Compliance Form should be maintained on site as long as the dental discharger is in operation or ownership is transferred. The information on the form should reflect current ownership of the dental discharger, and current descriptions of the amalgam separators or other amalgam removal devices. The form should be made available in physical (hard copy) or electronic form for inspection and review by POTW staff or DEQ upon request.
- (1.) The dental rule specifies a minimum of three years during which these records should be maintained:
- Documentation of the date, person(s) conducting the inspection, and results of each inspection of the amalgam separator(s) or equivalent device(s), and a summary of follow-up actions, if needed.
  - Documentation of amalgam retaining container or equivalent container replacement (including the date, as applicable).
  - Documentation of all dates that collected dental amalgam is picked up or shipped for proper disposal in accordance with 40 CFR 261.5(g)(3), and the name of the permitted or licensed treatment, storage or disposal facility receiving the amalgam retaining containers.
  - Documentation of any repair or replacement of an amalgam separator or equivalent device, including the date, person(s) making the repair or replacement, and a description of the repair or replacement (including

make and model).

- Dischargers or an agent or representative of the dental discharger must maintain and make available for inspection in either physical or electronic form the manufacturer's operating manual for the current device.

**Sec. 22-159 Hazardous Waste Pharmaceuticals Program.**

Effective 08-21-2019 the prohibition of sewerage hazardous waste pharmaceuticals as part of 40 CFR 266.505, "Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine becomes effective. At that time healthcare facilities will be ban from disposing of any pharmaceutical deemed hazardous by means of introducing it into a publicly owned sewerage system.

*2. That this Ordinance shall be effective on June 12, 2019.*

This ordinance was adopted on June 12, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk of the Council



AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE TOWN OF AMHERST, VIRGINIA FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 MAKING REVENUE ESTIMATES AND APPROPRIATIONS FOR SAME.

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF AMHERST, VIRGINIA:**

**A. SOURCES OF FUNDS**

That for the support of the Town Government and its General Fund, for the tax year beginning on January 1, 2019, all taxes, fees, charges and penalties shall remain as heretofore set out by Ordinance, Resolution or other appropriate action of the Town Council except as the Town Council may establish or amend herein.

**B. FUND ACCOUNTING**

That the following projected sources and use of funds are hereby approved as the FY20 Town of Amherst budget and approved appropriations for the respective funds.

**Estimated Revenues**

General Fund	\$1,128,880
Water Fund	\$1,409,038
Sewer Fund	\$1,054,381
Garbage Fund	\$105,926
IDA Fund	\$36,987

**Estimated Expenditures**

General Fund	\$1,128,880
Water Fund	
- Operations	\$763,647
- Debt Service and Capital Projects	\$645,391
Sewer Fund	
- Operations	\$627,080
- Debt Service and Reserve	\$427,301
Garbage Fund	\$105,926
IDA Fund	\$39,987

**C. TAX RATES**

The proposed budget includes a continuation of the real estate tax rate at \$0.00/\$100.00 of assessed value and the personal property tax rate at \$0.00/\$100.00 of assessed value.

The proposed budget includes a continuation of the meals and beverage tax included in the Town Code at 6%.

The annual vehicle license fee for passenger motor vehicles, trucks and motorcycles shall be \$25/year for cars, 11.00/year for motorcycles and 8.00 for trailers

The rate for Business and Professional Occupational License Taxes shall be set at:

Contractors: \$0.16 per \$100 of gross receipts

Financial, Real Estate and/or Professional Services: \$0.50 per \$100 of gross receipts

Retailers: \$0.10 per \$100 of gross receipts

Wholesalers: \$0.04 per \$100 of gross receipts

Repair, Personal, Business and other services: \$0.31 per \$100 of gross receipts

The rate for Itinerant Merchants and Peddlers shall be set at \$xx \$20 year for itinerant merchants, peddlers \$200/mo. (\$500/yr max), Peddler of fresh produce \$50/year

**D. UTILITY RATES AND CHARGES**

See attached Utility Rate and Fee Policy for rates related to water and sewer. The FY 20 budget holds all water and sewer rates and fees at the same level as FY 18 and 19. Garbage fees are adjusted to account for changes in County Waste’s policies for recycling.

**E. DONATIONS**

That donations to the following organizations are hereby authorized for the purposes listed subject to the conditions noted. These funds are to be disbursed on a reimbursement basis upon delivery of appropriate receipts:

<b>Amount</b>	<b>Organization</b>	<b>Purpose/Conditions</b>
<b>\$12,250</b>	Amherst Fire Department	Operating Costs, including water, sewer, electric, training, equipment.
<b>\$2671</b>	Amherst County Chamber of Commerce	Membership, sponsorship and contribution towards bands at two events.
<b>\$2750</b>	Second Stage	Community Movie program. An additional \$2750 should be available through a Challenge Grant, which would pass through Town coffers.
<b>\$3500</b>	Village Garden Club	Civic Beautification
<b>\$2500</b>	Amherst County Museum and Historical Society	Utilities, Programming and repairs to the Museum building.
<b>\$2500</b>	Neighbors Helping Neighbors	Supplies for Food Bank
<b>\$200</b>	Rotary Club	Civic Beautification
<b>\$26,371</b>	Total Donations	

**F. FUND BALANCE REQUIRMENTS**

The Town of Amherst maintains a Fund Balance Policy to ensure that the Town has adequate funds to address emergency situations and ensure the Town’s credit worthiness. Required balances for the FY20 fiscal year are as follows:

General Fund Permanent Fund		\$ 290,498
General Fund Contingency		\$ 31,527
Water Fund Permanent Fund		\$ 470,788
Sewer Fund Permanent Fund		\$ 422,599

**G. PERSONNEL**

There were salary adjustments made in one department to complete the Town’s commitment to realigning salaries with the marketplace as outlined in the salary study. These adjustments are the final adjustments that will be made to complete the Town’s commitment made as a part of the study.

To maintain the work that has been done to keep salaries fair and competitive, the budget includes a Cost of Living increase for all employees of 1.53%, consistent with the cost of the consumer price index as shown by the 2018 calendar year.

Additionally, employees with a satisfactory review who have met their yearly performance goals shall also receive a 2% step increase.

Health insurance costs and plans remain the same this year from last year.

**H. CONDITIONS**

The intent being to authorize spending according to this budget, all appropriations articulated herein are declared to be maximum and conditional such that outlay shall be made only in the event the aggregate revenues collected and other resources available to the Town in the respective funds are sufficient. All debts of the Town shall be paid in full when due and payable. All expenditures shall be made in accordance with the Ordinance, the Town Charter, Town Code and Purchasing Policy and administrative rules and procedures.

*This Ordinance was passed by a vote of the Amherst Town Council on the 12<sup>th</sup> of June, 2019 and shall become effective on July 1, 2019.*

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk of Council

# Town of Amherst Utility Rate and Fee Policy

For FY 2019/20

**Initiation or Termination of Service:**

Requests to initiate or terminate Town water, sewer and/or refuse collection (utility) service are accepted at the Town Hall (434/946-7885) 9-5, M-F for processing by the Utilities Department. All new customers and changes to the party to be billed are charged a \$50.00 account set-up fee/ reconnection fee/trip charge at the time the account is opened and are required to show proper identification. All requests are to be in writing on a form available at the Town Hall.

**Residential Customers:**

All active customers shall be charged one Residential Base Charge each month for each individual residential unit, as designated consistent with building and zoning practices. Customers are charged for water and sewer usage based upon metered water usage.

<u>Rate Component</u>	<u>In Town Residential Base Charge</u>	<u>In Town Use Charge per 1,000 gallons</u>	<u>Out of Town Residential Base Charge</u>	<u>Out of Town Use Charge per 1,000 gallons</u>
<b>Water:</b>				
Effective July 1, 2017	\$15.60	\$7.75	\$31.20	\$15.50
<b>Sewer:</b>				
Effective July 1, 2017	\$27.35	\$6.85	\$54.70	\$13.70
<b>Curbside Refuse Collection:</b>				
Effective July 1, 2016	\$10.60		\$10.60	

**Nonresidential Customers:**

Base charges for non-residential water and sewer users will be computed by dividing metered use by 3,250 gallons and then multiplying by the applicable residential base charge. This applies to all non-residential users except for churches that shall be assessed on the same basis as residences. The applicable residential charge shall be assessed for each residential unit for Curbside Refuse Collection.

**Curbside Refuse Collection:**

All in-town water customers shall receive curbside refuse collection service and refuse collection services will not be provided to non-water customers.

**Fire Sprinkler Fees**

Fire sprinkler fees are as follows:

4" Line	\$17.00/Month
6" Line	\$28.00/Month
8" Line	\$39.00/Month
10" Line	\$50.00/Month

**Charges for Water Not Discharged to Sewer:**

The Town charges for sewer based on 100% return of the water to the sewer system for those Town water customers that are connected to the Town of Amherst wastewater collection and system. However, any customer may request that the Town install a separate "irrigation" meter for water that does not return to the sewer system – i.e. for lawn sprinkling or irrigation. For the purposes of billing, the irrigation meter shall be considered a separate account. Separate application and connection fees are required to be paid, and once activated the water-only (no sewer or refuse collection fees apply) will be billed separately. All irrigation systems must meet the provisions of the Cross Connection Control Ordinance (§17-14 of the Town Code).

### **Dormant Account Fees:**

A dormant account fee of \$5.00/month/residence or business for water and \$10.00/month/residence or business for sewer will be charged to every property owner that is connected to the respective utility, has used the service in the past, but not actively using the respective service. Dormant account fees shall not be applied to accounts associated only with yard hydrants, irrigation systems or swimming pools.

### **Reconnection Fee:**

A reconnection fee/trip charge of \$50 will be charged for any activation or reactivation of utility service due to a request for new service, reactivation from disconnection due to nonpayment or a customer-requested disconnection/reconnection. This fee may be waived at the Office Manager's sole discretion due to emergency or irregular situations.

### **Re-reads Charges:**

The Town staff reviews water meter readings for accuracy and investigates suspected incorrect readings prior to mailing bills. In the case of a billing dispute, a customer may request that the Town re-read the customer's water meter. However, if the customer's water meter has already been re-read by the Town during the billing cycle in question, a \$20 trip fee will be charged to offset the cost of a Town employee making a second re-reading trip to the customer's meter. This charge will be added to the customer's next bill.

### **Billing:**

Water meters are read every month and bills are calculated based upon the consumption recorded. All customers are billed every month. Bills are assigned a billing date which is normally the last day of the month during which the meter is read and then mailed to the customer. Payment is due by 5:00 P.M. on the 20<sup>th</sup> day of each month except when the 20<sup>th</sup> falls on a weekend or Town holiday the due date shall become 5:00 P.M. on the next business day. When a past due balance on any account is greater than \$200, a lien for the balance due plus any court recording fees will be recorded against the real estate. **Property owners are held responsible for utility bills against their properties.**

### **Adjustments for Leaks:**

A property owner is responsible for paying for 100% of the water that has passed through the Town's water meter along with the associated sewer charges. However, in good-faith situations involving water that has leaked from the customer's plumbing, and upon confirmation by the owner that the leak is repaired so that it will not recur, the Office Manager is authorized to give a 50% credit for the excess water and sewer at the time of confirmation and for no more than the two preceding bills, if applicable. "Repaired" is defined as physical repairs to the owner's plumbing such as pipe patching, replacement of the flapper mechanism in a toilet tank, or physical replacement or removal of a plumbing fixture. For the purposes of this leak adjustment policy, merely closing a valve upstream of the leak location shall not be considered a repair.

### **Late Payment Charges and Disconnect Procedures:**

The Town will assess a late charge of 10% on all accounts when the payment is not received by 5:00 P.M. on the due date. All payments received after 5:00 P.M. are processed as the next business day's receipts. If a customer receives a bill with a previous bill balance, the previous balance must be received by 5:00 P.M. on the 2<sup>nd</sup> Monday of the month following receipt of that bill. If the previous balance is not received by that time the customer will be put on the Town's disconnect list for the following morning.

### **Restoration of Service:**

If a customer has not paid the previous balance on an account by the disconnection date or otherwise made arrangements satisfactory to the Office Manager to have the balance paid, the water service will be terminated. Before any service is restored, the past due amount including the \$50.00 reconnection fee/trip charge must be physically received by the Office Manager at 174 South Main Street in the Town of Amherst. Funds will not be accepted from customers at the service location. The \$50.00 reconnection fee/trip charge will also be charged where a customer, or any entity other than the Town, has obtained water and/or sewer service prior to all applicable fees and/or charges being paid to obtain service and/or has installed a meter or other apparatus in a meter setting to gain access to public water/sewer.

In recognition that circumstances beyond the control of the customer or the Town of Amherst may contribute to late payments, a once per lifetime per customer exception to the penalty and reconnect fee may be granted for good reason at the Office Manager's sole discretion.

**Returned Payments:**

Any payments not honored by the bank, whether check, or credit card payment, will be charged a \$50.00 handling fee and any bank fees (Reference VA Code §15.2-106). Service shall automatically be disconnected when a payment to pay to prevent service from being disconnected or to reconnect a service is returned or charged back to the Town for any reason. If the returned payment was paid to prevent termination of services then the past due balance, the returned payment handling fee and a reconnection fee/trip charge shall be collected prior to service being restored via cash, money order or certified check. Once the Town has received a returned payment on an account more than one time, the Town will not accept any forms of payment other than cash or certified funds for a period of six (6) months for that account.

Any payments received by 5:00 P.M. on each business day will be credited the same day. Any payments received after 5:00 P.M. (including those received via U.S. Mail and the Town's drop box) will be credited as being received the next business day.

**Payment Arrangements:**

The Office Manager is authorized to enter into a payment contract if a customer cannot pay his previous balance in full. Each customer account is only allowed one (1) payment arrangement per calendar year. There is a standard "agreement" form that is available at the Town office and must be signed by the person on the account. The Office Manager may make arrangements that deviate from the standard policy only in extreme situations.

**Fire Hydrant Use:**

Water may not be obtained from the Town of Amherst hydrants except by the Amherst Volunteer Fire Department or other approved firefighting agency. The Office Manager (434/946-7885) should be contacted for the application form for a permit to haul water from the Town of Amherst water plant.

**Cross Connections:**

As required by the Virginia Department of Health, where a high potential exists for contamination of the Town's municipal water system, a backflow prevention device approved by the Town of Amherst must be installed. This includes irrigation systems. Where required, the owner of the backflow prevention device must have annual tests performed to certify that the device is working correctly. Failure to install and operate such devices and/or provide certification or the test results to the Town of Amherst may result in the interruption of water service. (Reference §17-14 of the Town Code)

**Sewer Connections and Discharges:**

Connections to and discharges into the Town's sewer system must conform to local, state and federal sewage pretreatment regulations. This includes the installation of grease traps for restaurants and grit traps for car washes. Failure to meet such provisions may result in the interruption of sewer service via disconnection of the water service or other means. (Reference §17-15 of the Town Code)

**Availability and Connection Fees:**

Availability Fees:

Meter Size	80% Capacity, gpm	Factor	In Town		Out of Town	
			Water	Sewer	Water	Sewer
5/8"	16	1	\$1,700	\$2,500	\$4,000	\$5,000
3/4"	24	1.5	\$2,550	\$3,750	\$6,000	\$7,500
1"	40	2.5	\$4,250	\$6,250	\$10,000	\$12,500
1 1/2"	80	5	\$8,500	\$12,500	\$25,000	\$25,000
2"	128	8	\$13,600	\$20,000	\$40,000	\$40,000
3"	280	17.5	\$29,750	\$43,750	\$87,500	\$87,500
4"	480	30	\$51,000	\$75,000	\$150,000	\$150,000
6"	1000	62.5	\$106,250	\$156,250	\$312,500	\$312,500

Connection Fees:

The connection fee shall be \$1,000 for water and \$700 for sewer.

**Maintenance of Policy and Implementation**

The Town Manager shall be responsible for maintaining and updating this policy and for its proper administration. The Town Manager shall have the authority to deviate from strict enforcement for good cause.

## **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. 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 CONFIRMING THE TOWN OF AMHERST'S COMMITMENT TO REPAYMENT OF USDA FUNDS FOR THE 'SLIPLINING' PROJECT**

**WHEREAS**, the Town of Amherst has applied for funding for a large scale sewer line rehabilitation and replacement project, along with improvements to the Town's wastewater treatment plant;

**WHEREAS**, the United States Department of Agriculture, through its Rural Development program, has funded projects for the Town;

**WHEREAS**, the Town Council of the Town of Amherst has approved a rate structure to support the existing costs as well as the projected costs for the project;

**WHEREAS**, project costs are not fully known and are subject to change until bidding is completed;

**WHEREAS**, the Town Council recognizes the Town's obligation to fully pay all of its debts; and,

**NOW THEREFORE, BE IT RESOLVED**, the Town Council commits to generating sufficient revenue to pay any unforeseen increases in debt payments to USDA for this project. This revenue may be generated through transfers of funds from fund balances, raises in rates, or other means deemed appropriate by the Council and legally authorized.

This resolution was adopted on June 12, 2019.

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Mayor Dwayne Tuggle

Attest:

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Clerk of Council

## Town Manager's Report for the July 10, 2019 Town Council Meeting

<b>Committee</b>	<b>Report</b>
A. Industrial Development Authority	Meeting July 1, 2019, minutes included
B. Planning Commission	No meeting/no report
C. Board of Zoning Appeals	No meetings/no report
D. Property Maintenance Investigation Board	No meetings/no report
E. Community Relations Committee	No meetings/no report
F. Finance Committee	No meetings/no report
G. Utilities Committee	No meetings/no report
H. Personnel Committee	No meetings/no report
I. Town/Sweet Briar Sewer Use Advisory Commission	No meetings/no report
J. Lynchburg Regional Business Alliance	No meetings/no report
K. Central Virginia Planning District Commission	No meeting attended



# AMHERST POLICE DEPARTMENT



## MONTHLY REPORT

### June 2019

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

CALLS FOR SERVICE	NUMBER
MOTORIST ASSIST	32
ALARM	22
PHONE COMPLAINT	35
BOLO	16
MISSING PERSON	1
SHOPLIFTING	
PROBLEM WITH OTHERS	12
DOMESTIC	1
CHECK WELFARE	4
NOISE OR DOG COMPLAINT	5
TRAFFIC CRASH	5
EMS CALLS	3
SUDDEN DEATH	
SUSPICIOUS PERSON	3
FUNERAL TRAFFIC	
OTHER	45

OFFICER INITIATED	NUMBER
BUILDING CHECKS	72
BUSINESS VISIT	45
BUILDING SEARCH	6
TRAFFIC SUMMONS	41
DRUNK IN PUBLIC	2
EXTRA PATROLS	204
WARRANT SERVICE	10
PROPERTY WALK AROUNDS	26
WARRANTS OBTAINED	6
PARKING TICKETS	
MISD. INVESTIGATION	4
FELONY INVESTIGATION	3
NARCOTICS INV.	4
SEARCH WARRANT	1
PUBLIC RELATIONS	7
CITIZEN CONTACT	228

WARNINGS	NUMBER
SPEEDING	7
EQUIPMENT VIOLATION	9
RECKLESS DRIVING	
SUSPENDED LICENSE	1
INSPECTION/REGISTRATION	
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	11

TRAFFIC STOPS TICKETED	NUMBER
SPEEDING	26
EQUIPMENT VIOLATION	1
RECKLESS DRIVING	4
SUSPENDED LICENSE	1
INSPECTION/REGISTRATION	3
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	6

ARREST	NUMBER
MISDEMEANOR	9
FELONY	
EPO	2
ECO/ PPO	
NARCOTICS VIOLATION	
DUI / DUID	3

OTHER	NUMBER
ASSIST OTHER OFFICER	30
ASSIST OTHER AGENCY	48
COURT	4
REPORTS	8
SCHOOL / TRAINING	2
MEETINGS	20
TOWED / IMPOUNDED VEH	1



# 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.

Calls for service- 264

Miles patrolled- 6797



# 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:** July 3, 2019  
**Re:** June 2019 Monthly Report

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**Utilities** – 1164 bills were cut totaling \$188,767.30

**A/P** – A total of 46 checks were cut totaling \$383,550.90 for June 2019 bills.

**Meals and Beverage Tax** – 15 Businesses paid \$49,405.41 in Meals and Beverage Tax for the month of April. With the Meals and Beverage Tax increase budgeted for this fiscal year, we anticipated \$495,000 in revenue. We are currently at \$510,011.64.

**Taxes** – After a few more bank lien processes and DMV stop payments, our outstanding balances for 2018 License Fees are down to \$2,902.51.

**Business License** – Business License applications and payments were due May 1, 2019. Any applications and payments received after May 1<sup>st</sup> will have a 10 percent penalty added and interest added starting June 1, 2019. Dee has calculated assessments for those who have not renewed, and they are ready to go in the mail. Anyone that has not paid by the middle of August will receive a bank lien. As of today, we have collected, \$112,550.76. Our total anticipated revenues to be collected were \$120,000, so we aren't too bad as of right now.

**June Financials** – June financials will be later than July 20<sup>th</sup>. We are awaiting final June invoices to be received from vendors and will more than likely pay June invoices through July 22<sup>nd</sup>.

**Auditors** – Auditors were here June 21, 2019. They were able to get through a lot in one day and so far for preliminary work we look good. They will be back in December to finish the fiscal year 2019 work and reports should be ready by the end of January.

## **Clerk of Council June 2019 Report**

### **Committee Meetings**

#### **Town Council**

Receive and review agenda packet for 6-12-19 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

**Quorums:** Confirm cancellation of meetings with Planning Commission and Industrial Development Authority, confirm quorum for Town Council meeting.

### **Town Website Maintenance and Management**

- Maintain, create and update content:
  - Agendas and Minutes
  - Public Hearing notices with details
  - Update Calendars, Hot Topics, News Room items
    - New Era Progress Article on First Responder's Parade
    - Article on Wastewater Management
    - Update Town's Budget

### **Town Facebook Administrator**

Post to Town's Facebook page:

- Create content and/or share links to community events and news; Monitor feedback
- Create content to advertise and notify/update citizens on Parade route and celebration event detail including vendor map, parade and events timeline

### **First Responders Parade and Celebration**

- 6/6/19 – Attend meeting with representatives of VDOT, VSP, Amherst Sheriff's Dept., Amherst Police Dept., and Town Manager to discuss parade route and street closures
- Miscellaneous emails and telephone calls with VDOT, Chief Shiflett, Major Harler, Town Manager, and others
- Prepare permit application and related documents; receive permit from VDOT
- Prepare Citizen Memo

### **Amherst County Fair Banner**

Correspond with Vanessa Angus re Amherst County Fair Banner

### **FOIA**

- 6/3/19 - Attend FOIA Training
- Receive and respond to one request

### **Other:**

- Prepare legal ads - Town Council meeting re budget revision and IDA vacancy; send for publication
- Prepare public hearing notices: Town Council meeting
- Prepare miscellaneous purchase orders
- Correspond with various committee members re reappointments
- Email website administrator that website is down; miscellaneous follow-up communications with administrator and town staff
- Format Approved Pretreatment Ordinance for signature and to send to Municode
- Send personnel evaluation form to council members and follow-up

Town of Amherst Committees as of June 30, 2019 Update; See Attached.

# Town of Amherst Committees as of June 30, 2019

	<u>Appointed/Term Expires</u>
<b><u>TOWN COUNCIL</u></b>	
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
Janice Norvell Wheaton	01/01/19 12/31/22
Sarah B. Ogden	01/01/19 12/31/20
Kenneth G. Bunch	01/01/19 12/31/20

<b><u>PLANNING COMMISSION</u></b>		
June Driskill, Chairperson	06/08/16	06/30/20
Janice Norvell Wheaton	01/01/19	12/31/20 (TC rep)
William Jones	04/08/15	06/30/19
Ted Finney	07/01/17	06/30/21
Kevin Belcher	07/01/18	06/30/22
Clifford Hart	04/08/15	06/30/19
Anne Webster Day	03/13/19	06/30/22

<b><u>BOARD OF ZONING APPEALS</u></b>		
Gary Mays, Chairman	04/08/15	08/31/20
Ed Carton	11/10/14	08/31/19
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

<b><u>INDUSTRIAL DEVELOPMENT AUTHORITY</u></b>		
Lewis Addison, Chairman	04/08/15	06/30/19 (Vacancy)
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	04/08/15	06/30/19

<b><u>PROPERTY MAINTENANCE INVESTIGATION BOARD</u></b>		
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

<b><u>REGION 2000 REGIONAL COMMISSION/MPO</u></b>		
D. Dwayne Tuggle	01/01/19	12/31/20
Sara Carter	01/01/19	12/31/20

<u>Appointed/Term Expires</u>		
<b><u>CENTRAL VIRGINIA TRANSPORTATION COUNCIL (MPO)</u></b>		
D. Dwayne Tuggle	01/01/19	12/31/20
Sara E. Carter	01/01/19	12/31/20

<b><u>TOWN/SWEET BRIAR SEWER USE ADVISORY COMMISSION</u></b>		
Clifford Hart	01/01/19	12/31/20
Kenneth S. Watts	01/01/19	12/31/20

<b><u>JOINT COMMITTEE ON COOPERATION</u></b>		
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)		

<b>TOWN COUNCIL COMMITTEES (FOR THE 01/01/19-12/31/20TERM)</b>
--

- 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 COMMUNITY**  
 Sarah B. Ogden (Chairman) and Janice N. Wheaton
- 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



TOWN OF AMHERST  
**DEPARTMENT OF PLANTS**

MONTHLY PRODUCTION AND OPERATIONAL REPORT  
 June 2019

SUBMITTED BY: GARY S. WILLIAMS,  
 DIRECTOR OF PLANTS

**Grandview Water Filtration Plant,**

Daily Water Withdrawal and Production:

	Total, million gallons	Average, million gallons	Max, million gallons	Min, million gallons
Raw Water	9.580	0.330	0.051	0.180
Produced	7.810	0.270	0.400	0.140
Delivered	7.470	0.260	0.370	0.140

**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	7.681	0.256	0.427	0.162

Water Plant Sedimentation Project:

Sedimentation basin number one has had the cement addition done to the bottom and work has now switched to basin two.







**Completion date is currently projected to be the last week of July or the first week of August.**

**Submitted: July 3, 2019**

**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

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

July 1, 2019

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

Attn: Sara Carter- Town Manager

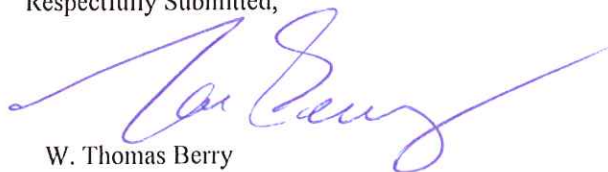
Re: Monthly Report to Town Council  
(June 2019)

Dear Ms. Carter, and Council,

My report on work regarding the following matters:

1. Recodification: Review of parking in the Town (example: review of residential parking and bike lanes).
2. IDA/ Town: No meeting this month.
3. Town Council Meeting: Attendance at the monthly scheduled meeting on June 12, 2019.
4. Personnel: Ongoing review with Nelson County Commonwealth Attorney on charges with Ex-Officer Timothy Mabry.
5. Easements: Sewer Line Easements review on Tom Hall property Route 60. Met with David Emmert to discuss Easement to basement at Town Police Building. Continue to work with the Emmerts. Review Town Police Building for construction efforts.
6. Upcoming Work: Continue with Slip Line project easements. Preparation of attorney opinion for project approval.
7. Research matters on abandonment, easement issue and Board of Zoning Appeals.
8. Access to Town Attorney: My email address is tammy@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  
Attorney at Law

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 #
7/2/2019	8866

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

Terms
Due on receipt

Description	Qty	Rate	Amount
6/4/2019 Review ACP	1	175.00	175.00
6/4/2019 Lease/Slip line	0.4	175.00	70.00
6/4/2019 Review parking	0.4	175.00	70.00
6/5/2019 Organize files with e-mail	1	175.00	175.00
6/5/2019 Review Emmert	1.5	175.00	262.50
6/5/2019 Prepare letter	1	175.00	175.00
6/6/2019 Revise easement with Emmert	2	175.00	350.00
6/6/2019 Prepare pleading, met with Sara	0.5	175.00	87.50
6/6/2019 Call on Propane tank	0.5	175.00	87.50
6/12/2019 Town package, wall contract	1.5	175.00	262.50
6/12/2019 Monthly meeting	1.5	175.00	262.50
6/18/2019 Research Board zoning	1.5	175.00	262.50
6/18/2019 Appeals, work on Emmert	1.5	175.00	262.50
6/26/2019 Met with Sara	0.5	175.00	87.50

<b>Total</b>	\$2,590.00
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$2,590.00

**Town of Amherst  
Industrial Development Authority**

A regular meeting of the Town of Amherst Industrial Development Authority was called to order by Chairman Lewis Addison on July 1, 2019, 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	Lewis Addison	P	Sharon W. Turner
P	Jacob Bailey	P	Kim Stein
A	Gary Jennings	P	Richard Wydner
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 Mr. Wydner to approve the minutes of the February 4, 2019, meeting. There being no discussion, the motion carried 6-0-1 with Mrs. Turner and Messrs. Addison, Bailey, Rucker, Wydner and Stein voting “Aye”. Mr. Jennings was absent.

At 5:18 PM Mr. Bailey made the following motion which was seconded by Mrs. Turner and carried 6-0-1 with Mrs. Turner and Messrs. Addison, Bailey, Rucker, Wydner, and Stein voting in favor and Mr. Jennings absent: I move that the Industrial Development Authority convene in closed session pursuant to §2.2-3711A.5 of the Code of Virginia, relating to a prospective business or industry where no previous announcement has been made of the business or industry’s interest in locating or expanding its facilities in the community.

At 5:34 PM Mr. Bailey made a motion seconded by Mr. Wydner that the Authority adjourn the closed session and enter open session, certifying to the best of each member’s knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

The motion 6-0-1 via the roll call method with Mrs. Turner and Messrs. Addison, Bailey, Rucker, Wydner and Stein voting “Aye” and Mr. Jennings absent.

There being no further business, on motion of Mr. Bailey, with Mrs. Turner and Messrs. Addison, Bailey, Rucker, Wydner and Stein voting “Aye” and Mr. Jennings absent, the meeting adjourned at 5:37 PM.

\_\_\_\_\_  
Lewis Addison, Chairman

ATTEST: \_\_\_\_\_  
Secretary

**Robert E. Lee Soil & Water Conservation District**  
7631-A Richmond Hwy  
Appomattox, VA 24522  
Phone 434-352-2819 FAX 434-352-9405  
www.releconsevation.com

**Minutes – Board of Directors Special Meeting**  
**May 9, 2019 – 6:00 p.m.**  
**RELSWCD District Office**  
7631-A Richmond Hwy  
Appomattox, VA 24522

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

**Directors:** Bob Martin  
(Absent)

**Staff/Partners:**  
(Present)

**Others:** Denise Gillett, Timberlake  
Mary Barrett Timberlake  
A. C. Whitehead, Timberlake  
Everett Chadbourne, Timberlake  
George Schrader, Timberlake

**Call to order:** The Robert E. Lee Soil and Water Conservation District Board of Directors special meeting was held at the District Office, 7631-A Richmond Hwy, Appomattox, Virginia, on May 9, 2019. The meeting convened at 6:00 p.m., Barry Lobb, Chairman, presiding.

**Welcome and Introduction of Guests:** Barry Lobb, Chairman, welcomed Denise Gillett, Mary Barrett, A. C. Whitehead, Everett Chadbourne, George Schrader from Timberlake.

**Adopting the Agenda:** Barry Lobb, Chairman, asked if there were any changes to the agenda. There being none, **motion was made to approve the agenda. (Perrow, Sigler, passed 5-0)**

**Reading and Approving the Minutes:** Barry Lobb, Chairman, asked if there were any corrections to the April 25, 2019, minutes (copy filed with the minutes). There being none, the minutes are approved as read.

**Nomination of Timberlake WID Trustees:** Motion was made pending approval by the State Board and State SWCD of the WID to approve George Schrader and Everett Chadbourne as trustees of the Timberlake WID. (Sigler, Perrow, passed 5-0)

**ADJOURNMENT** - The Chair adjourned the meeting at 6:05 p.m.

    /s/ Barry Lobb      
Barry Lobb, Chairman

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

**Robert E. Lee Soil & Water Conservation District**  
7631-A Richmond Hwy.  
Appomattox, VA 24522  
Phone 434-352-2819 FAX 434-352-9405  
www.releeconservation.com

**Board of Directors Regular Meeting Minutes**  
**May 23, 2019 – 6:00 p.m.**  
**The Spring House Restaurant**  
**9789 Richmond Hwy**  
**Lynchburg, VA 24504**

**Directors:** Barry Lobb, Chairman  
(Present) Carolyn Hutcherson, Vice Chair  
Doug Perrow, Asst. Treasurer

**Directors:** Julius Sigler, Jr., Treasurer  
(Absent) Paul Spiggle, Asst. Treasurer  
Bob Martin  
Bruce Jones

**Staff/Partners:** Jonathan Wooldridge, RELSWCD Ag BMP Conservation Specialist  
(Present) David Sandman, RELSWCD Ag BMP Conservation Specialist  
Julie Stratton, RELSWCD Office Administrator  
Don Yancey, NRCS District Conservationist  
Rick Butler, VDOF  
Mark Hollberg, DCR Conservation District Coordinator

**Others:** None

**Call to order:** The Robert E. Lee Soil and Water Conservation District Board of Directors regular meeting was held at The Spring House Restaurant, 9789 Richmond Hwy, Virginia, on May 23, 2019. The meeting convened at 6:05 p.m., Barry Lobb, Chairman, presiding. A quorum was not present.

**Acknowledgement and Introduction of Guests:** None

**Adopting the Agenda:** Barry Lobb, Chairman – No motion as a quorum was not present.

**Reading and Approving the Minutes:** Barry Lobb, Chairman – No motion as a quorum was not present.

#### **REPORT OF OFFICERS/PARTNERS/STAFF**

**1-Treasurer's Report** – Julius Sigler, Jr. (absent) Julie Stratton presented the April report to the Board (copy filed with minutes). All bank statements were reconciled to the respective ledgers and QuickBooks program. It was noted that \$5,706.06 from Operational funds was used for a cost share

payment due to insufficient Cost Share funds on hand. Mark Hollberg, CDC, advised when Cost Share funds are deposited in May this amount can be transferred from Cost Share back to Operations.

**2-DCR Conservation District Coordinator** - Mark Hollberg, CDC, presented his May report to the Board (copy filed with minutes).

- Administration and Cost Share –
  - A quorum is important for the June board meeting to deal with carryover of eligible 2019 BMP contracts and 2015 SL-6 contracts approved this fiscal year.
  - Secondary considerations are due June 30 to David Bryan and copy to CDC.
- The draft Phase III Watershed Implementation Plan has been released to the public and the public comment period ends June 7.
- Miscellaneous –
  - Reminder that the PY20 grant agreement will state all directors are required to take an OAG led COIA training every two years.
  - FY19 grant assessment questionnaire will be emailed to SWCD administrative staff later this month or early June. Assessments will be delivered over the summer at district board meetings.
  - PY20 VACS training in Farmville on June 4.
  - FY2021 Budget template due the latter of June 15 or 45 days after receipt of information from DCR.
  - Filing deadline of June 11 at 7 p.m. for elected director positions.

**3-USDA Natural Resources Conservation Service** - Don Yancey, District Conservationist, presented his May report to the Board (copy filed with minutes).

- EQIP – Developing contracts on 14 pre-approved applications.
- CRP/GRP/WRP – Re-enrollment for continuous CRP and CREP from June 3 – August 23.
- CSP – 9 new applications to be inventoried, estimated and ranked by July 1.
- ECP/EFRP – final checkout completed on 2 remaining ECP projects in Amherst County.
- Outreach, Training and Upcoming Events –
  - JED meeting planned for June 18 at the Farmville office.

**4-Virginia Department of Forestry** –

- Rick Butler, Appomattox County Forester, presented an oral report to the Board.
  - Working on cost share paperwork.
  - Presented a harvesting display and enviroscape at the Primary school.
  - Taking sign-ups for site prep and planting.

**5-Virginia Cooperative Extension** – Bruce Jones, Appomattox VCE Agent – absent – no report.

**6-RELSWCD Ag BMP Senior Conservation Specialist:** Jonathan Wooldridge presented his May report to the Board (copy filed with minutes).

- Projects –
  - Work continues on plans and designs for new projects; monitoring progress on projects under construction; meeting new producers interested in programs. Working on ACSA projects. Two large animal waste structures are in the planning stages.
- Practices and Conservation Plans for Board approval –



<b>Contract/ Instance#</b>	<b>Prac</b>	<b>Co</b>	<b>Est. Cost</b>	<b>CS amt</b>	<b>Fund</b>	<b>TC</b>	<b>Comp Date</b>
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- Watershed Dams –
  - Checking on dams as rain events happen. Work continues with Charles Wilson, DCR Dam Safety, getting EAPs on the dams updated in the new DCR Dam Safety online data base. Attended a watershed dam owners meeting in Verona on 5-3-19. There was discussion on the remote monitoring equipment program. DCR will buy the equipment and each district will have to bid and fund contracts to install the equipment.
- Youth Conservation Camp – The Education Committee met May 20 at the District office to review YCC application. The Committee recommends approval of Abigail Page from Appomattox to attend YCC in Blacksburg, VA, July 7-13, at a cost of \$550.00. Formalize action at the June BOD meeting.
- Transfer of Ownership BMP Practice – The original participant of contract #10-15-0107, instance #208911, passed away during the construction of the project. At the October 2018 BOD meeting the Board approved the transfer of ownership to his brother. The project has a June 30, 2019 deadline, is complete and ready for payment but the brother does not want to take the cost share payment and responsibility for the project. He wants ownership transferred to the original participant’s estate. The property is scheduled for auction.
- Meetings attended:
  - Education committee – district office – 5-20-19
- Future meetings:
  - VACS training – Farmville – 6-4-19
  - Basic RUSLE 2 class – Richmond NRCS office – 6-5-19

**7-RELSWCD Ag BMP Conservation Specialist 2** - Dave Sandman presented his May report to the Board (copy filed with minutes).

- The State Board approved a grant for funding the remaining backlogged OCB SL-6 projects in the amount of \$1,723,600.00. Authorize Barry Lobb to sign the grant when it is received with the District retaining 1 copy and 1 copy sent to the CDC and formalize action at the June BOD meeting.
- Unused OCB funding in the amount of \$109,525.00 with some TA funding will be transferred from Peaks of Otter SWCD to RELSWCD to be used for new cost share applicants. This is 2019 funding so applications will be approved at the June BOD meeting and immediately carried over into FY2020.
- Practices and Conservation Plans for Board approval -

<b>Contract# Instance#</b>	<b>Prac</b>	<b>Co</b>	<b>Est. Cost</b>	<b>CS amt</b>	<b>Fund</b>	<b>TC</b>	<b>Comp Date</b>
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- Meetings attended:
  - New hay equipment demonstration – Kevin Jones farm in Campbell Co. – 5-16-19
- Future meetings:
  - VACS training – Farmville – 6-4-19

**8-RELSWCD Office Administrator** - Julie Stratton presented her May report to the Board (copy filed with minutes).

- Prepared draft minutes of the April BOD meeting and distributed for review.
- Prepared April Employee time report and distributed to directors.
- Prepared April Treasurer’s and Budget report and forwarded to Julius Sigler, Jr., for review.
- Prepared draft agenda for the May 9 special BOD meeting and May 23 regular BOD meeting and forwarded to Barry Lobb for review.
- Tax credit certificate –

<b>Contract #</b>	<b>Instance #</b>	<b>Practice</b>	<b>Tax Credit Amount</b>
10-19-0003	330662	SL-8B	\$5,299.10

- Returned remaining ACSA and Town of Amherst funds on hand for the Amherst Watershed Coordinator and Education Specialist positions and ACSA cost share incentive unobligated funds (letter filed with minutes).
- Meetings attended:
  - Met with Hannah Tillotson and Carolyn Hutcherson – new employee paperwork – district office – 5-20-19
- Future meetings:
  - VACS training – Farmville – 6-4-19

**9-RELSWCD Conservation Education Specialist** – Vacant – no report.

**REPORT OF COMMITTEES**

**10-Education Committee report** – Barry Lobb, committee chair - Minutes of May 20, 2019, meeting.

**UNFINISHED BUSINESS**

**11-Appointed At-Large Director** – Barry Lobb, Chairman – Potential candidates for Lynchburg and Amherst elected director positions.

**12-Timberlake Residents WID Exploratory Committee** – Mark Hollberg, CDC, informed the Board that the State Soil and Water Board did not pass the 2 trustees nominated for the Timberlake WID at its May 22 meeting. A letter will be sent to the District and the trustee nominees from Christine Watlington with DCR.

**NEW BUSINESS**

**PUBLIC COMMENT**

**ANNOUNCEMENTS**

**ADJOURNMENT** - The Chair adjourned the meeting at 7:05 p.m.

*/s/ Barry Lobb*  
Barry Lobb, 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 of Amherst Council

**From:** Sara Carter

**Date:** July 4, 2019

**Re:** Change Order 2 for Sedimentation Basin project

---

Staff has approved a change order for the sedimentation basin project that repairs unanticipated cracks in the concrete in sedimentation basin 1. Staff received input from the Utilities committee and members of Council regarding the change but would like to have the expense approved by Council per the Procurement Policy. This is the second change order for the project, the first being the extension of the sludge collectors for the entire length of the basin.

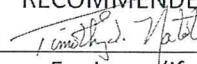
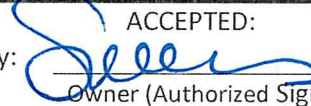
Date of Issuance:	Effective Date: 17 June 2019
Owner: Town of Amherst	Owner's Contract No.: 1
Contractor: Anderson Construction Inc.	Contractor's Project No.: 18011
Engineer: Bowman Consulting Group, LTD.	Engineer's Project No.: 100059-01-001
Project: Town of Amherst WTP Sedimentation Basin Improvements	Contract Name: Town of Amherst WTP Sedimentation Basin Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Repair unforeseen cracks in the walls and influent trough of sedimentation basin #1 that are preventing the grouting of the basin floor required for installation of the sludge collector.

Attachments: Anderson Construction Inc Fee Proposal for Crack Repair in Basin #1.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: <u>\$249,000.00</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase from previously approved Change Orders No. <u>0</u> to No. <u>1</u> : <u>\$ 6,138.99</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: <u>\$255,138.99</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: <u>\$ 10,614.77</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: <u>\$265,753.76</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u></u>	By: <u></u>	By: <u>Chris Morgan</u>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: <u>Town Manager</u>	Title: <u>Project Manager</u>
Date: <u>13 June 2019</u>	Date: <u>6.17.2019</u>	Date: <u>13 June 2019</u>

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_



# ANDERSON CONSTRUCTION, INC.

P.O. Box 10053 - Lynchburg, VA 24506

PROPOSED CHANGE ORDER #\_003  
18011 - Amherst WTP Sediment Basin  
208 Grandview Drive, Amherst VA 24521

June 12, 2019

Dear Tim Natoli,

Anderson Construction, Inc. (ACI) would like to propose a change order for this project. For Crack Repair in Basin #1.

**SCOPE:** Labor and materials to set ports and inject hydro-phyletic urethane grout into leaking vertical stress cracks (3-4 sections) and the bottom of a trough in one corner of the outdoor water storage tanks. APPROX. 60 to 80 linear feet.

- Proposed Change to Substantial Completion And / Or Final Completion
  - (4) number of days
  - Proposed New Substantial Completion / Final Completion Dates
    - SC: 08/17/2019
    - FC: 08/17/2019

Please let me know if you require further information in order to provide a decision on a change order as soon as possible.

Sincerely,

Chris Morgan, Project Manager  
Anderson Construction, Inc.  
Office: 434.239.4913  
Cell: 540.718.7973

Project #: 18011  
 Owner: Town of Amherst  
 Project: 18011 Amherst WTP Sediment Basin  
 General Contractor: Anderson Construction  
 Sub-Contractor:

Work Description: Crack Repair in Basin #1

Scope		Direct Labor				Direct Material		Direct Equipment		
Item No.	Description	Quantity	Qty Units	Direct Labor Hours	Hourly Wage Rate, Excl. Taxes & Ins	Total Labor	Total Cost	Material Cost Per Unit	Equipment Cost Per Unit	Total Equipment Cost
		C	D	F = C x E	G	H = F x G	I	J = C x I	K	L = C x K
1.01	Project Manager	1	Day	8	\$ 62.00	\$ 496.00				
1.97	Subtotal (S/T) Direct Cost					\$ 496.00				
1.98	Taxes/Insurance				50% of item 1.97H =	\$ 248.00				
1.99	Total Direct Cost				Total Labor	\$ 744.00				
<b>Unit Pricing</b>										

FICA, FUI, SUI, & Workmens' Comp. At 50%

Sub-Contractor Costs		
Item No.	Sub-Contractor Name (List totals from attached SS-1 Forms)	Total Cost
A	B	C
2.01	Crack Repair - Inject Hydro-Phylectic Urethane Grout - HippoSeal, Inc.	9,000.00
2.02		
2.03		
2.04		
2.05		
2.06		
2.9	Sub-Contractor Mark-up 5%	\$ 450.00
2.99	Total Sub-Contractor Cost	9,450.00

SUMMARY		
Item No.	Description	Total Cost
3.01	Total Direct Labor Cost	\$ 744.00
3.02	Total Direct Material Cost	\$ -
3.03	Total Equipment Cost	\$ -
3.04	Total Unit Price	\$ -
3.05	Subtotal	\$ 744.00
3.06	Overhead and Profit 15% x Item 3.01-3.03	\$ 111.60
3.07	Contractor Cost	\$ 855.60
3.08	Total Sub-Contractor Cost	\$ 9,450.00
3.09	Bond 3.00%	\$ 309.17
3.99	TOTAL COST	\$ 10,614.77

Submitted By  
 Name: Chris Morgan  
 Signature: **Chris Morgan**  
 Title: Project Manager  
 Date: 6/12/2019

License Expires: Chris Morgan  
 License No.: 00000000000000000000000000000000  
 License State: Massachusetts  
 License Type: Professional Engineer



Wall Seepage







Crack Runs Approx.  
2ft back to corner



# 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 Council  
**From:** Sara Carter  
**Date:** July 4, 2019  
**Re:** Appointments to Commissions and Boards

There are several appointments to Commissions and Boards that expired on June 30<sup>th</sup>. Please find below the list of those currently serving and whether they wish to be reappointed.

Name	Board	New Term	Willing to Serve?
William Jones	Planning Commission	7/1/2019-6/30/2023	yes
Clifford Hart	Planning Commission	7/1/2019-6/30/2023	yes
Ed Carton	Board of Zoning Appeals	5 years, appointed by Circuit Court	unknown
Lewis Addison	Industrial Development Authority	7/1/2019-6/30/2023	NO, need new appointee
Richard Wydner	Industrial Development Authority	7/1/2019-6/30/2023	yes

The Town has received one application for a Planning Commission slot. That application follows.

Ms. Hunt has been advertising for an appointee for the Industrial Development Authority. Staff recommends taking that up at the next meeting.

**TOWN OF AMHERST  
APPLICATION FOR APPOINTMENT TO STANDING BOARDS, COMMISSIONS,  
AND AUTHORITIES**

The following biographical information has been requested by the Amherst Town Council on each nominee for Council appointment. When completed, please return to: Town of Amherst, Attn: Clerk of the Council, P.O. Box 280, 186 South Main Street, Amherst, VA 24521.

**Authority, Board, or Commission** (check all you wish to apply for):

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Planning Commission   | <input type="checkbox"/> Property Maintenance Investigation Board       |
| <input type="checkbox"/> Board of Zoning Appeals          | <input type="checkbox"/> Town/Sweet Briar Sewer Use Advisory Commission |
| <input type="checkbox"/> Industrial Development Authority |   |

Full Legal Name: John A. Ruff

Mailing Address: P.O. Box 10427 Lynchburg, VA 24506

Home Address: Sunset Drive Amherst, VA 24521

E-mail Address: john@johnruff.com

Phone No: Office 434-509-1565 Work: 434-929-1051

Length of time at present address: 1 yr 6 mos

Are you over the age of 18? Yes

Employer Name: Deck N Yard, LLC Address: 4133 S. Amherst Highway Madison Heights VA 24572

Current employment position: General Manager

List specific information which might qualify you for this appointment: \_\_\_\_\_

Real estate appraisal and real boker experience for 1982 - 2009

Real estate investment and development experience 1980 - 2004

Why are you interested in serving as a member of this authority, board or commission?:

Amherst town resident that enjoys being involved in local community and serving others.

  
\_\_\_\_\_  
Signature of Applicant

June 07, 2019  
\_\_\_\_\_  
Date



# 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 Council  
**From:** Sara Carter  
**Date:** July 5, 2019  
**Re:** Report on Scott's Hill Park

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Staff has been requested to prepare a report on the park for Council's consideration at their July meeting.

## **Property Background:**

The property became available as Dave McCormack, the developer of the old mill, purchased this land to secure the dam and the mill race so that hydro-electric power could be developed there. Once the property and easements were secure, this property was offered to the Town for purchase. The Town had a survey completed to ensure that the right-of-way for the property was legal and adequate and completed a boundary line adjustment with Dave McCormack which placed the entirety of the dam and its works on a separate parcel retained by him.

The Town completed the process of determining substantial accord with the Comprehensive Plan and completed the purchase.

Since that time, the Town maintenance crew has cleared out the right-of-way, trimmed back overhanging trees, cleared out fences, mowed grass and cleared out brush, and planted donated items in the park. They also placed benches built by an Eagle Scout for his project last year.

## **Property Opportunities and Constraints:**

- **Rolling Topography and streams:** The property is characterized by rolling topography throughout the site. There are few level locations. There are two streams located on the property, Williams and Rutledge creeks. The layout of the property is approximates a semi-circle of about seven acres. The topography and streams are both limiting factors for use, as well as benefits for other uses. Trails and passive recreation are well suited to sites that are not flat and dry, as the hills and water add visual interest and physical challenge. However, the nature of the property makes it ill suited for playground or

athletic field type park uses.

- **Road and Traffic infrastructure:** Both Garland Avenue and Scott's Hill Road are narrow and winding. The constraints of the roadways mean that this property would not be well suited to uses that had high traffic counts and volumes. The VDOT right-of-way sign that designates the end of their maintenance is placed prior to the entrance of the property, but the actual end of the state road is over 200 feet within the property, granting the property legal state road access.
- **Environmental considerations:** Approximately 61% of the property is within the 1% floodplain. This means on any given year, there is a 1% chance of a flood on that land. While this does not preclude buildings or structures in that area, the Town should be aware of the need to elevate above the floodplain for certain types of structures. However, none of the property is designated with a floodway designation, which would have much more strenuous requirements to be met.
- **Utilities:** The property has a Town owned waterline and easement along the southern border. There is an overhead powerline which runs along the boundary close to the Route 29 bypass. There is a Town owned sewer line and easement that runs through the middle of the property.

### **Requested Uses:**

Through the public process, citizens, Planning Commissioners, and Council members have expressed interest in three broad categories of uses. Given the property opportunities and constraints listed above, all three of these uses are consistent with the property's suitability.

- **Trails:** There are opportunities for trail development, both on the property itself, and on adjacent property with the high school. In initial conversations with Dr. Arnold, the school superintendent, he indicated that he is supportive of trail connections between the two properties and would be receptive to working with staff, the Town Council, and the School Board to gauge interest and work out agreements between the two bodies. Trails can be multi-use, allowing additional bike access in the Town, as well as giving more walking opportunities in Town.
- **Picnic and Recreation space:** There are several locations that would make good locations to offer places for the community to be able to go outside and be in nature, whether that is to have a picnic outside, or to allow children to play in the creek. Recommended picnic facilities would be small in scale, to discourage large group gatherings in this location, due to the road constraints.
- **Dog Off Leash Area:** There is considerable interest in Town, as demonstrated by the online survey conducted as part of the leash law study, in having a place where people can take their dogs to play off leash. The requirements to create such an area are minimal- a fenced area (generally divided into two areas based upon dog size), benches, dog waste station, and trash cans. Some dog parks include watering stations, which is a more expensive item, but this is not a necessity.

- **Parking:** There would be a need for a parking area on the property. The area should not be too large- the road network and the uses envisioned would be best served by a small lot of less than 20 spaces with an adequate turn around area.

**Process:**

Staff is seeking input from Council to determine if these uses and conclusions match the general direction that Council would like for the park. If Council endorses the general concepts contained in this memo, staff would like to proceed as follows:

- **Community Meeting:** An open community meeting should be held at Town Hall to review this information with interested citizens and gain input about a conceptual design for the park. The meeting would be advertised on the Town's website and Facebook page and should be held near the beginning of September. Depending on the response from citizens, additional meetings will be held to gain some level of consensus regarding the concept plan.
- **Outreach to School Board:** Staff should work with Dr. Arnold to determine the best trail opportunities between the two properties and work towards a presentation to both the School Board and the Town Council regarding the available options.
- **Exploration of Grant Opportunities:** As consensus on uses and locations develops, staff should work with the Central Virginia Planning District Commission and other agencies to research and find grant opportunities for the development of the park.