

AMHERST TOWN COUNCIL
AGENDA – WEDNESDAY, JUNE 12, 2019
Meeting at 7:00 p.m.
Town Hall, 174 S. Main Street, Amherst, VA 24521

- A. Call to Order for the Town Council– 7:00 p.m. - Mayor Tuggle**
- B. Pledge of Allegiance** - *I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*
- C. Invocation** - *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 Pretreatment Ordinance (Pgs. 1-11)**– *A public hearing has been set and advertised for a revision to the Pretreatment Ordinance contained in Chapter 22 of the Town Code. This revision is brought forward to Council in order for the Town to comply with changing DEQ and EPA regulations.*
- 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. 12-22)** – *Draft of the May 8, 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. 23-34)**
- a. Town Manager Monthly Report - **attached**
 - b. Police Chief Monthly Report - **attached**
 - c. Office Manager Monthly Report - **attached**
 - d. Clerk of Council Monthly Report- **attached**
 - e. Public Works Monthly Reports- **attached**
 - f. Town Attorney Monthly Report – **attached**
- 2. Council Committee Reports (Pgs. 35-43)** – *see **attached** listing of committee responsibilities*
- a. Finance Committee – *Mrs. Carton- Report and Action on Budget Ordinance*
 - b. Community Relations – *Mrs. Ogden- meeting on June 4, 2019, minutes attached*
 - c. Utilities Committee – *Mr. Watts*
- 3. Other Reports**

- a. Planning Commission– *no meeting, no report*
- b. Robert E. Lee SWCD- *no report*

H. Discussion Items

1. **Policy Addition- Electronic Use Policy (Pgs. 44)-** *Sara Carter- With the increased use of Town owned electronic equipment, staff recommends an additional policy to address their use for both Council members and staff.*
2. **Temporary Easement for Amherst Mountain Biking Club (AMBC) (Pgs. 45-48)-** *Sara Carter- Staff has been working with the Bike Club and VDOT to gain permit approval for an entrance on the lot that is currently leased by the AMBC at Brockman Industrial Park. The existing lot has site distance issues that would require grading to correct. If the entrance is moved over to the next lot, approximately 20 feet from the lot line of the AMBC lot, very little site work would be required for the VDOT permit. Staff recommends granting a temporary easement to the AMBC for the purpose of an entrance onto their lot. The temporary nature of the easement is in case of future development.*
3. **Set Public Hearing for proposed Parking Ordinance changes (Pgs. 49-50)-** *Sara Carter- There have been questions and concerns from citizens regarding parking on Main Street. Staff has included three possible amendments for Council’s consideration. If Council would like to implement any of these, a public hearing should be set for the July meeting.*
4. **Set Public Hearing for an amendment to the FY 19 Budget (Pg. 51)-** *Tracie Wright- Staff requests that the Council set a public hearing to amend the FY 19 budget to account for already appropriated expenditures that exceed the 1% threshold outlined by State Code. The changes in the budget include the purchase of the police department, the park, and the grant money awarded to Waukeshaw Development.*
5. **Police Department Appropriation (Pg. 52)-** *Tracie Wright- The Police Department has received a donation for the June 29th First Responders event from Amherst Bistro. Staff requests that Council appropriate this money to the Department’s donation line.*

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 § 2.2-3711A.1 of the Code of Virginia, Personnel, for the purpose of the Town Manager’s annual performance evaluation.

N. Adjournment

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Secs. 22-128—22-152. Reserved.

DIVISION 3. PRETREATMENT OF WASTEWATER

[Sec. 22-153. Pretreatment facilities.](#)

[Sec. 22-154. Additional pretreatment measures.](#)

[Sec. 22-155. Accidental discharge/slug control plans.](#)

[Sec. 22-156. Hauled wastewater.](#)

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

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

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

[Secs. 22-158, 160—22-182. Reserved.](#)

Sec. 22-153. Pretreatment facilities.

Users shall provide wastewater treatment as necessary to comply with this article and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in section 22-122 within the time limitations specified by the EPA, the state, or the pretreatment coordinator, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the pretreatment coordinator for review, and shall be acceptable to the pretreatment coordinator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the town under the provisions of this article.

(Code 2005, § 17-15.3.1)

Sec. 22-154. Additional pretreatment measures.

- (a) Whenever deemed necessary, the pretreatment coordinator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this article.
- (b) The pretreatment coordinator may require any person discharging into the POTW to install and maintain, on the owner's property and at his expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit or a general permit may be issued solely for flow equalization.
- (c) Grease and sand interceptors shall be provided when, in the opinion of the pretreatment coordinator, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interceptor

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units shall be of a type and capacity approved by the pretreatment coordinator, shall comply with section 22-157 and shall be located easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired in accordance with section 22-157 by the user at his expense.

- (d) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(Code 2005, § 17-15.3.2)

Sec. 22-155. Accidental discharge/slug control plans.

At least once every two years, the pretreatment coordinator shall evaluate whether each significant industrial user needs an accidental discharge/slug discharge control plan or other actions to control slug discharges. The pretreatment coordinator may require any user to develop, submit for approval, and implement such a plan. Alternatively, the pretreatment coordinator may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- (1) Description of discharge practices, including non-routine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the pretreatment coordinator of any accidental or slug discharge, as required by section 22-251; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(Code 2005, § 17-15.3.3)

Sec. 22-156. Hauled wastewater.

- (a) *Policy.* Persons desiring to routinely discharge used or untreated liquid wastes, hereinafter referred to as septage, taken from septic tanks, cesspools or other sewage containers into the town sewage system shall possess a valid septage hauler discharge permit. Permits will be issued by the town manager or his designee for a term not to exceed one year and will specifically identify the types of septage which can be discharged. For purposes of classification, there are two types of septage:
- (1) Septage collected from establishments where only household type activities have occurred and delivered to the sewage system by a sewerage handler licensed by the commonwealth.
 - (2) All other types of hauled septage. Such other types of septage will be subject to the conditions of contractual agreements between the town and the septage generator. All requests for such other types of hauled septage shall be accompanied by an appropriate laboratory analysis showing the concentration of pollutants to be discharged.
- (b) *Conditions.* All persons discharging a hauled septage to the town sewage system will adhere to the following conditions:

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- (1) Each vehicle transporting septage must have a copy of the current discharge permit identifying the full tank capacity and the state department of health sewerage handling permit in the vehicle at all times and provide same to the pretreatment coordinator or other town official upon demand.
 - (2) All septage will be brought to the designated discharge location at the wastewater treatment plant.
 - (3) A completed manifest form, containing the appropriate signatures and identifying the source of the septage, shall be presented to the wastewater treatment plant operator prior to discharge.
 - (4) No truckload will exceed 2,500 gallons unless prior permission has been granted by the town manager or his designee.
 - (5) Any truckload which contains any amount of restaurant-generated septage or grease will be rejected and not allowed to unload.
 - (6) Contractual loads cannot be mixed with any other type of waste.
 - (7) Changes to information supplied with a permit application or in an approved permit shall be grounds for suspension of a permit and so must be reported immediately to the pretreatment coordinator.
- (c) *Administration.* The pretreatment coordinator shall establish reasonable rules and procedures to facilitate the implementation of this section, including the development of informational documents, application forms, permit forms, and manifest forms.
- (d) *Fees and charges.*
- (1) To cover the administrative cost of the septic hauler discharge permit, the amount established in the annual budget ordinance per year of permit term will be charged.
 - (2) All fees and charges will be accumulated over each calendar month and be billed on a monthly basis. In the case of contractual agreements payment will be subject to the conditions of the contract.
 - (3) Disposal services will be suspended for customers with an outstanding bill not paid by the due date.
 - (4) Disposal costs for residential septage will be assessed at the rates established by the town council along with other rates during the budgetary process.
 - (5) Whenever the town utilizes the services of an attorney or a collection agency to collect any delinquent fees, rents or charges for the use and services of the town's sewage disposal system, reasonable attorney's fees or collection agency's fees shall be added to the delinquent bill. The attorney's fees or collection agency's fees shall not exceed 20 percent of the delinquent bill and may be recovered by the town by action at law or suit in equity. Attorney's fees shall be added only if such delinquency is collected by action at law or suit in equity.

(Code 2005, § 17-15.3.4)

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

- (a) *Background and policy.*
- (1) Fats, oils, and greases, hereinafter collectively referred to as ~~grease~~ FOG, are problem substances in wastewater that can be effectively controlled by properly maintained ~~interceptors~~

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~~(traps)~~ **Grease Control Device (GCD)**. Adequate ~~grease interceptor~~ **GCD** installation and maintenance will lower the number of ~~grease-FOG~~ stoppages in the town sewage collection system. Preventing ~~grease-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 ~~grease-FOG~~ concentrations. ~~Grease-FOG~~ itself is difficult for plant microorganisms to digest and, therefore, is only partially removed during the wastewater treatment process, and ~~grease-FOG~~ can contribute to foaming problems experienced at the plant. ~~Grease-FOG~~ buildups also cause sewage pump station maintenance problems. ~~Grease interceptors~~ **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 ~~grease-FOG~~. All restaurants, cafeterias, and similar uses shall have a ~~grease interceptor~~ **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.

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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) ~~Design and installation.~~ Grease control devices (GCD).

(1) ~~All interceptor units shall be of a type and size approved by the pretreatment coordinator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at his expense.~~ 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) ~~A grease or sand interceptor already in place must be properly sized or be replaced or improved to meet the town's requirements. The town pretreatment program coordinator shall determine by inspection and through information provided by the user whether the existing interceptor is properly sized. A change in the nature or scale of the user's operation may require a reinspection of the interceptor and a redetermination of whether the interceptor and associated maintenance plan is adequate.~~ Installation. Grease control devices shall be installed by a plumber licensed in

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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) ~~Grease interceptors shall be located on plumbing lines downstream from wash sinks and other primary sources of grease and shall be isolated from blackwater. Retrofit installations shall have interceptors with a minimum of 100 pounds' grease capacity. New installations shall have outdoor grease interceptors with a minimum capacity of 1,000 gallons. However, in lieu of these minimum requirements, a sewer user may elect to provide an alternate design along with a maintenance plan as prepared by professional engineer licensed to practice in the commonwealth. The pretreatment coordinator may approve such alternate proposal if the intent of this section is met. All applicable local plumbing and construction codes shall be followed during interceptor installation.~~ 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) ~~Operation, maintenance and inspection.~~ *Waste disposal.* Waste material from grease control devices shall be disposed of as follows:

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- ~~(1) A user must adequately clean the interceptor as needed but at least once every 30 days. The pretreatment coordinator may require more frequent cleaning if conditions warrant.~~
- ~~(2) A facility must keep written interceptor cleaning records on file for a minimum of one year. These records must be on the premises and readily available and subject to inspection by the pretreatment coordinator. Information documenting the location of the interceptor, responsible parties, and actual maintenance performed shall be submitted to the pretreatment coordinator on a quarterly basis on a form provided by him.~~
- ~~(3) Emulsifier, degreaser, and enzyme use in grease interceptors is prohibited. Hot water flushing to clear the interceptor is prohibited.~~
- (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) ~~Exemptions. Any contributor covered by this section who is able to prove that compliance would be economically or physically infeasible on the particular facts and circumstances of his case may apply on that ground to the town council for an exemption from any portion of this article.~~ 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.

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(e)(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

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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@deq.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@deq.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@deq.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

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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 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

PART II - CODE OF ORDINANCES

Chapter 22 UTILITIES

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.

Secs. 22-160—22-182. Reserved.

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order May 8, 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	A	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	Fred W. Adams	WWTP Operator Apprentice
Tracie L. Wright	Office Manager		

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Phill Kline, Amherst Baptist Church.

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

Town Manager Carter gave a brief report on the recodification of the Amherst Town Code the purpose of which was to identify, delete and revise obsolete provisions to comply with the current legislation and laws in the Virginia State Code, and provide a proper index. Certain ordinances not regulated by Charter to be fixed by ordinance were removed to a separate Rules of Order Procedure document allowed by Charter. Staff recommends adoption of the proposed Ordinance Adopting and Enacting a New Code for the Town of Amherst, Virginia; Providing for the Repeal of Certain Ordinances Not Included; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective, concurrent with adoption of a Resolution to Adopt and Effect the Rules of Procedure for the Town of Amherst for the January 1, 2019 – December 31, 2020, Council Term. The adoption of the Rules of Procedure is not a part of the public hearing.

Mayor Tuggle opened a duly advertised public hearing at 7:06 PM on the proposed Ordinance Adopting and Enacting a New Code for the Town of Amherst, Virginia; Providing for the Repeal of Certain Ordinances Not Included; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective, that would, if approved, adopt the Town of Amherst Town Code as stated in the ordinance.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:07 PM.

After discussion, Mr. Watts made a motion that was seconded by Mrs. Carton to adopt the proposed Ordinance Adopting and Enacting a New Code for the Town of Amherst, Virginia; Providing for the Repeal of Certain Ordinances Not Included; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective, and to adopt the proposed Resolution to Adopt and Effect the Rules of Procedure for the Town of Amherst for the January 1, 2019 – December 31, 2020, Council Term, as recommended by staff.

The motion carried 3-1-1 as follows:

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

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

Mrs. Carton made a motion that was seconded by Mr. Watts 4-0-1 to approve the minutes from the April 10, 2019, meeting. There being no discussion the motion carried 4-0-1 with Mmes. Carton, Ogden, Wheaton and Mr. Watts voting “Aye.” Mr. Bunch was absent.

Ms. Carton, Chairman of the Finance Committee, reported that the committee met to discuss the recycling program from County Waste. Because County Waste has informed the Town that they will no longer be able to provide recycling for free as part of their trash program the committee agreed to recommend an increase of the same amount will be charged to all in-town and out-of-town customers, beginning in July.

At the request of the Finance committee, Town Manager Carter confirmed that bigger recycling bins were available to customers at their request for an additional charge and a swap-out of their existing bin could be made.

Mr. Watts reported on behalf of the Recodification Committee that the committee had an opportunity to review the documents provided and had nothing to add.

Mr. Watts, Chairman of the Utilities Committee, reported that at a meeting held the committee reviewed a draft Pretreatment Ordinance prepared by Mr. Williams to address changes that are being required by EPA, and subsequently, by Virginia DEQ. DEQ has requested that the changes be adopted by June 30, 2019.

Mr. Watts reported that Town Manager Carter and staff have reached out to Amherst County Public School representatives to begin introducing Water and Wastewater Operations paid internship as a career potential for area students. Ms. Carter’s initiative was received in a positive light from county officers as well as plant staff.

After a brief report on personnel policies and recommendations made by Town Manager Carter that the annual leave accrual match Amherst County, the Town of Bedford, Campbell County and the City of Lynchburg, all of which offer more leave in the earlier years and at the 15+ years of service level; that staff be allowed to carryover 288 hours of annual leave, which is neither the highest, nor the lowest amount; and that language be added to the Employee Development portion of the Personnel Manual for appropriate expenditure or reimbursement for meals during training or conferences, Mrs. Carton made a motion that was seconded by Mrs. Ogden to approve the policy changes as recommended by staff. There being no discussion the motion carried 4-0-1 with Mmes. Carton, Ogden, Wheaton and Mr. Watts voting “Aye.” Mr. Bunch was absent.

There being no discussion, Mr. Watts made a motion that was seconded by Mrs. Carton to hold a public hearing at its next meeting on June 12, 2019, on amendments required by DEQ to the Amherst Town Code Chapter 3, Article III §22-88 Wastewater Pretreatment Ordinance. The motion carried 4-0-1 with Mmes. Carton, Ogden, Wheaton and Mr. Watts voting “Aye.” Mr. Bunch was absent.

After discussion, Mr. Watts made a motion which was seconded by Mrs. Ogden to adopt VRS Resolution for Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program Employer Adoption Agreement in which employees of local governments, local officers, and teachers, as defined in § 51.1-513.3 of the Code of Virginia, may participate, as recommended by staff. The motion carried 4-0-1 with Mmes. Carton, Ogden, Wheaton and Mr. Watts voting “Aye.” Mr. Bunch was absent. A copy of the resolution is attached and made a part of these minutes.

After a brief report by Town Manager Carter and discussion, a motion was made by Mr. Watts which was seconded by Mrs. Carton to award IFB #2019-04 Design and Renovation Services for the Police Station to Wall Construction as recommended by staff. The motion carried 3-1-1 as follows:

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

After a brief report by Town Manager Carter and discussion, a motion was made by Mr. Watts which was seconded by Mrs. Carton to approve appropriation of \$250,000 from the general fund reserve to cover cost associated with contract with Wall Construction, and additional cost for new roof, evaluation and remediation service associated with Police Station renovation, as recommended by staff.

The motion via roll call method 3-1-1 as follows:

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

After a brief report by Town Manager Carter and discussion, a motion was made by Mr. Watts which was seconded by Mrs. Carton to approve suspension of the procurement requirement for Council approval of expenditures over \$5,000 related to the Police Station renovation project, with all other Town procurement procedures related to the project to remain in effect and to be followed, as recommended by staff.

The motion via roll call method 3-1-1 as follows:

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

After Town Manager Carter gave a brief report on two substantive changes made in the proposed budget subsequent to the public hearing on April 10, 2019, accommodating an increase of VML line of duty and increase in cost of recycle rate to be billed to all in-town and out-of-town customers, and discussion, Mrs. Carton made a motion that was seconded by Mr. Watts to adopt an ordinance that would have the effect of establishing the FY19/20 Town of Amherst budget, with revisions, as recommended by staff.

The motion 3-1-1 via the roll call method as follows:

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

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

Chief Shiflett reported that the officers are looking forward to the police department renovations and he wished to thank Council members, Town Manager Carter, and Tracie Wright for support and help with the police department project. He also reported that the First Responders parade and celebration slated for June 29th has been launched on social media and that although planning for the event has been underway, they need help to find more assortment of interested vendors.

Town Manager Carter stated her appreciation to Town staff for their time, attention, and high performance with challenging work given them during times of special projects added on to their normal duties.

After discussion, it was the consensus of the members present that Town Council protect and preserve the firing range for use as a memorial for someone for extraordinary service or in memoriam of someone who gave their life in service or line of duty.

After discussion, it was the consensus of the members present that the Town Council wear council shirts to the June, July, and August 2019 Town Council meetings.

Mayor Tuggle reminded all that the Town will host a third annual recognition picnic on May 18, 2019, for all Town employees, volunteers and their families.

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

There being no further business, the meeting adjourned until June 12, 2019, at 7:00 pm on motion by Mrs. Carton seconded by Mrs. Ogden at 8:41 PM. The motion carried 4-0-1 with Mmes. Carton, Ogden, Wheaton and Mr. Watts voting "Aye." Mr. Bunch was absent.

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF AMHERST, VIRGINIA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. The Code entitled "Code of the Town of Amherst, Virginia," published by Municipal Code Corporation, consisting of chapters 1 through 22, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before December 12, 2018, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be guilty of a class 1 misdemeanor. Except as otherwise provided by law or ordinance: (i) With respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense; (ii) With respect to violations of this Code that are not continuous with respect to time, each act constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after December 12, 2018, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective as provided by law.

This Ordinance was adopted on May 8, 2019.

Mayor

ATTEST:

Clerk of Council

A RESOLUTION TO ADOPT AND EFFECT THE RULES OF PROCEDURE FOR THE TOWN OF AMHERST FOR THE JANUARY 1, 2019– DECEMBER 31, 2020, COUNCIL TERM.

WHEREAS, the Amherst Town Charter §3.12 states that the council may adopt rules for regulating its proceedings; and

WHEREAS, the Rules of Procedure are intended to supplement the Town Charter; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Amherst hereby adopts the Rules of Procedure dated May 8, 2019; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council of the Town of Amherst, Virginia, that the Rules of Procedure dated May 8, 2019, adopted May 8, 2019, shall apply for the January 1, 2019 – December 31, 2020 Council term; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Clerk of Council is ordered to spread a copy of the Rules of Procedure dated May 8, 2019, adopted May 8, 2019, upon the minute books of the Town Council of the Town of Amherst.

This Resolution was adopted by the Town Council of the Town of Amherst on May 8, 2019.

Mayor Dwayne Tuggle

Attest:



VIRGINIA RETIREMENT SYSTEM
P.O. Box 2500
Richmond, VA 23218-2500

Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program Employer Adoption Agreement

THIS AGREEMENT (the “Agreement”), executed this [insert date] ____ day of _____, 20____, is by and between [insert Locality, School Division, or Other Political Subdivision] _____ (the “Employer”) and the Virginia Retirement System (the “Plan Sponsor”) (hereinafter collectively referred to as the “Parties”).

WITNESSETH

WHEREAS, the Commonwealth of Virginia has established, and the Plan Sponsor is responsible for, the Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program (the “Plan”) in which employees of local governments, local officers, and teachers, as defined in § 51.1-513.3 of the *Code of Virginia* (the “Code”), as amended, may participate; and

WHEREAS, pursuant to the same section of the *Code*, the Employer desires to enter into this Agreement with the Plan Sponsor to permit participation in the Plan by its eligible employees; and

WHEREAS, the official entering into this Agreement is duly authorized on behalf of the Employer’s governing body.

NOW, THEREFORE, in consideration of the premises herein, the Parties agree as follows:

- 1) The Plan Sponsor represents and warrants to the Employer that it will comply with all applicable laws affecting the Plan.
- 2) The Plan Sponsor represents to the Employer that it will provide sufficient services to administer the Plan and to appropriately respond to inquiries by employees and participants.
- 3) The Employer acknowledges and agrees to the terms and conditions established in the Plan.
- 4) The Employer agrees to provide the Plan Sponsor’s selected long term care insurance carrier with a mail file of all active employees, in the format provided by the insurance carrier.

- 5) When requested by the Plan Sponsor or the insurance carrier, the Employer agrees to permit the Plan Sponsor's selected long term care insurance carrier to conduct group and individual meetings for the purpose of explaining the Plan or enrolling employees on the Employer's premises during normal working hours subject to such reasonable restrictions that the Employer communicates in writing to the Plan Sponsor and that are accepted by the Plan Sponsor.
- 6) This Agreement may be amended from time to time by written agreement between the Plan Sponsor and the Employer.
- 7) The term of this Agreement shall be for three years beginning on the date of its execution, and thereafter may be terminated by either party upon 60 days written notice to the other party.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed, intending to be bound thereby.

Employer

Virginia Retirement System

By: _____

By: _____

Title: _____

Title: _____

Date: _____, 20__

Date: _____, 20__

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	\$1,134,043
Water Fund	\$1,409,198
Sewer Fund	\$1,054,381
Garbage Fund	\$139,927
IDA Fund	\$36,987

Estimated Expenditures

General Fund	\$1,134,043
Water Fund	
- Operations	\$763,807
- Debt Service and Capital Projects	\$645,391
Sewer Fund	
- Operations	\$627,080
- Debt Service and Reserve	\$427,301
Garbage Fund	\$139,927
IDA Fund	\$36,987

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%.

D. UTILITY RATES AND CHARGES

The proposed budget holds rates at their current levels for water and sewer with an increase for garbage to account for a recycling charge from County Waste starting June 1, 2019, as shown on the revised Utility Rate and Fee Policy, contained within the budget.

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:

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

F. FUND BALANCE REQUIREMENTS

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	\$	33,871
Water Fund Permanent Fund	\$	470,828
Sewer Fund Permanent Fund	\$	422,726

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 8th of May, 2019 and shall become effective on July 1, 2019.

Mayor

Attest:

Clerk of Council

Town Manager's Report for the June 12, 2019 Town Council Meeting

Committee	Report
A. Industrial Development Authority	No meetings/no report
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	Meeting June 4, 2019, minutes attached
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	Attended board meeting May 23, 2019
K. Central Virginia Planning District Commission	No meeting attended



AMHERST POLICE DEPARTMENT



MONTHLY REPORT

May 2019

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

CALLS FOR SERVICE	NUMBER
MOTORIST ASSIST	29
ALARM	16
PHONE COMPLAINT	24
BOLO	15
MISSING PERSON	1
SHOPLIFTING	
PROBLEM WITH OTHERS	14
DOMESTIC	5
CHECK WELFARE	2
NOISE OR DOG COMPLAINT	1
TRAFFIC CRASH	7
EMS CALLS	1
SUDDEN DEATH	
SUSPICIOUS PERSON	3
FUNERAL TRAFFIC	5
OTHER	34

OFFICER INITIATED	NUMBER
BUILDING CHECKS	136
BUSINESS VISIT	79
BUILDING SEARCH	7
TRAFFIC SUMMONS	51
DRUNK IN PUBLIC	1
EXTRA PATROLS	248
WARRANT SERVICE	11
PROPERTY WALK AROUNDS	26
WARRANTS OBTAINED	1
PARKING TICKETS	
MISD. INVESTIGATION	7
FELONY INVESTIGATION	5
NARCOTICS INV.	4
SEARCH WARRANT	6
PUBLIC RELATIONS	13
CITIZEN CONTACT	288

WARNINGS	NUMBER
SPEEDING	11
EQUIPMENT VIOLATION	16
RECKLESS DRIVING	
SUSPENDED LICENSE	2
INSPECTION/REGISTRATION	3
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	11

TRAFFIC STOPS TICKETED	NUMBER
SPEEDING	34
EQUIPMENT VIOLATION	
RECKLESS DRIVING	4
SUSPENDED LICENSE	
INSPECTION/REGISTRATION	4
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	9

ARREST	NUMBER
MISDEMEANOR	4
FELONY	
EPO	1
ECO/ PPO	5
NARCOTICS VIOLATION	2
DUI / DUIG	2

OTHER	NUMBER
ASSIST OTHER OFFICER	45
ASSIST OTHER AGENCY	30
COURT	21
REPORTS	10
SCHOOL / TRAINING	2/53hrs
MEETINGS	21
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- 283

Miles patrolled- 8,462

- Parade/event The event planning is about complete. The parade route is being finalized with VDOT. We will have a 15/20 minute firework show following the parade and concert. All the permits have been filed with the fire marshal and the site for the show is approved. We will have a variety of food vendors on site. Parade lineup will start at 4:00 pm and parade will start at 5:00 pm. The concert will start at 7:00 pm and fireworks will follow at 9:00 pm.
- Started the revisions of the policy manual for the police department. Hope to have the process completed by the end of this summer. Our summer intern has started and will be helping on several projects.
- Met with Mr. Glenwood Burley about the police department last week. He is considering helping donate some money towards buying some new furniture for the conference room.
- Police department construction should be starting in the next few weeks!!



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: June 3, 2019
Re: May 2019 Monthly Report

Utilities – 1164 bills were cut totaling \$182,911.25

A/P – A total of 56 checks were cut totaling \$68,346.99 for May 2019 bills.

Meals and Beverage Tax – 15 Businesses paid \$44,930.51 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 \$448,809.26. Based on the monthly revenues so far, I anticipate that we would exceed that revenue total by roughly \$38,000.

Taxes – After a few more bank lien processes and DMV stop payments, our outstanding balances for 2018 License Fees are down to \$3,138.87.

Business License – Business License applications and payments were due May 1, 2019. Any applications and payments received after May 1st will have a 10 percent penalty added and interest added starting June 1, 2019. Dee will send out second notices in June and I usually begin the bank lien process on this in August. As of today, we have collected, \$106,179.65. Our total anticipated revenues to be collected were \$120,000, so we aren't too bad as of right now.

Clerk of Council May 2019 Report

Committee Meetings

Town Council

Receive and review agenda packet for 5-8-19 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
 - Pages (Add Town Code under Government/Change page to Zoning Ordinance under Government)
 - Quick Links (Town Code/Zoning Ordinance)
 - Public Hearing notices with details
 - Update Calendars, Hot Topics, News Room items
 - Add new home page pictures

Town Facebook Administrator

Post to Town's Facebook page:

- Create content and/or share links to community events and news; Monitor feedback

Recodification of Town Code

- Review corrections to Town Code received from Municode
- Forward approved ordinance adopting and enacting a new code for the Town of Amherst, Virginia, to Municode
- Receive direct website link from Municode to Town Code

Rules of Procedure

Miscellaneous emails in re tie vote

Farmers Market

Receive permit from VDOT; attention to detail

First Responders Parade and Celebration

Design street banner; Prepare banner permit application; correspond with Chief Shiflett, Town Manager, McBride Signs, VDOT

Meeting with Chief Shiflett and Major Harler re event route and event details in preparation for permit application to VDOT

Other:

- Prepare legal ads - Town Council meeting re waste water pretreatment ordinance; send for publication
- Prepare public hearing notices: Town Council meeting; community relations meetings
- Prepare miscellaneous purchase orders
- Follow-up on RSVP's for employee appreciation picnic
- Review Town Code Spreadsheet for ordinances that have been deleted from the old Code that are to transition to the Budget; report findings to Town Manager Carter

Town of Amherst Committees as of May 31, 2019 – Update; See Attached.

Town of Amherst Committees as of May 31, 2019

	<u>Appointed/Term Expires</u>
<u>TOWN COUNCIL</u>	
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

<u>PLANNING COMMISSION</u>		
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

<u>BOARD OF ZONING APPEALS</u>		
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	12/11/13	08/31/18

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

<u>PROPERTY MAINTENANCE INVESTIGATION BOARD</u>		
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

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

Appointed/Term Expires

CENTRAL VIRGINIA TRANSPORTATION COUNCIL (MPO)

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

TOWN/SWEET BRIAR SEWER USE ADVISORY COMMISSION

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

JOINT COMMITTEE ON COOPERATION

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

(3 Appointments from Amherst County)

YMCA EXPLORATORY COMMITTEE

Tracy Wilburn	05/10/17
Erin Calhoun	05/10/17
Paul Robert Munn	08/09/17
Rebecca A. Fitzgerald	08/09/17

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

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

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

COMMUNITY RELATIONS AND RECREATION 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

Utility/Town Maintenance and Construction Report

May-19

Water Meter Read	1150
Water Meter Re-Read	21
Disconnects	13
VA-811 Service locations	26
Vehicle PM Work Orders	28
Pump Station/Plant Work Orders	24
Banners Installed/Dismantled	2
Water Services Installed/Replaced	5
Sewer Services Installed/Replaced	1
Minor Leaks Repaired	0
Major Leaks Repaired	2
Minor Sewer Problems Resolved	1
Major Sewer Problems Resolved	0

Man Hours

Meter Reading	72
Street/Sidewalk Maintenance	158
Safety Training	3
Bush Hogging	88
Flushing Water	0
Equipment Maintenance	74
Xmas decorations	0

Major Issues & Comments

Grass cutting and bush hogging its the season.

Routine/Annual Work

Service Work Orders
 Meter Reading
 Prev-Maint Work Orders
 Disconnects
 Re-connects
 Flushing Program
 in Select Locations

Projects/Unusual Work

Locating Un-marked/Unknown Water & Sewer System Assets
 Continue Safety and Shop/Yard Clean-up
 Staff has been working on finding water valves and addressing issues
 Working on clearing water right of ways.



TOWN OF AMHERST
DEPARTMENT OF PLANTS

MONTHLY PRODUCTION AND OPERATIONAL REPORT
 May 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	9.720	0.340	0.480	0.210
Produced	8.460	0.290	0.430	0.180
Delivered	8.040	0.280	0.430	0.160

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	7.469	0.241	0.355	0.152

Water Plant Sedimentation Project:

Work began over the weekend with plant personnel emptying and performing primary cleaning of basin #1. Several issues have presented themselves. Once Basin #1 was drained it has been discovered that there is a crack running up from the existing basin floor to the top of the wall in two locations. One is seeping worse than the other. There is also an area in the southeast corner of the basin, water is coming through a crack in the trough that runs above the basin. Two of these could cause deterioration to the new basin floor before the grout has time to set-up. Anderson Construction has suggested pressure grouting these areas, which was accepted.



The existing baffle wall in basin 1 is brick. MRI and ACI are concerned that this wall may not handle the loads that the HCV Drive will put on it. The HCV Drive while in operation can put 2000 pounds of force down on this wall. There is the option to move the HCV Drive to the wall adjacent to the existing trough that has the two

12-inch mud valves between basin 1 and the Flocculation basins. The option to move the MRI drive support to the wall adjacent to the existing trough was accepted. A credit in materials and labor will be issued for:

1. Eliminating of grating,
2. Eliminating of support frame
3. Eliminating the labor and supervision for installing the grating & frame.
3. Eliminating the demolition of the existing safety railing.
4. Eliminating the purchase of replacement safety railing.
5. Eliminating the labor and supervision for installing the replacement safety railing.



It was discovered on Monday 6/3/19 when Basin #1 was drained that the existing 12" Overflow drain is not ductile. It is oversized cast iron, there is a lead joint bell coming through the existing floor basin, the existing overflow pipe is leaded into the joint. Also, from the pictures attached the existing overflow pipe is in bad condition and is would recommend replacing that pipe as well. ACI suggest removing the existing overflow pipe. The lead joint bell would have to stay, clean out all the lead, take a new ductile iron spool piece and insert it into the existing bell. Sealing it with the combination of a mechanical joint gasket and SikaFlex-1a non-sag elastomeric sealant. Then mount the 12x4 DI flange tee onto the ductile iron spool piece. From that point we could go with Schedule 80 PVC pipe which should last for a long time and not rust. The PVC would be a cheaper option and would also last longer than ductile.



Activated carbon and midpoint chlorine feed lines have been removed and capped off and grouting on center wall cement spalling started.



The project is forecasted to take 66 days, as of this report we are on day 3 of 66.

Submitted: May 5, 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

June 6, 2019

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

Attn: Sara Carter- Town Manager

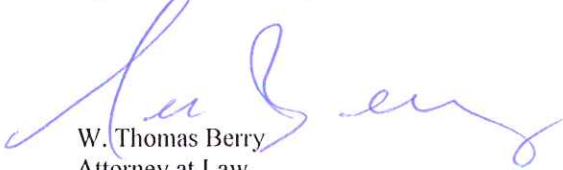
Re: Monthly Report to Town Council
(May 2019)

Dear Ms. Carter, and Council,

My report on work regarding the following matters:

1. Recodification: Review of recodification documents with Vickie Hunt, and discussions for final review.
2. IDA/ Town: No meeting this month.
3. Town Council Meeting: Attendance at the monthly scheduled meeting on May 8, 2019.
4. Personnel: Ongoing review with Nelson County Commonwealth Attorney. Spoke with Assistant Commonwealth Attorney, indictments served on 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 Emmerts
6. Upcoming Work: Continue with Slip Line project easements. Preparation of attorney opinion for project approval.
7. Review several ordinances, parking on the streets and signs
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/tat

Invoice

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

Date	Invoice #
6/6/2019	8833

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

Description	Qty	Rate	Terms
			Due on receipt
			Amount
4/25/19 REVIEW E-MAIL	0.8	175.00	140.00
4/29/19 COUNCIL, EMMERT	0.3	175.00	52.50
5/2/19 EMMERT	0.5	175.00	87.50
5/2/19 CHARTER, CODE PROCEDURE	1	175.00	175.00
5/3/19 ROUTE 60, TOWN EASEMENT	0.2	175.00	35.00
5/7/19 REVIEW PACKAGE OF EASEMENTS	0.7	175.00	122.50
5/8/19 REVIEW PACKAGE OF EASEMENTS INCLUDING ROUTE 60	1.5	175.00	262.50
5/10/19 REVIEW MABRY SITUATION, TALKED TO TUGGLE, MEMO	1.25	175.00	218.75
5/17/19 REVIEWED TOWN PROPERTY	3	175.00	525.00
5/29/19 REVIEWED POLICE STATION FILE, MET WITH SARA CARTER	1	175.00	175.00
Total			\$1,793.75
Payments/Credits			\$0.00
Balance Due			\$1,793.75



TOWN OF AMHERST

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

To: Finance Committee
From: Sara Carter
Date: June 6, 2019
Re: Re-adoption of Budget Ordinance and Utility Policy

Council adopted the FY 20 Budget on May 8, 2019. At the same meeting, the recodified Code was adopted. Subsequent to that meeting, I realized that there were portions of the Code that outlined rates and fee structures that I should have included in the budget ordinance. They have been removed from the Code, leaving the description and legal background, with amounts to be set annually as part of the budget process. This is standard practice throughout the Commonwealth, and the previous Town Code was out of date in its practice.

In order to have these included as a part of the FY 20 budget, the Council needs to rescind the vote that adopted the budget ordinance. At that time, Council can readopt the revised Budget Ordinance (with a roll call vote) along with the revised Utility Policy.

There are no changes made to any rate or fee structures as a result of this action. No further public comment or advertisement is required.

The inclusion of these rates in the Budget Ordinance and the fee structure for availability and connections in the Utilities policy addresses the financial items that were changed from the previous Code. Next year, we will be alerted to these changes and include them in the budget process and document.

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:

Amount	Organization	Purpose/Conditions
\$12,250	Amherst Fire Department	Operating Costs, including water, sewer, electric, training, equipment.
\$2671	Amherst County Chamber of Commerce	Membership, sponsorship and contribution towards bands at two events.
\$2750	Second Stage	Community Movie program. An additional \$2750 should be available through a Challenge Grant, which would pass through Town coffers.
\$3500	Village Garden Club	Civic Beautification
\$2500	Amherst County Museum and Historical Society	Utilities, Programming and repairs to the Museum building.
\$2500	Neighbors Helping Neighbors	Supplies for Food Bank
\$200	Rotary Club	Civic Beautification
\$26,371	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 12th 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>
Water:				
Effective July 1, 2017	\$15.60	\$7.75	\$31.20	\$15.50
Sewer:				
Effective July 1, 2017	\$27.35	\$6.85	\$54.70	\$13.70
Curbside Refuse Collection:				
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 20th day of each month except when the 20th 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 2nd 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.

**COMMUNITY RELATIONS COMMITTEE
MINUTES**

June 4, 2019
6:00 PM

Attendees: Sarah Ogden, Chairman and Janice Wheaton
Staff: Sara Carter

The meeting was called to order by Mrs. Ogden at 6:00 pm

The committee discussed the history and future of the park.

The committee toured the park.

The meeting adjourned at 7:14 p.m.

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.



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: Sara Carter
Date: June 6, 2019
Re: Easement for Amherst Mountain Biking Club

As the Town staff have worked with the Mountain Biking Club to assist as they have developed their lots for trails, it has become clear that a VDOT approved entrance on the parcel leased by the AMBC on West Commerce Street would require significant grading to allow an entrance. However, if the Town allows a temporary easement for the purpose of ingress and egress on the adjacent lot, the approval and requirements are much easier. Staff recommends granting the temporary easement for the use of the Amherst Mountain Biking Club, until such time as the lot with the entrance has some other use by the Town.

This Temporary Right of Way Easement is prepared by:
W. Thomas Berry, LLC
VSB#28034
P. O. Box 354, Lovingston, Virginia 22949
Tax Map No. 96-5-8, 96-A-13, 96-A-36

THIS TEMPORARY RIGHT OF WAY EASEMENT, made and entered into this 4th day of June, 2019 by and between **TOWN OF AMHERST, a Municipal Corporation of the Commonwealth of Virginia**, Grantor, and **AMHERST MOUNTAIN BIKING CLUB**, whose address is 405 Cherry Hill Drive, Amherst, Virginia 24521, Grantee.

WHEREAS, the Town of Amherst is the Owner of Lots located in the L. Barnes Brockman Sr. Business and Industrial Park on Virginia State Route 60 East; and

WHEREAS, the Town of Amherst has leased certain property in the L. Barnes Brockman Sr. Business and Industrial Park to the Amherst Mountain Biking Club, namely Parcels 96-5-8 (Lot 8), 96-A-13 (Lot 13), and a portion of 96-A-36; and

WHEREAS, the Town has agreed to allow the Bike Club to utilize Tax Parcel 96-5-7 as the site to locate temporary non-exclusive easement for ingress and egress to the Lots under the lease agreement

NOW THEREFORE, for consideration of parties and the mutual benefits, The Town of Amherst, Grantor, hereby grants a temporary non-exclusive easement across Tax Parcel 96-5-7, as set forth on plat prepared by Draper Aden Associates dated June 19, 2001, recorded in the aforesaid Clerk's

Office in Plat Cabinet 2, Slide 359 for ingress and egress to Tax Parcel 96-5-8, 96-A-13, and 96-A-36.

The parties agree that the granting of this easement is temporary and shall terminate upon establishment of a permanent right of way.

Further, the parties agree that the Town of Amherst shall locate and maintain the temporary non-exclusive easement in its current condition.

WITNESS the following signature and seal:

_____ (SEAL)
Amherst Mountain Biking Club

STATE OF Virginia
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by _____.

NOTARY PUBLIC

My commission expires: _____
My Registration No.: _____

Accepted pursuant to Code of Virginia §15.2-1803 on behalf of the Town of Amherst, by authority granted by Town Council.

APPROVED AS TO FORM:

W. Thomas Berry
Town Attorney

Sara Carter
Town Manager

STATE OF VIRGINIA
CITY/COUNTY OF _____, To-Wit:

I, _____, a Notary Public in and for the State of Virginia At Large do hereby certify that Sara Carter signed the foregoing instrument before me this ____ day of _____, 2019.

Notary Public

My Commission Expires: _____

STATE OF VIRGINIA
CITY/COUNTY OF _____, To-Wit:

I, _____, a Notary Public in and for the State of Virginia At Large do hereby certify that W. Thomas Berry signed the foregoing instrument before me this ____ day of _____, 2019.

Notary Public

My Commission Expires: _____



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: June 3, 2019
Re: Parking Ordinance changes

The Town has received input from citizens about parking on Main Street. The issues are focused on commercial vehicles that are parked on the street overnight, vehicles that while parked block the bicycle lanes, and vehicles parked in front of houses that are not their own.

Staff has developed possible Ordinance changes to address these concerns, if Council would like to address any of them.

On the proposed draft, it is important to note that only (a) applies to a specific geographic area. The other portions would apply town wide.

Should Council wish to proceed with any changes, staff recommends setting a public hearing for the July meeting.

Sec. 20-75. Prohibited parking.

(a) It shall be unlawful to park any vehicle on any part of South Main Street or North Main Street, or on Second Street from the intersection with South Main Street to the intersection with Depot Street, between the hours of 1:00 a.m. and 6:00 a.m.

(b) No person shall park any truck, motor vehicle of more than 18,000 pounds gross weight, commercial vehicle, or any trailer or semitrailer, no matter what size, whether or not attached to a tractor, on any street for longer than two hours, except that this section shall not apply to trucks, trailers or semitrailers so parked while actually engaged in loading or unloading. In no case shall any such vehicle be parked in a manner as to obstruct the vision of vehicles entering or exiting public or private driveways or roadways.

(c) No person shall park a truck or motor vehicle used for the purpose of transporting any explosive or more than 50 gallons of gasoline, kerosene, benzyl, naphtha, or other volatile or hazardous materials on any street or alley between the hours of 6:00 p.m. and 6:00 a.m., regardless of whether such vehicle is loaded or empty. No person shall park any such vehicle in any residential zone for any length of time or purpose other than for the purpose of actual delivery of goods or materials.

(d) It shall be unlawful for any person to allow any motor vehicle, house trailer, camping trailer, trailer designated for the transportation of any freight or goods or livestock, or any other trailer or apparatus of any kind whatsoever designated to be attached or pulled by a motor vehicle to remain in the same location on any street in the town for a longer period of time than two hours.

(e) Where available, residents utilizing on street parking must use the closest available parking to their residence.

(f) No person shall park a motor vehicle in any way that blocks a marked bicycle lane.

(g) Any person convicted of violating this section shall be fined not less than \$50.00 nor more than \$100.00 for each violation.

(Code 1965, § 7-111; Code 2005, § 16-40.1; Ord. of 7-11-2007)

State law reference—Penalty for ordinance violations, Code of Virginia, § 15.2-1429.



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: June 5, 2019
Re: FY19 Budget Amendment

Throughout the FY19 Budget year the Town has appropriated funds for capital purchases that total over \$275,000. These amounts include the purchase for the new Police Building, purchase for the new Town Park, and appropriation of Virginia Brownfields Grant funds for Waukeshaw Development.

The total appropriations from the Town reserve are over 1% of the Town's FY19 Expenditure budget. Code of Virginia 15.2-2507 states, "any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and public hearing at least seven days prior to the meeting date."

We have passed our deadline to advertise in the local newspaper prior to the June 12, 2019 meeting. Therefore, a public hearing will need to be advertised and held at the July 10, 2019 Council meeting.

Thank you.



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: June 6, 2019
Re: FY19 Police Donation Appropriation

The owner of Amherst Bistro donated \$1,000 specifically for the Public Safety Fourth of July event. We received the funds on June 6, 2019.

I am asking for the \$1,000 donation be appropriated to the expense line designated for the event.

Thank you.