

**AMHERST TOWN COUNCIL**  
**AGENDA – REVISED**  
**WEDNESDAY, AUGUST 12, 2020**  
**Meeting at 7:00 PM**

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 –** *This time is set aside on the agenda for Town citizens to address Council regarding items not on the agenda for public hearing or presentations. Individual comment time is limited to three minutes, and groups are limited to five minutes. This time is for citizens to address Council, and not designed to be a question and answer session or a discussion time. If follow-up is requested, that will occur after the meeting. Citizen comments must be submitted in advance of the meeting, no later than 6:45 pm. Comments have been solicited via Facebook and the Town’s website.*
- E. Consent Agenda –** *Items on the consent agenda can be voted on as a block if all are in agreement with the recommended action or discussed individually.*
- 1. Town Council Minutes (Pgs. 3-10) –** *Draft of the July 8, 2020, and July 29, 2020 meeting minutes are attached. Please let Vicki Hunt know of any concerns by Wednesday morning such that any needed corrections can be presented at the meeting.*
- F. Correspondence and Reports**
- 1. Staff Reports (Pgs. 11-21)**
- a. Town Manager Monthly Report – ***no report for July***
  - 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. 22-23)**
- a. Finance Committee – *Mrs. Carton – July 23, 2020 minutes attached*
  - b. Community Relations – *Mrs. Ogden – no meeting in July*
  - c. Utilities Committee – *Mr. Watts – no meeting in July; August 6, 2020 minutes attached*

### **3. Other Reports (Pgs. n/a)**

- a. Planning Commission, no meeting in August
- b. Industrial Development Authority, no meeting in August
- c. Robert E. Lee SWCD, no report

## **G. Discussion Items**

- 1. Readoption of emergency ordinance and resolution to address continuity of operations during the pandemic (Pgs. 24-29) - Kimball Payne - Staff recommends that the Council readopt the Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster adopted by Town Council on April 8, 2020, which will continue to allow Council to address the need for emergency and electronic meetings during the crisis. The original emergency ordinance expired after 60 days and, as conditions have not substantially changed, should be readopted. The ordinance will need to be adopted for a final time in September after being advertised.**
- 2. Recommendation of the Utilities Committee to reinstitute cutoffs for delinquent water accounts in September (Pg. 23) – Kimball Payne – The Utilities committee met on August 6<sup>th</sup> and recommends that cutoffs for delinquent water accounts be reinstated in September with the provision that holders of delinquent accounts may get on a payment plan to bring their accounts current by the end of the calendar year.**
- 3. Amendment to Comprehensive Plan for conservation easement at the Amherst Milling Company - Kimball Payne - Action on this item has been deferred since the December 2019 meeting. The last deferral request by the applicant was to the April 2020 meeting. No additional information has been forthcoming. Staff recommends continued deferral until action is requested by the applicant.**
- 4. Acceptance of Second Round of CARES Act funding and authorization to execute County agreement- (Pgs. 30-31) - Kimball Payne - The State has released to local governments the second round of funding from the Federal CARES act, and the Town will receive an additional \$190,633 for use related to Coronavirus impacts. Once again, this money is being directed to the Town through the County. The County has requested that the Town accept the payment with the attached certification which affirms the Town's responsibility for following guidance for the use of these funds and appropriate documentation. This is the same certification that was approved with the first round of funding. With this additional funding and, as the guidance regarding the use of the funds is being increasingly refined, a new plan for the use of the \$381,266 will need to be formulated. Staff will gather more information and develop alternatives for Council's consideration.**

## **H. Matters from Staff**

## **I. Matters from Town Council**

## **J. Anticipated Town Council Agenda Items for Next Month**

## **K. Citizen Comments**

## **L. Adjournment**

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on July 8, 2020, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

As a result of COVID-19 cautionary restrictions and limited space the below council members and staff met in person and electronically via virtual meeting in the event persons wishing to avoid attending could still address Council from home.

It was noted that a quorum was present as follows:

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

Also present were the following staff members:

W. Thomas Berry	Town Attorney	Vicki K. Hunt	Clerk of Council
Tracie L. Morgan	Office Manager/Treas.	Gary Williams (Remote)	Director of Plants
Robert A. Shiflett, II	Chief of Police	Becky L. Cash (Remote)	Lead Water Operator

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Rachel A. Carton.

Mayor Tuggle reported that the public hearing, as advertised, for July 8, 2020, on an application to lease property at Brockman Industrial Development Park for the purpose of having a temporary RV park for housing workers associated with the Atlantic Coast Pipeline, was canceled at the request of the applicant due to the recent sale related to the pipeline by Dominion Energy.

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

Ms. Carton made a motion that was seconded by Mr. Watts to approve the minutes from the June 10, 2020, meeting. There being no discussion, the motion carried 4-0 as follows:

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

Mayor Tuggle and Clerk of Council Hunt reported that at its meeting on July 1, 2020, the Planning Commission voted 3-1 with two members absent, not to amend the Town of Amherst Zoning Ordinance (Article IX. Special Provisions, Section 18.1-908.06 Signs), which would allow works of art to be displayed in the Town without a sign permit, and that after further discussion the Commissioners voted 4-0 with two members absent to hold a public hearing on the matter, providing proposed language for consideration, should Town Council remand the matter.

After discussion, Ms. Carton made a motion that was seconded by Mr. Bunch to remand the matter to the Planning Commission with direction to hold a public hearing at its next meeting in September.

After discussion, the motion carried 4-0 as follows:

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

After a report by Town Treasurer Morgan, Mr. Watts made a motion which was seconded by Ms. Ogden to accept payment of funds per the Federal CARES Act from the County of Amherst in the amount of \$190,633.00, and authorize execution of Certification of Coronavirus Relief Fund Payments by the Town of Amherst affirming the Town's responsibility for following guidance for the use of Federal CARES act funds and appropriate documentation, as recommended by staff.

After discussion, the motion carried 4-0 as follows:

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

A copy of the Certification for Receipt of Coronavirus Relief Fund Payments by the Town of Amherst is attached hereto and made a part of these minutes.

After a report by Town Treasurer Morgan, Mr. Bunch made a motion which was seconded by Ms. Carton to authorize use of Federal CARES Act Funds, dependent upon future guidance and approval on eligible spending purposes of coronavirus relief fund, for reimbursement to the Town for expenditures related to PPE and telework, a set-aside for hazard pay for public safety personnel (police officers), a small business grants program, and high risk utility cut-off assistance program for residents, totaling \$186,414.97, leaving \$4,218.03 for future purposes to December 30, 2020, as recommended by staff.

After discussion, the motion carried 4-0 as follows:

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

Megan Lucas, Executive Director, Lynchburg Regional Business Alliance, was present to give a report and answer questions on the Amherst/Lynchburg Site Readiness Go Virginia grant for engineering services to benefit future development at Brockman Business and Industrial Park.

Ms. Carton made a motion which was seconded by Ms. Ogden to authorize a maximum contribution of \$51,900.00 towards a GoVA grant in the amount of \$159,600.00, for engineering services for the Brockman Business and Industrial Park, authorize execution of a letter of support by Mayor Tuggle to restrict \$17,600.00 that will go towards the GoVA required match for the Regional Industrial Site Readiness Amherst Co/Town LYH completion, and authorize release of required contribution upon grant approval, as recommended by staff.

After discussion, the motion carried 4-0 as follows:

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

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

By consensus of Council action on the proposed amendment to the Town’s Comprehensive Plan to change the designated land use for Tax Map parcels 96-4-A and 96-1-1-7, totaling 76+/- acres from Planned Development-Residential to Agricultural to allow a request for a conservation easement by Dave McCormack, Owner, Lazy River LTD, that would, if approved by Town Council, allow land between the developed portion of the Mill Race subdivision and the Amherst Milling Company to be changed from planned development areas to conservation and would allow Mr. McCormick to complete a conservation easement process for the property was deferred to a future meeting with a date uncertain due to the current covid-19 crisis, as recommended by staff.

At 7:45 P.M. Ms. Carton made a motion which was seconded by Mr. Watts as follows: I move that the Town Council go into closed session pursuant to §2.2-3711A.1 of the Code of Virginia as it relates to assignment, appointment, promotion, performance of specific public officers, appointees, or employees, specifically that of the Town Manager.

The motion carried 4-0 via the roll call method as follows:

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

At 8:13 P.M. Ms. Carton made the following motion: I move that the Town Council adjourn the closed session and enter open session and certify that to the best of each councilors’ knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

The motion carried 4-0 via the roll call method as follows:

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

Upon entering open session Mayor D. Dwayne Tuggle made the following statement concerning Town Manager, Sara E. Carter.

The reason for Ms. Carter’s absence is she was involved in an accident over the weekend and is currently in the hospital recovering from her injuries. That’s her status here. We are all waiting. We’re asking for the public’s prayers for Ms. Carter for a rapid recovery.

Ms. Carton made a motion seconded by Mr. Watts to adhere to §§15.2-1423 and 15.2-1541 of the Code of Virginia and to the Town’s Charter to recognize that the Mayor is Chief Administrative Officer of the Town and can carry out the duties of the town as needed until such certain time as the Town Manager is back in office or an interim is appointed.

There being no discussion, the motion carried 4-0 via the roll call method as follows:

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

There being no further business, the meeting adjourned at 8:15 p.m. until August 12, 2020, on motion by Ms. Ogden seconded by Ms. Carton.

\_\_\_\_\_  
D. Dwayne Tuggle, Mayor

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

**CERTIFICATION FOR RECEIPT OF  
CORONAVIRUS RELIEF FUND PAYMENTS**

**By**

**The Town of Amherst**

We the undersigned represent the Town of Amherst (the Town), and we acknowledge that:

1. We have the authority to request direct payment on behalf of the Town from the County of Amherst (the “County”) of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601 of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (March 27, 2020).
2. We understand that the County will rely on this certification as a material representation in making a direct payment to the Town in the amount of \$190,633.
3. The Town's proposed uses of the funds received as direct payment from the County pursuant to section 601 of the Social Security Act will be used only to cover those costs that:
  - a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. Were not accounted for in the budget most recently approved as of March 27, 2020, for the Town; and
  - c. Were or will be incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. Any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the Town or its grantee(s), must be returned to the County no later than January 8, 2021, so that the County may return the unexpended funds to the Commonwealth of Virginia by January 29, 2020, and we understand that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days after December 30, 2020.
5. We understand that the Town will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. Funds received as a direct payment from the County pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.<sup>1</sup>
7. Any CRF funds expended by the Town or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the County within 15 days so that the County may return these funds within 30 days of finding that a expenditure is disallowed, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.
8. As a condition of receiving the CRF funds pursuant to this certification, the Town shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or

<sup>1</sup> Official Guidance for the use of funds may be found at: <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

Answers to Frequently asked questions may be found at: <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>.

sales receipts. Such documentation shall be provided to the County by close of business on September 1, 2020 and final documentation shall be provided no later than January 8, 2021, or upon request.

9. The Town must maintain proper accounting records to segregate these expenditures from those supported by other funding sources and that all such records will be subject to audit.
10. Any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. Any CRF funds received pursuant to this certification will not be used for expenditures for which the Town has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.
12. The Town will receive an equitable share of CRF funds received by the County from the Commonwealth of Virginia and that such grant shall be used by the Town solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), as prescribed in this certification.
13. We acknowledge that the County is responsible for ensuring the Town's compliance with the documentation requirements of this certification, and for ensuring that the Town's use of the CRF funds meets the requirements set forth in this certification. Accordingly, we certify that the Town will comply, in a timely fashion, with all requests made by the County for the purpose of ensuring compliance with the requirements of this certification and Section 601 of the Social Security Act.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____



Mayor D. Dwayne Tuggle called a special called meeting of the Amherst Town Council to order on July 29, 2020, at 7:06 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

As a result of COVID-19 cautionary restrictions and limited space the below council members and staff met in person and electronically via virtual meeting for those wishing to view from home.

It was noted that a quorum was present as follows:

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

Also present were the following staff members:

W. Thomas Berry	Town Attorney	Vicki K. Hunt	Clerk of Council
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Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Kenneth S. Watts.

At 7:08 P.M. Ms. Carton made a motion which was seconded by Mr. Bunch as follows: I move that the Town Council go into closed session pursuant to §2.2-3711A.1 of the Code of Virginia as it relates to assignment, appointment, promotion, performance of specific public officers, appointees, or employees, specifically that of an interim Town Manager; and §2.2-3711A.29 of the Code of Virginia related to the negotiation of the terms or scope of a contract for an interim Town Manager.

The motion carried 5-0 via the roll call method as follows:

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

At 7:18 P.M. Ms. Carton made the following motion which was seconded by Mr. Watts: I move that the Town Council adjourn the closed session and enter open session and certify that to the best of each councilors' knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

The motion carried 5-0 via the roll call method as follows:

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

Ms. Carton made a motion seconded by Ms. Ogden to appoint L. Kimball Payne, III, interim Town Manager.

There being no discussion, the motion carried 5-0 via the roll call method as follows:

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

There being no further business, the meeting adjourned at 7:19 p.m. until August 12, 2020, on motion by Mr. Watts seconded by Ms. Ogden.

\_\_\_\_\_  
D. Dwayne Tuggle, Mayor

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

FOR APPROVAL

## July 2020

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

CALLS FOR SERVICE	NUMBER
MOTORIST ASSIST	19
ALARM	9
PHONE COMPLAINT	261
BOLO	15
MISSING PERSON	
SHOPLIFTING	
PROBLEM WITH OTHERS	8
DOMESTIC	
CHECK WELLFARE	1
NOISE OR DOG COMPLAINT	
TRAFFIC CRASH	9
EMS CALLS	2
SUDDEN DEATH	
SUSPICIOUS PERSON	5
Calls at Ambriar	2
OTHER	44

OFFICER INITIATED	NUMBER
BUILDING CHECKS	276
BUSINESS VISIT	60
BUILDING SEARCH	3
TRAFFIC SUMMONS	1
DRUNK IN PUBLIC	
EXTRA PATROLS/ Parks	166/46
WARRANT SERVICE	4
PROPERTY WALK AROUNDS	34
WARRANTS OBTAINED	4
PARKING TICKETS	
MISD. INVESTIGATION	9
FELONY INVESTIGATION	3
NARCOTICS INV.	
SEARCH WARRANT	
PUBLIC RELATIONS	6
CITIZEN CONTACT	180

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

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

ARREST	NUMBER
MISDEMEANOR	2
FELONY	2
EPO/PPO	
ECO	
NARCOTICS VIOLATION	
DUI / DUID	1

OTHER	NUMBER
ASSIST OTHER OFFICER	28
ASSIST OTHER AGENCY	11
COURT	
REPORTS	10
SCHOOL / TRAINING	5
MEETINGS	18
TOWED / IMPOUNDED VEH	

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: 148

Miles patrolled: 5327

ACSO assists:

Suspicious person on Turner Creek Rd.

Suspicious person on S. Main St and Second St. Cleared advice.

Officer involved crash 130 and Dixie Airport Rd. Assist

Cow in the road on Boxwood farm Rd. Assist

Brandishing firearm assist the county with traffic stop in the Town. Cleared advice.

After Hours Calls:

07-01-20- Alarm- Richmond Hwy open door nothing found.

07-06-20- Alarm- Richmond Hwy building found secure.

07-10-20- Prowler- Dogwood. Cleared advice.

07-12-20- Suspicious person- South main St. Cleared advice.

07-13-20- Assist motorist- Richmond Hwy. Cleared assist

07-19-20- Alarm- Richmond Hwy. Open door nothing found.

07-23-20- Residential Alarm- S. Main St. accidental

07-28-20- Alarm- S. main St. Open door nothing found.

- All officers worked The Unity Event that was put on by the local NAACP chapter.
- All officers continue to review and sign off on policy and procedure manuals.
- Accreditation is continuing to move forward.
- Officer Martin, Officer Payne and the intern all received accreditation manager training put on by DCJS. This is highly recommended by Virginia Law Enforcement Professional Standards Commission. (VLEPSC)
- Reserves put in a total of 4 hrs.

**To:** Town Council  
**From:** Tracie Wright  
**Date:** August 4, 2020  
**Re:** July 2020 Monthly Report

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**Utilities** – 1164 bills were cut totaling \$184,061.64

**A/P** – A total of 69 checks were cut totaling \$252,415.84 for June 2020 bills.

**Meals and Beverage Tax** – 15 Businesses paid \$39,922.07 in Meals and Beverage Tax for the month of June. This is up roughly \$4,000 from the May 2020 payments.

**New Financial Software** – We had our first live payroll in July. We have had a couple of “user error” problems getting things over from the old system, but thankfully nothing that caused any major problems and I am just thankful I have understanding co-workers. We ran our first accounts payable batch in the new system the last week in July. That was very different than any of us were use to but we made it through that without asking for too much help. We were scheduled to go live in Utilities in August, but we are all a bit overwhelmed right now, so I have requested they pushed our date back until September to allow us extra time. At this time we will plan to start charging the credit card convenience fees with ALL credit card transactions on September 1, 2020.

**Business License** – Once I accrue our payments back to FY20 that we received through August 3, 2020, we will have met our budgeted FY20 Business License revenue total!!!

**Upcoming Items** – Infectious Disease Plan needs to be adopted per the new VOSH Workforce Guidelines.

**Front Office** – Citizens are adhering to our mask policy if they come into the office. It would be helpful to remind citizens that if they can, to please continue to use the dropbox if all they need to do is make a payment. Please remind them most days we are short staffed.

We have a lot going on in the office. Dee and I both are trying to maintain our normal job duties, while participating in training for the new software and handling the desk on the days we do not have help. I am trying to do my end of year work, prepare for the audit, key in items from the old software to the

new software and I am attempting to keep up on the CARES Funds. Please be patient with me for a bit longer to get my due dates back on track with everything that I am responsible for giving you.

**CLERK OF COUNCIL REPORT  
JULY 2020**

**COMMITTEE MEETINGS**

**Planning Commission**

Receive and review agenda packet for 7-1-20 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

**Town Council**

Receive and review agenda packet for 7-8-20 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

Prepare agenda for 7-29-20 special meeting; post agenda to website; prepare for and attend meeting; draft minutes for approval; post to Town website

**Finance Committee**

Draft July 23, 2020 meeting minutes for approval

**Quorums:** Planning Commission and Town Council meetings; Confirm/notify cancellation of meeting with members of Industrial Development Authority.

**TOWN WEBSITE DESIGN AND CONTENT MANAGEMENT**

Administration of website generating and continuously uploading information/documents; revising website pages with new information and links to documents and/or outside sites; examining traffic through the site; design for overall look and feel of the site, including photos, color, graphics and layout; creating, editing, posting, updating, and cleaning up outdated content.

**TOWN FACEBOOK ADMINISTRATOR**

- Create content and/or design and post on Facebook and Website, including but not limited to:
  - Notice: Procedures for Amherst Town Council July meetings during Covid-19 pandemic with link to YouTube
  - Notice: DMV Connect service dates at Town Hall with link to DMV appointment page for August 3-6
  - Notice of 2<sup>nd</sup> Street Closure due to Sliplining Project
  - Welcome Kim Payne
  - Notice: Link to audio recordings of meetings
- Share links to community events and news; Monitor feedback

**BANNER PERMIT**

FARMERS MARKET- Correspond with Secondstage; prepare second application package/documents for extended permit and correspond with VDOT; receive permit; attention to detail.

**OTHER:**

- Prepare oath; telephone conference and correspond with Court Clerk re Interim Town Manager
- Set up and run livestreaming for connection from virtual meetings to YouTube
- Prepare, send, post Legal Ads/Public Hearing Notice: Ad Hoc Committee on Personnel Performance Evaluation Forms 7/8/20; Finance Committee Meeting 7/23/20; Town Council Special Meeting 7/29/20
- IDA: Notify Authority Members of the statutory provisions requiring FOIA training
- Miscellaneous phone calls, correspondence, research
- Prepare miscellaneous purchase orders

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



# Town of Amherst Committees as of July 31, 2020

Appointed/Term Expires

**TOWN COUNCIL**

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

**PLANNING COMMISSION**

June Driskill, Chairperson	05/13/20	06/30/24
Janice N. Wheaton	12/11/10	12/31/20 (TC rep)
William Jones	07/01/19	06/30/23
Ted Finney	07/01/17	06/30/21
Kevin Belcher	07/01/18	06/30/22
Clifford Hart	07/01/19	06/30/23
Anne Webster Day	03/13/19	06/30/22

**BOARD OF ZONING APPEALS**

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

**INDUSTRIAL DEVELOPMENT AUTHORITY**

Clifford Hart	07/01/19	08/31/23
Sharon Watts Turner	07/01/18	06/30/22
Gary Jennings	05/10/17	06/30/21
Jacob Bailey	06/10/20	06/30/24
Manly Rucker	05/10/17	06/30/21
Kim Odell Stein	07/11/18	06/30/22
Richard Wydner	07/01/19	06/30/23

**PROPERTY MAINTENANCE INVESTIGATION BOARD**

C. Manly Rucker, III	05/13/20	06/30/24
Bessie H. Kirkwood	07/01/18	06/30/22
Glenda Hash	05/13/20	06/30/24

**REGION 2000 REGIONAL COMMISSION/MPO**

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

Appointed/Term Expires

**CENTRAL VIRGINIA TRANSPORTATION COUNCIL (MPO)**

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

**TOWN/SWEET BRIAR SEWER USE ADVISORY COMMISSION**

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

**JOINT COMMITTEE ON COOPERATION**

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

(3 Appointments from Amherst County)

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

**FINANCE COMMITTEE**

- Rachel A. Carton (Chairman) and Kenneth S. Watts
- Monitor the budget development process.
  - Review accounting procedures, budgets, and bookkeeping activities.
  - Interface with auditors.

**COMMUNITY RELATIONS AND RECREATION COMMITTEE**

- Sarah B. Ogden (Chairman) and Rachel A. Carton
- Monitor and review implementation of the Town's bike trails and public parks
  - Review the Town's beautification efforts and programs.
  - Interface with citizens, business operators, Sweet Briar College and VDOT

**UTILITIES COMMITTEE**

- Kenneth S. Watts (Chairman) and Kenneth G. Bunch
- Monitor the development and construction of capital improvement projects.
  - Review proposed utility system upgrades and extensions.
  - Interface and assist developers in coordinating Town policies with proposed new developments.

**RECODIFICATION COMMITTEE**

- Kenneth G. Bunch (Chairman) and Kenneth S. Watts
- Monitor the recodification of Town Code process
  - Review proposed proof and edits

**AD HOC COMMITTEE – PERSONNEL PERFORMANCE EVALUATION FORMS**

- Kenneth G. Bunch (Chairman) and Rachel A. Carton
- Review and make revisions to the Town's Personnel Employee Performance Evaluation and Employee Self-Performance Evaluation Forms



**TOWN OF AMHERST  
DEPARTMENT OF PLANTS  
MONTHLY PRODUCTION AND OPERATIONAL REPORT  
July -- 2020**

**SUBMITTED BY: GARY S. WILLIAMS,  
DIRECTOR OF PLANTS**  
**SUBMITTED ON: Wednesday, August 5, 2020**

**Grandview Water Filtration Plant,  
Daily Source Water Withdrawal, Process, and Production Volumes.**

	<b>Total, Million Gallons</b>	<b>Average, Million Gallons</b>	<b>Max., Million Gallons</b>	<b>Min., Million Gallons</b>
<b>Raw Source Water</b>	11.130	0.370	0.600	0.120
<b>Plant Production</b>	10.230	0.340	0.550	0.110
<b>Water Delivered to System</b>	9.320	0.310	0.550	0.060

**Rutledge Creek Wastewater Treatment Facility,  
Daily Raw Sewage and Treated Processed Volumes.**

	<b>Total, Million Gallons</b>	<b>Average, Million Gallons</b>	<b>Max., Million Gallons</b>	<b>Min., Million Gallons</b>
<b>Raw Influent Sewage</b>	6.280	0.203	0.339	0.158
<b>Final Treated Effluent</b>	6.000	0.194	0.300	0.148

**Stand Out Details of Monthly Operations,**

- There were no weather events that caused any operational stressing at either facility in July. Total recorded for the month was 3.7 inches in the local Town area with more rainfall to the western portion of Amherst County and the headwaters of the Buffalo River and the source water for the Town.
- July was the 3rd Quarter sampling/testing month for Trihalomethanes and Haloacetic Acids, and once again, the Towns quarterly average was below set limits. The 3rd quarter average for Haloacetic Acids is 0.03283 mg/L (the limit being 0.060 mg/L), and the 3rd quarter average for Trihalomethanes is 0.03703 mg/L (the limit being 0.080 mg/L).
- The Rutledge Creek Facility did experience an equipment failure with the supporting framework of Aeration Ditch #2, Rotor #1. The Rotor has been in operation since 2005 and is the last of the 4 Rotors at Rutledge Creek to fail similarly. Staff has started the process of quoting out and sourcing replacement parts.



# Utility/Town Maintenance and Construction Report

Jul-20

Water Meter Read	1150
Water Meter Re-Read	46
Disconnects	0
VA-811 Service locations	92
Vehicle PM Work Orders	16
Pump Station/Plant Work Orders	30
Banners Installed/Dismantled	0
Water Services Installed/Replaced	5
Sewer Services Installed/Replaced	2
Minor Leaks Repaired	6
Major Leaks Repaired	1
Minor Sewer Problems Resolved	6
Major Sewer Problems Resolved	2

10

## Man Hours

Meter Reading	65
Street/Sidewalk Maintenance	245
Safety Training	6
Bush Hogging	65
Flushing Water	0
Equipment Maintenance	38
Xmas decorations	0

## Major Issues & Comments

### Routine/Annual Work

### Projects/Unusual Work

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

**W. THOMAS BERRY**

**ATTORNEY AT LAW**

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

W. THOMAS BERRY  
KYLE D. HUGHES

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

August 5, 2020

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

Attn: Kim Payne- Interim Town Manager

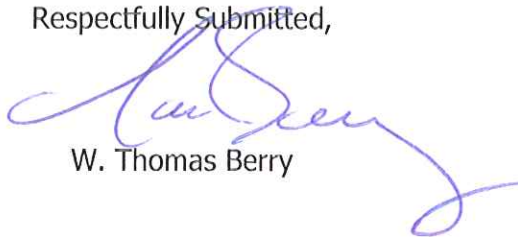
Re: Monthly Report to Town Council  
(June 2020)

Dear Mr. Payne and Council,

My report on work regarding the following matters:

1. Town Council Meeting: Attended the monthly scheduled meeting on July 8, 2020.
2. Business:
  - A. Work on survey and deed,
  - B. Maple Lane property Taze Crowder/Surveyor,
  - C. First Property Solution Lease,
  - D. Brockman Park Lease/Dominion,
  - E. Review Berkley Group Contract.
3. Upcoming Work:
  - A. Review Brockman Park requirements.
  - B. Review July 1, 2020 Legislative updates.
4. Access to Town Attorney: My email address is dawn@tomberrylaw.com. Please feel free to use this email access provided, and I will promptly return any communication. My home phone (434) 946-9501; office phone (434) 263-4886.

Respectfully Submitted,



W. Thomas Berry

WTB/dmc

# Invoice

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

Date	Invoice #
8/5/2020	9428

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

Terms
Due on receipt

Description	Qty	Rate	Amount
7/02/2020 - BROCKMAN LEASE	2	175.00	350.00
7/02/2020 - PARK PACKAGE	2	175.00	350.00
7/06/2020 - CARES ACT - TOWN HALL	1	175.00	175.00
7/6/2020 - REVIEW LEASE - DOMINION	2.5	175.00	437.50
7/8/2020 - TOWN MEETING	1.5	175.00	262.50
7/08/2020 - GOVERNMENT CHARTER - CODE OF VIRGINIA	1.5	175.00	262.50
7/20/2020 - BERKLEY CONTRACT	2	175.00	350.00
7/29/2020 - REVIEW COMPARE	1	175.00	175.00

<b>Total</b>	\$2,362.50
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$2,362.50

## **FINANCE COMMITTEE MINUTES**

July 23, 2020

5:15 PM

Attendees: Rachel Carton, Chairman and Ken Watts

Staff: Tracie Wright

The meeting was called to order by Ms. Carton at 5:15 p.m.

Ms. Carton made a motion which was seconded by Mr. Watts as follows: I move that the Town of Amherst Finance Committee go into closed session pursuant to §2.2-3711A.29 of the Code of Virginia related to the negotiation of the terms or scope of a contract for an interim Town Manager.

At 5:24 p.m. Ms. Carton made the following motion which was seconded by Mr. Watts: I move that the Town of Amherst Finance Committee adjourn the closed session and enter open session and certify that to the best of each committee members' knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

The committee recommended that Town Council hold a Special Council Meeting on July 29, 2020, at 7:00 PM to discuss a contract for interim Town Manager.

The meeting adjourned at 5:25 p.m.

UTILITIES COMMITTEE MEETING  
August 6, 2020

Attendees: Chair Ken Watts, and Kenneth Bunch  
Staff: Kimball Payne and Tracie Wright

The meeting was called to order by Mr. Watts at 4:35 p.m.

The purpose of the meeting was to discuss the reinstatement of water service cutoffs for delinquent accounts.

Ms. Wright reported that there were currently seventeen accounts on the normal cutoff list and that there were an additional thirteen accounts that were more than one month delinquent. Two accounts were four months behind.

After a discussion, the committee agreed on the following recommendation:

- that service cutoffs resume in September
- that delinquent accounts be advised of the plan to renew cutoffs
- that delinquent account holders be given an opportunity to get on a repayment plan to bring their account current by the end of the calendar year, and
- that there be no waiver of interest, penalties or fees

That committee asked that this matter be brought to the Town Council for action at its August 12, 2020 meeting.

The Chair adjourned the meeting at 4:55 p.m.

**RESOLUTION OF THE TOWN OF AMHERST**

**AUTHORIZING READOPTION OF EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER**

**WHEREAS**, on the 8<sup>th</sup> day of April, 2020, the Town of Amherst adopted a Resolution Authorizing the Adoption of Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government During the Covid-19 Pandemic Disaster; and,

**WHEREAS**, on the 8th day of April, 2020, the Town of Amherst adopted an Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster which allows Council to address the need for emergency and electronic meetings during the crisis; and

**WHEREAS**, the April 8, 2020, Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster has expired; and

**WHEREAS**, the Town of Amherst finds that COVID-19 continues to constitute a substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code §44-146.16 being a “communicable disease of public health threat;” and

**NOW, THEREFORE BE IT RESOLVED** that the Town of Amherst readopts and reaffirms the requirements and policies of the Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster, a copy of which is attached hereto; and,

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Ordinance including for any applicable period upon the re-adoption of the Emergency Ordinance by Town Council.

*This Resolution was adopted by the Town Council of the Town of Amherst on August 12, 2020.*

\_\_\_\_\_  
*Mayor Dwayne Tuggle*

Attest:

\_\_\_\_\_



**EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER.**

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 23, 2020, the governing body of Amherst County, the Board of Supervisors, confirmed the declaration of local emergency made by the local director of emergency management; and

WHEREAS, the Board of Supervisors of Amherst County and the Town Council of the Town of Amherst finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code §44-146.16 being a “communicable disease of public health threat;” and

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, Virginia Code § 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency “proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work;” and

WHEREAS, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of Council may convene solely by electronic means “to address the emergency;” and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act (“FOIA”) are limited only by a properly claimed exemption provided under that Act or “any other statute;” and

WHEREAS, the Governor and Health Commissioner of the Commonwealth of Virginia and the President of the United States have recommended suspension of public gatherings of more than ten attendees; and

WHEREAS, The Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS, this emergency ordinance in response to the disaster caused by the COVID-19 pandemic promotes public health, safety and welfare and is consistent with the law of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Amherst, Virginia:

1. That the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Town Council, the Planning Commission, Board of Zoning Appeals, Industrial Development Authority, and all local and regional boards, commissions, committees and authorities created by the Council or to which the Council appoints all or a portion of its members (collectively “Public Entities” and individually “Public Entity”), or for such Public Entities to conduct meetings in accordance with normal practices and procedures.
2. That in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of government during this emergency and disaster:
  - a. Any meeting or activities which require the physical presence of members of the Public Entities may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location; and
  - b. Prior to holding any such electronic meeting, the Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment; and
  - c. Any such electronic meeting of Public Entities shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
  - d. Any such electronic meeting of the Public Entities shall be open to electronic participation by the public and closed to in-person participation by the public; and
  - e. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means

during the course of the electronic meeting. All such public comments will be provided to members of the Public Entity at or before the electronic meeting and made part of the record for such meeting; and

- f. The minutes of all electronic meeting shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Public Entities may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

IT IS FURTHER ORDAINED that notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Entity, its officers (including Constitutional Officers) and employees of its organization shall be suspended during this emergency and disaster, however, the Public Entities, officers and employees thereof are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation or otherwise.

IT IS FURTHER ORDAINED, that non-emergency public hearings and action items of Public Entities may be postponed to a date certain provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED, that the provisions of this Emergency Ordinance shall remain in full force and effect for a period of 60 days, unless amended, rescinded or readopted by the Council in conformity with the notice provisions set forth in Virginia Code §15.2-1427 but in no event shall such ordinance be effective for more than 6 months. Upon rescission by the Council or automatic expiration as described herein, this emergency ordinance shall terminate and normal practices and procedures of government shall resume.

Nothing in this Emergency Ordinance shall prohibit Public Entities from holding in-person public meetings provided that public health and safety measures as well as social distancing are taken into consideration.

An emergency is deemed to exist, and this ordinance shall be effective upon its adoption.

ADOPTED by the Town of Amherst April 8, 2020 .

Readopted: August 12, 2020.

APPROVED

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ATTEST:

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APPROVED AS TO FORM:

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FOR APPROVAL

**CERTIFICATION FOR RECEIPT OF  
CORONAVIRUS RELIEF FUND PAYMENTS**

**By**

**The Town of Amherst**

We the undersigned represent the Town of Amherst (the Town), and we acknowledge that:

1. We have the authority to request direct payment on behalf of the Town from the County of Amherst (the “County”) of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601 of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (March 27, 2020).
2. We understand that the County will rely on this certification as a material representation in making a direct payment to the Town in the amount of \$190,633.
3. The Town's proposed uses of the funds received as direct payment from the County pursuant to section 601 of the Social Security Act will be used only to cover those costs that:
  - a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. Were not accounted for in the budget most recently approved as of March 27, 2020, for the Town; and
  - c. Were or will be incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. Any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the Town or its grantee(s), must be returned to the County no later than January 8, 2021, so that the County may return the unexpended funds to the Commonwealth of Virginia by January 29, 2020, and we understand that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days after December 30, 2020.
5. We understand that the Town will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. Funds received as a direct payment from the County pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.<sup>1</sup>
7. Any CRF funds expended by the Town or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the County within 15 days so that the County may return these funds within 30 days of finding that a expenditure is disallowed, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.
8. As a condition of receiving the CRF funds pursuant to this certification, the Town shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or

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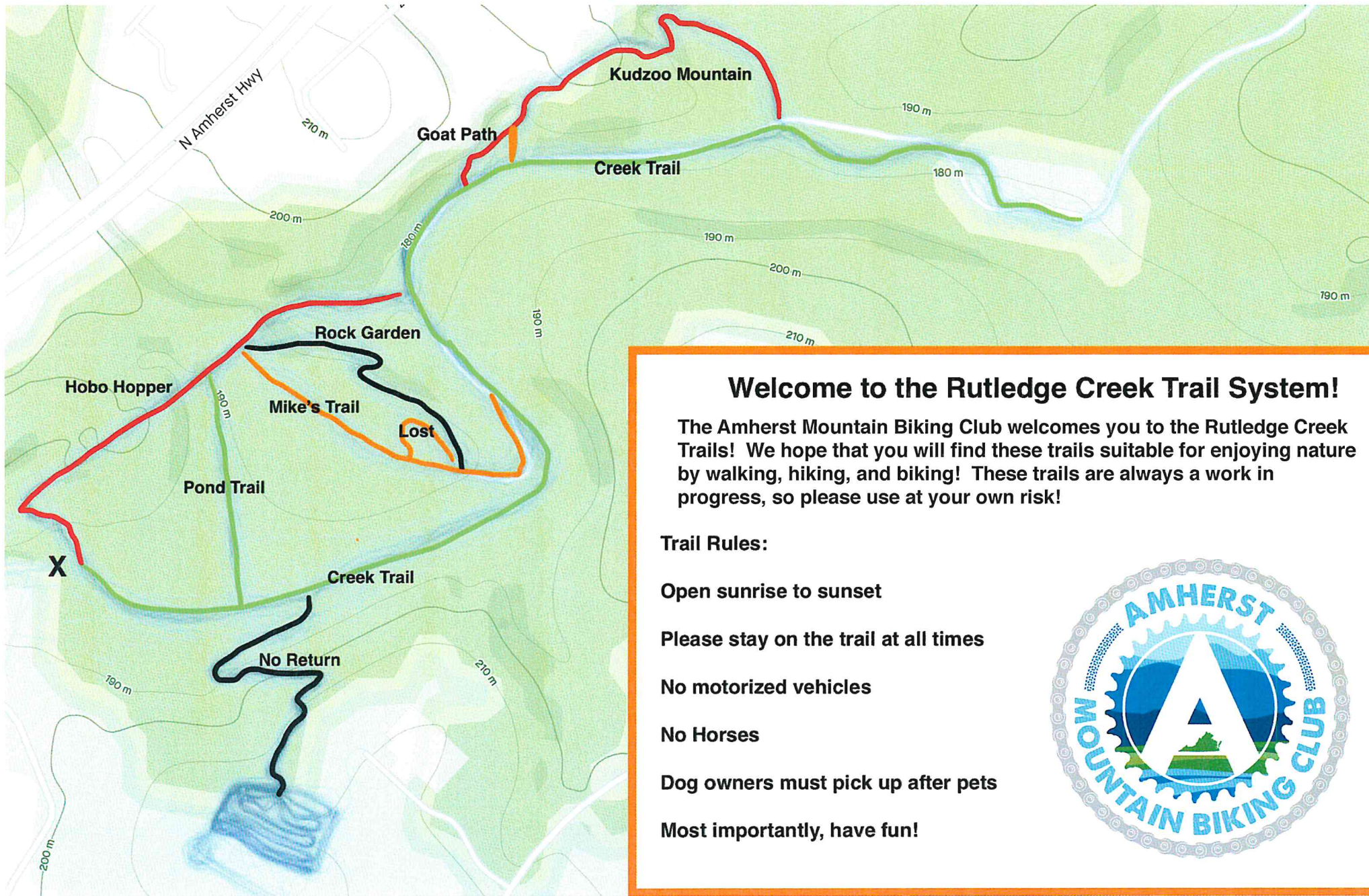
<sup>1</sup> Official Guidance for the use of funds may be found at: <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

sales receipts. Such documentation shall be provided to the County by close of business on September 1, 2020 and final documentation shall be provided no later than January 8, 2021, or upon request.

9. The Town must maintain proper accounting records to segregate these expenditures from those supported by other funding sources and that all such records will be subject to audit.
10. Any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. Any CRF funds received pursuant to this certification will not be used for expenditures for which the Town has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.
12. The Town will receive an equitable share of CRF funds received by the County from the Commonwealth of Virginia and that such grant shall be used by the Town solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), as prescribed in this certification.
13. We acknowledge that the County is responsible for ensuring the Town's compliance with the documentation requirements of this certification, and for ensuring that the Town's use of the CRF funds meets the requirements set forth in this certification. Accordingly, we certify that the Town will comply, in a timely fashion, with all requests made by the County for the purpose of ensuring compliance with the requirements of this certification and Section 601 of the Social Security Act.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____



## Welcome to the Rutledge Creek Trail System!

The Amherst Mountain Biking Club welcomes you to the Rutledge Creek Trails! We hope that you will find these trails suitable for enjoying nature by walking, hiking, and biking! These trails are always a work in progress, so please use at your own risk!

### Trail Rules:

- Open sunrise to sunset
- Please stay on the trail at all times
- No motorized vehicles
- No Horses
- Dog owners must pick up after pets
- Most importantly, have fun!

