

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on October 13, 2021, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

It was noted that a quorum was present as follows:

P	D. Dwayne Tuggle	P	Kenneth G. Bunch
P	Rachel A. Carton	P	Sharon W. Turner
P	Kenneth S. Watts	P	Janice N. Wheaton

Also present were the following staff members:

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

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Kenneth S. Watts.

Mayor Tuggle presented officers and staff of the Amherst Police Department Chief Shiflett, Major Harler, Investigator Watts, Officer Robinson, Officer Martin, Officer Payne, Belinda Gaines, and Ali Davis, gifts of appreciation for outstanding performance going above and beyond regular job expectations in pursuing accredited status through the Virginia Law Enforcement Professional Standards Commission (VLEPSC), making the Amherst Police Department the smallest police department in the State of Virginia to receive accreditation.

Town Manager Carter reported that the Planning Commission, after consideration and with a public hearing, voted 4-0-1 to recommend approval of an application of Carey A. Boynton (aka Boynton), that would, if approved, allow for a special use permit for short term rental on property zoned R-2, General Residential, located at the intersection of Washington and Depot Streets on approximately 0.44 acres, known as 204 and 206 Washington Street in the Town of Amherst, Virginia, and identified as Tax Map # 96A7 A 14, with conditions.

Carey and Lisa Boynton were present to answer questions.

Mayor Tuggle opened a duly advertised public hearing at 7:07 P.M., on the proposed application of Carey A. Boynton (aka Boynton), that would, if approved, allow for a special use permit for short term rental on property zoned R-2, General Residential, located at the intersection of Washington and Depot Streets on approximately 0.44 acres, known as 204 and 206 Washington Street in the Town of Amherst, Virginia, and identified as Tax Map # 96A7 A 14.

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

There being no discussion, Mr. Bunch made a motion that was seconded by Mr. Watts to approve a special use permit for short term rental for bed and breakfast lodging on property located at the intersection of Washington and Depot Streets known as 204 Washington Street, Amherst, VA, zoned R-2, General Residential, and identified as Tax Map # 96A7 A 14, with the following conditions as recommended by the Planning Commission and staff:

1. The Special Use Permit shall only apply to the 204 Washington Street dwelling, allowing short-term rental for bed and breakfast lodging only in that dwelling unit;
2. The property owner shall live on the property while the short-term rental use is in effect;
3. Quiet hours shall be from 10 p.m. to 7 a.m., consistent with the Town's adopted noise ordinance;
4. Occupancy in the rental unit shall be limited to 4 adults and 2 children;
5. No pets shall be allowed by short term renters; and,
6. Camping, overnight stays in RV's or other motor vehicles is prohibited.

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

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Town Manager Carter gave a report on the proposed purchase of property for public use identified as 133 W. Court Street, TM#96A4 2 2, in the Town of Amherst, Virginia, in the amount of \$50,000.00, and in accordance with the terms and conditions of the proposed contract.

Mayor Tuggle opened a duly advertised public hearing at 7:09 P.M. on purchase of property for public use identified as 133 W. Court Street, TM#96A4 2 2, in the Town of Amherst, Virginia, in accordance with the terms and conditions of the proposed contract.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:09 PM.

There being no discussion, Ms. Carton made a motion that was seconded by Ms. Turner to approve purchase of property for public use identified as 133 W. Court Street, TM#96A4 2 2, in the Town of Amherst, Virginia, in the amount of \$50,000.00, and in accordance with the terms and conditions of the proposed contract, as recommended by staff.

The motion carried 3-0-2 via the roll call method as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Abstain
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Abstain

Mayor Tuggle recessed the meeting at 7:10 P.M.

Vice Mayor Carton reconvened the meeting in open session at 7:11 P.M.

It was noted that a quorum was present as follows:

A	D. Dwayne Tuggle	P	Kenneth G. Bunch
P	Rachel A. Carton	P	Sharon W. Turner
P	Kenneth S. Watts	P	Janice N. Wheaton

Aaron Smith, Executive Director of IRON Lives came forward on behalf of the non-profit organization to request Town Council support and approval for the 2022 IRON 5k Run/Walk event to be held on April 3, 2022, from 3pm to 5pm, in the Town of Amherst.

Town Manager Carter reported that IRON Lives will be responsible for obtaining a street closure permit from VDOT for the event.

Mr. Watts made a motion that was seconded by Mr. Bunch to support and approve the event for April 3, 2022, as recommended by staff.

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

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Vice Mayor Carton opened the floor for citizen comment.

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

Ms. Turner made a motion that was seconded by Ms. Wheaton to approve the minutes from the September 9, 2021, meeting.

There being no discussion, the motion as to the September 9, 2021, minutes carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Chairman Watts gave a report on the Utilities Committee meeting held on September 29, 2021. The Committee met with Tom Martin and Blake Robertson of the Amherst County Fire Department on their request to forgive the entirety of their bill due to water leaks. The Committee agreed to charge the AFD their average monthly bill, calculated on the last 12 months. After discussing possible utilities projects that could be funded by the ARPA funds, the committee agreed to recommend to council that ARPA funds be used for a sludge dewaterer.

Town Manager Carter gave a report on a proposed Resolution of the Town Council of the Town of Amherst, Virginia, with Respect to Economic Development Authority of the City of Lynchburg, Virginia, Virginia Revenue Bond Financing for Centra Health, Inc. As there is a Centra Health facility located in Ambriar Shopping Center limited approval from Town Council for the bond refinancing is required. Centra Health is requesting a resolution of support from the Town of Amherst for the financing.

Centra Health Chief Financial Officer Doug Davenport, and Thomas William Bruno, Esq., McGuire Woods LLP, were present to answer questions.

Ms. Turner made a motion that was seconded by Ms. Wheaton to approve the Resolution of the Town Council of the Town of Amherst, Virginia, with Respect to Economic Development Authority of the City of Lynchburg, Virginia, Virginia Revenue Bond Financing for Centra Health, Inc.

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

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

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

After a report by Town Manager Carter, Ms. Turner made a motion that was seconded by Mr. Bunch to approve use of remaining ARPA funds for a sludge dewater for the Town's water and wastewater plants and to authorize staff to proceed with the project, as recommended by the Utility Committee and staff.

After discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Town Manager Carter gave a report on a proposed trash can ordinance that would require the removal of trash cans from public rights of way within a certain timeframe after trash day.

After discussion, by consensus Council directed staff to solicit citizen comments and concerns. Further discussion on the matter was deferred.

Town Manager Carter presented a list of possible Code amendments for consideration by Council. Discussion on the matter was deferred.

After a report by Office Manager Morgan, Mr. Watts made a motion that was seconded by Ms. Wheaton to approve purchase of an integrated body and car camera for the police department in the amount of \$5,495.00, with a \$2,000.00 VML Risk Management Grant and \$3,495.00 in Town budgeted funds, as recommended by staff.

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

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

After a report by Office Manager Morgan, Ms. Wheaton made a motion that was seconded by Mr. Bunch to authorize staff to purchase five (5) additional police integrated car and body cameras in the amount of \$27,475.00, contingent upon approval of a DCJS Byrne Equipment Grant, and approve expenditure of town funds to match the grant, if any is required, as recommended by staff.

After discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

After Town Manager Carter gave a report on receipt of an offer letter from the Virginia Department of Health funds for a standby generator on Waugh’s Ferry Road, Mr. Watts made a motion that was seconded by Ms. Wheaton to accept the funds presented in the offer letter, as recommended by staff.

After discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle	Absent	Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sharon W. Turner	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Clerk of Council Vicki Hunt reported that the 2021 Christmas parade theme is “Disco Christmas.”

Vice Mayor Carton opened the floor for citizen comment.

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

There being no further business, the meeting adjourned at 8:04 P.M., until November10, 2021, at 7:00 p.m. on motion of Ms. Turner seconded by Ms. Wheaton.

Rachel A. Carton, Vice Mayor

Attest: _____
Clerk of Council

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF TOWN OF AMHERST, VIRGINIA:

1. The Town Council concurs in the Lynchburg Inducement Resolution and approves the issuance of the Bonds by the Lynchburg Authority with respect to the portion of the Amherst Project to be located in Town of Amherst as required by Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act.

2. The Town Council's approval of the issuance of the Bonds by the Lynchburg Authority does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of Centra Health or any of its affiliates. The issuance of the Bonds shall not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or Town of Amherst, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the Bonds. Town of Amherst shall not be obligated to pay the Bonds or the interest thereon or other costs incident thereto. Centra Health shall pay any costs and expenses (and indemnify for any damages) of Town of Amherst incurred with respect to the Bonds.

3. This resolution shall take effect immediately upon its adoption.

Adopted by the Town Council of Town of Amherst, Virginia this 13th day of October, , 2021.

TOWN OF AMHERST

D. Dwayne Tuggle, Mayor

Attest: _____
Clerk of Council