

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on November 9, 2016 at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. Council members André Higginbotham, Kenneth Watts, Kenneth Bumgarner, Mike Mozingo and Rachel Thompson were present. Town Manager Jack Hobbs, Town Attorney Tom Berry, Police Chief Robert Kimbrel, Office Manager Tracie Wright, and Deputy Town Clerk Vicki Hunt were present.

Rachel Carton, 241 Hanger Road, came forward to offer a prayer as a citizen comment.

Suny Munk came forward to present a brief history of recent urban art in downtown Amherst, the upcoming Second Stage Cultivate Amherst!! program and to explain how her group will follow through on the ArtMeters project by leading the effort to dispose of the ArtMeters. After some discussion, Mr. Bumgarner made a motion that was seconded by Mr. Watts and passed 5-0 to approve an adjustment of the Cultivate Amherst!! timetable to January 1, 2017 through November 30, 2017 so that (a) the Town would request grant monies to be transferred from the state to the Town immediately and (b) monies would be disbursed to Second Stage upon delivery of receipts as set forth by action of the Town Council on March 25, 2016 and (c) the written report on the project would be delivered by December 2017. Messrs. Watts, Bumgarner, Mozingo, Higginbotham and Mrs. Thompson voted "Aye."

Gary Jennings, 257 Grandview Drive, came forward to bring to the attention of Council his recent "first" receipt of an overdue personal property and real estate property tax bill with interest due from tax years 2014 and 2015. After some discussion, by consensus, the Councilors determined that no action on the matter was necessary.

Terry Bateman, 193 Garland Avenue, came forward in support of the pedestrian safety walkability study.

Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and passed 5-0 to approve the minutes from the October 12, 2016 meeting. Messrs. Watts, Bumgarner, Mozingo, Higginbotham and Mrs. Thompson voted "Aye."

Discussion on filling the seat on the Industrial Development Authority formerly held by Jim Meade and the IDA/EDA merger was deferred.

Town Manager Hobbs summarized the Town's FY16 financial performance and its fiscal situation as of June 30, 2016 as described in the draft audit report presented at the October meeting. Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and passed 4-0-1 to accept the FY16 audit report and authorize the printing of a final edition. Messrs. Watts, Bumgarner, Mozingo, and Higginbotham voted "Aye". Mrs. Thompson abstained.

After some discussion, Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and passed 5-0 to adopt a revised Town of Amherst Utility Rate and Fee Policy as presented. Messrs. Watts, Bumgarner, Mozingo, Higginbotham and Mrs. Thompson voted "Aye." A copy of the approved policy is attached and made a part of these minutes.

A proposed Accounts Receivable Collection Policy that would replace the existing Meals and Beverage Tax and Lodging Tax Collection Policy that was approved on February 14, 2007 was presented. Discussion on amendments to the policy was deferred until the next meeting.

A proposed adjustment to the banner policy that would allow banners from Sweet Briar College on the Town's banner frame was presented. By consensus it was agreed that Sweet Briar College would be allowed to participate in the banner program.

Police Chief Robert Kimbrel came forward to propose an amendment to the Town's parking fine ordinance. By consensus, the Councilors agreed to hold a public hearing on the matter at the December meeting.

The Town Manager gave an oral report on various projects.

There being no further business, Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and passed 5-0 to adjourn the meeting at 8:39 P.M. Messrs. Watts, Bumgarner, Mozingo, Higginbotham and Mrs. Thompson voted "Aye."

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J. Paul Kilgore, Jr.  
Mayor

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

# Town of Amherst Utility Rate and Fee Policy

Adopted November 9, 2016 for FY2016/2017

**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 residential unit. Customers are charged for water and sewer usage based upon metered water usage.

<u>Rate Component</u>	<u>In Town Residential Base Charge</u>	<u>In Town Use Charge per 1,000 gallons</u>	<u>Out of Town Residential Base Charge</u>	<u>Out of Town Use Charge per 1,000 gallons</u>
<b>Water:</b>				
July 1, 2016-June 30, 2017	\$14.25	\$7.10	\$28.50	\$14.20
July 1, 2017-June 30, 2018	\$15.60	\$7.75	\$31.20	\$15.50
July 1, 2018-June 30, 2019	\$17.05	\$8.50	\$34.10	\$17.00
<b>Sewer:</b>				
July 1, 2016-June 30, 2017	\$25.60	\$6.40	\$51.20	\$12.80
July 1, 2017-June 30, 2018	\$27.35	\$6.85	\$54.70	\$13.70
July 1, 2018-June 30, 2019	\$29.20	\$7.30	\$58.40	\$14.60
<b>Curbside Refuse Collection:</b>				
July 1, 2016-June 30, 2017	\$7.10		\$14.20	

**Nonresidential Customers:**

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

**Curbside Refuse Collection:**

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

**Fire Sprinkler Fees**

Fire sprinkler fees are as follows:

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

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

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

### **Dormant Account Fees:**

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

### **Reconnection Fee:**

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

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

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

### **Billing:**

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

### **Adjustments for Leaks:**

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

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

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

### **Restoration of Service:**

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

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

**Returned Payments:**

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

Refer to Chapter 17 of the Town Code for rules that apply to new utility connections.

**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.