

AMHERST TOWN COUNCIL
AGENDA – WEDNESDAY, JULY 11, 2018
REVISED
Meeting at 7:00 p.m.
Town Hall, 174 S. Main Street, Amherst, VA 24521

- A. Call to Order – 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. Special Presentation from the Chief of Police-** *Chief Shiflett will be present to make a special presentation to Council.*
 - 2. Board, Commission and Authority Appointments (Pg. 1) –** *Mr. Kim Stein will be present at Council's request to meet Council in regard to his application to serve on the Industrial Development Authority.*
 - 3. Presentation by Anne Marie Roberts (Pgs. 2-8)-** *Ms. Roberts, from the Robert E. Lee Soil and Water Conservation District will be present to review the work being done in preparation for a review of the Memorandum of Understanding between the District and the Town.*
 - 4. Presentation by Larry Jackson, Appalachian Power (Pgs. 9-21)-** *Mr. Jackson, from Appalachian Power, will be present to review the process to secure a franchise agreement for power in the Town.*
 - 5. Presentation by Derrick Brown-** *Mr. Brown is coming to speak to Council about the requested return of the annual IRON 5k to Main Street for April, 2019.*
- F. Consent Agenda** – *Items on the consent agenda can be voted on as a block if all are in agreement with the recommended actions or discussed individually.*
- 1. Town Council Minutes (Pgs. 22-44)–** *Draft of the June 13, 2018 meeting is **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. 45-55)

- 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. 55)

- a. Finance Committee– *Mrs. Carton*
- b. Community Relations – *Mr. Higginbotham*
- c. Utilities Committee – *Mr. Watts*

H. Discussion Items

- 1. **Potential Waiver of Water and Sewer Availability and Connection fees (Pg. 57 for resolution- roll call vote)-** *Sara Carter- Staff recommends that the Council consider waiving the water and sewer availability and connection fees for Amherst Milling Company, if the developer voluntarily provides sprinklers for fire suppression in the public portion of the mill building. Mr. Nate Young, the Amherst County Building Official, will be present to address questions from Council regarding the issue.*
- 2. **Website presentation-** *Mattie Nicholson- Staff will present an update on the Town website.*
- 3. **Bulk water fees- (Handout)-** *Becky Cash- Staff recommends a change in fees charged for bulk water sales. Ms. Cash will be available to present her findings.*

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 and ~~§2.2-3711A.3~~ of the Code of Virginia, relating to personnel and the acquisition of real property for a public purpose.*

N. Adjournment

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

The following biographical information has been requested by the Amherst Town Council on each nominee for Council appointment. When completed, please return to: Town of Amherst, Attn: Clerk of the Council, P.O. Box 280, 176 South Main Street, Amherst, VA 24521.

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

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

Full Legal Name: Kim Odell Stein

Mailing Address: _____

Home Address: 1130 River Rd., Madison Heights

E-mail Address: KSTEIN1609@earthlink.net

Phone No: Office _____ Work: 434-907-0373

Length of time at present address: 26 yrs

Are you over the age of 18? yes

Employer Name: _____ Address: _____

Current employment position: Retired

List specific information which might qualify you for this appointment: _____

Director of Business Development, Apex Area
Private Real Estate Investor 40 yrs
Out of the Box Problem Solver

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

Give back to Community

Kim Stein
Signature of Applicant

May 8, 2018
Date

2012

MEMORANDUM OF UNDERSTANDING

between the

**ROBERT E. LEE
SOIL AND WATER CONSERVATION DISTRICT,
AMHERST COUNTY**

And the TOWN OF AMHERST

This Memorandum of Understanding (“Memorandum”) was entered into by and between Amherst County, hereinafter called the County, the Town of Amherst, hereinafter called the Town, and the Robert E. Lee Soil and Water Conservation District, Commonwealth of Virginia, hereinafter called the District.

Recognizing the need for close relationships in carrying out the responsibilities for which each is charged, the County, the Town and the District enter into this Memorandum of Understanding as the foundation for an enduring cooperative working relationship. Such cooperation allows joint effort in the solution of problems relating to the planning and development of soil, water and related natural resources.

The District will provide technical assistance through the hire of an Amherst Watershed Coordinator. This assistance is set forth below, will be provided in conjunction with federal, state and local resource agencies, which work through the District, within the limitations of their budgets, availability of personnel and in accordance with established policies for reimbursement of certain costs. The District will provide the services of its Amherst Watershed Coordinator prorated on the percentage of local funding for salary, benefits, training and other expenses of the aforementioned position provided by the County and the Town.

ROBERT E. LEE SOIL AND WATER CONSERVATION DISTRICT

AGREES TO:

1. Provide for the hiring, training, equipment, benefits, salary and other expenses for a Amherst Watershed Coordinator, Conservation Specialist and Education Specialist. The District's portion of the Amherst Watershed Coordinator's compensation shall be that portion not funded by the Town as described herein, or by the Amherst County Service Authority as described in the Memorandum of Understanding now in effect between the District and the Amherst County Service Authority. One hundred percent (100%) of the time and efforts of the Amherst Watershed Coordinator shall be spent working on administration and management of the District's commitments to the protected watersheds of Amherst County, (Harris/Graham Creeks and Buffalo River/Mill Creek). The Conservation Specialist will provide additional hours with technical assistance and conservation planning in the Amherst protected watersheds. The Education Specialist will provide additional hours working to promote greater awareness and understanding of watershed protection issues in Amherst County and assisting the Amherst Watershed Coordinator where applicable.
2. Coordinate on-site field assessments and the generation of baseline data on water resources within the designated boundaries of the Buffalo River Watershed.
3. Conduct continual surveys and re-current evaluations of land and water resources within the designated boundaries of the Buffalo River Watershed.
4. Design and implement best management practices in conjunction with identified potential impairments to present and future drinking water supplies of the County and Town.
5. Assist in the development of policies, ordinances and programs for the conservation of soil, water and related natural resources.
6. Review, comment and approve, as required by local ordinances, plans which impact soil, water and related natural resources.
7. Identify and solicit assistance programs available through the District and its cooperating agencies which affect natural resources management.
8. Assist with local educational programs relating to natural resource conservation and protection of the environment.
9. Periodically submit a competitive best management practice grant proposals to assist with funding of or demonstrate the effectiveness of conservation practices.

10. Delegate a member of the District Board of Directors to serve as a liaison representative of the Amherst Town Council and Amherst County Supervisors, respectively.

11. Annually furnish a written assessment summarizing the survey findings to the Amherst Town Council and Amherst County Board of Supervisors, respectively. The annual assessment shall describe task, activities, accomplishments, and findings during the reporting period, both for the Buffalo River Watershed and for the entire County, including the Buffalo River Watershed.

12. Comply with current Virginia state regulations, as they apply to soil and water conservation

THE TOWN OF AMHERST

AGREES TO:

1. Provide annual local funding for compensation of the Amherst Watershed Coordinator. The annual base cost of \$22, 136.68 will be allocated to the District on a quarterly basis at a rate of \$5,534.00
2. Assist the District in the development of effective soil and water conservation programs in priority watersheds.
3. Provide the District with a copy of the comprehensive plan, land use plan, geographic information data and technology resources and any other plan(s).
4. Consult with the District in the development or review of policies, ordinances, and programs that deal with soil, water and related natural resources.
5. Use soil, water and natural resource data/standards/specifications furnished by the District as applicable.
6. Delegate a representative of the Town to act as liaison to the District.
7. Support educational programs designed to make the public aware of need for the proper use and management of natural resources.
8. Participate in an annual review to assess the effectiveness of the District's/County's/Town's Plan of Work and confirm the Town's intention to continue operating under this Memorandum. Such review shall be completed no later than June 30th of each year.

AMHERST COUNTY

AGREES TO:

1. Provide annual local funding for compensation of the Amherst Watershed Coordinator. The annual base cost of \$28,570.99 will be allocated to the District on a quarterly basis at a rate of \$7,142.75 per quarter, by the Amherst County Service Authority, acting as the County agent. (see 2012 ACSA/District Memorandum)
2. Assist the District in the development of effective soil and water conservation programs in priority watersheds.
3. Provide the District with a copy of the comprehensive plan, land use plan, geographic information data and technology resources and any other plan(s).
4. Consult with the District in the development or review of policies, ordinances, and programs that deal with soil, water and related natural resources.
5. Use soil, water and natural resource data/standards/specifications furnished by the District as applicable.
6. Delegate a representative of the County to act as liaison to the District.
7. Support educational programs designed to make the public aware of need for the proper use and management of natural resources.
8. Participate in an annual review to assess the effectiveness of the District's/County's/Town's Plan of Work and confirm the County's intention to continue operating under this Memorandum. Such review shall be completed no later than June 30th of each year.

**AMHERST COUNTY,
the TOWN OF AMHERST,**

And

The ROBERT E. LEE SOIL and WATER CONSERVATION DISTRICT

MUTUALLY AGREE THAT:

1. The Town, the County and the District will meet annually to further coordinate their respective programs and activities for optimum mutual benefit.
2. This Memorandum may be amended or terminated at any time by mutual consent of the parties hereto or may be terminated by any party by giving sixty (60) days notice in writing to the other parties.
3. The agreement by the County and Town to consider making appropriations to support the costs associated with the Amherst Watershed Coordinator's compensation constitutes neither a debt of the County or Town within the meaning of any constitutional or statutory limitation, nor a lien or charge upon any property or funds of the County or Town. The governing bodies for the County and Town retain full discretion to decide whether they wish to make any such appropriation.

In witness thereof, the Memorandum executed and agreed to on the day and month and year written below.

ROBERT E. LEE SOIL AND WATER CONSERVATION DISTRICT

By: _____

Title: _____

Date: _____

AMHERST COUNTY

By: _____

Title: _____

Date: _____

TOWN OF AMHERST

By: _____

Title: _____

Date: _____

Approved as to form:

By: _____

Title: Amherst County Attorney

Date: _____

**SAMPLE DOCUMENTS NECESSARY FOR SECURING A FRANCHISE
COMMONWEALTH OF VIRGINIA**

1. Minutes of Council Meeting to consider an ordinance. (Including “An Ordinance” - form and terms of franchise requested.)
2. “Legal Notice” to be furnished to newspaper.
3. Publishers’ Affidavits of publication. (Include copies of actual publications from paper.)
4. “Bid for Franchise” from Appalachian Power.
5. Minutes of Council Meeting at which ordinance granting franchise was passed.
6. Notarized “Acceptance of Franchise” executed by APCo’s Vice President, (4 copies).

Please obtain four (4) ink signature originals. After Documents 1 through 6, above have been completed, obtain APCo’s Vice President External Affairs signature on the “Acceptance of Franchise” document (No. 6 above). The 4 executed of all the documents above will be compiled by the External Affairs Director. The External Affairs Director will forward these 4 executed copies to the Town Clerk for the Clerk’s receipt signature on the “Acceptance of Franchise” copies. The Clerk is to keep one executed copy for the Town’s records and return the other three to the External Affairs Director. The External Affairs Director keeps one copy for his or her files and forwards the four remaining executed copies to External Affairs in Roanoke. External Affairs will retain an executed copy and then forward the two remaining executed copies to R/E&R/W and they will, in turn, forward one executed copy to the Legal Department in Columbus.

Samples of the above documents are attached for your reference.

#1

AN ORDINANCE PROPOSING TO SELL AND GRANT A FRANCHISE FOR AN ELECTRIC POWER TRANSMISSION AND DISTRIBUTION SYSTEM IN THE TOWN OF AMHERST, VIRGINIA, AND INVITING BIDS THEREFORE.

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

That a franchise granting permission for the construction, maintenance and operation of an electric power transmission and distribution system, with all rights incident thereto, on, along, over, upon and under the streets and other public places of the said Town, subject to the conditions as hereinafter more specifically set forth, be and the same is hereby proposed to be sold and that written bids addressed and delivered to the Mayor of said Town, and as such, are hereby invited and will be received for such franchise, on the ___th day of _____, at ___ A.M./P.M., and upon the passage of this ordinance the Clerk of Council thereof is hereby directed to cause a descriptive notice of the ordinance proposing to make the grant, be published once a week for two consecutive weeks in the Amherst New Era-Progress, a newspaper published of general circulation in Amherst County, Virginia, prior to the said ___th day of _____, the cost of said advertisement to be paid by the Town of Amherst, Virginia, which shall be reimbursed by the person or corporation to whom the grant of such franchise is finally made, if made, but the right to reject any and all bids is hereby reserved to said Town.

The said franchise proposed to be sold and for which bids will be received on the day and hour aforesaid, and if sold, proposed to be granted, shall be substantially as follows:

BE IT ORDAINED by the Town Council of the Town of Amherst, Amherst County, Commonwealth of Virginia, and it is hereby ordained by authority of the same that

SECTION I

Appalachian Power Company, its successors and assigns, (hereinafter called "Grantee"), is hereby granted the right, privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the street, thoroughfares, alleys, bridges and public places (as the same now exist or may hereafter be laid out), of the Town of Amherst, Amherst County, Commonwealth of Virginia, lines for the distribution of electric energy either by means of overhead or underground conductors, with all necessary or desirable appurtenances for the purpose of supplying electric energy to said Town and the inhabitants thereof and persons or corporations beyond the limits thereof, for light, heat, power or any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same through or across said Town.

SECTION II

Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, bridges and public places. The location of all poles and conduits shall be made under the supervision of the Town.

SECTION III

The right, authority, privilege and franchise to construct, maintain, replace, repair and operate an electric power transmission and distribution system and all other necessary and appropriate equipment and facilities for its transmission and distribution is hereby granted and shall be in force and effect for a period of thirty, (30) years from the date of the passage of this ordinance.

The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Council of said Town hereby reserves the right to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION IV

The granting of this franchise is made upon the express condition that the exercise of the same shall be subject to such regulations as may be adopted by the State Corporation Commission of Virginia or such other body upon which said State may hereafter confer regulatory powers over like corporations for the purpose of securing efficiency of public service from said Grantee, its successors and assigns, in said Town of Abingdon, and the maintenance of the property and works of said Grantee in good order throughout the term of this franchise.

SECTION V

Said Grantee shall save the Town harmless from any and all liability arising in any way from Grantee's negligence in the erection, maintenance or operation of said lines for the distribution of electric energy.

SECTION VI

Whenever said Grantee shall begin the erection of any lines or equipment it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges and public places where such work is done in as good condition or repair as before such work was commenced.

SECTION VII

Whenever, in this Ordinance, either the Town or the Grantee is referred to, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges and obligations herein contained by or on behalf of said Town or by or on behalf of said Grantee, shall bind and inure to the benefit of the respective successors or assigns of said Town or of said Grantee, whether so expressed or not.

SECTION VIII

In consideration of the benefits which in the judgment of said Town will accrue to it by reason of the construction and operation of said electric light, heat and power system and as an inducement to said Grantee proposing to construct, maintain and operate said system, the said Town of Amherst hereby agrees with the said Grantee that no franchise or specific pole or wire tax shall be imposed or charged against said Grantee, its successors or assigns by said Town during the life of this franchise, but said Town of Amherst hereby expressly reserves the right of assessing or charging any other valid tax of any other nature whether ad valorem or otherwise which is now authorized or which may be hereafter authorized by the general laws of the Commonwealth of Virginia.

SECTION IX

This franchise shall be accepted by the Grantee within sixty (60) days from the date of the passage of the same.

Passed in Council this ____th day of _____.

Council Vote:

Roll call:

Rachel A. Carton	_____
Andra Higginbotham	_____
Mark A. Stinnett	_____
Kenneth S. Watts	_____
Kenneth G. Bunch	_____
Mayor D. Dwayne Tuggle	_____

Attest:

Clerk of Council

LEGAL NOTICE

An Ordinance Proposing to Sell and Grant a Franchise For an Electric Power Transmission and Distribution System in the Town of Amherst, Virginia, and Inviting Bids Therefore.

Be It Ordained by the Council of the Town of Amherst, Virginia:

That a franchise granting permission for the construction, maintenance, and operation of an electric power transmission and distribution system with all rights incident thereto, on, along, over, upon, and under the streets and other public places of the said Town, subject to the conditions of said franchise, be and the same is hereby proposed to be sold and that written bids addressed and delivered to the Mayor and Council of said Town, are hereby invited and will be received for such franchise, on the ____th day of _____, at ____ A.M./P.M. at its regular meeting. A copy of the full text of the ordinance is on file in the office of the clerk of the Town of Amherst, Virginia. The public is invited to attend.

AFFIDAVIT OF PUBLICATION

I, _____, a Publisher of the Amherst New Era-Progress, a newspaper published in the County of Amherst, Virginia, do hereby certify that the annexed ordinance proposing to sell and grant a franchise for an electric power transmission and distribution system in the Town of Amherst, Virginia, and inviting bids therefor, has been published in said paper once a week for two consecutive weeks, commencing on the _____ day of _____, 2018, and ending with the issue of _____ day of _____, 2018.

Given under my hand this _____ day of _____, 2018.

Editor or Publisher

#4 On EAM Letterhead

_____, 2018

BID OF APPALACHIAN POWER COMPANY FOR PROPOSED FRANCHISE.

Mayor D. Dwayne Tuggle:

The undersigned, Appalachian Power Company, hereby files this, its bid, for the franchise as advertised and proposed to be sold and approved by the Mayor of the Town of Amherst, Virginia, on the ___th day of _____, 2018 and hereby offers to pay for such franchise the sum of five-hundred dollars (\$500.00), for which check payable to said Town of Amherst, Virginia, is herewith enclosed, and the undersigned agrees to accept such franchise, if granted, and to comply with the terms and provisions thereof as the same has been advertised.

APPALACHIAN POWER COMPANY

Larry E. Jackson
External Affairs Director

#5

Amherst, Virginia

A regular meeting of the Town Council of the Town of Amherst, Virginia, was held in the Town Hall, on _____, 2018, at _____ o'clock A.M./P.M.

There were present:

D. Dwayne Tuggle
Mayor

Rachel A. Carton, Andra Higginbotham, Mark A. Stinnett, Kenneth S. Watts, Kenneth G. Bunch
Council Members

There were absent:

None

Council Members

The meeting was called to order by the presiding officer,
Mayor Tuggle.

The minutes of the previous meeting were read and, upon motion duly seconded, approved.

The presiding officer announced that the business before the meeting was that of receiving bids for the franchise offered for sale in pursuance of an ordinance directing the descriptive advertisement of said franchise adopted at a meeting held the ____day of _____, 2018.

The bid of Appalachian Power Company (d/b/a American Electric Power) for said franchise, offering the sum of \$500, was received and read aloud before the meeting, no other bids having been filed. The presiding officer then inquired if any other bids were offered and none being offered, he declared the bidding closed.

Whereupon, on motion duly made and seconded, the following resolution was adopted by _____ vote of the members present.

AN ORDINANCE

WHEREAS, by an Ordinance adopted by the Council of the Town of Amherst, Virginia, on _____, 2018, and approved by the Mayor of said Town on Amherst, the franchise for an electric power transmission and distribution system in the Town of Amherst, Virginia, was, thereby proposed to be sold and bids thereby invited therefore, a descriptive notice of the ordinance proposing to make the grant having been advertised once a week for two consecutive weeks in the Amherst New Era-Progress, a newspaper of general circulation in said Town, and

WHEREAS, Appalachian Power Company has bid the sum of five-hundred dollars (\$500.00) for such franchise and the presiding officer having caused said bid to be read aloud to the members and having inquired if any other bids were offered, and no other bids having been received therefore, it is, therefore,

RESOLVED, that the following Ordinance be and the same is hereby adopted.

BE IT ORDAINED by the Town Council of the Town of Amherst, Amherst County, Commonwealth of Virginia, and it is hereby ordained by authority of the same that

SECTION I

Appalachian Power Company, its successors and assigns, (hereinafter called "Grantee"), is hereby granted the right, privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the street, thoroughfares, alleys, bridges and public places (as the same now exist or may hereafter be laid out), of the Town of Amherst, Amherst County, Commonwealth of Virginia, lines for the distribution of electric energy either by means of overhead or underground conductors, with all necessary or desirable appurtenances for the purpose of supplying electric energy to said Town and the inhabitants thereof and persons or corporations beyond the limits thereof, for light, heat, power or any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same through or across said Town.

SECTION II

Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, bridges and public places. The

location of all poles and conduits shall be made under the supervision of the proper Board or Committee of the Town government.

SECTION III

The right, authority, privilege and franchise to construct, maintain, replace, repair and operate an electric power transmission and distribution system and all other necessary and appropriate equipment and facilities for its transmission and distribution is hereby granted and shall be in force and effect for a period of thirty, (30) years from the date of the passage of this ordinance.

The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Council of said Town hereby reserves the right to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION IV

The granting of this franchise is made upon the express condition that the exercise of the same shall be subject to such regulations as may be adopted by the State Corporation Commission of Virginia or such other body upon which said State may hereafter confer regulatory powers over like corporations for the purpose of securing efficiency of public service from said Grantee, its successors and assigns, in said Town of Amherst, and the maintenance of the property and works of said Grantee in good order throughout the term of this franchise.

SECTION V

Said Grantee shall save the Town harmless from any and all liability arising in any way from Grantee's negligence in the erection, maintenance or operation of said lines for the distribution of electric energy.

SECTION VI

Whenever said Grantee shall begin the erection of any lines or equipment it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges and public places where such work is done in as good condition or repair as before such work was commenced.

SECTION VII

Whenever, in this Ordinance, either the Town or the Grantee is referred to, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges and obligations herein contained by or on behalf of said Town or by or on behalf of said Grantee, shall bind and inure to the benefit of the respective successors or assigns of said Town or of said Grantee, whether so expressed or not.

SECTION VIII

In consideration of the benefits which in the judgment of said Town will accrue to it by reason of the construction and operation of said electric light, heat and power system and as an inducement to said Grantee proposing to construct, maintain and operate said system, the said Town of Dublin hereby agrees with the said Grantee that no franchise or specific pole or wire tax shall be imposed or charged against said Grantee, its successors or assigns by said Town during the life of this franchise, but said Town of Amherst hereby expressly reserves the right of assessing or charging any other valid tax of any other nature whether ad valorem or otherwise which is now authorized or which may be hereafter authorized by the general laws of the Commonwealth of Virginia.

SECTION IX

This franchise shall be accepted by the Grantee within sixty (60) days from the date of the passage of the same.

Passed in Council this ____ day of _____, 2018.

Mayor

Attest:

Clerk

Approved this ____ day of _____, 201_.

Mayor

Clerk

#6

ACCEPTANCE OF FRANCHISE

TO THE TOWN OF Amherst, Virginia:

Appalachian Power Company, (d/b/a American Electric Power), the Grantee in that certain ordinance and franchise passed by the Town Council of the said Town of Amherst on _____, 2018, in order to comply with Section IX thereof, hereby accepts said ordinance and franchise.

In Witness Whereof, Appalachian Power Company has this the ____rd day of _____, 2018, caused its name to be signed hereto by Brad N. Hall, its Vice President, thereunto duly authorized.

APPALACHIAN POWER COMPANY

By _____

Vice President

STATE OF VIRGINIA
CITY OF ROANOKE

The foregoing instrument was acknowledged before me the ____ day of _____, 2018

.

Notary Public-

My commission expires: _____

A copy of the foregoing Acceptance of Franchise was received by me on behalf of the

Town of _____ on the ____ day of _____, 201__.

Clerk

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on June 13, 2018, 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 Andrá Higginbotham	P Mark A. Stinnett
P Kenneth S. Watts	P Rachel A. Carton

Town Manager Sara E. Carter, Town Attorney W. Thomas Berry, Office Manager Tracie Wright, Clerk of Council Vicki K. Hunt, Police Chief Robert A. Shiflett, II, Lead Water Treatment Plant Operator Becky Cash, Lead Sewer Treatment Plant Operator Gary Williams, and Gary P. Smith, Jr., Wastewater Treatment Plant Operator, were present.

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

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

James E. Sanderson, Jr., Sr. Vice President, Davenport and Company, and Daniel M. Siegel, Esq., Shareholder, Sands Anderson, PC, presented their recommendation based on the results of four bids received from the duly advertised RFP refinancing regarding the Town's outstanding debt related to the Series 2005 and 2010 loans with the goal to reduce the overall debt service costs to the Town.

After discussion, Mr. Watts made a motion that was seconded by Mr. Stinnett to approve a Resolution Authorizing the Issuance of up to \$4,000,000 Principal Amount of General Obligation Refunding Bond Series 2018, Sterling National Bank, Registered Holder, as recommended by the Finance Committee and staff. The motion 5-0 via the roll call method with Mrs. Carton and Mr. Higginbotham, Watts, Bunch and Stinnett voting "Aye." A copy of the Resolution is attached and made a part of these minutes.

Tim Ware, Jason Buendorf, Alex Motley and Carter Massie came forward on behalf of the Amherst Mountain Biking Club to present their group's multi-use trail proposal for L. Barnes Brockman, Sr. Business and Industrial Park. Council encouraged the group to present their proposal to the Industrial Development Authority concerning use of Brockman Park and asked that the group consider helping the Town plan for development of bike trails in other areas of the town.

Mr. Higginbotham made a motion that was seconded by Mr. Stinnett and carried 5-0 to approve the minutes from the May 9, 2018, meeting. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye."

After some discussion, Mrs. Carton made a motion that was seconded by Mr. Bunch to adopt an ordinance that would have the effect of establishing the FY18/19 Town of Amherst budget. The motion 5-0 via the roll call method with Mrs. Carton and Mr. Higginbotham, Watts, Bunch and Stinnett voting "Aye." A copy of the ordinance is attached and made a part of these minutes.

On a motion by Mr. Watts that was seconded by Mrs. Carton and carried 5-0 a list of appointments and recommendations for appointments to various Town committees was approved. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye." The list is as follows:

• Planning Commission	Kevin Belcher	7/1/2018-6/30/2022
• Board of Zoning Appeals	Kevin J. Akershoek	9/1/2018-8/31/2023
• Industrial Development Authority	Sharon Watts Turner	7/1/2018-6/30/2022
• Property Maintenance Investigation Board	Bessie H. Kirkwood	7/1/2018-6/30/2022

After noting that §15.2-2232 of the Code of Virginia indicates that no public utility facility, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof, and in connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing after notice, the Town Manager reported that the Planning Commission made a determination that the proposed 7.7 acre parcel of land connected to the redevelopment of the old mill is substantially in accord with the adopted Town of Amherst Comprehensive Plan and voted 5-0-1 to recommend that the Town Council purchase the proposed 7.7 acre parcel of land from Lazy River LLC as recommended by staff and that council pay particular close attention to concerns by citizens pertaining to roadway conditions, appearance and ingress and egress to the proposed park.

After discussion, Mr. Watts made a motion that was seconded by Mr. Bunch and carried 5-0 to confirm the Planning Commission's determination that the proposed 7.7 acre parcel of land connected to the redevelopment of the old mill is substantially in accord with the adopted Town of Amherst Comprehensive Plan. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye."

Mrs. Carton made a motion that was seconded by Mr. Stinnett and carried 5-0 to approve a Resolution to Enable Staff to Proceed with the Purchase of Approximately 7.7 Acres from Lazy River LLC for the Purpose of a Town Park. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye." A copy of the Resolution is attached and made a part of these minutes.

After discussion, Mr. Bunch made a motion that was seconded by Mr. Higginbotham and carried 5-0 to approve a Resolution to Include the Mayor and Council in Workers Compensation Coverage on the Town Insurance Policy as recommended by staff. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye." A copy of the Resolution is attached and made a part of these minutes.

After discussion, Mr. Watts made a motion that was seconded by Mr. Stinnett and carried 5-0 to direct Town Attorney W. Thomas Berry to prepare an agreement extending the terms of the existing Water Supply and Mutual Aid Agreement Between the Town of Amherst and Sweet Briar College dated July 1, 1998, for an additional two years (July 1, 2018, to June 30, 2020) and to authorize Town Manager Carter to authorize the extended agreement between the Town and Sweet Briar College. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye."

Police Chief Shiflett gave a report on a donation offer of a 2007 International rescue squad vehicle by the Amherst Volunteer Rescue Squad to the Town and its potential use by the Police Department. After discussion, Mr. Higginbotham made a motion that was seconded by Mrs. Carton to accept the Amherst Volunteer Rescue Squad's donation of the 2007 International rescue squad vehicle with transfer of its title to the Town of Amherst as recommended by staff. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye."

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

Mayor Tuggle recessed the meeting at 8:38 PM.

Mayor Tuggle reconvened the meeting at 8:44 PM. The following members were present.

P	D. Dwayne Tuggle	P	Kenneth G. Bunch
P	Andrá Higginbotham	P	Mark A. Stinnett
P	Kenneth S. Watts	P	Rachel A. Carton

At 8:44 PM, Mrs. Carton made the following motion which was seconded by Mr. Watts and carried 5-0 with Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voting in favor: I move that the Town Council convene in closed session for discussion or consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body per the exemption at §2.2-3711A.3 of the Code of Virginia; for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body per the exemption at §2.2-3711A.3 of the Code of Virginia.

At 9:18 PM, Mrs. Carton read the certification, that the Town Council 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 5-0 via the roll call method with Mrs. Carton and Mr. Higginbotham, Watts, Bunch and Stinnett voting "Aye."

There being no further business, the meeting adjourned on a motion by Mr. Stinnett seconded by Mrs. Carton at 9:19 P.M.

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council

TOWN OF AMHERST, VIRGINIA

**A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO
\$4,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS
OF THE TOWN OF AMHERST, VIRGINIA
AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF**

Adopted on June 13, 2018

Be it Resolved by the Town Council of the Town of Amherst, Virginia:

Section 1 Definitions

Unless the context shall clearly indicate some other meaning, the following words and terms shall for all purposes of the Resolution and of any certificate, resolution or other instrument amendatory thereof or supplemental thereto for all purposes of any opinion or instrument or other documents therein or herein mentioned, have the following meanings:

“Act” shall mean the Public Finance Act, Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended.

“Bond Counsel” shall mean Sands Anderson PC or another attorney or firm of attorneys nationally recognized on the subject of municipal bonds selected by the Town.

“Bond” shall mean the Town's General Obligation Refunding Bond, Series 2018 in an aggregate principal amount not to exceed \$4,000,000 to refund the Refunded Bonds authorized to be issued hereunder.

“Business Day” shall mean any Monday, Tuesday, Wednesday, Thursday or Friday on which commercial banks generally are open for business in the Commonwealth of Virginia.

“Closing Date” shall mean the date on which the Bond is issued and delivered to the Lender.

“Code” shall mean the Internal Revenue Code of 1986, as amended, and applicable regulations, procedures and rulings thereunder.

“Commonwealth” shall mean the Commonwealth of Virginia.

“Council” shall mean the Town Council of the Town of Amherst, Virginia.

“Lender” shall mean Sterling National Bank, Columbus, Ohio, or any successor or assignee thereto.

“Maturity Date” shall mean June 1, 2030.

“Mayor” or “Vice Mayor” shall mean the Mayor or Vice Mayor of the Town.

“Outstanding” shall mean, as of a particular date, the Bond authenticated and delivered under this Resolution except:

- (i) if the Bond is cancelled by the Town at or before such date;

- (ii) if cash equal to the principal amount of the Bond, with interest to the date of maturity, shall have been deposited with the Paying Agent prior to maturity;
- (iii) the Bond for the redemption or purchase of which cash or noncallable direct obligations of the United States of America, equal to the redemption or purchase price thereof to the redemption or purchase date, shall have been deposited with the Paying Agent, for which notice of redemption or purchase shall have been given in accordance with the Resolution;
- (iv) the Bond in lieu of, or in substitution for which, another Bond shall have been authenticated and delivered pursuant to this Resolution; and
- (v) if the Bond is deemed paid under the provisions of Section 9, except that such Bond shall be considered Outstanding until the maturity or redemption date thereof only for the purposes of actually being paid.

“Paying Agent” shall mean the Town Manager acting as Paying Agent hereunder as designated and authorized under Section 3 or the successors or assigns serving as such hereunder.

“Payment Date” shall mean the first day of each month, beginning August 1, 2018 through and including the Maturity Date.

“Refunded Bonds” shall mean the outstanding principal amount of the Town's \$3,121,000 General Obligation Refunding Bond, Series 2005 and \$2,188,523.18 General Obligation Refunding Bond, Series 2010.

“Registrar” shall mean the Paying Agent, or the successors or assigns serving as such hereunder.

“Town” shall mean the Town of Amherst, Virginia.

“Town Clerk” shall mean the Clerk of the Town Council.

“Town Charter” shall mean the Town Charter of the Town of Amherst, Virginia, Chapter 397 of the 1950 Acts of Assembly, as amended.

Section 2 Findings and Determinations

The Council hereby finds and determines that (i) in consultation with Davenport & Company LLC, its financial advisor, the Refunded Bonds could be refunded for debt service savings to the Town and has obtained a commitment from the Lender dated June 1, 2018 resulting in such reduced debt service, including costs of issuance of the Bond, (ii) the obtaining of such funds to refund the Refunded Bonds will be for municipal purposes of the Town for the welfare of citizens of the Town for purposes which will serve the Town and its citizens, (iii) the most

effective, efficient and expedient manner in which to provide such funds is by the issuance of a general obligation refunding bond or bonds in the maximum principal amount of up to \$4,000,000 issued by the Town as further described herein (**the “Bond”**) as evidence of a loan by the Lender, the issuance of such Bond being within the power of the Town to contract debts, borrow money and make and issue evidence of indebtedness, (iv) pursuant to Section 15.2-2643 of the Act, no public hearing for the issuance of the Bonds is required and (v) the issuance of the Bond is in the best interests of the Town and its citizens.

Section 3 Authorization, Form and Details of the Bond

There is hereby authorized to be issued a general obligation bond of the Town in the aggregate principal amount of up to \$4,000,000 for purposes of refunding the Refunded Bonds, to pay certain costs of issuance of the Bond and for payment of interest on the Bond, all as described in Section 2 above. The Bond authorized herein shall be designated “General Obligation Refunding Bond, Series 2018”, shall be issuable as a fully registered bond, without coupons, shall be dated the Closing Date, shall be numbered R-1, shall bear interest and principal payable monthly on the first day of each month, commencing August 1, 2018, through and including the Maturity Date (June 1, 2030), at a rate per annum of 3.345% in accordance with the provisions herein and therein and with the provisions of the Lender’s written proposal to make the loan evidenced by the Bond, and shall mature on the Maturity Date.

The Bond may not be prepaid before August 1, 2023. On and after August 1, 2023, after giving at least thirty (30) days’ written notice to the Bank, the Town may prepay the Bond in whole only on any date upon payment of interest accrued and unpaid to such date, plus 100% of the principal amount to be redeemed.

The Bond is hereby authorized to be issued under the Act. The Bond shall bear interest from the date on which the Bond is authenticated. Interest on the Bond shall be computed on the basis of 30-day months and a 360-day year.

Principal of, and interest on, the Bond shall be payable in lawful money of the United States of America. Principal of and interest on the Bond shall be payable by wire transfer to the registered holder on the payment dates of the Bond.

The Bond shall be printed, lithographed or typewritten and shall be substantially in the form herein below set forth, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution, including such variations, insertions and omissions as shall be necessary to issue the Bond under a system of book-entry for recording the ownership and transfer of ownership of rights to receive payments of principal of and interest on the Bond and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

If any principal of, or interest on, the Bond is not paid when due (whether at maturity, by acceleration or call for redemption, or otherwise), then, to the extent permitted by law, the overdue installments of principal shall bear interest until paid at the same rate as set forth in the Bond.

The Bond shall be signed by the facsimile or manual signature of the Mayor. The facsimile of the Town's seal shall be printed thereon or manually impressed thereon and attested by the facsimile or manual signature of the Town Clerk. In case any officer whose signature or facsimile of whose signature shall appear on the Bond shall cease to be such officer before delivery of the Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he remained in office until such delivery. The Bond may bear the facsimile signature of or may be signed by such persons as at the actual time of the execution thereof shall be the proper officers to sign the Bond although on the date of delivery of the Bond such persons may not have been such officers.

The Bond shall bear a certificate of authentication, in the form set forth below, duly executed by the Registrar. The Registrar shall authenticate the Bond with the signature of an authorized officer of the Registrar. Only the authenticated Bond shall be entitled to any right or benefit under this Resolution, and such certificate on the Bond issued hereunder shall be conclusive evidence that the Bond has been duly issued and is secured by the provisions hereof.

The Paying Agent shall act as Registrar and shall maintain Registration Books for the registration and the registration of transfer of the Bond. The Town Manager is hereby designated and authorized to act as Paying Agent and Registrar hereunder. The transfer of the Bond may be registered only on the books kept for the registration and registration of transfer of the Bond upon surrender thereof to the Registrar together with an assignment duly executed by the registered holder in person or by his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar. Upon any such transfer, the Town shall execute and the Registrar shall authenticate and deliver, in exchange of the Bond, a new registered Bond registered in the name of the transferee of the same series, maturity and interest rate as the Bond so exchanged in any denomination or denominations authorized by this Resolution.

The Registrar shall not be required to make any such registration or registration of transfer during the fifteen (15) days immediately preceding an Interest Payment Date, the Maturity Date or a redemption date.

Prior to due presentment for registration of transfer for the Bond, the Registrar shall treat the registered holder as the person exclusively entitled to payment of principal of, premium, if any, and interest on, the Bond and the exercise of all other rights and powers of the Holder.

If the Bond has been mutilated, lost or destroyed, the Town shall execute and the Registrar shall authenticate and deliver a new Bond of like date and tenor in exchange or substitution for, and upon cancellation of, such mutilated Bond or in lieu of and in substitution for such lost or destroyed Bond; provided, however, that the Town and the Registrar shall execute, authenticate and deliver such Bond only if the Holder has paid the reasonable expenses and charges of the

Town and the Registrar in connection therewith and, in the case of a lost or destroyed Bond, has furnished to the Town and the Registrar (a) evidence satisfactory to them that such Bond was lost or destroyed and the Holder was the Owner thereof and (b) indemnity satisfactory to them. If the Bond has matured, instead of issuing a new Bond, the Registrar may pay the same without surrender thereof upon receipt of the aforesaid evidence and indemnity.

If the Bond has been paid (whether at maturity, by acceleration or otherwise) or delivered to the Paying Agent for cancellation, the Bond shall not be reissued and the Registrar shall, unless otherwise directed by the Town, cremate, shred or otherwise dispose of the Bond. The Registrar shall deliver to the Town a certificate of any such cremation, shredding or other disposition of the Bond.

The Bond, the Certificate of Authentication and the provision for the assignment to be inserted in the Bond shall be substantially in the following forms, to-wit:

“FORM OF BOND”

No. R-1

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA, TOWN OF AMHERST
GENERAL OBLIGATION REFUNDING BOND,
SERIES 2018**

**Registered Holder:
STERLING NATIONAL BANK**

**Dated: June __, 2018
Maturity Date: June 1, 2030**

**Principal Sum: [UP TO FOUR MILLION
AND 00/100 DOLLARS (\$4,000,000.00)]**

Interest Rate: 3.345%

KNOW ALL MEN BY THESE PRESENTS, that the Town of Amherst, Virginia (**hereinafter sometimes referred to as the “Town”**), a body politic and corporate of the Commonwealth of Virginia, for value received hereby promises to pay to the registered holder (named above), or assigns, on the Maturity Date (specified above), subject to prepayment or prior redemption as hereinafter provided, the Principal Sum (specified above) by wire transfer to the registered holder on the payment dates set forth below by the Town Manager (**the “Paying Agent”**), and to pay interest on said Principal Sum, each payable in monthly installments due on the first day of each month in the amounts and on the dates set forth in Schedule I attached hereto, from the date of authentication hereof, at the rate per annum (specified above) through and up to the Maturity Date.

This Bond may not be prepaid before August 1, 2023. On and after August 1, 2023, after giving at least thirty (30) days’ written notice to the Bank, the Town may prepay this Bond in whole only on any date upon payment of interest accrued and unpaid to such date, plus 100% of the principal amount to be redeemed.

Both principal of and interest on this Bond are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Bond do exist, have happened and have been performed in regular and due time, form and manner as required by law; that this Bond does not exceed any constitutional, statutory or charter limitation of indebtedness; and that provision has been made for the payment of the principal of, and interest on, this Bond as provided in the Resolution.

No registration, transfer or exchange of this Bond shall be permitted within fifteen (15) days of a Payment Date, the Maturity Date or the date of prepayment or redemption of this Bond.

This Bond is an authorized series in the aggregate principal amount of up to \$4,000,000 authorized of like date and tenor, except for number and denomination, and is issued under and pursuant to and in compliance with the Constitution and laws of the Commonwealth of Virginia, including Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended, the same being the Public Finance Act, and the Resolution duly adopted under said Chapter by the Town Council on June 13, 2018 (the “**Resolution**”).

This Bond shall bear interest from the date on which this Bond is authenticated. Interest on this Bond shall be computed on the basis of 30-day months and 360-day year.

This Bond is transferable only upon the registration books kept at the office of the Registrar by the registered holder hereof, or by his duly authorized attorney, upon surrender of this Bond (together with a written instrument of transfer, satisfactory in form to the Registrar, duly executed by the registered holder or his duly authorized attorney, which may be the form endorsed hereon) and subject to the limitations and upon payment of the charges, if any, as provided in the Resolution, and thereupon as provided in the Resolution a new Bond, in the aggregate principal amount and of the same series, interest rate and maturity as the Bond surrendered, shall be issued in exchange therefor. The Town and the Registrar shall deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes whatsoever.

THIS BOND IS A GENERAL OBLIGATION OF THE TOWN FOR THE PAYMENT OF WHICH THE TOWN'S FULL FAITH AND CREDIT ARE IRREVOCABLY PLEDGED. THE TOWN COUNCIL IS AUTHORIZED AND REQUIRED TO LEVY AND COLLECT ANNUALLY AT THE SAME TIME AND IN THE SAME MANNER AS OTHER TAXES OF THE TOWN ARE ASSESSED, LEVIED AND COLLECTED, A TAX UPON ALL TAXABLE PROPERTY WITHIN THE TOWN, OVER AND ABOVE ALL OTHER TAXES AUTHORIZED OR LIMITED BY LAW AND WITHOUT LIMITATION AS TO RATE OR AMOUNT, SUFFICIENT TO PAY WHEN DUE THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON THE BOND, TO THE EXTENT OTHER FUNDS OF THE TOWN ARE NOT LAWFULLY AVAILABLE AND APPROPRIATED FOR SUCH PURPOSE.

Reference is hereby made to the Resolution and to all of the provisions thereof to which any holder of this Bond by his acceptance hereof hereby assents, for definitions of terms; the description of and nature and extent of the security for the Bond; the conditions upon which the Resolution may be amended or supplemented without the consent of the holder of this Bond and upon which it may be amended only with the consent of the holder of the Bond affected thereby; the rights and remedies of the holder hereof with respect hereto; the rights, duties and obligations of the Town; the provisions discharging the Resolution as to this Bond and for the other terms and provisions of the Resolution.

This Bond shall not be valid or obligatory for any purpose unless the certificate of authentication hereon has been duly executed by the Registrar and the date of authentication inserted hereon.

IN WITNESS WHEREOF, the Town of Amherst, Virginia, by its Town Council has caused this Bond to be signed by the Mayor and attested by the Town Clerk, by their manual or facsimile signatures, and its seal to be impressed or imprinted hereon, and this Bond to be dated as set forth above.

(SEAL)

Town Clerk, Town Council

Mayor, Town of Amherst, Virginia

CERTIFICATE OF AUTHENTICATION

This Bond is the Bond described in the within-mentioned Resolution.

**REGISTRAR – TOWN OF AMHERST,
VIRGINIA TOWN MANAGER**

By: _____
Town Manager, Town of Amherst

DATE OF AUTHENTICATION:

June __, 2018

[FORM OF ASSIGNMENT]

For value received, the undersigned hereby sells, assigns, and transfers unto

Please insert social security number or other tax identification number of assignee:

[_____]

Name and address of assignee, including zip code:

_____ the within-mentioned Bond and hereby irrevocably constitutes and appoints _____ attorney-in-fact, to transfer the same on the registration books thereof maintained in the office of the within-mentioned Registrar with the full power of substitution in the premises.

DATED: _____

NOTE: The signature to this assignment must correspond with the name of the registered holder that is written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

SCHEDULE I

Section 4 Proceeds of the Bond

All funds received from the proceeds of the sale of the Bond shall be used to prepay, redeem and defease the Refunded Bonds or to pay costs of issuance on the Bond.

Section 5 Financial Information

The Town shall send to Lender a copy of the Town's audited financial statements for each fiscal year within 30 days of the Town's acceptance of such statements, but in any event within 270 days of the completion of such fiscal year.

Section 6 Defeasance

The obligations of the Town under this Resolution and covenants of the Town provided for herein shall be fully discharged and satisfied as to the Bond and the Bond shall no longer be deemed to be Outstanding thereunder when the Bond shall have been purchased by the Town and cancelled or destroyed, when the payment of principal of the Bond, plus interest on the principal to the due date thereof either (a) shall have been made or (b) shall have been provided for by irrevocably depositing with the Paying Agent for the Bond, money sufficient to make such payment, or direct and general obligations of, or obligations the principal of, and interest on, which are guaranteed by, the United States of America, maturing in such amounts and at such times as will insure the availability of sufficient monies to make such payment.

Section 7 General Obligation

The Bond is a general obligation of the Town for the payment for which the Town's full faith and credit are irrevocably pledged. The Council, in accordance with Section 15.2-2624 of the Act, is hereafter authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the Town are assessed, levied and collected, a tax upon all taxable property within the Town, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any and interest on the Bond, to the extent other funds of the Town are not lawfully available and appropriated for such purpose.

Section 8 Event of Default

Each of the following shall constitute an event of default hereunder:

- a. Failure to pay the principal of the Bond when due;
- b. Failure to pay interest on the Bond when due; or
- c. The instituting of any proceeding with the consent of the Town for the purpose of effecting composition between the Town and its creditors or for the purpose of adjusting the claims of creditors pursuant to any federal or state statute.

In case an Event of Default shall occur, subject to the provisions referred to in the preceding paragraph, the Lender shall have the right to protect the rights vested in such Lender by the Resolution by such appropriate judicial proceeding as such Lender shall determine either by suit in equity or by action at law.

Section 9 Enforcement by Lender

The Lender of the Bond may by mandamus or other appropriate proceeding at law or in equity in any court of competent jurisdiction, enforce and compel performance of this Resolution and every provision and covenant thereof, including without limiting the generality of the foregoing, the enforcement of the performance of all obligations and duties and requirements to be done or performed by the Town by the Resolution or by the applicable laws of the Commonwealth.

Section 10 Modification of Bond Resolution

The Town may without the consent of the Lender make any modification or amendment of this Resolution required to cure any ambiguity or error herein contained or to make any amendments hereto or to grant to the Bondholders additional rights.

Section 11 No Arbitrage Covenant and Covenants and Designations as to the Code

The Town hereby covenants that it will not use or invest, or permit the use or investment of any proceeds of the Bond, in a manner that would cause the Bond to be subjected to treatment under Section 148 of the Code and the regulations adopted thereunder as an “arbitrage bond,” and to that end the Town shall comply with applicable regulations adopted under said Section 148 of the Code.

The Town covenants to comply with the Code provisions requiring that any issuance of “governmental bonds,” as defined therein, be subject to certain requirements as to rebate and timing and type of payments to be paid for from the proceeds of such notes or bonds, as well as other additional requirements. In order to assure compliance with such Code provisions, the Town has entered into a Compliance Certificate, to comply with such requirements and covenants therein that it will not breach the terms thereof.

The Council, on behalf of the Town, hereby designates the Bond as a “qualified tax-exempt obligation” as defined in Section 265(b)(3)(B) of the Code and certifies by this Resolution that it does not reasonably anticipate the issuance by it or its subordinate entities of more than \$10,000,000 in “qualified tax-exempt obligations” during the calendar year 2018 for or on its behalf and will not designate, or permit the designation by any of its subordinate entities of, any of its notes and bonds (or those of its subordinate entities) during the calendar year 2018 for or on its behalf which would cause the \$10,000,000 limitation of Section 265(b)(3)(D) of the Code to be violated.

The Council intends for the Bond to be treated as complying with the provisions of Section 148(f)(4)(D) of the Code, which provides an exception from the “rebate requirement,” since (i) the 2018 Bond (1) is issued by the Town which is a governmental unit with general taxing powers, (2) no bond which is a part of this issue is a private activity bond, (3) 95% or more of the net proceeds of this issue are to be used for local governmental activities entirely within the jurisdiction of the Town, and (4) the aggregate face amount of all tax-exempt notes and bonds (other than private activity bonds) issued by the Town during the calendar year 2018 (and notes and bonds issued by any subordinate entity of the Town) is not reasonably expected to exceed \$5,000,000 except that, pursuant to the provisions of Section 148(f)(4)(D)(vii) of the Code, this amount of \$5,000,000 may increase by the lesser of \$10,000,000 or so much of the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the Town during the calendar year 2018 (and notes and bonds issued by any subordinate entity of the Town) attributable to financing the construction (within the meaning of Section 148(f)(4)(C)(iv) of the Code) of public school facilities.

Section 12 Further Actions Authorized

The Mayor, the Town Clerk and the Town Manager and all other officers, employees and agents of the Town are hereby authorized and directed to take any and all such further action and to modify such documents and terms relating to the issuance of the Bond, including but not limited to the terms of payment, dates, redemption dates and terms as shall be deemed necessary, appropriate or desirable in order to effectuate delivery of, and payment for, the Bond all in accordance with the Resolution. The signature of such officers on such documents or certificates shall be conclusive evidence of such determination.

Furthermore, terms and provisions of the Bond may be subsequently modified by a resolution of the Council as may be deemed necessary, appropriate or desirable without modifying this Resolution and without further public hearing.

Section 13 Invalidity of Sections

If any section, paragraph, clause or provision of this Resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining portions of this Resolution.

Section 14 Headings of Sections, Table of Contents

The headings of the sections of this Resolution and the Table of Contents appended hereto or to copies hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of such sections of this Resolution.

Section 15 Effectiveness and Filing of Resolution

This Resolution shall become effective upon its passage. A certified copy of this Resolution shall be filed with the Clerk of the Circuit Court of the County of Amherst, Virginia in accordance with Section 15.2-2607 of the Act.

The Members of the Council voted as follows:

<u>Ayes</u>	<u>Nays</u>

<u>Absent</u>	<u>Abstentions</u>

Adopted this 13th day of June, 2018.

The undersigned Town Clerk of the Town Council of the Town of Amherst, Virginia hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Council held on June 13, 2018, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly called meeting and that, during the consideration of the foregoing resolution, a quorum was present and action was taken in an open meeting.

Dated this _____ day of June, 2018.

Town Clerk, Town Council of the
Town of Amherst, Virginia

TABLE OF CONTENTS

	<u>Page</u>
Section 1 <u>Definitions</u>	1
Section 2 <u>Findings and Determinations</u>	2
Section 3 <u>Authorization, Form and Details of the Bond</u>	3
Section 4 <u>Proceeds of the Bond</u>	12
Section 5 <u>Financial Information</u>	12
Section 6 <u>Defeasance</u>	12
Section 7 <u>General Obligation</u>	12
Section 8 <u>Event of Default</u>	12
Section 9 <u>Enforcement by Lender</u>	13
Section 10 <u>Modification of Bond Resolution</u>	13
Section 11 <u>No Arbitrage Covenant and Covenants and Designations as to the Code</u>	13
Section 12 <u>Further Actions Authorized</u>	14
Section 13 <u>Invalidity of Sections</u>	14
Section 14 <u>Headings of Sections, Table of Contents</u>	14
Section 15 <u>Effectiveness and Filing of Resolution</u>	15

A RESOLUTION TO ENABLE STAFF TO PROCEED WITH THE PURCHASE OF APPROXIMATELY 7.7 ACRES FROM LAZY RIVER LLC FOR THE PURPOSE OF A TOWN PARK.

Whereas, the provision of parks and recreational options make a Town a desirable place to live and work, and

Whereas, Town Council prioritized the development of a Town Park at their Strategic Planning retreat in January 2017, and

Whereas, a variety of options have been considered, and

Whereas, there are limited locations with sufficient acreage within the Town for the purposes of a park, and

Whereas, this property is beautifully situated and has many opportunities for recreation for Town residents, and

Whereas, the property has been offered to the Town for a purchase price of \$35,000,

Now, Therefore, Be it Resolved that the Town Council authorizes staff to proceed with the purchase of said property, subject to the conditions constrained in the real estate contract, and to pay for the cost of the purchase, including surveying and legal fees, as well as any other ancillary costs from the Town's capital funds.

Adopted in the Town of Amherst, Virginia this 13th day of June, 2018.

Mayor Dwayne Tuggle

Attest:

Clerk of Council

**A RESOLUTION TO INCLUDE THE MAYOR AND COUNCIL IN WORKERS
COMPENSATION COVERAGE ON THE TOWN INSURANCE POLICY.**

Whereas, members of the Town Council and the Mayor frequently travel about Town and into other areas for their elected duties, and

Whereas, without coverage, Council members could be responsible for the cost and impacts of their injuries incurred in the completion of their duties, and

Whereas, staff and the Council could be unequally covered in the same situation both while performing Town duties, and

Whereas, the Town's insurance carrier has indicated that the Council and Mayor are eligible for coverage with the Town for a minimal cost,

Now, Therefore, Be it Resolved that the Town Council requests coverage from VML Insurance Programs for the Mayor and Council to be covered by the Town's workman's compensation policy and authorizes staff to proceed with this additional coverage.

Adopted in the Town of Amherst, Virginia this 13th day of June, 2018.

Mayor Dwayne Tuggle

Attest:

Clerk of Council

Town Manager's Report for the July 11, 2018 Town Council Meeting

Committee	Report
A. Industrial Development Authority	No meetings/no report
B. Planning Commission	No meetings/no report
C. Board of Zoning Appeals	No meetings/no report
D. Property Maintenance Investigation Board	No meetings/no report
E. Community Relations Committee	No meetings/no report
F. Finance Committee	Meeting minutes from June 13, 2018 included
G. Utilities Committee	No meetings/no report
H. Personnel Committee	No meetings/no report
I. Town/Sweet Briar Sewer Use Advisory Commission	No meetings/no report
J. Lynchburg Regional Business Alliance	No meetings/no report
K. Central Virginia Metropolitan Planning Organization	No meetings/no report

JUNE 2018 Totals

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

CALLS FOR SERVICE	NUMBER
KEYS LOCKED IN VEHICLE	11
ALARM	13
PHONE COMPLAINT	33
BOLO	14
MISSING PERSON	
SHOPLIFTING	
PROBLEM WITH OTHERS	8
DOMESTIC	1
CHECK WELFARE	1
NOISE OR DOG COMPLAINT	2
TRAFFIC CRASH	6
EMS CALLS	2
SUDDEN DEATH	
ECO	2
FUNERAL TRAFFIC	1
OTHER	40

OFFICER INITIATED	NUMBER
BUILDING CHECKS	166
CHECKING DETAIL	
BUILDING SEARCH	5
TRAFFIC SUMMONS	18
DRUNK IN PUBLIC	
EXTRA PATROLS	99
WARRANT SERVICE	2
PROPERTY WALK AROUNDS	8
WARRANTS OBTAINED	2
PARKING TICKETS	
MISD. INVESTIGATION	1
FELONY INVESTIGATION	6
NARCOTICS INV.	3
SEARCH WARRANT	2
PUBLIC RELATIONS	2
CITIZEN CONTACT	48

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

TRAFFIC STOPS TICKETED	NUMBER
SPEEDING	17
EQUIPMENT VIOLATION	
RECKLESS DRIVING	
SUSPENDED LICENSE	1
INSPECTION STICKER	
REGISTRATION	
SEAT BELT / TEXTING	

WARNINGS	NUMBER
SPEEDING	
EQUIPMENT VIOLATION	1
RECKLESS DRIVING	
SUSPENDED LICENSE	
INSPECTION STICKER	
REGISTRAION	
SEAT BELT / TEXTING	

OTHER	NUMBER
ASSIST OTHER OFFICER	24
ASSIST OTHER AGENCY	32
COURT	4
REPORTS	5
SCHOOL / TRAINING	1
MEETINGS	6
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.

Miles patrolled 6,730.

Calls for service 223.

To: Town Council
From: Tracie Wright
Date: July 5, 2018
Re: June 2018 Monthly Report

Utilities – 1162 bills were cut totaling \$227,119.34.

A/P – A total of 90 checks were cut totaling \$426,626.34.

Meals and Beverage Tax – 15 Businesses paid \$31,582.72 in Meals and Beverage Tax for the month of May.

Taxes – \$3,772.00 is still owed out of the original \$46,370 billing total.

Collections- This update was given on the May report: “Mr. Berry and I went to court on June 1st for seven Warrant in Debts. Two of those resulted in judgements, one disputed what was owed so we have another court date for that person and four people made payment arrangements for the amounts owed. Court for those individuals is continued until October to ensure that they keep their arrangements.” At this time only one individual is keeping their payment arrangement.

I have sent out letters to all business owners who have not obtained a business license for the past two or more years. Per our code we can charge any business operating without a license with a misdemeanor charge that may result in fines or 30 days in jail. I gave those businesses 30 days to respond to the letter. At this time I have still only heard from one business owner. If Council has no objections I will proceed with charges for operating without a business license to all those who do not attempt to come into compliance.

Clerk of Council Report

June 2018

Committee Meetings

Planning Commission

Receive and review agenda packet for 6-06-18 meeting; post agenda packet to website; prepare for and attend meeting on 6-06-18; draft minutes for approval; post to Town website

Town Council

Receive and review agenda packet for 6-13-18 meeting; post agenda packet to website; prepare for and attend meeting on 6-13-18; draft minutes for approval; post to Town website

Quorums: Confirm quorum for Planning Commission and Town Council meetings; confirmation and notification of cancellation of IDA meeting due to anticipated lack of quorum.

Recodification of Town Code

Continue work on recodification of Town Code

FOIA – Attend FOIA Training on 6-19-18 to receive certification

Town Website Management

- Existing Website: Monitor, develop and update design and content
- New Website: Continue weekly sessions with Mattie Nicholson; continue work with focus on page links and content; miscellaneous e-mails with Mattie Nicolson; e-mail and telephone conference with website administrator

Town Facebook Administrator

Post to Town's Facebook page; monitor feedback

General Obligation Refunding Bond Series 2018

Miscellaneous e-mails with Sands Anderson in preparation for pre-closing meeting; deliver documents to Amherst Clerk's Office for filing; attend pre-closing meeting on 6-25-18

Other:

Notify Board members of appointment to committees; telephone conference with IDA applicant re 7/11/18 Town Council meeting; correspond with Amherst County Circuit Court Judge in re recommendation for reappointment to Board of Zoning.

Post meeting notice for Finance Committee

Town of Amherst Committees as of June 30, 2018 – Update; See Attached.

Town of Amherst Committees as of June 30, 2018

	<u>Appointed/Term Expires</u>	
<u>TOWN COUNCIL</u>		
D. Dwayne Tuggle, Mayor	01/01/17	12/31/18
Kenneth S. Watts	01/01/17	12/31/18
Andra A. Higginbotham	01/01/17	12/31/18
Mark A. Stinnett	01/01/17	12/31/18
Rachel A. Carton	01/01/17	12/31/18
Kenneth G. Bunch	11/08/17	12/31/18

PLANNING COMMISSION

June Driskill, Chairperson	06/08/16	06/30/20
Kenneth G. Bunch	12/13/17	12/31/18 (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
VACANT		06/30/18

BOARD OF ZONING APPEALS

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

INDUSTRIAL DEVELOPMENT AUTHORITY

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
Vernon Wood (Vacancy)	05/14/14	06/30/18
Richard Wydner	04/08/15	06/30/19

PROPERTY MAINTENANCE INVESTIGATION BOARD

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

REGION 2000 REGIONAL COMMISSION/MPO

D. Dwayne Tuggle	01/11/17	12/31/18
Sara Carter	01/11/17	12/31/18

Appointed/Term Expires

TOWN/SWEET BRIAR SEWER USE ADVISORY COMMISSION

Clifford Hart	02/08/17	12/31/18
Kenneth S. Watts	01/11/17	12/31/18

YMCA EXPLORATORY COMMITTEE

Erin Minter, Chairperson	05/10/17
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 01/01/17-12/31/18 TERM)

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 COMMITTEE

Andra Higginbotham (Chairman) and Mark A. Stinnett

- Review Town 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.

Department of Plants
Monthly Production and Operational Report
For June 2018
Submitted By: Gary S. Williams

Grandview Water Filtration Plant,

Daily Water Withdrawal and Production:

	Total, million gallons	Average, million gallons	Max, million gallons	Min, million gallons
Raw Water	8.970	0.330	0.570	0.130
Produced	7.650	0.280	0.480	0.080
Delivered	7.380	0.270	0.470	0.080

Monthly Activities Highlights:

- Continued on going physical plant clean up and minor repairs done by operational staff.
- Work begun on property cleanup / upkeep with plants staff beginning the cutting of brush along back of property fence line. This work is being done in the anticipation of contracting a vacuum truck to clean out mud / sludge from the plant lagoon system.
- Both settling basins and both flocculates were drained and flush in preparation of Julys Haloacetic Acid and Trihalomethanes sampling/testing event.
- During the first weekend of basin cleaning it was discovered that the DelPac line was clogged with settled chemical. Plant staff removed the distribution line, flushed blockages, installed removable couplings and reinstalled the line. An on standard of practice will be written so this line is cleaned quarterly and blockages will no longer be a problem.
- Have 2 bids in for tree removal around settling basins in preparation of basin rehabilitation next spring. Working on getting a third bid.

Rutledge Creek Wastewater Treatment Plant,

Daily Received and Treated Waste Stream:

	Total, million gallons	Average, million gallons	Max, million gallons	Min, million gallons
Raw Influent	7.62	0.254	0.382	0.187
Finial Effluent	7.67	0.256	0.359	0.206

Monthly Activities Highlights:

- The Department of Environmental Quality has begun the process of developing a Total Maximum Daily Load (TMDL) study for Polychlorinated Biphenyls (PCB's) in the Upper James River watershed. The yearlong study has the Town taking 2 samples, one during wet weather and one during dry weather. WWTP staff have already completed the wet study portion due to earlier rainy weather. The report is showing ND (Not Detected ant the PQL) PQL (Practical Quantitation Limit, or the lowest verified limit to which dat is quantified without qualifications).

- WWTP staff as part of the Town's Pretreatment Ordinance will shortly be canvassing the local Dentist Offices in town for compliance with the Virginia Dental Rule. Simply put, we will the local dentist offices to make sure their equipment is up to date for the separation of mercury in dental amalgam from the waste stream. In last year annual influent component screening, mercury was ND (Not Detected ant the PQL) PQL(Practical Quantitation Limit, or the lowest verified limit to which is quantified without qualifications). Therefore, WWTP staff are not expecting any problems.
- WWTP staff participated in blind laboratory Proficiency Test and Demonstration of Capability as required by DEQ, all were noted as "Acceptable". Acceptable and Non-acceptable are the only grading points given since a range of results are used to show competence.

Report Date: July 6, 2018

Utility/Town Maintenance and Construction Report

Jun-18

Water Meter Read	1150
Water Meter Re-Read	37
Disconnects	9
VA-811 Service locations	28
Vehicle PM Work Orders	17
Pump Station/Plant Work Orders	20
Banners Installed/Dismantled	0
Water Services Installed/Replaced	2
Sewer Services Installed/Replaced	1
Minor Leaks ks Repaired	0
Major Leaks Repaired	2
Minor Sewer Problems Resolved	0
Major Sewer Problems Resolved	3

Man Hours

Meter Reading	72
Street/Sidewalk Maintenance	357
Safety Training	2
Bush Hogging	77
Flushing Water	3
Equipment Maintenance	97
Xmas decorations	0

Major Issues & Comments

Aging water services through out system Continue addressing sewer problems with failing areas.
Starting to mow grass and landscaping throughout Town.

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

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

June 29, 2018

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

Attn: Sara Carter- Town Manager

Re: Monthly Report to Town Council
(June 2018)

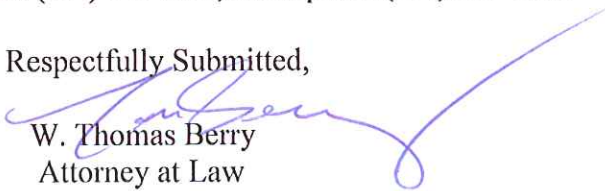
Dear Ms. Carter, and Council,

My report on work regarding the following matters:

1. Recodification: Review of recodification. Prepared draft of weed ordinance for Councilman Higginbotham and Councilman Watts for review.
2. Planning Commission: Did not attend meeting this month.
3. Zoning Subdivision- Reviewed Planning Commission minutes and matters relating to signs.
4. Town Council Meeting: Attendance at the monthly scheduled meeting on June 13th, 2018
5. Land Acquisition: Need to review Rights of Way and Survey issues.
6. Collections: Moved forward with Tracie Wright presenting specific collections in Amherst General District Court.
7. Bond: Reviewed documents for refinance and presented Title Opinion with Sands Anderson/ Daniel M. Siegel, Attorney.

Access to Town Attorney: My email address is tberry@tomberrylaw.com. Please feel free to use this email access provided, and I will promptly return any communication. My home phone (434) 946-9501; office phone (434) 263-4886.

Respectfully Submitted,


W. Thomas Berry
Attorney at Law

WTB/tpg

W. THOMAS BERRY, LLC

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

Invoice

Date	Invoice #
6/27/2018	8464

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

			Terms
			Due on receipt
Description	Qty	Rate	Amount
6/1/18-WARRANT IN DEBTS	1.2	175.00	210.00
6/5/18-MEMO ON WARRANT IN DEBTS	1.2	175.00	210.00
6/5/18-REAL ESTATE LIENS	1	175.00	175.00
6/8/18-WEED ORDINANCE	1.5	175.00	262.50
6/13/18-MONTHLY MEETING PREP	1	175.00	175.00
6/13/18-MONTHLY MEETING	2.25	175.00	393.75
6/21/18-REVIEW BOND PAPERS	1.5	175.00	262.50
6/22/18-TITLE OPINION	1.5	175.00	262.50
6/28/18-PREPARE BILL OF PARTICULARS, ED THACKER	1	175.00	175.00
Total			\$2,126.25
Payments/Credits			\$0.00
Balance Due			\$2,126.25

**FINANCE COMMITTEE
MINUTES**

June 13, 2018
6:00 PM

Attendees: Rachel Carton, Chairman and Ken Watts

Guests: Jimmy Sanderson and Dan Siegel

Staff: Sara Carter and Tracie Wright

The meeting was called to order by Ms. Carton at 6:00 p.m.

The committee heard a presentation by Jimmy Sanderson from Davenport regarding responses to an RFP issued on behalf of the Town to find options for refinancing two of the Town's debts.

The meeting adjourned at 6:14 p.m.

A RESOLUTION TO AUTHORIZE THE WAIVER OF WATER AND SEWER AVAILABILITY AND CONNECTION FEES FOR THE AMHERST MILLING COMPANY.

Whereas, the Amherst Milling Company has been an important part of the fabric of the Town of Amherst for generations, and

Whereas, the conversion of the Mill from a feed mill to a hydro powered brewery and pizzeria will allow the continuance of a historic structure and provide for its maintenance and upkeep for the foreseeable future, and

Whereas, without the action of the development company, Lazy River, LLC, the mill may have been lost due to the deteriorating structural conditions, and

Whereas, the age of the mill and type of construction make it more susceptible to fire damage, and

Whereas, this project is partially funded through a historic tax credit program, and

Whereas, the project cannot be required to use sprinklers for fire suppression as it does not meet the standard for sprinklers in the building code, yet sprinklers would enhance the safety of everyone who visits and provide additional protection to the property,

Now, Therefore, Be it Resolved that the Town Council authorizes staff to waive water and sewer availability and connection fees, pursuant to Code section 17-12 (c), if the developer voluntarily provides sprinklers for fire suppression in the public portion of the mill.

Adopted in the Town of Amherst, Virginia this 11th day of July, 2018.

Mayor Dwayne Tuggle

Attest:

Clerk of Council