

**AMHERST TOWN COUNCIL**  
**AGENDA – WEDNESDAY, NOVEMBER 14, 2018**  
**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**
- 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. 1-3)**– *Draft of the October 10, 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. 4-13)**
- 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**
- a. Finance Committee– *Mrs. Carton*
  - b. Community Relations – *Mr. Higginbotham*
  - c. Utilities Committee – *Mr. Watts*
- 3. Other Reports (Pgs. 14-18)**
- a. Robert E. Lee Soil and Water Conservation District
  - b. Planning Commission Minutes
  - c. Industrial Development Authority Minutes

## **H. Discussion Items**

- 1. Brockman Park Hunting Policy- (Pgs. 19-20)** *Chief Shiflett- Police Chief Shiflett has suggested some changes to the Brockman Park Hunting Policy to be considered by Council.*
- 2. Consideration of Leash Law Proposal-** *Sara Carter- Some members of Council have been approached about the need for a leash law in Town to prevent dogs roaming free. Staff suggests using a survey on the Town website to allow citizens to express their thoughts on this issue, with a proposed closing of the survey at the end of the year. If an Ordinance is to be considered, staff recommends doing so at the January meeting.*
- 3. Restaurant Meals Tax Rebate- (Pgs. 21-25)-** *Sara Carter- Council has asked staff to propose a method to incentivize new restaurants or expansions of existing restaurants. Staff has formulated an ordinance amendment that would rebate a portion of meals tax back to restaurants for a limited period of time. If the Council wishes to hear the amendment, staff recommends setting a public hearing.*
- 4. Street Lights/Decorations (Pgs. 26-27)-** *Charles Thompson- Staff is working with ApCo to have work done on streetlights on North Main Street that would allow the addition of Christmas decorations north of the traffic circle.*
- 5. YMCA Study Proposal- (Pgs. 28-34)** *Sara Carter- Amherst County is working with the YMCA organization of Central Virginia to determine if a YMCA would be feasible in Madison Heights. There is a requirement for two sites to study with the market analysis. The County has asked if the Town would like to include a site in Town in the study and fund half of the study for \$6,000.*

## **I. Matters from Staff**

## **J. Matters from Town Council**

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

## **L. Citizen Comments**

## **M. Adjournment**

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order October 10, 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	A	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, Clerk of Council Vicki K. Hunt, Office Manager Tracie L. Wright, Police Chief Robert A. Shiflett, II, Director of Plants Gary Williams, Lead Water Operator Becky L. Cash, and Utilities Maintenance Foreman Charles Thompson, were present.

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Charles Thompson.

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

Mrs. Carton made a motion that was seconded by Mr. Watts and carried 4-0-1 to approve the minutes from the September 12, 2018, meeting. Mrs. Carton and Messrs. Watts, Higginbotham and Stinnett voted "Aye." Mr. Bunch was absent.

After discussion, Mr. Watts made a motion that was seconded by Mr. Higginbotham and carried 4-0-1 to accept the proposal from Underwater Solution Inc. of Mattapoisett, Maine, to perform interior cleaning and inspection of the Town water storage tanks for the quoted sum of \$8,880/\$2.00 per cubic yard over a 2inch depth in sediment, and authorizes Town Manager to make appropriate expenditures associated thereto, as recommended by staff. Mrs. Carton and Messrs. Watts, Higginbotham and Stinnett voted "Aye." Mr. Bunch was absent.

After discussion, Mrs. Carton made a motion that was seconded by Mr. Stinnett and carried 4-0-1 to authorize Town Manager to make an expenditure in the total amount of \$6,590 to provide 60 West Station new Rotating Assembly for the Deming 7158 size 4x4xl 2x3, as recommended by staff. Mrs. Carton and Messrs. Watts, Higginbotham and Stinnett voted "Aye." Mr. Bunch was absent.

After discussion, Mr. Higginbotham made a motion that was seconded by Mrs. Carton to approve an appropriation totaling \$4,799.98, i.e. \$2,599.98 from the fiscal 2018 General Fund to the fiscal 2019 General Fund for purchase of a gun safe; appropriation of \$200 refund from LLL, Inc., into the General Fund to be applied toward purchase of uniforms for new police employees; and appropriation of \$2,000 from the General Fund for purchase of uniforms, vests, and gear for two new police employees. The motion 4-0-1 via the roll call method with Mrs. Carton and Messrs. Watts, Higginbotham and Stinnett voting "Aye" and Mr. Bunch absent.

After discussion, Mrs. Carton made a motion that was seconded by Mr. Watts and carried 4-0-1 to approve a Resolution of Governing Body of The Town of Amherst as required by the USDA in order to obtain financial assistance in the development of a Waste Waterline Replacement Project as recommended by staff. Mrs. Carton and Messrs. Watts, Higginbotham and Stinnett voted "Aye." Mr. Bunch was absent. A copy of the Resolution is attached and made a part of these minutes.

After discussion, Mrs. Carton made a motion that was second by Mr. Higginbotham and carried 4-0-1 to accept the yearly Holiday Schedule as published by the Governor of Virginia, not to include any additional hours that the Governor may thereafter prescribe during said year. Mrs. Carton and Messrs. Watts, Higginbotham and Stinnett voted "Aye." Mr. Bunch was absent.

By consensus, Town Manager was directed to consult with staff and Town Council and prepare for presentation a detailed proposal for meals and beverage incentive rebate to new and expanding businesses. Further discussion was deferred to the November meeting.

After discussion, it was agreed to rebate \$20.00 per water customer for those who may be requested, and shall agree, to participate in a necessary lead and copper water sampling study, as recommended by staff.

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

There being no further business, the meeting adjourned on a motion by Mrs. Carton seconded by Mr. Higginbotham at 8:04 PM.

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D. Dwayne Tuggle  
Mayor

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

## RESOLUTION OF GOVERNING BODY OF

\_\_\_\_\_THE TOWN OF AMHERST\_\_\_\_\_

The Governing Body of the Town of Amherst, consisting of 5 members, in a duly called meeting held on the 10TH day of OCTOBER, 2018, at which a quorum was present **RESOLVED** as follows:

**BE IT HEREBY RESOLVED** that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) in the development of a Waste Waterline Replacement Project to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

**BE IT FURTHER RESOLVED** that the Town Manager of the Town of Amherst be authorized to execute on behalf of Town Council the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Board.

Town of Amherst

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

Attest: \_\_\_\_\_

### CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Governing Body of the \_\_\_\_\_ in a duly assembled meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Secretary/Clerk

**Revised 08/23/2018**

## **Town Manager's Report for the October 10, 2018 Town Council Meeting**

### **Committee**

### **Report**

A. Industrial Development Authority	Meeting minutes from November 5, 2018 included
B. Planning Commission	Meeting minutes from November 7, 2018 included
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	No meetings/no report
G. Utilities Committee	No meetings/no report
H. Personnel Committee	No meetings/no report
I. Town/Sweet Briar Sewer Use Advisory Commission	No meetings/no report
J. Lynchburg Regional Business Alliance	No meetings/no report
K. Central Virginia Metropolitan Planning Organization	Meeting held on October 18, 2018



# **AMHERST POLICE DEPARTMENT**



## **Monthly SHIFT REPORT**

### **October 2018**

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

CALLS FOR SERVICE	NUMBER
KEYS LOCKED IN VEHICLE	13
ALARM	9
PHONE COMPLAINT	40
BOLO	22
MISSING PERSON	4
SHOPLIFTING	
PROBLEM WITH OTHERS	13
DOMESTIC	1
CHECK WELFARE	5
NOISE OR DOG COMPLAINT	2
TRAFFIC CRASH	4
EMS CALLS	7
SUDDEN DEATH	
ECO	1
FUNERAL TRAFFIC	1
OTHER	59

OFFICER INITIATED	NUMBER
BUILDING CHECKS	217
CHECKING DETAIL	
BUILDING SEARCH	3
TRAFFIC SUMMONS	40
DRUNK IN PUBLIC	
EXTRA PATROLS	62
WARRANT SERVICE	4
PROPERTY WALK AROUNDS	28
WARRANTS OBTAINED	
PARKING TICKETS	
MISD. INVESTIGATION	
FELONY INVESTIGATION	3
NARCOTICS INV.	3
SEARCH WARRANT	
PUBLIC RELATIONS	6
CITIZEN CONTACT	152

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

TRAFFIC STOPS TICKETED	NUMBER
SPEEDING	35
EQUIPMENT VIOLATION	
RECKLESS DRIVING	1
SUSPENDED LICENSE	
INSPECTION STICKER	
REGISTRATION	2
SEAT BELT / TEXTING	2

WARNINGS	NUMBER
SPEEDING	13
EQUIPMENT VIOLATION	11
RECKLESS DRIVING	
SUSPENDED LICENSE	
INSPECTION STICKER	1
REGISTRAION	1
SEAT BELT / TEXTING	3

OTHER	NUMBER
ASSIST OTHER OFFICER	36
ASSIST OTHER AGENCY	33
COURT	6.25hrs
REPORTS	3
SCHOOL / TRAINING	36hrs
MEETINGS	23
TOWED / IMPOUNDED VEH	



## **AMHERST POLICE DEPARTMENT**

### Monthly SHIFT REPORT



PLEASE LIST ALL PASS ON'S, INVESTIGATIONS, ARREST, IMPOUNDED VEHICLES WITH REASON AND LOCATION, AND BUSINESSES WITH OPEN DOORS OR ANY OTHER SIGNIFICANT COMPLAINTS.

Miles patrolled- 7042

Calls for service- 259





## TOWN OF AMHERST

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

**To:** Town Council  
**From:** Tracie Wright  
**Date:** November 7, 2018  
**Re:** October 2018 Monthly Report

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**Utilities** – 1157 bills were cut totaling \$183,861.37

**A/P** – A total of 68 checks were cut totaling \$102,512.32 for October 2018 bills.

**Meals and Beverage Tax** – 14 Businesses paid \$43,356.72 in Meals and Beverage Tax for the month of September. Please remember that McDonald's is scheduled to close for renovations for at least 2 months. This will take a hit to our meals and beverage revenue.

**Taxes** – 2018 Vehicle License Fee bills were mailed out around October 26<sup>th</sup>. They are due by December 5, 2018. If you know of anyone that has not received their bills by now, please instruct them to call the office.

**Investments** – I have trying to schedule a meeting with a representative from Edward Jones regarding CD's. As soon as I have information on investments with Edward Jones I will be ready to discuss all options with the Finance Committee

**Financial Software** – I had a two-hour phone demonstration with Edmunds. Sara and I both are familiar with this company and they are starting to gain some popularity in Virginia. The Town of Appomattox has also had a demonstration with them. The immediately provided me a quote based on the options and modules I requested. We can discuss this as well when the Finance Committee meets regarding the investment options.

## **Clerk of Council Report October 2018**

### **Committee Meetings**

#### **Planning Commission**

Receive and review agenda packet for 10-3-18 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

#### **Town Council**

Receive and review agenda packet for 10-10-18 meeting; post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website

**Quorums:** Confirm cancellation of IDA meeting for lack of business; confirm quorum for Planning Commission and Town Council meetings

### **Town Website Maintenance and Management**

- Maintain and update content; contact web administrator re website connection
- Posted:
  - New forms
  - Agendas and Minutes
  - Calendar events
  - Update Hot Topics

### **Town Facebook Administrator**

Post to Town's Facebook page; monitor feedback

### **Recodification of Town Code**

Follow-up status report to Municode; schedule work session with Town Attorney Berry; continue review of proof in preparation for work session with Town Attorney; meet with Town Attorney Berry on 10/16/18 in preparation of future conference with Municode Attorney

Correspond with Chief of Police Shiflett Re Criminal Code

Correspond with Director of Plants Williams re Water, Sewer and Sewage

### **Outdoor Events**

Continue work on draft of Outdoor Event Ordinance, Application and Guidebook for approval

### **Christmas Events**

10-24-18 Meeting with Mike Cargill, Amherst Lancers Tech Club Advisor, Amherst County Public Schools, along with his Senior Intern, to discuss set-up and live streaming of all aspects of day of parade events.

Contact Octavia Starbuck, Village Garden Club, to discuss their participation in Christmas Tree Lighting Ceremony

### **FOIA**

Receive and answer 1 request for information

### **Other:**

- Preparation of Proclamation on Violence Awareness Month

**Town of Amherst Committees as of October 31, 2018** – Update; See Attached.

# Town of Amherst Committees as of October 31, 2018

	<u>Appointed/Term Expires</u>	
<b><u>TOWN COUNCIL</u></b>		
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
<b>VACANT</b>		<b>06/30/18</b>

## **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
Kim Odell Stein	07/11/18	06/30/22
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.

## Utility/Town Maintenance and Construction Report

Oct.18

Water Meter Read	1150
Water Meter Re-Read	47
Disconnects	24
VA-811 Service locations	22
Vehicle PM Work Orders	22
Pump Station/Plant Work Orders	21
Banners Installed/Dismantled	0
Water Services Installed/Replaced	7
Sewer Services Installed/Replaced	0
Minor Leaks Repaired	1
Major Leaks Repaired	1
Minor Sewer Problems Resolved	4
Major Sewer Problems Resolved	0

### Man Hours

Meter Reading	73
Street/Sidewalk Maintenance	435
Safety Training	2
Bush Hogging	65
Flushing Water	0
Equipment Maintenance	28
Xmas decorations	0

### Major Issues & Comments

**Aging water services through out system** Continue addressing sewer problems with failing areas.  
Mowing grass throughout Town and Town properties. Staff is now sweeping bike trails or ls on North  
and South main street. et, Staff is marking parking and no parking on South Main and 2nd street.

4

### 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	

Department of Plants  
Monthly Production and Operational Report  
For October 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	9.640	0.320	0.540	0.100
Produced	8.160	0.270	0.460	0.060
Delivered	7.860	0.260	0.450	0.060

Monthly Activities and Upcoming Highlights:

- Fourth quarter Haloacetic Acids (HAA5) samples were taken and the Town again maintained compliance.

Fairmont Crossing HAA5											
		January 11, 2018		April 12, 2018		July 12, 2018		October 16, 2018		Quarterly Average	
		ug/L	mg/L	ug/L	mg/L	ug/L	mg/L	ug/L	mg/L	mg/L	
Bromoacetic Acid		3.57000	0.00357	ND	0.00000	ND	0.00000	ND	0.00000	0.00089	
Chloroacetic Acid		16.30000	0.01630	1.68000	0.00168	ND	0.00000	ND	0.00000	0.00450	
Dibromoacetic Acid		ND	0.00000	ND	0.00000	ND	0.00000	ND	0.00000	0.00000	
Dichloroacetic Acid		12.50000	0.01250	24.70000	0.02470	7.60000	0.00760	4.99000	0.00499	0.01245	
Trichloroacetic Acid		20.70000	0.02070	25.50000	0.02550	13.60000	0.01360	18.60000	0.01860	0.01960	
HAA5		53.07000	0.05307	51.88000	0.05188	21.20000	0.02120	23.59000	0.02359	0.03744	
										4th quarter 2018	
										> 0.060 mg/L is an Exceedance	

- Fourth quarter Trihalomethanes (TTHM) samples were taken and like the HAA5 the Town stayed in compliance.

Sweet Briar College TTHM											
		January 11, 2018		April 12, 2018		July 12, 2018		October 16, 2018		Quarterly Average	
		ug/L	mg/L	ug/L	mg/L	ug/L	mg/L	ug/L	mg/L	mg/L	
Bromodichloromethane		3.67000	0.00367	3.30000	0.00330	9.30000	0.00930	6.38000	0.00638	0.00566	
Bromoform		ND	0.00000	ND	0.00000	ND	0.00000	ND	0.00000	0.00000	
Chloroform		31.10000	0.03110	40.00000	0.04000	39.00000	0.03900	38.40000	0.03840	0.03713	
Dibromochloromethane		ND	0.00000	ND	0.00000	1.10000	0.00110	0.74000	0.00074	0.00046	
TTHM		34.77000	0.03477	43.30000	0.04330	49.40000	0.04940	45.52000	0.04552	0.04325	
										4th quarter 2018	
> 0.080 mg/L is an Exceedance											

Rutledge Creek Wastewater Treatment Plant,

Daily Received and Treated Waste Stream:

	Total, million gallons	Average, million gallons	Max, million gallons	Min, million gallons
Finial Effluent	9.340	0.301	0.691	0.223

Monthly Activities and Upcoming Highlights:

- All operations this month at WWTP were of a normal nature and routine.

Report Date: November 6, 2018

**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

October 29, 2018

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

Attn: Sara Carter- Town Manager

Re: Monthly Report to Town Council  
(October 2018)

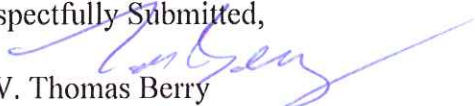
Dear Ms. Carter, and Council,

My report on work regarding the following matters:

1. Recodification: Review of recodification documents and met with Vickie Hunt. Working on several areas; nuisance, weeds, and special events.
2. Planning Commission: Did not attend meeting this month.
3. Town Council Meeting: Attendance at the monthly scheduled meeting on October 10<sup>th</sup>, 2018
4. Land Acquisition: Review of Lazy River property. Work on Right of Way and property description.
5. Personnel: Grievance issue. Discussions with Police Chief, Amherst County Commonwealth Attorney and Nelson County Commonwealth Attorney.
6. Johnson Senior Center: Recent questions concerning Johnson Senior Center.
7. Employee Issues: Attended a conference (CLE) on Employment (issues, problems and resolutions).

Access to Town Attorney: My email address is [tberry@tomberrylaw.com](mailto: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 #
10/30/2018	8636

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

			Terms
			Due on receipt
Description	Qty	Rate	Amount
10/5/2018 AMHERST GENERAL DISTRICT COURT-WARRANTS IN DEBT	2	175.00	350.00
10/8/2018 EASEMENT	0.8	175.00	140.00
10/10/2018 TOWN MONTHLY MEETING	1.5	175.00	262.50
10/11/2018 MUNICODE AND POLICY	1	175.00	175.00
10/16/2018 MUNICODE WITH VICKIE	1.5	175.00	262.50
10/18/2018 REVIEW LAZY RIVER TITLE, PREPARE FOR FINAL	1.2	175.00	210.00
10/22/2018 EMPLOYMENT LAW REVIEW	1.5	175.00	262.50
10/24/2018 TALKED TO CHIEF ON JOHNSON SENIOR CENTER	0.8	175.00	140.00
10/25/2018 TALKED TO JAMES DOWNEY	1.2	175.00	210.00
10/29/2018 TALKED TO SPECIAL PROSECUTOR ON MABRY	0.8	175.00	140.00
<b>Total</b>			\$2,152.50
<b>Payments/Credits</b>			\$0.00
<b>Balance Due</b>			\$2,152.50



## **October 2018**

To: Gary Williams, Sara Carter, Amherst Town Council Members

Re: Amherst Watershed Protection Program: Buffalo River Watershed Monthly Report

### **Buffalo River Watershed Initiatives**

#### **Watershed Initiatives:**

Working with landowners within the protected watershed to find conservation programs that fit their objectives on their land and protect drinking water sources. Four BRWS landowners are in the installation phase of their conservation projects (Duff –EQIP, Campbell-VACS, Fritzler-APBP, Jenkins-APBP).

Working with two watershed landowners (Fritzler, H. Jenkins) on their pollinator buffer strip projects.

Working with project team on the Amherst depot pollinator garden project.

Completed maintenance on 2 BRWS Amherst Tree Buffer projects this month.

Submitted a new brief to the New Era Progress about the 2019 Amherst Tree Buffer Program.

Working with the Amherst Parks and Recreation on a potential riparian buffer sign initiative to be placed at some of the Amherst parks.

#### **Education:**

Participated in the VA DGIF and Center for Urban Habitat's Piedmont Prairie plants workshop. Applying this information to the Amherst pollinator buffer program to encourage prairie habitat due to its viability in this piedmont geological region.

Attended the VFCG, VCE, and DCR's Healthy Lands for Healthy Horses Workshop. Met with an Amherst county landowner to share this information on horse farm land management and will continue to share the pertinent information provided at the workshop.

Attended the MJRT annual meeting.

Led a Sweet Briar College class: Humans in the Landscape and carried out SBC tree buffer project maintenance with the students.

#### **Upcoming:**

Continue to work with watershed landowners and find conservation programs that meet their objectives and water quality goals. Continue to work with landowners participating in the Amherst Pollinator Buffer program, Amherst Tree Buffer Program and VA Ag. Cost-share Program.

***\*\*The names included in this report are for the Town Council member's information only and should not be shared with the public at the meetings.\*\****

**10/31/18 Submitted by:** Anne Marie Roberts, Amherst Watershed Coordinator, Robert E. Lee Soil & Water Conservation District



**Town of Amherst  
Planning Commission Minutes  
November 7, 2018**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill in the Council Chambers of the Town Hall at 174 S. Main Street at 7:00 PM on November 7, 2018.

It was noted that one seat on the Planning Commission is vacant and that a quorum was present as indicated below:

P June Driskill	P William Jones
P Kevin Belcher	P Kenneth Bunch
P Ted Finney	P Clifford Hart

Town Manager Sara Carter and Clerk of Council Vicki Hunt, in her capacity as Secretary to the Commission, were present.

The minutes from the October 3, 2018, Commission meeting were approved on a motion by Mr. Hart, seconded by Mr. Belcher, and carried 6-0 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Aye	Kenneth Bunch	Aye
Ted Finney	Aye	William Jones	Aye

**Amherst Mill/Lazy River LLC**

Town Manager Carter gave a report on a proposed site plan site plan showing the general design and layout of the development for Amherst Milling Company at 140 Union Hill Road, Amherst Virginia. Dave McCormack, Amherst Mill/ Lazy River LLC, was present to answer questions.

After discussion, Mr. Jones made a motion that was seconded by Mr. Hart to approve the proposed site plan in accordance with Article XI §18.1-1102, Zoning and Subdivision Ordinance Amherst Town Code, per recommendation of staff, subject to the following conditions:

- Final approval from the Virginia Department of Transportation shall be obtained; and
- Final approval of water and sewer connections from Town Engineer shall be obtained.

The motion carried 6-0 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Aye	Kenneth Bunch	Aye
Ted Finney	Aye	William Jones	Aye

**Sign Ordinance**

Town Manager Carter gave an oral report on a proposed new sign ordinance in order to comply with the Supreme Court rulings in *Reed v. Town of Gilbert* (576 U.S., June 2015). A copy of the proposed new sign ordinance was provided to the Commission.

Mr. Belcher exited the meeting at 7:51 p.m.

After discussion, on motion by Mr. Bunch which was seconded by Mr. Hart, the Commission approved to hold a public hearing on the proposed new sign ordinance at the Commission's December meeting. The motion carried 5-0-1 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Absent	Kenneth Bunch	Aye
Ted Finney	Aye	William Jones	Aye

Commissioner Belcher re-entered the meeting at 7:53 p.m.

There being no further business, the meeting adjourned at 7:56 PM.

---

June Driskill, Chairperson

Attest: \_\_\_\_\_  
Secretary

**Town of Amherst  
Industrial Development Authority  
November 5, 2018**

A regular meeting of the Town of Amherst Industrial Development Authority was called to order by Chairman Lewis Addison on November 5, 2018, at 5:15 PM in the Council Chambers of the Town Hall at 174 S. Main Street. It was noted that a quorum was present as follows:

P	Lewis Addison	P	Sharon W. Turner
A	Jacob Bailey	P	Kim Stein
A	Gary Jennings	P	Richard Wydner
P	C. Manly Rucker, III		

Town Manager Sara E. Carter, in her capacity as Secretary to the Authority, and Clerk of Council Vicki Hunt, were present.

On a motion by Mr. Rucker which was seconded by Mr. Wydner and carried 5-0-2, the minutes of the September 4, 2018, meeting were approved. Mrs. Turner and Messrs. Addison, Rucker, Wydner and Stein voted "Aye". Messrs. Jennings and Bailey were absent.

Secretary Carter gave an oral report from the Lynchburg Business Alliance study funded by AEP Edge Grant on upgrading 199.82 acres at L. Barnes Brockman Sr. Business and Industrial Park.

After discussion, Mr. Rucker made a motion that was seconded by Mr. Stein to direct Secretary Carter to contact Sweet Briar College of Business on their ability or interest in participating in doing a feasibility study or identifying assets of the town for marketing purposes, including what attracts Sweet Briar students to the town for spending, or potentially start working on a marketing analysis. Mrs. Turner and Messrs. Addison, Rucker, Wydner and Stein voted "Aye". Messrs. Jennings and Bailey were absent.

The motion carried 5-0-2 according to the following:

Lewis Addison	Aye	Sharon Turner	Aye
Manley Rucker	Aye	Kim Stein	Aye
Jacob Bailey	Absent	Richard Wydner	Aye
Gary Jennings	Absent		

Secretary Carter was further directed to provide any prior marketing reports provided by previously hired research groups on Brockman Park.

At 5:43 PM Mr. Wydner made the following motion which was seconded by Mrs. Turner and carried 5-0-2 with Mrs. Turner and Messrs. Addison, Rucker, Wydner and Stein voting in favor and Messrs. Jennings and Bailey absent: I move that the Industrial Development Authority convene in closed session pursuant to §2.2-3711A.5 of the Code of Virginia, relating to a prospective business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.

At 6:05 PM Mr. Wydner made a motion seconded by Mrs. Turner, that the Authority adjourn the closed session and enter open session, certifying to the best of each member's 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 5-0-2 via the roll call method with Mrs. Turner and Messrs. Addison, Bailey, Rucker, Wydner and Stein voted "Aye". Messrs. Jennings and Bailey were absent.

There being no further business, on motion of Mr. Rucker seconded by Mrs. Turner and carried 5-0-2, the meeting adjourned at 6:06 PM.

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Lewis Addison, Chairman

ATTEST: \_\_\_\_\_  
Secretary



# AMHERST POLICE DEPARTMENT

174 SOUTH MAIN STREET / P.O. BOX 280

AMHERST, VIRGINIA 24521 (434)946-7885



## TOWN OF AMHERST HUNTING PROPOSAL

RE: Hunting on Town Property:

Recommendations that are recommended based on current hunting regulations set forth by the Town of Amherst.

RULES: All hunters must abide by all rules and regulations set forth by Virginia Department of Game and Inland Fisheries.

NOTE: NO HUNTING ALLOWED ON PUBLIC PROPERTY ON SUNDAY'S.

PERMITS: All hunting permits will be given out by the Chief of Police or his designee. Each hunter will be given written permission that he/she must have on their person at all times while hunting town Property. Also, a colored placard will be given to each hunter, so it can be placed on the dashboard of the vehicle driven while hunting Town Property. This will assist law enforcement when patrolling and when calls come in about suspicious vehicles. There will be no guest permits issued, all hunters must have their own permission letter.

NOTE: PERMISSION IS VALID DURING THE CURRENT HUNTING SEASON ONLY AS OF THE DATE OF THE PERMISSION LETTER.

LICENSE: Upon receiving the written permit, each hunter will be charged a \$25.00 fee. All town employees are exempt from the \$25.00 permit fee.

WEAPONS OF USE: No FIREARM'S are allowed for hunting purposes on Town Property. The use of firearms is strictly prohibited upon Town Property. Only traditional archery and crossbows will be allowed for hunting purposes.

TREESTANDS AND GROUND BLINDS USAGE: Treestands and ground blinds can be used but they must be removed at the conclusion of the hunting season. It is recommended that stands be labeled with the owner's name.

NOTE: The Town is not responsible for any lost or stolen items.

LIABILITIES: The Town of Amherst is not responsible for any accidents or injuries that occur while hunting on Town Property. The hunting permission letter will serve as notification for the release of Town responsibility If such incidents occur. A copy of each hunting permission letter will be kept on file in the Amherst Police Department.

Bobby Shiflett

Chief of Police Town of Amherst



## TOWN OF AMHERST

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

**To:** Town Council

**From:** Sara Carter

**Date:** November 8, 2018

**Re:** Meals Tax Rebate

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Council has been considering options to incentivize the location of new restaurants, or the expansion of existing restaurants for several months. Several options have been considered by the Utilities and Finance committees and Council as a whole.

Should Council wish to offer an incentive, staff recommends a partial rebate of the Food and Beverage Tax for new and expanded restaurants.

The proposed language is revenue neutral for the Town, and is structured so that the rebate only applies to an increase in the amount of tax collected, rather than the whole tax. One concern is that no matter how this program is structured, there will be those that do not receive the benefit. One suggestion from staff is to include a small benefit for all collectors of the tax. That would however, not be revenue neutral for the Town. The current draft does not include such a provision, but it could be added if Council would like it included.

#### IV. FOOD AND BEVERAGE TAX

##### **Sec. 8.1-400. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Beverage* means alcoholic beverage as defined in Code of Virginia, § 4.1-100, and nonalcoholic liquid served as part of a meal.

*Food* means any and all prepared edible refreshments and nourishments which are consumed.

*Person* means any individual, firm, copartnership, cooperative, nonprofit membership corporation, joint venture, association, corporation, estate, trust, business trust, trustee in bankruptcy, receiver, syndicate, assignee, club, society, or other group or combination acting as a unit, and the plural of such term shall mean the same as the singular.

*Restaurant* means any one (1) of the following:

- (1) Any place where food is prepared for service to the public on or off the premises, or any place where food is served. Examples of such places include, but are not limited to, lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private clubs, kitchen facilities of hospitals and nursing homes and dining accommodations of public and private schools and colleges. Excluded from the definition are places manufacturing packaged or canned foods which are distributed to grocery stores or other similar food retailers for sale to the public.
- (2) Any place or operation which prepares or stores food for distribution to persons of the same business operation or of a related business operation for service to the public. Examples of such places or operations include but are not limited to operations preparing or storing food for catering services, pushcart operations, hotdog stands, and other mobile points for service. Such mobile points of service are also deemed to be restaurants unless the point of service and of consumption is in a private residence.

Convenience stores and grocery stores selling prepared foods ready for human consumption at a delicatessen counter shall be subject to the tax for that portion of the grocery store or convenience store selling such items. The food and beverage tax levied on meals sold by grocery store delicatessens and convenience stores shall be limited to prepared sandwiches and single meal platters.

##### **Sec. 8.1-401. Amount of tax levied.**

There is hereby imposed and levied by the town on each person a tax as set out in this article on the amount charged for food and beverage sold for human consumption. The tax shall be six (6) percent of the amount charged.

*(Amended July 1, 2018)*



**Sec. 8.1-402. Duty to collect.**

Every person charging any amount for food and beverage with respect to which a tax is levied by the provisions of this article shall collect the amount of such tax from the person on whom the same is levied or from the person paying for such food and beverage at the time the charge for such food and beverage is made.

**Sec. 8.1-403. Tax held in trust.**

The taxes to be collected under the provisions of this article shall be deemed to be held in trust by the person required to collect such taxes until remitted to the treasurer.

**Sec. 8.1-404. Reports; remittance.**

The person collecting the tax shall use such forms and make a record thereof, setting forth such information as the treasurer may prescribe and require showing the amount of food and beverage charges collected and the tax required to be collected, and shall sign and deliver such reports to the treasurer with a remittance of such tax. Such report shall be made on or before the twentieth day of each month for taxes collected the preceding month. All payment of monies shall be made payable to the treasurer.

**Sec. 8.1-405. Records.**

It shall be the duty of every person liable for the collection and payment to the town of any tax imposed by this article to keep and preserve all records as may be necessary for a period of five (5) years. Those records should show accurately the amount of tax such person may have been responsible for collecting and the amount paid to the town. The treasurer may inspect such records at any reasonable time.

**Sec. 8.1-406. Penalties; interest.**

If any person shall fail or refuse to remit to the treasurer the tax required to be collected and paid under this article within the time and in the amount specified in this article there shall be added to such tax by the treasurer, a penalty in the amount of ten (10) percent thereof and interest thereon at the rate of eight (8) percent per annum which shall be computed upon the taxes and penalty from the date such taxes are due and payable.

**Sec. 8.1-407. Enforcement.**

If any person shall fail or refuse to collect the tax imposed by the provisions of this article and to make monthly reports and remittances required by this article, the treasurer shall proceed in such manner as he may deem best to obtain the facts and information on which to base his estimate of the tax due. As soon as the treasurer procures such facts and information as he is able to obtain upon which to base the assessment of any tax payable by any person who shall fail or refuse to collect such tax and to make such report and remittance, he shall proceed to determine and assess against such person such tax and penalty and interest provided by this article, and shall notify such person by registered mail sent to his last known place of address of the amount of such tax and penalty and interest, and the total amount thereof shall be payable within ten (10) days from

the date of mailing of such notice. The treasurer shall have the power to examine such records for the purpose of administering and enforcing the provisions of this article.

*(Amended December 9, 2015)*

**Sec. 8.1-408. Exemptions.**

Food and beverage furnished employees in the course of or in connection with their employment in establishments serving food and beverage and food and beverage sold or purchased under nonprofit nutrition programs for the elderly qualifying under 42 U.S.C. Section 3030(e) through (g), as amended, as administered by the Office of Aging of the Commonwealth of Virginia and food and beverage sold by educational institutions to students and employees for school lunches shall be exempt from the provisions of this article.

**Sec. 8.1-409. Compensation.**

For the purpose of compensating, a person for collecting, accounting or remitting the tax levied by this article, such person shall be allowed three (3) percent of the amount of the tax due and accounted for in the form of a deduction in submitting a return and paying the amount due by such person; providing the amount due was not delinquent at the time of payment. No commission shall be allowed if the account due is delinquent.

**Sec. 8.1-410. Rebates.**

- a. When a new restaurant is opened, the restaurant shall be entitled to a rebate of 20% of the meals tax collected for a period of three months.
- b. When an existing restaurant expands by at least 50% of its previous gross square footage, the restaurant shall be entitled to a rebate of 20% of the increase over the monthly average for the twelve months prior to the expansion for a period of six months.
- c. Rebates shall not apply to temporary vendors, such as food trucks.
- d. Rebates shall apply to all new or business expansions after July 1, 2018.

**Sec. 8.1-411. Penalty.**

Any person willfully failing or refusing to file the return required by section 8.1-404 of this article at the time, or times required therein or making false statements with intent to defraud in such return, shall be guilty of a class 3 misdemeanor if the amount of the tax lawfully assessed in connection with the return is one thousand dollars (\$1,000.00) or less, or a class 1 misdemeanor if the amount of the tax lawfully assessed in connection with the return is more than one thousand dollars (\$1,000.00).

Any person violating or failing to comply with any of the other provisions of this article shall be guilty of a class 3 misdemeanor. Each violation or failure shall constitute a separate offense and conviction shall not relieve any person from payment, collection or remittance of the tax as provided in this article.

**Sec. 8.1-412. Exemption from state law.**

- (a) The provisions of Code of Virginia, Title 35.1, as amended, pertaining to the regulation of restaurants, shall not apply to concession stands at youth athletic

activities when such stands are promoted or sponsored by either a youth athletic association or by any charitable nonprofit organization or group thereof.

- (b) It shall be the duty of the county's director of health, or a qualified person designated by him, to provide education and consultation, establish advisory standards and exercise appropriate supervision regarding the safe preparation, handling, protection and preservation of food at concession stands at youth athletic activities, to protect the public health.

**Sec. 8.1-413. Procedure for cessation of business.**

Whenever any person required to collect and pay to the town any tax imposed by this article, shall cease to operate or dispose of his business, he shall notify the town treasurer of such fact in writing and any tax payable under this article shall become immediately due and payable on the date such person shall cease to operate or dispose of his business. Otherwise such person who fails to properly notify the treasurer of such cessation of business shall be liable for such taxes through the succeeding collection date.



## TOWN OF AMHERST

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

**To:** Town Council

**From:** Sara Carter

**Date:** November 8, 2018

**Re:** Christmas lights on N. Main Street

---

Mr. Thompson has been working with APCo to determine the cost of adding receptacles and wiring to the 33 streetlights along N. Main Street that would be good locations for Christmas decorations.

Staff recommends appropriating \$7,430 for the purpose of having APCo put the services up. Staff hopes to be able to get this done in time to get at least some of the decorations installed for the season this year.

## Christmas Lighting - Pole Attachments

Thomas G Woodford <tgwoodford@aep.com>

Tue 11/6/2018 12:00 PM

To: Charles Thompson <charles.thompson@amherstva.gov>;

Charles,

The price to install a receptacle, small breaker, wiring and connection to the APCo secondary service on 33 poles on Main St, from Greenview Dr to Lexington Dr (at the round-about) is \$7,430.00.

Please let me know your decision ASAP, so I can email you the contract to sign and get the job scheduled in time to be installed before Thanksgiving.

Thanks

Tom



**THOMAS G WOODFORD | BUS SERVICES ACCT MGR SR**

TGWOODFORD@AEP.COM | D:434.522.4329 | C:540.353.3652

4001 MAYFLOWER DRIVE, LYNCHBURG, VA 24501-5030



Marketplace Intelligence

***Research for the YMCA of Central Virginia:  
Residents' Reaction and Willingness to  
Support a New Membership YMCA/Healthy  
Living Center in Amherst***

October 4, 2018

***Prepared for:***

**Jay Parker  
COO**

YMCA of Central Virginia  
801 Wyndhurst Drive  
Lynchburg, Virginia 24502  
434-582-1900

**PB&A Marketplace Intelligence.**

918 River Basin Court, Suite 202

Bradenton, FL 34212

(941) 748-5053

[Phil@PBAresearch.com](mailto:Phil@PBAresearch.com)

## **Objectives**

The primary purpose of this study is to provide unbiased data to the YMCA of Central Virginia and Amherst County regarding the scope of opportunities and challenges for expansion of YMCA facilities and programming into Amherst. Specifically, this research will estimate membership demand (in member units) and program participation for the proposed YMCA/Healthy Living Center at two potential sites. In order to maximize the value of the resulting data, measurement of interest in a new branch of the YMCA of Central Virginia will be studied in the overall context of recreational wants and needs among Amherst area residents.

The following information will be gathered and analyzed:

- An assessment, on an unaided and aided basis, of community needs and wants in terms of health, recreation, sports, and related social service programs that can be offered by the new YMCA/Healthy Living Center.
- The relative demand and desire for specific facilities (gym, pool, wellness center, etc.), programs (group exercise, diet and weight loss, etc.) and areas of focus (parent/child, youth development, disease/injury prevention and recovery, etc.) from this YMCA, and a rank ordering of the extent to which each will/will not contribute to growth in membership/usage.
- Projected demand and price elasticity of demand for this new facility. That is, what impact will cost have on membership/usage?
- Determine whether the area can support a full facility immediately or whether it is best to build in stages and, if the Y is to open in phases, what facilities and programs must be included first to assure adequate membership and community support.
- Based upon a proven model and primary data collected in this research, the number of member units this new facility can anticipate, based upon potential specific offerings.
- Establish how programs should be priced and or bundled/unbundled relative to the cost of membership.
- Understand the impact location may have on usage and potential membership.
- Estimate the number of member units that this new YMCA may attract who are already members of the YMCA of Central Virginia.
- Evaluation of the current level of awareness, image, and personal relevance of the Y and the Y mission within Amherst County.

- Identification of other factors that may help or hinder the success of this new facility including reaction to other potential community partners.

PB&A believes if this study is completed carefully, the resulting data will be of great value to the Y, and the residents of Amherst County whether or not the ultimate decision is to move forward with the opening of a new YMCA/Healthy Living Center.

## **Study Approach**

PB&A recommends that this research be completed as follows:

**Phase One:** A review of secondary demographic and psychographic information. This review will include data available from a variety of sources including the Town of Amherst, Amherst County, the YMCA of Central Virginia, Y-USA, SEER Analytics and SDR, among others.

**Phase Two:** Two focus groups, moderated by Phil Balducci.

- **Group One:** The first focus group will be composed of YMCA leaders and local officials/volunteers responsible for the planning and execution of this study and the expansion. An important goal of this conversation and the other focus group is to uncover as many issues and concerns as possible, as well as to assure that everyone involved is comfortable with the research process.
- **Group Two:** The second focus group will be composed of formal and informal leaders from Amherst County and the surrounding communities, who may or may not be friends of the YMCA, but who are important within the geographic area to be studied.

**Phase Three:** Completion of 300 interviews with a random sample of area residents who live within Amherst County that comprise the estimated primary market area of the new YMCA/Healthy Living Center.

Three types of data collection will be blended to provide as balanced and unbiased a sample and results as possible. Doing the type of sampling proposed, correctly, is difficult and essential to accurate data gathering. PB&A has successfully implemented an ever-improving sampling methodology on more than 350 YMCA/community research projects.

First, PB&A will generate a random, household telephone sample. The calling plan will be designed in such a manner that every telephone household, regardless of whether or not a number is listed, has an equal probability of being included in the study.

PB&A will attempt five callbacks before replacing a household selected for inclusion in the sample with another home. All interviewing will be completed on weekday evenings between the hours of 5PM and 8PM, as well as during the daytime on at least one



## *New Branch Feasibility Research for the YMCA of Central Virginia*

weekend. PB&A will utilize a multilingual and multi-cultural interviewing team and as such, within reason, respondents will be able to participate in their language of first choice.

PB&A will overlay an electronic survey (email and cellphone) to capture an adequate share of residents who rely only on their mobile devices and no longer have a land line telephone. It is important to note that the quality of sample available for this type of survey varies significantly from location to location. Based upon recent experience in the Lynchburg area, it appears that we can indeed purchase a sufficiently high-quality sample of the approximate PMA for the proposed new YMCA/Healthy Living Center in Amherst.

The overall error range for this phase is  $\pm 5.0\%$  at the 95% confidence level.

**Phase Four:** Completion of a minimum of 400 online interviews with members of the YMCA of Central Virginia who now use one or more of the existing branches. These member surveys are in addition to the area resident interviews recommended in Phase Three. These interviews will not only assist in understanding consumer wants and needs at any new or expanded YMCA, but also provide guidance as to how to improve the current member experience at any existing Y facilities before, during and after any new/expanded YMCA opens.

PB&A will send an email invitation to every Y member that has provided an accurate email to the YMCA. Typically, these studies yield significantly larger ending sample sizes than what is listed in the research outline. This was certainly the case in the recently completed research on behalf of the YMCA of Central Virginia.

## **Responsibilities of PB&A Marketplace Intelligence**

- Moderation of two focus groups.
- Design of survey instrument.
- Sample design.
- Interviewer instruction and supervision.
- Complete telephone/online interviews.
- Data coding and tabulation.
- Professional analysis of data.
- Final, comprehensive written report.
- Oral presentation of results by Phil Balducci (if desired).

PB&A will provide an electronic copy of the final report and will assist the YMCA and Amherst County in preparation of any type of presentation materials deemed necessary.

Phil Balducci will, if desired, return to Amherst to present the findings and lead a discussion of the research conclusions. There is no charge for this presentation except for direct travel expenses. This presentation can be formal or informal, but our typical format includes an explanation of key findings, conclusions, and recommendations using PowerPoint and individual handouts, followed by a group discussion, and question and answer session.

After the final report and presentation, PB&A will be available for further consultation at no charge and will work closely with the YMCA/County to put together additional materials that may aid in bringing the story of the potential new facility to the community.

## **Phil Balducci and YMCA of Central Virginia/Local Planning Committee**

Phil Balducci, will be the primary contact with the YMCA and the Amherst County for this project, and will be the author of this study. Phil will be available at no cost to any member of the study team 24 hours a day by phone 813-760-3811 (cell) or email (phil@pbaresearch.com).

Phil became involved in the Y movement more than twenty years ago as a volunteer for the Tampa YMCA. PB&A offers local Ys and their partners research and analytical services that meet and exceed industry standards for quality and integrity at reasonable costs. Many of the studies we complete contain a healthcare provider component.

In addition to these community-based research initiatives, PB&A works with a wide variety of the highly regarded companies and organizations, including Latitude Margaritaville, Mercedes Benz, Audi, Liberty Mutual, Dunkin' Brands, the CIA, and the American Cancer Society, among others.

## **Timeline**

This research will require 4 weeks from the time of questionnaire approval to completion of a full written report. An important step in completing this study in a timely manner is beginning to plan, schedule, and recruit focus group participants as soon as possible.

## **Pricing**

The cost of this research is typically \$19,500 but is reduced to \$14,500 due to our current relationship with the YMCA of Central Virginia. PB&A would very much enjoy working on this important study with the residents of Amherst County. The lower price does not mean we will compromise quality or attention to detail. It includes all aspects of the research except travel costs for Phil Balducci to come to Amherst. He will travel to Amherst for the initial focus groups and then, if desired, again to present the final results.

The YMCA of Central Virginia/Amherst County will be billed 50% of research costs upon acceptance of this project and the remaining 50% upon completion of the final report.

If acceptable as proposed, please sign and date below, and return a copy of this executed contract back to us. We will return a countersigned copy to you along with the initial invoice. If any changes or explanations are necessary, please do not hesitate to give us a call.

### ***Agreed and accepted:***

**PB&A, Inc.**

**By:** \_\_\_\_\_

**Name:** Phil Balducci

**Title:** President

**Date:** July 17, 2018

**YMCA of Central Virginia/Amherst  
County**

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_