

AMHERST TOWN COUNCIL
AGENDA
Wednesday, October 13, 2021
Meeting at 7:00 p.m.
Town Hall, 174 S. Main Street, Amherst, VA 24521
REVISED

- A. Call to Order for the Town Council– 7:00 p.m. - Mayor Tuggle**
- B. Pledge of Allegiance** - *I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*
- C. Invocation** - *Any invocation that may be offered before the official start of the Amherst Town Council meeting shall be the voluntary offering to, and for, the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the audience is required to attend or participate in the invocation, and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure by which a volunteer may deliver an invocation are available upon request at the Town Hall.*
- D. Public Hearings and Presentations**
- 1. Presentation to the Amherst Police Department-** *In appreciation of the department's work on accreditation, their success on their assessment with the accreditation team, and the high level of energy and professionalism that the department has shown working towards this goal, the Council has an appreciation gift for the members of the department.*
 - 2. Public Hearing- Special Use Permit, 204/206 Washington Street (Boynton) (Pgs. 1-2)-** *Sara Carter- A public hearing has been set and advertised for consideration of a special use permit at 204/206 Washington Street to allow a short term rental (bed and breakfast). The Planning Commission held a public hearing on October 6, 2021, and recommends approval with six conditions.*
 - 3. Public Hearing- Purchase of real property, 133 West Court Street-** *Sara Carter- A public hearing has been set and advertised for the Town's possible purchase of real property, located at 133 West Court Street, in the Town of Amherst.*
 - 4. Appearance from IRON Lives-** *Aaron Smith, Executive Director of IRON Lives is appearing before Council in preparation for their next 5k event, scheduled for April 3rd, 2022. With Council's support, the group will move through the VDOT permitting process for the necessary street closures.*
- E. 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.*
- F. Consent Agenda** – *Items on the consent agenda can be voted on as a block if all are in agreement with the recommended action or discussed individually.*
- 1. Town Council Minutes (Pgs. 3-7) –** *Draft of the September 8, 2021 meeting minutes are **attached**. Please let Vicki Hunt know of any concerns by Wednesday morning such that any needed corrections can be presented at the meeting.*

G. Correspondence and Reports

1. Staff Reports (Pgs.8-19)

- 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 (Pg. 20)

- a. Finance Committee – *Mrs. Carton*
- b. Utilities Committee – *Mr. Watts- met September 29, 2021, minutes attached*

3. Other Reports (Pgs. 21-35)

- a. Planning Commission– *met October 6, 2021, minutes attached*
- b. Industrial Development Authority- *met October 4, 2021, minutes attached*
- c. Property Maintenance Investigation Board
- d. Robert E. Lee SWCD- *minutes from August 26, 2021 and revised minutes from August 31, 2021, attached*

H. Discussion Items

- 1. **Centra Refinance Resolution (Pgs. 36-43)** *Sara Carter- Centra Hospitals is completing bond financing with the City of Lynchburg for several of their facilities. One of the facilities included in the package is the Centra facility in Ambriar. As a part of the process, Centra needs a resolution of support from the Town of Amherst for the refinancing, since there is a facility located with Tow limits in the financing package. There are no public funds or Town monies associated with this request. The City of Lynchburg resolutions are attached for Council's consideration as well.*
- 2. **Initial Determination of ARPA expenditures (Pg. 20)-** *Sara Carter- The Utilities committee met on September 29, 2021, to make recommendations to Council regarding the use of the Town's ARPA money. The committee recommends proceeding with a sludge dewaterer for the water and wastewater plants. Staff requests that the Council approve the overall concept of moving forward with the sludge dewaterer. If Council approves this direction, an engineering design proposal will be forthcoming at a future meeting.*
- 3. **Trash Cans Proposed Ordinance (Pgs. 44-45)** *Sara Carter- At the last Council meeting, Council directed staff to craft an ordinance that would require the removal of trash cans from public rights of way within a certain timeframe after trash day. Staff requests Council's comments on the draft Code, and direction regarding the timeframe for adoption, and if Council would like to proceed with other Code amendments that have been mentioned previously (see next agenda item).*
- 4. **Potential Code Amendments (Pg. 46-47)-** *Sara Carter- Staff has been maintaining a list of possible Code amendments that Council has indicated interest in. The attached memo reviews these in concept for consideration if the Council proceeds with an ordinance to require moving of trash cans from the public rights of way.*
- 5. **Purchase Approval for Watchguard Camera (handout)-** *Tracie Morgan- The Town has received a grant to assist in the purchase of an integrated body and car camera for the police department. While the Town's portion of the purchase price does not meet the purchase approval requirement for the Town, the total cost does. The total cost is \$5,495. The grant will cover \$2,000, leaving \$3,495, which will come from existing Town budgeted funds.*
- 6. **Police Grant for Cameras (Pgs. 48-49)–** *Tracie Morgan- Staff has applied for grant funds for new police integrated car and body cameras. Should the grant be received, purchase approval would be required. Staff is seeking Council*

7. *approval for the purchase, so that staff can move forward with the purchase as soon as possible once the award is made, if won.*
8. **Consideration of Offer Letter from the Virginia Department of Health-** *Sara Carter- The Town has received an offer letter from the Virginia Department of Health for the standby generator on Waugh's Ferry Road. Staff is currently working with VDH to confirm the assumptions on the mode and the terms of the offer letter. If the project will receive grant funding, then staff recommends accepting the offer.*
9. **Appointment of Planning Commissioners-** *Sara Carter- The Town currently has two vacancies on the Town Planning Commission.*

I. Matters from Staff

J. Matters from Town Council

K. Citizen Comments

L. Adjournment



STAFF REPORT SPECIAL USE PERMIT

Carey A. and Lisa Boynton
Town Council Public Hearing

General Information:

Processing schedule:	The Planning Commission considered this proposal with a public hearing on October 6, 2021. They recommend approval unanimously to the Council with six proposed conditions, agreed to by the applicant. The Council has a public hearing set and advertised for October 13, 2021.
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Application Information:

Owner and Applicant:	Carey A. and Lisa Boynton
Requested Action:	Special Use Permit for short term rental
Location:	204 and 206 Washington Street
Existing Zoning:	R-2
Proposed Zoning:	R-2 with SUP for short term rental (bed and breakfast)
Existing land uses:	Residential
Comp. plan area:	Residential

Summary of Request and Background Information:

Carey and Lisa Boynton purchased the home at 204/206 Washington Street. The property has a primary home, with a separate garage with an apartment above it. The two homes have separate addresses and are separate dwellings. The home has plenty of off-street parking and is located at the corner of Washington and Dept Streets. They would like to operate a short-term rental in the garage apartment but are required to obtain a special use permit to do so. If they chose to rent the apartment out as a long-term rental, that would be a permitted use.

Public Notice

The proposal was advertised for public hearing for two consecutive weeks, as required by State Code, and adjacent property owners received a public notice, also as required by Code. The property had a sign placed on it for notice as well.

Consistency with the Comprehensive Plan:

The use is consistent with the long-term plan for the area of residential uses, given its access, current situation with two homes, and availability of off-street parking.

Consistency with the Zoning Ordinance:

The proposed use of the subject property is compatible with surrounding zoning and the intent of the district.

Citizen Comment:

There was one citizen comment at the Planning Commission public hearing regarding the proposal. The questions raised were:

- Will pets be allowed?
- How many people will be allowed in the unit at one time?
- Will there be a minimum stay?
- Will there be courtesy quiet hours?

The commenter did not convey opposition to the proposal but did submit the questions for consideration. The applicant agreed to the proposed conditions brought forward to the meeting and an additional condition was added at the Planning Commission meeting to address an additional concern.

Conclusion:

The proposed use in this area is compliance with the Comprehensive Plan and the intent of the R-2 district. Staff recommends approval of the proposal and presents the following conditions to be available to the Commission to address community concerns, should they be brought forth.

Recommendation:

Staff and the Planning Commission recommends approval of the proposal with the following conditions:

1. The Special Use Permit shall only apply to the 204 Washington Street dwelling, allowing short-term rental only in that dwelling unit.
2. The property owner shall live on the property while the short-term rental use is in effect.
3. Quiet hours shall be from 10 p.m. to 7 a.m., consistent with the Town's adopted noise ordinance.
4. Occupancy in the rental unit shall be limited to four adults and two minor children.
5. Pets shall be prohibited in the short term rental (bed and breakfast unit).
6. Camping, overnight stays in RV's or other motor vehicles is prohibited.

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on September 8, 2021, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

It was noted that a quorum was present as follows:

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

Also present were the following staff members:

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

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

Mayor Tuggle opened the floor for citizen comment.

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

Ms. Carton made a motion that was seconded by Ms. Turner to approve the minutes from the August 11, 2021, meeting.

There being no discussion, the motion as to the August 11, 2021, minutes carried 4-0-1 via the roll call method as follows:

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

After Chairman Bunch reported on behalf of the Town and County Projects Ad Hoc Committee that the Amherst Lifesavings Crew has made the decision not to dissolve its corporate structure at this time, Mayor Tuggle dissolved the Town and County Projects Ad Hoc Committee.

Town Manager Carter and Office Manager/Finance Director Morgan gave a report on categorization of projected uses of ARPA funds and revenue lost calculation. After discussion, by consensus Council approved use of lost revenue funds as presented by staff and referred categorization of projected uses of the remaining funds to the Utilities Committee for the purpose of formulation and presentation of a prioritized town project list. Further discussion was deferred to the October 13, 2021, meeting.

After a report by Office Manager/Finance Director Morgan on the FY2022-2023 budget timetable and capital improvement plan that staff would like to follow, Ms. Carton made a motion that was seconded by Ms. Wheaton to approve the FY2022-2023 Budget Calendar and Capital Improvement Plan as presented by staff.

After discussion, the motion carried 5-0 via the roll call method to approve the 2022-2023 Budget and CIP Calendar with the inclusion of a Council budget work session as follows:

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

A copy of the FY2022-2023 Budget Calendar and Capital Improvement Plan is attached and made a part of these minutes.

Town Manager Carter reported that there are no Town policies or code ordinances on removal of empty trash and recycle bins from curbs. Town Manager Carter was instructed to draft a code ordinance on removal of empty trash and recycle bins from curbs for presentation to Council. Further discussion was deferred to the October 13, 2021, meeting.

Town Manager Carter reported on the involvement of Central Virginia Planning District Commission to review and update the Town of Amherst Comprehensive Plan. A copy of the CVPDC's draft schedule and work plan was presented to Council. Further discussion on the matter is deferred.

After Town Manager Carter gave a report, Mr. Watts made a motion that was seconded by Ms. Carton to hold a public hearing at its meeting on October 13, 2021, on an application of Carey A. Boyton (aka Boynton), that would, if approved, allow for a special use permit for short term rental on property zoned R-2, General Residential, located at the intersection of Washington and Depot Streets on approximately 0.44 acres, known as 204 and 206 Washington Street in the Town of Amherst, Virginia, and identified as Tax Map # 96A7 A 14, as recommended by staff.

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

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

After a report by Town Manager Carter, by consensus an events committee consisting of citizen volunteers, Council members, and Industrial Development Authority members, may be formed by the Industrial Development Authority to consider regular events in the Town to increase Town business and activity.

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

At 7:49 P.M. Ms. Carton made a motion as follows: I move that the Town Council go into closed session pursuant to §2.2-3711A.3 of the Code of Virginia for discussion or consideration of the disposition of publicly held real property, specifically the sale or transfer of lots owned by the Town, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, and pursuant to §2.2-3711A.1 of the Code of Virginia as it relates to assignment, appointment, promotion, performance of specific public officers, appointees, or employees, specifically that of the Town Attorney.

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

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

Mayor Tuggle recessed the meeting at 7:50 PM.

Mayor Tuggle reconvened the meeting in closed session at 7:54 PM.

It was noted that a quorum was present as follows:

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

At 8:44 P.M. Ms. Carton made the following motion that was seconded by Ms. Turner: I move that the Town Council adjourn the closed session and enter open session and certify that to the best of each councilors' knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

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

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

Mr. Watts made a motion that was seconded by Ms. Carton to hold a public hearing at its meeting on October 13, 2021, on purchase of property for public use identified as 133 W. Court Street, TM#96A4 2 2, in the Town of Amherst, Virginia, in accordance with the terms and conditions of the proposed contract.

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

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

Mr. Watts made a motion that was seconded by Mr. Bunch to extend Town Attorney Berry's contract ending December 31, 2021, through December 31, 2022.

There being no discussion, the motion failed 1-4 via the roll call method as follows:

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

Town Manager Carter was instructed to begin the RFP process for appointment of a new Town Attorney beginning January 1, 2022.

There being no further business, the meeting adjourned at 8:55 P.M., until October 13, 2021, at 7:00 p.m. on motion of Ms. Turner seconded by Mr. Watts.

D. Dwayne Tuggle, Mayor

Attest: _____
Clerk of Council

TOWN OF AMHERST

BUDGET CALENDAR FOR FY 2022-2023

December 2021 – Office Manager prepares budget worksheets for department heads and mails out donation request forms to local organizations.

January 28, 2022– Deadline for budget requests from department heads and local organizations.

February 7, 2022 – Office Manager presents prepared budget documents to Town Manager for recommendations.

March 9, 2022- Council, Town Manager and Office Manager will meet prior to regular Council Meeting to go over Town Manager proposed FY23 Budget.

March 14-18, 2022 – Finance Committee meets with Office Manager and Town Manager to review budget documents and recommendations.

April 13, 2021 – Public hearing of FY23 budget at regular Council meeting.

May 11, 2021 – Adoption and appropriation of FY23 budget at regular Council meeting.

CAPITAL IMPROVEMENTS PLAN FY 2022-2023

October 2021 – Office Manager sends out CIP requests documents to department heads.

November 19, 2021 – Department heads submit CIP requests to Office Manager.

December 2021 – Department heads and Town Manager meet to discuss CIP requests.

January 2022 – Town Manager Presents CIP recommendations to Planning Commission.

March 9, 2022 – Planning Commission public hearing on CIP requests.

April 13, 2022 – Council public hearing on CIP requests.

May 11, 2022 – Council adopts Capital Improvements Plan.

Town Manager's Report
October 7, 2021
Status of all items shown in italics

From the Council's Strategic Plan:

Ongoing or immediate

- Discuss Brockman Park development with IDA- *Mini-retreat with IDA on 8.24, working on additional information for the group.*
- Advise the IDA about Council's interest in exploring an EDA- *Completed 5.3.21*
- Review the previously developed walkability plan- *Completed 4.15.21*
- Town Manager meet with the County Administrator and brief him on Council's desire to improve relationships with the County- *Completed*

Within three (3) months – by June 1, 2021

- Develop a sidewalk plan in priority blocks downtown- *Additional planning to be completed through Comprehensive Plan and continued grant work.*
- Mayor and Chair of Amherst County Board of Supervisors meeting
- Develop a business visitation plan and commence visits- *IDA is dividing business list up for visitation and visitation questionnaire has been developed.*
- Develop a plan for a new Council table/dais, including the layout and components, get price quotes, and report back to Council- *Next steps would be new table for Council and Clerk.*

Within six (6) months – by September 1, 2021

- Bring to Council a plan for a pathway forward for the IDA to become an EDA- *Ordinance Amendment required. Propose bringing forward with other ordinance amendments proposed to Council this month.*
- Convene a joint Town Council/IDA meeting *Held July 6, 2021*
- Explore creating a façade improvement program, with incentives
- Joint Town Council/Board of Supervisors meeting
- Explore the (additional) resources necessary to implement the workplan and report back to Council

By January 1, 2022

- Negotiate and approve a revised utility agreement with Sweet Briar College- *Initial meetings and data completed. Next steps are to develop draft agreement.*

Within one year – by March 1, 2022

- Develop a workplan for the IDA/EDA with goals- *In process.*
- Comprehensive Plan update, including a Downtown Revitalization Component, *In process.*

Within two (2) years – by March 1, 2023

- Complete initial visitation of town businesses
- Adopt a revised Comprehensive Plan

Other Major Projects:

Sewer Sliplining Project

Wastewater Treatment Plant improvements are complete. On the collection side of the project, the completion date has past, and liquidated damages apply. New completion date is anticipated soon. We are planning on two additional segments after that time, one on Garland Avenue and one on N. Main. Remaining contingency funds from the project could be applied to the sludge dewaterer project.

Water Treatment Plant

The project is currently focused on the new basin at the rear of the plant and on internal electrical upgrades.

Brockman Park Engineering Work

Survey and delineation work is complete, and 50% grading plans are complete.

VDOT Sidewalk Project

Pre-application was accepted, and application will not be completed, due to increased cost estimates and VDOT's altered requirement to close a business entrance on Main Street.



AMHERST POLICE DEPARTMENT



MONTHLY REPORT

September 2021

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

CALLS FOR SERVICE	NUMBER
MOTORIST ASSIST	14
ALARM	4
PHONE COMPLAINT	122
BOLO	13
MISSING PERSON	
SHOPLIFTING	
PROBLEM WITH OTHERS	7
DOMESTIC	
CHECK WELFARE	5
NOISE OR DOG COMPLAINT	
TRAFFIC CRASH	5
EMS CALLS	3
SUDDEN DEATH	
SUSPICIOUS PERSON	8
CALL at AMBRIAR	
OTHER	32

OFFICER INITIATED	NUMBER
BUILDING CHECKS	121
BUSINESS VISIT	62
BUILDING SEARCH	4
TRAFFIC SUMMONS	20
DRUNK IN PUBLIC	
EXTRA PATROLS/ Parks	196/35
WARRANT SERVICE	
PROPERTY WALK AROUNDS	43
WARRANTS OBTAINED	4
PARKING TICKETS	
MISD. INVESTIGATION	1
FELONY INVESTIGATION	1
NARCOTICS INV.	
SEARCH WARRANT	
PUBLIC RELATIONS	10
CITIZEN CONTACT	185

WARNINGS	NUMBER
SPEEDING	7
EQUIPMENT VIOLATION	
RECKLESS DRIVING	1
SUSPENDED LICENSE	
INSPECTION/REGISTRATION	
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	

TRAFFIC STOPS TICKETED	NUMBER
SPEEDING	11
EQUIPMENT VIOLATION	
RECKLESS DRIVING	
SUSPENDED LICENSE	2
INSPECTION/REGISTRATION	3
SEAT BELT / TEXTING	
ALL OTHER VIOLATIONS	3

ARREST	NUMBER
MISDEMEANOR	6
FELONY	
EPO/PPO	
ECO	
NARCOTICS VIOLATION	
DUI / DUID	

OTHER	NUMBER
ASSIST OTHER OFFICER	12
ASSIST OTHER AGENCY	5
COURT	2
REPORTS	
SCHOOL / TRAINING	
MEETINGS	15
TOWED / IMPOUNDED VEH	1



AMHERST POLICE DEPARTMENT

MONTHLY 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.

Calls for service: 201

Miles Patrolled: 3,624.

County Assist:

9/6 Domestic N. Amherst Hwy. Arrest made.

9/11 Problems with others. Cleared advice.

9/25 DIP arrest at 29S and 151.

Public Relations:

9/15 Officer C. Martin attended a Trauma Informed Community Team meeting

9/16 Officer D. Robinson and C. Martin attended a Rotary Club meeting and conducted a CIT presentation.

9/18 Attended AFD community event.

For the month of September office B. Payne does walk throughs at Amherst Elementary, Central Elementary and Amherst Middle Schools.

September activities:

Investigator Watts started the Forensic Academy on the 13th. He will be gone until November 12th.

Officer Payne represented the department on September 19th with drive through birthday parade for a 9 year boy.



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 Morgan
Date: October 7, 2021
Re: September 2021 Monthly Report

Utilities – September utility billing total was \$187,852.98.

A/P – The total amount of checks cut for September bills, including payroll deductions were, \$237,627.14.

Meals and Beverage Tax – 18 Businesses paid \$50,520.40 in Meals and Beverage Tax for the month of August.

CARES Act Utility Forgiveness -- We received notice from DHCD that the wording on the Utility Forgiveness Funds was approved for change and we can now give the same customer assistance more than one time. We still have funds to spend so please let people know to reach out to us if they have a previous balance, so we help them. Any remaining funds have to be returned by December 31, 2021.

Upcoming Items – FY21 Audit Prep-Auditors were at Town Hall June 23, 2021 to start preliminary work. They will return in December.

License Tax Bills – The bill for Vehicle License Fees will be going out prior to November 1, 2021. These are due by December 5th. Please remind everyone if they do not receive a bill to please call our office. Not receiving a bill does not forgive them for penalties after December 5th.

**CLERK OF COUNCIL REPORT
SEPTEMBER 2021**

COMMITTEE MEETINGS

Planning Commission

Regular Meeting on 9-1-21: Receive and review agenda materials; assemble packet for meeting; distribute and post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website.

IDA

Regular Meeting on 9-7-21: Receive and review agenda materials; assemble packet for meeting; distribute and post agenda packet to website; prepare for and attend meeting; draft minutes for approval; post to Town website.

Town Council

Receive and review agenda materials; assemble packet for 9-8-21 meeting; distribute and post agenda packet to website; prepare for meeting; draft minutes for approval; post to Town website.

Quorums: Confirm meetings with members.

TOWN WEBSITE DESIGN AND CONTENT MANAGEMENT

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

TOWN FACEBOOK ADMINISTRATOR

- Create content and/or design and post on Facebook and Website, including but not limited to:
 - Notice: Procedures for Amherst Town Council September meeting
 - DMV to go service information
 - Notification re posting signs
 - Christmas Parade information
- Share links to community news and events; Monitor feedback.

ZONING ORDINANCE RECODIFICATION

Receive and review Municode Legal Review; update excel comment workbook

BANNER PERMIT

2021 Amherst County Fair - Prepare VDOT Banner Permit Application; receive permit; miscellaneous emails

CHRISTMAS PARADE

Emails to potential parade participants

OTHER:

- Convert and post audio meeting recording to website;
- Prepare, send, post Legal Ads/Public Hearing Notice: Utilities Committee 9/29/21 meeting; Planning Commission 10/6/21 Public Hearing; TC 10/3/21 public hearing;
- Update TOA Water Plant Upgrade report on website
- Prepare Proclamation re Sherrie Snead McLeroy MH Branch Library 10/4/21 Homecoming
- Draft introductory article that highlights what makes the Town of Amherst great and an instrumental locality in the Commonwealth for Virginia Association of Counties.
- Attend to details re gifts
- Troubleshoot Zoom in council chambers
- Miscellaneous phone calls, correspondence; miscellaneous research.
- Prepare miscellaneous purchase orders.

Town of Amherst Committees as of September 30, 2021, Update; See Attached.

Town of Amherst Committees as of September 30, 2021

Appointed/Term Expires

TOWN COUNCIL

D. Dwayne Tuggle, Mayor	01/01/19	12/31/22
Rachel A. Carton, Vice Mayor	01/01/21	12/31/24
Kenneth S. Watts	01/01/19	12/31/22
Sharon W. Turner	01/01/21	12/31/24
Kenneth G. Bunch	01/01/21	12/31/24
Janice N. Wheaton	11/12/19	12/31/22

PLANNING COMMISSION

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

BOARD OF ZONING APPEALS

June Driskill	11/13/20	08/31/25
Ed Carton	09/01/19	08/31/24
Teresa Tatlock	07/10/16	08/31/21
Marvin Hensley	08/31/17	08/31/22
R.A. "Tony" Robertson	01/13/21	08/31/23

INDUSTRIAL DEVELOPMENT AUTHORITY

Clifford Hart	07/01/19	08/31/23
Sharon Watts Turner	07/01/18	06/30/22
Aaron H. Mahler	07/01/21	06/30/25
Jacob Bailey	07/01/20	06/30/24
Manly Rucker	07/01/21	06/30/25
Kim Odell Stein	07/11/18	06/30/22
Richard Wydner	07/01/19	06/30/23

PROPERTY MAINTENANCE INVESTIGATION BOARD

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

CENTRAL VIRGINIA PLANNING COMMISSION/MPO

D. Dwayne Tuggle	01/01/21	12/31/22
Sara Carter	01/01/21	12/31/22

Appointed/Term Expires

CENTRAL VIRGINIA TRANSPORTATION COUNCIL (MPO)

D. Dwayne Tuggle	01/01/21	12/31/22
Sara E. Carter	01/01/21	12/31/22

TOWN/SWEET BRIAR SEWER USE ADVISORY COMMISSION

Kenneth Bunch	01/01/21	12/31/22
Kenneth S. Watts	01/01/21	12/31/22

TOWN COUNCIL COMMITTEES (FOR THE 01/01/21-12/31/22 TERM)

FINANCE COMMITTEE

Rachel A. Carton (Chairman) and Sharon W. Turner

- Monitor the budget development process.
- Review accounting procedures, budgets, and bookkeeping activities.
- Interface with auditors.

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.

TOWN HALL MEETING ROOM REHABILITATION AD HOC COMMITTEE

Rachel Carton (Chairman) and Sharon Turner

- Oversee and monitor rehabilitation and refurbishment

TOWN AND COUNTY PROJECTS AD HOC COMMITTEE

Kenneth Bunch (Chairman) and Sharon Turner

- Interface in Town and County projects
- Monitor project development process

Utility/Town Maintenance and Construction Report

Sep-21

Water Meter Read	1150
Water Meter Re-Read	48
Disconnects	15
VA-811 Service locations	25
Vehicle PM Work Orders	13
Pump Station/Plant Work Orders	25
Banners Installed/Dismantled	0
Water Services Installed/Replaced	7
Sewer Services Installed/Replaced	5
Minor Leaks Repaired	1
Major Leaks Repaired	0
Minor Sewer Problems Resolved	5
Major Sewer Problems Resolved	2

Man Hours

Meter Reading	88
Street/Sidewalk Maintenance	340
Safety Training	3
Bush Hogging	68
Flushing Water	0
Equipment Maintenance	58
Xmas decorations	0

Major Issues & Comments

Routine/Annual Work

Projects/Unusual Work

Service Work Orders
 Meter Reading
 Prev-Maint Work Orders
 Disconnects
 Re-connects
 Flushing Program
 in Select Locations

Locating Un-marked/Unknown Water & Sewer System Assets
 Continue Safety and Shop/Yard Clean-up
 Staff has been working on finding water valves and addressing issues
 Working on clearing water right of ways.



**TOWN OF AMHERST
DEPARTMENT OF PLANTS
MONTHLY PRODUCTION AND OPERATIONAL REPORT
September -- 2021**

**SUBMITTED BY: GARY S. WILLIAMS,
DIRECTOR OF PLANTS
SUBMITTED ON: Wednesday, October 6, 2021**

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

	Total, Million Gallons	Average, Million Gallons	Max., Million Gallons	Min., Million Gallons
Raw Source Water	10.910	0.360	0.560	0.250
Plant Production	9.660	0.320	0.520	0.090
Water Delivered to System	9.170	0.310	0.490	0.030

**Rutledge Creek Wastewater Treatment Facility
Daily Process, and Production Volumes.**

	Total, Million Gallons	Average, Million Gallons	Max., Million Gallons	Min., Million Gallons
Raw Influent Sewage	6.604	0.220	0.383	0.133
Final Treated Effluent	7.435	0.248	0.382	0.193

Stand Out Details of Monthly Operations.

- Tuesday, September 14, 2021

Met virtually with Allison Major with the DEQ Office of Water Supply and Town Manager Sara Carter to inspect Virginia Water Protection (VWP) Permit #08-2105, which governs the Towns withdrawal of water from the Buffalo River.

This permit is valid for 15 years and was issued on April 9, 2009, meaning it will be expiring on April 8, 2024, and authorizes various activities associated with pumping water from the river.

Until this time, Ms. Carter nor myself had been involved with a withdrawal permit review, and both found it interesting and informative. The Town was current on all items set out in the permit.
- Thursday, September 23, 2021

VAMWA Quarterly Management meeting via Zoom. Agenda items covered were,

 - 1.) Federal & State Funding for Budgeted Grants & Aid
 - Nutrient Reduction Projects: Water Quality Improvement Fund Grants
 - Other Capital Project Funds: August 2021 State Budget Amendments
 - User Charges: VDCD Mur Low- Income Program
 - 2.) PFAS: Updates on VDH & DEQ Progress & Next Steps Affecting Utilities
 - 3.) Legislative Issues & Recommendations for 2022 General Assembly Session
 - 4.) Chesapeake Bay Program Nutrient Reduction
 - Pulling It All Together: EN Reissuance
 - Nutrient Exchange Update
 - 5.) Other Water Quality Policy Priorities
 - 2021 Triennial Review of Water Quality Standards
 - Freshwater Ammonia Criteria Implementation
 - Shenandoah River Nutrient Criteria Development
 - Biosolids Recycling
 - Virginia Environmental Justice Policy Developments
 - DEQ's New BOD/TSS 85% Removal VPDES Permit Limits

6.) Litigation Updates

- National Wipes Litigation: Flushability Standard & Labeling Agreement
- Monsanto PCB Proposed Class Action Settlement Agreement
- Blending Litigation: Iowa League of Cities v. EPA

W. THOMAS BERRY

ATTORNEY AT LAW

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

W. THOMAS BERRY
KYLE D. HUGHES

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

September 30, 2021

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

Attn: Sara Carter – Town Manager

Re: Monthly Report to Town Council
(September, 2021)

Dear Ms. Carter and Council,

My report on work regarding the following matters:

1. Town Council Meeting: I attended the monthly scheduled meeting on September 8, 2021.
2. Business:
 - A. Resolution work on the Town of Amherst v. Emmert Studio matter.
3. Access to Town Attorney: My email address is dawn@tomberryllaw.com.
4. Please feel free to use this email access provided, and I will promptly return any communication. My home phone (434) 946-9501; office phone (434) 263-4886.

Respectfully Submitted,



W. Thomas Berry

WTB/dmc

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

Invoice

Date	Invoice #
9/29/2021	9762

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

			Terms
			Due on receipt
Description	Qty	Rate	Amount
		0.00	
9/6/21 - MET DAVE EMMERT - CONTRACT SIGNED	1.5	175.00	262.50
9/6/21 - PREP CONTRACT	1	175.00	175.00
9/6/21 - PREP DEED	1	175.00	175.00
9/8/21 - MONTHLY MEETING	2	175.00	350.00
9/10/21 - EMMERT TITLE REVIEW	2	175.00	350.00
9/14/21 - EMMERT SIGNED CONTRACT - DISCUSSED PROCEDURE FOR PUBLIC HEARING	1	175.00	175.00
9/17/21 - DELIVER CONTRACT TO SARA CARTER	0.4	175.00	70.00
9/29/21 - PREPARE FORECLOSING AND RELEASE OF LAWSUIT	1.5	175.00	262.50
Total			\$1,820.00
Payments/Credits			\$0.00
Balance Due			\$1,820.00

**UTILITIES COMMITTEE
MINUTES**

September 29, 2021
5:00 pm

Attendees: Kenneth Watts and Kenneth Bunch
Visitors: Tom Martin and Blake Robertson
Staff: Sara Carter and Gary Williams
Other Councilors visiting: Sharon Turner

Tom Martin and Blake Robertson appeared on behalf of the Amherst County Fire Department. There had been a leak in a water line on Second Street, and the disruption in the line appears to have caused scale in the line to interfere with the operation of the commercial toilet valves in the building. Two toilets leaked, and the AFD ended up with a bill of approximately \$2300. Staff offered them a leak credit, but that only removed \$1000 from the bill. They requested the committee forgive the entirety of the extra cost, due to the issue likely caused by the water line repair. The committee agreed to charge the AFD their average monthly bill, calculated on the last 12 months.

The committee discussed possible utilities projects that could be funded by the ARPA funds. The committee agreed that a sludge dewaterer, which would benefit both plants, and would be outside of the ability of the Town to fund on its own for several years, would be the best recommendation. The expected cost of the project is \$2 million.

The meeting adjourned at 5:30 pm.

**Town of Amherst Planning Commission
Minutes
October 6, 2021**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill on October 6, 2021, at 7:00 P.M. in the Council Chambers of Town Hall at 174 S. Main Street at 7:00 PM.

It was noted that a quorum was present as indicated below:

P	June Driskill	A	Clifford Hart
P	William Jones	P	Janice N. Wheaton
P	Anne Webster Day		

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

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

Ms. Day made a motion that was seconded by Ms. Day to approve the minutes of the September 1, 2021, meeting.

There being no discussion, the motion carried 4-0 according to the following:

June Driskill	Aye		Clifford Hart	Absent
Janice Wheaton	Aye		Anne Webster Day	Aye
William Jones	Aye			

The Chair opened a duly advertised public hearing at 7:02 P.M., on the application of Carey A. Boynton (aka Boynton), that would, if approved, allow for a special use permit for short term rental on property zoned R-2, General Residential, located at the intersection of Washington and Depot Streets on approximately 0.44 acres, known as 204 and 206 Washington Street in the Town of Amherst, Virginia, and identified as Tax Map # 96A7 A 14.

Town Manager Carter gave a report on the special use permit for short term rental application of Carey A. Boynton (aka Boynton). Carey and Lisa Boynton were present to answer questions.

Yolanda Saunders, Amherst, VA, by remote presence, came forward to voice questions on conditions related to noise, pets, occupancy, and minimum stay.

There being no one else present who wished to speak on the matter, the public hearing was closed at 7:22 PM.

After discussion, Ms. Day made a motion that was seconded by Ms. Wheaton to recommend that Town Council approve a special use permit for short term rental on property located at the intersection of Washington and Depot Streets known as 204 Washington Street, Amherst, VA, zoned R-2, General

Residential, and identified as Tax Map # 96A7 A 14, with the following conditions as recommended by staff:

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

The motion carried 4-0 as follows:

June Driskill	Aye		Clifford Hart	Absent
Janice Wheaton	Aye		Anne Webster Day	Aye
William Jones	Aye			

There being no further business, the meeting adjourned at 7:24 PM on motion by Ms. Day seconded by Ms. Wheaton.

June Driskill, Chairperson

Attest: _____
Secretary

**Town of Amherst
Industrial Development Authority**

Chairperson Sharon W. Turner called a meeting of the Town of Amherst Industrial Development Authority to order on October 4, 2021, at 5:15 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	Sharon Turner	A	Jacob Bailey
P	C. Manly Rucker	P	Kim Stein
P	Clifford Hart	P	Richard Wydner
P	Aaron Mahler - Remote		

Vicki Hunt, Clerk of Council, was also present. Sara Carter, Town Manager/Secretary, was absent.

Mr. Wydner made a motion which was seconded by Mr. Rucker to approve the minutes of the September 7, 2021, meeting of the Industrial Development Authority. There being no discussion, the motion carried 6-0 as follows:

Sharon Turner	Aye	Jacob Bailey	Absent
C. Manly Rucker	Aye	Kim Stein	Aye
Clifford Hart	Aye	Richard Wydner	Aye
Aaron Mahler	Aye		

Authority members discussed a draft script for business visitation and reviewed the group sharable business list spreadsheet for the Authority's Visitation Program created by Elisabeth Mahler. Authority Members will return their selections to staff on or before October 8, 2021.

There being no further business, the meeting adjourned at 5:33 P.M. on motion of Mr. Rucker, seconded by Mr. Stein.

Sharon W. Turner, Chairperson

ATTEST: _____
Secretary

Robert E. Lee Soil & Water Conservation District
7631-A Richmond Hwy.
Appomattox, VA 24522
Phone 434-352-2819 FAX 434-352-9405
www.releeconservation.com

Board of Directors Regular Meeting Minutes
The Spring House Restaurant
9789 Richmond Hwy
Lynchburg, VA 24504
August 26, 2021 – 6:00 p.m.

Directors: Jeff Floyd, Chairman
(Present) Chad Barrett, Assistant Treasurer
Bruce Jones
Joetricia Humbles
Karen Angulo
Brandon Schmitt
Brandon Payne
Charles Smith

Directors: Doug Perrow, Treasurer
(Absent)

Staff/Partners: Jonathan Wooldridge, RELSWCD District Manager/Sr. Ag BMP Cons. Spec.
(Present) Cindy Miller, RELSWCD Office Administrator
Mark Hollberg, DCR Conservation District Coordinator

Others:

Call to order: The regular meeting of the Robert E. Lee Soil and Water Conservation District Board of Directors was called to order August 26, 2021, at 6:04 p.m., by Jeff Floyd, Chairman, at The Spring House Restaurant, 9789 Richmond Hwy, Lynchburg, Virginia.

Acknowledgement of Guests: None

Adopting the Agenda: Jeff Floyd, Chairman, asked if there were any changes to the agenda. Motion was made to approve the agenda as presented. (Schmitt, Payne passed 8/0)

Reading and approving the July 22, 2021 Minutes: Jeff Floyd, Chairman, asked if there were any corrections to the minutes (copy filed with the minutes). Motion was made to approve the minutes as presented. (Schmitt, Barrett passed 8/0)

REPORT OF OFFICERS/PARTNERS/STAFF

REPORT OF OFFICERS/PARTNERS/STAFF

1-Treasurer's Report – May 2021 –Doug Perrow, Treasurer, gave the treasurer's report (copy filed with minutes). All bank statements were reconciled to the respective ledgers and QuickBooks program. The May 2021 Treasurer's report will be filed in the District Office.

2-DCR Conservation District Coordinator Report - Mark Hollberg, CDC, gave the June report (copy filed with minutes).

Administration:

Quarterly Reports are due in my office **July 15** along with balance sheet and P&L; fourth quarter reports are to include year-end cash balance and carry over reports and the FY21 Attachment E "roll up". The signed hardcopy Attachment E can be mailed to me after I have reviewed the electronic submission.

All FY21 deliverables for both the *Administrative & Operational Grant* and *Cost-Share and Technical Assistance Grant* must be satisfied by June 30. Any outstanding items should be addressed at June board meetings.

The FY21 Self-Assessment Questionnaire was emailed to district administrators on 5/20 with a **July 15** due date.

Please make every effort to see that all data in the tracking program is complete and accurate **by July 15**. Please use the canned Logi reports at *Shared Reports>District Year End Reports>QA/QC Reports* to check your data. FY22 Administrative & Operational and Cost-Share & Technical Assistance Policies & Grant Agreements were emailed to SWCDs on May 20. Please review the documents carefully and sign each agreement (electronic signatures are acceptable). Then scan a copy of both signed grant agreements, in their entirety, and email those documents to me with cc to Blair Gordon no later than **July 15**. Keep a signed copy of each agreement on file at the district office. **Motion made to have Treasurer or Chairman sign the policies and grant agreements. Approved (Perrow, Schmitt 7/0).**

Ag Cost Share:

If at June board meetings all FY21 VACS work cannot be completed, consider delegating the authority to do so to the Ag/Tech Committee or the Board Chair. This is often convenient for districts that meet early in the month.

See pages II 40 - 43 in the VACS manual for practices eligible to be carried over from one program year to the next. Letters should be sent to participants informing them of their contract extensions.

Remember that no 2022 VACS contracts can be approved for funding before FY22 secondary considerations are approved by both the District BOD and DCR and the District approved FY22 average cost list has been submitted to DCR.

Miscellaneous:

Chesapeake Bay (WIP) 2022-2023 Milestones – state agencies that have Chesapeake Bay Watershed Implementation Plan (WIP) commitments must develop and submit FY2023 interim WIP milestones to Virginia DEQ by September 1. These will then undergo a public comment period before submission to the EPA Chesapeake Bay Program. Detailed progress reports on FY2021 milestones are due to DEQ by October 1. Attachment D FY 23 Budget Template: due to DCR and Blair Gordon no later than July 15.

Motion made to have Treasurer or Chairman sign form. Approved (Perrow, Schmitt 7/0).

Meetings attended are on file.

3-USDA Natural Resources Conservation Service Report – No report provided

4-Virginia Department of Forestry Report – Rick Butler, Appomattox Forester –written report provided (copy filed with minutes)

Found some Mouse damage on some 3-year-old pines that is pretty severe, but think we can save most of stand.

Investigated some herbicide damage from spray on adjoining crops

Still working on cost share plans for upcoming planting season.

Working on end of year reports that are due.

5-Virginia Cooperative Extension Report – Bruce Jones, Appomattox VCE Agent - oral report.

Bruce reported that 4-H camp will be operating at 50% this year.

Zoom meeting are still available and some Hybrid mix for presentations.

July 8 Wool Pull scheduled for Farmville.

Sharp Logger certification is set for Appomattox Community Center in three sessions scheduled for Aug 17th, 24th and 31st, contact Extension office for more information.

6-RELSWCD District Manager/Sr. Ag BMP Conservation Specialist Report: Jonathan Wooldridge gave the June report (copy filed with minutes).

Projects:

Been a busy month here at Robert E. Lee SWCD. Working on plans and designs for new projects.

Monitoring progress on projects under construction. Also meeting new producers that are interested in our programs. Working on estimates and maps for possible new projects for next program year.

Helping out with soil testing and flagging out waterways not to be sprayed. Advising on erosion issues.

Working on Nutrient Management Plans for producers.

Practices and Conservation Plans for Board Approval:

Please see attached sheet for carryover requests

Watershed Dams:

Watershed dams are doing well and in good shape. Checking on the dams as the rainfall events happen. Met with Billy Hall to finish signing the watershed maintenance contract and went to each watershed dam to go over needs for first mowing.

Agriculture Stewardship Program:

On May 20, 2021 a Campbell Co. land owner called in a complaint about their pond being muddy and that the cause was from a neighbor' land. Darrell Marshall VDACS, and I went out to investigate the complaint. Darrell Marshall VDACS has declared that the case is dismissed and no further action will be taken.

Attended Meetings: at Office, list is on file.

<u>Contract/ Instance#</u>	<u>Prac</u>	<u>Co.</u>	<u>Est. Cost</u>	<u>CS amt.</u>	<u>Comp/Date</u>	<u>TC</u>	<u>Fund</u>
10-20-0011 / 375683	WP-4 B	CB/CAM	\$395,867.31	\$219,891.48	6-30-2022	\$17,500	CB VACS PY2020

10-20-0016 / 386769	SL-6W	CB/AP	\$98,782.00	\$100,000.00 Includes: \$1,218.00 Buffer payment	6-30-22		6-30-2021 CB VACS PY2020
10-21-0004	393897	CB/AP	\$211,275.04	\$158,456.26 Tax Credit \$13,204.70	June 30, 2022	PY21 CB VACS	WP-4LC
10-21-0005	402438	OCB/CAM	\$12,800.00	\$9,600.00 Tax Credit \$800.00	June 30, 2022	PY21 VACS OCB	SL-7
10-21-0008	405738	OCB/CAM	\$131,200.22	\$98,400.17 Tax Credit \$8,200.01	June 30, 2022	PY21 OCB VACS	WP-4LC
10-21-0009	411269	CB/AP	\$111,250.00	\$100,000.00 Tax Credit \$2,812.50	June 30, 2022	PY21 VACS CB	SL-6W
10-21-0010	411270	CB/AP	\$103,750.00	\$100,000.00 Tax Credit \$937.50	June 30, 2022	PY21 VACS CB	SL-6W
10-21-0011	411271	CB/AP	\$106,012.00	\$100,000.00 Tax Credit \$1,503.00	June 30, 2022	PY21 VACS CB	SL-6W
10-21-0012	413605	OCB/CAM	\$145,156.70	\$100,000.00 Tax Credit \$11,289.18	June 30, 2022	PY21 OCB VACS	WP-4LC

Motion was made to approve all above carry over: approved (Schmitt, Perrow 7/0)

Karen brought to our attention that the Times Virginian had reported Paradise Lake receiving a Dam improvement grant from VA Soil & Water State Board and questioned why we were not informed. Discussion on multiple grant opportunities separate from the district are available.

8-RELSWCD Office Administrator Report – Cindy Miller gave the June report (copy filed with minutes).

Monthly duties are kept up to date.

Outreach:

- Library outreach project: June project delivered to Appomattox Library. Supplies replenished at the Appomattox Library.
- Poster contest and Photo contest promoted on Facebook, thru Schools and Libraries. We have had two residents from Appomattox Co submit pictures for our Photo Contest. Jubilee Center and Hannah will be submitting posters.
- Bulk mailing sent to all Daycare Centers in the District.
- Facebook post made twice daily.
- Website updated.

Tabling Events

- Request: I would like to host an Outreach Table at the Railroad Festival on October 9th in Appomattox. Cost to nonprofits is \$30.
- Rustburg Library – July 31, 2021 10 am to 2 pm has been scheduled.
- Robert E Lee is a Gi-Antelope Sponsor in the \$50-\$99 range for our material we have provided this year for Campbell Co Libraries Summer Reading Events. Our name and Logo are on the materials given out for the reading program this summer.
- Appomattox Library tabling event is scheduled for July 2nd and 9th from 11-1230. The Spot Bus will be at the library at this time.

Training done virtually and is on file.

Our next Board of Directors meeting will be on Thursday July 22, 2021.

9. Timberlake WID – George Shrader

Update given on the Timberlake WID project. Dredge project to be completed the week of July 8, 2021. Timberlake WID is hoping to get assistance with VDOT. Hoping VDOT will make improvements with Non-point Source Pollution going into Timberlake. Doug Perrow and Brandon Schmitt agreed to assist with being present at the next meeting for Campbell Co.

Motion made for Robert E Lee Soil & Water Conservation Board to give authority to Timberlake WID to ask Campbell Co Board of Supervisors to request VDOT to complete the study that they had promised to complete. (Barrett, Angulo 7/0)

REPORT OF COMMITTEES

Education Committee- Education committee presented that they would like to combine the position of Education Specialist with Conservation Technician. **Motion Made and denied (Barrett, Schmitt 4/2).** After a lengthy discussion, Motion was made to Hire a Full Time Education Specialist with addition to job description saying other duties as assigned by District Manager and Office Administrator as needed.

Approved (Angulo, Schmitt 7/0)

Second Motion was made: To Hire a Fulltime Education Specialist and see how work load is before filling a Conservation Technician Position. (Barrett, Perrow 7/0)

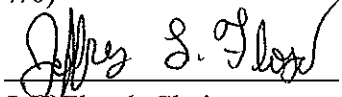
UNFINISHED BUSINESS - None

NEW BUSINESS- Motion to accept resignation for Nancy Jo Billings- Appomattox County Director (Barrett, Humbles approved 7/0).

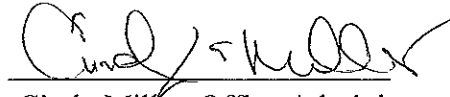
PUBLIC COMMENT - None

ANNOUNCEMENTS – None

ADJOURNMENT - The Chairman adjourned the meeting at 8:13 p.m. (Perrow, Schmitt passed 7/0)



Jeff Floyd, Chairman



Cindy Miller, Office Administrator

Robert E. Lee Soil & Water Conservation District REVISED 8/31/2021
7631-A Richmond Hwy.
Appomattox, VA 24522
Phone 434-352-2819 FAX 434-352-9405
www.releeconservation.com

Board of Directors Regular Meeting Minutes
The Spring House Restaurant
9789 Richmond Hwy
Lynchburg, VA 24504
June 24, 2021 – 6:00 p.m.

Directors: Jeff Floyd, Chairman
(Present) Doug Perrow, Treasurer
Chad Barrett, Assistant Treasurer
Bruce Jones
Joetricia Humbles
Karen Angulo
Brandon Schmitt

Directors: Brandon Payne
(Absent) Charles Smith

Staff/Partners: Jonathan Wooldridge, RELSWCD District Manager/Sr. Ag BMP Cons. Spec.
(Present) Cindy Miller, RELSWCD Office Administrator
Mark Hollberg, DCR Conservation District Coordinator

Others: Timberlake WID, George Schrader and Robert Lockridge

Call to order: The regular meeting of the Robert E. Lee Soil and Water Conservation District Board of Directors was called to order June 24, 2021, at 6:00 p.m., by Jeff Floyd, Chairman, at The Spring House Restaurant, 9789 Richmond Hwy, Lynchburg, Virginia.

Acknowledgement of Guests: None

Adopting the Agenda: Jeff Floyd, Chairman, asked if there were any changes to the agenda. Motion was made to approve the agenda as presented. (Perrow, Barrett, passed 7/0)

Reading and Approving the May 27, 2021 Minutes: Jeff Floyd, Chairman, asked if there were any corrections to the minutes (copy filed with the minutes). **Motion was made to approve the minutes as presented. (Perrow, Schmitt, passed 7/0)**

2-DCR Conservation District Coordinator Report - Mark Hollberg, CDC, (copy filed with minutes).

Administration:

DCR and the Association are offering Beginner QuickBooks training virtually Aug 3 & 5 and Advanced QuickBooks Sept 21 & 23 Advanced QuickBooks. If the SWCD staff with financial responsibilities attends one of the four sessions, the required grant deliverable will be met for FY22.

Summer To-Do List:

- > FY21 Annual Plan of Work (board approval required), include partnership statement
- > Dedicate unobligated reserves greater than six months routine operating expense (board approval required) - see page 14 of the Desktop Procedures
- > Review/update Fixed Assets Inventory – see page 28 of the Desktop Procedures
- > FY21 Annual Report include “partnership acknowledgement” statement (due to CDC Sept. 30)
- > 12/31/21 End of Year verifications - initial field work to be documented in tracking by Sept. 1

VA Ag Cost Share:

Thank you to SWCD staff for your efforts in correcting buffer data for BMPs paid in FY21. The difference will be significant and meaningful in the Bay model. DCR will continue to work with Bay districts this month to review buffer data for contracts paid in FY19 and 20.

Record VACS funding heightens the need to spread the conservation word near and far. As such, DCR has updated all six of the agency's VACS Program fliers posted at:

<https://www.dcr.virginia.gov/soil-and-water/cmwarehouse> .

Subcommittees of the Ag BMP Technical Advisory Committee have started to meet and the TAC intends to have its work completed by December 1, 2021. Meeting notices on Town Hall.

Miscellaneous

Don't forget to recognize local Clean Water Farm Award winners. Grand Basin nominations are due to the appropriate CDC by October 1. Shenandoah Basin nominations go to me.

DCR Staff News: Russ Baxter retired and Mr. Darryl Glover has accepted the position of Deputy Director of Soil and Water Conservation, Dam Safety and Flood Prevention! Recruitment for the next Director for the Division of Soil and Water Conservation is underway.

Signed FY21 Administrative and Operational Support Grant Agreement and Cost-Share and Technical Assistance Grant Agreements were reviewed and a signed copy is on file.

3-USDA Natural Resources Conservation Service Report – Jonathan Lipinski, NRCS Dist. Cons-written report provided (copy filed with minutes)

Staffing

District Conservationist job has posted and was open for five days

Programs

Environmental Quality Incentives Program (EQIP)

We are continuing to work on a few applications that were pre-approved for funding this spring. Practice installation continues on several existing contracts from previous years.

CRP/GRP/WRP

No changes or updates, we are working with DOF and FSA to check the status of the FY 2022 renewals.

Conservation Stewardship Program (CSP)

We are working a few CSP application that got picked up.

Outreach, Training and Upcoming Events

Nothing significant to report at this time.

4-Virginia Department of Forestry Report – Rick Butler, Appomattox Forester –written report provided (copy filed with minutes)

1. Sixty-One tracts for 3211 acres were harvested in Appomattox County. Private Industry harvested 1183 acres and thinned 245 acres. Total Harvests for private individuals totaled 1682 acres with 22 tracts for 887 acres being reforested. It can be a little confusing as some tracts harvested this year will be reforested next year because of site preparation requirements. There were 6 tracts of open land planted under the James River watershed program totaling 66 acres.
2. We only had 3 wildfires as one occurred recently due to lightning. This can be attributed to the wet weather and excellent fire prevention.
3. Smokey programs are normally presented in the primary school but due to Covid they were not allowed to be done. Forestry classes done in Middle and High Schools.
4. Water Quality is a top priority and no violations occurred out of 61 inspections. We should complement the loggers for making this happen.
5. The Town of Appomattox celebrated its ninth year of being a Tree City U.S.A. member

5-Virginia Cooperative Extension Report – Bruce Jones, Appomattox VCE Agent - oral report.

Central VA Farm Tours will be on Monday September 6th. Bruce thanked Robert E Lee for being a Sponsor. September 16, 2021 Extension will hold an outside event for Grain planting. Extension will participate in the following fairs: Amherst Co Fair October 21-24, 2021 and the Five County Fair the week of September 27, 2021.

6-RELSWCD District Manager/Sr. Ag BMP Conservation Specialist Report: Jonathan Wooldridge gave the July report (copy filed with minutes).

Projects:

Been a busy month here at Robert E. Lee SWCD. Working on plans and designs for new projects. Monitoring progress on projects under construction. Also meeting new producers that are interested in our programs. Working on estimates and maps for new projects for the new program year. Helping out with soil testing. Advising on erosion issues. Working on Nutrient Management Plans for producers.

Practices and Conservation Plans for Board Approval:

Please see attached sheet

Watershed Dams:

Watershed dams are doing well and in good shape. Checking on the dams as the rainfall events happen. Billy Hall has finished the mowing and maintenance of the dams and has been paid.

Clean Water Farm Award Nominee:

Kinckle Robinson Appomattox County CB. Cattle Farmer

Motion made to approve Kinckle Robinson for the Clean Water Farm Award. (Payne, Schmitt, 8/0)

Spot Checks:

September 21-23 2021

<u>Contract</u>	<u>Instance</u>	<u>Co.</u>	<u>Est. Cost</u>	<u>CS amt.</u>	<u>Comp/Date</u>	<u>Funding Source</u>	<u>Practice</u>
10-22-0001	453060	AP/CB	\$79,875.00	\$89,523.00 Includes: \$9,648.00 Buffer Payment	June 30, 2022	PY22 CB VACS	SL-6W
10-22-0002	456898	CAM/OCB	\$5,040.00	\$5,040.00	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0003	456899	CAM/ OCB	\$42,169.50	\$42,169.50	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0004	457076	AP/OCB	\$10,636.50	\$10,636.50	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0005	457077	AP/OCB	\$1,221.60	\$1,221.60	June 30, 2022	PY22 OCB VACS	SL-8H
10-22-0006	457078	AP/OCB	\$18,875.00	\$18,875.00	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0007	457090	CAM/OCB	\$32,125.00	\$34,609.00 Includes: \$2,484.00 Buffer payment	June 30, 2022	PY22 OCB VACS	SL-6W
10-22-0008	457092	CAM/OCB	\$111,912.50	\$118,800.50 Includes: \$6,888.00 Buffer Payment	June 30, 2022	PY22 OCB VACS	SL-6W
10-22-0009	457097	AP/CB	\$40,538.00	\$40,538.00	June 30, 2022	PY22 CB VACS	SL-8B
10-22-0010	457099	AP/OCB	\$17,535.00	\$17,535.00	June 30, 2022	PY22 OCB VACS	SL-8B

10-22-0011	457101	CAM/OCB	\$18,748.00	\$18,748.00	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0012	457105	CAM/OCB	\$15,000.00	\$11,250.00 Tax Credit: \$937.50	June 30, 2022	PY22 OCB VACS	SL-7
10-22-0013	457110	CAM/OCB	\$4,325.00	\$4,325.00	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0014	457116	AM/CB	\$64,250.00	\$67,010.00 Includes: \$2,760.00 Buffer Payment	June 30, 2022	PY22 CB VACS	SL-6W
10-22-0015	457120	AP/OCB	\$41,010.00	\$41,010.00	June 30, 2022	PY22 OCB VACS	SL-8B
10-22-0016	457221	AP/CB	\$5,371.50	\$5,371.50	June 30, 2022	PY22 CB VACS	SL-8B

Jonathan Wooldridge and Bruce Jones stepped out for vote at 6:23pm

Motion was made to approve all 16 practices. (Schmitt, Smith passed 8/0).

Jonathan Wooldridge and Bruce Jones stepped back in to meeting at 6:24 pm.

Training information is on file.

8-RELSWCD Office Administrator Report – Cindy Miller gave the July report (copy filed with minutes).

Regular monthly duties are kept up to date.

- Completed draft Annual report for review.
- Collected and Distributed Director applications to Directors for review.
- Set up meeting for the Nominating Committee.
- Worked on contact list for outreach – updating emails and current teacher names.
- Prepared Orientation packet for new hire.
- Worked with Stephanie on her orientation.

Motion: Request: to approve Annual report for production and distribution. (Schmitt, Jones approved 8/0).

Motion: Request a retro motion to approve a \$500 Sponsorship to the Central VA Farm Tour thru Extension. (Smith, Angulo approved 8/0).

Recognize Joetricia for her community work.

Outreach:

- Tabling Event completed at Campbell Co Library on July 31, 2021 – Over 200 people came by.
- August Library Outreach material provided – Raindrops keep falling on my head. Activity book.
- Poster contest promoted on Facebook, thru Schools and Libraries
- Facebook post made twice daily.
- Website updated.
- Provided District Extension offices with updated flyers for our programs.
- Received message from Grace Hill Daycare that they are open to visitors coming in to do activity for children
- Contacted Cub Scout Pack 7 of Lynchburg and Poster/ Scout Badge information communicated. They are considering letting us come do an activity- but no confirmation at this time.

Future Outreach

- Materials provided to Extension for Event hosted Sept 6th with our name promoted on materials for Extension Farm Tours event.
- September – Our Tabling Display will be set up at the Appomattox Library.
- September- Rustburg Library Homeschool meet up set for 9/1, 9/15 and 9/29 2:30 to 3:30, I am planning on attending at least one.
- October 9th- Tabling event at the Appomattox Railroad Festival.
- November- Our Tabling Display will be set up at the Appomattox Library.

Researching a Fall outreach activity for Preschools, Private Schools and Libraries for September.

Training information is on file.

9. Timberlake WID – written report provided by George Shrader. Verbal update given by Brandon Schmitt (copy filed with minutes).

Brandon stated that Doug Perrow and himself attend the Campbell Co Board of Supervisors meeting and along with Timberlake WID requested that VDOT do a study on the 460-Timberlake road by pass interchange run off.

Timberlake WID Trustee George Schrader made a PowerPoint presentation at the August 2, 2021 monthly meeting of the Campbell County Board of Supervisors on the matter of soil erosion and sedimentation entering the Timberlake

Watershed Improvement District from the 460 – Timberlake Road by-pass interchange. The presentation is attached

for the RELSWCD director's review. The presentation included details of the TWID's FY2021 conservation project to

remove sediment from Timberlake, and a 30+ year pictorial chronology of the continued build-up of sediment

pollution originating from the interchange and entering the Timberlake Watershed Improvement District. This

sediment pollution negatively impacts the TWID reservoir dam storm water management capacity, water quality,

fishery, wildlife, land owner recreational activities and real estate value. Campbell County Directors Doug Perrow and

Brandon Schmitt attended the meeting.

At this meeting, Mr. Schmitt, along with WID landowner DD Gillette had the opportunity to participate in a

impromptu meeting with Lynchburg VDOT District Management; Mr. Christopher Winstead, P.E. (District Engineer), and Mr. Robert Brown (Residency Administrator). At this meeting Mr. Winstead and Mr. Brown were receptive and expressed willingness for VDOT assistance in conducting a stormwater management impact study of the Timberlake Road by-pass interchange on Timberlake WID. The TWID Trustees are pursuing follow-up meetings with VDOT and RELSWCD's Campbell County Directors and report our progress back to the RELSWCD directors. **Presentation is on file.**

REPORT OF COMMITTEES-Nominating Committee

Recommendation to select Earl Dickerson as primary selection for the Appomattox Director Opening provided that there was not a conflict-of-Interest concern. Discuss with Mark Holberg the concerns. If so 2nd selection for the Appomattox Director position would be Bonnie Swanson.

Open Discussion of Nominees requested.

Motion to end discussion (Barrett, Schmitt 8/0)

Motion made to nominate Bonnie Swanson made (Barrett/ Humbles 4/4).

Motion made to nominate Earl Dickerson made (Schmitt, Smith denied 3/5)

Motion made to nominate Karin Robertson made (Angulo, Jones 4/4)

Motion made to nominate Bonnie Swanson made (Schmitt, Angulo passed 6/2)

UNFINISHED BUSINESS –Education Specialist position

Motion made to offer position to Allison Bellamy (Barrett/ Smith)

Open discussion began of possible other interested parties.

Smith rescinded his second on the vote to offer the open position to Allison Bellamy.

Board requested to peruse other candidates interested but do not readvertise position.

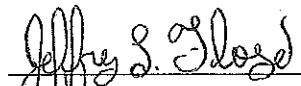
Request resume and state application and schedule personnel committee meeting prior to September Board of Directors meeting.

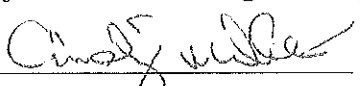
NEW BUSINESS- None

PUBLIC COMMENT - None

ANNOUNCEMENTS – None

ADJOURNMENT - The Chairman adjourned the meeting at 7:13 p.m. (Payne, Schmitt passed 8/0)


Jeff Lloyd, Chairman


Cindy Miller, Office Administrator

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
AMHERST, VIRGINIA WITH RESPECT TO ECONOMIC
DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG,
VIRGINIA REVENUE BOND FINANCING FOR CENTRA HEALTH, INC.**

WHEREAS, Centra Health, Inc. ("Centra Health"), a Virginia nonstock corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the Economic Development Authority of the City of Lynchburg, Virginia (the "Lynchburg Authority") issue its revenue bonds in an aggregate principal amount not to exceed \$275,000,000 (the "Bonds"), in one or more series, for the purpose of providing funds to (i) refinance previously issued debt of the Lynchburg Authority which financed and refinanced Centra Health's facilities located at 115 Ambriar Court, Amherst, Virginia and (ii) pay certain expenses incurred in connection with the issuance of the Bonds and certain costs related to the refunding of the outstanding revenue bonds (collectively, the "Amherst Project"); and

WHEREAS, the Amherst Project will be owned by Centra Health or one of its affiliates; and

WHEREAS, Centra Health has requested approval (to the extent required by applicable Virginia law and the Code) by the Town Council of the Town of Amherst, Virginia (the "Town Council") of the issuance by the Lynchburg Authority of the Bonds; and

WHEREAS, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds and Section 15.2-4906 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), sets forth the procedure for such approval; and

WHEREAS, the Amherst Project to be refinanced with the proceeds of the Bonds is located in the Town of Amherst, Virginia ("Town of Amherst") and the Town Council constitutes the highest elected governmental unit of Town of Amherst; and

WHEREAS, the Lynchburg Authority adopted an inducement resolution (the "Lynchburg Inducement Resolution") with respect to the Bonds on September 9, 2021, and has recommended that the Town Council concur in the Lynchburg Inducement Resolution; and

WHEREAS, the Lynchburg Authority adopted an approval resolution (the "Lynchburg Approval Resolution") with respect to the Bonds on September 9, 2021, after holding a public hearing on the issuance of the Bonds, which constitutes the recommendation by the Lynchburg Authority that the Town Council approve the issuance of the Bonds by the Lynchburg Authority in order to comply with Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a copy of the Lynchburg Inducement Resolution, a copy of the Lynchburg Approval Resolution, a certificate evidencing conduct of the public hearing and a Fiscal Impact Statement have been filed with the Town Council;

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

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

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

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

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

**RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF
THE CITY OF LYNCHBURG, VIRGINIA, PROVIDING INITIAL
APPROVAL OF THE ISSUANCE OF UP TO \$275,000,000 OF REVENUE
BONDS FOR THE BENEFIT OF CENTRA HEALTH, INC.**

A. The Economic Development Authority of the City of Lynchburg, Virginia (the "Authority"), is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), to borrow money for the purpose of providing funds to finance the acquisition, construction, equipping, expansion, enlargement and improvement of medical facilities in order to provide modern and efficient medical services to the inhabitants of the Commonwealth of Virginia, to refinance medical facilities in order to reduce the costs to residents of the Commonwealth of utilizing such facilities and to issue its revenue bonds for the purpose of carrying out any of its powers.

B. The Authority has received a request from Centra Health, Inc., a Virginia nonstock corporation (the "Organization"), to issue its revenue bonds (the "Bonds"), in one or more series at one time or from time to time, to provide funds to make a loan to the Organization and one or more of its affiliates:

(i) to finance (A) the acquisition, construction, developing and equipping of a new structure at Lynchburg General Hospital ("Lynchburg General") to improve and expand patient capacity, which also includes connectivity improvements to link the new structure with the existing facilities, (B) the construction of parking areas and related connectivity improvements, (C) the acquisition, construction, developing and equipping of expansion of and improvement to the existing facilities and structures on the Lynchburg General Campus (which is more particularly defined below), (D) sitework and other improvements on the Lynchburg General Campus related to the foregoing, and (E) construction of routine capital improvements at Lynchburg General and related facilities (collectively, the "2021 Project").

(ii) to refinance the Authority's Hospital Revenue Bonds (Centra Health), Series 2014A and Series 2014B (the "Series 2014 Bonds"), which financed and refinanced facilities in the Town of Gretna, Virginia, the Town of Farmville, Virginia, the Town of Amherst, Virginia, and the City of Lynchburg, Virginia, as more particularly described below.

(iii) to refinance the Authority's Hospital Revenue Bonds (Centra Health), Series 2020A and Series 2020B (the "Series 2020 Bonds"), which financed and refinanced facilities in the City of Lynchburg, Virginia, as more particularly described below.

(iv) to finance, if and as needed, amounts required for reserves, working capital, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds.

Items (i) through (iv) above are collectively referred to as the "Plan of Finance".

C. Preliminary plans for the Plan of Finance have been described to the Authority and a public hearing has been held as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended; and

D. The Organization has represented that the estimated cost of undertaking the Plan of Finance will require an issue of Bonds, in one or more series at one time or from time to time, in the aggregate principal amount not to exceed \$275,000,000.

NOW, THEREFORE, BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG, VIRGINIA:

1. It is hereby found and determined that the Plan of Finance will be in the public interest and will promote the commerce, safety, health, welfare, convenience or prosperity of the Commonwealth of Virginia, the City of Lynchburg, Virginia (the "City"), and the Towns of Amherst, Gretna and Farmville, and their citizens and in particular will promote the providing of health care facilities and other facilities in accordance with the Act.

2. The Authority hereby agrees to assist the Organization in undertaking the Plan of Finance by issuing its Bonds, in one or more series at one time or from time to time, in an aggregate principal amount not to exceed \$275,000,000 upon terms and conditions mutually agreeable to the Authority and the Organization. The Bonds will be issued pursuant to documents satisfactory to the Authority. The Bonds may be issued in one or more series at one time or from time to time.

3. It having been represented to the Authority that it is necessary to proceed immediately with the Plan of Finance, and the planning therefor, the Authority agrees that the Organization may proceed with the Plan of Finance, enter into contracts for land, construction, materials and equipment for the Plan of Finance, and take such other steps as it may deem appropriate in connection with the Plan of Finance, provided, however, that nothing in this resolution shall be deemed to authorize the Organization to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Plan of Finance. The Authority agrees that the Organization may be reimbursed from the proceeds of the Bonds for all expenditures and costs so incurred by it, provided such expenditures and costs are properly reimbursable under the Act and applicable federal laws.

4. At the request of the Organization, the Authority approves McGuireWoods LLP, Richmond, Virginia, as Bond Counsel in connection with the issuance of the Bonds.

5. The Bonds shall provide that neither the Commonwealth of Virginia nor any political subdivision thereof, including the Authority and the City, shall be obligated to pay the obligations under the Bonds except from the revenues, receipts and payments pledged thereof, and that neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the City, is pledged to the payment of such obligations.

6. All costs and expenses in connection with the undertaking of the Plan of Finance, including the fees and expenses of Bond Counsel and Authority Counsel, shall be paid by the Organization or, to the extent permitted by applicable law, from the proceeds of the Bonds. If for any reason such bonds are not issued, it is understood that all such expenses shall be paid by the Organization and that the Authority shall have no responsibility therefor.

7. The Authority recommends that the governing body of the City approve the issuance of the Bonds for the purpose of undertaking the Plan of Finance.

8. No Bonds may be issued pursuant to this resolution until such time as the issuance of the Bonds has been approved by the governing body of the City.

9. This resolution shall be effective immediately.

10. The authorizations granted in this resolution shall continue in full force and effect for a period of one year after adoption, unless specifically extended by the Authority.

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CERTIFICATE

The undersigned Secretary of the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority"), hereby certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the Directors of the Authority at a meeting duly called and held on September 9, 2021, in accordance with law, and that such resolution has not been repealed, revoked, rescinded or amended but is in full force and effect on the date hereof.

WITNESS the following signature and seal of the Authority as of September 9, 2021.



Patricia S. Massey

Assistant Secretary, Economic Development
Authority of the City of Lynchburg, Virginia

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LYNCHBURG, VIRGINIA**

WHEREAS, the Economic Development Authority of the City of Lynchburg, Virginia (the "Authority") has approved the application of Centra Health, Inc. (the "Organization"), a Virginia nonstock corporation, requesting that the Authority issue up to \$275,000,000 of its revenue bonds in one or more series at one time or from time to time (the "Bonds") to provide funds to make a loan to the Organization:

(a) to finance (i) the acquisition, construction, developing and equipping of a new structure at Lynchburg General Hospital ("Lynchburg General") to improve and expand patient capacity, which also includes connectivity improvements to link the new structure with the existing facilities, (ii) the construction of parking areas and related connectivity improvements, (iii) the acquisition, construction, developing and equipping of expansion of and improvement to the existing facilities and structures on the Lynchburg General Campus (which is more particularly defined below), (iv) sitework and other improvements on the Lynchburg General Campus related to the foregoing, and (v) construction of routine capital improvements at Lynchburg General and related facilities (collectively, the "2021 Project");

(b) to refinance the Authority's Hospital Revenue Bonds (Centra Health), Series 2014A and Series 2014B (the "Series 2014 Bonds"), which financed and refinanced facilities in the Town of Gretna, Virginia, the Town of Farmville, Virginia, the Town of Amherst, Virginia, and the City of Lynchburg, Virginia, as more particularly described below;

(c) to refinance the Authority's Hospital Revenue Bonds (Centra Health), Series 2020A and Series 2020B (the "Series 2020 Bonds"), which financed and refinanced facilities in the City of Lynchburg, Virginia, as more particularly described below; and

(d) to finance, if and as needed, amounts required for reserves, working capital, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds;

Items (a) through (d) above are collectively referred to as the "Plan of Finance";

WHEREAS, on September 9, 2021, the Authority held a public hearing regarding the Plan of Finance;

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds and Section 15.2-4906 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended ("Act") sets forth the procedure for such approval;

WHEREAS, the Authority issues its bonds on behalf of the City of Lynchburg, Virginia (the "City"), some of the facilities to be financed and refinanced with the proceeds of the Bonds

are located in the City and the City Council of the City of Lynchburg, Virginia (the "Council"), constitutes the highest elected governmental unit of the City;

WHEREAS, the Authority has recommended that the City approve the Plan of Finance and the issuance of the Bonds; and

WHEREAS, a copy of the Authority's resolution providing initial approval of the issuance of the Bonds, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA:

1. The Council approves the issuance of the Bonds, in an aggregate principal amount up to \$275,000,000, by the Authority for the benefit of the Organization and its affiliates, solely to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to assist in accomplishing the Plan of Finance.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Finance or the Organization. In accordance with Section 15.2-4909 of the Act, the Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit or taxing power of the Commonwealth or any political subdivision thereof, including the Authority and the City. Neither the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and money pledged therefor.

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

Adopted by the City Council of the City of Lynchburg, Virginia, on September 28, 2021.



Clerk
City Council



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: October 7, 2021
Re: Draft ordinance for trash receptacles

At the last Town Council meeting, Council directed staff to draft language for inclusion in the Town Code to require residents and businesses within Town to remove trash cans from the street in between garbage pick up days. There have been several comments over the years about trash cans being left in locations that block streets, sidewalks, and bike lanes. They present safety hazards and also create a sense of disorder in the Town.

Staff reached out to VML to find draft language from other towns that have implemented similar codes.

From the codes received, staff recommends the following language:

Sec. - When receptacles to be set out for collection.

Garbage and refuse receptacles shall be set out for collection no sooner than 10:00 a. m. on the day prior to the scheduled collection. Refuse receptacles shall be removed by 7:00 p. m. on the day following collection.

· Sec. - Storage of receptacles.

Refuse receptacles, except on the days that they are placed out for regular collection, shall be stored not closer to the street than the front building line of the residence or establishment served by the receptacles.

Sec. – Penalties

The town may choose to confiscate containers left out at the curb, or in the public right-of-way, outside the collection period. In such case, a notice of violation may be given to the owner or occupant of the property to which the container has been assigned to remove the container(s)

from the curb, or public right-of-way. The latter notice may be verbal or written and shall be provided as soon as is feasible after identifying the violation.

If the owner or occupant does not comply with the provisions of this article, the town shall after reasonable notice confiscate the containers in violation. There will be a minimum charge, set forth in the Utility Rate and Fee Schedule, adopted annually, for the replacement of each refuse or recycling container, against the owner or occupant of the property to which the container(s) has or have been assigned.

This charge shall be billed to the owner or occupant, and collected as taxes and levies are collected, or in separate billings, including but not limited to, those related to utility payments. Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property.



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: October 7, 2021
Re: Possible Ordinance amendments for Council consideration

Since the Town Code recodification, staff has been maintaining a list of potential Code amendments to be packaged together if Council moves forward with any other Code amendments. Because of the costs of public hearings and codifying change to the Code, it makes sense to make these incremental changes together, rather than one at a time. Please find following a list of possible amendments. Staff requests Council's direction as to whether they would like staff to proceed with language research on any of these.

Conversion of Industrial Development Authority to an Economic Development Authority:

From a State Code point of view, these are the same type of entity. Therefore, if Council prefers the more inclusive title of "Economic Development Authority," the only change required is a title change contained within the Town Code. At every point the code references one, the new name just needs to be inserted.

Changes in grass complaint procedures:

The current Code requires a determination by the Property Maintenance Investigation Board of neglect before a property can be cleaned up by Town staff and the owner charged for the expense. The previous Code required two notices and multiple visits for the same purpose. There are codes in other localities that have one certified notice and a ten-day timeframe for compliance. Staff would like Council direction on how the existing situation is working, and if there is a desire for a faster process.

Blue Law deletion:

In the current Code, there are remaining 'blue laws,' which are no longer enabled by State Code. Staff recommends deleting these sections for compliance with State Code.

Marijuana in public:

With the allowance of limited amounts of recreational marijuana allowed in public, there has

been some concern expressed by Council that there should Town codes that prohibit the use of marijuana in public spaces. This is an evolving area of law for the Commonwealth, and may not be necessary, but staff can explore what other localities are doing and what are best practices in this area.

Alcohol in parks:

Council members have expressed interest in having a local Code section that expressly prohibits the use of alcohol in town owned parks.



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 Morgan
Date: October 7, 2021
Re: DCJS Byrne Equipment Grant

In an effort to look for opportunities for equipment upgrade opportunities that are grant funded, the Town has submitted an application for an FY22 Byrne Equipment Assistance Grant to purchase five (5) new integrated car and body cameras. We have received Byrne grants before, but never for a very high amount. Recently, the Town used a VML grant to purchase one integrated car and body camera from Watchguard. Based on the Watchguard invoice we recently paid as part of that grant, five of these cameras would have a total cost of \$27,475.00. The Byrne grant does have a 25% match requirement. Therefore, if awarded, the grant funds would provide \$20,606.25 and the Town would be responsible for \$6,868.75.

DCJS does have a "Match Waiver Request" that was submitted with the grant. In this request we explained that we are a small town with limited funds and that per the restrictions on the CARES funds and the ARPA funds, we are unable to use those funds for federal grant matches. This particular DCJS grant is federal funds, it is just administered through DCJS.

If we are denied the "Match Waiver," it is currently the Town's plan to use the funds from the sale of the ambulance to cover some portion of the match requirement. If we do not reach the full match requirement from the sale of the ambulance, we will need the use of general funds to cover the remaining match amount.

As of October 7, 2021, the ambulance auction had reached roughly \$5,100, however, this is the second time the ambulance was listed due to the high bidder declining the purchase once offered.

We have already purchased one camera with the VML Risk Management Grant. By purchasing the additional five, all the police cars would be fit with the same brand and type of camera, and would have integrated body and vehicle cameras. This would allow for consistency across our police fleet and meet accreditation standards. Currently we have four different brands of cameras.

At this time, we are requesting the following:

1. The use of general funds for any amount above the funds received for the sale of the ambulance that will allow us to have the \$6,868.75 of matching funds needed.
2. The approval of the full \$27,475.00 purchase if we are awarded the grant, as any purchases over \$5,000 that are not included in the CIP require Council approval.
3. If we are not awarded the grant, the Town will not be purchasing additional cameras at this time.

Thank you.