

BOOK 34

AMHERST COUNTY BOARD OF SUPERVISORS

AGENDA

February 3, 2015

ADMINISTRATION BUILDING - 153 WASHINGTON STREET - SCHOOL BOARD ROOM
1:00 P.M.

- I. **Call to Order**
- II. **Invocation and Pledge of Allegiance**
- III. **Approval of Agenda**
- IV. **Citizen Comments:** Citizens shall speak once to an issue and confine their remarks to the question before the Board. Citizen speakers should avoid repetition insofar as possible and limit their comments to three (3) minutes.
- V. **Special Presentation**
 - A. Commemorative Resolution 2015-0001-CR recognizing William G. "Bill" Camm
 - B. Commemorative Resolution 2015-0002-CR recognizing Charles C. "Charlie" Singleton
- VI. **Consent Agenda**
 - A. Resolution 2015-0003-CR recognizing J. Michael Gamble, Judge, Amherst County Circuit Court
 - B. Minutes – January 6, 2015
 - C. Appropriations - Sheriff's Department
 - 1. Fine Revenue
 - 2. Pass-through funds
 - 3. DMV Grant
 - D. Public Safety
 - 1. FY2014 -2015 Volunteer Capital Funding Request
- VII. **County Administrator Report**
- VIII. **County Attorney Report**
 - A. **First Reading** - Ordinance No. 2015-0002, amending §§ 15-36, 15-38, 15-39, and 15-41 of, and adding § 15-44 to, Division 2 Article II of Chapter 15 of the Amherst County Code, to modify and strengthen provision governing cross-connections and backflow.
- IX. **New Business**
 - A. Accounting – VPSA Refunding Bonds
 - B. Public Safety

1. 2014 Public Safety 911 center, fire and EMS call summary
2. 2014 Preliminary Incentive Disbursement
3. 2013 Volunteer Financial Data Summary

C. Resolution 2015-0003-R to provide for the establishment of various petty cash funds held or overseen by County Constitutional Officers.

D. Resolution 2015-0004-R extending and making additional appointments to the Amherst County Building Committee.

E. Resolution 2015-0005-R, to direct the County Administrator to communicate with the Virginia State Board of Health, regarding the condition and status of hotels in Amherst County.

F. Planning/Zoning - Stormwater Detention Agreement between Amherst County and VDOT – South Riverview Road (Blue Ridge Regional Jail).

X. Old Business

- A. Planning/Zoning – Johnson property transfer

XI. Departmental Reports

- A. Treasurer's Report - Monthly Reports, January 2015
- B. Amherst County Parks, Recreation, Cultural Development Board – 2015 Election of officers

XII. Citizen Comments

XIII. Matters from Members of the Board of Supervisors

XIV. Closed Session

- A. Virginia Code § 2.2-3711 (A)(29): Discuss two PPEA proposals for the Amherst County Fire & Rescue building project.
- B. Virginia Code § 2.2-3711(A)(5): Discuss the location in Amherst of a prospective business as no previous announcement has been made of the business's interest in locating its facilities in the community.

XV. Adjourn

MINUTES

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration building thereof on Tuesday, the 3rd day of February, 2015, at 1:00 p.m. at which the following members were present:

BOARD OF SUPERVISORS:

PRESENT:	Mr. David W. Pugh, Chairman	ABSENT: None
	Mrs. Claudia D. Tucker, Vice-Chairman	
	Mr. Robert M. Curd, Supervisor	
	Mr. John M. Marks, Jr., Supervisor	
	Mr. Donald W. Kidd, Supervisor	

STAFF PRESENT: Dean Rodgers, County Administrator, David Proffitt, Deputy County Administrator/Purchasing Agent, Ellen Bowyer, County Attorney, and Regina Rice, Executive Administrative Assistant

I. Call to Order

Chairman Pugh called the meeting to order at 1:00 p.m.

II. Invocation and Pledge of Allegiance

Supervisor Marks gave the Invocation and led the Pledge of Allegiance.

III. Approval of Agenda

On motion by Chairman Pugh and with the following vote, the Board amended the Agenda to add a discussion regarding AMERESCO under Old Business at X.B.; to add a Supplemental Budget discussion work session under Old Business at X.C.; to amend XIV. Closed Session by striking item B. Virginia Code § 2.2-3711(A)(5) and adding as item B. Virginia Code Section § 2.2-3711(A) (3) to discuss the disposition of County real property where discussion in an open meeting would adversely affect the County's bargaining position or negotiating strategy.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

IV. Citizen Comments

There were no citizen comments.

V. Special Presentations

A. Commemorative Resolution 2015-0001-CR recognizing William G. "Bill" Camm

Chairman Pugh presented Commemorative Resolution 2015-0001-CR to William G. "Bill" Camm and thanked Mr. Camm for his exceptional service he has demonstrated to Amherst County and the Commonwealth of Virginia and his dedication as a longtime volunteer rescue provider and his service on the Emergency Services Council.

B. Commemorative Resolution 2015-0002-CR recognizing Charles C. "Charlie" Singleton

Supervisor Tucker presented Commemorative Resolution 2015-0002-CR to Charles C. "Charlie" Singleton and thanked Mr. Singleton for his service on the Emergency Services Council, and as a longtime volunteer firefighter with exceptional service and dedication as demonstrated to Amherst County and the Commonwealth of Virginia.

VI. Consent Agenda**A. Resolution 2015-0003-CR recognizing J. Michael Gamble, Judge, Amherst County Circuit Court**

On motion by Supervisor Marks and with the following vote, the Board adopted Resolution 2015-0003-CR recognizing J. Michael Gamble, Judge, Amherst County Circuit Court.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

B. Minutes – January 6, 2015

On motion by Supervisor Kidd and with the following vote, the Board approved the Minutes for January 6, 2015.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

C. Appropriations - Sheriff's Department

1. Fine Revenue
2. Pass-through funds
3. DMV Grant

On motion by Chairman Pugh and with the following vote, the Board approved the appropriations as set forth above.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

D. Public Safety

1. FY2014 -2015 Volunteer Capital Funding Request

Gary Roakes, Director Public Safety/Fire Marshal, advised the Board the Monelison Volunteer Fire & Rescue Squad spent \$15,036.01 to replace the engine in Rescue Unit 51 rather than replace the entire vehicle. They are requesting reimbursement to their capital funds of \$9830.

Supervisor Marks questioned the capital funding request and provided his reason for not agreeing with reimbursement to the Monelison Volunteer Fire & Rescue Squad for this amount.

Supervisor Marks addressed the Board and made a motion to deny the request.

Supervisor Tucker requested to continue deliberation and discussion and invited Mr. Roakes back to explain the basis for his recommendation to approve.

Supervisor Tucker admired the department being proactive, taking care of what they have and fixing equipment which does not cost the taxpayers. Supervisor Tucker stated her opinion that the money should be reimbursed back to Monelison Rescue.

Supervisor Marks said he appreciated the volunteers and believes the Board does take care of the volunteers very well; however, he was unable to approve the \$9,830 request.

Supervisor Marks made a motion to deny the request to approve the disbursement of \$9,830 to Monelison Rescue Squad for the replacement of the engine in ambulance #51.

AYE: Mr. Marks and Mr. Kidd
 NAY: Mr. Pugh, Mrs. Tucker, and Mr. Curd
 ABSENT: None

Supervisor Tucker made a motion to approve the disbursement of \$9,830 to Monelison Rescue Squad for the replacement of the engine in ambulance #51.

AYE: Mr. Pugh, Mrs. Tucker, and Mr. Curd
 NAY: Mr. Marks and Mr. Kidd
 ABSENT: None

VII. County Administrator Report

Mr. Rodgers advised the Board that several months ago he and Ms. Bowyer were invited on a river float trip given by Pat Calvert, Upper James Riverkeeper as an educational and informative way to see the state of the river and the environment. Mr. Rodgers informed that Mr. Calvert has invited the Board to take a river float trip in the spring, which will begin at Monacan Park and take approximately four hours. Mr. Rodgers solicited from the Board their availability to take a 4-hour river trip on a Thursday. The members indicated they were all available and Mr. Rodgers indicated he would follow up with the Board on the exact date the Riverkeeper could proceed.

Mr. Rodgers next addressed the Board regarding the draft O & M budget and explained the materials they had been provided for the Board's review and discussion at the next meeting.

Mr. Rodgers advised the Board he has been appointed to VACO's Environment and Agricultural Steering Committee which meets a couple times a year.

VIII. County Attorney Report

- B. **First Reading** - Ordinance No. 2015-0002, amending §§ 15-36, 15-38, 15-39, and 15-41 of, and adding § 15-44 to, Division 2 Article II of Chapter 15 of the Amherst County Code, to modify and strengthen provision governing cross-connections and backflow.

Ms. Bowyer advised Ordinance 2015-0002 is an amendment to the existing County code adding provisions to violations. Ms. Bowyer stated that Dan French, Director of Public Utilities, had presented the ordinance to the Board at the Amherst County Service Authority Board meeting held earlier today.

Ms. Bowyer recommended the Board approve forwarding Ordinance 2015-0002 to a public hearing on February 17, 2015. (See Attachment 1)

On motion by Supervisor Marks and with the following vote, the Board approved to move forward Ordinance 2015-0002 and to direct staff to schedule a public hearing on February 17, 2015.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None

ABSENT: None

IX. New Business

A. Accounting – VPSA Refunding Bonds

Mr. Rodgers advised the Board the VPSA is refinancing some bonds from 2007 in order to obtain a lower rate. Mr. Rodgers asked the Board to authorize him to execute documents necessary for accepting a refund of the difference at the end of each year.

On motion by Supervisor Marks and with the following vote, the Board authorized the County Administrator to execute the documents necessary for the 2007 bond refunding.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

B. Public Safety

1. 2014 Public Safety 911 center, fire and EMS call summary
2. 2014 Preliminary Incentive Disbursement
3. 2013 Volunteer Financial Data Summary

Supervisor Tucker invited Mr. Roakes to come forward to answer questions that the Board may have regarding these documents and the incentive plan's success.

Mr. Roakes stated that the incentive plan has helped, as well as running the Fire Academy. Mr. Roakes said the fire departments have increased membership and he believes the class has helped more than the incentive plan.

Chairman Pugh stated the Fire Academy helps to provide training to do the job. Mr. Roakes agreed and also reported EMS calls are up as more people are going to the emergency room instead of going to doctors.

Supervisor Marks asked a question regarding the number of volunteers that met the criteria of active member (he was told approximately 60) and based on that preliminary information, what needs to be done to verify that.

Mr. Roakes informed that all the data from the volunteer fire departments had not been submitted before the Board's agenda was due; however, the numbers received have fallen in line regarding what they qualify for and are right on track as far as 60 individuals receiving an incentive this year.

Supervisor Marks stated it seemed last year took longer and Mr. Roakes informed that all paperwork is in place. Mr. Roakes stated in February he will audit some of the information of each organization and make sure it is accurate. He will then proceed with the process to pay the incentive as well as disburse the 1099s for those members who received all the benefits over \$600.

Mr. Roakes further stated once he receives all the information of who qualifies for the full incentive this year as in the previous year, he will provide that data to the Board.

Chairman Pugh asked Mr. Roakes if there has been any recent discussion about incentives in the Emergency Services Council meeting from the fire chiefs who sit on that Board. Mr. Roakes advised they talked about this in the October 2014 meeting as well as the criteria of an active member, what each person receives, probationary and active members, and to clarify what each member needs to do to qualify to receive the incentive plan. The third tier is the incentive plan that includes everything an active member has to do as well as following the rules and regulations of each department.

Mr. Roakes believes the departments have done a good job in upholding the integrity of the program.

C. Resolution 2015-0003-R to provide for the establishment of various petty cash funds held or overseen by County Constitutional Officers.

Ms. Bowyer explained to the Board that Resolution 2015-0003-R is basically an accounting housekeeping measure. The auditors have identified some issues with petty cash and this resolution will bring the County current with state law. Ms. Bowyer advised she will supply a copy of the resolution to the auditors if approved by the Board. (See Attachment 2)

On motion by Chairman Pugh, and with the following vote, the Board adopted Resolution 2015-0003-R to provide for the establishment of various petty cash funds held or overseen by County Constitutional Officers.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

D. Resolution 2015-0004-R extending and making additional appointments to the Amherst County Building Committee.

Ms. Bowyer presented Resolution 2015-0004-R to the Board and advised there are two issues it is intended to address.

One issue is that appointments to the Building Committee of committee members Mr. Kidd, Mr. Eldon Cox and Mrs. Tucker expire July 31, 2015. This resolution will extend the terms to January 2016.

The second issue is to add a member to the Building Committee for purposes of the extension of the County Administration building, specifically, to appoint Susan Mays, Director of the Department of Social Services, as an official voting member of this committee. (See Attachment 3)

On motion by Supervisor Kidd, and with the following vote, the Board adopted Resolution 2015-0004-R extending and making additional appointments to the Amherst County Building Committee.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

E. Resolution 2015-0005-R, to direct the County Administrator to communicate with the Virginia State Board of Health, regarding the condition and status of hotels in Amherst County.

Ms. Bowyer noted a correction of the numbering of this resolution as Resolution 2015-0005-R and not 20145-0005-R as shown on the resolution. Ms. Bowyer stated there have been a number of issues occurring at several motels in the County. The County's regulatory authority is limited. Ms. Bowyer said this resolution authorizes the County Administrator to communicate with the Virginia State Board of Health regarding its exercise of its authority to take appropriate action against violators. (See Attachment 4)

On motion by Supervisor Marks, and with the following vote, the Board adopted Resolution 2015-0005-R to direct the County Administrator to communicate with the Virginia State Board of Health, regarding the condition and status of motels in Amherst County.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

Supervisor Tucker stated that the County Administrator should keep our staff apprised of what is going on with these motels and Mr. Rodgers advised he has already included the County Attorney and Sheriff in these discussions.

F. Planning/Zoning - Stormwater Detention Agreement between Amherst County and VDOT – South Riverview Road (Blue Ridge Regional Jail).

Ms. Bowyer advised this agreement is between the County and Virginia Department of Transportation and she has reviewed and approved it as to form.

On motion by Mr. Kidd, and with the following vote, the Board voted to authorize the County Administrator to execute the Stormwater Detention Agreement between Amherst County and VDOT for South Riverview Road.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

X. Old Business

A. Planning/Zoning – Johnson property transfer

Mr. Austin Mitchell, Assistant Zoning Administrator/Planner, addressed the Board regarding the transfer of County property to Ashley Johnson. Mr. Mitchell said the acceptance price for this property is \$266.00. The Board reviewed this request at the December 2, 2014 meeting and it is now before the Board as a first reading. Mr. Mitchell is requesting the Board move forward to hold a public hearing and to schedule Ordinance 2015-0003 for adoption on February 17, 2015.

On motion by Mr. Marks and with the following vote, the Board voted to hold a public hearing on February 17, 2015 and to schedule Ordinance 2015-0003 for adoption at that meeting.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

B. Discussion regarding AMERESCO

Supervisor Marks moved to reconsider the action the Board took on January 20, 2015 to direct staff to purchase a chiller for Amherst Middle School.

Chairman Pugh raised several issues regarding reconsideration of the January 20, 2015, motion including the time it will take to get the equipment, and if the Board does consider a different route, what are the savings with a piece of equipment that is not as efficient?

Supervisor Marks reminded the Board the chiller does not pay for itself.

Supervisor Kidd stated he thought this program was about efficiency, and talking with engineers about this chiller, he said the County will be paying top dollar since it appears this chiller will be a top of the line or "Cadillac chiller".

AYE: Mr. Marks and Mr. Kidd
 NAY: Mr. Pugh, Mrs. Tucker, and Mr. Curd
 ABSENT: None

Supervisor Tucker made a motion to direct the County Attorney to negotiate a contract with AMERESCO and to bring that back to the Board of Supervisors for approval. Prior to a vote, the Board continued their discussion and Supervisor Marks asked for more clarity on what the Board was voting on, whether option 1, 2, or 3.

Supervisor Tucker made a motion to direct the County Attorney to negotiate a contract with AMERESCO based on option 3 and to bring that back to the Board of Supervisors for approval.

AYE: Mr. Pugh, Mrs. Tucker and Mr. Curd
 NAY: Mr. Marks and Mr. Kidd
 ABSENT: None

C. Supplemental Budget discussion work session

Mr. Rodgers addressed the Board stating the scores on the Supplemental Budget sheets are the combined scores and ranked 1 – 54. The Board can raise questions on any of the proposed projects with members of staff who are available and the Board can make changes to the prioritization.

Supervisor Curd thanked staff for putting this together and it has been a welcome change to the budget process.

Chairman Pugh enjoyed the process and stated it has been difficult to prioritize items without knowing the funding. Mr. Rodgers suggested that the Board propose one change at a time and deal with that change. This process will break it into smaller decisions and how the Board prioritizes what needs to be done.

The discussion continued regarding issues of additional staff for departments and several staff addressed questions from the Board.

Supervisor Tucker asked if the Supplemental Budget sheet is a public document and Mr. Rodgers advised it is on the County's web site.

Chairman Pugh stated that the Fire Academy has been a success and that the Board should move the funding for the Fire Academy Training (item 3) up above the replacement of 1980 tractor (item 45).

On motion by Chairman Pugh and with the following vote, the Board approved to move funding for the Fire Academy up above the replacement of the 1980's Tractor on the Supplemental Budget Summary sheet. (See Attachment 1)

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

There was further discussion regarding the Train Depot and the furniture and fixtures for that building. Mr. Rodgers explained that the EDA will need assistance to furnish their offices in the Train Depot and that the Chamber of Commerce will furnish its own offices.

Mr. Rodgers will take this as the Board's priority of projects and will pursue funding in that order for these projects. Chairman Pugh thanked Mr. Rodgers.

XI. Departmental Reports

A. Treasurer's Report - Monthly Reports, January 2015

For information only.

B. Amherst County Parks, Recreation, Cultural Development Board – 2015 Election of officers

For information only.

XII. Citizen Comments

There were no citizens to come forward to speak.

XIII. Matters from Members of the Board of Supervisors

Supervisor Kidd asked Mr. Proffitt a question regarding previous work done in 1995 and an engineer who oversaw those projects for the County.

Supervisor Kidd said that since the Board is moving forward with AMERESCO, he has talked to other managers, other board members from other localities and their recommendation was to have someone on staff to understand what we are getting ourselves into if we are obligating the County \$18 million dollars for 18 years. Supervisor Kidd used the Goodwin building as an example of saving the County money and stated he was in favor of doing more strategic planning.

Supervisor Marks asked when the Brown Edwards audit will be received and Mr. Rodgers advised he has a draft of the management report that Brown Edwards is reviewing. Mr. Rodgers advised he will bring a date back to the Board.

Supervisor Marks inquired about the Action Tracker and the list of unsafe/burnt buildings. Supervisor Marks would like to have a date put in and what is to be accomplished on this particular date. He stated this would be a great management tool for the Supervisors to use and would like to recommend this be done in the future.

Supervisor Curd did not raise any matter to discuss.

Supervisor Tucker shared with the Supervisors what she has found out from staff and Verizon regarding the 60 west cell service issue. Verizon is proposing to do a survey to see what cell phones can connect and Verizon will work with the County and to assist with getting the equipment. Supervisor Tucker stated Verizon made a commitment with the County and is working to fix this and anticipates seeing improvements in the future.

Chairman Pugh did not raise any matter to discuss.

XIV. Closed Session

Supervisor Marks moved that the Amherst County Board of Supervisors convene in closed session pursuant to § 2.2-3711(A) (29) of the Code of Virginia to discuss the award of a public contract involving the expenditure of public funds, specifically to discuss two PPEA proposals for the Amherst County Fire & Rescue building project, where discussion in an open session would adversely affect the County's bargaining position or negotiating strategy; and pursuant to § 2.2-3711(A) (3) of the Code of Virginia to discuss the disposition of County real property where discussion in an open meeting would adversely affect the County's bargaining position or negotiating strategy.

AYE: Mr. Pugh, Mrs. Tucker, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: None

Supervisor Marks motioned to come out of closed session and was approved with the following vote:

AYE: Mr. Pugh, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: Mrs. Tucker

CERTIFICATION OF CLOSED MEETING

Supervisor Marks moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Mr. Pugh	AYE
Mrs. Tucker	ABSENT
Mr. Curd	AYE
Mr. Marks	AYE
Mr. Kidd	AYE

AYE: Mr. Pugh, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: Mrs. Tucker

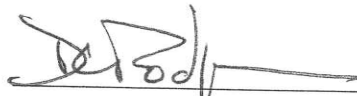
XIV. Adjourn

On motion by Supervisor Kidd and with the following vote, the Board moved to adjourn.

AYE: Mr. Pugh, Mr. Curd, Mr. Marks and Mr. Kidd
 NAY: None
 ABSENT: Mrs. Tucker



David W. Pugh, Jr., Chairman
 Amherst County Board of Supervisors



Dean C. Rodgers, Clerk



Amherst County Board of Supervisors
County Ordinance No. 2015-0002

AN ORDINANCE, NO. 2015-0002

Amending §§ 15-36, 15-38, 15-39, and 15-41 of, and adding § 15-44 to, Division 2 of Article II of Chapter 15 of the Amherst County Code, to modify and strengthen provisions governing cross-connections and backflow.

Approved as to form and legality by the County Attorney

FIRST READING: February 3, 2015
PUBLIC HEARING: February 17, 2015

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That sections 15-36, 15-38, 15-39, and 15-41 of Division 2 of Article II of Chapter 15 of the Amherst County Code be and hereby are amended, as follows:

Sec. 15-36. - Definitions.

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

Air gap separation means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying pure water to a tank, plumbing fixture, or other device and the rim of the receptacle.

Auxiliary water system means any water system on or available to the premises other than the waterworks. These auxiliary waters may include water from another purveyor's waterworks; or water from a source such as wells, lakes, or streams; or process fluids; or used water. They may be polluted or contaminated or objectionable, or constitute a water source or system over which the water purveyor does not have control.

Backflow means the flow of contaminants, pollutants, process fluids, used water, untreated waters, chemicals, gases, nonpotable waters into any part of a waterworks.

Backflow prevention device means approved device, method, or type of construction intended to prevent backflow into a waterworks.

Consumer means the owner or person in control of any premises supplied by or in any manner to a waterworks.

Consumer's water system means any water system located on the consumer's premises, supplied by or in any manner connected to a waterworks.

Contamination means any introduction into pure water of objectionable or hazardous materials or micro-organisms, wastes, wastewater, undesirable chemicals or gases.

Cross-connection means any connection or structural arrangement, direct or indirect, to the waterworks whereby backflow can occur.

Degree of hazard is derived from an evaluation of the potential risk to health and the adverse effect upon the waterworks.

Double gate-double check valve assembly means an approved assembly composed of two (2) single, independently acting check valves including tightly closing shutoff valves located at each end of the assembly and petcocks and test gauges for testing the watertightness of each check valve.

Health hazard means any condition, device, or practice in a waterworks or its operation that creates, or may create, a danger to the health and well-being of the water consumer.

Interchangeable connection means an arrangement or device that will allow alternate but not simultaneous use of two (2) sources of water.

Pollution means the presence of any foreign substance (chemical, physical, radiological, or biological) in water that tends to degrade its quality so as to constitute an unnecessary risk or impair the usefulness of the water.

Pollution hazard means a condition through which an aesthetically objectionable or degrading material may enter the waterworks or a consumer's water system.

Process fluids means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted which would constitute a health, pollutional or system hazard if introduced into the waterworks. This includes, but is not limited to:

- (1) Polluted or contaminated waters;
- (2) Process waters;
- (3) Used waters originating from the waterworks which may have deteriorated in sanitary quality;
- (4) Cooling waters;
- (5) Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- (6) Chemicals in solution or suspension; and
- (7) Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for fire-fighting purposes.

Pure water or potable water means water fit for human consumption and use which is sanitary and normally free of minerals, organic substances and toxic agents in excess of reasonable amounts for domestic usage in the area served and normally adequate in supply for the minimum health requirement of the persons served.

Reduced pressure principle backflow prevention device means a device containing a minimum ~~to two~~ of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks. These devices must be of the approved type.

Service connection means the terminal end of a service line from the waterworks. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

System hazard means a condition posing an actual, or threat of, damage to the physical properties of the waterworks or a consumer's water system.

Used water means any water supplied by a water purveyor from waterworks to a consumer's water system after it has passed through the service connection.

Water purveyor means an individual, group of individuals, partnership, firm, association, institution, corporation, municipal corporation, county, or authority which supplies water to any person within this state from or by means of any waterworks.

Waterworks means all structures and appliances used in connection with the collection, storage, purification and treatment of water for drinking or domestic use and the distribution thereof to the public or residential consumers as set forth in Title 32.1, Article 2 of the Code of Virginia (1950), as amended, § 32.1-167 et seq.

Sec. 15-38. - Status of article.

This article is a supplement to the applicable plumbing codes contained in the Uniform Statewide Building Code, as that is amended from time to time, which has been adopted in its entirety by Amherst County.

Sec. 15-39. - Adoption of regulation.

~~The county board of supervisors~~ Amherst County Board of Supervisors hereby adopts by reference ~~Section 6.00~~ Article 4, Cross-Connection and Backflow Prevention Control in Waterworks, Commonwealth of Virginia Waterworks Regulations.

Sec. 15-41. - County's right of entry for inspection.

The representative of the ~~authority board~~ Amherst County Service Authority Board shall have the right to enter at any reasonable time properties served by a connection to the waterworks of the county for the purpose of inspecting the piping system or systems for cross-connections. Upon request, the owner or occupants of property served shall furnish to the inspection agency pertinent information regarding the

pipng system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of ~~cross-connections~~ a high degree of hazard from cross-connection.

§ 2. That § 15-44, Violations, be and hereby is added to Division 2 of Article II of Chapter 15 of the Amherst County Code, as follows:

Sec. 15-44. – Violations.

(a) The director of utilities, or his/her designee, shall send a notice of violation by certified mail to the owner of any building or structure that is found to be in violation of this article. The director, or his/her designee, shall establish a reasonable deadline in the notice of violation for the owner to correct the violation. If the owner fails to correct the violation before the expiration of the time given by the director, or his/her designee, the director, or his/her designee may terminate water service to the building or deny water service to the building.

(b) If a backflow prevention device is removed or bypassed, if a cross-connection exists or if the pressure in the water system is lowered below ten psi gauge, the director, or his/her designee, shall take whatever actions he finds necessary to ensure that the water system is safe from pollution.

§ 3. That this ordinance shall be in force and effect upon adoption.

Adopted this 17th day of February, 2015.

David W. Pugh, Jr., Chairman
Amherst County Board of Supervisors

ATTEST:

Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____



Amherst County Board of Supervisors
County Resolution No. 2015-0003-R

For consideration on February 3, 2015

A RESOLUTION, NO. 2015-0003-R

A resolution, to provide for the establishment of various petty cash funds held or overseen by County Constitutional Officers.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Amherst County Board of Supervisors hereby authorizes the establishment of various petty cash funds to be held by the Sheriff, and held or overseen by the Treasurer, as follows:

WHEREAS, Virginia Code section 15.2-1229 authorizes the establishment of petty cash funds up to \$5,000, by certain persons bonded in the County; and

WHEREAS, the County Treasurer and the County Sheriff are fully bonded with Amherst County; and

WHEREAS, the Sheriff requires a narcotics petty cash fund of \$5,000, and a general petty cash fund of \$1,000; and

WHEREAS, the Treasurer requires a petty cash fund of \$1,500; and

WHEREAS, the Treasurer now by regular documented practice audits on a quarterly basis the petty cash funds of the Sheriff's Office, the Amherst County Landfill (\$200.00), Buildings Department (\$250.00), and Planning Department (\$100.00).

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

That the Amherst County Board of Supervisors hereby authorizes the establishment of the Sheriff's narcotics and general petty cash funds, with maximum deposits at any one time of \$5,000 and \$1,000, respectively, and authorizes the establishment of the Treasurer's petty cash fund with maximum deposits at any one time of \$1,500.

BE IT FURTHER RESOLVED:

That the Amherst County Board of Supervisors recognizes and affirms the Treasurer's commendable practice to monitor and audit on a quarterly basis the petty cash funds held by the Sheriff's Office and County administrative departments.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 3rd day of February, 2015.



David W. Pugh, Jr., Chairman
Amherst County Board of Supervisors

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays _____

Abstentions _____



Amherst County Board of Supervisors
County Resolution No. 2015-0004-R

For consideration on February 3, 2015

A RESOLUTION, NO. 2015-0004-R

A resolution, extending and making additional appointments to the Amherst County Building Committee.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That appointments are extended and made to the Amherst County Building Committee, as follows:

WHEREAS, the Board by resolution 2013-0016-R, adopted on June 24, 2013, reaffirmed formation of the Amherst County Building Committee ("Committee"), and directed that its permanent structure should include two members of the Amherst County Board of Supervisors and one citizen representative; and

WHEREAS, resolution 2013-0016-R also provided that the Board also may appoint up to two additional voting members to the Committee to provide special expertise or perspective on a given development, which appointments shall end automatically upon completion of the Committee's work on such development; and

WHEREAS, the Board by resolution 2013-0020-R, adopted on August 6, 2013, appointed Donald Kidd (District 1) and Claudia Tucker (District 2) as the Committee's two Board members, with terms running from August 1, 2013, to July 31, 2015; and

WHEREAS, in that same resolution, the Board clarified that the additional appointments for special expertise are made for each specific development under the Committee's consideration, and such Committee members shall vote only on matters involving the specific development for which they are appointed and their terms shall automatically end upon completion of the project for which they were appointed; and

WHEREAS, the Board thereafter voted to appoint Eldon Cox as the citizen representative to the Building Committee; and

WHEREAS, the Board has approved construction of an expansion of the County Administration Building in order to resolve space constraints faced by the Department of Social Services ("DSS"); and

WHEREAS, the Board now wishes to revise the terms and appointment process for Board members, reaffirm the appointment of the citizen member, and appoint additional members to the Committee to represent the interests of DSS.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMHERST, VIRGINIA:**

That the Board extends the appointment of Donald Kidd (District 1), Claudia Tucker (District 2), and citizen representative Eldon Cox to an end date of January 4, 2016.

BE IT FURTHER RESOLVED:


That the Board shall make appointments to the Building Committee at its first meeting in January at the same time as it makes appointments to other committees, boards, and commissions.

BE IT FURTHER RESOLVED:

That the Board appoints Susan Mays, DSS Director, as an additional voting member of the Committee for purposes of the construction of the addition to the County Administration Building.

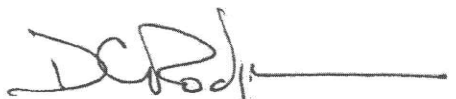
II. That this resolution shall be in force and effect upon adoption.

Adopted this 3rd day of February, 2015.



David W. Pugh, Jr., Chairman
Amherst County Board of Supervisors

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays _____

Abstentions _____



Amherst County Board of Supervisors
County Resolution No. 2015-0005-R

For consideration on February 3, 2015

A RESOLUTION, NO. 2015-0005-R

A resolution, to direct the County Administrator to communicate with the Virginia State Board of Health, and its Health Commissioner, regarding the condition and status of hotels in Amherst County.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Amherst County Board of Supervisors hereby directs its County Administrator to communicate with the Virginia State Board of Health, and its Health Commissioner, regarding the condition and status of hotels in Amherst County, as follows:

WHEREAS, Chapter 35.1 of the Code of Virginia establishes requirements governing the operation of hotels, restaurants, summer camps, and campgrounds, including requirements for licensure, and vests the State Board of Health ("Board") and State Health Commissioner ("Commissioner") with authority for promulgation of regulations and enforcement of State law; and

WHEREAS, counties are precluded by Virginia Code Section 35.1-9 from regulating the operation of hotels, restaurants, summer camps, and campgrounds except in the very limited areas of food, aquatic facilities, the keeping of guest registers, and display of signs, although counties retain all the powers granted them under State law, including the ability to ensure compliance with the Virginia Statewide Building Code and fire codes, and to issue and withdraw business licenses; and

WHEREAS, hotels in Amherst County have been the site of two murders and a suicide in 2014, have harbored drug activity including operation of a "laboratory" for the manufacture of methamphetamine, and appear to be permitting long-term occupancy inconsistent with the State Code definition of hotel as a purveyor of "transitory" sleeping or lodging accommodations; and

WHEREAS, the County has used some of the authority granted to it under State law to attempt to improve the quality of the hotels, but has observed no continuous improvement; and

WHEREAS, the County therefore has concluded that it must ensure that the Board and Commissioner are fully aware of the issues with the hotels so that they can use their enforcement powers to determine whether the hotels are in violation of any State laws or regulations, and take appropriate remedial action against any violations they may identify.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

That the Amherst County Board of Supervisors hereby directs its County Administrator to communicate with the State Board of Health and its Health Commissioner to request that they undertake inspections of all County hotels pursuant to Virginia Code Section 35.1-5 to determine whether those facilities are violating any provision of Title 35.1, any Board regulation, any order of the Board or Commissioner, or any condition in a license the Board or Commissioner has issued pursuant to Title 35.1, and to undertake any remedial action necessary.


II. That this resolution shall be in force and effect upon adoption.

Adopted this 3rd day of February, 2015.



David W. Pugh, Jr., Chairman
Amherst County Board of Supervisors

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays _____

Abstentions _____