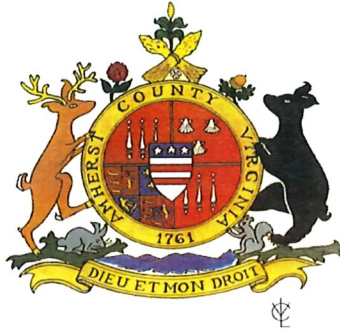


Board of Supervisors

John A. Marks, Jr., Chairman
District 5
David W. Pugh, Jr., Vice-Chair
District 4
Claudia D. Tucker, Supervisor
District 2
L. J. Ayers III, Supervisor
District 3
Kenneth M. Campbell, Supervisor
District 1



County Administrator
Dean C. Rodgers

County Attorney
Ellen Bowyer

AMHERST COUNTY BOARD OF SUPERVISORS

MINUTES

October 18, 2016

Administration Building - 153 Washington Street - School Board Room
Amherst, Virginia 24521
7:00 p.m.

AGENDA

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Citizen Comment**
- V. Public Hearing**
 - A. Ordinance No. 2016-0015, amending §§ 15-122, 15-123, 15-127, 15-128 of Article IV of Chapter 15 of the Amherst County Code to increase water and sewer service charges and fees.
- VI. Consent Agenda**
 - A. Minutes – September 20, 2016
 - B. Finance - FY16 Appropriation of Revenue - Sheriff's Office
 - C. Finance - FY17 Appropriation of Revenue - 1) Commonwealth Attorney; 2) Animal Shelter; 3) Sheriff's Office
 - D. Finance - FY16 Transfer Request - Public Works/Solid Waste
 - E. Finance - FY17 Transfer of Construction Project Expenses
 - F. Finance - FY16 Appropriation of Construction Projects Funds
 - G. Finance - FY17 Appropriation School Infrastructure Pinnacle financing
 - H. Finance - FY17 Appropriation Carryover from FY16 - Circuit Court Clerk
 - I. Finance - FY17 Appropriation of additional grant funding - Victim Witness
 - J. Recreation & Parks - Resolution for the Transportation Alternative Project grant for Riveredge Park's Trail extension through the Central Virginia Training School property
- VII. Old Business**
 - A. EDA - Strategic Plan Implementation Update
- VIII. New Business**
 - A. County Administrator - EDA Liaison to Planning Commission
 - B. Purchasing/Planning - Visitor Center design funding

IX. Department Reports

- A. Projects Status Report
- B. Building Committee Report update on Schools - October 12, 2016

X. Citizen Comment

XI. Matters from Members of the Board of Supervisors

XII. Closed Session

- A. Pursuant to § 2.2-3711 (A)(1) of the Code of Virginia, to evaluate the performance of the County Administrator.
- B. Pursuant to §2.2-3711 (A)(3) of the Code of Virginia, to discuss the disposition of publicly-held real property, where discussion in open session would adversely affect the County's bargaining position or negotiating strategy.

XIII. Adjournment

MINUTES

At a regular meeting of the Amherst County Board of Supervisors held at the Amherst County Administration Building on Tuesday, the 18th day of October, 2016, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT: John A. Marks, Jr. Chairman ABSENT: None
David W. Pugh, Jr., Vice-Chair
Claudia D. Tucker, Supervisor
L. J. Ayers, III, Supervisor
Kenneth M. Campbell, Supervisor

STAFF PRESENT: County Administrator Dean C. Rodgers; Deputy County Administrator David R. Proffitt; and Executive Administrative Assistant Regina Rice

OTHER PRESENT: Director Public Utilities Dan French; Assistant Director Public Utilities Bob Hopkins; EDA Executive Director Victoria Hanson; and EDA Specialist Lori Saunders

I. Call to Order

Chairman Marks called the meeting to order at 7:00 p.m.

II. Invocation and Pledge of Allegiance

Chairman Marks led the Invocation and Pledge of Allegiance

Chairman Marks stated that Supervisor Tucker would participate in the Board meeting tonight via electronic communication from a remote location. Supervisor Tucker stated the nature of her physical absence was an appointment with an out-of-state physician in Mississippi.

Chairman Marks advised Supervisor Tucker has met all the requirements from Section 1-5 of the Board's Rules of Procedure to participate through electronic communication.

By motion of Supervisor Campbell and with the following vote, the Board voted to approve Supervisor Tucker's participation through electronic communication.

III. Approval of Agenda

By motion of Supervisor Ayers and with the following vote, the Board approved the Agenda for October 18, 2016.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY: None
ABSTAIN: None

IV. Citizen Comment

There were no citizen comments.

V. Public Hearing

A. Ordinance No. 2016-0015, amending §§ 15-122, 15-123, 15-127, 15-128 of Article IV of Chapter 15 of the Amherst County Code to increase water and sewer service charges and fees.

Chairman Marks informed the audience the Board is conducting a public hearing on Ordinance 2016-0015 with regard to an increase in water and sewer service charges and fees.

Director of Public Utilities Dan French addressed the Board and discussed several factors in support of the increase of the charges and fees for these utilities.

Chairman Marks opened the Public Hearing.

Proponents: None

Opponents: None

Chairman Marked closed the Public Hearing.

By motion of Supervisor Campbell and with the following vote, the Board adopted Ordinance 2016-0015. **(See Attachment 1)**

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY: None
ABSTAIN: None

VI. Consent Agenda

- A. Minutes – September 20, 2016
- B. Finance - FY16 Appropriation of Revenue - Sheriff's Office
- C. Finance - FY17 Appropriation of Revenue - 1) Commonwealth Attorney; 2) Animal Shelter; 3) Sheriff's Office
- D. Finance - FY16 Transfer Request - Public Works/Solid Waste
- E. Finance - FY17 Transfer of Construction Project Expenses
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- G. Finance - FY17 Appropriation School Infrastructure Pinnacle financing
- H. Finance - FY17 Appropriation Carryover from FY16 - Circuit Court Clerk
- I. Finance - FY17 Appropriation of additional grant funding - Victim Witness
- J. Recreation & Parks - Resolution for the Transportation Alternative Project grant for Riveredge Park's Trail extension through the Central Virginia Training School property

By motion of Supervisor Ayers and with the following vote, the Board approved Items A-J on the Consent Agenda for October 18, 2016. **(See Attachment 2 - Resolution 2016-0031-R)**

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY: None
ABSTAIN: None

VII. Old Business

A. EDA - Strategic Plan Implementation Update

EDA Executive Director Victoria Hanson addressed the Board and advised the EDA would deliver a quarterly update every three months on the strategic plan. Ms. Hanson advised that Lee Cobb has ended his service with the EDA and the EDA has hired a new staff member, Lorie Saunders as the EDA Specialist.

Ms. Saunders introduced herself to the Board and provided her background information.

Ms. Hanson provided the Board with an update of EDA's Strategic Plan Implementation as of October 11, 2016 and provided an explanation for each item listed.

Ms. Saunders addressed the Board regarding the EDA's certified entrepreneur program for Amherst County and two initiatives she will be working on during the next six months.

Chairman Marks said it would be helpful in the next report to provide a timeline of what is being accomplished by a certain quarter. Ms. Hanson stated she would provide that information.

VIII. New Business

A. County Administrator - EDA Liaison to Planning Commission

Mr. Rodgers advised that Supervisor Tucker had proposed a discussion for the next Board meeting to have a liaison from the EDA to the Planning Commission.

Mr. Rodgers proposed several questions to the Board; what would be the role of the liaison; would this person be a voting member to the Planning Commission; what would be the lines of communication and reporting; and if this would be a new seat would that person be selected from the existing membership.

Vice-Chair Pugh said he is the Board's liaison on the Planning Commission and believed there was no need for an EDA liaison; however, the EDA should be informed of the Planning Commission's agenda each month and allowed the opportunity to speak on issues, but not as a voting member.

Supervisor Tucker agreed that the liaison should not be a voting member but believed there would be continuity if an EDA member is present and there was a sharing of information.

Chairman Marks stated he agreed with Vice-Chair Pugh and remarked that the Planning Commission is always an open meeting and the EDA can send any member to those meetings without being a liaison.

Supervisor Ayers asked Ms. Hanson if there has been a lack of communication between the EDA and the Planning Commission. Ms. Hanson said communication has been very good but a couple issues have slipped by. Ms. Hanson further commented that having a liaison would allow the EDA an opportunity to speak freely from the table and not just during public comment periods, as is presently the case. If there is no public comment invited on an issue, the EDA does not have an opportunity to speak up. This would be beneficial.

By motion of Supervisor Tucker and with the following vote, the Board approved a liaison from the EDA to sit on the Planning Commission who would be a non-voting member.

AYE:	Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY:	Mr. Marks and Mr. Pugh
ABSTAIN:	None

B. Purchasing/Planning - Visitor Center design funding

Mr. Rodgers advised the Board the Visitor Center is near completion and said the next step is the design phase to display the artifacts that have been collected.

Thayer Design, an Amherst firm which has developed designs for other visitor centers, has submitted a proposal for the interior of the Visitor Center.

Mr. Rodgers said the request is for \$4,000 and advised that money would come out of the committed fund for Tourism.

By motion of Vice-Chair Pugh and with the following vote, the Board appropriated \$4,000 of Tourism Committed funds for phase 1 of the design of the Visitor Center by Thayer Design.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY: None
ABSTAIN: None

IX. Department Reports

A. Projects Status Report

Mr. Rodgers provided the Board with several recent updates to his report:

- 1) Riveredge Park - advised the County Attorney has received the deeds to transfer the permanent easements to the County from the Department of General Services for review;
- 2) Trash collection site - advised Public Works is preparing a proposal for the Board's consideration for the second meeting in November to deal with the four open container sites.

Vice-Chair Pugh asked for an update on the fine revenue fund the County has that is split with the Sheriff's Office and how much money is available in that fund. Vice-Chair Pugh asked if it was a possibility to use some of those funds for the trash collection sites. Mr. Rodgers agreed to provide that information and advised the County Attorney is also looking at special legislation for the County to do assessments.

B. Building Committee Report update on Schools - October 12, 2016

X. Citizen Comment

There were no citizen comments.

XI. Matters from Members of the Board of Supervisors

Supervisor Tucker had no matter to discuss.

Supervisor Campbell had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Vice-Chair Pugh commented on the good turnout for the Apple Harvest Festival this past weekend and thanked all of those involved for doing a good job.

Chairman Marks informed the Board of Amherst County Day on October 22nd from 11:00 a.m. to 3:00 p.m. at Sweet Briar College at the Quad. Chairman Marks invited all to attend.

Vice-Chair Pugh mentioned that the second Board meeting in December is near Christmas and that the Board may wish to discuss cancelling this at an upcoming Board meeting.

XII. Closed Session

Supervisor Campbell moved that the Amherst County Board of Supervisors convene in closed session:

A. Pursuant to § 2.2-3711 (A)(1) of the Code of Virginia, to evaluate the performance of the County Administrator.

B. Pursuant to §2.2-3711 (A)(3) of the Code of Virginia, to discuss the disposition of publicly-held real property, where discussion in open session would adversely affect the County's bargaining position or negotiating strategy.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell
NAY: None
ABSTAIN: None

Chairman Marks reported that Supervisor Ayers departed from the Closed Session prior to the discussion of Item B., the disposition of publicly-held real property.

Vice-Chair Pugh motioned to come out of closed session and was approved with the following vote:

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker and Mr. Campbell
NAY: None
ABSTAIN: None
ABSENT: Mr. Ayers

CERTIFICATION OF CLOSED MEETING

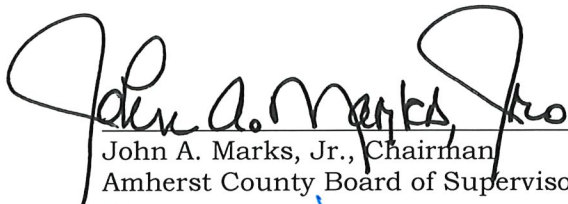
Supervisor Campbell moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion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

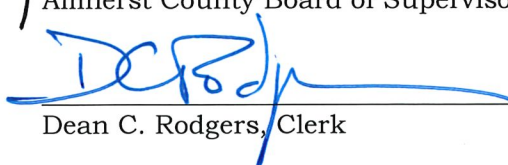
Mr. Marks	AYE
Mr. Pugh	AYE
Mrs. Tucker	AYE
Mr. Ayers	ABSENT
Mr. Campbell	AYE

XIII. Adjournment

By motion of Vice-Chair Pugh and with the following vote, the Board moved to adjourn.

AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker and Mr. Campbell
NAY: None
ABSTAIN: None
ABSENT: Mr. Ayers



John A. Marks, Jr., Chairman
Amherst County Board of Supervisors


Dean C. Rodgers, Clerk



Amherst County Board of Supervisors
County Ordinance No. 2016-0015

AN ORDINANCE, NO. 2016-0015

Amending §§ 15-122, 15-123, 15-127, 15-128 of Article IV of Chapter 15 of the Amherst County Code to increase water and sewer service charges and fees.

Approved as to form and legality by the County Attorney

FIRST READING: Board of Supervisors, October 4, 2016
PUBLIC HEARING: Board of Supervisors, October 18, 2016

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That Sections 15-122, 15-123, 15-127, 15-128 of Article IV of Chapter 15 of the Code of the County of Amherst be and hereby are amended, as follows:

Sec. 15-122. - Water service charges.

- (a) Each premises that is supplied water by the Amherst County Service Authority shall be charged for water service as metered. The charges for the provision of water service shall be based on metered water consumption. The rate for water, per one hundred (100) cubic feet of water metered, shall be four dollars and ~~twenty-one cents (\$4.21)~~ forty two cents (\$4.42).
- (b) Each billing for water service also shall include a ~~twenty-one dollar (\$21.00)~~ twenty two dollar (\$22.00) water basic service charge.
- (c) Payment is due on the first day of each billing month.

Sec. 15-123. - Sewer service charges.

- (a) All premises that dispose of sewage to the Amherst County Service Authority sewerage system shall be charged for sewer service. The system shall not accept sewage of the strength or quality prohibited either by division 2 of article III of this chapter or by the City of Lynchburg, Virginia sewer use ordinance, as provided by the regional agreement between the county and the City of Lynchburg. Any user whose waste effluent exceeds the limits below shall immediately stop discharging to the system and take steps to bring the waste within the following limits:

Wastewater Limits

Characteristic	Limits
BOD ₅	300 ppm
Suspended Solids	400 ppm
pH	6.0 to 8.0
COD	1400 ppm
Total Oil and Grease	50 ppm

- (b) Premises served with water shall be charged for sewer service based on metered water consumption. The rate for sewage produced shall be ~~five dollars and eighty nine cents (\$5.89)~~ six dollars and thirty cents (\$6.30) per one hundred (100) cubic feet of water metered.
- (c) Each billing for sewer service shall include a ~~one dollar (\$1.00)~~ two dollar (\$2.00) sewer basic service charge.

Sec. 15-127. - Connection charges.

- (a) Each premises supplied with water by, or disposing of sewage to, the authority's system shall be charged water or sewer connection fees. Separate water meter connections are required for each premises, except for manufactured home parks, multifamily housing complexes or other properties provided with water utility services by an incorporated property owners' association for the maintenance of a private water distribution system. Where a single water meter services such excepted premises or multifamily dwelling units under a common roof, the meter monitoring the service to such premises shall be designated a master meter. The account for any master meter shall be established in the name of the property owner(s), or the property owners' association and the property owner(s) or the property owners' association shall have all responsibility for payment of amounts due under this section. The establishment of water service through a master meter has no impact and shifts no responsibility as to responsible persons on the requirement that water or sewer availability fees must be paid in accordance with section 15-129 of this chapter.
- (b) Water and sewer connection charges are due and payable at the time that sewer and water availability fees are due and payable, provided in the case of existing dwellings at the time of line availability, in cases of demonstrated hardship as determined by the director of public utilities, the applicant may be permitted to pay the connection charge in twelve (12) bimonthly installments over a twenty-four-month period.

(c) Water connection fees:

<i>Secondary Roads</i>		
(1)	¾ inch pipe	\$1,285.00
(2)	1 inch pipe	1,595.00
		<u>1,740.00</u>
<i>Primary Roads</i>		
(3)	¾ inch pipe	1,465.00
(4)	1 inch pipe	1,820.00
		<u>1,985.00</u>
<i>Dual Lane Highway Connections</i>		
(5)	¾ inch pipe	1,690.00
(6)	1 inch pipe	2,000.00
		<u>2,205.00</u>

- (d) For any larger connection, the charge shall be the actual cost of making the connection, but not less than the one-inch fee specified for secondary roads.

Sec. 15-128. - Sewer connection fees.

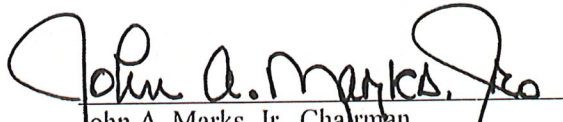
- (a) Whenever any sewer line designed to flow by gravity and owned by the Amherst County Service Authority runs or is installed within an easement or right-of-way, but not more than two hundred fifty (250) feet from any premises, that property is within the priority service area of the authority as determined by the director of public utilities. Any such determination that is disputed by the property owner may be appealed, in writing, to the authority board.
- (b) Any premises constructed after the availability of public sewer line, or any premises, the use of which is changed, within the priority service area must connect to the sewerage system for the fee specified in this section.

- (c) Any premises within the priority service area that has a malfunctioning private sewer system may connect to the sewerage system for the fee specified in this section.
- (d) All other premises within the priority service area may connect to the system for the fee specified in this section. No premises within the priority service area and receiving public sewer service, may disconnect from the system in favor of a septic tank, privy, or lagoon.
- (e) The sewer connection fee shall be ~~one thousand three hundred dollars (\$1,300.00)~~ one thousand four hundred dollars (\$1,400.00) for a four-inch connection. Larger connections shall be actual cost but not less than the four-inch connection fee.
- (f) Sewer connection charges and the determination of properties within the priority service area of the authority sewerage system are governed by this chapter, notwithstanding any conditions, fees or agreements made pursuant to the authority line extension policy maintained by the Amherst County Service Authority, as that may be amended from time to time.

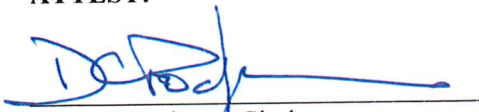
§ 2. That this ordinance shall be in force and effect upon adoption.

§ 3. That the fees and charge established by this ordinance shall be used to calculate water and sewer bills issued January 1, 2017, and thereafter, unless and until they are amended further.

Adopted this 18th day of October, 2016.


John A. Marks, Jr., Chairman
Amherst County Board of Supervisors

ATTEST:


Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

ADOPTED

10 / 18 / 16



Amherst County Board of Supervisors
County Resolution No. 2016-0031-R

For consideration on October 18, 2016

A RESOLUTION, NO. 2016-0031-R

A resolution, requesting that the Commonwealth Transportation Board establish a project, specifically the Riveredge Park Trail Extension Phase III.

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 Board of Supervisors of Amherst County hereby requests that the Commonwealth Transportation Board establish a project, specifically the Riveredge Park Trail Extension Phase III, as follows:

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring jurisdiction requesting the Virginia Department of Transportation ("Department") establish a Transportation Alternatives Set-Aside project to be administered by Amherst County.

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

That the Board of Supervisors of Amherst County hereby requests the Commonwealth Transportation Board to establish a project, specifically the Riveredge Park Trail Extension Phase III ("Project"). The Project involves design and engineering for a forty-two hundred (4,200) foot extension of the ten (10) foot wide asphalt trail in Riveredge Park. The trail extension will begin at the end of the trail constructed in Phase II, and will terminate at the property boundary between the Central Virginia Training Center and Tax Map Parcel 161-A-148. The Project plans include a design for a bridge.

BE IT FURTHER RESOLVED:

That the Board of Supervisors hereby commits to provide a minimum twenty (20) percent matching contribution for the Project and any additional funds necessary to complete the Project.

BE IT FURTHER RESOLVED:

That the Board of Supervisors hereby agrees to enter into a project administration agreement with the Department, and provide the necessary oversight to ensure the Project is developed in accordance with all state and federal requirements for design, right-of-way acquisition, and construction of a federally funded transportation project.

BE IT FURTHER RESOLVED:

That the Board of Supervisors will be responsible for maintenance and operating costs of the Project unless other arrangements have been made with the Department.

BE IT FURTHER RESOLVED:

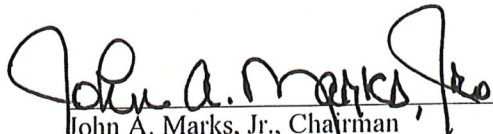
That if the Board of Supervisors subsequently elects to cancel this project, Amherst County hereby agrees to reimburse the Department for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. Amherst County also agrees to repay any funds reimbursed by the Department that are thereafter deemed ineligible by the Federal Highway Administration.

BE IT FURTHER RESOLVED:

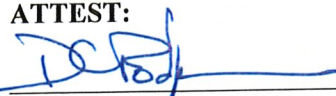
That the Board of Supervisors hereby authorizes the County Administrator to execute the Project agreement if the Project is approved a Transportation Alternatives Set-Aside project for Fiscal Year 2018.

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

Adopted this 18th day of October, 2016.


John A. Marks, Jr., Chairman
Amherst County Board of Supervisors

ATTEST:


Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

ADOPTED

10 / 18 / 16