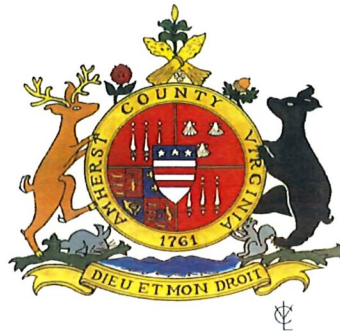


Board of Supervisors

L. J. Ayers III, Chair
District 3
Kenneth M. Campbell, Vice-Chair
District 1
David W. Pugh, Jr., Supervisor
District 4
Jennifer R. Moore, Supervisor
District 5
Claudia D. Tucker, Supervisor
District 2



County Administrator
Dean C. Rodgers

County Attorney
Michael W. S. Lockaby

AMHERST COUNTY BOARD OF SUPERVISORS



MINUTES

August 20, 2019
Board of Supervisors
Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened – 7:00 p.m.

I. Call to Order

II. Approval of Agenda

III. Invocation and Pledge of Allegiance

IV. Citizen Comment

V. Public Hearing

- A. Ordinance 2019-0007, amending § 712.03 – Special exceptions of Appendix A – Zoning & Subdivisions, Article VII – Use Requirements By Zoning Districts, to the Code of the County of Amherst to add restaurants to special exceptions.
- B. Ordinance 2019-0008, amending § 1207.03 of Appendix A - Zoning and Subdivision, Article XII – Subdivision Platting Requirements to the Code of the County of Amherst to change the number of lots.
- C. Ordinance 2019-0009, amending § 901.02 of Appendix A - Zoning and Subdivision, Article IX – Special Provisions to the Code of the County of Amherst to add language pertaining to accessory and temporary buildings.
- D. Ordinance 2019-0010, amending § 1202.04 of Appendix A - Zoning and Subdivision, Article XII – Subdivision Platting Requirements to the Code of the County of Amherst to add language pertaining to vacation of boundary lines.
- E. Ordinance 2019-0011, amendments to Amherst County Code Chapter 10, Article V, Abatement of Refuse and Weeds, and Amherst County Code Chapter 13, Article II, Litter Prevention and Control.
- F. Special Exception Request No. 2019-247 - expansion of private landfill
- G. Special Exception Request No. 2019-255 - short term tourist rental

VI. Consent Agenda

- A. Telecommunication Fund Appropriation of Revenue
- B. Minutes - July 16, 2019

VII. Old Business

- A. Amherst County Service Authority - Articles of Incorporation
- B. Amherst County Service Authority Board Charter

VIII. County Administrator's Report

- A. Projects Status Report
- B. Boards/Commissions/Committees - Economic Development Authority of Amherst County
- C. Board of Equalization

IX. County Attorney's Report

X. Liaison and Committee Reports

- A. Lynchburg Regional Business Alliance, Exec Bd, August 9, 2019

XI. Departmental Reports

- A. Lake Swimming Update

XII. Citizen Comment

XIII. Matters from Members of the Board of Supervisors

XIV. Closed Session

- A. A closed session pursuant to § 2.2-3711 (A)(1) of the Code of Virginia, 1950, as amended, to discuss a personnel matter.
- B. A closed session pursuant to § 2.2-3711 (A)(8) of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the County regarding specific legal matters requiring the advice of such counsel, specifically regarding abatement of blighted property in Madison Heights.

XV. Certification of Closed Session

XVI. Adjournment

MINUTES

At a Regular Meeting of the Amherst County Board of Supervisors and held at the Amherst County Administration building, Amherst, Virginia, thereof on Tuesday, the 20th day of August, 2019, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT: L. J. Ayers III, Chairman
Kenneth M. Campbell, Vice-Chair
David W. Pugh, Jr., Supervisor
Jennifer R. Moore, Supervisor
Claudia D. Tucker, Supervisor

ABSENT: None

STAFF PRESENT: Deputy County Administrator David R. Proffitt
County Attorney Michael W. S. Lockaby
EA Clerk to Board Regina M. Rice

Community Development Director Jeremy Bryant
IT Director Jackie Viar
HR Director Linda Warner
Finance Director Stacey Wilkes

I. Call to Order

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

II. Approval of Agenda

By motion of Supervisor Pugh and with the following vote, the Board approved the Agenda for August 20, 2019.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

III. Invocation and Pledge of Allegiance

Chairman Ayers led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

Mr. Bob Hopkins of Madison Heights, Virginia, thanked Board members for continuing to have the Invocation and Pledge of Allegiance at each Board meeting.

V. Public Hearing

A. Ordinance 2019-0007, amending § 712.03 – Special exceptions of Appendix A – Zoning & Subdivisions, Article VII – Use Requirements By Zoning Districts, to the Code of the County of Amherst to add restaurants to special exceptions.

Community Development Director Jeremy Bryant reported the proposed amendment will allow restaurants in RMU-1 districts as part of the business friendliness initiative.

Mr. Bryant asked the Board to conduct a public hearing to consider this amendment.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Moore and with the following vote, the Board adopted Ordinance 2019-0007.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

B. Ordinance 2019-0008, amending § 1207.03 of Appendix A - Zoning and Subdivision, Article XII – Subdivision Platting Requirements to the Code of the County of Amherst to change the number of lots.

Community Development Director Jeremy Bryant presented his report regarding a proposed amendment to increase the number of lots from 3 to 10 for subdivision plats reviewed by the Planning Commission. He said this amendment was proposed by the Planning Commission as part of the business friendliness initiative.

Mr. Bryant asked the Board to conduct a public hearing to consider this amendment.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Tucker and with the following vote, the Board adopted Ordinance 2019-0008.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

C. Ordinance 2019-0009, amending § 901.02 of Appendix A - Zoning and Subdivision, Article IX – Special Provisions to the Code of the County of Amherst to add language pertaining to accessory and temporary buildings.

Community Development Director Jeremy Bryant reported that the proposed amendment would reduce the requirement for accessory structures from 15 feet to 5 feet from a main building.

Mr. Bryant said the second amendment addresses the placement of accessory structures on internal lot lines with the requirement that a main building is located on the same lot.

Mr. Bryant asked the Board to conduct a public hearing to consider this amendment.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Campbell and with the following vote, the Board adopted Ordinance 2019-0009.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

D. Ordinance 2019-0010, amending § 1202.04 of Appendix A - Zoning and Subdivision, Article XII – Subdivision Platting Requirements to the Code of the County of Amherst to add language pertaining to vacation of boundary lines.

Community Development Director Jeremy Bryant presented his report on a proposed amendment that would vacate internal lot lines by a deed or plat. Current County Code requires a plat only, however, this amendment would offer citizens a quicker way to vacate internal lot lines.

Mr. Bryant asked the Board to conduct a public hearing to consider this amendment.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Pugh and with the following vote, the Board adopted Ordinance 2019-0010.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

E. Ordinance 2019-0011, amendments to Amherst County Code Chapter 10, Article V, Abatement of Refuse and Weeds, and Amherst County Code Chapter 13, Article II, Litter Prevention and Control.

County Attorney Lockaby explained amendments to Chapter 10 Article V and Chapter 13 Article II, which would be enforceable and consistent with state law.

Mr. Lockaby said that Chapter 13 Article II addresses litter on public property, public rights-of-way, and on property of people who are non-consenting. Those proposed amendments identify state law that would allow the County to establish a misdemeanor level.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Tucker and with the following vote, the Board adopted Ordinance 2019-0011.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

F. Special Exception Request No. 2019-247 - expansion of private landfill

Community Development Director Jeremy Bryant presented his report regarding a request by GP Big Island, LLC to expand their existing landfill at 9363 Lee Jackson Highway, Big Island in Bedford County, Virginia. Mr. Bryant said this site is accessible through the GP Big Island property over a bridge crossing the James River into Amherst County.

Mr. Bryant advised The Planning Commission recommended approval with the following conditions:

1. Operate the landfill only during the day, therefore noise will not be a factor.
2. Minimize the amount of open landfill area, no more than 6 acres will be exposed at any one time.
3. Comply with all the regulations and permit conditions and will allow county staff to make unannounced inspections of the site.
4. Use only the Mill's road to haul waste materials to the landfill, unless temporary access is approved by the Zoning Administrator for a period not to exceed 30 days at a time. Routes 130 and 647 will not be used for hauling waste.
5. Only dispose of waste from the Big Island Mill.
6. No hazardous waste will be landfilled.
7. No garbage will be accepted; therefore, no odors or rodents will be at the site.

8. Keep the landfill from view with natural and man-made buffers around the landfill site.
9. No surface runoff from the landfill to flow into Thomas Mill Creek.

Mr. Bryant said the Planning Commission amended condition 4. to read, "Use only the Mill's road to haul waste materials to the landfill, unless temporary access is approved by the Zoning Administrator for a period not to exceed 30 days at a time. Routes 130 and 647 will not be used for hauling waste, unless approved by the Zoning Administrator".

Mr. Bryant advised that staff recommended an additional condition as No. 10., to read, "10. The landfill shall be in compliance with all other applicable local, state or federal requirements, including but not limited to its landfill permits from the Department of Environmental Quality".

The Public Hearing was opened to consider this special exception.

Proponents:

Mr. Tim Pearce, GP's Manager of Environmental Health & Safety, addressed the Board and thanked them for this consideration. He said the landfill has operated for a number of years and is a very important part of Georgia Pacific's operations.

Opponents: None

The Public Hearing was closed.

Chairman Ayers commented he had visited the site and the existing landfill was very clean, impressive and in compliance with DEQ.

By motion of Chairman Ayers and with the following vote, the Board approved special exception request number 2019-24 7 with the conditions recommended by the Planning Commission and the additional condition recommended by staff, including the amended condition adding language to No. 4. to read: "Use only the Mill's road to haul waste materials to the landfill, unless temporary access is approved by the Zoning Administrator for a period not to exceed 30 days at a time. Routes 130 and 647 will not be used for hauling waste, unless approved by the Zoning Administrator". A tenth condition was added to read: "10. The landfill shall be in compliance with all other applicable local, state or federal requirements, including but not limited to its landfill permits from the Department of Environmental Quality".

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker

NAY: None

ABSENT: None

G. Special Exception Request No. 2019-255 - short term tourist rental

Community Development Director Jeremy Bryant reported on a special exception request by Roderick J. Schmitdt, Jr. for a short-term tourist rental of a dwelling located at 604 N. Fork Road in Amherst County.

The Planning Commission recommended approval with the following conditions:

1. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
2. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
3. Short Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Pugh and with the following vote, the Board approved special exception request number 2019-255.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker

NAY: None

ABSENT: None

VI. Consent Agenda

A. Telecommunication Fund Appropriation of Revenue

B. Minutes - July 16, 2019

By motion of Supervisor Pugh and with the following vote, the Board approved the Consent Agenda for August 20, 2019.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker

NAY: None

ABSENT: None

Chairman Ayers abstained from voting on the July 16, 2019 Minutes.

VII. Old Business

A. Amherst County Service Authority - Articles of Incorporation

B. Amherst County Service Authority Board Charter

Supervisors Tucker explained to Board members she made some edits and suggestions to the ACSA Charter discussed at a previous meeting.

Supervisor Tucker said her suggestions would utilize qualified citizens including the Planning Commission and EDA who would work with the Service Authority. She recommended incorporating a member from those two entities, which would increase the membership to seven. She also recommended paying those folks a stipend for their service.

Supervisor Pugh requested that the Board talk with ACSA Director Hopkins regarding the changes outlined in Supervisor Tucker's email of August 20, 2019.

Supervisor Tucker remarked that this was a "conversation starter" for Mr. Hopkins to review and to provide suggestions. She requested that the matter be placed on next month's agenda.

It was the consensus of the Board to move Item B. Amherst County Service Authority Board Charter to the September 3, 2019 ACSA and Board of Supervisors' meetings for further discussion. (See Attachment 1)

VIII. County Administrator's Report

A. Projects Status Report

B. Boards/Commissions/Committees - Economic Development Authority of Amherst County

Deputy County Administrator David Proffitt advised that District 1 Board member Mitch Heishman resigned on July 21, 2019 from the Economic Development Authority.

The vacancy was advertised and staff received one letter of interest from Mr. Andrew Procter on July 29, 2019. The closing date was August 15, 2019.

By motion of Vice-Chair Campbell and with the following vote, the Board appointed Mr. Andrew Procter to the District 1 seat to fill the unexpired term of Mr. Mitch Heishman.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

B. Board of Equalization

Deputy County Administrator David Proffitt requested the Board provide names of three County citizens to recommend to the Amherst Circuit Court Judge for appointment to the Board of Equalization. Mr. Proffitt advised the Board of Equalization will commence on January 1, 2020.

County Attorney Lockaby stated that the Board should recommend five members in the event a conflict may arise with an appointee who might need to step off of the board.

The Board recommended Mr. Wesley Woods, Mr. Richard Wydner, Ms. Melissa Maynard, Ms. Libby Howell and Mr. Monty Jennings and directed Mr. Proffitt to contact those five citizens.

IX. County Attorney's Report

X. Liaison and Committee Reports

A. Lynchburg Regional Business Alliance, Exec Bd., August 9, 2019

For Information only.

XI. Departmental Reports

A. Lake Swimming Update

Recreation & Parks Director Sara Lu Christian provided an update on swimming at Mill Creek Lake. She advised the swimming area has been identified, the signs have been proposed and the water tested and found to be safe.

Ms. Christian provided the Board with a price list of items needed and proposed signage. **(See Attachment B)**. She asked for the Board's direction on how to proceed with the project.

Supervisor Tucker asked that all those items be completed before the lake is open to the public for swimming. She requested the lake be open for swimming in 2019.

Supervisor Pugh suggested opening the lake for swimming in the spring and not at the end of the swimming season this year.

By motion of Supervisor Tucker and with the following vote, the Board approved the installation of the signage, sand and materials prior to allowing swimming at Mill Creek and the expenses be funded by fine revenue money.

AYE: Mr. Ayers, Mr. Campbell, Ms. Moore and Ms. Tucker
NAY: Mr. Pugh
ABSENT: None

XII. Citizen Comment

Mr. Bob Hopkins of Amherst, Virginia addressed the Board regarding swimming at Mill Creek Lake. He said he has received multiple phone calls from citizens about the beach location and the problem with fishing hooks and broken glass in the water where folks would swim.

XIII. Matters from Members of the Board of Supervisors

Supervisor Tucker had no matter to discuss.

Supervisor Moore had no matter to discuss.

Supervisor Pugh had no matter to discuss.

Vice-Chair Campbell had no matter to discuss.

Chairman Ayers had no matter to discuss.

XIV. Closed Session

A. A closed session pursuant to § 2.2-3711 (A)(1) of the Code of Virginia, 1950, as amended, to discuss a personnel matter.

B. A closed session pursuant to § 2.2-3711 (A)(8) of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the County regarding specific legal matters requiring the advice of such counsel, specifically regarding abatement of blighted property in Madison Heights.

Supervisor Tucker moved that the Amherst County Board of Supervisors convene in closed session pursuant to § 2.2-3711 (A)(1) of the Code of Virginia, 1950, as amended, to discuss a personnel matter; and a closed session pursuant to § 2.2-3711 (A)(8) of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the County regarding specific legal matters requiring the advice of such counsel, specifically regarding abatement of blighted property in Madison Heights.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

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

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

CERTIFICATION OF CLOSED MEETING

Supervisor Tucker 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. Ayers AYE
Mr. Campbell AYE
Mr. Pugh AYE
Ms. Moore AYE
Ms. Tucker AYE

Chairman Ayers asked Finance Director Stacey Wilkes, IT Director Jackie Viar and HR Director Linda Warner for their input regarding a personnel issue discussed by Ms. Viar. Chairman Ayers if there was money available for compensation in the existing budget.

Ms. Wilkes advised there was no money in the existing budget, suggesting money be appropriated out of the reserve, and have the Board address this matter with reoccurring money next year. She advised all adjustments were made with the pay increases and there are currently two vacancies that have not yet been filled.

Supervisor Campbell asked about the \$60,000 that was appropriated for use by the County Administrator for this purpose.

Ms. Wilkes advised the County Administrator used most of that money this year to meet pay increases and very little was left for salary negotiation.

Supervisor Tucker said there is a need to get this person back and aware we are underpaying our staff. She said if it is necessary to pull the funds out of reserves this year and put this position into the budget for next year, she would support it.

By motion of Supervisor Tucker and with the following vote, the Board appropriated \$5313.12 from the Unobligated General Fund to fund a Network Specialist position and permission for the IT Director to move funds from her operational expenditures to payroll.

AYE:	Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY:	Mr. Pugh
ABSENT:	None
ABSTAIN:	None

Supervisor Pugh stated he did not disagree with the points made, however, this exacerbates the problem as we again continue to pull money from the unobligated fund to finance a reoccurring expense. He cautioned that the Board will have to make some hard decisions soon and hoped all are prepared for that.


XVI. Adjournment

By motion of Supervisor Campbell and with the following vote, the Board adjourned at 8:34 p.m.

AYE:	Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY:	None
ABSENT:	None



L. J. Ayers III, Chairman
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk

AMHERST COUNTY SERVICE AUTHORITY BOARD CHARTER

1. **Purpose.** Amherst County Service Authority (ACSA) was originally formed in 1936 as the Madison Heights Sanitary District, to provide public water and wastewater utility services in and around the area now generally known as Old Town Madison Heights. Over time its service area expanded significantly, and on March 13, 1987, it was reorganized by the Amherst County Board of Supervisors as the Amherst County Service Authority. This was accomplished through the Virginia Water and Waste Authorities Act, Chapter 51 of Title 15.2 of the Code of Virginia of 1950, as amended. The Service Authority is a separate political subdivision of the Commonwealth from Amherst County and is governed by a separate Service Authority Board of Directors. The Service Authority's purpose is to provide public water and wastewater utility services in accordance with the Amherst County Comprehensive Plan, as determined appropriate by the Service Authority Board.

2. **Goals.** The goals of Amherst County Service Authority are to cost-effectively and efficiently provide water and wastewater services ~~through the~~ in a public health-focused, and environmentally sensitive development of reliable public water resources, the treatment and distribution of high-quality potable water, and the collection, treatment, and proper disposal of wastewater. ~~-The ACSA will also plan and develop funding options for current underserved areas with the goal of full access to the ACSA service area.~~

2.1 Amherst County Service Authority functions financially as a self-supporting enterprise fund, with user fees as its revenue source. No tax-generated revenue is received, unless the Board of Supervisors authorizes distributions to the Service Authority as part of a community economic growth and development project, or for the elimination of a public health risk. Board members have a fiduciary duty to maintain the Service Authority's self-supporting status. For instance, in economic growth and development projects, the Service Authority Board may not waive or modify user fees that have been legally established by regulation. To do so would undercut the financial foundation of the Service Authority. Waiver or modification of ordinances is the purview of the Board of Supervisors, not the Service Authority Board. Payment of user fees as part of economic development, public health, or other programs would also, therefore, be the responsibility of the County's Economic Development Authority or the Board of Supervisors itself, not the Service Authority Board.

2.2 Good maintenance of existing utility facilities and equipment is critical to providing consistently high-quality products and services, and meeting state and federal water quality and environmental regulations.

2.3 Careful training and employee development, both on-the-job and in the classroom, is vital in order for the Service Authority to accomplish its tasks, conform to requirements of the Virginia Department of Professional and Occupational Regulation, and meet its goals.

3. **Membership.** The Amherst County Service Authority is made up of a maximum of ~~five-seven~~ (57) individuals. The Board shall consist of ~~three (3) to five (5) two (2)~~ elected County Supervisors and ~~a maximum of two (2) three (3)~~ citizens members appointed by the Board of Supervisors, ~~should one or two elected Supervisors choose not to serve also on the Board, one member of the Planning Commission and one member of the Economic Development Authority (EDA).~~ For elected Board of Supervisors members of the Service Authority Board of Directors, membership begins and ends with the Supervisor's term of office. Citizen members are appointed by the Board of Supervisors, the Planning Commission and Economic Development Authority shall each make a recommendation to the Board of Supervisors. The Citizen members shall serve 4 year terms; the Planning Commission and EDA shall serve out the remainder of their current terms and shall be eligible for re-appointment at the ACSA Board's discretion. and serve

~~four year terms that are staggered to coincide with County elections of Supervisors.~~ County policies regarding qualifications and appointments of citizen members are set forth below. ~~Newly elected members of the Board of Supervisors are considered *ex officio* members of the Board of Directors during their first year in office, with voice but not vote in affairs of the Authority, even if they are not actually appointed to the Board of Directors. This arrangement prevents vacancies on the Board of Directors, ensures that members of both Boards have solid knowledge of the functions of each, and provides for the free flow of information and cooperation between both Boards.~~ Newly elected members of the Board of Supervisors and current members of the Board of Supervisors are encouraged to attend the ACSA meetings when possible.

4. **Meetings.** The schedule and location for regular meetings of the Amherst County Service Authority Board are established each year at the January organizational meeting of the Board. With proper public notice meetings may be canceled, or special meetings called. As separate political subdivisions of the Commonwealth, unless a joint meeting is called, and appropriate notice provided, the Service Authority Board of Directors must hold separate meetings from the Board of Supervisors, even though both bodies are made up of several of the same individuals.

5. **Reports.** Service Authority staff members and consultants shall routinely provide reports on utility-related matters to the Service Authority Board and make them part of the meeting agenda packets. The Service authority Board of Directors may direct Service Authority staff or consultants to give special reports to the Board of Supervisors as needed, particularly on matters of significant joint interest to both Boards; requests by the Board of Supervisors for such special reports should be directed to the Service Authority Board.

6. **Organization.** The Amherst County Service Authority's Rules of Procedure are adopted annually at the January organizational meeting. All offices for the coming year are likewise selected at this meeting.

6.1 Board Chair. The Board Chair is elected by the ACSA Board and presides over the Service Authority Board of Directors meetings. He or she may choose to appoint committees and committee leaders for special tasks or assignments. The Board Chair has signatory authority for the Service Authority, but may choose to delegate this responsibility to the Executive Director or Board Secretary, as he or she might deem appropriate.

6.2 Board Vice-Chair. The Board Vice-Chair serves in the Board Chair's role whenever the Board Chair is unavailable. The Board Vice-Chair is elected by the ACSA Board

6.3 Treasurer. The Treasurer serves as custodian of all Service Authority revenue. The Amherst County Treasurer serves as the Treasurer for Amherst County Service Authority.

6.4 Service Authority Board Secretary. The Service Authority Board Secretary is responsible for distribution of the agenda packets to the Service Authority Board members and the public, and for production of the minutes of the meeting. The Secretary shall maintain permanent records of the minutes and be prepared to provide signed copies as testament of their accuracy. The Secretary shall cause notice to be given of all meetings of the Service Authority as required by law. The Executive Director serves as the Service Authority Board's Secretary. In order to efficiently carry out his or her duties, the Executive Director may delegate some or all of his duties to an Assistant Secretary or Recording Secretary, who may be the County Administrator's Executive Assistant, the County Attorney's Executive Assistant, or other Amherst County employee.

6.5 Executive Director. The Executive Director, also called the Director of Public Utilities, is the Service Authority's chief executive officer, and serves at the pleasure and discretion of the Service Authority

Board of Directors. The Executive Director shall draft meeting agendas and implement Board motions, resolutions, policies and standard operating procedures, plus perform any other and further duties as may be designated by the Service Authority Board of Directors, consistent with Chapter 15 of the Code of Amherst County (Water and Sewer) and the Rules and Regulations of the Authority.

7. Board Policies.

- 7.1 Effective with terms on the Board of Directors commencing January 1, 2020, the ACSA Board will be as described in 3. there will be a maximum of one (1) citizen member on the Board. Effective with terms on the Board commencing January 1, 2022, there will be a maximum of two (2) citizens on the Board. Terms of citizen appointees shall have a duration of four (4) years and be staggered such that one citizen seat comes open every two (2) years, coinciding with Board of Supervisors elections.
- 7.2 Vacancies on the Board of Directors, whether an elected Supervisors or an appointed citizen, shall be remedied in accordance with Board of Supervisors policies regarding other Amherst County Boards.
- 7.3 ~~Members elected to the Board of Supervisors for the first time who are not appointed to the Board of Directors should regularly attend Board of Directors meetings during the first year of their first term in office, as *ex officio* liaison members.~~ Newly elected members of the Board of Supervisors and current members of the Board of Supervisors are encouraged to attend the ACSA meetings when possible. They shall have voice but not vote at such meetings, and are encouraged to ask questions of Service Authority staff to become thoroughly acquainted with the operations of the Service Authority.
- 7.4 All members of the Board shall be current citizens of Amherst County that have their main residences in Amherst County.

8. Citizen Appointment Policies.

- 8.1 ~~Members of the Board of Supervisors should be given first preference for seats on the Board of Directors. Supervisors wishing to be appointed to the Board of Directors should be.~~
- 8.2 Openings for citizen positions on the Board of Directors must be advertised for not less than two (2) weeks in order to solicit applications from the community.
- 8.3 Nominations for citizen positions on the Board of Directors will be accepted from current members of the Board, members of the Board of Supervisors, and the public. Nominations for Planning Commission and EDA members shall come from their respective Boards.
- 8.4 Appointments to the Board should be made in the best interest of the Service Authority. To this end, applicants should be vetted to ensure that they are qualified to serve by reason of knowledge, experience, training, and other background to provide effective Board of Directors service, including, but not limited to, lack of a conflict of interest such that serving on the Board of Directors could result in personal advancement of, or benefit to, the prospective appointee by Board of Directors actions that would abrogate the Service Authority's mission and policies and/or otherwise be detrimental to the Service Authority. The same approach of considering conflict of interest for the Board of Supervisors should be used for potential ACSA appointments.
- 8.5 It is the primary policy that the best qualified persons are appointed by the Board of Supervisors to serve on the Board of Directors.

8.6 To provide proper service on the Board of Directors, citizen appointees require at least some initial familiarity with the Service Authority and its operations. ~~To this end, citizen appointees should be water and/or sewer customers of the Service Authority.~~

8.7 The Board of Directors should be broadly representative of the community to the greatest extent possible. To this end, each electoral district should be represented on the Board of Directors, so long as this does not conflict with Policies 8.5 and 8.6 above. However, this policy shall not require that each district be represented on the Board of Directors, nor prohibit district representation with more than one Board of Directors member, if either is necessary to ensure compliance with Policies 8.5 and 8.6 above.

8.8 Applications should be reviewed, suitable candidates determined~~ed~~, and interviews of suitable candidates shall be performed by the Board of Supervisors, the current Board of Directors, and the Executive Director. The Board of Supervisors and the current Board of Directors may designate specific members of their bodies to participate in some or all of these activities. All application evaluators shall prepare a written evaluation of each candidate, which will be submitted to the Service Authority Secretary for distribution to the Board of Supervisors, the current Board of Directors, and the Executive Director for voting. The Executive Director will have voice but no vote on the potential applicant appointments.

8.9 Citizens shall be appointed to serve on the Board of Directors by the Board of Supervisors, following the vote of a majority of the combined votes of the Board of Supervisors and the current Board of Directors, with Supervisors also serving as members of the Board of Directors having one vote. ~~Ties in voting shall be broken by a vote of the Executive Director.~~

9. Amherst County Governmental Support. In addition to the Treasurer, the Amherst County Service Authority receives staff support from Amherst County's Finance Department, Human Resources Department, Purchasing Department, Legal Department, and Information Technology Department. County e-mail accounts exist for each Service Authority Board member and copier, postage, and other support can be made available to Board members through the County Administrator's Executive Assistant.

10. Authority. The Amherst County Service Authority Board represents Amherst County's public water and wastewater services organization with the public, Central Virginia Planning District Commission, Virginia Department of Health, Virginia Department of Environmental Quality, U.S. Environmental Protection Agency, and any other regulatory agency involved with any aspect of public water and wastewater utilities. The Executive Director functions as primary representative in this capacity, and works closely with the Service Authority Board of Directors, and County staff on utility activities which may have significant impact on the County or its interests. The Executive Director is the responsible official for all permits and administrative orders issued to the Service Authority from the Virginia Department of Environmental Quality, Virginia Department of Health, and others.

11. Official Acts. Acts of the Amherst County Service Authority Board of Directors shall be performed by majority vote and recorded in the official minutes. The Chair of the Service Authority Board, as an individual, may speak for the body, but must be careful not to overstep the bounds of consensus within the Service Authority Board. Of the Service Authority Board's five (5) members, three (3) members constitute both a quorum, and a majority on any vote.

12. Virginia Freedom of Information Act. The Amherst County Service Authority and its Board of Directors is a "public body" under the Virginia Freedom of Information Act. It is the responsibility of the Chair, with assistance of the Secretary and the County Attorney, to ensure compliance with all facets of this law.

ATTACHMENT B



Recreation and Parks
Department

XI. Departmental Reports

A. Lake Swimming Update

Amended price list:

Recreonics Prices for swimming Buoys

1. 3 swimming barrier floats @ \$193.05 each \$579.15
2. 300 foot Barrier float and marker buoys \$800.42

Total: \$1,379.57

1. Sand Mat (shoreline) \$1,000
2. Muck Matt (in the water) \$1,800
3. Sand (\$500/truckload; 2-4 loads) \$2,000

Total: \$4,800.00

TOTAL \$6,179.57

Handicapped porta-john \$100/month

Original Sign

Updated 2019 version

Welcome to Mill Creek Lake Park



*Amherst County parks offer a variety of activities.
Please be courteous to others and good stewards of the land in
the use of this park. Thank You for Visiting!*

Park Hours are from Sunrise to 1 hour after Sunset.
All facilities available first come - first served

RULES

Prohibited in the park are the following

- Alcoholic Beverages
- Fireworks
- Illegal Substances
- Littering
- Parking on Grass
- Pets not in control of owners
- Fishing without a Virginia fishing license
- Fires outside of grills
- Swimming and fishing from boat dock
- Swimming in lake
- Loud disruptive conduct or music
- Camping
- Blocking boat ramp
- Operation of all terrain vehicles, mopeds and other unlicensed and unauthorized motor vehicles
- Unsupervised children under the age of 10
- Hunting on Park property
- Gasoline motors

Fish according to VA State Laws

Violators will be prosecuted by Amherst County Board of Supervisors

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