

The regular meeting of the Amherst Town Council was called to order on November 10, 2009 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street with Mayor Jacob P. Bailey presiding. Council members Bobby J. Bondurant, J. Paul Kilgore, Haney Mottley, Harold Swisher and Richard Wydner were present. Town Manager Jack Hobbs, Police Chief Kenneth Watts, Director of Public Utilities Tom Fore, Office Manager Colan Davis were also present.

The Rev. Decatur Rodgers from Amherst Presbyterian Church gave an invocation.

Suny Monk came forward to report on the ArtMeters project and her group's plans for 2010.

A duly advertized public hearing on an updated Comprehensive Plan was opened at 7:17 P.M. Mr. Barry Thompson of 287 Waughs Ferry Road came forward to ask a few questions regarding potential zoning changes near his property. There being no one else present who wished to speak, the hearing was closed at 7:27 P.M. Mr. Wydner made a motion that was seconded by Mr. Mottley to approve a resolution that would have the effect of adopting the comprehensive plan and associated pedestrian and bicycle plan. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". The resolution is attached and made a part of these minutes.

The Town Manager reported on a utility bill appeal from Elizabeth Massie (325 Monitor Road). No action was taken on the matter.

Mr. Swisher made a motion that was seconded by Mr. Kilgore to approve the minutes for the October 14, 2009 meeting as previously submitted. The motion passed 4-0. Messrs. Bondurant, Kilgore, Swisher and Wydner voted "Aye". Mr. Mottley abstained.

Mr. Wydner made a motion that was seconded by Mr. Swisher to approve the installation of three street lights as summarized below. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

<u>Location</u>	<u>Pole/Ped #</u>	<u>Installation Cost</u>	<u>Monthly Cost</u>
158 Walnut Street	Ped. #1044-329	None	\$6.51
Midway on Forest Avenue	Pole #1044-69	None	\$6.14
308 Waughs Ferry Road	Pole #1044-396	\$200.00	\$5.57

The Finance Committee was asked to take the lead in addressing items in the auditor's "management letter". These include updating the Town's procurement policy, developing a policy to handle the reporting of unclaimed property, and developing a process to review customer work accounts receivable.

Mr. Kilgore made a motion that was seconded by Mr. Mottley to authorize the replacement of the Town Hall telephone system by CommWorld at a cost of \$5,364. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

The Town Council discussed recent and planned improvements to S. Main Street and the possible use of "surplus" streetscape grant funds.

Mayor Bailey led a discussion on the utilization of a financial planning consultant.

The Town Council agreed that the Town should sponsor a holiday luncheon as an employee only activity.

Mr. Mottley made a motion that was seconded by Mr. Swisher that the Town Council convene in closed session to meet with legal counsel on litigation relating to the Tinder case pursuant to the consultation with legal counsel exemption at §2.2-3711(A)(7) of the Code of Virginia. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

Mr. Wydner made a motion that was seconded by Mr. Kilgore that the Town Council certify that to the best of each councilors' knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye" via the roll call method.

There being no further business, the meeting adjourned at 9:50 P.M.

---

Jacob P. Bailey  
Mayor

Attest:

---

Clerk of Council

**AN ORDINANCE TO ADOPT A NEW COMPREHENSIVE PLAN.**

**Whereas**, the current Town of Amherst Comprehensive Plan was adopted on September 23, 1998 and amended on May 19, 1999; May 14, 2003; and October 10, 2007; and

**Whereas**, §15.2-2223 of the Code of Virginia requires the Town of Amherst to have a comprehensive plan and §15.2-2230 requires the Planning Commission to review the comprehensive plan every five years to determine whether it is advisable to amend the plan; and

**Whereas**, the Planning Commission has made careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of the Town and its inhabitants and has developed a proposed Pedestrian and Bicycle Plan; and

**Whereas**, the plan will serve as the Town's guide accomplishing a coordinated, adjusted and harmonious development of the Town and surrounding area which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities; and

**Whereas**, the proposed comprehensive plan is general in nature and incorporates concepts developed in previous and more focused studies on topics such as Town water and sewer facilities, regional raw water supplies, downtown revitalization, Amherst County comprehensive planning, regional transportation, greenways and pedestrian planning; and

**Whereas**, the Planning Commission recommended that the Town Council adopt this Comprehensive Plan following its public hearing on September 2, 2009;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF AMHERST:**

1. *That the Comprehensive Plan adopted on September 23, 1998 and amendments thereto are hereby repealed; and*
2. *That the document entitled "Town of Amherst; 2009 Comprehensive Plan" is hereby approved as the Comprehensive Plan of the Town of Amherst; and*
3. *The document entitled "Town of Amherst Pedestrian and Bicycle Plan" and dated June, 2009 is hereby adopted; and*
4. *That this Ordinance is effective upon its passage.*

*This ordinance was adopted on November 10, 2009.*

---

Jacob P. Bailey, Mayor

ATTEST:

---

*Clerk of Council*