

The regular meeting of the Amherst Town Council was called to order on December 9, 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. Kathy Chase from Ascension Episcopal Church gave an invocation.

Mr. Taze Crowder came forward to discuss the potential installation of solar energy products in the Town.

Mr. Wydner made a motion that was seconded by Mr. Mottley to approve the minutes for the November 10, 2009 meeting as previously submitted. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

Mr. Bondurant made a motion that was seconded by Mr. Swisher to authorize the Police Chief to purchase a new police car. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

The Town Manager gave a report on the Finance Committee's work on the financial planning proposal. Mr. Mottley made a motion that was seconded by Mr. Bondurant to authorize the Committee to pursue the matter and make a recommendation at the January meeting. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

By consensus the Town Council accepted the designs for landscaping and a plaque recognizing the work of Amherst County High School at the S. Main Street welcome sign.

The Utilities Committee was asked to study the installation of street lights on S. Main Street.

A letter requesting help with VDOT's "Section 106" review of the Union Hill Road/Bridge project per VDOT's new process in this area was reviewed. Mr. Wydner was asked to work with Town Manager on an appropriate response.

Mr. Wydner made a motion that was seconded by Mr. Bondurant to donate \$100 to the Lions Club to support the 2009 Christmas parade. It was noted that this matches the amount the Town charged for the banner permit. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

Mr. Mottley made a motion that was seconded by Mr. Swisher to appoint Jacob Bailey to the Joint Committee on Cooperation for a term to expire on December 31, 2012. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

The Town Manager reported that he had been notified that the streetlight recently approved for Forest Avenue has been proposed on a pole that is too far away from the street to be effective and so a new pole and associated up-front monies will be required. The matter was tabled until after a firm installation cost estimate has been received, and the Utilities Committee was asked to develop a street light policy.

The Town Manager and Director of Public Utilities gave a report on recent sewer system problems.

Mr. Mottley made a motion that was seconded by Mr. Swisher to approve an additional one-time "paid leave" Christmas Eve holiday in 2009 for full-time Town employees. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

Mr. Mottley made a motion that was seconded by Mr. Bondurant that the Town Council convene in closed session (a) 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 and (b) for disposition of a portion of the Town shop property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town pursuant to §2.2-3711 A.3 of the Code of Virginia. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

Mr. Wydner made a motion that was seconded by Mr. Bondurant 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.

Mr. Mottley made a motion that was seconded by Mr. Swisher to send a statement of regret to the former resident of 143 N. Main Street regarding the April 25, 2004 sewer backup. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye."

Due to safety concerns, Mr. Wydner asked that the Town crew refrain from working in the bucket truck and around electricity when it is raining.

The Council expressed concerns about the erosion control and safety measures being employed on the S. Main Street sidewalk project.

There being no further business, the meeting adjourned at 9:00 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council