

Mayor Jacob P. Bailey called the regular monthly meeting of the Amherst Town Council to order on July 14, 2010 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Bobby J. Bondurant, J. Paul Kilgore, Haney Mottley, Harold Swisher and Richard Wydner were present. Town Manager Jack Hobbs, Director of Public Utilities Tom Fore and Office Manager Colan Davis were also present.

Mayor Bailey recognized Town Council candidate Kenneth Bumgarner (215 Garland Avenue).

Reverend Kelvin Brown from Mount Olive Baptist Church gave an invocation.

Mr. Bondurant made a motion that was seconded by Mr. Wydner to approve the minutes for the June 9, 2010 meeting as previously submitted. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

Mr. Wydner made a motion that was seconded by Mr. Mottley to approve a \$30,000 engineering contract with Wiley|Wilson for the leak detection/water audit study that is to be funded with Virginia Department of Health grant monies. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

The Town Manager gave a brief report on a resolution supporting the City of Staunton's effort to encourage the state to "enact laws strictly prohibiting and deterring all predatory, usurious lending practices." The Town Council took no action on this matter.

Mr. Kilgore made a motion that was seconded by Mr. Swisher to approve the purchase of a sewer video camera at an estimated cost of \$6,668.70 of which VML Insurance will reimburse \$2,000. It was noted that this device will aid in the ongoing evaluation of the Town's sewer pipes and help keep employees out of hazardous situations. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

Mr. Wydner made a motion that was seconded by Mr. Bondurant to amend the Town's personnel policy by inserting a definition of "retirement" for the purposes of post-employment access to the Town's health insurance program. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". A copy of the amendment is attached and made a part of these minutes.

After some discussion on a quote from APCO to install street lights on S. Main Street, by consensus the Town Council agreed that the Town staff should continue working on the project.

The Town Manager gave a report on the Section 15.2-2223.1 of the Code of Virginia that requires the Town to designate Urban Development Areas (UDA's) in its Comprehensive Plan. In such UDA(s), a minimum developable acreage density of at least four single family residences, six townhouses or 12 apartments or condominiums per acre and an authorized floor area ratio of at least 0.4 per acre for commercial development (or any proportional combination thereof) would be required. Although the Town would be required to update its comprehensive plan to comply with the UDA law, an amendment to the Town's zoning and subdivision ordinance is not required by the legislation. VDOT is offering the use of a consultant "grant" to aid the Town in adjusting its comprehensive plan and zoning ordinance with certain conditions. On July 7 the Planning Commission discussed this situation and by consensus agreed that the Town should work toward meeting the actual comprehensive plan amendment mandate but move more slowly on actual changes to the Zoning and Subdivision Ordinance. The Town Council took no action on this matter.

The Town Councilors discussed the December 9, 1992 surplus item policy and the possibility for upgrading it to specifically address participation in county auction procedures and online auctions but exempting real estate and other major items from this policy. It was noted that, along with maximizing the apparent sale value, other considerations include the efficient use of staff time, fairness to all potential purchasers, and appropriate disposal of unneeded items. The matter was referred to the Finance Committee for a recommendation.

The Town Manager reported that on July 7 the Planning Commission had its public hearing on a series of proposed changes to the Zoning and Subdivision Ordinance. The Town Council agreed to hold a public hearing on the proposal at its August 11 meeting.

The Town Manager informed the Town Council that the Town's wastewater treatment plant laboratory is now accredited and is one of only ten out of over 300 small Virginia plants to have achieved this status. The Councilors expressed appreciation for the staff's efforts on this project.

The Town Council scheduled a financial planning work session for August 17 at 7:00 PM and discussed the idea of hosting a final Centennial thank you/wrap-up event.

There being no further business, the meeting adjourned at 8:24 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council

X-C. Medical Insurance

The Town will endeavor to offer each full time employee a medical and hospitalization plan, the terms of which will be established from time to time by the Town. Coverage under the plan for each full time employee will be provided at no cost to the employee. In addition, the Town will endeavor to provide optional coverage under the plan for each employee's spouse and dependent children which additional coverage the employee may elect to take by notice to the Town and agreement to pay via payroll deduction all additional premiums attributable to such additional coverage, subject to any conditions imposed by the Town's medical and hospitalization plan provider.

Any full time employee who is a member of the plan upon retirement may elect to continue his or her participation after retirement in the plan provided that such employee agrees to pay, and does pay promptly, any and all premiums attributable to his continued participation in the plan. In addition, any such employee who, at the time of retirement, is participating in any optional coverage under the plan for his or her spouse and/or dependent children may continue to participate in such optional coverage provided that he or she elects to do so by notice to the Town at the time of retirement and agrees to pay, and does pay promptly, any and all premiums attributable to such spousal and dependent children's coverage. It is the retiree's responsibility to deliver premiums to the Town Hall by the 15th of the prior month and maintain the appropriate paperwork as required by the Town's health insurance carrier. In other words, the Town staff will advise you when additional paperwork is needed and a check for the July health insurance needs to be received by June 15. For the purposes of this paragraph, retirement shall mean a status in which the former Town employee is eligible to receive retirement benefits from the Virginia Retirement System program.

Any right to participate in the plan shall terminate:

- a. In the case of a full time employee, his or her spouse, and dependent children, upon termination of the employee's employment.
- b. In the case of a retiree, upon notice of withdrawal from the plan by the retiree or failure to pay any premiums when due.
- c. In the case of a surviving spouse who is participating in the plan at the time of the retiree's death, upon notice of withdrawal from the plan, failure to pay any premium when due, or remarriage.

Except for retirees and family members whose health insurance is provided by the Town as of January 1, 2005, the Town of Amherst will not fund any portion of a retiree's health insurance.

Changes proposed 7/8/10