

Mayor Jacob P. Bailey called the regular monthly meeting of the Amherst Town Council to order on March 9, 2011 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Kenneth Bumgarner, J. Paul Kilgore, Haney Mottley, Michael Mozingo and Richard Wydner were present. Town Manager Jack Hobbs, Town Attorney Tom Berry, Director of Utilities Tom Fore and Office Manager Colan Davis were also present.

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

Chief Tom Shrader from the Amherst Fire Department came forward to thank the Town Councilors for attending the 6:00 P.M. viewing of the parking situation at Amherst Fire Department at 135 Second Street. Mr. Kilgore made a motion that was seconded by Mr. Mozingo to establish a “no parking” zone across the street from the fire department building and thereby removing four existing on-street parking spaces. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”.

Ms. Marsha Ponton, representing the family of the late Dr. Gordon Leonard, came forward to present an idea for a memorial bench to be placed in the MiniPark. Mr. Mottley made a motion that was seconded by Mr. Wydner to approve the installation of the proposed bench in the MiniPark. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo to approve the minutes for the February 9, 2011 meeting as previously submitted. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”.

Mr. Wydner made a motion that was seconded by Mr. Mottley to authorize the Town Manager to execute a contract with Anthony Tyree for mowing during the 2011 season after the business license, insurance certificate and mowing schedule paperwork has been delivered. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”.

The Council discussed a report on the fund balance issue. Mr. Mottley made a motion that was seconded by Mr. Wydner to transfer cash and equity totaling \$1,337,356 from the General Fund to the Water Fund and \$195,972 from the General Fund to the Sewer Fund. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”.

The Council discussed the Town’s 2011 utility construction program. Mr. Mottley made a motion that was seconded by Mr. Wydner to authorize the Town Manager to execute a contract with the Town Engineer for design work required for the replacement of sanitary sewer in the Locust Street area of N. Main Street. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”. The staff was asked to bid the bulk of the materials needed for other N. Main Street sanitary sewer replacement work for approval at the April meeting.

The Council discussed ways to effect improvements on Walnut Street. Mr. Mottley made a motion that was seconded by Mr. Kilgore asking the Town Manager and Town Attorney to develop a proposal on a special tax assessment district for that area. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted “Aye”.

The Town Manager reminded the Council that he will “advertise” the April 1-May 30 prohibition against dogs running at large as directed at the June 2010 Town Council meeting.

Mr. Kilgore made a motion that was seconded by Mr. Mozingo to authorize Town Staff to hold a public hearing on its “intent to apply” for sewer planning and construction monies from

USDA. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

The Town Manager reported that VDOT has approved the lighting proposed for the South Main Street sidewalk using VDOT grant monies.

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore that the Town Council convene in closed session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation per the exemption at §2.2-3711A.1 of the Code of Virginia. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

After reconvening in open session, Mr. Bumgarner made a motion that was seconded by Mr. Mozingo 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. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye" via the roll call method.

Mr. Kilgore made a motion that was seconded by Mr. Mottley to appoint Kelvin Brown as the Police Chief effective June 1, 2011 and to authorize the Mayor execute an employment contract with him as negotiated by the Personnel Committee. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

There being no further business the meeting adjourned at 8:50 P.M.

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Jacob P. Bailey  
Mayor

Attest:

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Clerk of Council