

Mayor Jacob P. Bailey called the regular monthly meeting of the Amherst Town Council to order on September 14, 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, Michael Mozingo and Richard Wydner were present. Councilor Haney Mottley was absent. Town Manager Jack Hobbs, Police Chief Kelvin Brown, Office Manager Colan Davis, Director of Public Utilities Tom Fore and Town Attorney Tom Berry were present.

Pastor Francisco Mayo from Morning Star Baptist Church gave an invocation.

Mrs. Eva Lee Shober came forward to read the preamble to the constitution. Mayor Bailey presented her with a proclamation that declared September 17 through 23 to be Constitution Week in the Town. Mrs. Shober reminded the Councilors that a Veterans Day event will be held on November 11 in the courthouse.

A request to assist Sweet Briar College in its refinancing some of its debt via the Industrial Development Authority was discussed. Mr. Kilgore made a motion that was seconded by Mr. Wydner and approved 4-0 to adopt a resolution approving the request. Messrs. Bumgarner, Kilgore, Mozingo and Wydner voted "Aye"; Mr. Mottley was absent. A copy of the resolution is attached and made a part of these minutes.

Mr. Mozingo made a motion that was seconded by Mr. Bumgarner and approved 4-0 to approve the minutes from the August 10, 2011 meeting. Messrs. Bumgarner, Kilgore, Mozingo and Wydner voted "Aye"; Mr. Mottley was absent.

The Council agreed to hold a public hearing on Amherst Baptist Church's special use permit amendment application at its October meeting.

The Council discussed proposed amendments to the noise ordinance and agreed to hold a public hearing on the matter at its October meeting.

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore to (a) apply for a VDOT permit for the annual Ray Puckett Lions Club Christmas Parade that would be held on Friday, December 2, 2011 starting at about 6:30 P.M., (b) provide traffic control via the Town police department for the event and (c) donate \$100 to the Amherst Lion's Club for the purpose of defraying the cost of installing and removing a banner across S. Main Street to advertise the event. The motion passed 4-0. Messrs. Bumgarner, Kilgore, Mozingo and Wydner voted "Aye"; Mr. Mottley was absent.

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore and approved 4-0 to endorse a proposal by the ArtMeters group to continue its work for another year, purchase materials and install as many as six new parking meter poles along S. Main Street where the ArtMeters group proposes to install painted "dummy" wooden parking meters and install paintings in the window spaces on the Second Street side of the Goodwin Building. Messrs. Bumgarner, Kilgore, Mozingo and Wydner voted "Aye"; Mr. Mottley was absent.

By consensus, the Council agreed to use surplus sidewalk grant monies to install landscaping along S. Main Street.

By consensus, the Council agreed to authorize the staff to use its discretion in purchasing a bucket truck or similar machine that would be used during the installation and removal of banners and Christmas decorations.

Mayor Bailey noted that Delegate Ben Cline was present and thanked him for his assistance with VDOT on the Walnut Street project. The Council was reminded that the October 1 deadline in re Walnut Street as decided at its April 13, 2011 meeting is approaching.

The Council referred negotiations to renew Comcast's cable television franchise to the Finance Committee.

There being no further business, the meeting adjourned at 8:10 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council

A PROCLAMATION TO ESTABLISH CONSTITUTION WEEK IN THE TOWN OF AMHERST.

WHEREAS, September 17, 2011 marks the two hundred and twenty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Jacob Bailey, Mayor of the Town of Amherst do hereby proclaim September 17 through 23, 2011 to be

CONSTITUTION WEEK

in the Town of Amherst, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

IN WITNESS THEREOF, I have hereunto set my hand and caused to be affixed the Seal of the Town of Amherst on this fourteenth day of September in the year of our Lord two thousand eleven.

Jacob P. Bailey, Mayor

ATTEST:

Clerk of Council

RESOLUTION OF TOWN COUNCIL OF TOWN OF AMHERST, VIRGINIA

WHEREAS, the Industrial Development Authority of the Town of Amherst, Virginia (the "Authority") has considered the application of Sweet Briar Institute, more commonly known as Sweet Briar College (the "College") requesting the issuance of the Authority's Educational Facilities Revenue Refunding Bond (Sweet Briar College) Series 2011 in an amount estimated not to exceed \$10,000,000 (the "Bond") the proceeds of which are to be used to refund the Authority's Variable Rate Educational Facilities Revenue Bond (Sweet Briar Institute) Series 2008 originally issued to (1) finance capital projects on the College's campus at Sweet Briar, Virginia, which is in the County of Amherst, Virginia and (2) fund related working capital, capitalized interest, reserve funds, costs of issuance, and other expenses; and

WHEREAS, the Authority on September 6, 2011 held a public hearing on the issuance of the Bond as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 15.2-4906 of the Virginia Industrial Development and Revenue Bond Act, as amended (the "Act"); and

WHEREAS, the Authority has requested the Town Council (the "Council") of the Town of Amherst, Virginia (the "Town") to approve the issuance of the Bond to comply with Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a copy of the Authority's Resolution of September 6, 2011, approving the issuance of the Bond, a record of the public hearing and a fiscal impact statement with respect to the issuance of the Bond have been filed with the Council;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF AMHERST, VIRGINIA:

1. The Council hereby approves the issuance of the Bond by the Authority for the benefit of the College, to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to issue the Bond for the purposes set forth above.

2. The approval of the issuance of the Bond does not constitute an endorsement of the Bond or the creditworthiness of the College. As required by Section 15.2-4906 of the Act, the Bond shall provide that neither the Town nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the Town or the Authority shall be pledged thereto.

3. This Resolution shall take effect immediately upon its adoption.

Adopted this 14th day of September 2011, by the Town Council of the Town of Amherst, Virginia.

Jacob P. Bailey, Mayor
Town of Amherst, Virginia

ATTEST:

Jack Hobbs, Clerk of Council

SEAL