

Mayor Jacob P. Bailey called a regular monthly meeting of the Amherst Town Council to order on December 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, Mike 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.

Rev. Kathy Chase from Ascension Episcopal Church gave an invocation.

Jose Davila, a representative of the Amherst County Museum and Historical Society Board, came forward to request that the Town waive the sewer connection fee associated with a museum project. Mr. Wydner made a motion that was seconded by Mr. Mozingo and approved 4-0 for the Town crew to install the requested usual and customary sewer connection for the museum without charge with the understanding that the museum's anticipated FY2012/2013 donation from the Town would be reduced by \$500. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

The Town Manager gave a report on what VDOT has advised will be required for it to begin maintaining Walnut Street. Mr. Kilgore made a motion that was seconded by Mr. Wydner and approved 4-0 (a) to adopt a resolution asking VDOT to maintain Walnut Street and (b) that the Town to provide up to \$25,000 to support the project. 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, and a certified copy of the resolution and a letter authorizing VDOT to bill the Town for the work was given to Appomattox Residency Administrator for the Virginia Department of Transportation Don Austin who was in attendance.

Kelly Hitchcock from Virginia's Region 2000 Local Government Council gave a presentation on prioritizing downtown streetscape infrastructure and community development projects within the Town.

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore and approved 4-0 to approve the minutes from the November 9, 2011 meeting. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

Mr. Bumgarner gave a report on behalf of the Finance Committee on the work done to update the Town's financial policies. After some discussion, the Councilors agreed to consider approving revised policies at the January meeting after they have been reviewed by the auditor.

The Property Maintenance Investigation Board's report on the building at 201 Washington Street was reviewed. The Council asked the Town Manager to request that the property owner or her representative respond by, or participate in, the January 11 Town Council meeting at which time the Council would be able to make a decision on the matter.

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore and approved 4-0 to authorize the Town Manager to accept a proposal from George E. Jones and Sons, Inc. to replace a sewer pipe under School Road. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

Mr. Kilgore made a motion that was seconded by Mr. Wydner and approved 4-0 to authorize the Town Manager to execute a contract articulating the terms of a \$30,000 grant from the Virginia Department of Health that would fund the design work for a section of water line outside the corporate limits along U.S. 60 West and to negotiate execute a contract extension with

Wiley|Wilson for that engineering work. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

By consensus, the Town Manager was authorized to negotiate a renewed contract with Tony Tyree for the 2012/2013 landscape maintenance season.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 4-0 to reappoint Richard Wydner to the Town-County Joint Committee on Cooperation for the January 1, 2012 - December 31, 2014 term. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

The Town Manager gave status reports on the N. Main Street Sewer, S. Main Street Sidewalk, and Whitehead Drive/Maple Lane Water Line projects.

Mr. Bumgarner made a motion that was seconded by Mr. Wydner and approved 4-0 to solicit a formal contract proposal from The Hollingsworth Companies for lots at Brockman Park. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

Mr. Bumgarner made a motion that was seconded by Mr. Wydner that the Town Council convene in closed session to discuss the performance of an employee of the Town Council and discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town Council per the exemptions at §2.2-3711A.1 and .3 of the Code of Virginia. The motion was approved 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 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 was approved 4-0 via the roll call method; 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 promote Tim Maberry to Investigator with a 10% salary increase. Messrs. Bumgarner, Kilgore, Mozingo, and Wydner voted "Aye"; Mr. Mottley was absent.

There being no further business, the meeting adjourned at 10:15 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council

A RESOLUTION REQUESTING THE ADDITION OF WALNUT STREET TO THE SECONDARY MAINTENANCE SYSTEM UNDER SECTION 33.1-79 OF THE CODE OF VIRGINIA.

WHEREAS, the Town of Amherst has authority pursuant to Section 33.1-79, Code of Virginia, to add mileage to the Secondary System as long as all proposed mileage conforms to specific requirements established by the Guide For Secondary System Additions, Abandonments and Discontinuances of the Virginia Department of Transportation addressing widths of right-of-way and the annual 0.25 mile limitation of maximum allowable mileage.

WHEREAS, the Town Council of the Town of Amherst does guarantee and dedicate to the Commonwealth of Virginia a clear and unrestricted right-of-way of Fifty (50) feet as required by the Guide For Secondary System Additions, Abandonments and Discontinuances and any necessary easements for cuts, fills and drainage.

NOW, THEREFORE BE IT RESLOVED, the Town Council of the Town of Amherst requests the Virginia Department of Transportation to add the street (Walnut Street) described on the attached Additions Form AM-4.3 to the Secondary System of State Highways, pursuant to Section 33.1-79, Code of Virginia, and the Department's Guide For Secondary System Additions, Abandonments and Discontinuances.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Appomattox Residency Administrator for the Virginia Department of Transportation.

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

Jacob P. Bailey, Mayor

ATTEST:

Jack Hobbs, Clerk of Council

In the Town of Amherst

By resolution of the governing body adopted December 14, 2011

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (Town Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision Amherst Acres

Type Change to the Secondary System of State Highways:

Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change:

Town Addition (§33.1-79, 1/4 mpy), pre-existing street

Pursuant to Code of Virginia Statute:

§33.1-229, §33.1-79

Street Name and/or Route Number

◆ Walnut Street, State Route Number 1149

Old Route Number: 0

-
- From: Int Rte 1137

To: 0.2 Miles South, a distance of: 0.20 miles.

Recordation Reference: Deed Book 362 Page 58

Right of Way width (feet) = 50 Feet