

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on August 14, 2013 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Kenneth Bumgarner, Mike Mozingo, Rachel Thompson, Kenneth Watts and Richard Wydner were present. Town Manager Jack Hobbs, Police Chief Kelvin Brown, Town Attorney Tom Berry, Director of Public Utilities Tom Fore and Office Manager Colan Davis were present.

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

Region 2000 Economic Development Council Executive Director Bryan David and Region 2000 Local Government Council Executive Director Gary Christie came forward to give presentations on regional activities.

Ruth Martineau came forward to give a presentation on a proposal that would result in a map of the Town. Mrs. Martineau agreed to provide the details of her proposal for discussion at the September meeting.

Police Chief Brown came forward to present his study regarding the use of golf carts on streets inside the corporate limits of the Town of Amherst. No action was taken.

Vernon Wood came forward to give a presentation on his group's efforts to replace the downtown Christmas decorations. After it was noted that this is a Town-sponsored activity, Mrs. Thompson made a motion that was seconded by Mr. Watts and carried 5-0 to waive the insurance requirement and authorize the installation of a banner to be supplied by the group across S. Main Street to advertise the activities proposed at no cost to the group. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

Tim Ware came forward to request approval of the following items in support of his planned September 14, 2013 Cruise In event on E. Court and Goodwin Streets:

- General endorsement of the event,
- Town sponsorship of VDOT permit acquisition,
- Loan of available traffic barricades, cones and trash cans,
- Non-financial promotional assistance (fliers, Facebook, word of mouth, e-blast, etc.),
- Coordination with chamber of commerce for promotion and event organization assistance, and
- Monitoring of the site by Town police.

After some discussion, Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0 to approve the request. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 5-0 to approve the minutes from the July 10 and August 6, 2013 meetings. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

The Town Attorney left the meeting at 8:35 P.M.

The Councilors discussed the recent change to the Town's payroll cycle. Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0 to amend the annual and sick leave portions of the Town's personnel policy so that accrual rates in effect as of June 30

would continue after January 1, 2014. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the amended policy is attached and made a part of these minutes.

After some discussion, Mrs. Thompson made a motion that was seconded by Mr. Bumgarner and approved 5-0 to solicit construction bids for the ACHS-Briar Patch Water Line Project and the Water Plant Rate of Flow Controller/Chemical Feed System Replacement Project. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

The Town Manager advised that the staff is planning to purchase a snow plow and a boring ("mole") device as budgeted.

The Town Manager gave a status report on the long term disability plan issue.

The Town Council discussed the strategy for procuring needed renovations to the new Town Hall. Mayor Kilgore, Mr. Mozingo and Mrs. Thompson were selected to serve as the Town Hall renovation committee.

Mr. Wydner left the meeting at 9:08 P.M.

The Town Council discussed the Facebook and web site ideas.

The Town Manager was asked to investigate the status of the Town's telephone franchise agreement.

There being no further business, Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 4-0 to adjourn the meeting at 9:27 P.M. Messrs. Bumgarner, Mozingo, Thompson and Watts voted "Aye"; Mr. Wydner was absent.

J. Paul Kilgore, Jr.
Mayor

Attest: _____
Clerk of Council

Amendments to the Personnel Policy – Approved August 14, 2013 and Effective Immediately

(Note: This is intended to repeal the June 12, 2013 amendment)

B. Leave

1. Annual Leave

Full-time employees will accrue paid annual leave for personal purposes at the following rates and shall be used on an hour for hour basis.

0 years	24 hours per pay period month
1 - 10 years	3.75 8 hours per pay period month
11 and more	5.75 12 hours per pay period month

Individuals employed by the Town prior to July 1, 2001 shall be granted ~~6.5~~14 hours of annual leave per ~~pay period~~ month after fifteen (15) years of service.

Annual leave shall be scheduled and approved in advance by the manager or supervisor. Annual leave shall not be used until all compensatory leave is used. Annual leave is not eligible at all times as the manager and supervisors have a primary obligation to insure that the Town's service to the citizens is carried out.

Each employee may accumulate a maximum of 120 hours of annual leave. Annual leave above that amount shall expire and may not be accumulated or used. Employees shall be paid for the value of the accrued vacation upon termination of their Town employment concurrent with the final paycheck.

2. Sick Leave

Sick leave shall accrue at the rate of ~~3.75~~8 hours per ~~pay period~~ month, and, when taken, shall be used on an hour for hour basis. Sick leave shall be used for:

- a. FMLA leave, pursuant to section D.1.
- b. Illness or injury incapacitating the employee and preventing the employee from performing assigned duties, doctor or dental appointments during working hours. Personal sick leave is charged on an hour-for-hour basis for all employees and is not considered an entitlement.
- c. An employee may elect to charge against earned sick leave credits an absence required by illness or death in the immediate family.

The "immediate family," in this application, includes only: the employee's or spouse's parents, wife, husband, children, brother, or sister, and any relative living in the household of the employee. The period of absence which may be charged against sick leave in this application may not exceed twenty-four

work hours for an illness of one cause, for an injury, or for a death. Sick leave used as a result of death shall be continuous and within one week of the death.

An employee away from work for medical conditions which require absence in excess of one week or for FMLA purposes is required to (1) submit to the supervisor a written statement from the attending physician or health care provider, stating the earliest approximate date of return to duty and advising on the ability of the employee to perform the essential functions of his or her job with or without reasonable accommodations, and simultaneously (2) apply for leave under the Family and Medical Leave Act. The supervisor or manager has the prerogative of requiring a physician's or health care provider's letter with the above content prior to an absence of one week if in his or her judgment this information is necessary. Medical information and the personnel needs of the Town will be considered in determining the holding of the employee's position or placement in another position for which the employee qualifies. All medical information will be kept confidential and will be kept separate from the employee's personnel file.

Exceptions to this policy may be considered on a case-by-case basis and approved by the manager. Sick leave is charged on an hour-for-hour basis for all employees and is not considered entitlement.

Each employee may accumulate a maximum of 520 hours of sick leave. Sick leave above that amount shall expire and may not be accumulated or used. All accumulated sick leave is forfeited upon separation from employment with the Town. Accumulated sick leave is not compensable for any reason.