

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on July 9, 2014 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Kenneth Bumgarner, Mike Mozingo, and Richard Wydner were present. Councilors Rachel Thompson and Kenneth Watts were absent. Town Manager Jack Hobbs, Town Attorney Tom Berry, Police Chief Kelvin Brown, Director of Public Utilities Tom Fore and Office Manager Colan Davis were present.

Mayor Kilgore asked for a moment of silence.

Ms. Marceline Lotman of 117 Woodland Drive gave Council an update on her efforts to have the curve at Kenmore Road and Gregory Lane better marked by VDOT for safety reasons.

Mr. Cliff Hart of 219 Garland Ave. voiced his concerns about the sources and protection of the future water supply for the Town.

Mr. Wydner made a motion that was seconded by Mr. Bumgarner and approved 3-0 to approve the minutes from the June 11, 2014 meeting. Messrs. Bumgarner, Mozingo, and Wydner voted "Aye" and Messrs. Thompson and Watts were absent.

The Town Attorney gave a report on the demolition of the Beverly house (201 Washington Street) that was referred to him on October 10, 2012.

Mr. Wydner presented a printed copy of Ruth Martineau's Town map. It was understood that the electronic version would be available soon.

The progress of the renovation work at the new town hall at 174 S. Main Street was discussed. It was agreed that the Town Council should meet there in August if possible.

The Town Manager reported that the Town has received notice that the \$146,813 surety guaranteeing completion of the road construction in the Mill Race project is being terminated and so staff is in the process of seizing the funds. VDOT has been requested to provide a current "punchlist" as the first step in evaluating what is needed to move Mill Race Drive (1,350' terminating in a 90'ø cul de sac) and Montfair Drive (750' terminating in a 90ø' cul de sac) into the VDOT maintenance program.

Town Hall building and grounds use and inclement weather policy proposals were presented. The Councilors agreed to discuss these at the August meeting.

The Councilors discussed the Town's donations program. The Town Manager was asked to request recipients to articulate how Town FY14 donation monies were actually used, a copy of their budget with details of monies they receive from other government agencies, and to describe the planned use of the FY15 donation monies. Disbursement of FY15 funds would follow the receipt of these reports at the Town Council's discretion.

Procurement information supporting a proposed Town Hall janitorial contract was presented. Mr. Mozingo made a motion that was seconded by Mr. Wydner and approved 3-0 to authorize the Town Manager to contract with TCM for the work. Messrs. Bumgarner, Mozingo, and Wydner voted "Aye" and Messrs. Thompson and Watts were absent.

The Town Manager reported that the water plant project has been the subject of several change orders and delays and that the contractor is about to enter a liquidated damages situation which could cost it up to \$500/day. It was understood that the Town would expect compensation for any damages due to late delivery.

The Town Manager reported that no applicants have come forward to replace Billy Iseman on the Board of Zoning Appeals for the September 1, 2014-August 31, 2019 term.

A proposal to amend the charter, town code and policies that would reestablish the staff alignment was presented. The Town Councilors agreed to study the documents for discussion in August with the goal of having the required public hearing at the September Town Council meeting.

The Town Manager was asked to arrange for a reception for a long-serving board member that will be retiring soon to be held just before the August meeting.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 3-0 to authorize the Mayor to sign a contract to sell two acres and a cemetery at Brockman Park to GCRE Development, LLC. Messrs. Bumgarner, Mozingo, and Wydner voted "Aye" and Messrs. Thompson and Watts were absent.

Chief Brown gave a status report on the disposal of excess equipment.

The disposal process for the old town hall building was discussed. The Town Manager was asked to make arrangements for the required public hearing to be held at the August Town Council meeting.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 3-0, with Messrs. Bumgarner, Mozingo, and Wydner voted "Aye" and Messrs. Thompson and Watts absent, to reconvene 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.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 3-0 by a roll call vote that the Councilors 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. Messrs. Bumgarner, Mozingo, and Wydner voted "Aye" and Messrs. Thompson and Watts were absent.

There being no further business, at 9:12 PM Mr. Mozingo made a motion that was seconded by Mr. Bumgarner and approved 3-0 to adjourn until August 7 at 6:00 PM. Messrs. Bumgarner, Mozingo, and Wydner voted "Aye" and Messrs. Thompson and Watts were absent.

J. Paul Kilgore, Jr.
Mayor

Attest: _____
Clerk of Council