

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on November 12, 2014 at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. Council members Kenneth Bumgarner, Michael Mozingo, Kenneth Watts and Richard Wydner were present; Councilor Rachel Thompson was absent. Town Manager Jack Hobbs, Town Attorney Tom Berry, Police Chief Robert Kimbrel, Director of Public Utilities Tom Fore and Office Manager Colan Davis were present.

After a moment of silence, Mayor Kilgore noted that this is Chief Kimbrel's first Town Council meeting.

The Utilities Committee was asked to work on clarifying the Town's policy that connects the refuse collection program to water service before the Town Council considers a request by Cynthia Foulke of 370 Christian Springs Road to "opt out" of the Town's refuse collection her residence.

The Town Manager presented a tabulation of bids for the Town's curbside refuse collection contract and reported that an "automated service" contract with Beasley Disposal, Inc. has been recommended for approval by the Utilities Committee. Representatives from Beasley Disposal and Waste Solutions presented comments. Mr. Wydner made a motion that was seconded by Mr. Mozingo and approved 3-1 to authorize the Town Manager to execute a contract with Beasley Disposal for automated/cart-provided curbside refuse collection service for an initial contract term of January 1, 2015 - December 31, 2019. Messrs. Mozingo, Watts and Wydner voted "Aye", Mr. Bumgarner voted "Nay"; Mrs. Thompson was absent.

The Town Manager reported that Christine Pierce, 140 Dogwood Street, had appealed late fees that were applied to her utility bill. Mr. Bumgarner made a motion that was seconded by Mr. Watts and approved 4-0 to waive \$19.06 as requested. Messrs. Bumgarner, Mozingo, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

Mr. Berry left the meeting.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 4-0 to approve the minutes from the October 8, 2014 meeting. Messrs. Bumgarner, Mozingo, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

By consensus, it was agreed that the Town Council would hold a public hearing at the December meeting on an ordinance amendment recommended by the Planning Commission.

By consensus, the Town Manager was authorized to send a letter to the Virginia Department of Environmental Quality asking for an explanation on terms contained in the new sewer plant operating permit proposed by that agency.

Mr. Watts reported that the Community Relations Committee is working on a proposed prayer policy.

The Town Manager gave a summary report on the FY14 audit that was presented at the October meeting. After a discussion on issues raised in the FY13 and FY14 management letters, Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 4-0 to accept the auditor's report as presented. Messrs. Bumgarner, Mozingo, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

Correspondence from VDOT outlining the Town's authority to have a public hearing on the Midland Trail designation for U.S. Route 60 was received. By consensus, it was agreed that the Town Council would hold a public hearing on this topic at the December meeting.

After some discussion on the need for a pay and classification study, improvements to the personnel evaluation program and updating Town personnel and police policies, Mr. Bumgarner made a motion that was seconded by Mr. Watts and approved 4-0 to authorize the Town Manager to execute a contract with Springsted, Inc. for a pay and classification study. Messrs. Bumgarner, Mozingo, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

Mr. Bumgarner made a motion that was seconded by Mr. Wydner and approved 4-0 to authorize the Town Manager to execute a contract with WW Associates for the engineering needed to support the USDA-financed gravity sewer rehabilitation project.

The Town Manager gave a report on the status of the water plant, visitor center, Ambriar/Briarherst sewer, and Mill Race projects. By consensus, the Town Council agreed to hold a public hearing on an easement abandonment item requested by VDOT and to hear a report on items remaining to be done for the Mill Race project at the December meeting.

Mr. Watts made a motion that was seconded by Mr. Bumgarner and approved 4-0 to recommend Ed Carton (241 Hangar Road) for appointment to the Board of Zoning Appeals for the 9/1/2014 - 8/31/2019 term. Messrs. Bumgarner, Mozingo, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

It was reported that items on the December meeting agenda are expected to include:

- a public hearing on the mandatory site plan review ordinance proposed by the Planning Commission,
- a public hearing on the vacation of an unneeded easement at Mill Race Drive and a report on items remaining to be completed for that project,
- a public hearing on the Midland Trail designation for U.S. Route 60
- discussion on recurring APCO service interruptions and power surges at the sewer plant, and
- a report on the potential closing of CVCC/Amherst site.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 4-0, with Messrs. Bumgarner, Mozingo, Watts and Wydner voting "Aye"; Mrs. Thompson was absent, to go into closed session for (a) discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body per the exemption at §2.2-3711A.3 of the Code of Virginia, and (b) 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. Watts made a motion that was seconded by Mr. Bumgarner and approved 4-0 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, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

There being no further business, at 10:20 P.M., Mr. Watts made a motion that was seconded by Mr. Wydner and approved 4-0 to adjourn the meeting. Messrs. Bumgarner, Mozingo, Watts and Wydner voted "Aye"; Mrs. Thompson was absent.

J. Paul Kilgore, Jr.
Mayor

Attest: _____
Clerk of Council