

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on February 8, 2017, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. Council members André Higginbotham, Kenneth Watts, Mark A. Stinnett and Rachel Carton were present. Town Manager Jack Hobbs, Police Chief Robert Kimbrel, Deputy Town Manager for Public Works Jim Chandler, Office Manager Tracie Wright, and Deputy Town Clerk Vicki Hunt were present. It was noted that one seat on the Town Council is vacant.

Mayor Tuggle led a moment of silence followed by recitation of the Pledge of Allegiance to the Flag.

Mayor Tuggle reported that there is an anticipated vacant seat on Town Council. Applications for appointment will be accepted by Council from February 10, 2017, through March 1, 2017, via a form available on the town's web site. A special Town Council meeting will be held on March 6, 2017, at which time a new council member will be appointed who will take his/her seat on March 8, 2017.

Mayor Tuggle opened the floor for citizen comments.

Derrick Brown, 112 Shadwell Lane, Madison Heights, VA, and Alonzo Matthews, 227 S. Coolwell Road, Madison Heights, VA, came forward to request Town Council support for the 7th Annual IRON 5k Run/Walk event that would occur on April 4, 2017, from 2pm to 4pm. Mr. Watts made a motion that was seconded by Mr. Higginbotham and carried 4-0 to endorse the event with the understanding that IRON would fully fund sufficient traffic control for the activity as required by the Police Chief. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted "Aye."

After some discussion, Mrs. Carton made a motion which was seconded by Mr. Higginbotham and carried 4-0 to approve a resolution supporting new pavement markings on Route 29 Business (N & S Main Street) and Route 60 (Richmond Hwy). Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted "Aye." A copy of the resolution is attached and made a part of these minutes.

After some discussion, Mr. Watts made a motion which was seconded by Mr. Stinnett and carried 4-0 that the Town of Amherst endorse the Amherst County Chamber of Commerce Cruise-In event scheduled for April 22, 2017, (with a rain date of April 29) as being a positive activity that provides community recreation and promotes business traffic in downtown Amherst subject to the following understandings:

- The event sponsor is responsible for contacting all adjacent property owners and tenants and working with each to ensure minimal disruption to the neighborhood,
- Use of Town parking lots at the end of E. Court Street and at 174 S. Main Street and Town bathrooms at 174 S. Main Street for the event is approved,
- The event sponsor will reserve four spaces at 174 S. Main Street for the Amherst Police Department,
- The Town will sponsor an application for VDOT to close E. Court and Goodwin Streets and from 4 PM to 8:30 PM on the evening of the event,
- The Town will loan event sponsors available traffic barricades, cones and trash cans for use during the event,
- The Town will provide the usual and customary non-financial promotional assistance (posting fliers, Facebook promotion, word of mouth, etc.),
- The event area will be monitored by the Town of Amherst Police Department,
- The event sponsor will provide the Town an insurance certificate naming the Town of Amherst, its officers and employees as an additional insured, and

- The Town of Amherst contribute \$500.00 to defray the cost of the band for the event.

Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted “Aye.”

After some discussion, a motion was made by Mr. Watts which was seconded by Mr. Higginbotham and carried 4-0 to support a Resolution requested by the Amherst County Board of Supervisors expressing the belief that it is the responsibility of the Commonwealth of Virginia to take certain specific actions relative to the Central Virginia Training Center to ensure its effective and efficient transition from active operation to disposition by the Commonwealth. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted “Aye.” A copy of the resolution is attached and made a part of these minutes.

Mrs. Carton made a motion that was seconded by Mr. Stinnett and carried 4-0 to approve the minutes from the January 11, 2017, and February 4, 2017, meetings. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton voted “Aye.”

Town Attorney Tom Berry reported that the Ambriar deed of easement has been drafted and indicated that it should be signed and the matter finalized by the beginning of the week of February 13, 2017.

Town Attorney Tom Berry reported on the status of demolition of the Beverly House stating that the notice of publication from the newspaper has been received by his office and will be filed along with the other documents in the matter.

After a brief discussion, a motion was made by Mr. Stinnett that was seconded by Mrs. Carton and carried 4-0 to extend the Town’s Landscape Maintenance contract with Grasshopper Lawn Care for the 2017 season. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted “Aye.”

After a brief discussion, a motion was made by Mr. Watts which was seconded by Mr. Higginbotham and carried 4-0 to approve a prayer policy. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted “Aye.” A copy of the policy is attached and made a part of these minutes.

After a brief discussion, a motion was made by Mr. Watts which was seconded by Mr. Stinnett and carried 4-0 to appoint Clifford Hart to a seat on the Town/Sweetbriar Sewer Use Advisory Commission to replace Dwayne Tuggle, whose term would have expired on December 31, 2018. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted “Aye.”

Discussion on the IDA-EDA merger/Brockman Park maintenance agreement was deferred to the March meeting.

Consideration of donation requests received as of February 1, 2017, was referred to the Finance Committee.

The Public Safety and Community Relations Committee was asked to take the lead on research, drafting and recommendation of an events and street closure application process and policy that would become effective on January 1, 2018.

The Town Manager provided an oral review of the Town’s FY17 capital spending plan and various projects.

Mayor Tuggle opened the floor to citizen comments.

Clifford Hart came forward to state that he concurs with the idea that periodic Town Council retreats with or without a facilitator is a good idea.

Liberty Stevens came forward to request that Town Council consider not providing monies to private organizations for their sponsored events held in the Town of Amherst.

Mr. Watts made the following motion which was seconded by Mr. Higginbotham and carried 4-0: I move that the Town Council convene in closed session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted "Aye."

Mr. Watts made a motion that was seconded by Mr. Higginbotham to 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 passed 4-0. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted "Aye" via the roll call method.

Mr. Higginbotham made a motion which was seconded by Mr. Stinnett and carried 4-0 to move the direction of the Police Department under the Deputy Town Manager. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted "Aye."

There being no further business, at 9:30 PM Mrs. Carton made a motion which was seconded by Mr. Higginbotham and carried 4-0 to adjourn until 7:00 P.M. on March 6, 2017, in the Town Hall at 174 S. Main Street. Messrs. Higginbotham, Watts, Stinnett and Mrs. Carton, voted "Aye."

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council

A RESOLUTION SUPPORTING LANE RECONFIGURATION ON ROUTE 29 BUSINESS (N & S MAIN STREET) AND ROUTE 60 (RICHMOND HWY).

WHEREAS, Route 29 Business (Main Street) and Route 60 (Richmond Highway) are primary routes of travel through the Town of Amherst,

WHEREAS, the Town of Amherst is in the process of replacing a new water main along S. Main Street and N. Main Street way and VDOT has scheduled S. & N. Main Street from south of Kenmore Road to north of Grandview Drive to be repaved;

WHEREAS, studies and drawing have been provided for review, evaluation and public meeting were held in regard to a “road diet” on sections of Main Street and potential dedicated bike lanes throughout N. Main Street, S. Main Street and Richmond Highway;

WHEREAS, the reconfiguration of the lanes of S. Main Street can be accomplished through restriping the pavement to show the two travel lanes, bike lanes, share the road, parking, and a continuous left turn lane in the southern most segment.

WHEREAS, the reconfiguration of the lanes of N. Main Street can be accomplished through restriping the pavement to show the two travel lanes, parking and bike lanes eliminating the continuous left turn lane and providing left turn lanes at select intersections;

WHEREAS, Richmond Highway is scheduled to be repaved by VDOT in conjunction with the installation of new sidewalk, curb and gutter from the traffic circle to Washington Street:

WHEREAS, the reconfiguration of the lanes of Richmond Highway from the traffic circle to Washington Street can be accomplished through restriping the pavement to show the two travel lanes, center left turn lane and bike lanes, eliminating existing four travel lanes;

WHEREAS, a public hearing was held on January 11, 2017 to provide opportunity for citizens to provide comment on the proposal;

NOW, THEREFORE, BE IT RESOVLED that the Town Council of the Town of Amherst does hereby request VDOT to consider the Town’s proposal to restripe S. & N. Main Street and Richmond Highway as presented to the Town Council understanding that there could be minor modifications to accommodate field conditions.

Adopted this 8th day of February, 2017.

D. Dwayne Tuggle
Mayor

ATTEST:

Clerk of Council

A RESOLUTION, EXPRESSING THE BELIEF OF THE TOWN COUNCIL OF THE TOWN OF AMHERST THAT IT IS THE RESPONSIBILITY OF THE COMMONWEALTH OF VIRGINIA TO TAKE CERTAIN SPECIFIC ACTIONS RELATIVE TO THE CENTRAL VIRGINIA TRAINING CENTER TO ENSURE ITS EFFECTIVE AND EFFICIENT TRANSITION FROM ACTIVE OPERATION TO DISPOSITION BY THE COMMONWEALTH.

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

I. That the Town Council of the Town of Amherst hereby expresses its belief that it is the responsibility of the Commonwealth of Virginia to take certain specific actions relative to the Central Virginia Training Center to ensure its effective and efficient transition from active operation to disposition by the Commonwealth, as follows:

WHEREAS, in January 2012, Governor McDonnell announced the closure of four of Virginia's training centers over a ten-year period, and the continuation of the downsizing of a fifth center, pursuant to the Commonwealth's August 2012 settlement with the United States Department of Justice, and related matters; and

WHEREAS, the Central Virginia Training Center (the "Center") is scheduled to close by 2020, and may close earlier; and

WHEREAS, Center residents are among the most vulnerable and needy citizens requiring specialized care in our Commonwealth, and their family members are highly dependent on the services the Center provides; and

WHEREAS, it is as yet undetermined whether any portion of the Center will remain open to support those residents and their families, but it is certain that many buildings are no longer in use and large portions of the Center have never been used and will not ever be needed; and

WHEREAS, the Commonwealth still holds debt in excess of \$20 million on the property, and the Commonwealth manages a trust fund for the residents that must be supplemented in the near future; and

WHEREAS, delay in the gainful disposal of the Center's unneeded assets represents a great waste of Commonwealth resources, and if the Commonwealth is to maximize the financial potential of these unneeded assets to its own benefit and the benefit of Center residents and their families, it is only prudent to invest in the studies and demolition work needed so that the Commonwealth can move swiftly through the administrative processes needed to make the assets appealing to investors at their highest and best use; and

WHEREAS, the Center historically has been one of the largest employers in Region 2000, having a total economic impact for the Lynchburg MSA of 1,639 full-time equivalent jobs, \$53.6 million in labor income, and \$87.1 million in overall economic activity, and generating State and local tax revenue of \$3 million; and

WHEREAS, preparing the unused assets of the Center for redevelopment to fill the economic void its closure is creating does not preclude retaining part or all of the Center's current operations; and

WHEREAS, an economic and an environmental analysis are both needed and advisable given the significant economic disruption the Center's closing will have on the Region 2000 community, and given the community's vested interest in the Center's future use; and

WHEREAS, the Town Council of the Town of Amherst continues to insist that the Commonwealth inform itself regarding the environmental issues associated with the Center, to take responsibility to resolve those issues, to remove derelict structures with no present or future value, and to undertake those planning and marketing efforts necessary to maximize proceeds from the Commonwealth's disposal of the unneeded assets at the facility; and

WHEREAS, our local delegation of state Senators and Delegates have worked to protect the Center's patients and continue to advocate on their behalf; and they are aware that the Commonwealth includes carrying costs of maintaining the facility to inflate the cost of care per patient to justify closure; and

WHEREAS, the Region's legislative delegation want to work to find solutions to bring the highest quality care for the Center's patients, while also finding ways to lower the cost per patient by supporting a process to declare unneeded assets that negatively impact the Center; and

WHEREAS, the Region's legislative delegation, and its local government officials also urge the Virginia Department of Behavioral Health & Development Services to declare the Center's excess property to the Virginia Department of General Services in order to begin the property disposition process.

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

That the Town Council of the Town of Amherst asserts that it is the responsibility of the Commonwealth, with regard to the Central Virginia Training Center, to:

1. Fund the necessary environmental investigative, assessment, and rehabilitation studies to gainfully market the Center's unused property to prospective developers for use at the property's highest and best potential through an amendment to the Virginia 2017 budget.
2. Direct its agencies, through budget language in the Virginia 2017 budget, to partner with local economic development agencies to move swiftly through the administrative processes to sell or find alternative uses for the excess property of the Center.
3. Fund the demolition and removal of structures and hazards that have no present or future value.
4. Fund planning and marketing efforts to maximize the return of value for the unneeded assets of the Center.

BE IT FURTHER RESOLVED:

That the Town Council is committed to finding solutions to grow economic opportunities around the Center that will also help enhance the community for patients, families, and the Center's employees.

BE IT FURTHER RESOLVED:

That the Town Council will work to support the legislative and state budget initiatives introduced by the Region's legislative delegation to keep the necessary portions of Center open for as long as feasibly

possible, while working alongside the relevant Commonwealth agencies to implement the economic opportunities and growth that will positively benefit our shared communities.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 8th day of February, 2017.

D. Dwayne Tuggle
Mayor

ATTEST:

Clerk of Council

PRAYER POLICY OF THE AMHERST TOWN COUNCIL

It is the policy of the Amherst Town Council to allow a one (1) minute prayer or invocation at the beginning of its regular monthly meetings. In so doing, the Town Council intends to:

- Preserve and promote the right of Town residents to free speech;
- Use offered prayers and reflective moments of silence to lend gravity to public business, remind lawmakers to transcend petty differences in pursuit of a higher purpose, and express a common aspiration to a just and peaceful society; and
- To ensure that prayers offered at Town Council meetings do not denigrate nonbelievers or religious minorities.

The prayer opportunity is open to volunteer speakers of all religious backgrounds, who may or may not be a Town resident, and may or may not be affiliated with a traditional religious organization. If a volunteer desires to offer a prayer, then the first offer for each regular monthly meeting reported to the Town Manager will be scheduled at the top of the agenda as an invocation. To advise potential volunteers of this opportunity, the Town Manager shall send a letter on or about December 1 of each year to every leader of the churches, synagogues, mosques, and other recognized religious institutions physically located within the corporate limits of the Town of Amherst, as well as the chaplain of the Amherst Fire Department and Amherst Life Saving Crew. The letter shall advise each, of the prayer opportunity along with a copy of this policy, and the schedule of regularly scheduled Town Council meetings for the following year. If no volunteer offers to give a prayer for any individual meeting, the Mayor will then offer the opportunity at the beginning of that particular Town Council meeting to anyone present, if no one comes forth, then a member of the Council may choose to fulfill the opportunity for an offered prayer or invocation.

No member of the Council, employee of the Town, or any other person in attendance at the meeting, shall be required to participate in any prayer that is offered, and such nonparticipation shall have no impact on the ability of the person to actively participate in the business of the Council.

No member or employee of the Council will direct the public to stand, bow, or in any way participate in a prayer, make public note of a person's presence or absence, attention or inattention during the prayer or solemnizing message, or indicate the decisions of the Council will in any way be influenced by a person's acquiescence in the prayer message.

As the prayer is for the benefit of the Council, the prayer should be delivered with the speaker facing and addressing the Councilors and not any other individuals at the meeting. To maintain a spirit of respect and ecumenism, the Council requests that the opportunity not be exploited as an effort to convert others to the particular faith of the speaker or proselytize or disparage any faiths or beliefs.

To clarify the Council's intentions, the following shall be included on each regular meeting agenda:

"Any invocation that may be offered before the official start of the Amherst Town Council meeting shall be the voluntary offering to, and for, the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the audience is required to attend or participate in the invocation, and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure by which a volunteer may deliver an invocation are available upon request at the Town Hall."

This policy is not intended, and shall not be implemented or construed in any way to affiliate the Council with, nor express the Council's preference for, any faith or religious denomination.