

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on May 10, 2017, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. Council members André Higginbotham, Kenneth S. Watts, Kenneth G. Bunch, and Rachel A. Carton were present. Council member Mark A. Stinnett was absent. Town Manager Jack Hobbs, Town Attorney W. Thomas Berry, Deputy Town Manager Jim Chandler, Police Chief Robert Kimbrel, and Deputy Town Clerk Vicki Hunt were present.

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation given by Rachel A. Carton.

Mayor Tuggle read a letter of recognition to Gary Williams, Director of Utility Plants, for his hard work and dedicated service to the Town of Amherst.

Mayor Tuggle opened the floor for citizen comments.

Joe England came forward to ask for the Town's continued support of the Cruise-In events.

Elizabeth Overbey, 138 Monitor Road, came forward to request that the Town's policy that allows accounts to be established without prior consent or upon application by the homeowner and liens to be placed upon the homeowner's property be changed.

William McClenny, 138 Monitor Road, came forward to request that dormant account charges be removed from a utility bill he received and that the Town's policy that allows enforcement of the charge be changed stating that he considers it to be unjust in that no application to the Town for water services on the property was made by him.

The Utilities Committee was asked to take the lead on review of the policy. Discussions on the matter were deferred to the next meeting.

A duly advertised public hearing on the Town's proposed FY17/18 budget was opened at 7:13 P.M. Tim Ware came forward to request the Town's continued support of Cruise-In Events. Patrick Dreher, President of the Amherst County Chamber of Commerce, came forward on that group's behalf to request the Town's continued support and provided the Deputy Town Clerk with a summary of his comments. There being no one else present who wished to speak on the budget matter, the public hearing closed at 7:21 P.M.

Mr. Watts made a motion that was seconded by Mr. Bunch and carried 4-0-1 to approve the minutes from the April 12, 2017, meeting as amended. Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted "Aye." Mr. Stinnett was absent.

The Town Manager gave an oral report on various projects.

There was a discussion on anticipated committee appointments. Mrs. Carton made a motion that was seconded by Mr. Watts and approved 4-0-1 to appoint or recommend a series of individuals to the boards for the terms listed below subject to their willingness to continue serving. Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted "Aye." Mr. Stinnett was absent.

Board	Appointed	Term of Office
Planning Commission	Ted Finney	7/1/2017 - 6/30/21 (4 years)
Industrial Development Authority	Gary Jennings	7/1/2017 - 6/30/21 (4 years)
Industrial Development Authority	Manly Rucker	7/1/2017 - 6/30/21 (4 years)
Property Maintenance Investigation Board	Manly Rucker	7/1/2017 - 6/30/2020 (3 years)
Board of Zoning Appeals	Marvin Hensley	9/1/2017 - 8/30/22 (5 years)

After discussion, Mrs. Carton made a motion which was seconded by Mr. Bunch and carried 4-0-1 to authorize the Town Manager to execute a contract with Davidson Doyle & Hilton for audit of the Town's FY17 financial records.

After discussion, Mr. Watts made a motion which was seconded by Mr. Higginbotham and carried 4-0-1 to approve allocation of \$19,040 in spending from the General Fund Capital Improvement Account backhoe replacement line for the acquisition of Xtreme Vac, Model XV8027 street vacuum unit. Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted "Aye." Mr. Stinnett was absent.

The Town Manager reported that the Planning Commission voted 4-0 to recommend that Town Council approve the rezoning request proposal by Golden Arch Limited Partnership to adjust the conditions on the zoning for the McDonalds site at 135 Richmond Highway (TM#96A4-A-174B, zoned B-2 [Conditional] General Commercial District) which would, if approved, add the option of screening the dumpster with masonry materials and eliminate the prohibition on drive-through speakers. A required public hearing on the matter will be held at the June meeting.

The Town Manager gave oral reports on plans to address the Disinfection Byproduct problem and to effect a permanent solution as well as other elements of the Town's construction programs.

Ms. Carton reported she has received various complaints from residents concerning speeding on Main Street.

Mayor Tuggle reported on the Ambriar-Sweet Briar Trail Project focus group workshop conducted at Sweet Briar College.

Mayor Tuggle reported that he will be keynote speaker on Memorial Day in the Minipark.

The Town Council agreed to establish an exploratory committee comprised of four members to research the feasibility of opening a full-service YMCA in the Town of Amherst. It was understood that this committee's work would be completed in about a year and that the Mayor would provide an articulation of the committee's goals, timetable and resources to be allocated to it at the June meeting. Mr. Bunch made a motion which was seconded by Mr. Higginbotham and carried 4-0-1 to appoint Erin Minter Chairman, Tracy Wilburn Committee Member, and Erin Calhoun Committee Member. One Committee Member seat is vacant. Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted "Aye." Mr. Stinnett was absent.

Mayor Tuggle opened the floor to citizen comments.

Tim Ware came forward and asked about the possibility of night-time paving of the Main Street downtown area where vehicle and pedestrian traffic is concentrated.

Cliff Hart came forward with a question concerning the capability of the street vacuum to pick up gravel. The Deputy Town Manager responded that gravel would not harm the vacuum equipment components.

At 8:08 PM Mrs. Carton made a motion that was seconded by Mr. Watts as follows:

I move that the Town Council convene in closed session for:

Personnel matters: 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 per the exemption at §2.2-3711A.1 of the Code of Virginia.

Prospective business: Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community per the exemption at §2.2-3711A.5 of the Code of Virginia.

Consultation with legal counsel: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel per the exemption at §2.2-3711A.7 of the Code of Virginia.

The motion carried 4-0-1 with Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voting “Aye.” Mr. Stinnett was absent.

At 9:22 PM, Mrs. Carton made a motion 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. Mr. Bunch seconded the motion which carried 4-0-1 via the roll call method; Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted “Aye.” Mr. Stinnett was absent.

Mr. Bunch made a motion to authorize the Mayor to execute a contract that would continue Mr. Berry’s service as the Town Attorney. Mr. Higginbotham seconded the motion which carried 4-0-1; Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted “Aye.” Mr. Stinnett was absent.

There being no further business, Mrs. Carton made a motion to adjourn the meeting at 9:25 PM. Mr. Higginbotham seconded the motion which carried 4-0-1; Messrs. Higginbotham, Watts, Bunch and Mrs. Carton voted “Aye.” Mr. Stinnett was absent.

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council