

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order July 10, 2019, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. It was noted that a quorum was present as follows:

P	D. Dwayne Tuggle	P	Kenneth G. Bunch
P	Rachel A. Carton	P	Sarah B. Ogden
P	Kenneth S. Watts	P	Janice N. Wheaton

Also present were the following staff members:

Sara E. Carter	Town Manager	Robert A. Shiflett, II	Chief of Police
W. Thomas Berry	Town Attorney	Gary Williams	Director of Plants
Vicki K. Hunt	Clerk of Council	Becky L. Cash	Lead Water Operator
Tracie L. Wright	Office Manager		

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Kenneth S. Watts.

Mayor D. Dwayne Tuggle opened the floor for citizen comment.

Clifford Hart, Amherst, VA came forward to thank Chief Shiflett for the hard work and success on the First Responders Parade and Celebration, and suggested that additional advertisement postings of any future events might be beneficial in order to give more people an opportunity to learn of and attend the events.

Office Manager Wright gave a brief report on an amendment to the FY19 capital improvement budget, that would, if approved, appropriate funds for capital purchases from the Town reserve over 1% of the Town’s FY19 Expenditure budget, pursuant to §15.2-2507 of the Code of Virginia. Funds include purchase of land and building (Police Building and Town Park \$226,772.77) and planning grants (Virginia Brownfields Grant \$50,000).

Mayor Tuggle opened a duly advertised public hearing at 7:05 PM, on proposed amendment to the FY19 capital improvement budget for funds appropriated for capital purchases from the Town reserve over 1% of the Town’s FY19 Expenditure budget, pursuant to §15.2-2507 of the Code of Virginia.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:06 PM.

Mr. Watts made a motion that was seconded by Ms. Carton to adopt the proposed amendment to the FY19 capital improvement budget for funds appropriated for capital purchases from the Town reserve over 1% of the Town’s FY19 Expenditure budget, pursuant to §15.2-2507 of the Code of Virginia, as recommended by staff.

After discussion, the motion carried 4-1 via roll call method as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Nay

A copy of the amendments is attached and made a part of these minutes.

Derrick Brown, Chief Executive Officer, and Sabrina Marth, Chief Development and Operations Officer, came forward on behalf of Iron K Lives to request Town Council support for the 2020 IRON 5k Run/Walk event that would occur on April 19, 2020, from 3pm to 5pm. Mr. Watts made a motion that was seconded by Mr. Bunch to endorse the event with the understanding that IRON would fully fund sufficient traffic control for the activity as required by Police Chief Shiflett. After discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting “Aye.”

Mrs. Carton made a motion that was seconded by Mrs. Ogden to approve the minutes from the June 12, 2019, meeting as presented. After discussion the motion carried 4-1 as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Nay

Mrs. Carton made a motion that was seconded by Mr. Watts that Town Council will proceed and agree that the Minutes of any public meetings held by the Council, Boards, Committees and/or Commissions will continue in the same format that has been in effect to date and, to note that the Minutes will reflect those actions taken by that appropriate body overseeing the public meeting at that time. After discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting “Aye.”

After a report by Town Manager Carter, Mr. Bunch made a motion that was seconded by Mrs. Carton to authorize Town Manager Carter to accept Change Order Proposal #2 from Anderson Construction, Inc., in the amount of \$10,614.77 to repair unforeseen cracks in the walls and influent trough of sedimentation basin #1 that are preventing the grouting of the basin floor required for installation of the sludge collector, as recommended by staff, and to authorize Town Manager Carter to execute Change Order No. 2 as it relates to the project.

After discussion, the motion carried 5-0 via roll call method as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Mr. Watts made a motion that was seconded by Mr. Bunch to appoint a series of individuals to the boards for the terms listed below subject to their willingness to continue serving. After discussion, the motion carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting “Aye.”

Board	Appointed	Term of Office
Planning Commission	Clifford Hart	7/1/2019 - 6/30/23 (4 years)
Planning Commission	William Jones	7/1/2019 - 6/30/23 (4 years)
Industrial Development Authority	Richard Wydner, Jr.	7/1/2019 - 6/30/23 (4 years)

Town Manager Carter gave a report on proposed amendments to Amherst Town Code Section 20-75, that would, if approved, focus on commercial vehicles that are parked on the street overnight, prohibit blocking the bicycle lanes, and define commercial vehicles. By consensus, Town Attorney Berry is directed to make further revisions to the proposed ordinance for presentation. Further discussion is deferred to the August meeting.

After a report by Town Manager Carter on staff recommendations for park property on Scott’s Hill Road consisting of multi-use trails, picnic and recreation space, and potential of future dog off-leash area, and presentation of a proposed plan of action for development of park property, Mr. Watts made a motion that was seconded by Mrs. Ogden to allow Town Manager Carter to proceed with the plan of action as presented to include interaction with School Superintendent Dr. Arnold as recommended by staff. After discussion, the motion carried 4-1 as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Nay

Lead Water Operator Cash reported that the Town’s Water Treatment Plant (WTP) received a report from the health department on the recently completed water quality sampling for lead and copper. The results showed that a few homes had elevated levels that exceeded the lead action level set by EPA of 0.015 mg/L. Citizens will receive a Community Waterworks Public Education Consumer Notice with information on lead and copper that also contains a request seeking individuals in the Town of Amherst whose homes were built between 1982-1986 with copper plumbing to become approved lead and copper sampling sites.

Mayor D. Dwayne Tuggle opened the floor for citizen comment. No comments were made.

At 8:08 PM Mrs. Carton made the following motion that was seconded by Mr. Bunch and carried 5-0 with Mmes. Carton, Ogden, Wheaton and Messrs. Watts and Bunch voting in favor: I move that the Town Council convene in closed session, pursuant to § 2.2-3711.A.1, 2.2-3711A.3, § 2.2-3711A.5, and § 2.2-3711A.7 of the Code of Virginia, for the purpose of discussing a possible lease of Town property for an economic development prospect where no previous announcement has been made, for the purpose of a legal counsel briefing pertaining to probable litigation, and personnel for disciplining of specific public officers.

Mayor Tuggle adjourned the meeting at 8:09 PM.

Mayor Tuggle reconvened the meeting in closed session at 8:15 PM. It was noted that a quorum was present as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Present
Rachel A. Carton	Present	Sarah B. Ogden	Present
Kenneth S. Watts	Present	Janice N. Wheaton	Present

At 9:19 PM Mrs. Carton made the following motion: I move that the Town Council return to open session and certify to the best of each member’s 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 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Aye

Mrs. Carton made the following motion that was seconded by Mr. Watts: I make a motion that the council shall judge of the election, qualification, and returns of its members; may fine them for disorderly conduct, and, with the concurrence of two-thirds, expel a member and at this time this member would be Ms. Wheaton.

The motion carried 4-1 via the roll call method as follows:

D. Dwayne Tuggle		Kenneth G. Bunch	Aye
Rachel A. Carton	Aye	Sarah B. Ogden	Aye
Kenneth S. Watts	Aye	Janice N. Wheaton	Nay

Mr. Bunch made a motion that was seconded by Ms. Ogden to hold a public hearing at its next meeting on August 14, 2019, to lease an approximate 45 acre parcel in L. Barnes Brockman, Sr. Business and Industrial Park to Dominion Energy, for the purpose of storing equipment and transporting workers to Nelson and Buckingham counties, as recommended by staff. The motion carried 4-0 with Mmes. Carton, Ogden and Messrs. Watts and Bunch voting “Aye,” and one seat vacant.

There being no further business, the meeting adjourned until August 14, 2019, at 7:00 pm on motion by Mrs. Ogden seconded by Mrs. Carton at 9:23 PM. The motion carried 4-0 with Mmes. Carton, Ogden, and Messrs. Watts and Bunch voting “Aye,” and one seat vacant.

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council



TOWN OF AMHERST

P.O. Box 280 174 S. Main Street Amherst, VA 24521
Phone (434)946-7885 Fax (434)946-2087

To: Town Council
From: Tracie Wright
Date: July 3, 2019
Re: FY19 Budget Amendment

Throughout the FY19 Budget year the Town has appropriated funds for capital purchases that total over \$275,000. This amount includes:

Description	Line Item	Total
Purchase of New Police Building	100-4-94000-8000	\$226,772.77
Purchase of Town Park	Purchase of Land/Building	
Pass through of Virginia Brownfields Grant	100-4-81100-5701 Planning Grants	\$50,000

Per Town Council approval these purchases will bring the amended General Fund expenditure budget for FY19 to \$1,405,815.77.

Thank You.