

The regular meeting of the Amherst Town Council was held July 12, 2006 at 7:00 P.M. in Council Chambers, Mayor Jacob P. Bailey presiding. Council members present were: Bobby J. Bondurant; Jason D. Campbell; Haney Mottley; C. Manly Rucker, III; and Harold Swisher.

Also present were Town Manager Jack Hobbs, Police Chief Kenneth S. Watts, Superintendent of Plants Thomas W. Fore and Office Manager Colan R. Davis.

Mr. Fore gave an invocation.

Mr. Rucker made a motion that was seconded by Mr. Bondurant to accept the agenda as presented for this meeting. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mayor Bailey asked former Councilor Michael Stinnett to come forward. Mr. Rucker made a motion that was seconded by Mr. Mottley to adopt a resolution of appreciation for Mr. Stinnett. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker, and Swisher voted "Aye". This resolution is attached and made a part of these minutes.

Mr. Rucker made a motion that was seconded by Mr. Bondurant to adopt a resolution of appreciation for former Councilor Richard Wydner, Jr. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye". This resolution is attached and made a part of these minutes.

Ron Anderson came forward to present a proposal for an "Amherst Cheers" event that his group hopes to sponsor on August 11. The Council agreed by consensus to support the event as proposed.

A petition from Pat Cook asking the Town to be lenient on the penalty and interest on past due real estate taxes owed the Town was received. The Council agreed by consensus that no leniency would be given on the penalty and interest.

Mayor Bailey welcomed new Councilors Haney Mottley and Harold Swisher.

There was a discussion about the appointment of the Vice Mayor. Mr. Mottley nominated Mr. Rucker, seconded by Mr. Bondurant, to the office of Vice Mayor. Mr. Campbell made a motion that was seconded by Mr. Swisher to appoint Mr. Rucker Vice Mayor. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mr. Rucker made a motion that was seconded by Mr. Campbell to appoint Mr. Jim Meade and reappoint Mr. Vernon Wood to the Industrial Development Authority and to appoint Mr. Will Mays, Sr. to be ex-officio to the IDA with all terms to expire June 30, 2010. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mr. Campbell made a motion that was seconded by Mr. Bondurant to adopt a resolution that would effect the Town Council's management plan for the July 1, 2006-June 30, 2008 term.

The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker, and Swisher voted "Aye." This resolution is attached and made a part of these minutes.

Mr. Rucker made a motion that was seconded by Mr. Bondurant to approve the minutes of the June 14, 2006 meeting as previously distributed. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mr. Campbell made a motion that was seconded by Mr. Swisher to adjust the salary of the Superintendent of Construction to \$44,054/yr. effective July 1, 2006. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mayor Bailey reported that the IDA has rejected the private developer concept for the CVCC/Brockman Park project and has asked the Council for "permission" to pursue a project that would involve investment of Town monies. By consensus, Council decided to authorize the IDA to develop a proposal to create a space for Central Virginia Community College at Brockman Park.

The Town Manager reported that it had been discovered that Mayor Bailey has not taken the required oath of office before July 1 as required by the Charter. It was suggested that the Council make an appointment to the office to remedy the oversight. Mr. Rucker made a motion that was seconded by Mr. Mottley to appoint Jacob P. Bailey to be the Mayor of the Town of Amherst for the July 1, 2006-June30, 2008 term. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker, and Swisher voted "Aye."

By consensus Council decided to authorize the Town Manager to sign a grant contract with the Virginia Department of Housing and Community Development that would fund the downtown revitalization study project.

Mr. Rucker made a motion that was seconded by Mr. Bondurant, to authorize the Mayor to sign a grant contract with VDOT that would fund the S. Main Street sidewalk project. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker, and Swisher voted "Aye".

There being no further business to discuss, the meeting adjourned at 9:02 P.M.

Attest:

Jacob P. Bailey, Mayor

Jack Hobbs, Clerk of Council

Resolution
of the
Town Council of the Town of Amherst

WHEREAS, Michael E. Stinnett is a highly respected citizen of the Town of Amherst and a long-time resident of our community; and

WHEREAS, Michael E. Stinnett was a member of the Town Council of the Town of Amherst from July 1, 1998 through June 30, 2006; and

WHEREAS, Michael E. Stinnett has rendered loyal and dedicated service to the residents of Amherst surrounding area through his civic efforts including his various positions of leadership and authority at Emmanuel United Methodist Church; and

WHEREAS, Michael E. Stinnett is an avid sports enthusiast; and

WHEREAS, Michael E. Stinnett has been a member of various community groups over the years, including the Amherst-Nelson Hokie Club, and

WHEREAS, the Town Council of the Town of Amherst wishes to acknowledge the services that Michael E. Stinnett has given to his community and also to express its appreciation for all that Michael E. Stinnett has done, is doing, and will probably do for years to come for the Town of Amherst; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Amherst does, on this date, acknowledge the outstanding service that Michael E. Stinnett has given to our community; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Amherst hereby declares that the Town of Amherst has been greatly improved as a result of Michael E. Stinnett's tenure on the Town Council of the Town of Amherst; and

FINALLY, BE IT RESOLVED the Clerk of the Council of the Town of Amherst is ordered to deliver an original copy of this Resolution to Michael E. Stinnett as a token of the Council's deep appreciation for his contributions to our community and that this resolution be spread upon the minute books of the Town Council of the Town of Amherst as a tribute to a

Good Neighbor and a Friend of the Town of Amherst.

Adopted July 12, 2006.

Mayor Jacob P. Bailey

Attest:

Clerk of Council

Resolution
of the
Town Council of the Town of Amherst

WHEREAS, Richard M. Wydner, Jr. is a native of the Town of Amherst, a highly respected citizen and a long-time resident of our community; and

WHEREAS, Richard M. Wydner, Jr. was a member of the Town Council of the Town of Amherst from February 20, 2003 through June 30, 2006; and

WHEREAS, Richard M. Wydner, Jr. has rendered loyal and dedicated service to the residents of Amherst surrounding area through his civic efforts including his various positions of leadership and authority at Amherst Baptist Church, the Amherst Cemetery Association and the Amherst Volunteer Fire Department; and

WHEREAS, Richard M. Wydner, Jr. is an avid sports enthusiast; and

WHEREAS, the Town Council of the Town of Amherst wishes to acknowledge the services that Richard M. Wydner, Jr. has given to his community and also to express its appreciation for all that Richard M. Wydner, Jr. has done, is doing, and will probably do for years to come for the Town of Amherst; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Amherst does, on this date, acknowledge the outstanding service that Richard M. Wydner, Jr. has given to our community; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Amherst hereby declares that the Town of Amherst has been greatly improved as a result of Richard M. Wydner, Jr.'s tenure on the Town Council of the Town of Amherst; and

FINALLY, BE IT RESOLVED the Clerk of the Council of the Town of Amherst is ordered to deliver an original copy of this Resolution to Richard M. Wydner, Jr. as a token of the Council's deep appreciation for his contributions to our community and that this resolution be spread upon the minute books of the Town Council of the Town of Amherst as a tribute to a

Good Neighbor and a Friend of the Town of Amherst.

Adopted July 12, 2006.

Mayor Jacob P. Bailey

Attest:

Clerk of Council

RESOLUTION TO ADOPT AND EFFECT AN ORGANIZATIONAL PLAN FOR THE TOWN OF AMHERST FOR THE JULY 1, 2006-JUNE 30, 2008 COUNCIL TERM.

WHEREAS, various provisions of Code of Virginia, the Town Charter and the Town Code require Town Council of the Town of Amherst, Virginia, to organize at the first meeting of the Council term,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Amherst, Virginia, that the following organizational plan shall apply for the July 1, 2006 – June 30, 2008 Council term:

1. **Election of Vice Mayor:** Pursuant to Article III, Section 3.01(9) of the Town Charter, C. Manly Rucker, III shall be elected Vice Mayor
2. **Continuation of Policies:**
 - 2.1 Pursuant to Article III, Section 3.01(10) of the Town Charter, Section 2-10 of the Town Code which establishes the regular date and place of the **regular monthly Town Council meeting** is hereby affirmed. Regular meetings shall begin at 7:00 PM. Special meetings may be called as per Section 2-11 of the Town Code.
 - 2.2 The **rules of conduct** for the meetings of the Town Council as established in Sections 2-12 through 2-40 of the Town Code are hereby affirmed.
 - 2.3 The **Personnel Policy** adopted on June 14, 2006 and effective on July 1, 2006 is hereby affirmed.
 - 2.4 The **Procurement Policy** adopted on May 13, 1993 is hereby affirmed.
 - 2.5 The **Policy for the Development of Agendas and Presentations** to the Town Council shall be as follows:

Most items considered by the Town Council are routine in nature or are arranged by the Town Manager, Police Chief or Office Manager. Some items are developed and presented by members of the Town Council or any of its various committees, boards and commissions. Materials supporting such issues are to be developed and distributed to the members of the Town Council as soon as practical or, at a minimum, along with the agenda materials.

There are times when residents of the Town of Amherst, Town business operators, or other individuals desire to speak before the Town Council or request the Town Council to take action or otherwise react on a specific issue. The Town Council has found it difficult to appropriately respond in a timely manner if sufficient notice of the request is not given. Therefore, it is the policy of the Town Council of the Town of Amherst to require that a reproducible (8 ½ x 11) written description of any item to be considered be submitted to the Town Manager by 5:00 PM on the first Wednesday of the month for the meeting to be held that month. Individuals are reminded that such information becomes public

information, subject to the Freedom of Information Act, upon receipt at the Town Hall.

However, the Town Council feels that Town residents and business operators have the right to address the Town Council on any issue that may involve the Town. Any individual desiring to speak before the Council who has not met the deadline requirement noted above will be allowed a maximum of three minutes to speak before the Town Council. Any individual representing a bona fide group will be allowed a maximum of five minutes to speak before the Town Council. Placement on the agenda will be at the discretion of the Mayor but usually after the invocation, scheduled public hearings and other matters of privilege.

The Town Council may waive this policy if it finds that strict adherence to its language is too restrictive.

3. **Standing Council Committees:** The authority of the Town Council to appoint standing committees is established in §2-41 of the Town Code. The purpose of standing committees is (a) to facilitate policy decisions by the Town Council via review, preliminary discussion and investigation of various matters during preparation of their reports to the Town Council and (b) to act in an advisory capacity to Town management but not to supplant the authority of either the Town Council or management. The following standing committees are hereby established, members appointed, and ongoing duties assigned accordingly:

3.1 **Finance Committee**

(Manly Rucker, Chairman and Haney Mottley)

- Monitor and advise on accounting procedures, budgets, and bookkeeping activities of the staff.
- Interface with auditors.
- Monitor the budget process.

3.2 **Ordinance Committee**

(Haney Mottley, Chairman and Bobby Bondurant)

- Review and recommend new and updated ordinances and policies and monitor implementation of ordinances and Town policies.
- Advise on major procurement activities.
- Secure needed easements and rights-of-way.

3.3 **Physical Development Committee**

(Jason Campbell, Chairman and Harold Swisher)

- Recommend needed utility system upgrades and extensions.
- Interface and assist developers in coordinating Town policies with proposed new development.
- Develop and review proposed major capital improvement projects.

3.4 **Community Relations Committee**

(Harold Swisher, Chairman and Jason Campbell)

- Communicate Council actions and policies to citizens and business operators.
- Interface with Sweet Briar College, School Board, and boards appointed by the Council as well as VDOT, APCO, Verizon and Adelphia.
- Coordinate Town beautification efforts and programs.

3.5 **Personnel Committee**

(Bobby Bondurant, Chairman and Manly Rucker)

- Nominate individuals to serve on established Town committees
 - Coordinate selection of appointed staff.
 - Monitor procedures, schedules, and activities of the staff.
 - Develop improvements to Personnel Policy
4. The following staff appointments are hereby made for the July 1, 2006 – June 30, 2008 Town Council term. The effect of this resolution shall be to appoint all individuals subject to the authority of the Town Council to terminate any appointment made under this section without cause or notice subject to the provisions of the Charter, state code, and contracts approved by the Town Council.
- 4.1 **Town Manager** – Pursuant to Article III, Section 3.01(16) and (18) and of the Town Charter, **Jack Hobbs** is hereby appointed Town Manager and Clerk of the Council with the duties and authorities as outlined in Section 2-47 and 2-48 of the Town Code, other sections of the Town Code, the Charter, and the Code of Virginia and as may be assigned by the Town Council from time to time.
- 4.2 **Chief of Police** - Pursuant to Article III, Section 3.01(17) of the Town Charter, **Kenneth Watts** is hereby appointed Chief of Police with all duties and authorities as described in the Town Code and as may be assigned by the Town Council.
- 4.3 **Town Treasurer** – Office Manager **Colan Davis** is hereby appointed Town Treasurer pursuant to Article III, Section 3.01(13) of the Town Charter with the duties and authorities as outlined in Section 2-49 of the Town Code, other sections of the Town Code, the Charter, and the Code of Virginia. These duties shall be considered in addition to her duties as Office Manager.
- 4.4 **Town Attorney** – **W. Thomas Berry** is hereby appointed Town Attorney with the duties and authorities as outlined in Section 2-50 of the Town Code and as may be assigned by the Town Council or Town Manager from time to time. Remuneration shall be continued on a contractual basis.
- 4.5 **Town Engineer** – **Herbert F. White, III** is hereby appointed Town Engineer with duties as assigned from time to time by the Town Council or Town Manager. Remuneration shall be continued on a contractual basis.
5. **Town Depository:** Pursuant to Article III, Section 3.01(15) of the Town Charter and Section 2-5 of the Town Code, all banks currently operating a branch inside the corporate limits of the Town of Amherst (Wachovia Bank, BB&T, and Central National Bank) and SunTrust Bank shall be considered approved places of deposit for Town funds. The

Mayor, Town Manager and Treasurer are hereby authorized to execute all necessary papers to continue or effect new accounts.

6. Assignment of Priorities: The Town priorities adopted along with the FY 07 budget are hereby assigned to the following committees and officers:

- 6.1 Complete the implementation of a Town web site – *Town Manager*
- 6.2 Complete the upgrade or replacement of the Town Hall computer system – *Town Manager*
- 6.3 Close out the USDA-funded sewer plant project improvement including appropriate use of available grant monies – *Physical Development Committee*
- 6.4 Replace sewer collection system in Gannaway Subdivision – *Physical Development Committee*
- 6.5 Improve the sewer portion of the capital improvement plan via a major sewer collection system planning study – *Physical Development Committee*
- 6.6 Investigate and develop ways for the Town to support festivals and events – *Community Relations Committee*
- 6.7 Investigate and develop ways to invigorate, promote and improve the downtown area – *Community Relations Committee*
- 6.8 Complete planning (future land use and water and sewer utility) planning project for the Ambriar area - *Planning Commission*
- 6.9 Continue to develop a consolidated and detailed set of water and sewer line maps - *Town Manager*

7. Authority of the Mayor: Pursuant to Article III, Section 3.01(7) of the Town Charter the Mayor is recognized as the chief executive officer of the Town and has the responsibilities and authority as outlined in the Charter, the Town Code, and the Code of Virginia.

8. Board Appointments:

Industrial Development Authority – Pursuant to Section 2-53 of the Town Code,

- (a) Mr. Vernon Wood is hereby appointed to the Industrial Development Authority for the July 1, 2006-June 30, 2010 term.
- (b) Mr. Jim Meade is hereby appointed to the Industrial Development Authority for the July 1, 2006-June 30, 2010 term.
- (c) Mr. Will Mays, Sr. is hereby appointed ex-officio to the Industrial Development Authority.

This Resolution was adopted by the Town Council of the Town of Amherst on July 12, 2006.

Mayor Jacob P. Bailey

Attest:
