

Mayor Jacob P. Bailey called the regular monthly meeting of the Amherst Town Council to order on February 9, 2011 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Kenneth Bumgarner, J. Paul Kilgore, Haney Mottley, Michael Mozingo and Richard Wydner were present. Town Manager Jack Hobbs, Police Chief Kenneth Watts, Town Attorney Tom Berry, Director of Utilities Tom Fore and Office Manager Colan Davis were also present.

The Rev. Decatur Rodgers from Amherst Presbyterian Church from gave an invocation.

Mr. Bumgarner made a motion that was seconded by Mr. Wydner to approve the minutes for the January 12, 25 and 26 and February 5 and 7, 2011 meetings as previously submitted. The motion passed 4-0. Mr. Mottley abstained.

Mr. Mottley made a motion that was seconded by Mr. Kilgore to accept a proposal from Davidson, Doyle & Hilton to audit the Town's FY11 accounts for the quoted fee of \$8,050. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore to rebid the Town's landscape maintenance work. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

Mr. Mottley made a motion that was seconded by Mr. Wydner to ratify a \$30,000 contract extension with Wiley|Wilson for the design of the in-town portion of the 60 West water line replacement project. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

Mr. Wydner made a motion that was seconded by Mr. Kilgore to adopt a resolution to endorse an application for grant monies that could fund the replacement of the 60 West water line replacement project. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye". A copy of the resolution is attached and made a part of these minutes.

Mr. Bumgarner made a motion that was seconded by Mr. Kilgore to endorse an application for a tax-credit financed renovation of the Amherst Village Apartments complex. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

Mr. Kilgore made a motion that was seconded by Mr. Wydner to authorize the Town Manager to execute a contract with APCO to install 34 new lights along the new S. Main Street sidewalk at a cost of \$73,521.38 after VDOT confirms that unused grant monies from the sidewalk project would fund 80% of this cost. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

The Town Manager gave a report on the potential cost of the Line of Duty Act to the Town of Amherst.

Mr. Bumgarner made a motion that was seconded by Mr. Mottley to authorize the Town Manager to accept a proposed extension of the High Ground Partners marketing contract for the Brockman Park project. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

The Town Manager gave a report on a series of items associated with the Walnut Street matter. He was asked to research VDOT grant programs and to coordinate a meeting with Ron Mittelman to review how he could support improvements to the street.

The Town Manager reported that a request had been received from the Amherst Fire Department to prohibit parking on Second Street across from the Amherst Fire Department building. The Town Council agreed to consider this at the March meeting after adjacent property owners and tenants have been advised of the request and additional information is developed.

Mr. Wydner made a motion that was seconded by Mr. Mozingo that the Town Council convene in closed session for (a) consultation with the Town Attorney regarding specific legal matters requiring the provision of legal advice by the Town Attorney per the exemption at §2.2-3711A.7 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. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye".

After reconvening in open session, Mr. Bumgarner made a motion that was seconded by Mr. Wydner 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. The motion passed 5-0. Messrs. Bumgarner, Kilgore, Mottley, Mozingo and Wydner voted "Aye" via the roll call method.

There being no further business the meeting adjourned at 10:03 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council

A RESOLUTION ENDORSING THE APPLICATION FOR FUNDING BY THE VIRGINIA DEPARTMENT OF HEALTH – OFFICE OF DRINKING WATER.

WHEREAS, the Town of Amherst lacks adequate funds for needed capital improvement projects and intends to apply for such funding; and

WHEREAS, the Virginia Department of Health-Office of Drinking Water is able to fund a drinking water project in the Town of Amherst; and the Town Manager has determined that the pre requirements have been met for submitting a construction funding application;

THEREFORE, BE IT RESOLVED, the Town Council of the Town of Amherst hereby authorizes the Town Manager to seek funding from the Virginia Department of Health-Office of Drinking Water for the U.S. Route 60 West Water Line Replacement Project in an amount estimated not to exceed \$1,200,000, and

THEREFORE, BE IT RESOLVED, that the Town Manager shall immediately begin to process funding applications for the U.S. Route 60 West Water Line Replacement Project and is hereby authorized to sign any and all documents to apply for such funding.

This Resolution was adopted by the Town Council of the Town of Amherst on February 9, 2011.

Mayor Jacob P. Bailey

Attest:

Clerk of Council