

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on August 13, 2014 at 7:00 P.M. in the Council Chambers of the new Town Hall at 174 S. Main Street. Council members Kenneth Bumgarner, Mike Mozingo, Rachel Thompson, Kenneth Watts and Richard Wydner were present. Town Manager Jack Hobbs, Town Attorney Tom Berry, Police Chief Kelvin Brown, Director of Public Utilities Tom Fore and Office Manager Colan Davis were present.

Mayor Kilgore asked for a moment of silence.

A duly advertised public hearing on the sale of property at 186 S. Main Street was opened at 7:02 P.M. There being no one present who wished to speak, the hearing was closed at 7:03 P.M.

Mrs. Thompson made a motion that was seconded by Mr. Bumgarner and approved 5-0 by a roll call vote to approve a resolution authorizing Centra Health to issue bonds through the City of Lynchburg Economic Development Authority that would finance a new clinic to be located behind Ambriar Shopping Center. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the resolution is attached and made part of these minutes.

Bill Gillespie from MRG Consulting gave a report on what will be needed to improve the streets in the Mill Race Subdivision project so that they can be maintained by VDOT.

A petition from Leroy Morris, 313 E. Monitor Road, requesting a waiver of the dormant water account fee was received. Mr. Watts made a motion that was seconded by Mr. Wydner and approved 5-0 to waive the dormant account fees for a meter on a vacant lot adjacent to 313 E. Monitor Road (Utility Account #02-0037-2) and owned by Mr. Morris with the understanding that the fee waiver will not convey to any new owners. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

Mayor Kilgore led a discussion on Town Square improvements. Mrs. Thompson made a motion that was seconded by Mr. Mozingo and approved 3-2 to authorize the Town Manager to contract with Boxley Asphalt, LLC to repave E. Court and Goodwin Streets in an amount not to exceed \$22,342.50. Messrs. Mozingo, Thompson and Watts voted "Aye"; Messrs. Bumgarner and Wydner voted "Nay".

Mr. Wydner made a motion that was seconded by Mr. Bumgarner and approved 5-0 to waive the permit fee and insurance requirement for Amherst Art Society's September 6 event banner. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

After some discussion about the procurement of engineering services for the project, Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0 to approve the loan resolution supporting the USDA-financed sewer sliplining project. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the resolution is attached and made part of these minutes.

Mr. Bumgarner made a motion that was seconded by Mr. Watts and approved 5-0 to approve the resolution of governing body supporting the USDA-financed sewer sliplining project. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the resolution is attached and made part of these minutes.

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 5-0 to approve the minutes from the July 9, August 7 and August 11, 2014 meetings. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

The Town Manager reported that the Town's application to the Virginia Department of Health for water system planning grant monies was not successful.

Mrs. Thompson made a motion that was seconded by Mr. Watts and approved 5-0 to approve a new Town Hall and grounds use policy. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the policy is attached and made a part of these minutes.

Mrs. Thompson made a motion that was seconded by Mr. Bumgarner and approved 5-0 to approve a new inclement weather policy. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the policy is attached and made a part of these minutes.

Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0 to adopt an ordinance having the effect of amending Section 14-3 of the Town Code. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the ordinance is attached and made a part of these minutes.

Mr. Bumgarner made a motion that was seconded by Mr. Watts and approved 5-0 to amend Section VI.B of the Personnel Policy. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". A copy of the policy amendment document is attached and made a part of these minutes.

Mrs. Thompson made a motion that was seconded by Mr. Bumgarner and approved 5-0, with Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye", to:

- (a) apply for a VDOT permit to support the annual Ray Puckett Lions Club Christmas Parade that would be held on Friday, December 5, 2014 starting at about 6:30 P.M.,
- (b) provide traffic control for the event via the Town police department, with the understanding that traffic will be allowed on U.S. Route 60 as possible and practical during the parade to reduce the inconvenience to drivers on that road, and
- (c) donate \$100 to the Amherst Lion's Club for the purpose of defraying the cost of installing and removing a banner across S. Main Street to advertise the event.

Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 4-0-1, to pay police officers for all compensatory time accrued through August 8 and not to exceed \$2,500. Messrs. Bumgarner, Mozingo, Thompson and Wydner voted "Aye"; Mr. Watts abstained.

A proposal to amend the charter, town code and policies that would reestablish the staff alignment was discussed. By consensus, the Town Council agreed to hold a public hearing on the charter change proposal at the September Town Council meeting.

The Town Council discussed its practice of opening meetings with a moment of silence versus having an invocation.

The Town Manager reported that no reports from the five organizations the Town traditionally donates money to have been received as requested following the July meeting.

The Town Manager reported that no applicants have come forward to replace Billy Iseman on the Board of Zoning Appeals for the September 1, 2014-August 31, 2019 term.

A preliminary proposal to update the Town's banner program was received. The Councilors agreed to discuss the matter at the September meeting with the goal of having a new policy in place as of January 1.

The Town Council discussed the Town Hall signage program and referred this project to the Community Relations Committee.

Mr. Mozingo made a motion that was seconded by Mr. Wydner and approved 5-0 to appoint Sergeant Harler as Acting Police Chief effective August 27, 2014 due to Chief Brown's retirement. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

The Town Attorney gave a report on the demolition of the Beverly house (201 Washington Street) that was referred to him on October 10, 2012.

Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0, with Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voting "Aye" to reconvene in closed session for 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.

Mrs. Thompson made a motion that was seconded by Mr. Mozingo and approved 5-0 by a roll call vote that the Councilors 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. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

There being no further business, at 10:30 P.M., Mr. Watts made a motion that was seconded by Mrs. Thompson and approved 5-0 to adjourn the meeting. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

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J. Paul Kilgore, Jr.  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council

**A RESOLUTION AUTHORIZING CENTRA HEALTH TO ISSUE BONDS TO FINANCE A NEW CLINIC TO BE LOCATED BEHIND AMBRIAR SHOPPING CENTER THROUGH THE CITY OF LYNCHBURG ECONOMIC DEVELOPMENT AUTHORITY.**

**WHEREAS**, the Economic Development Authority of the City of Lynchburg, Virginia (the “Authority”), has received an application from Centra Health, Inc. a not-for-profit Virginia nonstock corporation (“Centra”), and Centra Medical Group, LLC, a limited liability company and an affiliate of Centra (“CMG” and, together with Centra, the “Borrowers”), requesting the Authority to issue one or more series of Hospital Revenue Bonds in an aggregate principal amount not to exceed \$100,000,000 (the “Bonds”) to finance costs of certain acquisitions, additions and improvements to the Borrowers’ health care facilities, including the acquisition, construction and equipping of a 17,500 square foot primary care and specialty care clinic, located at 139 Ambriar Plaza, in the Town of Amherst, Virginia, to be owned by Centra and operated by CMG;

**WHEREAS**, Section 15.2-4905 of the Code of Virginia of 1950, as amended (the “Virginia Code”), states that an industrial development authority may not finance facilities in another jurisdiction that has created its own industrial development authority “unless the governing body of such county, city or town in which the facilities are located or are proposed to be located, concurs with the inducement resolution adopted by the Authority, and shows such concurrence in a duly adopted resolution;”

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that the governmental unit having jurisdiction over the area in which any facility financed with the proceeds of the Bonds is located approve the issuance of such Bonds;

**WHEREAS**, Section 147(f) of the Code requires that any such approval by the applicable governmental unit be given after a public hearing following reasonable public notice, which hearing may be held by the public authority issuing the Bonds;

**WHEREAS**, on July 17, 2014, in accordance with the requirements of Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, the Authority held a public hearing and adopted a resolution approving the issuance of the Bonds (the “Authority Resolution”);

**WHEREAS**, the Borrowers have requested the Town Council of the Town of Amherst, Virginia (the “Town Council”), to approve the issuance of the Bonds to comply with Section 147(f) of the Code and to concur in the Authority Resolution to comply with Section 15.2-4905 of the Virginia Code; and

**WHEREAS**, a copy of the Authority Resolution, a record of the public hearing and a fiscal impact statement with respect to the issuance of the Bonds have been filed with the Town Council.

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

The Town Council hereby approves the issuance of the Bonds by the Authority for the benefit of the Borrowers, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, and concurs with the Resolution adopted by the Authority for the benefit of the Borrowers to the extent required by Section 15.2-4905 of the Virginia Code to permit the

Authority to loan the proceeds of the Bonds to the Borrowers to finance the portion of the Project to be located in the Town.

The approval of the issuance of the Bonds does not constitute an endorsement of the Bonds or the creditworthiness of the Borrowers. As required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that the Town of Amherst, Virginia, will have no obligation to pay the Bonds or the interest thereon or other costs incident thereto.

All acts and doings of the officers of the Town and members of the Town Council that are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confirmed.

*This resolution shall take effect immediately upon its adoption.*

### **CERTIFICATE OF VOTES**

The undersigned Clerk of the Town Council of the Town of Amherst, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted by the Town Council at a regular meeting duly held and called on August 13, 2014. A record of the roll-call vote by the Town Council is as follows:

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Kenneth Bumgarner	X			
Michael R. Mozingo	X			
Rachel E. Thompson	X			
Kenneth S. Watts	X			
Richard Wydner, Jr.	X			

Dated: August 13, 2014

*[SEAL]*

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Clerk, Town Council  
of the Town of Amherst, Virginia

**LOAN RESOLUTION**  
(Public Bodies)A RESOLUTION OF THE Town CouncilOF THE Town of Amherst, VirginiaAUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS  
Sewer System

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Amherst, Virginia*(Public Body)*(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of  
up to \$3,017,000pursuant to the provisions of Chapter 26, Title 15.2 of the Code of Virginia, 1950, as amended; and**WHEREAS**, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ \$1,076,000

under the terms offered by the Government; that the Mayor, Town Manager

and Treasurer of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was:                      Yeas 5                      Nays 0                      Absent 0

IN WITNESS WHEREOF, the Town Council of the

Town of Amherst has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this 13<sup>th</sup> day of August, 2014.

Town of Amherst

(SEAL)

By

Jack Hobbs  
Jack Hobbs

Title

Town Manager

Attest:

Colin Davis

Title Office Manager

RESOLUTION OF GOVERNING BODY OF

The Town of Amherst

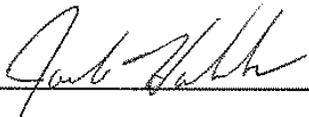
The governing body of the Town of Amherst, consisting of 5 members, in a duly called meeting held on the 13<sup>th</sup> day of August, 2014 at which a quorum was present RESOLVED as follows:

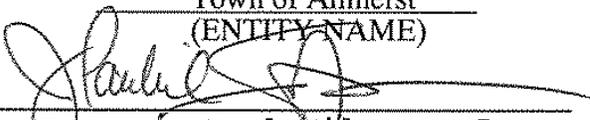
BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development, (the Government) in the development of a Waste Water Line Replacement Project to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Town Council of the Town of Amherst be authorized to execute on behalf of The Town Council the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the above-referenced documents, is hereby entered into the permanent minutes of the meetings of this Board.

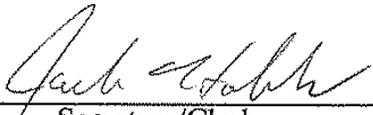
Attest:



Town of Amherst  
(ENTITY NAME)  
By:   
Mayor J. Paul Kilgore, Jr.

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Town Council of the Town of Amherst in a duly assembled meeting on the 13<sup>th</sup> day of August, 2014.

  
Secretary/Clerk

**Town of Amherst, Virginia**  
**Town Hall Building and Grounds Use Policy**  
Approved August 13, 2014

**I. POLICY**

It is the policy of the Town of Amherst (the “Town”) to allow the use of its Town Hall at 174 S. Main Street as a place for governmental meetings and Town-sponsored and endorsed activities. This document establishes the general procedures for the use of the Town Hall building and associated grounds.

**II. BUILDING USE**

The primary use of the Town Hall building shall be for the official business of the Town of Amherst. Official business shall be defined to include activities such as:

- Meetings of the Town Council of the Town of Amherst
- Committees appointed by the Town Council, including:
  - Standing or special committees appointed by the Town Council,
  - Town of Amherst Planning Commission,
  - Town of Amherst Board of Zoning Appeals,
  - Town of Amherst Industrial Development Authority,
  - Town of Amherst Property Maintenance Investigation Board,
- Meetings and activities involving Town Councilors and Town employees during the performance of their Town duties,
- Groups who focus on serving the interests of the residents and/or business operators of the Town of Amherst who have been endorsed by the Town Council of the Town of Amherst and whose use of the Town Hall has been specifically authorized by the Town Council of the Town of Amherst.

In general, the use of the Town Hall for official business of the Town of Amherst shall be on a first-come, first-served basis with the Town Council of the Town of Amherst having priority. The Town Manager shall be responsible for coordinating the use of the Town Hall.

Town Hall restrooms shall be made available for public use during downtown events such as parades and festivals supported, sanctioned or endorsed by the Town Council as approved by the Town Council. The parade or event sponsor is expected to provide restroom monitoring and security during non-working hours.

Use of the Town Hall building by other parties is discouraged but may be allowed on a case-by-case basis by the Town Council.

The Amherst Town Hall is a tobacco free building and smoking is not allowed in the Town Hall. Except during events permitted by the Virginia Department of Alcoholic Beverage Control, the possession and consumption of alcohol in the Town Hall is prohibited.

**III. TOWN HALL GROUNDS USE**

The Town Hall parking lot is reserved for Town use only during business hours except for an off-street handicapped parking space near S. Main Street for use by downtown patrons.

Town employees are to park toward the rear of the building during non-meeting days to allow “customers” to use the parking spaces in front of the building but at the front of the site during public meeting times.

The Town Hall parking lot may be used for bake sales and similar activities by church and community groups during evening and weekend daylight hours with prior authorization.

Car wash fundraisers are not allowed on the Town Hall grounds.

Except during events permitted by the Virginia Department of Alcoholic Beverage Control, the possession and consumption of alcohol on the Town Hall grounds is prohibited.

#### **IV. BUILDING USE FOR NON-OFFICIAL BUSINESS**

Non-official use of the Town Hall building is discouraged but may be allowed on a case-by-case basis by the Town Council. Any proposal for the use of the building for other parties shall be in writing and address the following items:

1. No non-official business events held at the Town Hall may conflict with any scheduled Town meetings, events or activities.
2. The use of the Town Hall for non-official business is limited to the parking lot, Council Chambers, rear hallway and public restrooms.
3. The Applicant shall defray personnel costs associated with monitoring the activity and cleaning the Town Hall following its use which shall be deducted from a \$500 deposit. Checks are subject to the Town’s usual and customary non-payment fees.
4. The applicant shall agree to indemnify and hold harmless Town of Amherst, including the Town Council, Town employees and contractors against all claims, damages or causes of action for damages and related expenses arising out of, or brought on account of, injury to any person or persons or property, or loss of life, resulting from Applicant’s occupancy of, and use of, the Town Hall and its operations therein.
5. Decorations are discouraged and the Applicant must disclose all decorating plans in writing at the time of application. Candles are not allowed. Decorations, banners, or signs may not be affixed to ceiling tiles or painted walls. Permanent signage provided by the Town may not be removed or covered up. Confetti, rice, birdseed or other like items are prohibited in the Town Hall and the Town Hall grounds. All decorations, supplies, and property of the Applicant must be removed prior to the closing time of the Event.
6. Full food preparation on-site is prohibited. Under no circumstances shall food, food particles, grease, oils, food by-products or other inappropriate substances be deposited into the Town Hall plumbing system whether through the sink, bathroom facilities, or otherwise.
7. Smoking and the possession or consumption of alcohol in the Town Hall is prohibited. The possession or consumption of alcohol on the Town Hall grounds is prohibited.
8. The Town Council reserves the right to determine whether security and/or police presence will be needed in connection with the Applicant’s event and the number of officers required, the cost of which shall be borne by the Applicant.
9. The Applicant is responsible for cleaning the Town Hall and must return it to at least the same condition it was before the Applicant’s event.

10. Disorderly conduct of any kind is prohibited and any person engaging in disorderly conduct is subject to being ejected from the premises. The Applicant shall be solely responsible for supervising the conduct of those attending the Applicant's event and is financially responsible for any damages caused.
11. No furniture, decorations, or other items may be placed in such a way as to block the exits. The Applicant is responsible for assuring the Town Hall does not become overcrowded.
12. The Applicant assumes full responsibility for the appropriate conduct of all the group members and Guests at the Town Hall during the rental hours. The Applicant also assumes full responsibility for any loss, breakage, or damage caused to the Town Hall, its contents, or the grounds. The Town is not liable for any loss, damage, injury or illness suffered during the use of the Town Hall by the Applicant or the guests. The Town is not responsible for any items that are left at the Town Hall by the Applicant or the guests.
13. There shall be no charge admission for the Applicant's event unless approved by the Town. Town police and event monitors shall not be charged for admission.
14. Except for weapons in the possession of the Town police department, there shall be no weapons on in the Town Hall or on the Town Hall grounds. However, weapons used for ceremonial or security purposes may be allowed with prior written consent of the Town.
15. Gambling of any nature or manner is prohibited.

## **Snow Plan**

Approved August 13, 2014

This policy is intended to establish the Town of Amherst's policies on snow plowing and snow removal.

The Town of Amherst maintains snow removal equipment consisting of one pickup truck mounted snow plow and cannot respond to all requests for service. It is the Town's policy to remove snow at certain utility, public safety and Town-owned facilities in and around the Town during and after weather emergencies as follows:

### Highest Priority

Highest priority sites are ones that require Town employees to be on standby when heavy snows are forecasted. This category shall include those sites whose snow removal needs justifies compensatory leave accrual. The following sites are declared to be highest priority sites:

- Amherst Life Saving Crew entrance and parking areas
- Amherst Fire Department entrance and parking areas
- Amherst Town Hall parking lot

### High Priority

High priority sites are those that need to be accessed in order for the Town to maintain water and sewer service. This category shall include those sites whose snow removal needs can be met during normal working hours by the Town crew. The following sites are declared to be high priority sites:

- Water intake access road
- Water plant driveway
- Town shop entrance
- Sewer plant access road
- Water tank sites

### Normal Priority

Normal priority sites are sites required to be maintained due to Town ownership of adjacent real estate. The following are declared to be normal priority sites:

- S. Main Street Sidewalk in front of the Town Hall
- S. Main Street sidewalk in front of the MiniPark

As VDOT is responsible for the maintenance of streets in Town of Amherst, the Town of Amherst and its employees and contractors shall not plow any street except as specifically authorized herein.

Per the Town Code, it is the duty of owners, occupants and persons in charge of premises within the Town to keep the sidewalks adjacent thereto free from accumulation of ice and snow.

However, in the event of extreme emergencies, the Mayor shall be empowered to declare an emergency for snow removal situations after overtime pay; contractor work; financial, material and personnel resource availability; and appropriateness have been considered. The emergency and extra work ordered shall be reported to the Town Council by the Mayor at the next Town Council meeting.

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF AMHERST BY AMENDING CHAPTER 14, UPDATING THE SECTION RELATING TO THE DUTY OF PROPERTY OWNERS, OCCUPANTS AND PERSONS IN CHARGE TO REMOVE ICE AND SNOW FROM SIDEWALKS.**

**Be it Ordained by the Council of the Town of Amherst:**

*1. That Sec. 14-3 of the Code of the Town of Amherst is hereby amended to read as follows:*

**Sec. 14-3. Duty of Property Owners, Occupants and Persons in Charge to Remove Ice and Snow from Sidewalks.**

It shall be the duty of owners, occupants and persons in charge of premises within the town to keep the sidewalks adjacent thereto free from accumulation of ice and snow. ~~Within four hours after a snowfall each owner, occupant or person in charge of property adjacent to a sidewalk shall cause the ice and snow to be removed from the sidewalk and disposed of at some place other than a street, sidewalk or public place, and in such manner as to not cause a hazard to the safety of the public or any individual or to constitute a removal problem for the town; provided, that if snow continues to fall so late in the afternoon or at night and there is no time to remove snow before dark, the four hours shall begin to run at the time of the next ensuing sunrise.~~

*2. That this Ordinance shall be effective on August 13, 2014.*

*This ordinance was adopted on August 13, 2014.*

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk of Council

## Personnel Policy - VI.B Hours of Work

1. The employee's supervisor shall establish the hours of work for all Town employees under his direction. The standard scheduled workweek for full time employees for which pay is paid consists of 40 hours, generally Monday through Friday.
2. Employees shall have two 15-minute rest breaks per day, which are included within the total required hours of work. Such breaks may not accumulate from one shift or one day to another. Flexible work scheduling may be used for the purpose of extending a meal break with the employee's start time being advanced or end time being extended as approved by his supervisor. Certain employees as approved by the manager have their meal break(s) included as a part of their regularly scheduled workday if required to stay on premises or duty during scheduled lunch breaks.
3. Flexible work scheduling may be considered within the standard workweek so long as the standard hours in a workweek, normally 40, are not altered. Some examples are:
  - a. Arrive earlier in the morning and leave earlier in the afternoon.
  - b. Arrive later in the morning and leave later in the afternoon.
  - c. Work four 10-hour days.
  - d. Work four 9-hour days and one 4-hour day.
  - e. Work some other similar permanent or seasonal scheduling option(s)
  - f. Add time to meal break and arrive earlier and leave later.

Other temporary or occasional flexible work schedules may include some combination of altered work start and stop times to allow employees to have medical appointments or take care of personal business during work hours without being charged leave. If flexible work scheduling or compressed workweeks are instituted on an ongoing basis, the supervisor may approve such only after consultation with the manager.

4. If an employee is unable to report for work or expects to be late, the employee must contact his supervisor as soon as possible but no later than the beginning of his or her scheduled work period, giving the reason for his absence or tardiness. Paid leave may or may not be approved. If an employee has difficulty reaching his supervisor, he should leave a message reporting his absence but continue to attempt to contact with his supervisor. The responsibility to notify a supervisor(s) about absences or about tardiness always rests with the employee.
5. Hours of work, schedules, and duty assignments of short duration of individual employees or work units may be altered under authorization of the supervisor or manager within the established workweek as conditions warrant. Schedules may also be adjusted to meet FMLA and ADA requirements.
6. All Town employees are expected to be available for duty in the event of a weather emergency or civil crisis. In the event of a significant local weather emergency or civil crisis, it is the duty of each employee to (a) contact his supervisor for instruction on emergency work scheduling and (b) to maintain appropriate transportation to and from his residence and the Town/work site.

7. An employee's contact with his supervisor is to be either in person or by telephone. Calls from other individuals (such as family members) or to other individuals (such as co-workers) will not suffice except in the most extreme circumstances. If an employee cannot contact his supervisor, the employee is to leave a voice mail on his supervisor's mobile telephone and follow up with a call to either to the supervisor or the Town Hall to ensure that the supervisor knows the circumstances of the employee's situation and can react accordingly. Failure to adhere to this policy will be considered leave without approval and is therefore subject to an interruption in pay.