

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on November 10, 2021, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

It was noted that one seat is vacant and that a quorum was present as follows:

P	D. Dwayne Tuggle	P	Sharon W. Turner
P	Rachel A. Carton	P	Janice P. Wheaton
P	Kenneth S. Watts		Vacant

Also present were the following staff members:

Sara E. Carter	Town Manager	Gary Williams	Director of Plants
Vicki K. Hunt	Clerk of Council	Becky L. Cash	Lead Water Operator
Greg Harler	Major Police Department	Charles Thompson	Utilities Maintenance Foreman

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Sharon W. Turner.

After Mayor Tuggle recognized Gary Christie for his service with the Central Virginia Planning District Commission extending best wishes on his retirement, Mr. Christie gave the CVPDC’s annual activity report.

Carter Massie, Vice President of Amherst Mountain Biking Club, Tim Ware, and other club members were present on behalf of the group. Messrs. Massie and Ware gave a progress report on the success of their trails, a five-year plan, and on their fundraising methods and upcoming events.

Ms. Carton made a motion that was seconded by Ms. Turner to recommend the following individual for appointment to the board for the term listed below subject to her willingness to serve.

Board	Appointed	Term of Office
Board of Zoning Appeals	Teresa Tatlock Stinson	9/01/21 – 8/31/2026

There being no discussion, the motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

Duly advertised notice of vacancy of a seat on Town Council having been made pursuant to Town Code §2-30(b) for a term commencing December 8, 2021, and ending upon completion of a 2022 special election, certification of election results and the successful candidate taking the oath of office, in accordance with §24.2.-228, Mr. Watts made a motion which was seconded by Ms. Wheaton to appoint André Higginbotham to fill the vacant seat on Town Council commencing on December 8, 2021, with Mr. Higginbotham to take his seat on December 8, 2021, and ending upon completion of a special election, certification of election results and the successful candidate taking the oath of office.

There being no discussion, the motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

Ms. Carton made a motion that was seconded by Ms. Turner to appoint the following individuals to fill vacant positions on the Planning Commission for the terms listed below subject to their willingness to serve.

Board	Appointed	Term of Office
Planning Commission	Nathaniel Holden Chase	11/11/21- 11/10/25
Planning Commission	John Kendrick Vandervelde	11/11/21 – 6/30/22

There being no discussion, the motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

Mayor Tuggle opened the floor for citizen comment.

There being no one listed to speak on the citizen comment sign-in sheet or otherwise, no comments were made.

Ms. Carton made a motion that was seconded by Mr. Watts to approve the minutes from the October 13, 2021, meeting.

There being no discussion, the motion as to the October 13, 2021, minutes carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

By consensus André A. Higginbotham was appointed to the utilities committee beginning December 8, 2021.

After a report by Town Manager Carter, Ms. Turner made a motion that was seconded by Ms. Wheaton to approve the October 23, 2021, engineering fee proposal from WW Associates for design phase services for a new Centrifuge Facility for dewatering sludge at the wastewater treatment plant in the amount of \$175,000.00.

There being no discussion, the motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

After a report by Town Manager Carter, Mr. Watts made a motion that was seconded by Ms. Carton to approve the October 23, 2021, engineering fee proposal from WW Associates for construction assistance associated with a generator facility for the Waughs Ferry water booster pump station facility in the amount of \$6,500.00.

After discussion, the motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

Mr. Watts made a motion that as seconded by Ms. Carton to form an ad hoc personnel committee to interview Town Attorney candidates and present a recommendation to Council.

After discussion, the motion carried 3-1 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Nay
Kenneth S. Watts	Aye	Vacant	

After Town Manager Carter gave a report on CFR Utility Forgiveness Funds, Ms. Carton made a motion that was seconded by Ms. Wheaton to appropriate and return unobligated CFR Utility Forgiveness Funds in the amount of \$22,022.74 to Amherst County who will make remittance to the State of Virginia.

There being no discussion, the motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

Town Manager Carter and Utilities Maintenance Foreman Thompson were directed to meet with Councilor Wheaton after receipt of any questions she may have pertaining to upgrades to the maintenance department building.

At 7:54 P.M. Ms. Carton made a motion seconded by Ms. Turner as follows: I move that the Town Council go into closed session pursuant to §2.2-3711A.7 of the Code of Virginia, as it relates to consultation with legal counsel pertaining to actual litigation involving the Town where Council will hear updates from attorneys representing the Town.

The motion carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

At 8:04 PM. Ms. Carton made the following motion that was seconded by Ms. Turner: I move that the Town Council adjourn the closed session and enter open session and 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 carried 4-0 via the roll call method as follows:

D. Dwayne Tuggle		Sharon W. Turner	Aye
Rachel A. Carton	Aye	Janice N. Wheaton	Aye
Kenneth S. Watts	Aye	Vacant	

There being no further business, the meeting adjourned at 8:05 P.M., until December 8, 2021, at 7:00 p.m. on motion of Ms. Carton seconded by Mr. Watts.

\_\_\_\_\_  
D. Dwayne Tuggle, Mayor

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