

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on December 14, 2022, 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	Janice N. Wheaton
A	Kenneth S. Watts	P	Andra Higginbotham
P	Sharon W. Turner	P	Douglas Thompson

Also present were the following staff members:

Sara E. McGuffin	Town Manager		Brandon Payne	Police Captain
Kelley Kemp	Town Attorney		Gary Williams	Director of Plants
Vicki K. Hunt	Clerk of Council		Becky Cash	Lead Water Operator
Tracie Morgan	Office Manager/Treasurer		Charles Thompson	Utilities Maintenance Foreman
Bobby Shiflett	Police Chief			

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Andra Higginbotham.

After the reading by Mayor Tuggle, Ms. Turner made a motion that was seconded by Mr. Higginbotham to adopt a Resolution of appreciation to Deanna Foltz for her many years of outstanding public service to the Town of Amherst as the Senior Fiscal Assistant.

There being no discussion, the motion carried 4-0 according to the following:

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

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

Office Manager Morgan introduced Patricia “Patty” Martin as the new Deputy Treasurer.

Mayor Tuggle opened a duly advertised public hearing at 7:08 p.m. on the application to rezone property located at 139 Lancer Lane, comprised of tax map numbers 95-A-80A, 81, 82, 83, and 110-A-101 from R-2 to B-2 (General Commercial).

There being no one present who wished to speak on the matter, the public hearing was closed at 7:08 PM.

Town Manager McGuffin reported that at its meeting on November 7, 2022, the Planning Commission determined that the renovation and expansion project submitted by Amherst County Public Schools and closure of Lancer Lane is found to be substantially in accord with the adopted Town of Amherst Comprehensive Plan. The Commission also approved a special use permit for the submitted parking master plan for Amherst County High School and Athletic Stadium. The Planning Commission further made a recommendation to Council to approve the rezoning of property located at 139 Lancer

Lane, comprised of tax map numbers 95-A-80A, 81, 82, 83, and 110-A-101 from R-2 to B-2 (General Commercial).

It was noted that §15.2-2232 of the Code of Virginia indicates that no street or connection to an existing street, park or other public area, public building or public structure or public utility facility, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof, and in connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing after notice.

The School's request to rezone the property from R-2 to B-2, if approved, would allow for the renovation and expansion of the high school, allow for all the uses in the B-2 district which includes a broad variety of retail and residential uses giving the School the flexibility to use its land efficiently, applying commercial setbacks and requirements.

The School's request for a special use permit for the submitted parking plan would allow for construction of a new parking lot on Amherst County Public Schools property located adjacent to the High School and Athletic Stadium.

A notice of the public hearing was advertised for two consecutive weeks and adjacent property owners received a public notice by certified mail, as required by State Code.

Staff recommended the following actions by Town Council:

- Approval of the rezoning request to B-2 zoning of the subject properties.
- Affirmation that Amherst County High School's renovation and expansion and closure of Lancer Lane is substantially in accord with the adopted Comprehensive Plan for the Town of Amherst.
- Affirmation of the Special Use Permit for the parking master plan.

Dr. William Wells, Superintendent of Amherst County Public Schools, Tim Hoden, Amherst County Public Schools Chief Operations Officer, and Gary Roakes, Amherst County Public Schools Supervisor of Maintenance and Operations, were present to answer questions.

Mr. Higginbotham made a motion that was seconded by Ms. Wheaton to approve the rezoning of property located at 139 Lancer Lane, comprised of tax map numbers 95-A-80A, 81, 82, 83, and 110-A-101 from R-2 to B-2 (General Commercial), as recommended by staff.

There being no discussion, the motion carried 4-0 according to the following:

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

By affirmation Council approved the determination of the Planning Commission that Amherst County High School's renovation and expansion and closure of Lancer Lane is substantially in accord with the adopted Comprehensive Plan for the Town of Amherst.

By affirmation Council approved the determination of the Planning Commission of a special use permit for the submitted parking master plan for Amherst County High School and Athletic Stadium.

Mayor Tuggle opened the floor to citizen comments.

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

Ms. Wheaton made a motion that was seconded by Ms. Turner to approve the Minutes of the meeting held on November 9, 2022, as presented.

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

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

Mr. Higginbotham gave a report on behalf of the Ad Hoc Pole Banner Committee and presented Council Members with the Committee’s top three proposed pole banner designs.

After discussion, the vote, with Mayor Tuggle casting a tie breaking vote, was as follows:

D. Dwayne Tuggle	#1	Janice N. Wheaton	#2
Kenneth S. Watts	Absent	Andra Higginbotham	#1
Sharon W. Turner	#2	Douglas Thompson	#1

A copy of the template for the pole banner design is attached.

There being no further business to perform, the Ad Hoc Pole Banner Committee was dissolved.

Mr. Thompson made a motion that was seconded by Ms. Turner to adopt a Resolution of appreciation to Kenneth S. Watts for his many years of outstanding public service to the Town of Amherst as Town Council Member.

There being no discussion, the motion carried 4-0 according to the following:

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

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

Office Manager/Treasurer Morgan gave a report on an increase in cost for purchase of a new work truck for the Maintenance Department. Purchase of the truck was previously approved by Town Council at its April 2022 meeting at a price of \$57,283.00. Due to supply issues the 2022 work truck was not available. The price of a 2023 work truck has increased by \$5,985.00. Staff recommends approval of additional funding of \$5,985.00 for purchase of a new 2023 work truck for the Maintenance Department.

Ms. Wheaton made a motion that was seconded by Mr. Higginbotham to approve additional funding of \$5,985.00 for purchase of a new 2023 work truck for the Maintenance Department, as recommended by staff.

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

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

Town Manager McGuffin gave a report on Town Code Sec. 20-143. - Inoperative motor vehicles on residential, commercial, or agricultural property, and Sec. 20-144. - Removal of inoperative motor vehicles outlining possible changes to the Town Code that would allow enforcement on any property zoned for residential, commercial, or agricultural purposes. Staff recommended setting a public hearing on the matter.

Ms. Turner made a motion that was seconded by Mr. Higginbotham to set a public hearing at the January 2023 meeting of Town Council on the proposed amendments to the Town Code related to abandoned vehicles, as recommended by staff.

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

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

Town Manager McGuffin gave a report on purchase approval for additions to the Water Treatment Plant. Staff recommends approval of an additional \$80,439.84 for improvements to be made to the Raw Water Pump Station to improve operator safety and safeguard the pumps from leaves and debris, and that monies be appropriated from the Water fund balance.

Ms. Wheaton made a motion that was seconded by Ms. Turner to approve the proposed Change Order #005 dated December 9, 2022, from Anderson Construction in the amount of \$80,439.84 for improvements to be made to the Raw Water Pump Station to improve operator safety and safeguard the pumps from leaves and debris, and that monies be appropriated from the Water fund balance.

After discussion, the motion carried 3-0-1 via the roll call method as follows:

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Abstain

Mayor Tuggle opened the floor to citizen comments.

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

At 7:35 PM, Town Attorney Kemp read a resolution to authorize closed meeting, as follows:

WHEREAS, the Town Council of the Town of Amherst desires to discuss in Closed Meeting the following matter(s):

Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning the Town Council v. MacAdams case. - §2.2-3711(A)(7).

WHEREAS, pursuant to: §2.2-3711 (A)(7) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Council does hereby authorize discussion of the aforesated matters in Closed Meeting.

Ms. Wheaton made a motion that was seconded by Mr. Higginbotham to approve the resolution and go into closed session.

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

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

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

Mayor Tuggle recessed the open meeting at 7:36 PM.

At 7:39 PM, pursuant to the Resolution, Town Council convened in closed session.

At 7:57 PM the meeting reopened to the public.

Clerk of Council Hunt read the following closed session certification to Council:

Do you certify that to the best of your knowledge (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 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?

Responses via the roll call method was as follows:

D. Dwayne Tuggle	Yes	Janice N. Wheaton	Yes
Kenneth S. Watts	Absent	Andra Higginbotham	Yes
Sharon W. Turner	Yes	Douglas Thompson	Yes

There being no further business, the meeting adjourned at 7:58 P.M., until January 11, 2023, at 7:00 p.m., on motion of Ms. Wheaton seconded by Ms. Turner.

The motion carried 4-0 as follows:

D. Dwayne Tuggle		Janice N. Wheaton	Aye
Kenneth S. Watts	Absent	Andra Higginbotham	Aye
Sharon W. Turner	Aye	Douglas Thompson	Aye

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

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

**Resolution**  
of the  
**Town Council of the Town of Amherst**

**WHEREAS**, Deanna Foltz, Sr. Fiscal Assistant, a highly respected and long-time employee of the Town of Amherst, will retire on December 31, 2022, after thirteen years of outstanding and meritorious service to the Town of Amherst; and

**WHEREAS**, Deanna began her career with the Town of Amherst in February 2009 as Fiscal Assistant; and

**WHEREAS**, in recognition of diligent work and demonstrated ability, Deanna was promoted to the position of Sr. Fiscal Assistant in 2019; and

**WHEREAS**, by tending to all matters related to Utilities, Accounts Payable, Payroll, and all Town tax payments including keeping up with all Town businesses, Deanna has a unique ability to tell you who lives and where businesses are located in the Town of Amherst; and

**WHEREAS**, Deanna has consistently responded with ingenuity, imagination, and foresight to the duties and responsibilities given her, fulfilling them with outstanding accuracy and competency; and,

**WHEREAS**, throughout her many years of service, Deanna has served the people of the town with fairness and dedication; and

**WHEREAS**, Deanna has set an example of dedication to principal and has earned the admiration and respect of her colleagues and the Administration of the Town of Amherst for her dedication, collegiality, enthusiasm, professionalism, sense of humor and hard work; and

**WHEREAS**, the Town Council of the Town of Amherst takes great pleasure in recognizing the significant professional achievements of Deanna Foltz, and herewith expresses its sincere gratitude for the invaluable contributions she has made to Town of Amherst.

**NOW THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Amherst does, on this date, acknowledge the outstanding service that Deanna Foltz has given to our community,

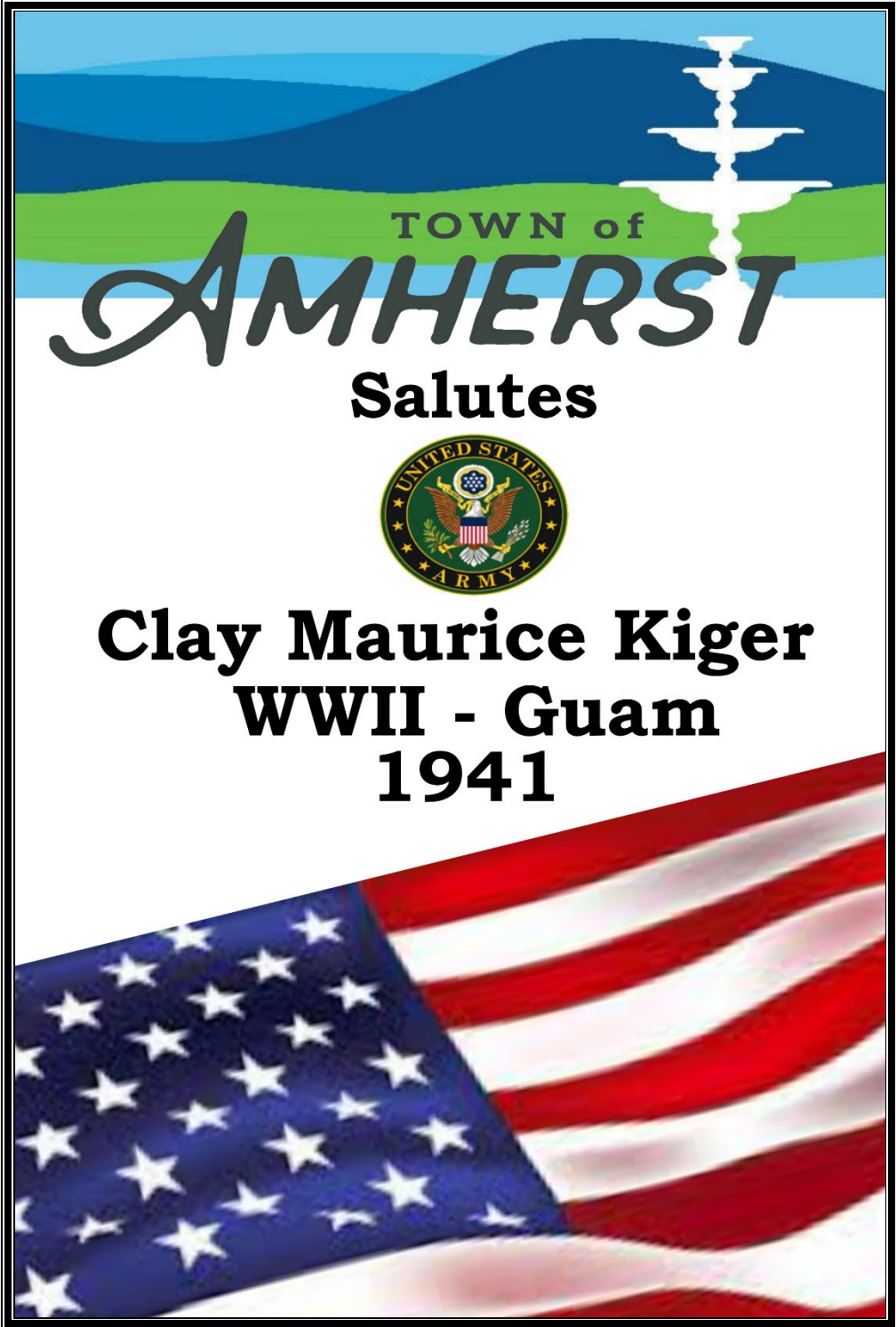
**AND FINALLY, BE IT FURTHER RESOLVED** the Clerk of the Council of the Town of Amherst is ordered to deliver an original copy of this Resolution to Deanna Foltz and to spread this resolution upon the minute books of the Town Council of the Town of Amherst as a tribute to a Good Neighbor and a Friend of the Town of Amherst.

Adopted December 14, 2022.

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

Attest:

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



TOWN of  
**AMHERST**  
Salutes



**Clay Maurice Kiger**  
**WWII - Guam**  
**1941**





**Resolution**  
**of the**  
**Town Council of the Town of Amherst**

**WHEREAS**, Kenneth S. Watts is a highly respected citizen of the Town of Amherst and a long-time resident of our community; and

**WHEREAS**, Kenneth S. Watts has, for many years, played an integral part in governing the Town of Amherst by serving on the Town Council of the Town of Amherst from January 1, 2013, to December 31, 2022, and as Vice Mayor of the Town Council from January 1, 2013, to December 31, 2016; and

**WHEREAS**, Kenneth S. Watts, during this time, served on the Town/Sweet Briar Sewer Use Advisory Commission and the Joint Committee on Cooperation (Town/County). Kenneth S. Watts also served on various standing committees including the Finance Committee, Utilities Committee, along with ad hoc committees including the Recodification Committee, Personnel Committee, and most recently the Pole Banner Committee; and

**WHEREAS**, Kenneth S. Watts has rendered loyal and dedicated service to the residents of the Town of Amherst and the surrounding area through his career in public service, including his service as the Police Chief of the Town of Amherst from 1992 and 2012, and civic efforts through his various positions of leadership, authority, and community involvement; and

**WHEREAS**, the Town Council of the Town of Amherst wishes to acknowledge the services that Kenneth S. Watts has given to his community and also to express its appreciation for all that Kenneth S. Watts has done 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 Kenneth S. Watts 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 Kenneth S. Watts's tenure on the Town Council of the Town of Amherst; and

**FINALLY, BE IT RESOLVED** that the Clerk of Council of the Town of Amherst is ordered to deliver an original copy of this Resolution to Kenneth S. Watts 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 Friend of the Town of Amherst*.

Adopted December 14, 2022

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

Attest:

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

**TOWN COUNCIL OF THE TOWN OF AMHERST**

MOTION: Janice Wheaton

Wednesday, December 14, 2022  
Regular Meeting

SECOND: Andra Higginbotham

RE: AUTHORIZE CLOSED MEETING

WHEREAS, the Town Council of the Town of Amherst desires to discuss in Closed Meeting the following matter(s):

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning the Town Council v. MacAdams case.

WHEREAS, pursuant to: §2.2-3711 (A)(7) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Council does hereby authorize discussion of the aforestated matters in Closed Meeting.

Adopted this 14<sup>th</sup> day of December 2022.

---

D. Dwayne Tuggle, Mayor

ATTEST:

---

Clerk of Council