

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on February 14, 2024, 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	Andra Higginbotham
P	Janice N. Wheaton	P	Michael Driskill
P	Sharon W. Turner	P	Kenneth S. Watts

Also present were the following staff members:

Sara E. McGuffin	Town Manager-Remote	Bobby Shiflett	Police Chief
Kelley Kemp	Town Attorney	Gary Williams	Director of Plants
Vicki K. Hunt	Clerk of Council	Becky Cash	Plants Operator
Tracie Morgan	Office Manager		

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Harold Thomas.

Ms. Turner made a motion that was seconded by Mr. Higginbotham to approve a Resolution honoring Douglas L. Thompson, commemorating his service and accomplishments to the Town of Amherst.

There being no discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth Watts	Aye

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

Police Chief Shiflett, recognizing their hard work and dedicated service to the Amherst Police Department and the Town of Amherst, presented the Officer of the Year Award to Officer Dante Robinson, the Award of Excellence to Captain Ryan Watts, and the MADD Award (Mothers Against Drunk Driving) to Captain Ryan Watts, Officer Dante Robinson, and Officer Luther Rose.

Mayor Tuggle opened the floor to citizen comments.

Steve Martin, Town of Amherst business owner, came forward in opposition of the existing code section on commercial surface treatment of driveways and parking areas and requested reimbursement for lost revenue due to shut down of his commercial rental due to the existing paving ordinance.

Jerry Martin, Town of Amherst business owner, came forward in opposition to the enforcement of the existing Town ordinance on surface treatment of commercial driveways and what she

considers the appearance of arbitrary enforcement of the ordinance.

Sonny Sundaramurthy, Town of Amherst resident, came forward suggesting that in order to protect our community by protecting locally owned businesses, the Town could construct a reasonable surfacing standard by revising Town Code Section 24-511 to read that parking spaces and driveways shall be constructed of gravel, contacted stone, concrete, asphalt, brick, or paving stones.

Suny Monk, President of Second Stage, came forward on its behalf with an update on upcoming Second Stage events and projects.

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

Ms. Turner made a motion that was seconded by Mr. Driskill to approve the consent agenda items consisting of minutes of the meetings held on January 10, 2024, and January 24, 2024, and the January 2024 check registry, as presented.

There being no discussion, the motion carried 4-0-1 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth Watts	Abstain

Mayor Tuggle gave a Town of Amherst year in review reporting on a variety of the Town's accomplishments during 2023.

Ms. Turner made a motion that was seconded by Mr. Driskill to reaffirm the Code of Ethics for the Town Council, first adopted on January 11, 2017, as presented.

There being no discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth Watts	Aye

The Code of Ethics was presented to each council member for signature for display in Council Chambers at Town Hall.

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

At 7:33 p.m. Councilman Watts excused himself from the meeting. A quorum was present as follows:

P	D. Dwayne Tuggle	P	Andra Higginbotham
P	Janice N. Wheaton	P	Michael Driskill
P	Sharon W. Turner	A	Kenneth S. Watts

Office Manager Morgan gave a report on a proposed work order and proposed agreement between The Berkley Group, LLC, and the Town of Amherst for the purpose of recruitment of Chief of Police.

Ms. Turner made motion that was seconded by Mr. Driskill to approve the Agreement between The Berkley Group, LLC and the Town of Amherst, and Work Order 1: Chief of Police Executive Search Services Town of Amherst, as recommended by staff.

There being no discussion, the motion carried 4-0-1 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth Watts	Absent

Office Manager Morgan gave a short report on appropriation of \$15,000.00 for work to be performed by The Berkley Group as set out in the Police Chief recruitment agreement.

Ms. Turner made a motion that was seconded by Mr. Driskill to approve appropriation of \$15,000.00 for services to be performed by The Berkley Group for Police Chief recruitment, as recommended by staff.

There being no discussion, the motion carried 4-0-1 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth Watts	Absent

At 7:36 PM Councilman Watts reentered the meeting. A quorum was present as follows:

P	D. Dwayne Tuggle	P	Andra Higginbotham
P	Janice N. Wheaton	P	Michael Driskill
P	Sharon W. Turner	P	Kenneth S. Watts

Office Manager Morgan gave a report on a citizen request that VDOT conduct a speed study on Sunset Drive for the purpose of determining the necessity to reduce the speed limit to 25 mph.

Mr. Watts made a motion that was seconded by Mr. Driskill to approve a request to VDOT to conduct a speed study on Sunset Drive.

After discussion, the motion failed 2-3 via the roll call method, as follows:

D. Dwayne Tuggle		Andra Higginbotham	Nay
Janice N. Wheaton	Nay	Michael Driskill	Aye
Sharon Turner	Nay	Kenneth Watts	Aye

Mayor Tuggle opened the floor to citizen comments.

Robert Villwock, Town of Amherst resident, came forward to apologize to council members for his demeanor at the January 10, 2024, Town Council meeting.

Angela Sundaramurthy, Town of Amherst resident, came forward to request that potholes be repaired in the business district.

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

At 7:49 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 and briefings by staff members pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body specifically related to litigation with Amherst County and the Life Saving and First Aid Crew.

WHEREAS, pursuant to: §2.2-3711 (A)(3) 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.

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

The motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth Watts	Aye

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

At 7:50 PM, pursuant to the Resolution, Town Council convened in closed session.

At 7:56 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 were as follows:

D. Dwayne Tuggle	Yes	Andra Higginbotham	Yes
Janice N. Wheaton	Yes	Michael Driskill	Yes
Sharon Turner	Yes	Kenneth S. Watts	Yes

There being no further business, on motion of Mr. Higginbotham that was seconded by Ms. Wheaton the meeting adjourned at 7:57 P.M., until March 13, 2024, at 7:00 p.m.

The motion carried 5-0 as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Kenneth S. Watts	Aye

D. Dwayne Tuggle, Mayor

ATTEST: _____
Clerk of Council

FOR APPROVAL

Resolution
of the
Town Council of the Town of Amherst

WHEREAS, Douglas L. Thompson is a highly respected citizen and a long-time resident of the Town of Amherst; and

WHEREAS, Douglas L. Thompson was appointed and agreed to serve as an interim member of the Town Council of the Town of Amherst on September 14, 2022, holding this position until a special election was held in November 2023; and

WHEREAS, Douglas L. Thompson serves the Town as a member of the Economic Development Authority, appointed by Council on August 15, 2022; and

WHEREAS, Douglas L. Thompson has rendered loyal and dedicated service to the residents of the Town of Amherst and the surrounding area through his career in public service and civic efforts including serving 10 years as a Volunteer Fire Fighter with the Amherst Fire Department. He is a practicing Certified Public Accountant and a graduate of the Virginia Military Institute; and

WHEREAS, the Town Council of the Town of Amherst wishes to acknowledge the services that Douglas L. Thompson has given to his community and also to express its appreciation for all that Douglas L. Thompson has done and will continue to do 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 Douglas L. Thompson 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 Douglas L. Thompson'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 Douglas L. Thompson 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

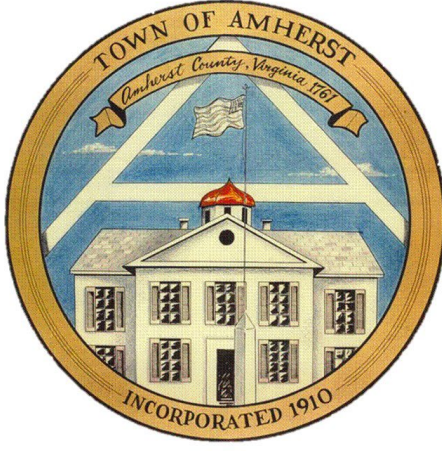
Good Neighbor and a Friend of the Town of Amherst.

Adopted February 14, 2023.

D. Dwayne Tuggle, Mayor

Attest:

Clerk of Council



AMHERST TOWN COUNCIL

CODE OF ETHICS

Recognizing that public officials hold office as a public trust, and that their stewardship of such office requires a superior degree of ethical conduct on their part, any person serving on the Amherst Town Council agrees to adhere to the following Code of Ethics:

1. Uphold federal, state and local laws, and never knowingly be a party to their evasion.
2. Respect and uphold the Constitution of the United States and the Constitution of Virginia and never act in a way that will restrict individual liberties. Council members should operate from a belief that the Constitution is the road map for every decision that the Council makes.
3. Put loyalty to the Town as a whole above loyalty to individuals or particular groups.
4. Dedicate sincere effort and service to the position of trust for which stewardship has been granted, giving earnest action and best thought to the performance of duties in an ethical manner.
5. Seek to find and use the most equitable, efficient, effective, and economical means for accomplishing Town business.
6. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed, country of origin or disability.
7. Ensure the integrity of the actions of the Town Council by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member should never accept for himself or herself or for family members, favors or benefits under circumstances that might be construed by reasonable persons as influencing the performance of governmental duties.
8. Make no private promises of any kind which purport to bind performance of public duty.
9. Engage in no business with the Town government, either directly or indirectly,
which is inconsistent with the conscientious performance of government duties, and ensure full compliance with the Conflict of Interest Act (Code of Virginia, Title 2.2, Chapter 31).
10. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act, using closed meetings only as authorized by the Code of Virginia.
12. Avoid involvement, or the perception thereof, in matters that when completed, come before the Town Council for resolution or approval.
13. Seek to communicate fairly and equally with all other Council members outside of formal meetings; avoid excluding one or more Council members from information shared with others, while consistently maintaining adherence to the requirements of the Virginia Freedom of Information Act.
14. Never use a position of public trust to gain access to the public or the media for purposes of criticizing colleagues, staff, or citizens, impugning their integrity, or vilifying their personal beliefs.
15. Ensure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Council.
16. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

Dated this 10th day of January, 2024.

D. Dwayne Tuggle, Mayor

Andra Higginbotham, Vice Mayor

Janice N. Wheaton, Council Member

Sharon W. Turner, Council Member

Kenneth S. Watts, Council Member

Michael H. Driskill, Council Member

TOWN COUNCIL OF THE TOWN OF AMHERST

MOTION: Janice Wheaton

Wednesday, February 14, 2024
Regular Meeting

SECOND: Andre 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 and briefings by staff members pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body specifically related to litigation with Amherst County and the Life Saving and First Aid Crew.

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 21st day of February 2024.

D. Dwayne Tuggle, Mayor

ATTEST: _____
Clerk of Council