

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on March 12, 2014 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 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, Acting Police Chief Greg Harler, Director of Public Utilities Tom Fore and Office Manager Colan Davis were present.

Mayor Kilgore asked for a moment of silence.

Joe Bondurant from Lee's Courthouse Deli came forward to discuss the clarity of the Town's policy of posting payments received after 5 P.M. on the next business day. Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0 to waive the deadline for a meals tax remittance recently delivered by Lee's Courtside Deli at about 7 P.M. on the due date and to ask the Office Manager to take appropriate steps to raise awareness of the policy that monies received after 5 P.M. will be posted the next business day. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

Mr. Watts made a motion, that was seconded by Mr. Bumgarner and carried 5-0, that the Town of Amherst support the planned April 26, 2014 Cruise In event proposed by Tim Ware and the Amherst County Chamber of Commerce subject to the following understandings:

- The Town of Amherst generally endorses the event as being a positive activity that provides community recreation and promotes business traffic in downtown Amherst,
- Use of Town parking lots at the end of E. Court Street and at 174 S. Main Street is approved,
- The Town will sponsor an application for VDOT to close E. Court and Goodwin Streets from 5 PM to 7 PM that evening,
- The Town will loan event sponsors available traffic barricades, cones and trash cans for use during the event,
- The Town will provide the usual and customary non-financial promotional assistance (fliers, Facebook, word of mouth, e-blast, etc.),
- The Town will request the chamber of commerce to provide promotion and event organization assistance, and
- The event area will be monitored by the Town of Amherst Police Department.

Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

Mr. Bumgarner made a motion that was seconded by Mr. Mozingo and approved 5-0 to approve the minutes from the February 18, 2014 meeting. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

The Police Chief's proposal for the addition of a sixth working officer to the Amherst Police Department, plans on how traffic control is being provided for the April 13 IRON 5k event, and how the Town Council could appropriately express its appreciation for the members of the recently disbanded auxiliary police force were discussed with Acting Police Chief Harler.

On behalf of the Utilities Committee, Mr. Wydner made a motion, which was seconded by Mr. Watts and carried 5-0, to direct the Town Manager to send a notice to cancel the current dumpster franchise contract by the 180-days specified and earlier if practical. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye". The Council discussed possible adjustments to the Town's curbside refuse collection billing policy needed to complement this decision.

Mr. Mozingo gave a report on the Personnel Committee's plans to update the pay plan, merit pay, drug testing, defining "on-duty serious accident", mandatory disciplinary action for drug test failure, and adjusting the sick leave policies in light of the changing VRS disability program items in the Town's personnel policy.

Mayor Kilgore led a discussion on the status of the new Town Hall project. Paint colors and flooring materials were discussed. The appraisal, bid or auction, timetable and other aspects of the process of disposing of the current Town Hall were discussed. The Town Manager was asked to obtain an appraisal for the current Town Hall.

The Town Manager gave a status report on the Town's construction projects.

Mr. Bumgarner made a motion that was seconded by Mr. Watts and approved 5-0 that the Town Council convene in closed session for:

- a. 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, and
- b. discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community per the exemption at §2.2-3711A.5 of the Code of Virginia.

Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

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

Mr. Bumgarner made a motion that was seconded by Mr. Wydner and carried 4-0-1 to authorize an offer of light duty status to Police Chief Kelvin Brown subject to certain conditions and understandings. Messrs. Bumgarner, Mozingo, Thompson and Wydner voted "Aye" and Mr. Watts abstained.

Mayor Kilgore read a proposed mayoral proclamation that would recognized the whole month of April 2014 as Child Abuse Prevention Month in the Town of Amherst.

There being no further business, Mr. Bumgarner made a motion that was seconded by Mr. Wydner and approved 5-0 to adjourn the meeting at 9:07 P.M. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

J. Paul Kilgore, Jr.
Mayor

Attest: _____
Clerk of Council