

Vice Mayor Andra Higginbotham called a regular monthly meeting of the Amherst Town Council to order on September 11, 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:

A	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	Ryan Watts	Police Chief
Kelley Kemp	Town Attorney	Gary Williams	Director of Plants
Tracie Morgan	Dep. Town Manager/Treas.	Becky Cash	Water/Wastewater Operator
Vicki K. Hunt	Clerk of Council	Charles Thompson	Utility Maintenance Foreman

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Kenneth S. Watts.

Town Manager McGuffin gave a report on proposed Town Code amendments that would, if approved, give authority to the Town Manager to reduce speed limits during construction or repair for a temporary period not to exceed 60 days, to increase or decrease speed limits on certain roads within the town limits based on traffic and engineering investigations that are authorized by Town Council, and to reduce and restore speed limits below 25 mph with the consent of council. VDOT has expressed concerns that these measures allowing for reduction of speed limits during construction, as well as increase or decrease in speed limits after traffic and engineering investigations, are not authorized by the Code of Virginia. Staff will request an opinion from the Attorney General on VDOT's concerns and discuss the matter of code authority with VDOT. Staff recommended approval of the ordinances as presented.

Vice Mayor Higginbotham opened a duly advertised public hearing at 7:05 P.M. on the proposed amendment to Town Code Chapter 20 – Traffic and Vehicles to include authorization for Town Manager to reduce speed limits during construction or repair for a temporary period not to exceed 60 days.

There being no one present or otherwise who wished to speak on the matter, the public hearing closed at 7:06 p.m.

Mr. Watts made a motion that was seconded by Mr. Higginbotham to approve the amendment to Town Code Chapter 20 – Traffic and Vehicles to include authorization for Town Manager to reduce speed limits during construction or repair for a temporary period not to exceed 60 days, as recommended by staff.

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 Ordinance is attached to and made part of these minutes.

Vice Mayor Higginbotham opened a duly advertised public hearing at 7:07 P.M. on the proposed amendment to Town Code Chapter 20 – Traffic and Vehicles to include authorization by Town Manager to increase or decrease speed limits on highways within the Town after a traffic and engineering investigation authorized by Town Council is performed.

There being no one present or otherwise who wished to speak on the matter, the public hearing closed at 7:07 p.m.

Ms. Wheaton made motion that was seconded by Mr. Watts to approve the amendment to Town Code Chapter 20 – Traffic and Vehicles to include authorization by Town Manager to increase or decrease speed limits on highways within the Town after an engineering and traffic investigation authorized by Town Council is performed, as recommended by staff.

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 Ordinance is attached to and made part of these minutes.

Vice Mayor Higginbotham opened a duly advertised public hearing at 7:08 P.M. on the proposed amendment to Town Code Chapter 20 – Traffic and Vehicles to include authorization by Town Manager, with consent of council, to reduce and restore speed limit on highways within the Town that are posted at 25 mph.

There being no one present or otherwise who wished to speak on the matter, the public hearing closed at 7:08 p.m.

Ms. Wheaton made a motion that was seconded by Mr. Higginbotham to approve the amendment to Town Code Chapter 20 – Traffic and Vehicles to include authorization by Town Manager, with consent of council, to reduce and restore speed limit on highways within the Town that are posted at 25 mph, as recommended by staff

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 Ordinance is attached to and made part of these minutes.

Vice Mayor Higginbotham opened the floor to citizen comments.

There being no one 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. Watts to approve the minutes of the meeting held on August 14, 2024, 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

Ms. Wheaton made a motion that was seconded by Mr. Watts to approve the August 2024 check registry as presented with the exception of Item #6271 Hill Hardware.

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

Mr. Watts made a motion that was seconded by Ms. Wheaton to approve Item #6271 Hill Hardware on the July 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	Abstain	Kenneth Watts	Aye

Town Manager McGuffin gave a report on a proposed process for how future speed limit reductions would be handled. Staff recommended that council take the matter under advisement deferred to allow staff to address the concerns raised by VDOT.

By consensus, no action was taken.

Town Manager McGuffin gave a report to permanently decrease the speed limit on Macadam Road. A traffic and safety investigation was performed and VDOT made the reduction. No further action by council was necessary.

Deputy Town Manager/Treasurer Morgan gave a report on the FY2025-2026 budget timetable and capital improvement plan that staff would like to follow.

Ms. Wheaton made a motion that was seconded by Ms. Turner to adopt the FY2025-2026 Budget Calendar and Capital Improvement Plan as presented and recommended by staff.

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 FY2025-2026 Budget Calendar and Capital Improvement Plan is attached to and made a part of these minutes.

Town Manager McGuffin gave a report on funding for the Sunset Drive Waterline project to upgrade fire suppression, pressure, and volume on the line. Three bids were on the project were received, with a \$173,963.00 difference between the low bid and the VDH award with no additional funds available. Staff recommended appropriation of \$173,963.00 from the water reserve fund.

Ms. Wheaton made a motion that was seconded by Ms. Turner to approve appropriation of \$173,963.00 from the water fund, as recommended by staff.

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

Town Manager McGuffin gave a report on bids received in response to the Town's request for the Sunset Drive waterline project. Staff recommended award of the low bid from Atkins Excavating Inc., Greenville, Virginia, in the amount of \$1,359,541.00.

Ms. Wheaton made a motion that was seconded by Mr. Watts to award the bid to Atkins Excavating, Inc., in the amount of \$1,359,541.00, for the Sunset Drive waterline project.

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

Town Manager McGuffin gave a report on sludge removal from digesters at the Wastewater Treatment Plant. Previous permission was granted by council to expend funds from the wastewater reserves so that the digesters could be emptied of the existing solids by hauling the waste to the City of Lynchburg Wastewater Treatment Plant. Staff recommended appropriation of \$100,000.00 from the wastewater reserve fund for the purpose of covering these costs.

Ms. Wheaton made a motion that was seconded by Mr. Watts to approve appropriation of \$100,000.00 from the wastewater reserve fund, as recommended by staff.

After the 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

Town Manager McGuffin and Director of Plants gave a report on fencing at the Raw Water Intake. Due to incidents of vandalism and tampering at the Intake, staff requested quotes from three fencing companies in an effort to secure the area. Staff recommends that council approve the contract from RR Mann Fencing Company in the amount of \$10,864.00 and appropriation of that amount from the wastewater fund reserve.

Ms. Wheaton made a motion that was seconded by Mr. Higginbotham to accept the contract with RR Mann Fencing Company in the amount of \$10,864.00 for construction of new fencing at the Raw Water Intake and approve appropriation of \$10,864.00 from the wastewater reserve fund, as recommended by staff.

After 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

Town Manager McGuffin gave a report on the 2024 Christmas Parade preparations. The parade is being planned for the first Friday in December (December 6, 2024), at 6:30 p.m., beginning at Kenmore Road, proceeding up S. Main Street and ending at the traffic circle. The theme of the parade is "Christmas at the Zoo." Staff requested approval of the parade route and associated street closures.

Ms. Turner made a motion that was seconded by Mr. Watts to approve the 2024 parade route and associated street closures, as recommended by staff.

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

Town Manager McGuffin gave a report on design proposals and concept plans to improve sidewalk and streetscape in specific Downtown areas. Staff requested that the matter be deferred to allow time for staff to meet with VDOT and that a council work session be scheduled on the matter.

By consensus, the matter was deferred and staff was instructed to schedule a council work session.

Town Manager McGuffin gave a report on an existing vacancy on the Economic Development Authority.

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

<b>Board</b>	<b>Appointed</b>	<b>Term of Office</b>
Economic Development Authority	Jaynene Stewart Casey	10/01/24 – 06/20/25

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

Vice Mayor Higginbotham 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.

There being no further business, on motion of Ms. Wheaton and seconded by Ms. Turner, at 7:46 PM the meeting adjourned until October 9, 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

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Andre Higginbotham, Vice Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council



**MOTION:** Kenneth S. Watts  
**SECOND:** Andra Higginbotham

Regular Meeting  
September 11, 2024  
**Ord. No. 091124A**

## **ORDINANCE OF THE TOWN OF AMHERST**

### **AN ORDINANCE AMENDING THE TOWN OF AMHERST CODE OF ORDINANCES TO ADD PROVISIONS TO CHAPTER 20 – TRAFFIC AND VEHICLES TO INCLUDE AUTHORIZATION FOR TOWN MANAGER TO REDUCE SPEED LIMITS DURING CONSTRUCTION OR REPAIR OF ROADS**

**WHEREAS**, Virginia Code § 46.2-1300(A)(2) allows the governing body of towns to authorize the Town Manager to reduce the speed limit on highways within its boundaries where there is construction or repair work being performed; and

**WHEREAS**, the reduction of speed due to construction is for a temporary period, not to exceed 60 days; and

**WHEREAS**, after reviewing citizen comments, and the recommendations of the Police Chief and Town Staff, the Council desires to authorize the Town Manger to reduce the speed limits on certain highways in the Town where there is construction or repairs are occurring; and

**WHEREAS**, the full text of this amendment was available for public inspection in the Town Hall located at 174 S. Main Street, Amherst, Virginia.

**NOW THEREFORE, BE IT ORDAINED THAT THE AMHERST TOWN COUNCIL**  
Section 20-xx. Powers of Town Manager to reduce speed limits during construction or repair  
The town manager is authorized to reduce for a temporary period not to exceed 60 days, without such engineering and traffic investigation, the speed limit on any portion of any highway of the town on which work is being done or where the highway is under construction or repair.

This ordinance was adopted on September 11, 2024.

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Andra Higginbotham, Vice Mayor

ATTEST:

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Clerk of the Council





**MOTION:** Janice Wheaton  
**SECOND:** Kenneth Watts

Regular Meeting  
September 11, 2024  
**Ord. No. 091124B**

## **ORDINANCE OF THE TOWN OF AMHERST**

### **AN ORDINANCE AMENDING THE TOWN OF AMHERST CODE OF ORDINANCES TO ADD PROVISIONS TO CHAPTER 20 – TRAFFIC AND VEHICLES TO INCLUDE AUTHORIZATION BY TOWN MANAGER TO REDUCE SPEED LIMIT ON HIGHWAYS WITHIN THE TOWN AFTER AN ENGINEERING AND TRAFFIC INVESTIGATION**

**WHEREAS**, Virginia Code § 46.2-1300(A)(1) allows the governing body of towns to authorize the Town Manager to reduce the speed limit on highways within its boundaries after an engineering and traffic investigation is performed; and

**WHEREAS**, the reduced speed area must be clearly indicated by markers or signs; and

**WHEREAS**, after reviewing citizen comments, and the recommendations of the Police Chief and Town Staff, the Council desires authorize the Town Manger to increase or decrease the speed limits on certain highways in the Town after obtaining an engineering and traffic investigation; and

**WHEREAS**, the full text of this amendment was available for public inspection in the Town Hall located at 174 S. Main Street, Amherst, Virginia.

**NOW THEREFORE, BE IT ORDAINED BY THE AMHERST TOWN COUNCIL** that the Town of Amherst Code of Ordinances are amended and reenacted as follows:

#### **Sec. 20-xx. Powers of Town Manager to increase or decrease speed limits after investigation**

The town manager is authorized to increase or decrease the speed limit on certain highways within the town, provided such increase or decrease in speed shall be based upon an engineering and traffic investigation by the town and provided such speed area or zone is clearly indicated by markers or signs. Prior to the Town Manager taking any action to reduce the speed limit, the Town Council must authorize the engineering and traffic investigation on a case by case basis,

This ordinance was adopted on September 11, 2024.

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Andra Higginbotham, Vice Mayor

ATTEST:

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Clerk of the Council



**MOTION:** Janice Wheaton  
**SECOND:** Andra Higginbotham

Regular Meeting  
September 11, 2024  
**Ord. No. 091124C**

## **ORDINANCE OF THE TOWN OF AMHERST**

### **AN ORDINANCE AMENDING THE TOWN OF AMHERST CODE OF ORDINANCES TO ADD PROVISIONS TO CHAPTER 20 – TRAFFIC AND VEHICLES TO INCLUDE AUTHORIZATION FOR TOWN MANAGER TO REDUCE AND RESTORE SPEED LIMIT ON HIGHWAYS WITHIN THE TOWN THAT ARE POSTED AT 25 MPH**

**WHEREAS**, the Virginia General Assembly adopted House Bill 1071 (codified in Virginia Code § 46.2-1300), effective July 1, 2024, which allows the governing body of towns to reduce the speed limit to less than 25 Miles Per Hour (MPH), but not less than 15 MPH, on highways within its boundaries that are located in a business district or residential district; and

**WHEREAS**, Virginia Code § 46.2-1300 allows the governing body of towns to authorize its chief administrative officer to reduce the speed limit to less than 25 MPH, but not less than 15 MPH on highways within its boundaries; and

**WHEREAS**, Virginia Code § 46.2-1300 requires that the locality provide written notice to the Commissioner of Highways at least 30 days prior to the reduction in speed limit; and

**WHEREAS**, Council has reviewed citizen comments, and the recommendations of the Police Chief and Town Staff, the Council desires to authorize the Town Manager to reduce the speed limits on certain highways in the Town, provided that all state regulations are followed; and

**WHEREAS**, the full text of this amendment was available for public inspection in the Town Hall located at 174 S. Main Street, Amherst, Virginia.

**NOW THEREFORE, BE IT ORDAINED BY THE AMHERST TOWN** that the Town of Amherst Code of Ordinances are amended and reenacted as follows:

#### ***Sec 20.xx – Powers of Town Manger to reduce posted 25mph speed limit and enforcement***

- a. The town manager is authorized to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on any highway within the town, including those in the state highway system, located in a business district or residence district for which the existing posted speed limit is 25 miles per hour, and restore a speed

limit that had been reduced pursuant to this subsection to the speed limit that had been previously posted at that location, provided that such reduced or restored speed limit is indicated by lawfully placed signs. At least 30 days prior to changing a speed limit on any highway in the state highway system pursuant to this subsection, the town shall provide written notice of the change to the Commissioner of Highways. The town manager shall receive the consent of Town Council prior to any reduction or restoration on a specific highway; and,

- b.** The revised speed limit shall be enforced by the Amherst Town Police Department and any other authorized law enforcement agency in the same manner as all other speed limits which may have been approved by the Commissioner of Highways.

This ordinance was adopted on September 11, 2024.

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Andra Higginbotham, Vice Mayor

ATTEST:

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Clerk of the Council

# **TOWN OF AMHERST**

## **BUDGET CALENDAR FOR FY 2021-2022**

**December 2020** – Office Manager prepares budget worksheets for department heads and mails out donation request forms to local organizations.

**January 29, 2021**– Deadline for budget requests from department heads and local organizations.

**February 8, 2021** – Office Manager presents prepared budget documents to Town Manager for recommendations.

**March 2021** – Finance Committee meets with Office Manager and Town Manager to review budget documents and recommendations.

**April 14, 2021** – Public hearing of FY22 budget at regular Council meeting.

**May 12, 2021** – Adoption and appropriation of FY22 budget at regular Council meeting.

## **CAPITAL IMPROVEMENTS PLAN FY 2021-2022**

**October 2020** – Office Manager sends out CIP requests documents to department heads.

**November 20, 2020** – Department heads submit CIP requests to Office Manager.

**December 2020** – Department heads and Town Manager meet to discuss CIP requests.

**January 2021** – Town Manager Presents CIP recommendations to Planning Commission.

**March 3, 2021** – Planning Commission public hearing on CIP requests.

**April 14, 2021** – Council public hearing on CIP requests.

**May 12, 2021** – Council adopts Capital Improvements Plan.