

AMHERST TOWN COUNCIL

AGENDA

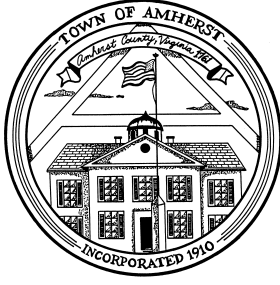
Tuesday, July 28, 2026

SPECIAL CALLED MEETING

6:00 p.m.

Town Hall, 174 S. Main Street, Amherst, VA 24521

- A. Call to Order for the Town Council– 6:00 p.m. - Mayor Tuggle**
- B. Pledge of Allegiance** - *I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*
- C. Invocation** - *Any invocation that may be offered before the official start of the Amherst Town Council meeting shall be the voluntary offering to, and for, the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the audience is required to attend or participate in the invocation, and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure by which a volunteer may deliver an invocation are available upon request at the Town Hall.*
- D. Citizen Comments** - *Per the Town Council’s policy, any individual desiring to speak before the Council who has not met the agenda deadline requirement will be allowed a maximum of three minutes to speak before the Town Council. Any individual representing a bona fide group will be allowed a maximum of five minutes to speak before the Town Council. Placement on the agenda is at the Mayor’s discretion.*
- E. Special Election and Interim Appointment Process –** *Staff will review the calendar and options for the special election and interim councilor appointment.*
- F. Adjournment**



TOWN OF AMHERST

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Phone (434)946-7885 Fax (434)946-2087

To: Town Council
From: Sara McGuffin
Date: July 24, 2026
Re: Process for Appointment of Interim Councilor

Background:

Councilmember Mike Driskill passed away on July 22, 2026, creating a vacancy on the Town Council. Virginia Code establishes procedures for filling a council vacancy through both an interim appointment and a special election.

This memorandum summarizes the statutory requirements, proposed timeline, and decisions requiring Council direction.

Legal Requirements:

1. Interim Appointment – Virginia Code § 24.2-228

- Council has **45 days from the date of the vacancy** (until **September 4, 2026**) to appoint a qualified voter to serve as interim Councilmember.
- At least **seven days before making the appointment**, Council must:
 - Hold a public meeting;
 - Announce the names of all applicants; and
 - Make résumés and other application materials available to the public.
- The interim appointee will serve until the results of the special election are certified.
- If Council is unable to appoint an interim Councilmember within the required timeframe, the Circuit Court will make the appointment.

2. Special Election – Virginia Code § 24.2-226

Respecting the past. Attending the present. Concentrating on the future.

- Within **15 days of the vacancy** (by **August 6, 2026**), the Town must petition the Circuit Court for a writ of election.
- Although the Town must submit the petition within the statutory timeframe, the Circuit Court issues the writ of election establishing the election date. Council's direction will be used to inform the Town's request to the Court regarding the preferred election date.

Timeline:

- July 22: : Date of Mr. Driskill's passing.
- July 28: Council authorizes filing of Writ for Special Election.
Council determines process for Interim Councilor and Election.
- July 29: Vacancy announced on Town website;
Registrar notified of Council's direction for Special Election.
- August 11: Application deadline for individuals seeking appointment
- August 12: Regular Council meeting
Announcement of applicants as required by State Code
- September 1, 2, or 3: Special Council meeting:
- Closed session to meet with candidates
 - Appointment follows closed session

Decisions to be Made:

Special Election Timeframe: Council has three options to consider for when to have the Special Election.

Option:	Advantages:	Considerations:
November 3, 2026 General Election	Allows voters to fill the vacancy at the earliest possible election date. The interim appointment would be for the shortest period of time, and the successful candidate would serve slightly more than two years.	Due to the statutory sequence of events, staff anticipates that candidates would effectively be required to run as write-in candidates. Given the August 14 qualification deadline, there is unlikely to be sufficient time for candidates to complete the qualification process for placement on the ballot. Write-in campaigns may discourage potential

		candidates and reduce voter participation.
Spring, 2027 Separate Election	Provides additional time for candidates to qualify for the ballot and allows voters to participate in a dedicated election for the vacant seat.	The Town would bear the cost of conducting the election, estimated at approximately \$5,000. Because only one seat would appear on the ballot, voter turnout may be lower. The interim appointee would serve approximately seven months, and the elected Councilmember would serve approximately one and one-half years.
November 2, 2027 General Election	Likely provides the highest voter turnout because the election would occur during the regular election cycle and potential candidates would have the maximum time to prepare.	The interim appointee would serve approximately one and one-half years before voters determine who will fill the remainder of the term.

Interim Appointment:

Regardless of the election date selected, Council must appoint an interim Councilmember no later than September 4, 2026.

Staff has tentatively established a process that would advertise the vacancy, accept applications through August 11, publicly announce applicants at the August 12 regular meeting, and conduct interviews and the appointment during a special Council meeting in early September.

If Council selects a later special election date, Council may wish to consider whether a shorter-term interim appointment followed by a subsequent appointment process would best meet its objectives. Staff can provide additional information regarding that option if Council wishes to consider it.