

**Town of Louisa
Monthly Meeting
August 21, 2007**

Present: James S. Artz, Mayor; Mary Jane Clarke, Vice-Mayor; A. Daniel Carter, Pamela H. Stone, Warren D. Gehle, Matthew L. Kersey, Council Members; Ronald M. Maupin, Attorney; Brian W. Marks, Town Manager; Donna L. Pinter, Treasurer; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager; Stan Batten, Town of Louisa Police Department

Also Attending: Pat Wilson, The Central Virginian; Garland Nuckols, 110 Patrick Henry Drive; Christine Lloyd, 104 Hollyhurst Lane; Calvin Hockett

Absent: None.

All copies including: reports, handouts, and documents can be found following the minutes.

Mayor Artz called the meeting to order at 7:01 p.m.

Council Member Kersey gave the invocation.

BUSINESS FROM THE FLOOR

Mr. Garland Nuckols stood before Council to express his concern with the Town of Louisa Police Department. Mr. Nuckols spoke to the unnecessary aggressiveness of certain members of the police force and the negative impact on the town, as well as the lack of adequate coverage during the late night and early morning hours. Mr. Nuckols stated that it was his understanding that the addition of the last couple of officers was to provide 24 hour coverage. Mr. Nuckols cited a particular incident involving a rescue crew in which an officer was needed and there was no one on duty. Mr. Nuckols stated that a lot of tax dollars go into the funding of the Police

Department and that he would like to see Council work out the problems.

Mr. Calvin Hockett stood before Council and stated that he was the person who had written in to the Central Virginian about the elderly lady who had received a parking ticket from a town officer. Mr. Hockett informed Council that he wanted to clear up any misunderstandings by informing them that what he wrote was what was told to him by the elderly lady and was not fabricated in any way. Mr. Hockett also stated that he felt the officer involved displayed a lack of judgment, and went further to state that he was an officer himself for over 25 years and that one of the things he distinctly remembers being drilled into him was that justice should be ruled with compassion. Mr. Hockett then thanked Council for their time and apologized if he offended anyone.

Ms. Christine Lloyd stood before Council and voiced her concern regarding false alarms and loud noises emitted from buildings in town near her home, as well as those close by in the Industrial Air Park. Ms. Lloyd stated that in one instance, the alarm at Piedmont Metal sounded for five consecutive hours because there was no one available to turn it off. Ms. Lloyd also played a recorded audio tape for Council of the noises she hears daily from her front porch. Ms. Lloyd requested that a decibel reading be done from her neighborhood because she is certain that the noises emitted exceed the allowable levels. Ms. Lloyd also informed Council that the Louisa County Board of Supervisors is holding a public meeting on Tuesday, September 4, 2007 regarding false alarms.

CONSENT AGENDA

Council member Kersey made a motion to approve the consent agenda as corrected. Council member Clarke seconded the motion. The vote went as follows: Kersey, for; Clarke, for; Gehle, for; Stone, for with the exception of the C.V.; Carter, for.

PRESENTATION

Resolution recognizing the Virginia Cooperative Extension Service Master Gardeners Program for their work in the Town of Louisa Community Park

Mayor Artz asked the members in attendance to step forward and receive the framed Resolution. Mayor Artz then read the resolution aloud and thanked them for all their help and wonderful work. Mayor Artz then asked Mr. Scharf, director of the Master Gardeners Program, to please remain standing as he read aloud a second resolution of appreciation written specifically to thank him personally for all the time, effort, and dedication put into the park project. Mayor Artz then shook Mr. Scharf's hand and presented him with the framed resolution.

The resolutions follow:

RESOLUTION OF APPRECIATION Presented to the members of the VIRGINIA COOPERATIVE EXTENSION SERVICE CENTRAL VIRGINIA MASTER GARDENERS PROGRAM

WHEREAS, The Central Virginia Master Gardeners volunteered their support to provide landscaping services for the Town of Louisa Community Park; and,

WHEREAS, for over two months, the organization worked with town officials and landscape architects to install fifty-two trees, seven-hundred eleven flowering plants, and eighty two shrubs; and,

WHEREAS, the Virginia Cooperative Extension Service Master Gardeners Program landscaping will forever be part of the community and the rehabilitation of the historic school grounds; now,

BE IT THEREFORE RESOLVED that the Council of the Town of Louisa, Virginia appreciates the dedication and hard work to serve the community at large demonstrated by the Central Virginia Master Gardeners Program; and,

BE IT FURTHER RESOLVED by the Council of the Town of Louisa, Virginia that this resolution is entered into the Minutes of Council as an acknowledgement of his dedication and hard work.

**ADOPTED BY UNANIMOUS VOTE BY THE LOUISA TOWN COUNCIL ON
AUGUST 21, 2007.**

ATTEST:

TOWN OF LOUISA:

Jessica M. Ellis, Clerk

James S. Artz, Mayor

**RESOLUTION OF APPRECIATION
Presented to
MR. JAMES SCHARF
VIRGINIA COOPERATIVE EXTENSION SERVICE
MASTER GARDENERS PROGRAM**

WHEREAS, Mr. Scharf volunteered his support as volunteer coordinator of the Master Gardeners to provide landscaping services for the Town of Louisa Community Park; and,

WHEREAS, for over two months, Mr. Scharf has worked with town officials and landscape architects to coordinate the installation of fifty-two trees, seven-hundred eleven flowering plants, and eighty two shrubs; and,

WHEREAS, Mr. Scharf organized volunteer labor and materials and coordinated a planting plan; and,

WHEREAS, Mr. Scharf's organizational skills and leadership were instrumental in completing the plantings on time to meet grant required deadlines; and,

WHEREAS, Mr.Scharf's and the Virginia Cooperative Extension Service Master Gardeners Program landscaping will forever be part of the community and the rehabilitation of the historic school grounds; now,

BE IT THEREFORE RESOLVED that the Council of the Town of Louisa, Virginia appreciates Mr. Scharf's dedication and hard work to serve the community at large; and,

BE IT FURTHER RESOLVED by the Council of the Town of Louisa, Virginia that this resolution is transmitted to Mr. Scharf and that a copy is entered into the Minutes of Council as an acknowledgement of his dedication and hard work.

ADOPTED BY UNANIMOUS VOTE BY THE LOUISA TOWN COUNCIL ON AUGUST 21, 2007.

ATTEST:

TOWN OF LOUISA:

Jessica M. Ellis, Clerk

James S. Artz, Mayor

PUBLIC HEARING

Regulation of Town Parks of the Town of Louisa, Virginia

Mayor Artz opened the public hearing at 7:23 p.m. asking if there was anyone present that would like to speak for or against the proposed ordinance. Hearing no response, Mayor Artz closed the hearing at 7:24 p.m.

OLD BUSINESS

Presentation: Mr. David Rose and Mr. Kyle Laux of Davenport will present financing updates for the WWTP expansion project.

Mr. Marks reintroduced Mr. Rose and Mr. Laux to Council before turning the floor over to them. Mr. Laux passed out bound copies of the financial update before giving their report and discussing key areas of interest at length.

Adoption of Park Ordinance

Council member Kersey made the motion to adopt the proposed park ordinance as presented by Mr. Marks. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

The ordinance follows:

CHAPTER _____

REGULATION OF TOWN PARKS

ARTICLE I GENERAL PROVISIONS

_____-1. Title.

This chapter shall be known and may be cited as the “Regulation of Town Parks of the Town of Louisa, Virginia.”

_____-2. Purpose

The Louisa Town Council deems it reasonable, necessary and desirable to provide an ordinance specifying rules and regulations in order to provide for the safe and peaceful use of Park Lands, for the education and recreation of the public, for the protection and preservation of the property, facilities, and natural resources of the Town, and for the safety and general welfare of the public.

_____-3. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

a. “Alcoholic Beverage” includes any intoxicating beverage as defined by Virginia law and includes beer and wine as further defined in this ordinance.

b. “Amusement contraptions” means any contrivance, device, gadget, machine or structure designed to test the skill or strength of the user or to provide the user with any sort of ride, lift, swing, or fall experience including, but not limited to, ball throwing contest, pinball type device, electronic videos, animal rides, dunk tank, ball pit, moonwalk, ball and hammer device, trampoline, and the like.

c. “Area” or “areas” means a specified place within a Park.

- d. "Beer" means any alcoholic malt beverage, including 3.2 beer.
- e. "Bicycle" means any non-motorized vehicle which is driven by means of pedaling. Such vehicles include, but are not limited to, road bicycles, mountain bicycles, recumbent bicycles, tricycles, and mopeds with the motor off.
- f. "Council" means the appointed and elected members of the Louisa Town Council.
- g. "Manager" or "Town Manager" means the Town Manager of the Town of Louisa.
- h. "In-line skating" means riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person's feet or stood upon by a person. Such devices specifically include, but are not limited to, roller skates, in-line skates, roller skis, skateboards and scooters.
- i. "Motor Vehicle" means a self-propelled vehicle intended to be driven on a roadway. Such vehicles include, but are not limited to, cars, trucks, motorcycles, scooters, recreational vehicles, or mopeds under motor power.
- j. "Motorized Off-Road Vehicle" means any self-propelled, off the road or all terrain vehicle, designed to be driven off a roadway. Such vehicles include, but are not limited to, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, scooter, dune buggy, or all terrain vehicle (ATV).
- k. "Natural Resources" means all flora and fauna within a Park and the physical factors upon which they depend; including air, water, soil, and minerals.
- l. "Park" or "Parks" means any land or water area and all facilities thereon, including but not limited to trails, under the jurisdiction, control or ownership of the Town of Louisa.
- m. "Person" or "Persons" means individuals, firms, corporations, societies or any group or gathering whatsoever.
- n. "Pet" means any animal that is tamed and domesticated and kept as a companion.
- o. "Pollutant" means any substance, liquid, or gas which could cause contamination of air, land, or water so as to create or cause a nuisance or render unclean or noxious or impure so as to be actually or potentially harmful, or detrimental or injurious to public health, safety, or welfare.
- p. "Property" means any land, waters, facilities, or possessions of the Town of Louisa, and shall include Parks.
- q. "Use Permit" means the written permission that must be obtained from the Town Manager to carry out a given activity.

r. "Watercraft" means any contrivance used or designated for navigation on water.

s. "Weapon" means any device including, but not limited to, firearms, bows, electronic weapons, slings, and pellet or B-B guns from which a shot or projectile of any type is discharged or propelled by means of an explosive, gas, compressed air, or other means. An electronic weapon means a portable device, which is designated, used or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of an electric current.

t. "Wildlife" means any living creature, not human, wild by nature, endowed with sensation, power of voluntary motion, including but not limited to mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks.

u. "Wine" means a vinous alcoholic beverage.

ARTICLE II - REGULATION OF GENERAL PUBLIC USE OF TOWN PARK

____.1 – Park Hours

a. Parks shall be open to the public daily from 7:00 a.m. until ½ hour before sunset, unless otherwise designated by the Town Council. It shall be unlawful for any person to enter or remain in a park at any other time without a use permit.

b. The Town Manager or designee is authorized to close any Park or portion thereof at any time for the protection of Park property or for public health, safety or welfare.

____. 2. Use Permits

a. Use Permits shall be required for an exclusive or special use of all or any portion of a Park or Park areas, buildings or trails or for use of Park areas and facilities when any Park is otherwise closed to the public.

b. It shall be unlawful for a person to violate any provisions of a use permit issued in accordance with this chapter.

c. Use Permits shall be required for any entertainment, tournament, exhibition or any other special use, which can reasonably be expected to have fifty (50) or more persons involved, whether or not the use herein described shall be exclusive and without regards to the time of said use, whether during general Park open hours or thereafter.

d. Issuance of use permits for Park facilities shall be established through regulations established by the Town Manager and a fee schedule will be established by the Town Council.

____.3 – Use Fee, Failure to Pay

It shall be unlawful for any person to use, without payment, any facility or area for which a user fee is charged, unless the payment is waived by a use permit.

ARTICLE III - REGULATION OF GENERAL CONDUCT –
PERSONAL BEHAVIOR- WITHIN PARK

_____1. – Drug and Alcohol Use

It shall be unlawful for any person within any Park to:

a. serve, possess or consume any alcoholic beverage, except as otherwise specifically set forth in this section;

b. serve, possess, or consume any beer, wine or other alcoholic beverage within the Park, except beer and wine in a reserved shelter authorized by use permit;

c. use, manufacture, possess, constructively possess, sell, give away, barter, exchange, distribute, or otherwise transfer any controlled substance, except for the use of a lawful prescription prescribed by a person licensed by law to prescribe and administer controlled substances;

d. inhale, breathe, drink, or be or become intoxicated by reason of inhaling, breathing or drinking any substance defined as “glue”;

e.. possess or bring into any Park beer or wine in kegs, barrels, or case lot quantities without a use permit;

f.. be under the influence of drugs or alcohol to the point of intoxication, or loss of motor skills or consciousness, or other factors that may injure the party or adversely affect other Park visitors, or otherwise be under the influence of alcohol or drugs as otherwise prohibited by any provision of the Code of Virginia, 1950, as, amended, or

g. have a blood alcohol level higher than .08 at anytime when within the boundaries of any Park.

_____2. Gambling

It shall be unlawful within any Park for any person to gamble or participate in any game of chance for a consideration of items of value; excepting private social bets not incidental to organized, commercialized or systematic gambling.

_____3. Public Nuisance/Personal Safety

It shall be unlawful within any Park for any person to:

a. engage in fighting or exhibit threatening, violent, disorderly or indecent behaviors;

b. make unreasonable noise or coarse utterance, gesture or display; or

c. address abusive language to any person present.

____-5. Property of Others

It shall be unlawful within any Park for any person to:

a. intentionally disturb, harass or interfere with a Park visitor's property; or

b. leave or store personal property over 24 hours on Park property without a use permit, unless the activity is authorized by the Town Council, or otherwise authorized by a valid use permit.

____-6. Littering

It shall be unlawful within any Park for any person to deposit, scatter, drop or abandon in a Park: bottles, cans, glass, hot coals, ashes, sewage, waste or other material, except in receptacles provided for such purpose. Nothing herein shall be deemed to amend, affect or otherwise restrict the applicability of Chapter 94 of the Town Code to any Park.

____7. Possession and Use of Firearms/Dangerous Weapons/Fireworks

It shall be unlawful within any Park for any person to:

a. have in their possession, fire, discharge, or cause to be discharged across, in, or into any portion of a Park, any weapon, except in areas and at times designated by the Town Manager for such use, or with a use permit; or

b. set off or attempt to set off or ignite any firecrackers, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without authorization from the Town Council.

____-8. Interference with Employee Performance of Duty

It shall be unlawful within any Park or otherwise upon any Town Property for any person to impersonate an employee of the Town of Louisa or interfere with, harass, or hinder an employee in the lawful discharge of their duties.

ARTICLE IV
ADDITIONAL PROHIBITED ACTIVITIES WITHIN ANY PARK

____-1. Commercial Use/Solicitation/Advertising/Photography

It shall be unlawful within any Park for any person to:

a. solicit, sell or otherwise peddle any goods, wares, merchandise, services, liquids, or edibles in a park except by authorized concession approved by the Town Council or written permission granted by a use permit;

b. operate a still, motion picture, video or other camera for commercial purposes in any Park without a use permit; or

c. expose, distribute or place any sign, advertisement, notice, poster or display in any Park without written authorization from the Town Manager.

____-2. Pets in Parks

It shall be unlawful within any Park for any person to:

a. allow a pet, except a certified assistance dog, to enter or be in any Park except in parking lots, designated pet exercise and training areas, and/or any other area designated in writing by the Town Manager;

b. bring a pet into any authorized area of any Park, unless caged or kept on a leash not more than 6 feet in length;

c. allow a pet under his/her control to disturb, harass, or interfere with any Park visitor or a Park visitor's property;

d. allow a pet to disturb, harass, or interfere with wildlife or wildlife nesting areas within any Park;

e. tether any animal to a tree, plant, building, or Park equipment;

f. lead or control a pet while on in-line skates, skis, bicycle, or any other means of locomotion, except while on foot, or in areas designated in writing by the Town Manager for such use, unless authorized by use permit.

In addition, any person having the authorized custody or control of any dog or domestic animal shall have the responsibility for cleaning up the feces of the animal and to dispose of such feces in a sanitary manner.

____-3. Noise/Amplification of Sound

It shall be unlawful within any Park for any person to:

a. operate or allow the use or operation of any loud speaker, sound amplifier or other device for the production or reproduction of sound without authorization by use permit; and except for special programs at dates and times as authorized by the use permit.;

b. use, operate, or allow the use or operation of any radio, phonograph, television set or other machine or device for the production or reproduction of sound in such a manner as to be disturbing or a nuisance to reasonable persons of normal sensitivity within the area of audibility; or

c. willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet within any Park or which causes discomfort or annoyance to any reasonable Park visitor of normal sensitivity. These standards shall be used to determine whether a violation of the provisions of this section has occurred, and shall include, but not be limited to, the following:

- 1) level of the noise;
- 2) the intensity of the noise;
- 3) whether the nature of the noise is usual or unusual;
- 4) the level and intensity of the background noise, if any;
- 5) the type of area within which the noise emanates;
- 6) the intensity of human use of the area during the time at which the noise emanates;
- 7) the time of the day or night the noise occurs;
- 8) the duration of the noise; and

interpretation of the foregoing criteria by assigned staff of the Town of Louisa shall allow, deny or control level of sound amplifying equipment by Park users.

_____ -4. Fires

It shall be unlawful within any Park for any person to start a fire therein or otherwise start a fire which would reasonably be calculated to spread to any Park.

_____ -5. Aviation

It shall be unlawful to use any Park property as a starting or landing field for aircraft, hot air balloons, parachutes, hang gliders or other flying apparatus, unless otherwise authorized by use permit.

_____ -6. Assembly, Meetings, Speeches, Demonstrations, Religious Services, Parades

It shall be unlawful for any person to conduct public meetings, assemblies, worship services, entertainment, parades or demonstrations within any Park without a use permit.

_____ -7. Amusement Contraptions

It shall be unlawful within any Park to bring in, set up, construct, manage or operate any amusement or entertainment contraption, device or gadget without a use permit.

_____ -8. Engine Powered Models and Toys

It shall be unlawful within any Park for any person to start, fly or use any fuel powered model aircraft, model boat, model car, or rocket or like powered toy or model, except at those areas or waters designated in writing by the Town Manager for such use, or with a use permit.

_____ -9. Unlawful Occupancy

It shall be unlawful for any person to enter in any way any building, installation, or area within any Park that may be under construction or locked or closed to public use; or to enter or be upon any building, installation or area after the posted closing time or before the posted opening time of any Park, or contrary to posted notice in any Park.

ARTICLE V - PROTECTION OF PROPERTY, STRUCTURES AND
NATURAL RESOURCES

_____ -1. Disturbance of Natural Features within any Park

It shall be unlawful within any Park for any person to:

- a. intentionally remove, alter, injure or destroy any tree, other plant, rock, soil or mineral;
- b. dig trenches, holes or other excavations without a use permit; or
- c. introduce any plant or other agent without a use permit.

_____ -2. Disturbance of Wildlife

It is unlawful within any Park for any person to:

a. kill, trap, hunt, remove, harass, annoy, pursue or in any manner disturb or cause to be disturbed, any species of wildlife, except as permitted in designated areas; or

b. release or abandon any animal within a park without a use permit.

_____ -3. Destruction/Defacement of Park Property/Signs

It shall be unlawful within any Park for any person to:

a. intentionally deface, vandalize, or otherwise cause destruction to Park property;
or

b. intentionally deface, destroy, cover, damage, or remove any placard, notice or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the Town or any employee thereof.

_____ -4. Release of Harmful or Foreign Substance

It shall be unlawful for any person to:

a. place any debris or other pollutant in or upon any body of water within, or adjacent to a Park, or any tributary, stream, storm sewer, or drain flowing into such waters; or

b. discharge waste water or any other wastes within any Park, except into designated containers, drain, or dumping stations.

ARTICLE VI - REGULATION OF RECREATIONAL ACTIVITY

_____ -1 . Picnicking

It shall be unlawful within any Park for any person to:

a. assume exclusive use of a reservation picnic site without a use permit or a portion of a reservation picnic area without a use permit if the area is reserved by a group with a valid use permit;

b. conduct picnic activity at reservation picnic sites contrary to a use permit, or otherwise violate provisions of a use permit;

c. set up temporary shelters, tents, tarps, canopies and other such devices without written authorization;

d. destroy or remove a use permit posted at a Park facility.

_____ -2. Bicycling

It shall be unlawful within any Park for any person to operate a bicycle on any sidewalk, trail or open terrain. Bicycles must be parked in the bike racks provided.

ARTICLE VII - REGULATION OF MOTORIZED VEHICLES,
TRAFFIC AND PARKING

_____ -1. Motorized Off-Road Vehicles

It shall be unlawful for any person to operate a motorized off-road vehicle within any Park except as designated in writing by the Town Manager.

_____ -2. Motor Vehicles

It shall be unlawful for any person to operate a motor vehicle within any Park limits except as authorized in writing by the Town Manager.

_____ -3. Parking Vehicles

It shall be unlawful within any Park to:

a. park or leave a vehicle standing except in a designated parking space or designated overflow parking area, and then only in a manner so as not to restrict normal traffic flow;

b. leave a vehicle standing after posted closing hours;

c. park in a space designated for handicapped parking only unless the vehicle has a valid and displayed handicapped license or permit;

_____ -4. Maintenance of Personal Vehicles

It shall be unlawful for any person to wash, grease, change oil, or perform other maintenance on any vehicle within any Park.

ARTICLE VIII - ENFORCEMENT

_____ .-1. Officer Authority

Louisa County Sheriff's Department, Louisa Town Police and the Virginia State Highway Patrol (State Police) shall have the authority to enforce the provisions of this chapter.

_____-2. Fines and Penalties

A person guilty of violating any provision of this chapter shall be guilty of a misdemeanor and punished by a fine of not more than \$1000.00, together with taxable costs, or by imprisonment for a period not to exceed 90 days, or both. All fines collected under this chapter shall be deposited in the Town General Fund.

_____-3. Additional Rules and Regulations

The Town Manager shall have the authority to issue additional written rules and regulations relative to the provisions of this Chapter, and which shall be displayed within the Park .

_____-4. Use Permit Revocation

The Town manager shall have the authority to revoke any use permit for good cause. Any permit or reservation may further be revoked by the Town Manager upon violation of any ordinance, rule, or regulation of the Town of Louisa by the permittee.

_____-5. Employee Performance of Duty

Nothing in this chapter shall be deemed to prevent employees or agents of the Town of Louisa from performing their assigned duties.

NEW BUSINESS

None.

STANDING COMMITTEE REPORTS

Police Committee:

Mayor Artz and Mr. Marks reported that the Police Committee will be holding another meeting in the next 30 to 45 days in which such concerns as were brought up this evening would be discussed.

Mr. Carter reported that at the most recent meeting held by the Police Committee, members of the committee discussed and recommended that Acting Chief Stan Batten's probation be lifted and that he be

reinstated back to the full status of Chief of Police with the consummate salary involved with the returned status.

Mayor Artz requested that Chief Batten submit individualized police reports for each officer on a monthly basis.

Mr. Maupin stated that if Council decides to accept the Police Committee's recommendation, they would need to made a motion to that effect and take a vote.

Council member Stone moved to accept the Police Committee's recommendation to reinstate Chief Batten to his full status as the Chief of Police in the Town of Louisa with the salary level that was set forth in the budget. Council member Clarke seconded the motion.

Mayor Artz asked if there was any discussion and Council member Kersey stated that he would like to take the matter into closed session for further discussion. Mr. Kersey stated that the Police Committee's findings had not been released to the entire Council and that the issue was a personnel matter and confidential and should be handled in that manner.

Council member Stone then asked to withdraw her motion and Council member Clarke consented to Mrs. Stone's request.

Police Department:

(Please refer to the Police Department report.)

Water & Sewer Department:

(Please refer to the Water & Sewer Department report.)

Mr. Humphrey stood before Council and read aloud from his report, highlighting areas of interest.

Mr. Marks commended the Public Works Department for their hard work in getting the town cleaned up during the storm and over the past several weeks following the storm. Mr. Marks noted that not only did they clean up all the mess the storm left behind, but they also managed to get all other daily obligations accomplished as well.

Litter Committee:

No report.

Streets & Sidewalks

No report.

Cemetery

No report.

REPORTS FROM STAFF

Counsel

No report.

Clerk

No report.

Treasurer

Mrs. Pinter stated that she and Mr. Marks worked through the delinquent Personal Property tax rolls. Mrs. Pinter requested Council's authorization to abate selected Personal Property tax bills.

Council member Clarke made the motion to authorize Mrs. Pinter to abate the selected delinquent Personal Property tax bills. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Mrs. Pinter also informed Council that she found a printing company that can print and mail the tax bills for less than she can personally print and mail them. Mrs. Pinter stated that she will be using this company effective this fall.

Manager

Mr. Marks requested that Council authorize a deviation from the original remodeling plans for the second story of the Town Hall building. Mr. Marks stated that the flooring plan for the second story was to simply strip the existing wood floors and coat them with polyurethane, but after having worked in the building over the last year, he felt the best thing to do would be to put down carpet with padding. Mr. Marks stated that the noise level would be very distracting for the people working on the first floor. Mr. Marks also stated that he had discussed the matter with Mr. Loudin, the architects, as well as DHR and everyone felt the change would be fine. Mr. Marks also noted that the change would not affect the cost of the project.

Council member Carter made the motion to approve the deviation from the original second story flooring plans to allow for carpeting and padding. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Mr. Marks then spoke to Council regarding the WWTP expansion. Mr. Marks stated that he felt Davenport is a little premature in wanting to go forward so quickly. Mr. Marks informed Council that we only have 60% of the drawings back and he added that he did not feel confident that the final bid will come in at 4.5 million dollars. Mr. Marks stated that November would be a better month to hold a public hearing which would be after we have gotten back estimates and have talked with Mr. Notte.

COMMUNICATIONS

Mr. Maupin stated that Council will need to go into closed section to discuss a personnel matter.

CLOSED SESSION

Council member Clarke made the motion to go into Executive Session to discuss one Personnel matter under section 2.2-3711 A1. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Council went into Executive Session at 8:12 p.m.

REGULAR SESSION

Council member Clarke made the motion to go back in to Regular Session. Council member Stone seconded the motion. The vote went as follows: 5-0 in favor.

Council returned to regular session at 10:00 p.m.

CERTIFICATION OF CLOSED SESSION

Council member Kersey made the motion to certify the closed session. Council member Stone seconded the motion. The vote went as follows: 5-0 in favor.

Following closed session, at 10:02 p.m., Council member Stone made the motion to reinstate Mr. Batten to the position of Chief of Police at the pay rate adopted in the FY 2007-08 budget; and the Police Committee is to meet with Mr. Batten within the next seven business days to discuss police operations and business. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

ADJOURNMENT

Council Member Carter moved to adjourn the August 21, 2007 meeting at 10:06 p.m. Council member Clarke seconded the motion.

The vote went as follows: 5-0 in favor.

Mayor

Clerk

CERTIFICATION OF CLOSED SESSION

WHEREAS, The Louisa Town Council has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 – 3712 (D) of the Code of Virginia requires a certification by this Town Council and such executive meeting was conducted in conformity with Virginia Law;

NOW THEREFORE, BE IT RESOLVED that the Town Council hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion covering the executive meeting were heard, discussed or considered by the Town Council.

VOTE

AYES: Gehle, Kersey, Clarke, Stone, Carter.

NAYES: None.

ABSENT DURING VOTE: None.

ABSENT DURING MEETING: None.