

**Town of Louisa  
Monthly Meeting  
December 20, 2011**

**Present:** James S. Artz, Mayor; Vice-Mayor Mary Jane Clarke; Matthew L. Kersey, Warren D. Gehle, H. I. Dulaney, Council Members; Jeffery Gore, Town Attorney; Brian W. Marks, Town Manager; Donna L. Pinter, Treasurer; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager; A. J. Panebianco, Chief of Police

**Also Attending:** Mr. Steve Wunsh, Wunsh & Wunsh Accounting; Mr. and Mrs. Mark Bailey, town residents, 102 Sims Avenue; Mr. Bryan Cane, reporter for The Central Virginian; Mr. Michael Kubat, Louisa County resident

**Absent:** R. Garland Nuckols, Council member.

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

Mayor Artz called the Louisa Town Council meeting to order at 7:03 p.m.

Council Member Kersey gave the invocation.

**BUSINESS FROM THE FLOOR**

Mr. Michael Kubat stood and informed Council that he written a letter to the Mayor in regards to the lack of pedestrian safety in town, and stated that the Mayor had invited him to the meeting to express his concern for public record. Mr. Kubat summarized his letter to the Mayor.

## **CONSENT AGENDA**

Council member Dulaney suggested tabling the first item under Old Business until next month due to Mr. Nuckols' absence. Council member Dulaney also noted that there was a revised set of minutes included in the supplemental packet. Mr. Dulaney explained that he made a suggestion to the Town Manager that the name of the officer involved with the complaint logged at the last meeting during the "Business from the Floor" period, be struck from the minutes while a personnel investigation is being conducted in regards to the matter.

Council member Dulaney made the motion to approve the amended consent agenda including the revisions to the minutes. Council member Kersey seconded the motion. The vote went as follows: 4-0 in favor.

## **PUBLIC HEARING**

### **Proposed Budget Amendment for Earthquake Repairs**

Mr. Marks reported that, as required by VA Code, a public hearing is being held because the repairs to the building due to the earthquake will equal 8% of the adopted Town of Louisa FY 2011-2012 General Fund Budget. Mr. Marks stated that any time we spend over 1%, a public hearing is necessary.

Mayor Artz opened the public hearing at 7:12 p.m. asking if there was anyone present that would like to speak for or against the amendment. Hearing no response, Mayor Artz closed the meeting at 7:13 p.m.

## **PRESENTATION**

Mr. Wunsh presented the 2010-2011 financial report to Council. Mr. Wunsh thanked the staff for their assistance in providing him with the necessary paperwork to complete the audit in a timely fashion. Mr. Wunsh then went over the report with Council, highlighting areas of interest. Mr. Wunsh concluded by stating that after Council had the

chance to review the report, he would be available to answer any questions.

Mr. Marks stated that they would review the report for adoption and consider Mr. Wunsh's proposal at the next Council meeting.

## **OLD BUSINESS**

### **2) Discussion: Volunteer Proposal for Economic Development**

Mr. and Mrs. Mark Bailey stood before Council and spoke to their proposal for making the town of Louisa a tourist destination therefore, stimulating economic growth.

Mayor Artz thanked the Bailey's for their presentation and told them that they would arrange a follow up meeting after they have had time to review and discuss proposal.

### **3) Discussion/Action; Use of 301 W. Main Street as temporary storage for LCPS**

Mr. Marks reported that the High School has requested that they have permission to store stage props and sets in the building located at 301 W. Main Street for a period of 3 months. Mr. Marks informed Council that they do not need water, electricity, etc. in the building, and the LCPS system's insurance will cover anything that may happen to the property.

Council member Kersey made the motion to approve the 3 month agreement with the Louisa County Public School system. Council member Clarke seconded the motion. The vote went as follows: 4-0 in favor.

## **NEW BUSINESS**

### **1) Discussion/Action: DMV Animal Friendly License Plate Funds**

Mr. Marks reported that the town has been awarded \$30 from the DMV Animal friendly License Plate program that supports sterilization programs for dogs and cats within the area. Mr. Marks stated that the town has couple of options: authorize the funds to be transferred from DMV to SNAP as allowed by state law; accept the funds and make the funds available to another private, nonprofit sterilization program; or decline the funds. If the funds are declined, the DMV will redistribute them to other affected localities. Mr. Marks informed Council that in years past, we have authorized the transfer of funds from DMV to SNAP, and suggested we do the same this year.

Council member Clarke made the motion authorizing the transfer of funds from the DMV to SNAP. Council member Kersey seconded the motion. The vote went as follows: 4-0 in favor.

## **2) Discussion/Action: Budget Modification – Earthquake Repairs**

Mr. Marks, again, stated that any time you spend over 1% of our allotted General Fund budget, a public hearing is required, and Town Council has to authorize the expenditure. Based on estimates from FEMA and our insurance company, the earthquake expenses are \$127,050. The insurance company is covering \$100,121 and FEMA will likely cover \$24,505. The cost of the repairs to the town is \$2424. Mr. Marks reported that repairs are nearly complete.

Mr. Marks then requested that Council authorize the payment for the earthquake repairs, and adopt the budget amendment.

Council member Gehle made the motion to authorize the payment for the earthquake repairs, and adopt the budget amendment. Council member Dulaney seconded the motion. The vote went as follows: 4-0 in favor.

## **3) Discussion/Action: Declaration of Excess Property**

Mr. Marks reported that since the purchase of the new 2011 SUV, the 2003 Ford Crown Victoria has become excess to the Police

Department's needs. Mr. Marks recommended that it be declared excess property and be sold at auction.

Council member Dulaney made the motion to declare the 2003 Ford Crown Victoria excess property and authorize its sale at auction. Council member Clarke seconded the motion. The vote went as follows: 4-0 in favor.

#### **4) Discussion/Action: Calendar Year 2012 Meetings and Holidays**

Mr. Marks reported that each year we are required to publish our holidays and meeting dates for Planning Commission and Town Council.

Council member Clarke made the motion to adopt the Calendar Year 2012 Meetings and Holidays schedule. Council member Gehle seconded the motion. The vote went as follows: 4-0 in favor.

#### **5) Discussion/Action: IDA Vacancies and Appointments**

Mr. Marks reported that on December 31, 2011, two sitting members of the IDA have terms that will expire. Mr. Marks informed Council that both gentlemen will continue to serve if reappointed.

Council member Dulaney made the motion to reappoint Mr. James S. Artz and Mr. A. Daniel Carter to another term on the IDA. Council member Clarke seconded the motion. The vote went as follows: 4-0 in favor.

### **STANDING COMMITTEE REPORTS**

#### **Police Department:**

(Please refer to the Police Department report.)

Chief Panebianco commented on a few items covered in the Police Department report and added that: Officer Robert Rigsby's father, Lt.

Robert Rigsby, passed away recently. The Chief noted that Officer Rigsby asked him to convey his appreciation of the support he received from Council and the town as a whole. The Chief also noted that the department has completed wrapping gifts for the family they adopted for Christmas.

Council member Clarke stated she felt that the police department is doing a wonderful thing for the children of the family they adopted this Christmas.

Council member Gehle thanked the Chief for the production of a pedestrian safety pamphlet that will be handed out around town in the coming weeks.

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.

Litter Committee:

No report.

Streets & Sidewalks

No report.

Cemetery

No report.

**REPORTS FROM STAFF**

Counsel

No report.

Clerk

No report.

Treasurer

No report.

Manager

Mr. Marks reported:

- Mr. Marks reported that he attended the Water Authority meeting and made reference to a letter from the County of Louisa in regards to moving forward with their fiscal improvements plan.
- Mr. Marks also made mention of a letter of support submitted by Mayor Artz for the Louisa Little League.
- Mr. Marks made mention of a letter sent to Mr. Dube from the Department of Housing and Community Development in regards to their request for CDBG Planning Grant assistance in response to the earthquake.
- Mr. Marks mentioned a letter from the Chamber of Commerce thanking the town for their membership renewal.
- Mr. marks also made mention of a letter from Peter Farrell that he included in the supplemental packet.
- Mr. Marks also added that the holiday trash schedule had been posted online, on town hall entry ways, and will be published in The Central Virginian.

**COMMUNICATIONS**

None.

**CLOSED SESSION**

Council Member Kersey made the motion to convene in closed

session to discuss the following: as permitted by Virginia Code § 2.2-3711(A)(1), one personnel matter involving: specific individuals related to an incident in town on October 22, 2011. Council member Gehle seconded the motion. The vote went as follows: 4-0 in favor

Council went into closed session at 8:09 p.m.

### **REGULAR SESSION**

Council Member Dulaney made the motion to go back in to Regular Session. Council Member Clarke seconded the motion. The vote went as follows: 4-0 in favor.

Council returned to regular session at 8:33 p.m.

### **CERTIFICATION OF CLOSED SESSION**

*Council member Kersey made the motion certifying that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion. Council member Gehle seconded the motion. The vote went as follows: Kersey, for; Gehle, for; Dulaney, for; Clarke, for.*

### **ADJOURNMENT**

Council Member Kersey made the motion to adjourn the meeting at 8:35 p.m.

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Mayor

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Clerk

Louisa Town Council

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