

**Town of Louisa
Monthly Meeting
December 15, 2009**

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

Also Attending: Officer Mark McGehee, Louisa Police Dept.; Mr. and Mrs. Dale Turner, representatives of New Life Community Church; Mrs. Pam Stone, President of the Louisa Downtown Development Corporation; Mr. Joe Caputi, Director for the Louisa Arts Center; Mr. Tom Garrett, Commonwealth's Attorney

Absent: None.

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

Mayor Artz called the meeting to order at 7:02 p.m.

Council member Kersey gave the invocation.

BUSINESS FROM THE FLOOR

Mrs. Pam Stone, President of the Louisa Downtown Development Corporation, took a moment to introduce Mr. Joe Caputi to Council. Mrs. Stone informed Council that Mr. Caputi is the new Director for the Louisa Arts Center. Mr. Caputi stated that he was very thankful

for the space that Council loaned him which will allow him to be more accessible and visible to the public. Mr. Caputi also stated that he was looking forward to getting to know and work with everyone.

Mr. Tom Garrett, Commonwealth's Attorney, took a moment to address Council stating that he wanted Council to know that no one asked him to come to the meeting that he came on his own accord. Mr. Garret continued stating that he was here to address letters that his office has been receiving regarding the Town of Louisa Police Department. Mr. Garrett stated that he was sure that Council had also received the same letters and he wanted them to know that while he does not believe the Police Department is perfect, he feels that they do a good job and are worth being proud of.

CONSENT AGENDA

Council member Clarke made a motion to approve the consent agenda. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

OLD BUSINESS

Comment and Action on special Use Permit 2009-001 – New Life Community Church Preschool

Mr. Marks updated Council informing them that he had received an email from VDOT stating that they were waving the entrance analysis requirement. Mr. Marks then made a recommendation to Council that they approve SUP 2009-001.

Council member Kersey made the motion to approve SUP 2009-001 as recommended by Mr. Marks. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

Council member Clarke wished them well stating that she felt the preschool was a worthwhile project that is needed in the community.

Comment and Action on Proposed Changes to Section 118 of the Louisa Town Code – Peddling and Solicitation

Mr. Marks updated Council stating that a public hearing had already been held regarding this matter and that Council had discussed the changes at the last meeting, but that Council requested time to review the revised document before taking action.

Council member Clarke made the motion to adopt the changes to Section 118 of the Louisa Town Code – Peddling and Solicitation. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Comment and Action on the FY 2008-2009 Audit

Mr. Marks stated that this was another item that was discussed last month that was deferred to this month so that Council could review the information provided by Mr. Wunsh.

Council member Gehle made the motion to accept the FY 2008-2009 audit. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

NEW BUSINESS

Calendar Year 2010 Holidays

Council member Dulaney made the motion to adopt the 2010 Holiday Schedule. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Ricoh AFCIA 2016 Copier – Declaration as Excess Property and authorization to sell

Mr. Marks reported that the copier's lease was up in July and was replaced in September. The cost to ship the copier back to the factory to be resold was just as much as the cost of the new copier. Mr. Marks stated that he felt it was best to go ahead and purchase

the new machine and try to sell the older machine on govdeals.com. Mr. Marks stated that he simply needed Council to declare the copier excess property and their authorization to sell it on govdeals.com.

Council member Carter made the motion to declare the copier excess property and authorized Mr. Marks to sell the copier on govdeals.com. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Amendment to Engineering Agreement with Dewberry – Regional Waste Water Treatment Plant Expansion

Mr. Marks stated that he recommends the amendment to the agreement. Mr. Marks stated that the Louisa County Water Authority would be addressing the agreement at their meeting in January. Mr. Marks also noted that the reimbursement is a 50/50 split between the county and the town, and the town's cost would be \$23,500.

Council member Kersey made the motion authorizing the amendment to the Engineering Agreement with Dewberry. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

Council Planning Retreat – Set date and format

Mr. Marks stated that this is the time that Council usually starts planning the annual retreat. Mr. Marks stated that he and the Mayor have been discussing a new strategy for this year. Mr. Marks recommended that rather than cram in 3 straight days of discussions and information, they will meet on three individual days which would be spread out over the course of a few weeks. Mr. Marks stated that he felt that this would allow Council adequate time to meet with each staff member individually, and also allow Council to hold additional meetings as a small group or as a whole to discuss the wants, needs, etc. of the town. Mr. Marks stated that he felt that holding the meetings several days apart would allow Council members sufficient time to review and digest information.

Mr. Marks and Council discussed setting Monday, January 11th & 12th as potential days to meet with staff.

Reinvestment of Matured Certificates of Deposit

Council member Dulaney made the motion authorizing Mr. Marks and Mrs. Pinter to reinvest the two matured CDs at 2.05% with Virginia Community Bank, and also authorized Mr. Marks and Mrs. Pinter to negotiate CD rates with local institutions for a CD that will be coming due on December 28, 2009. Council member Clarke seconded the motion. The vote went as follows: Gehle, for; Carter, abstain; Kersey, for; Clarke, for; Dulaney, for.

Acceptance of Sewer Line Easement – Epworth Manor P2 Trunk Line

Council member Clarke made the motion to accept the water and sewer line easement. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Chief Batten brought in a handmade wooden U.S. flag that was presented to the Town of Louisa Police Department by a local Boy Scout troop.

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:

Mr. Marks stated that he included another scaled back revision of the columbarium project with cost estimates.

REPORTS FROM STAFF

Counsel

No report.

Clerk

No report.

Treasurer

No Report.

Manager

Mr. Marks reported the following:

Mr. Marks informed Council that he included a new holiday trash schedule in the packet.

Mr. Marks stated that all paperwork for the WWTP has been signed, sealed, and delivered. There will be an 18 month construction period.

Mr. Marks informed council that he included a blank performance evaluation form for Council to review and complete.

Mr. Marks reported that the spring/well house was tested for water quality as an alternate water source for the town. The results indicated that the water is usable, but would still have to be treated extensively before distributing it into the system, which will be costly. Mr. Marks stated that bringing the spring/well house back on line is not the quick fix solution to the HAA5 problem we are experiencing.

Mr. Marks informed Council that the town has received approximately nine applications for the opening for a police officer with the Town of Louisa Police Department. Mr. Marks suggested that a Police Officer Selection Committee be formed, and recommended that the committee be comprised of a member from the Police Committee and the Personnel Committee.

Mayor Artz appointed Council member Clarke and Council member Dulaney to serve on the Police Officer Selection Committee.

COMMUNICATIONS

None.

CLOSED SESSION

Council Member Gehle made the motion to go into Closed Session to discuss one Personnel Matter under section 2.2-3711 A1, and two Legal Matters under section 2.2-3711 A7. Council Member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 7:58 p.m.

REGULAR SESSION

Council Member Kersey made the motion to go back in to Regular Session. Council Member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Council returned to regular session at 8:35 p.m.

CERTIFICATION OF CLOSED SESSION

Council Member Clarke made the motion to certify the closed session. Council Member Carter seconded the motion. The vote went as follows: 5-0 in favor.

ADJOURNMENT

Council Member Clarke made the motion to adjourn the December 15, 2009 Louisa Town Council meeting at p.m.

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, Carter, Clarke, Dulaney, Kersey

NAYES: None.

ABSENT DURING VOTE: None.

ABSENT DURING MEETING: None.