

**Town of Louisa
Monthly Meeting
December 16, 2008**

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: Mrs. Shelby Millholland, Treasurer for LDDC; Mrs. Pam Stone, President of LDDC; Mr. Valkenburgh, Goodwill Industries; Ashley Morici, staff for The Central Virginian

Absent: Ronald M. Maupin, Attorney

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

Mayor Artz called the meeting to order at 7:00 p.m.

Council member Kersey gave the invocation.

BUSINESS FROM THE FLOOR

None.

CONSENT AGENDA

Mr. Marks noted that a corrected set of minutes had been placed at the seat of each Council member.

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

PUBLIC HEARING

Town of Louisa, Louisa Downtown Development Corporation, and USDA Rural Development Loan Security Agreement

Mr. Marks gave a brief update.

Mayor Artz opened the public hearing at 7:04 p.m. asking if there was anyone present that would like to speak for or against the agreement.

Mrs. Pam Stone, President of the LDDC, took a moment to stand before Council and thank them for their continual support of the Arts Center and their consideration of the agreement.

Mayor Artz asked if there was anyone present that would like to speak against the agreement. Hearing no response, Mayor Artz closed the public hearing at 7:06 p.m.

OLD BUSINESS

Action/Discussion: Town of Louisa, Louisa Downtown Development Corporation, and USDA Rural Development Loan Security Agreement

Council member Carter made a motion to accept the joint agreement. Council member Dulaney seconded the motion. The vote went as follows: Carter, for; Clarke, abstain; Gehle, for; Dulaney, for; Kersey, for.

Action/Discussion: Columbarium Planners Inc. proposal and contract for Hillcrest Cemetery

Mr. Marks stated that Mr. Maupin reviewed the contract and found an obscure rule in the Virginia Procurement Act that does not allow towns to enter design and build contracts with out going through the state first. Therefore, since the town is under the Virginia Procurement Act in this particular situation, Mr. Maupin has suggested that the town modify the contract with Columbarium Planners Inc. to be a design contract only and enter into a construction contract after the design work has been completed.

Council member Kersey made a motion authorizing Mr. Marks to enter into a design contract with Columbarium Planners Inc. as suggested by Mr. Maupin. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

NEW BUSINESS

Presentation: Mr. Valkenburgh, Goodwill Industries

Mr. Valkenburgh, President and CEO of Rappahannock Goodwill Industries, introduced himself to Council and distributed literature regarding his private, non-profit corporation. Mr. Valkenburgh explained to Council that he runs a charitable, 501C3 organization. Mr. Valkenburgh then went further giving a lengthy explanation of exactly what his organization does, and how it helps the community.

Discussion/Action: W. A. Cooke Foundation Grant Application approval

Mr. Marks stated that he was asked to develop a grant application for murals in the downtown area on buildings. Mr. Marks stated that W. A. Cooke Foundation is a local grant provider and seems very interested in the project. Mr. Marks asked Council for direction regarding the project and grant application.

After a lengthy discussion, Council member Kersey made a motion approving the W. A. Cooke Foundation grant application. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Appointment: Industrial Development Authority Member

Council member Clarke made a motion to reappoint Mr. Matthew Kersey to the Town of Louisa Industrial Development Authority. Council member Carter seconded the motion. The vote went as follows: Kersey, abstain; Dulaney, for; Carter for; Clarke, for; Gehle, for.

Discussion/Action: Declaration of excess property and authorization to sell at fair market value

Mr. Marks noted a memorandum that he included in the packet regarding the declaration of excess property and the authority to sell the property at fair market value. Mr. Marks stated that he consulted with Mr. Maupin on the matter given that the excess property consists of six service weapons, not weapons collected as evidence. Mr. Marks made note that Chief Batten informed him that the currently employed officers did not carry these service weapons. Mr. Marks reported that he researched the fair market value of each weapon.

(Correspondence between Mr. Marks, Mr. Maupin, and Chief Batten regarding the matter can be found in the packet following the minutes.)

Council member Dulaney made the motion declaring the property “excess property”, and gave authorization for the property to be sold at the fair market value. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

Discussion/Action: 2009 Council Meeting and Holiday Calendar

Mr. Marks presented the 2009 Council Meeting and Holiday Calendar for Council's review and approval.

Council member Clarke made the motion to adopt the 2009 Calendar. 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 stated he had nothing further to add to his 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. Humphrey also added that VDOT approved the Blakemore contract.

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 the following:

* Mr. Marks reported that Mr. Kenny Throckmorton would like to increase his storage capacity in the warehouse that he currently rents from the town at the new rate of \$400 per month. Mr. Marks stated that his current rental capacity is 1/3 of the building at \$350 per month, but would like to increase his capacity to 2/3 and pay \$400 per month.

Council member Carter made the motion authorizing the renewal of Mr. Kenny Throckmorton's lease giving him 2/3 capacity of the building for storage at the proposed rate of \$400 per month. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

* Mr. Marks noted that VDOT will be holding a revised 2009-2014 Six-Year Improvement Program Public Hearing in January and that he would be forwarding the Town's resolutions for their review and consideration.

- * Mr. Marks provided Council with the registration forms for VML's Legislative Day on February 5, 2009 at the Richmond Convention Center.
- * Mr. Marks presented an updated copy of the Strategic Plan.
- * Mr. Marks presented a copy of the advertisement for the Road Trip to History film being shown here at the Town Hall in the Cooke-Haley Theater.
- * Mr. Marks mentioned that the IDA bond with VEPCO finally closed.
- * Mr. Marks mentioned a letter regarding an exposed manhole in the parking lot of the Louisa County Administrative Building.

COMMUNICATIONS

Mayor Artz made mention of a thank you letter he received from Around the World Gifts.

Mayor Artz presented Vice-Mayor Clarke and Council member Kersey with a photo plaque of their acceptance of the award given to the Town of Louisa by VML.

Mayor Artz also made mention of a thank you letter received from the hospital that the Town of Louisa gave a donation to in lieu of flowers when Mrs. Pam Stone's step-father passed away.

CLOSED SESSION

Council Member Clarke made the motion to go into Closed Session to discuss 2.2-3711A1 of the Code of Virginia – Discussion of 2 Personnel Matters. Council Member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 8:15 p.m.

REGULAR SESSION

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

Council returned to regular session at 8:42 p.m.

CERTIFICATION OF CLOSED SESSION

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

Following Closed Session, Council member Kersey made the recommendation to hold a Council retreat on Saturday, January 24, 2009 in the same format as the 2008 retreat.

Council also recommended that that a Police Committee meeting be held before the January 2009 Council meeting.

Council member Kersey made a motion authorizing the Town Manager to buy back 100 hours of vacation time from Officer Rick Smutz per Mr. Smutz's request. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

ADJOURNMENT

Council Member Dulaney moved to adjourn the December 16, 2008 meeting at 8:42 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.