

**Town of Louisa  
Monthly Meeting  
January 20, 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; Ronald M. Maupin, Attorney; 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:** Reporter, for The Central Virginian.

**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**

None.

**CONSENT AGENDA**

Council member Dulaney stated that there were six service weapons (instead of five service weapons) that were declared excess property at last month's Council meeting.

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

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

#### **Discussion/Action: Virginia Commission for the Arts Local Government Matching Grant Submission**

Mr. Marks stated that this grant is the same as the one we applied for last year in support of the Louisa Arts Center. Mr. Marks stated that our fiscal guideline requires Council's approval before we can submit the grant application.

Council member Kersey made the motion to approve submitting the grant application for the Louisa Arts Center. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

#### **Discussion/Action: Declaration of excess property and authorization to sell at auction**

Mr. Marks reported that he and Mr. John Jones, Public Works Director, discussed the usefulness of the 1972 Ford Tractor Model C5012K and Backhoe attachment. Mr. Marks reported that the machine has not been used for a couple of years and is deteriorating from non-use, therefore, he would like to declare the property "excess property" and sell it at an auction through a service called GovDeals.

Council member Carter made the motion to declare the property "excess", and to give the Town Manager the authorization to sell the property at auction with GovDeal. Council member Clarke 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.

### **Litter Committee:**

No report.

### **Streets & Sidewalks:**

No report.

### **Cemetery:**

Mr. Marks reported that the Cemetery Committee did not meet during the month of December; however progress is being made with the columbarium project. A conceptual design should be completed by next month.

## **REPORTS FROM STAFF**

### **Counsel**

Mr. Maupin stated that Council would be going into closed session this evening to discuss a probable litigation matter, as well as one personnel matter.

Clerk

No report.

Treasurer

No Report.

Manager

Mr. Marks reported the following:

\* An estimate was received regarding the installation of a street light at the corner of Elm and the 208 Connector. Mr. Marks stated that he needs Council's approval of the purchase of the street light at \$1911.95.

Council member Kersey made the motion to approve the expenditure of \$1911.95 to purchase and install a street light at the corner of Elm and the 208 Connector.

\* Mr. Marks stated that Mr. Goodman Duke came to him requesting that the funding he submitted for the connection fees for his project in the Tanyard Subdivision on Barnstormer Circle be refunded to him as he has decided to cancel the project for now. Mr. Marks stated that Mr. Duke prepaid the connections in anticipation of the rates going up, and is currently having difficulty getting financing as well as commitments from buyers due to our economic situation. Mr. Marks recommended that Council buy back the capacity at the rate Mr. Duke paid for the connections.

Council member Carter made the motion to approve the repurchase of the water and sewer connections from Mr. Duke at \$62,500. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

\* Regarding the WWTP, Mr. Marks stated that Rural Development's interest rates went up from 2.75% to 3.125%.

\* Mr. Marks made mention of a thank you note from Mrs. Rogers on the donation made by the Town of Louisa after the passing of her husband.

\* Mr. Marks stated that VML continues to send out legislative bulletins regularly, and he would be happy to forward them on to Council via email if anyone is interested in them.

\* Mr. Marks informed Council that VML/VaCo is hosting Legislative Days in February and asked if any one is interested that they contact him to be sure they are registered.

\* Mr. Marks made mention of the restoration work that is being done in the basement.

### **COMMUNICATIONS**

Mr. Marks made note of the retreat that will be held at the Town Hall on Saturday, January 24, 2009 from 8:30 a.m. to 5:00 p.m.

### **CLOSED SESSION**

Council Member Dulaney made the motion to go into Closed Session to discuss a Probable Litigation matter under section 2.2-3711 A7 and to also discuss one Personnel Matter under section 2.2-3711 A. Council Member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 7:30 p.m.

### **REGULAR SESSION**

Council Member Clarke 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 7:45 p.m.

**CERTIFICATION OF CLOSED SESSION**

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

**ADJOURNMENT**

Council Member Clarke made the motion to continue the January 20, 2009 Louisa Town Council meeting to Saturday, January 24, 2009 at 8:30 a.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.