

**Town of Louisa
Monthly Meeting
July 20, 2010**

Present: James S. Artz, Mayor; Vice-Mayor Mary Jane Clarke; Matthew L. Kersey; H. I. Dulaney, Warren D. Gehle, R. Garland Nuckols, Council Members; Jeff Gore, Counsel; Brian W. Marks, Town Manager; Donna L. Pinter, Treasurer; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager; Mark McGhee, Acting Chief of Police

Also Attending: Shana Watson, reporter for the Central Virginian; Mrs. Jackie Nuckols, 110 Patrick Henry Drive; Mrs. Barbara Stockton, 105 Patrick Henry Drive; Mr. and Mrs. Racette and family, 213 Cutler Avenue; Dale Hopkins, 103 Sims Avenue; Mr. and Mrs. Ronald Bullock, 309 Cardinal Road; Mrs. Hilda Chiles, 105 Loving Street; Mrs. Ann Via, 112 Henson Avenue; Ms. Gloria Jean Garris, Meals on Wheels

Absent: None.

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

A light reception was held in the Art Gallery for newly elected and re-elected Council members at 6:00 p.m. prior to the start of the monthly meeting.

At 6:35 p.m., Mayor Artz brought the Louisa Town Council meeting to order.

Council member Dulaney made the motion to convene in closed session to discuss the following: as permitted by Virginia Code § 2.2-3711(A)(1), a personnel matter involving: the consideration or interviews of candidates for employment or appointment. Council

member Clarke seconded the motion. The vote went as follows: Kersey, for; Clarke, for; Gehle, for; Dulaney, for.

Council went into closed session at 6:36 p.m.

REGULAR SESSION

Council Member Clarke made the motion to return to regular session. Council Member Kersey seconded the motion. The vote went as follows: Gehle, for; Kersey, for; Clarke, for; Dulaney, for.

Council returned to regular session at 7:03 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: Gehle, for; Dulaney, for; Clarke, for; Kersey, for.

Mayor Artz asked Mrs. Susan Hopkins, Clerk of the Louisa County Circuit Court, if she would swear in the newly elected and re-elected members of the Louisa Town Council. Mrs. Hopkins swore in Mrs. Mary Jane Clarke, Mr. R. Garland Nuckols, and Mayor James S. Artz. Their term of office commenced on July 1, 2010 and expires on June 30, 2014.

Mayor Artz then asked if Council member Kersey would give the invocation. The pledge of allegiance followed.

BUSINESS FROM THE FLOOR

Ms. Gloria Jean Garris, of Meals on Wheels, stood and gave a brief presentation about their program and informed Council that they are now operating within the County of Louisa.

CONSENT AGENDA

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

OLD BUSINESS

1) Action/Discussion – Proposed Exotic Pet Ordinance

Mr. Marks reported that a revised version of the ordinance was submitted in Council's packet for their review.

Council members Clarke and Dulaney spoke in support of the ordinance.

Council member Gehle made the motion to take the proposed ordinance to public hearing next month. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

2) Action/Discussion – Planning Retreat

Mr. Marks reported that there were conflicts with almost all of the available meeting dates. Mr. Marks stated that the only options were to: hold the retreat in the next couple of weeks; wait until November; or not hold a retreat this fall.

After a lengthy discussion, Council decided to table the retreat until Mr. Marks could speak with Ms. St. Clair about other meeting dates.

3) Action – Appointments to the Planning Commission and Board of Zoning Appeals

Mr. Marks reported that there are a couple of seats that need to be filled on the Planning Commission and the Board of Zoning Appeals.

Council member Dulaney made the motion to appoint Mr. David Baker to the Board of Zoning Appeals. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council member Kersey made the motion to appoint Mr. J. Dale Hopkins to the Board of Zoning Appeals to serve the remainder of Mr. Frank Drumheller's term. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council member Kersey made the motion to reappoint Mr. A. Carter Cooke to the Planning Commission. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council member Clarke made the motion to appoint Mr. Ronald Bullock to the Planning Commission. Council member Nuckols seconded the motion. The vote went as follows: 5-0 in favor.

NEW BUSINESS

1) Resolution – Acknowledging Mr. A. Daniel Carter's service to the Town of Louisa

Mr. Marks noted a typographical error that he stated he would correct.

Council member Nuckols made the motion to adopt the resolution. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

2) Resolution – Appreciation of the Louisa County Sheriff's Office

Council member Dulaney made the motion to adopt the resolution. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council member Dulaney noted a typographical error.

3) Council Election of Vice Mayor IAW Section 3-4 of the Louisa Town Charter

Council member Kersey made the motion nominating Mrs. Clarke as Vice Mayor. Council member Dulaney seconded the motion. The vote went as follows: Kersey, for; Nuckols, for; Clarke, abstain; Gehle, for; Dulaney, for.

4) Mayors Appointments to Standing Committees

Mayor Artz reported that he wanted to keep the committees as they currently stand, and have Council member Nuckols fill Mr. Carter's position.

Mayor Artz spoke of the need/desire of a local farmer's market in the town. Mr. Artz requested that the Economic Development Committee work in conjunction with the Town Manager on the idea.

5) Appointment of Staff IAW Section 3-8 of the Louisa Town Code

Mayor Artz reported that each year, in accordance with Section 3-8 of the Town Code, certain officers must be appointed/reappointed by Council. Mayor Artz stated the following officers were recommended by the Town Manager to be reappointed: Jessica Ellis, Clerk; Donna Pinter, Treasurer; Jeff Gore and Roger Wiley, Town Attorneys; John Jones, General Superintendent; Mark McGhee, Acting Chief of Police; Brian Marks, Town Manager.

Council member Dulaney made the motion to appoint the selected officers according to Section 3-8 of the Louisa Town Code. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

6) Year End Financial Report IAW Section 4-5 (4) of the Louisa Town Charter

Mr. Marks stated that he is required to provide the Council with a Year End Financial Report each year according to Section 4-5 (4) of the Louisa Town Charter. Mr. Marks spoke briefly about the report and stated that a copy of the report was in the packet for Council to review.

7) Pay Day Lending

Mr. Marks reported that he received a letter from the city of Staunton asking all municipalities to adopt a resolution asking that the Governor and the General Assembly to put an end payday lending in the Commonwealth of Virginia. Mr. Marks stated that Staunton sent a few draft resolutions that he included in the packet for Council to review. Mr. Marks informed Council that he could draft a resolution for the town and have it ready for adoption at the next meeting.

Council member Kersey requested that Mr. Marks draft a resolution for the next meeting.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Acting Chief McGhee added that he had been working with the Town Manager to produce a report that is easier to understand.

Mr. Marks referred Council to two memos at their seats from Acting Chief McGhee and himself in regards to Officer Morris' police vehicle. Mr. Marks recommended that Officer Morris be allowed to utilize his town police car and a take home vehicle, noting that it is a revocable privilege.

After a lengthy discussion, the following action was taken:

Council member Dulaney made the motion to approve Officer Morris' use of his police car as a take home vehicle. Council member Clarke seconded the motion. The vote went as follows: Nuckols, against; Gehle, for; Dulaney, for; Kersey, against; Clarke, for. (3-2 in favor)

Water & Sewer Department:

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

Mr. Humphrey read aloud from his report highlighting areas of interest.

Litter Committee:

No report.

Streets & Sidewalks:

No report.

Cemetery:

No report.

Personnel Committee:

No report.

REPORTS FROM STAFF

Counsel

No report.

Clerk

No report.

Treasurer

No report.

Manager

Mr. Marks reported the following:

- A work session with the County Planning Commission will be held on Thursday, July 22, 2010 at 4:30.
- The League State Tournament Opening Ceremonies will be held on Thursday, July 22, 2010 at 6:30 p.m.
- The town will be providing trash service and police coverage for the tournament.
- The VML conference will be held in Hampton this year on October 3rd through the 5th.
- The WWTP is in its 5th month of construction and is running a little behind schedule, but are expecting to catch up soon.
- RE: WWTP funding: We have been notified that DEQ's water quality improvement fund is running out of money. They are only going to pay about 75% to localities right now, but we will eventually get the funding because they are obligated to pay it out. Brian has spoken with Jim Allen of Rural Development and we may have to borrow the remaining 25% to pay off the WWTP expansion, and when we do receive the remaining funds from DEQ we will either be required to put it in to sewer reconstruction, or use it to pay down our debt. Brian reported that he has been in contact with Carolyn Perry about the matter.
- A letter was received from a High School student asking for a donation.
- Crime Solvers sent back our check for \$1000.
- The town received another grant from VDOT for \$121,000 for the Downtown Improvements project.
- We received the Local Government Challenge Grant which is a pass through grant that we pass on to the Arts center.

Council member Kersey made the motion to accept the Local Government Challenge Grant. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

- A letter was included in the packet from John Davies with the Commonwealth Transportation Board.
- An email from Mr. Danny Carter was included in the packet in regards to the public works dept. after a strong and damaging thunderstorm in town.

COMMUNICATIONS

Mayor Artz reported that Mrs. Southard, a town citizen, had complimented Brad Humphrey for helping her carry a few items recently.

Council member Nuckols stated that the contact information for Council members was missing from the town's web page.

Mr. Marks reported that a letter of thanks from the neighbors of Lois Rosson was included in the packet.

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), a personnel matter involving: a proposed employment contract with the town. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor

Council went into closed session at 8:34 p.m.

REGULAR SESSION

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

Council returned to regular session at 9:26 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 Nuckols seconded the motion. The vote went as follows: Kersey, for; Clarke, for; Gehle, for; Dulaney, for; Nuckols, for.

ADJOURNMENT

Council Member Clarke made the motion to adjourn the July 20, 2010 Louisa Town Council meeting at 9:27 p.m.

Mayor

Clerk