

**Town of Louisa  
Monthly Meeting  
June 17, 2008**

**Present:** James S. Artz, Mayor; Mary Jane Clarke, Vice-Mayor; A. Daniel Carter; Pamela H. Stone, Warren D. Gehle, Matthew L. Kersey, Council Members; Ronald M. Maupin, Attorney; Brian W. Marks, Town Manager; Donna L. Pinter, Treasurer; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager

**Also Attending:** Shana Strang, The Central Virginian; Mr. I. H. Dulaney, 135 West Street, Louisa; Mrs. Breese Glennon, Boxley Place LLC; Graven Craig, Legal Counsel for Mrs. Glennon; Mr. Frank Drumheller, 201 Patrick Henry Drive; Mr. Steve Wunsh, Accountant, Wunsh & Wunsh.

**Absent:** None.

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

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

Council Member Kersey gave the invocation.

**BUSINESS FROM THE FLOOR**

Mr. Frank Drumheller, on behalf of the trustees of St. James Episcopal Church, stood and stated that the church had no objection to the proposed zoning change of the adjacent property owned by Mrs. Glennon (Boxley Place, LLC) on Ellisville Drive.

Mr. Drumheller then took a moment to address solid waste reduction and disposal in the town. Mr. Drumheller informed Council

that several years ago localities were mandated by the state to reduce the amount of solid waste disposed at landfills. Mr. Drumheller stated that quite a bit of money went into the purchase of recycling cans that were distributed to town citizens for recycling use only. While Mr. Drumheller noted that he was pleased that the Town of Louisa still picks up recyclables twice a month, he was displeased in the fact that the recycling cans that were dispersed years ago are being used improperly for general trash. Mr. Drumheller respectfully requested that Council publicize the proper use of the recycling cans.

Mr. Dulaney took a moment to present Council member Stone with a flower arrangement thanking her for her kindness and compassion, her assistance over the past few months, and her service to the Town of Louisa.

### **CONSENT AGENDA**

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

### **PUBLIC HEARING**

#### **RZ 2008-02**

**An application submitted by Mr. Graven Craig representing the Boxley Place, LLC for a change in zoning classification from the existing Residential General to Light Commercial. The property consists of approximately 3.118 acres of developed land located at 103 Ellisville Drive, Louisa, VA at the intersection of Ellisville Drive and West Main Street (TMS 40-A1-(1)-43 and TMS 40-A1-(1)-48A. The application for rezoning is to facilitate the operation of a Bed and Breakfast at the location.**

Mr. Marks updated Council informing them that all adjoining landowners were notified by mail of the proposed zoning change. Mr. Marks also noted that the Public hearing had been advertised as required. Mr. Marks then informed Council that the proposal was

presented to the Planning Commission and a public hearing was conducted resulting in the Planning Commission's recommendation of approval. Mr. Marks went further to explain that the project is compatible for a Light Commercial use. He stated that the property and existing home has been renovated and improved to accommodate a Bed & Breakfast of eight sleeping units with the appropriate required parking.

Mr. Graven Craig, Counsel for Mrs. Glennon and Boxley Place, LLC, stood and stated that he really had nothing further to add, but would answer any questions from Council or the public. Hearing no response, Mr. Craig took his seat.

Mayor Artz then opened the public hearing at 7:14 p.m. asking if there was anyone present that would like to speak for or against the proposal. Hearing no response, Mayor Artz closed the public hearing at 7:15 p.m.

### **OLD BUSINESS**

#### **Action/Discussion: RZ 2008-02**

Council member Kersey moved to approve the proposal as recommended by the Planning Commission and Town Staff. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

#### **Action: FY 2009 Budget Adoption**

FY 2009 Budget as advertised for public hearing appears on the following page:

Louisa Town Council Meeting

June 17, 2008

Page 4 of 12

<b>TAX LEVIES</b>				
Notice is hereby given that the Town Council proposes the following tax levies for the Fiscal Year commencing July 1, 2008 are adjusted as follows				
	Unit Levy: Cents per \$100 Assessed Valuation		Proposed Levy	
	Real Estate unchanged at		\$0.166	
	Tangible Personal Property unchanged at		\$0.71	
	Prepared Meals Tax is unchanged at		5.50%	
	PPTRA Relief Set at		50%	
Lowered Tax Rate: Notice is hereby given that the total assessed value of real property exceeds last year's total assessed value by 5.6%. The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the current total assessed value of real estate, would be \$0.158 per \$100. This rate is known as the "lowered tax rate." The Town of Louisa proposes to adopt a tax rate not to exceed \$0.166 per \$100 of assessed value.				
A tax rate of \$0.166 per \$100 of assessed value would be an effective tax rate increase of 5.6%. However, individual property taxes may increase or decrease.				
<b>UTILITY and SERVICE RATES</b>				
		Increase	Beginning 7/1/08	Current Fiscal Year
Water Base Rate		\$1.00	\$21.00 for 4000 gallons	\$20.00 for 1st 4000 gallons
Water Over 4,000 Rate		\$0.50/1,000 gal	\$2.75 for 1,000 gallons	\$2.25 for 1,000 gallons
Sewer Base Rate		\$2.00	\$26.00 for 4,000 gallons	\$24.00 for 4,000 gallons
Sewer Over 4,000 Rate		\$0.75 /1,000 gal	\$5.45 for 1,000 gallons	\$4.70 for 1,000 gallons
Bulk Sale of Water		\$1.00/1,000 gal	\$7.00 per 1000 gallons	\$6.00 per 1000 gallons
			\$25.00 Minimum	\$25.00 Minimum
Meter Deposit		\$50.00	\$150.00	\$100.00
Water Base Rate (out of town)		\$4.25	\$23.50 for first 4,000 gallons	\$19.25 for first 4,000 gallons
Sewer Base Rate (out of town)		\$5.00	\$40.00 for first 4,000 gallons	\$35.00 for first 4,000 gallons
Water Over 4,000 Rate (out of town)		\$0.60	\$3.35 for 1,000 gallons	\$2.75 for 1,000 gallons
Sewer Over 4,000 Rate (out of town)		\$0.80	\$5.80 for 1,000 gallons	\$5.00 for 1,000 gallons
<b>Residential Sewer Connection Fee</b>				
Per Single Family Unit		No Change	\$15,000	\$15,000
<b>Residential Water Connection Fee</b>				
Per Single Family Unit		No Change	\$6,000	\$6,000
Large and Commercial Water Connection		No Change	per July 1, 2007 rate schedule	per July 1, 2007 rate schedule
Large and Commercial Sewer Connection		No Change	per July 1, 2007 rate schedule	per July 1, 2007 rate schedule
Commercial Solid Waste Tipping Fee		No Change	\$20/\$15.50/\$11.50	\$20/\$15.50/\$11.50
Burial Permits - Hillcrest		No Change	\$100 - \$150	\$100 - \$150
Stone Permits - Hillcrest		\$25	\$50	\$25
Sign Permits		Variable	\$15 plus \$1sq ft>32	\$15
Rezoning		\$250.00	\$750	\$500
SUP		\$400.00	\$750	\$350
Trespass Notice		\$3.00	\$15	\$12
Accident Reports Copies		\$5.00	\$10	\$5
<b>TOWN VEHICLE DECALS</b>				

Transfers			No Change		\$1.00		\$1.00	
Cars, Trucks			No Change		\$20.00		\$20.00	
Trucks over 12,000 lbs.			No Change		\$25.00		\$25.00	
Motorcycles			No Change		\$10.00		\$10.00	
HILLCREST BURIAL SPACES								
Town Real Estate Owners			\$200.00		\$800.00		\$600.00	
All Others			\$300-\$500		\$1,500.00		\$1,000 - \$1,200	

Mr. Maupin conducted the following action:

Real Estate Tax Rate Unchanged at \$0.166

Council member Stone moved to adopt the RE tax rate at \$0.166 per \$100 of assessed value. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Personal Property Tax Rate Unchanged at \$0.71

Council member Carter moved to adopt the PP tax rate at \$0.71 per \$100 of assessed value. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

Prepared Meals Tax Unchanged at 5.50%

Council member Clarke moved to adopt the Prepared MT at 5.50%. Council member Stone seconded the motion. The vote went as follows: 5-0 in favor.

Personal Property Tax Relief Set at 50%

Council member Kersey moved to adopt the PPTRA set at 50%. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Utility & Service Rates

Council member Stone moved to adopt the Utility and Service rates as advertised for the public hearing. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Solid Waste Tipping Fee; Burial & Stone Permits; Sign, Rezoning & Special Use Permits; Trespass Notices; Accident Report Copies

Council member Clarke moved to adopt each of the above mentioned levies as advertised for the public hearing. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

Town Vehicle Decal Fees Unchanged

Council member Carter moved to adopt the Vehicle Decal fees as advertised for the public hearing. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Hillcrest Cemetery Burial Space Rates

Council member Gehle moved to adopt the cost of Hillcrest Cemetery Burial Space rates as advertised for the public hearing. Council member Stone seconded the motion. The Vote went as follows: 5-0 in favor.

FY 2009 Expenditures

Council member Kersey moved to adopt the Expenditure side of the 2009 Budget. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

**Action/Discussion: Fiscal Policy Statement**

Mr. Marks stated that Council may want to review the statement further and discuss it at the next meeting before moving to adopt the document.

**Discussion: Committee Assignments**

Mayor Artz stated that he looked over the current committee listing and, as fairly as possible, moved Council members around so that they would have the opportunity to serve on other committees. Mayor Artz added that if any Council member would like to be

removed from an assigned committee to let him know and he would make the adjustment.

### **Discussion: Request for Proposals – Banking Services**

Mr. Marks reported that all local banking institutions were included in the RFP, however, only one bank responded. Mr. Marks stated that comparisons are being conducted with our current banking institution and the findings and a recommendation will be reported at the next Council meeting.

### **NEW BUSINESS**

#### **Discussion: False Burglar Alarms**

Mr. Marks stated that Chief Batten had planned to be here this evening to discuss a proposed ordinance pertaining to false burglar alarms, however, due to a death in his family he was unable to attend. Mr. Marks then stated that he and Chief Batten had been working on a false burglar ordinance for some time now and a draft of the ordinance was included in the packet for Council's review. Mr. Maupin stated that he would like to have a copy of the ordinance to review and that he would report back to Mr. Marks and Chief Batten before the next meeting.

#### **Action: Reconciliation of Water & Sewer Account – Mrs. Pinter & Mr. Wunsh**

Mrs. Pinter explained to Council that a problem occurred with the Water & Sewer account due to an error in the accounting software system. Mrs. Pinter stated that the problem had been reported to the software company and has since been corrected on their end; however, a correction on our end is also needed in order to rectify the problem completely. Mrs. Pinter stated that while no funds were displaced during the matter, she would just feel more comfortable if the books and the computer system reflected the same numbers. Mrs. Pinter also stated that Mr. Wunsh, the Town's auditor, was present to also answer questions and to assure Council that the

problem is simple and correctable. Mrs. Pinter stated that she would like to have Council's authorization to make the correction.

Council member Kersey made a motion authorizing Mrs. Pinter to make the appropriate reconciliation of the Water & Sewer Account. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

**Action: Parade Permit – Louisa Volunteer Fire Department**

Council member Kersey moved to approve the parade permit as submitted by the Louisa County Volunteer Fire Department. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

**Action: Bingo Game Permit – Louisa Volunteer Fire Department**

Council member Clarke moved to approve the bingo permit as submitted by the Louisa County Volunteer Fire Department. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

**BZA Terms & Appointments**

Mr. Marks reported that Mr. Feagans' and Mr. Drumheller's term on the Board of Zoning Appeals expire on June 30, 2008 and they both have agreed to serve another term.

Council member Stone made a motion recommending that Mr. Jeff Feagans and Mr. Frank Drumheller be reappointed for another term on the Town of Louisa BZA. 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.)

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 that John Jones and several other employees from the Public Works Department removed trees and ground cover

between the Town Hall parking lot and the Senior League baseball field.

Mr. Marks informed Council that Susan Hopkins will be here before the start of the next Council meeting for the swearing in of newly elected officials.

Mr. Marks also asked if any of the Council members would like to ride in the parade. Mayor Artz and Council members Clarke and Kersey volunteered to ride in the parade.

### **COMMUNICATIONS**

Mr. Marks informed Council that Deanna Meredith of the Chamber of Commerce approached the Mayor inquiring what his thoughts were on the Town of Louisa joining the Louisa County Chamber of Commerce. Mayor Artz informed Council that he was in favor of joining the organization. The fee to join the non-profit organization is \$75.

Council member Carter made a motion authorizing the \$75 fee to join the Louisa County Chamber of Commerce. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

### **CLOSED SESSION**

Council Member Kersey made the motion to go into Closed Session to discuss 2.2-3711A1; 2.2-3711A3; and 2.2-3711A7 of the Code of Virginia. Council Member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 7:57 p.m.

### **REGULAR SESSION**

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

Council returned to regular session at 8:10 p.m.

**CERTIFICATION OF CLOSED SESSION**

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

**ADJOURNMENT**

Council Member Clarke moved to adjourn the June 17, 2008 meeting at 8:18 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, Stone, Kersey.

**NAYES:** None.

**ABSENT DURING VOTE:** None.

**ABSENT DURING MEETING:** None.