

**Town of Louisa  
Monthly Meeting  
March 16, 2010**

**Present:** James S. Artz, Mayor; Vice-Mayor Mary Jane Clarke; Matthew L. Kersey, A. Daniel Carter, Warren D. Gehle, H. I. Dulaney, Council Members; Jeff Gore, Bill Wiley, Town Attorneys; 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:** Shana Watson, the Central Virginian; Sgt. Mark McGhee, Town of Louisa Police Dept.; Garland Nuckols, 110 Patrick Henry Drive

**Absent:** None.

**Prior to the start of the monthly meeting, a 6:00 p.m. work session was held with Tom Cox of Draper Aden to discuss the rate study progress.**

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

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

Council member Kersey gave the invocation.

Mayor Artz took a moment to introduce Mr. Jeff Gore and Mr. Bill Wiley as the two new town attorneys. Mr. Artz and Council welcomed the gentlemen and conveyed their interest in working with them.

## **BUSINESS FROM THE FLOOR**

None.

## **CONSENT AGENDA**

Prior to the consideration of the consent agenda, Mr. Marks stated that a fifth item was added to the agenda under New Business after the agenda went to press. Mr. Marks also stated that item number two under Old Business was removed from the agenda. Mr. Marks then noted that Council would need to go into closed session to discuss two personnel matters at the end of the meeting.

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

## **PUBLIC HEARING**

### **Amendment to the Louisa Town Code, Section 165-91 to allow a higher density within Planned Unit Developments**

Mr. Marks began by stating that this amendment was requested by the general public.<sup>1</sup> Mr. Marks stated that the request was first brought before the Planning Commission in November 2009 and was formally discussed through a public hearing conducted by the Planning Commission last month. Mr. Marks stated that, after several discussions were held regarding the matter, the Planning Commission decided to forward the request to Council with a recommendation of approval. Mr. Marks noted that the Planning Commission's recommendation included that the PUD density be changed to fifteen units per acre.

Mayor Artz then opened the public hearing at 7:06 p.m.

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<sup>1</sup> The term "general public" was used in this sentence to refer to more than one individual who are in favor of the amendment, but specifically, Denise LaCour of Denico Development is requesting the amendment.

Ms. Denise LaCour, of Denico Development, stood and gave a lengthy presentation and explanation as to why the higher density is requested.

Mr. Garland Nuckols, town resident, took a moment to speak in opposition of the amendment.

Mayor Artz then asked if there was anyone else present that would like to speak for or against the amendment. After hearing no response, Mayor Artz closed the public hearing at 7:24 p.m.

### **OLD BUSINESS**

#### **1) Action/Discussion on PUD density changes**

Council briefly discussed the amendment, but felt that more research is needed to find out what the impact would be on the community and the public school system.

Council member Clarke made the motion to table the matter until the next Council meeting. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

### **NEW BUSINESS**

#### **1) Presentation – Sgt. McGhee, Louisa County Crime Solvers Officer of the Year**

Council member Dulaney presented Sgt. McGhee with a Resolution of Appreciation from the Louisa Town Council.

#### **2) Long Term Investment Options**

Mr. Marks reported that both he and Mrs. Pinter, Town Treasurer, have contacted several financial institutions about investing the town's funds on a long term basis, but were not yet ready to make a recommendation to Council. Mr. Marks stated that they will continue to do more research and report back at the April meeting.

### **3) Authorization to Reinvest Matured Certificates of Deposit**

Mr. Marks reported that a Bank of Louisa Certificate of Deposit matures on April 10, 2010. Mr. Marks requested Council's authorization to reinvest the CD at the best rate found, and report back to Council at the April 20, 2010 meeting.

Council member Dulaney made a motion authorizing the Town Manager to reinvest the CD at the best rate found. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

### **4) Schedule first Budget Work Session**

After some discussion, Council decided to continue the meeting to hold a budget work session on Monday, March 22, 2010 at 7:00 p.m.

### **5) Town Vehicle Take Home Policy**

Council member Dulaney reported that there have many comments and questions regarding town vehicles being taken home. Mr. Dulaney suggested that Mr. Marks look into a vehicle take home policy for the town. Mr. Wiley and Mr. Gore stated that they would assist Mr. Marks.

## **STANDING COMMITTEE REPORTS**

### **Police Department:**

(Please refer to the Police Department report.)

Mayor Artz reported that he had received positive feedback in regards to the Town of Louisa Police Department from the federal agents who were working the plane crash incident on Route 33.

Mayor Artz also stated that he had received positive feedback in regards to the Town of Louisa Police Department from the staff and residents of Epworth Manor.

Chief Batten reported that several months ago an Assistant Executive Director for the police academy in Weyer's Cave was killed in a car accident on the way to work. Chief Batten explained that the employee was instrumental to the academy and that the folks there are still reeling from the loss. Chief Batten stated that they want to construct a monument on the grounds in her memory and are asking all participating agencies to make a small donation to help them with this effort. Chief Batten stated that he felt it would be a nice gesture to make a donation since the town police department attends that academy. Chief Batten suggested making a donation between \$50 and \$100.

Council member Carter made the motion to donate \$100 to the Shenandoah police academy in Weyer's Cave for the memorial monument. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Chief Batten also reported that a town officer has resigned and will be leaving the police department effective March 29, 2010.

Mr. Marks reported that a new officer will be joining the Town of Louisa Police Department on March 29, 2010, and following his 100 hours of required training, will be patrolling the town on his own.

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 added that the latest results from the HAA5 testing have been received and the town is back in compliance.

Litter Committee:

No report.

Streets & Sidewalks:

No report.

Cemetery:

Mr. Marks reported that he has received the construction plans from Columbarium Planners Inc., and once the plans have been reviewed and are found to be adequate, we can begin looking for builders as early as next month.

**REPORTS FROM STAFF**

Counsel

No report.

Clerk

No report.

Treasurer

Mrs. Pinter reported that she has mailed out delinquent Real Estate and Personal Property notices in hopes to collect the unpaid funds.

Manager

Mr. Marks reported the following:

- There is a letter in the packet from David Purcell thanking the town for a job well done during the snow storms.
- The County of Louisa decided last month not to accept the Rural Development funds for the WWPT expansion project, however, the county plans to continue being a partner in the project as contracted.
- There is a copy of a letter that the Mayor sent to Senator Webb endorsing the Louisa Heritage Village in the packet.

- There are letters of support to the Louisa Police Department from staff and residents at Epworth Manor in the packet.
- Mr. Marks stated that he found a small problem with the WWTP expansion project. Mr. Marks explained that the project may be tax exempt which could lower the cost. Mr. Marks is looking into the matter.
- There is a letter in the packet from the Mayor to Fairfax County thanking them for their hospitality.
- The Public Works Dept. is cleaning and cutting in Hillcrest to prepare for the holiday. Mr. Marks noted that notification of the cleaning and cutting was advertised in the Central Virginian.
- Mr. Marks spoke briefly to Council explaining that a few years ago the town applied for two grants with the Virginia Department of Health to reactive the wells, and to install a southern loop in the water system to resolve the HAA5 issue. Mr. Marks stated that the grants were awarded with a 70/30 split. Mr. Marks stated that whether Council is interested at this time or not in completing the project, the town would need to draft a letter of commitment to work out the details with the County of Louisa and the Louisa County Water Authority in order for the funding to be made available. Mr. Marks added that this letter does not obligate the town to take out any loans or to complete any project. The letter just simply states that we are willing to work with Department of Health and they will reserve the funding for us.

Council member Kersey made the motion authorizing the Town Manager to draft a letter of commitment to VDH. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

- Mr. Marks reported that he attended a meeting with FEMA & the Virginia Dept. of Emergency Management and found out that the town is eligible for a reimbursement from the big snow storm in December 2009.
- The first WWTP expansion project payment has been made.
- The town will be closing on the WWTP loan on March 24, 2010.
- Officer Glenn Arrington resigned effective March 29, 2010. A new officer will be coming on board that same day.

- A part-time grounds keeper has been hired to help out while Mr. Seay is working on the WWTP expansion project.
- Officer Arrington had a car accident in his patrol car. Mr. Arrington hit a deer which caused estimated damages of \$2000-\$2500. A claim has been filed with the insurance company.
- Mr. Marks passed around the Louisa County Chamber of Commerce's Community Profile magazine which features the Town and County of Louisa in its centerfold.
- Mr. Kenny, who owns the property on the corner of School Street and Church Street, has filed for and has been given permission to tear down the two deteriorating houses in June 2010.
- Mr. Marks reported that he and Mr. Humphrey attended the BOS and Water Authority meeting.
- Mr. Marks reported that Mayor Artz, Mr. Humphrey, and he met with the owner of the recycling center in Zion Crossroads for a tour of the facility.

### **COMMUNICATIONS**

None.

### **CLOSED SESSION**

Council Member Dulaney made the motion to go into Closed Session to discuss two personnel matters under section 2.2-3711 (A) (1) and one matter involving the acquisition of real property for public purposes under section 2.2-3711 (A) (3). Council Member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 8:25 p.m.

### **REGULAR SESSION**

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

Council returned to regular session at 10:10 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.

**ADJOURNMENT**

Council Member Kersey made the motion to continue the March 16, 2010 Louisa Town Council meeting to Monday, March 22 at 7:00 p.m. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

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Mayor

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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.