

**Town of Louisa
Monthly Meeting
May 20, 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; Stan Batten, Chief of Police

Also Attending: Shana Strang, The Central Virginian; Mr. & I. H. Dulaney, 135 West Street, Louisa; Mr. Jack Manzari, President of the Louisa County Historical Society

Absent: None.

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

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

PUBLIC HEARING

FY 2008-2009 Budget: including tax levies, fees and rates.

Mr. Marks gave an update informing Council that the copy of the budget before them is a result of two budget workshops, input from staff, and Council members since the last meeting.

Mayor Artz opened the public hearing at 7:04 p.m. asking if there was anyone present that would like to speak regarding the 2008-2009 budget.

Mr. Jack Manzari, President of the Louisa County Historical Society, stood before Council to speak briefly about the Historical Society and a request for funding to help support the organization.

Mayor Artz asked if there was anyone else present that would like to speak regarding the budget. Hearing no response, Mayor Artz closed the public hearing at 7:08 p.m.

OLD BUSINESS

FY 2009 Budget

Mr. Marks noted that a correction had been made to the Revenue side of the budget involving business licenses. Mr. Marks stated that he had raised the projected income to \$200,000, but realized he had made an error, and corrected it to reflect \$195,000.

Council member Stone requested that Mr. Marks explain the cost share change between the LDDC and the Town of Louisa. Mr. Marks explained that the current employee 50/50 split would be changing as agreed to a 67/33 split. Mr. Marks also noted that the change included utilities, janitorial services, as well as the shared employee.

Mr. Marks also stated that the budget is balanced by the use of reserve funds. Mr. Marks noted that initially, the amount being used

from reserves was \$75,000, as it was discussed at the first budget work session; however, \$99,706 is reflected in this copy of the budget to prevent a 20% across the board discretionary spending cut.

Council member Gehle stated that he would like to address some the items listed in the memorandum that accompanied the latest copy of the budget. He began by addressing the increase in pay for elected officials questioning why an increase for those individuals is being suggested. Mr. Marks responded by stating that he and the Mayor had discussed the issue and felt that over the past couple of years the Council members, the Mayor, the Planning Commission, and the Town Attorney have been a lot busier than before due to projects and commitments. Mr. Marks stated that those individuals have taken a more active role and are performing more duties than in the past which, in his opinion, justifies the suggestion.

Mr. Gehle then questioned the renegotiation of the shared employee expense and associated revenue item. Mr. Marks responded by stating that the renegotiation is stemmed from a need of the LDDC for more technical support than clerical support. Mr. Marks stated that the renegotiation frees up funding that would allow the LDDC to get the help they need to meet their business plan. Mr. Gehle also questioned if we currently had the work for the employee to perform or if work had to be created for her to do; and then questioned if we could afford to hire her full-time. Mr. Marks responded that he felt the funding was available to hire her full-time and also felt that the work already exists for her to do as the new split would free her to come up to the Clerk, Treasurer, and Town Manager's offices to assist them more often.

Mr. Gehle questioned the incentive pay for a Shift Supervisor for the Police Department asking if the job would be for one individual or rotate between officers. Mr. Marks responded that only one person would be needed as Shift Supervisor, whether he is compensated or not, due to the fact that the Chief of Police is going to be entering into a rotation with the other officers that will have him working both days and nights. Mr. Marks added that the Shift Supervisor would act as the contact person as needed when the Chief is not available. Mr.

Gehle then questioned if the position could be started and run on a trial basis before compensation would be given to see how things work out. Mr. Marks stated that it is up to Council as to how they would like to handle the position and compensation.

Mr. Gehle then commented that he felt it was very unfair to the citizens of the Town of Louisa to have to be burdened with additional taxes to support the Louisa County Historical Society. Mr. Gehle felt that since the town citizens already pay taxes to both the Town of Louisa and the County of Louisa, the County Board of Supervisors should give the funding and not the Town of Louisa. Mr. Marks responded by stating that he made the recommendation based on the town's use of electricity in a building on the Pettit house grounds, and also due to the new location of the Chamber of Commerce.

Council member Kersey then spoke stating that he appreciated Mr. Gehle's comments and his thoughtful review of the memo. Mr. Kersey stated that he wished that the items could have been discussed in a budget work session rather than at such a late date during the process. Mr. Kersey informed Council that he shared Mr. Gehle's reservations in giving the Historical Society the funding they are requesting. Mr. Kersey stated that he has served for many years on the Board of Directors for the Historical Society, as President and Vice-President, and stated that he is very much in favor of their endeavors, but as Mr. Gehle commented, the Historical Society is a county entity. Mr. Kersey added that when the town purchased the property we laid out the arrangements with the LDDC, the Historical Society, and other organizations as to how things would be run, and what the town would be responsible for. Mr. Kersey stated that he felt we have held up our end of the agreement and that if the Historical Society is in need of further support, then the County should be responsible party in helping them meet their needs. Mr. Kersey noted that the organization is worthy of the additional support, but the town citizens should not have to endure that burden.

VDOT Streetscape Improvements Agreement Amendment

Mr. Marks stated that essentially, the amendment is simply the addition of few more projects to the Streetscape Improvements Agreement and that he needs Council's authorization to sign the contract with VDOT.

Council member Kersey made the motion to give Mr. Marks authorization to sign the contract. Council member Stone seconded the motion. The vote went as follows: 5-0 in favor.

VDH Planning Grant Contract Award and Budget Modification

Mr. Marks reported that in January 2008 the town received a \$25,000 planning grant from the VDH (Virginia Department of Health) to help resolve the issue of the high levels of THM and HAA5 in our water system. Mr. Marks reported that a firm has been chosen to perform the necessary work to correct the problem, and the next step would be to accept the grant and do the budget modification that is needed to cover the added revenue and expenses of the grant in the 2007-08 budget.

Council member Clarke moved to accept the \$25,000 VDH Planning Grant & Contract Award and necessary budget modification. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

USDA RD Construction Grant Acceptance

Mr. Marks reported that when the \$2 million dollar loan was closed on Phase I of the Town Hall project, we were offered a \$50,000 construction grant to offset some the preconstruction costs such as demolition and site work. Mr. Marks stated that now is the time to accept that offer, and added that the only caveat is that if the use of the building is changed from now through the next forty years, the town would have to pay a pro-rated amount back to USDA RD.

Council member Stone made the motion to accept the USDA RD construction grant. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Byrne Justice Assistance Grant

Mr. Marks reported that the Police Department applied for the Byrne Justice Assistance Grant as they have in the past. Mr. Marks stated that the grant has a 10% match, and that they had budgeted appropriately for it in anticipation of receiving the grant. Mr. Marks noted that the Police Department needed Council's approval to accept the grant.

Council Member Carter made the motion to accept the Byrne Justice Assistance Grant. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

NEW BUSINESS

Discussion: Fiscal Policy Statement

Mr. Marks reported that the Fiscal Policy Statement was created to be followed in the future and should be voted on when the 2008-2009 budget is passed. Mr. Marks stated that it is in Council's packet this month for their review and should be looked at again at the next Council meeting.

Discussion: Town Council 2008 Election Results

Mayor Artz presented award certificates from the Electoral Board to Mr. Matthew Kersey, Mr. Warren Gehle, and Mr. H. I. Dulaney.

Discussion: Committee Assignments

Mayor Artz stated that there will be a seat to fill on several committees due to Mrs. Stone leaving at the end of this fiscal year. Mr. Artz asked if any Council member would like to serve in her place or would like to serve on another committee other than the ones they

are currently serving. Mr. Artz requested that Council get back to him with their preferences between now and the next meeting.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Chief Batten stated he had nothing additional to 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

Mr. Maupin stated that the new and re-elected Council members will need to be sworn in before the Louisa County Circuit Clerk of the Court.

Clerk

No report.

Treasurer

Mrs. Pinter stated that she would like to attend the Virginia Treasurer's Association Regional meeting in Williamsburg. Mrs. Pinter reported that the meeting begins on Sunday, July 13th and runs through Wednesday, July 16th.

Council member Stone made a motion giving Mrs. Pinter authorization to attend the Virginia Treasurer's Association Regional meeting. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Mrs. Pinter also reported that since delinquent Real Estate & Personal Property tax notices have been sent out, she has received several payments which have helped decrease the total delinquent tax amount dramatically.

Manager

Mr. Marks reported to Council that a gentleman contacted town staff and stated that he would like to donate his used lawnmower. Mr. Marks informed Council that it would be an asset to the town if Council would approve of the donation.

Council member Carter made the motion to accept the donated lawnmower. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Mr. Marks stated that it was time to re-appoint someone to the Louisa County Rate Commission. Mr. Marks added that he would be happy to serve another term if Council chose to re-appoint him.

Council member Kersey moved to re-appoint Mr. Marks to another term on the Louisa County Rate Commission. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Mr. Marks also reported:

- Sidewalk Improvements: 9 sections of sidewalk have been submitted for repair.
- Code Updates: several code updates have been sent in and packets with the changes will be returned soon so that all code books will be up to date – the changes will also be reflected online.
- Grass Cutting for Vacant Lots: June 9, 2008 has been set as the deadline date for the first grass cutting of vacant lots. This date will allow sufficient time for advertising and for citizens to get the lots cut. Mr. Marks stated that he simply needed Council's approval.

Council member Clarke moved to set June 9, 2008 as the deadline date for vacant lots to be cut for the first time. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

- The Police Department has applied for a grant through DMV for equipment and overtime. The grant is a zero match.
- Mr. Marks has submitted the Town of Louisa for a VML Achievement Award.
- The storm drain problem on Church St. will be resolved via a joint project between the Town of Louisa and VDOT. Several trees will be removed, new piping will be installed, and sidewalks will be installed.
- VML will be holding a session in July for newly elected officials.
- A Capital Improvement Plan draft is at each Council member's desk for review and comments.
- The water tanks in town will be cleaned on May 28th and June 9th – this is done annually.
- A copy of the updated Strategic Plan is at each Council member's desk for review.

COMMUNICATIONS

Mr. Marks stated that he would like to go into Executive Session to discuss the possible acquisition of real estate.

CLOSED SESSION

Council Member Stone made the motion to go into Closed Session to discuss 2.2-3711 A3 of the Code of Virginia – Discussion of the Possible Acquisition of Real Estate. Council Member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 8:10 p.m.

REGULAR SESSION

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

Council returned to regular session at 8:35 p.m.

CERTIFICATION OF CLOSED SESSION

Council Member Stone 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 Clarke moved to continue the May 20, 2008 meeting to May 28, 2008 at 7:00 p.m. Council Member Stone seconded the motion. The vote went as follows: 5-0 in favor.

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.