

**Town of Louisa
Monthly Meeting
September 21, 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, Town Attorney; Brian W. Marks, Town Manager; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager; Mark McGhee, Acting Chief of Police

Also Attending: Mr. George Faulknier and Mr. Gordon Faulknier, 301 W. Main Street, Louisa; A. Daniel Carter, 100 Loving Street; Shana Watson, The Central Virginian

Absent: Donna L. Pinter, Treasurer

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

Mayor Artz called the meeting to order at 4:50 p.m.

At 4:55 p.m., 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: 4-0 in favor.

Council member Gehle arrived following the vote to convene in closed session.

At 7:03 p.m., Council member Dulaney made the motion to return to regular session. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

At 7:04 p.m., 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: Clarke, for; Gehle, for; Dulaney, for; Nuckols, for, Kersey, for.

Mayor Artz brought the meeting back into regular session by asking Council member Kersey to give the invocation.

BUSINESS FROM THE FLOOR

None.

CONSENT AGENDA

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

OLD BUSINESS

1) Presentation – Resolution acknowledging Mr. A. Daniel Carter’s service to the Town of Louisa

Mayor Artz read the resolution to all those in attendance and thanked Mr. Carter for his dedication to the town and his years of service on the Louisa Town Council.

2) Action/Discussion – Proposed Exotic Pet Ordinance

Mr. Marks reported that a public hearing was held at the last town council meeting for the proposed ordinance, and that council requested the staff to contact the Louisa County Sheriff's Department in regards to the ordinance. Mr. Marks stated that Major Lowe gave Acting Chief McGhee a verbal endorsement of the proposed ordinance.

Council member Clarke made the motion to adopt the Exotic Pet Ordinance. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

3) Action/Discussion – Proposed 12 month lease at 301 W. Main St.; Faulknier Produce

Mr. Marks reported that a draft commercial lease was included in the packet for Council's review.

Mr. Faulknier stated that he had not reviewed the revised lease as of yet, and would not be able to sign until he had done so, but added that if the lease required them to move back into the building, they would have to leave the location due to a lack of visibility and business.

After a lengthy discussion between Council and Mr. Faulkiner, Council member Nuckols stated that it seemed obvious to him that, as much as they all wanted the business in town, Council and Mr. Faulknier had two different visions and cannot seem to find common ground.

Council member Nuckols made the motion to deny the draft lease and re-advertise. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

NEW BUSINESS

1) Music/Event Permit Application – Tanyard Country Club

Mr. Marks updated Council informing them that he recommended approval of the application.

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

2) Council appointment to the Louisa Downtown Development Corporation Board of Directors

Council member Dulaney reported that the LDDC is in need of two members from the town on their Board of Directors. Mr. Dulaney and Mr. Marks stated that they would volunteer to serve on the board.

3) Reinvestment of matured certificates of deposit

Mr. Marks reported that Mrs. Pinter researched the current rates and provided a handout in the packet to that effect. Mr. Marks then stated that he recommends reinvesting 4 CDs at Virginia Community Bank for 12 months.

Council member Kersey made the motion to reinvest the CDs at VCB for 12 months. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Acting Chief McGhee informed Council that the reports have changed somewhat as he and Mr. Marks have been working hard on improving the quality and content of the information provided in the police reports.

Acting Chief McGhee also added that the trial run with the radar trailer was very successful and had a positive impact on the community.

Council member Dulaney requested study results of the trial period with the radar trailer.

After a lengthy discussion, the following action was taken:

Council member Nuckols made a motion to authorize the Town Manager and Acting Chief to find the funding in the budget for the purchase of a radar trailer, and to negotiate the price of the radar trailer subject to Council's approval. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

Water & Sewer Department:

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

Mr. Marks reported that he received verbal verification today from bond counsel notifying us of the credit approval in regards to the Southern Loop project. Mr. Marks stated that a letter to that effect should follow this week.

Mr. Marks requested that Council extend the Town Manager's and Project Manager's authorization to move forward with the Southern Loop Project while waiting for the letter of credit approval.

Council member Gehle made the motion to extend the Town Manager's and Project Manager's authorization to move forward with the Southern Loop Project while waiting for the letter of credit approval. Council member Clarke seconded the motion and the vote went as follows: 5-0 in favor.

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

Mr. Marks reported for Mrs. Pinter in her absence. Mr. Marks stated that the Operational Budget Summary contains an error that was found yesterday and has been corrected. The error, comprised of approximately \$102,000, was being carried in two places. A new summary report has been provided.

Manager

Mr. Marks reported the following:

- A letter from FEMA has been included in the packet in regards to disaster assistance from the February 2010 storm.

- The town is not applicable for TEA21 grant funding this year due to the program only accepting applications for existing projects on December 1, 2010.
- A letter from the VDH was included in the packet encouraging local governments to get vaccinated this year.
- An email was received from VML clarifying some confusion over state assistance for local law enforcement from the Department of Criminal Justice Services.
- An invitation was included in the packet from Lakeside Electric as they celebrate Customer Appreciation Day.
- An invitation from the Louisa County High School for the Senior Government Event and luncheon on October 14, 2010 was included in the packet.
- Brian noted that his schedule would very different this week as he would be out of the office quite a bit while his wife is out of town, but he will be accessible via cell phone at any time.
- Brian also reported that he plans to be out on vacation in early October.
- The retreat is now set for November 11th, 13th, and 14th
- Pre-retreat interviews will be conducted by Tyler St. Clair and a date needs to be established. After some discussion, Council chose Friday, October 22, 2010.
- Mr. Marks informed Council that the office had received numerous calls in regards to Halloween and asked Council what they would like to do this year given that Halloween falls on a Sunday.

Council member Clarke made the motion to hold Halloween trick-or-treating in the Town of Louisa on Saturday, October 30, 2010 from 6:00 to 9:00 p.m. for children ages 12 and under. Council member Nuckols seconded the motion. The vote went as follows: 5-0 in favor.

- Mr. Marks also updated Council on the meeting that was held with Lockridge, at their request. After a lengthy discussion, Mr. Gore recommended that Council have Lockridge put in writing what their key points are and what they want and in regards to the connection fees.

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: the consideration or interviews of candidates for employment or appointment, and

As permitted by Virginia Code § 2.2-3711(A)(7) consultation with legal counsel, or briefing by staff or consultants, about: a legal agreement with Louisa County and the Louisa County Water Authority.

Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 8:15 p.m.

REGULAR SESSION

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

Council returned to regular session at 9:25 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: Clarke, for; Gehle, for; Dulaney, for; Nuckols, for, Kersey, for.

ADJOURNMENT

Council Member Nuckols made the motion to adjourn the September 21, 2010 Louisa Town Council meeting at 9:26 p.m. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Mayor

Clerk