

**Town of Louisa  
Monthly Meeting  
December 19, 2006**

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

**Also Attending:** Pat Wilson, The Central Virginian; Mark Fischer, Coach for Louisa County High School Varsity Football; Jesse Bausch, esq. representing Maguire Woods.

**Absent:** Council Member Kersey.

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

Mayor Artz called the meeting to order at 7:05 p.m.

Council Member Carter gave the invocation.

**BUSINESS FROM THE FLOOR**

None.

Mayor Artz stated that he would like to move an item up on the agenda. He remarked that he would prefer to have the Resolution of Congratulations to the Louisa County High School Football Team follow the approval of the Consent Agenda.

Council Member Carter made the motion to amend the agenda in order to move up the presentation of the Resolution of

Congratulations to the Louisa Lions High School Football Team. Council Member Clarke seconded the motion. The vote went as follows: 3-0 in favor.

### **CONSENT AGENDA**

Council Member Gehle moved to approve the consent agenda. Council Member Clarke seconded the motion. The vote went as follows: Clarke, for; Gehle, for; Carter, for.

Council Member Stone arrived following the vote.

### **Resolution of Congratulations to the Louisa Lions High School Football Team**

#### **A RESOLUTION OF CONGRATULATIONS TO**

#### **THE LOUISA COUNTY HIGH SCHOOL LIONS FOOTBALL TEAM**

A resolution celebrating the Louisa High School Lions Football Team, runners up of the AA Virginia State Championship; and for other purposes.

WHEREAS, the 2006 Louisa County High School Lions Football Team has undertaken the challenge to strengthen their bodies, minds, and spirits and to build character through competition; and

WHEREAS, this is one of the pathways of becoming bright, well-rounded, productive students and adults; and

WHEREAS, the 2006 Louisa High School Lions Football Team has played with skill, excellence, and courage, ultimately achieving the status of greatness; and

WHEREAS, the team has distinguished themselves for their teamwork, leadership, pride, sportsmanship, and exceptional ability; and

WHEREAS, the 2006 Louisa High School Lions Football Team has excelled and completed a grueling season with a 13-1 record; and

WHEREAS, the Louisa County School System and the Town of Louisa community appreciate and acknowledge the extreme dedication of Coach Mark Fischer, all assistant coaches, players, support personnel, cheerleaders, band, and any and all others who assisted or encouraged this team in any way.

NOW, THEREFORE BE IT RESOLVED BY THE LOUISA TOWN COUNCIL that the members of this body celebrate the skills, spirit, and success of the 2006 Louisa High School Lions Football Team.

BE IT FURTHER RESOLVED that the Clerk of the Louisa Town Council is authorized and directed to transmit an appropriate copy of this resolution to Louisa High School Head Football Coach Fischer.

**ADOPTED BY UNANIMOUS VOTE BY THE LOUISA TOWN COUNCIL ON  
DECEMBER 19, 2006.**

TOWN OF LOUISA

By: \_\_\_\_\_  
James S. Artz, Mayor

ATTEST:

\_\_\_\_\_  
Jessica M. Ellis, Clerk

Mayor Artz stood and asked Coach Mark Fischer to come forward as he read aloud the Resolution of Congratulations. Mayor Artz then presented the framed resolution to Mr. Fischer and the team members in attendance. Pat Wilson, of the Central Virginian, took pictures of Mayor Artz presenting the coach and team members with the resolution.

Council Member Clarke moved to adopt the Resolution of Congratulations to the Louisa Lions High School Football Team so that it would appear in the minutes. Council Member Carter seconded the motion. The vote went as follows: 4-0 in favor.

### **PUBLIC HEARING**

#### **Proposed Amendments to the Louisa Town Code**

Mr. Marks spoke to the necessity of the public hearing stating that there is a loop hole in the Town's water and sewer connection fees that needs to be closed. Mr. Marks stated that by closing the loop

hole we will be able to enforce the verbiage on the water and sewer connection applications.

Mr. Maupin went further to explain the addition of a new section, 47-6, and the amendments to existing sections: 132-13.1 and 160-37. (The existing sections will be unchanged, but will have additional paragraphs.)

The sections, with proposed additions in *italics*, follow:

Section 132-13.1 Sewer Connection Fees (for making connection to public sewer).

The Town Council shall, from time to time, fix a connection fee for making connections to the public sewer within the Town. A copy of the schedule of such connection fees shall be maintained on file in the office of the Town Manager, and such fee shall be payable before such connection to the public sewer.

*Except as hereinafter specifically provided, the amounts of the sewer connection fee are based upon the connection fees in effect on the date of issuance of a valid building permit (from the County of Louisa) or where no new construction is contemplated the date of issuance of a valid Zoning Certificate (from the Town of Louisa) for new or altered service. No connection fee shall be accepted prior to the issuance of valid building permit or prior to the issuance of a valid Zoning Certificate as the case may be.*

Upon payment of the connection fee, the Town Manager, subject to the provisions of this chapter, shall issue a connection permit.

*If the connection to public sewer is not completed within 12 months of date of issuance of a connection permit by the Manager then the permit must be revalidated and any additional connection fee paid as established by the connection fee schedule in effect on the date of revalidation. A connection is defined as the physical connection of the structure interior plumbing to the utility main line that has been inspected and approved by the Louisa County Building Official and the Town of Louisa Town Manager or his representative.*

*This Section 132-13.1 shall not be applicable to applications for connection to the public sewage system made, or connection permits issued prior to, the date of adoption of this Section 132-13.1*

Section 160.37 Water Connection Fees (for making connection to public water)

The Town Council shall, from time to time, fix a connection fee for making connections to the public water within the Town. A copy of the schedule of such connection fees shall be maintained on file in the office of the Town Manager, and such fee shall be payable before such connection to the public water.

*Except as hereinafter specifically provided, the amounts of the water connection fee are based upon the connection fees in effect on the date of issuance of a valid building permit (from the County of Louisa) or where no new construction is contemplated the date of issuance of a valid Zoning Certificate (from the Town of Louisa) for new or altered service. No connection fee shall be accepted prior to the issuance of valid building permit or prior to the issuance of a valid Zoning Certificate as the case may be.*

Upon payment of the connection fee, the Town Manager, subject to the provisions of this chapter, shall issue a connection permit.

*If the connection to public water is not completed within 12 months of date of issuance of a connection permit by the Manager then the permit must be revalidated and any additional connection fee paid as established by the connection fee schedule in effect on the date of revalidation. A connection is defined as the physical connection of the structure interior plumbing to the utility main line that has been inspected and approved by the Louisa County Building Official and the Town of Louisa Town Manager or his representative.*

*This Section 160.37, as amended, shall not be applicable to applications for connection to the public water system made, or connection permits issued prior to, the date of adoption of this Section 160.37, as amended.*

The proposed new section follows:

Section 47-6. Payment of water and sewer connection fees.

Within ten (10) days of the issuance of a building permit (County of Louisa) and/or Zoning Certificate (Town of Louisa), whichever shall last occur, for any building which will require public water and/or sewer service, all water and sewer connection fees shall be paid to the Town. Failure to pay these connection fees as herein provided shall result in automatic revocation of the Zoning Certificate issued by the Town.

Mayor Artz opened the public hearing at 7:21 p.m. asking if there was anyone present that would like to speak for or against the public hearing. Hearing no response, Mayor Artz closed the public hearing at 7:22 p.m.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

### **Resolution to Approve the Town of Louisa IDA Bond Issuance**

Mr. Marks introduced Mr. Jesse Bausch, of Maguire Woods, to Council.

Mr. Bausch stood and explained that he was bond counsel for Region Ten Community Services Board, Inc. and briefly explained the need for the bond issuance.

Mr. Marks informed Council that the minutes from the IDA meeting, as well as additional paperwork on the matter, can be found in their packet.

Council Member Clarke made the motion to approve the IDA bond issuance. Council Member Carter seconded the motion. The vote went as follows: 4-0 in favor.

Mr. Maupin noted to Council that the IDA unanimously waived any requirement for a fee to be paid by Region Ten.

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOUISA, VIRGINIA**

WHEREAS, the Industrial Development Authority of the Town of Louisa, Virginia ("Authority"), has considered the application of Region Ten Community Services Board, Inc. (the "Company") requesting the issuance of the Authority's revenue bond in an amount not to exceed \$8,000,000 ("Bond") to assist in (1) refinancing the Industrial Development Authority of Albemarle County, Virginia's \$5,000,000 Variable Rate Community Services Facilities Revenue Bonds (Region Ten Community Services Board, Inc.), Series 1999, issued on August 31, 1999 originally issued to finance and refinance Company facilities located in the County of Albemarle, Virginia and the City of Charlottesville, Virginia (2) financing the acquisition, construction, renovation and

equipping of the property known as Mountainwood, to house the Company's administrative offices and community services, located on an approximately 9 acre tract of land on Old Lynchburg Road, in the County of Albemarle, Virginia and (3) financing the acquisition, construction, renovation and equipping of the Nelson County Counseling Center located at Tanbark Plaza, Lovingson, Virginia in the County of Nelson, Virginia (collectively, the "Project"), and has held a public hearing on December 7, 2006;

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds must approve the issuance of the Bond;

WHEREAS, the Authority issues its bonds on behalf of the Town of Louisa, Virginia ("Town"); and the Town Council of the Town of Louisa, Virginia ("Council") constitutes the highest elected governmental unit of the Town;

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bond; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bond, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOUISA, VIRGINIA:

1. The Council approves the issuance of the Bond by the Authority for the benefit of the Company, as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended ("Virginia Code") to permit the Authority to assist in the financing of the Project.
2. The approval of the issuance of the Bond does not constitute an endorsement to a prospective purchaser of the Bond of the creditworthiness of the Project or the Company.
3. This resolution shall take effect immediately upon its adoption.

Adopted by the Town Council of the Town of Louisa, Virginia this \_\_\_\_ day of December, 2006.

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Clerk, Town Council of the Town of Louisa, Virginia

[SEAL]

## **Calendar Year 2007 Holiday Schedule**

Mr. Marks presented the 2007 Holiday Schedule to Council.

Council Member Stone moved to approve the 2007 Holiday Schedule as presented by Mr. Marks. Council Member Gehle seconded the motion. The vote went as follows: 4-0 in favor.

## **Discussion/Action on Public Hearing Items**

Council Member Carter moved to adopt the proposed amendments to Sections 132-13.1 and 160.37 of the Louisa Town Code, and the addition of Section 47-6 to the Louisa Town Code. Council Member Clarke seconded the motion. The vote went as follows: 4-0 in favor.

## **STANDING COMMITTEES**

### **Police:**

Please refer to the Police Department Report.

Mr. Marks stated that interviews were conducted for the sixth officer and that the Police Committee recommended the position be offered to Mr. Ken Robinson. Mr. Marks noted that a draft of the letter offering Mr. Robinson the position can be found in the packet.

Council Member Stone made the motion to hire Mr. Ken Robinson as the sixth officer for the Town of Louisa Police Department based on Mr. Marks' recommendation. Council Member Gehle seconded the motion. The vote went as follows: 4-0 in favor.

Mr. Marks stated that Mr. Robinson would be able to start working for the Town following the recommended examinations and evaluations established during the Police Study.

### **Water & Sewer:**

Please refer to the Public Works Department Report.

In addition to the report, Mr. Humphrey stated:

- \* T-21 project: VDOT displeased with lack of detail in W.W. Associates' plans for project. VDOT requiring further action.
- \* Letter was sent to VDCR requesting that the volleyball and basketball courts be removed from the Town Park Project, which was forwarded by VDCR on to the National Park Service. Hope to hear from them in January.
- \* Resumed construction at Countryside. Pressure and vacuum tested most of sewer system and a vast majority has passed.
- \* Town received bids for exterminating services. There was a 3-way tie. Have conducted interviews and selected Interstate Pest Control of Charlottesville.
- \* Pub. Works completed the installation of pump at Bank of Louisa. Will be connected to system very soon.

Streets & Sidewalks:

No report.

Cemetery:

No report.

**REPORTS FROM STAFF**

Counsel

Mr. Maupin stated that it would be necessary for Council to hold a closed session following the staff reports.

Clerk

No Report.

Treasurer

No Report.

Manager

Mr. Marks reminded Council that VML Legislative Days are coming up on February 1, 2007. Reservations will be submitted mid January for anyone interested.

Mr. Marks reported that the Countryside Subdivision sewer issue has been resolved. The Town accepted their check for Phase 1 as it was recorded.

Mr. Marks informed Council that he would be taking vacation from December 28, 2006 through January 8, 2007.

Mr. Marks also noted:

\*The holiday trash pickup schedule is in Council's packet.

\*The retreat will be held January 15, 2007 at Town Hall.

\*The damage to the Senior League baseball field fence was reported to the insurance company. Insurance company will cover damages.

Mr. Marks concluded by expressing his gratitude to Council for working with him over the past three years while he completed graduate school.

**COMMUNICATIONS**

None.

**CLOSED SESSION**

Council Member Carter made the motion to go into Closed Session to discuss 2.2-3711A1 of the Code of Virginia – Discussion of a Personnel Matter. Council Member Stone seconded the motion. The vote went as follows: 4-0 in favor.

Council went into closed session at 8:00 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: 4-0 in favor.

Council returned to regular session at 8:07 p.m.

**CERTIFICATION OF CLOSED SESSION**

Council Member Stone made the motion to certify the closed session. Council Member Gehle seconded the motion. The vote went as follows: 4-0 in favor.

**ADJOURNMENT**

Council Member Clarke moved to adjourn the December 19, 2006 meeting at 8:10 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.

**NAYES:** None.

**ABSENT DURING VOTE:** Kersey.

**ABSENT DURING MEETING:** None.