

**Town of Louisa
Monthly Meeting
May 15, 2007**

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: Pat Wilson, The Central Virginian; Skip Notte, Dewberry Engineering; Kyle Laux, Davenport & Company LLC; Mr. and Mrs. Gargus, 201 Fairway Drive, Louisa; Mr. and Mrs. Riordan, 203 Fairway Drive, Louisa; Mrs. Judith Kavanagh, 225 Fairway Drive, Louisa

Absent: None.

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 Kersey gave the invocation.

Mayor Artz stated that Council would be going into closed session to hold an interview for a position on the Town of Louisa Planning Commission.

Mr. Maupin stated that the Council would need to go into Executive Session pursuant to section 2.2-3711 A1: to discuss one matter of Appointment of a Public Official.

Council Member Clarke moved to go into Executive Session pursuant to section 2.2-3711 A1: to discuss one matter of Appointment of a Public Official. Council Member Stone seconded the motion. The vote went as follows: 5-0 in favor.

Council entered Executive Session at 7:06 p.m.

Council Member Stone moved to return to open session. Council Member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Council returned to Open Session at 7:15 p.m.

Council Member Clarke made the motion to certify that the only item discussed in closed session was pursuant to section 2.2-3711 A1: to discuss one matter of Appointment of a Public Official, and that no action was taken during closed session. Council Member Stone seconded the motion. The vote went as follows: 5-0 in favor.

BUSINESS FROM THE FLOOR

Mr. Bill Small, Vice-Chair of the Louisa County Clean Community Commission, stood and recognized the Town of Louisa, and specifically the Public Works Department, for their work in keeping the community clean. Mr. Small presented Mayor Artz with the award on behalf of the County of Louisa and the Board of Supervisors.

CONSENT AGENDA

Council Member Stone made a motion to approve the consent agenda. Council Member Gehle seconded the motion. The vote went as follows: Clarke, for; Gehle, for; Stone, for with the exception of the C.V.; Carter, for; Kersey, for.

PRESENTATION

Resolution thanking Mr. Keith Daugherty for his service on the Town of Louisa Planning Commission

Mayor Artz asked Mr. Daugherty to step forward to receive the framed Resolution for Service to the Planning Commission as he read the resolution aloud.

The resolution follows:

**A RESOLUTION THANKING
MR. KEITH DAUGHERTY
FOR HIS SERVICE ON THE TOWN OF LOUISA
PLANNING COMMISSION**

WHEREAS, Keith Daugherty has served the Town of Louisa as Member of the Planning Commission for over eighteen months and has done so with distinction; and

WHEREAS, during his time of service, Mr. Daugherty has represented the individual citizen's need, showed genuine concern for planning, development, and economic growth in our community, and represented the Town in an outstanding manner; and,

WHEREAS, Mr. Daugherty frequently has gone beyond his assigned duties in serving the needs of the community; and,

WHEREAS, his presence will be missed by citizens, fellow planning commission members, and the Town Council;

BE IT THEREFORE RESOLVED that the Council of the Town of Louisa, Virginia regrets Mr. Daugherty's departure, but wishes him all the best in the future; and,

BE IT FURTHER RESOLVED by the Council of the Town of Louisa, Virginia that this resolution is transmitted to Mr. Daugherty and that a copy be entered into the Minutes of Council as an acknowledgement of his hard work and dedication to the Town.

ADOPTED BY UNANIMOUS VOTE BY THE LOUISA TOWN COUNCIL ON MAY 15, 2007

TOWN OF LOUISA

By: _____
James S. Artz, Mayor

ATTEST:

Jessica M. Ellis, Clerk

PUBLIC HEARING

Wastewater Treatment Plant Expansion Design Process

Mr. Brian Marks introduced Mr. Skip Notte, of Dewberry, as the engineer we are working with on the expansion of the wastewater treatment plant. Mr. Marks then handed the public hearing over to Mr. Notte to conduct.

Mr. Notte began by informing those in attendance that the County of Louisa and the Town of Louisa made a joint decision to move forward with the expansion of the existing wastewater treatment plant, and that the public hearing this evening is to explain where we are in the design phase and to answer questions. Mr. Notte then took a few moments to explain what the expansion would entail and gave a time line as to what would happen when and gave a projected completion date of 2009.

Mayor Artz opened the Public Hearing at 7:27 p.m. asking if anyone present would like to speak in reference to the WWTP expansion.

Mr. Gargus, of 201 Fairway Drive, spoke of sewage and water rushing out of the manholes in his and his neighbors' backyards. Mr. Gargus then questioned whether the plans for the expansion would include a solution to the storm water runoff entering the lines causing the raw sewage to be pushed out of the manholes into people's yards.

Mr. Notte acknowledged that the sewage backup is a problem, but stated that he felt there could be several contributing factors as to why the backup is happening, and stated that the plans for the expansion does not include a solution to that particular problem.

Mr. Riordan, of 203 Fairway Drive, echoed Mr. Gargus's concerns and added that he has a young child at home that he feels is unsafe playing in their yard due to the presence and smell of raw sewage. Mr. Riordan stated that he was worried about his family getting sick.

Mr. Notte, again, noted the existing problem and referred him to Mr. Marks and Mr. Humphrey for further information as the public hearing was only addressing the WWTP expansion project.

Mr. Marks briefly stated that the Town is working on the problem, and then went on to read aloud two letters that he had received regarding the WWTP expansion. Mr. Marks noted that the first letter was from Joyce Beattie, of Fairway Drive, requesting that the Town do what is possible to reduce the noise that is emitted now from the WWTP, and to please take measures to keep the plant as quiet as possible in the future. Mr. Marks noted that the second letter was from Mr. Doug Jones, of Lockridge, stating that he was in support of the WWTP expansion.

Hearing no other responses, Mayor Artz closed the Public Hearing at 7:37 p.m.

Mayor Artz briefly spoke to those in attendance informing them that the Town is aware of the issues that they are experiencing and are currently working on them, but it may take some time before a solution is found.

OLD BUSINESS

Mr. Kyle Laux, of Davenport & Company LLC, stood before Council and presented a financial status update on the Town's General Fund & Utility Enterprise Fund. Mr. Laux handed out a presentation that he went over in detail.

(A copy of the presentation can be found following the minutes.)

PUBLIC HEARING

TOWN OF LOUISA PROPOSED FY 2008 BUDGET

Mr. Marks reported that the FY 2008 Budget was advertised for two consecutive weeks in the Central Virginian as required, and was also posted here, at the Town Hall building.

Mr. Marks stated that the budget remains the same except for one modification in the General Fund which pertains to the T21 Route 33 Grant. Mr. Marks reported that on the last budget draft presented to Council he had projected that the Town would be a little further ahead on the Route 33 project than we currently are, and noted that more money would have been spent. However, realizing that we are not there as of yet, Mr. Marks stated that he pulled the projected funding back in to be carried over from FY 2007 to FY2008.

Mayor Artz opened the Public Hearing at 8:15 p.m. asking if there was anyone present that would like to speak for or against the proposed budget.

Mr. Marks noted that he had received a phone call from Bonnie Wilcox, of Greenville, North Carolina, requesting that money be added to the Cemetery Fund for the planting of a vegetative barrier between the adjacent trailer park and the western side of Hillcrest Cemetery. Mr. Marks stated that while physically there is enough room to plant the barrier at the cemetery, there is not enough room budget-wise to accommodate her request at this time.

Hearing no other response, Mayor Artz closed the Public Hearing at 8:17 p.m.

Mr. Marks informed Council that it would be appropriate to adopt the FY 2008 Budget at the next Louisa Town Council meeting on Tuesday, June 19, 2007.

NEW BUSINESS

Resolution to Endorse Participation in a Regional Water Supply Plan & Application for a FY 2008 Water Supply Planning Grant

Mr. Marks and Mr. Notte introduced the resolution and application to Council explaining that the Virginia Department of Environmental Quality is requiring that municipalities have a long range water supply plan that predicts demands and where you are expecting to find the sources to support those demands. Mr. Notte went further to explain

that the resolution is a tiered submission plan starting in 2008, 2009, 2010, and jointly in 2011 which will provide grant funding which would be available on a year to year basis. Mr. Notte noted that the Town would be jointly submitting the resolution and application with the County of Louisa, and the Town of Mineral, and stated that he did not want to speak for the County, but understood that they wanted to get an early start on the plan. Mr. Marks also made it clear that there are no costs involved with the process.

Council Member Stone moved to adopt the Resolution to Endorse Participation in a Regional Water Supply Plan and Application for a FY 2008 Water Supply Planning Grant. Council Member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

A copy of the Resolution follows:

**A Resolution Regarding Regional Water Supply Planning
&
Application for a FY08 Water Supply Planning Grant**

Town of Louisa 2007 - 002

Whereas the Virginia General Assembly has mandated the development of local and regional water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process; and

Whereas, based upon these regulations, the Town of Louisa is required to complete a water supply plan that fulfills the regulations by deadlines based on population, specifically:

November 2, 2008 for local governments with populations in excess of 35,000
November 2, 2009 for local governments with populations between 15,001 and 35,000

November 2, 2010 for local governments with populations 15,000 or less

Whereas, the Louisa County Board of Supervisors approved by **Resolution RES06.151** on October 16, 2006 to contract with an engineering firm for the creation of a long range water supply plan; and

Whereas, local governments may elect to join one or more other local governments to develop a regional water supply plan for which a deadline of November 2, 2011 has been established.

Whereas, the following elements must be included in all local or regional water supply programs:

- A description of existing water sources in accordance with 9 VAC 25-780-70;
- A description of existing water use in accordance with the requirements of 9 VAC 25-780-80;
- A description of existing water resource conditions in accordance with the requirements of 9 VAC 25-780-90;
- An assessment of projected water demand in accordance with the requirements of 9 VAC 25-780-100;

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- A description of water management actions in accordance with the requirements of 9 VAC 25-780-110 and 9 VAC 780-120;
- A statement of need in accordance with the requirements of 9 VAC 25-780-130;
- An alternatives analysis that identifies potential alternatives to address projected deficits in water supplies in accordance with the requirements of 9 VAC 25-780-130;
- A map or maps identifying important elements of the program that may include existing environmental resources, existing water sources, significant existing water uses, and proposed new sources;
- A copy of the adopted program documents including any local plans or ordinances or amendments that incorporate the local program elements required by this chapter;
- A resolution approving the plan from each local government that is party to the plan; and
- A record of the local public hearing, a copy of all written comments and the submitter's response to all written comments received, and

Whereas, it is reasonable and prudent to for local governments to coordinate and collaborate in the development of a regional water supply plan; and

Whereas, the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans; and

Whereas, regional water supply planning is a sensible approach to developing a water supply plan since watershed boundaries do not follow political boundaries and since there will likely be cost savings to all jurisdictions participating; and

Whereas, for purposes of this DEQ water supply grant fund program, the Town of Louisa will participate within a water supply region consisting of the localities of the Louisa County, the Town of Mineral, and the Louisa County Water Authority; and

NOW, THEREFORE BE IT RESOLVED, on this 15th day of May that the Town of Louisa agrees to participate with Louisa County, the Town of Mineral, and the Louisa County Water Authority in the development of a regional water supply plan that will comply with mandated regulations; and

BE IT FURTHER RESOLVED that the Louisa County Administrator is authorized to develop an application for water supply planning grant funds to offset to the extent feasible the cost of developing said regional water supply plan; and

BE IT FURTHER RESOLVED that the Louisa County Administrator is authorized to sign the DEQ grant contract and other appropriate documents related to the source water planning grant and the regional source water supply plan, and

BE IT FURTHER RESOLVED that Louisa County intends to provide up to \$67,000 in matching funds (cash and/or in-kind) for the project for work performed within the organization to meet the requirements of the regional water supply planning effort, and

BE IT FURTHER RESOLVED that Louisa County will participate financially for the costs of the regional water supply plan that is not covered by the DEQ grant in an amount not to exceed \$117,000, as previously approved by **Resolution RES06.151** on October 16, 2006, and

BE IT FINALLY RESOLVED that the State Water Control Board and the Department of Environmental Quality should consider this resolution from each of the participating localities their Letters of Intent to participate in a regional water supply plan with a completion due date of November 2, 2011, in accordance with 9 VAC 25-780-50.B.4.

A Copy, Teste:

Jessica Ellis
Town Clerk
Town of Louisa, Virginia

Present

James S. Artz
Mary Jane Clarke
Pamela H. Stone
A. Daniel Carter
Warren Gehle

Vote

Presiding
For
For
For
For

Joint Resolution between the Town of Louisa and Town of Mineral Regarding Transportation

Mr. Marks informed Council that the resolution was a result of the joint meeting between the Town of Louisa and the Town of Mineral when the two town sat down together to discuss transportation. Mr. Marks stated that he and Mr. Harper, Town Manager for the Town of Mineral, worked on the resolution together and that the Town of Mineral voted on and passed the resolution the previous night.

Council Member Clarke moved to adopt the Joint Resolution. Council Member Carter seconded the motion. The vote went as follows: 5-0 in favor.

A copy of the Resolution follows:

**Joint Resolution
Town of Louisa and the Town of Mineral
Town Councils
Resolution 2007 - 001**

At a regular meeting of the Town Councils of the Town of Mineral and the Town of Louisa held on the May 14th and 15th respectively, the following resolution was adopted; the vote being recorded in the minutes of the meeting as shown below:

**A Resolution Regarding Public Safety &
Regional Traffic Management within Louisa County, the Town of Louisa, and the Town of Mineral**

Whereas, residential, commercial, and industrial growth is occurring in both towns, and along the Route 22/208 corridor, and

Whereas, the traffic pressures continue to increase within both towns and along the Route 22/208 corridor due to the increased growth causing congestion, accidents, and a lower quality of life for our residents, and

Whereas, the 208 connector has alleviated some but not all of the traffic congestion within the Town of Louisa limits, **now**

Therefore be it resolved, that the Louisa Town Council and the Mineral Town Council request the assistance of the Louisa County Board of Supervisors and the Virginia Department of Transportation to study, design, and construct a road system that alleviates the traffic issues within the towns and the Route 22/208 corridor, and

Be it further resolved, that the Louisa Town Council and the Mineral Town Council establish a joint committee dedicated to addressing and resolving this regional problem and task such committee to work with the Louisa County Board of Supervisors and Virginia Department of Transportation in the development of such road study and design processes.

A Copy, Teste:

Jessica Ellis
Town Clerk
Town of Louisa, Virginia

Ti-Lea Downing
Town Clerk
Town of Mineral, Virginia

Present
James S. Artz
Mary Jane Clarke
Matthew L. Kersey
Pamela H. Stone
A. Daniel Carter
Warren Gehle

Vote
Presiding

Present
Edwin Keller
Pam Harlowe
Brooks Besley
Roy McGehee
Roy Payne
Bernice Wilson-Kube
William Thomas

Vote
Presiding

Transportation & Sewer Sub-Committee Appointments

Mayor Artz asked Vice-Mayor Clarke and Council Member Gehle if they would serve on the Transportation and Sewer Sub-Committee. Both Vice-Mayor Clarke and Council Member Gehle accepted their appointment.

Planning Commission Appointment

Council Member Clarke moved to appoint Mrs. Judith Kavanagh to the Town of Louisa Planning Commission. Council Member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

Recognition

Council Member Stone stated that after hearing Kyle Laux, of Davenport, deliver the Town's Financial Status Update, she wanted to take a moment to commend the Town's staff for doing an outstanding job.

Mayor Artz and Council Member Carter echoed Mrs. Stone's remarks.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Mayor Artz asked if Chief Batten had anything further to add to his report. Chief Batten stated that there were no additional comments.

Mr. Maupin noted that Chief Batten had again mentioned the troublesome false alarm calls that the police department continues to receive in his monthly report. Mr. Maupin stated that he would look further into the matter to see what could be done to help alleviate some of those calls.

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. Maupin stated that he felt it would be appropriate for Council to adopt a motion authorizing Brad to consummate the agreement in return of the easements and memorandum agreement.

Council Member Kersey moved to approve giving Mr. Humphrey authorization to consummate the agreement in return of the easements and memorandum agreement. Council Member Stone seconded the motion. The vote went as follows: 5-0 in favor.

Litter Committee:

No report.

Streets & Sidewalks

No report.

Cemetery

No report.

REPORTS FROM STAFF

Counsel

Mr. Maupin stated that he has reviewed the on-call contracts for engineering services and has given Mr. Humphrey correspondence for his review. Mr. Maupin also noted that he will have the final draft of the Litter Control Ordinance to Mr. Marks in the next week or two.

Clerk

No report.

Treasurer

No report.

Manager

No report.

COMMUNICATIONS

Council Member Stone informed Council that the LDDC is planning a ribbon cutting ceremony on August 25, 2007 from 10:00 a.m. until 2:00 p.m. for the opening of the gallery.

Council Member Stone also noted that the LDDC won a first place trophy for the entry of their float in the Louisa County Heritage parade.

ADJOURNMENT

Council Member Carter moved to adjourn the May 15, 2007 meeting at 8:55 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, Kersey, Clarke, Stone, Carter.

NAYES: None.

ABSENT DURING VOTE: None.

ABSENT DURING MEETING: None.