

Town of Louisa Monthly Meeting November 27, 2018

Present: R. Garland Nuckols, Mayor; A. Daniel Carter, James S. Artz, Bud Dulaney, John J. Purcell IV, Council members; Jeff Gore, Legal Counsel; Tom Filer, Town Manager; Jessica M. Ellis, Clerk; Elizabeth T. Nelson, Treasurer; M. Brad Humphrey, Public Works Director; Ronnie Roberts, Chief of Police

Absent: Jessie Lassiter, Vice-Mayor

Also in Attendance: Deana Meredith, The Central Virginian; Aaron Hawkins, Robinson, Farmer & Cox; Randal Skeen, Lieutenant – Town of Louisa Police Department; Pam Baughman, Louisa County Water Authority; Matt Cole, Owner - Frostie's Rail Stop

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

Mayor Nuckles called the Louisa Town Council meeting to order at 6:00 p.m.

BUSINESS FROM THE FLOOR

Matt Cole, of Frostie's Rail Stop located at 301 W. Main Street, took a few moments to speak to Council regarding renovations he would like to do to the building, and requested a lease extension. Mr. Cole passed out a copy of his renovation plans which include indoor seating, and electrical updates, then asked if Council would consider extending his lease to be the same length of time as the lease the town holds with Dr. Andre for the property. Mr. Cole stated that he realized that he was not on the agenda tonight, but wanted to get his request out to Council to be considered at the December meeting as they would like to get started on the project as soon as possible.

1
2 After a brief discussion, Council member Dulaney stated that he felt it
3 would be best to allow time for legal counsel and staff review the
4 lease before making any decisions this evening. Council member Artz
5 and agreed with Mr. Dulaney. Mayor Nuckols then informed Mr. Cole
6 that his request would be added to the agenda for the December 18,
7 2018 meeting.

8
9 **CONSENT AGENDA**

10
11 Mr. Filer stated that our CPA, Aaron Hawkins with Robinson, Farmer
12 & Cox, is here tonight to give a presentation on the town's audit; and
13 pointed out that two items on the bill list (Focus Point & Lo. Co. Water
14 Authority) have already been paid, due to contractual agreements.

15
16 Council member Dulaney made the motion to approve the agenda as
17 amended. Council member Carter seconded the motion. The vote
18 went as follows: 4-0 in favor.

19
20 Mayor Nuckols took a moment to thank staff for the beautiful town
21 hall decorations and to thank Lieutenant Skeen for a job well done
22 with landscaping at the Police Department. Mayor Nuckols also
23 mentioned that the owner of Famm Flooring donated new carpeting
24 for the police department.

25
26 **PRESNTATION**

27
28 **Robinson, Farmer & Cox – Town of Louisa Audit**

29
30 Mr. Hawkins began his presentation by thanking staff for their
31 organization and preparedness when the field staff arrived to work on
32 the town's audit in September.

33
34 Mr. Hawkins then went through the audit highlighting areas of
35 interest. Aaron concluded his presentation by asking if Council had
36 any questions – to which Council had none at the time – and directed
37 them to feel free to reach out to him with any questions or concerns
38 once they have had time to review the audit more in depth.

1

2 **OLD BUSINESS**

3

4 **1) Discussion/Action: PD Rifle Purchase Expense**

5

6 Mr. Filer reported that the Police Department has held many
7 conversations about the purchase of rifles. Mr. Filer stated that they
8 have conducted quite a bit of research and updated policies as
9 directed by Council. Mr. Filer stated that the cost of the rifles the
10 department wishes to purchase is \$6,733.68 (total cost includes four
11 rifles with scope and accessories) which exceeds his expenditure
12 limit, therefore, Council would need to approve the purchase.

13

14 Council member Purcell questioned when the last incident occurred
15 where they felt they would need such rifles. Chief Roberts replied
16 that they could have used them in October when the shooting
17 incident happened at Tavern on the Rail. Council member Purcell
18 then questioned if the Sheriff's Department was also there, to which
19 the Chief replied that all three agencies were there: town, county, and
20 state. Mayor Nuckles added that an officer from the town arrived on
21 scene prior to any other agency.

22

23 Council member Artz made the motion to approve the rifle purchase
24 as requested at \$6,733.68. Council member Carter seconded the
25 motion. The vote went as follows: Dulaney, for; Artz, for; Purcell,
26 against; Carter, for (3-1 in favor).

27

28 **2) Discussion/Action: ECode 360 Workshop Planning**

29

30 Council member Dulaney reported that Council has until April 1, 2019
31 to have the first draft of the revised code completed and submitted
32 to ECode. Mr. Dulaney stated that being that he was the person
33 who suggested the code update, and since he is the chair of Legal
34 Matters Committee, he would serve as the lead member in
35 getting the updated code submitted. Mr. Dulaney noted that there
36 are approximately 138 decision points (as suggested by ECode to be
37 revised), and remarked that he felt all of Council and staff should be
38 involved in the review process and would like to hold a work shop to
39 get the process started. Mr. Dulaney suggested holding the first work

1 shop at 5:00 p.m. prior to the start of the next Council meeting on
2 Tuesday, December 18, 2018.
3
4

5 Council and staff agreed to hold the first work shop at 5:00 p.m. prior
6 to the start of the December 18, 2018 meeting.
7
8

3) Discussion/Action: USDA/RD Resolution

9
10 Mayor Nuckols stated that the resolution regarding the sewer relining
11 project in the packet needs Councils' authorization in order to move
12 forward.
13
14

15 Council member Purcell made the motion to approve the resolution.
16 Council member Artz seconded the motion. The vote went as
17 follows: 4-0 in favor.
18
19

NEW BUSINESS

1) Discussion/Action: Sewer Plant SCADA System Expense

20 Pam Baughman, General Manager of the Louisa County Water
21 Authority, stood and spoke to Council at length about the need for a
22 new SCADA system at the Waste Water Treatment Plant. Ms.
23 Baughman explained that the current system is antiquated and
24 failing. Pam went further to state that the request for the new system
25 was first presented to the County of Louisa, however, they agreed to
26 only pay 50%, as per the agreement between the Town of Louisa
27 and the Louisa County Water Authority, all costs associated with the
28 WWTP are to be split 50/50.
29
30

31 Mr. Filer then spoke regarding the cost to the town (\$125,000) and
32 payment options Council has at this point.
33
34

35 Ms. Baughman noted that the Water Authority does not want to cause
36 the town any undue hardship and is willing to work out a financial
37 agreement to pay for the necessary system. Ms. Baughman stated
38 that she would send over a copy of the presentation that she gave to
39

1
2 the County as well as a copy of the ownership agreement between
3 the Water Authority and the Town of Louisa.
4

5 Council member Dulaney questioned if staff and Legal Council has
6 had the opportunity to meet and discuss the agreement as requested
7 at the special meeting held in October. Mr. Filer replied that they had
8 not, but he and Mr. Gore would arrange a time to meet and
9 discuss the agreement.
10

11 Council member Dulaney then asked Ms. Baughman a few questions
12 (for clarification purposes) about the companies that the Water
13 Authority sought quotes from in regards to purchasing the new
14 system; and went on remark that the town was caught off guard by
15 this request as it is a large amount of money, [in combination with
16 fees involved to make improvements to the plant due to OSHA
17 violations] and expressed his concerns with the lack of
18 communication with the town whereas, the town is a joint owner of
19 the plant and should more informed and involved with decision
20 making.
21

22 Ms. Baughman stated that she agreed that more communication is
23 needed and should be worked on in the future.
24

25 Council member Purcell stated that he had concerns with how the
26 town would be able to pay for both the SCADA system as well as the
27 OSHA violations, and asked what the Water Authority is presently
28 doing in regards to the OSHA violations. Ms. Baughman responded
29 that they are currently working on design and funding requests, but
30 are hoping not to have to move forward with this project until after
31 the start of the next fiscal year (July 2019). Pam also noted that
32 she is looking for any grant funds available to assist with the
33 projects.
34

35 Council member Dulaney requested that the Town Manager, Town
36 Attorney, Director of Public Works, and the Water/Sewer Committee
37 meet to discuss the matter further and report back at the next
38 Council meeting.
39

1

2 **STANDING COMMITTEE REPORTS**

3

4 Police Department:

5

6 *(Please refer to the Police Department report.)*

7

8 Chief Roberts took a moment to give an update regarding the
9 upcoming parade on December 1, 2018 and highlighted key items
10 from his report.

11 Council member Dulaney thanked Mr. Gore for the work he did with
12 the Police Department on the weapons policy.

13 Council member Carter commented how nice the Police Department
14 grounds look. Chief Roberts thanked the Council for their support in
15 making it happen, and thanked Lieutenant Skeen for all his hard
16 work.

17 Lieutenant Skeen then thanked the Public Works Department for their
18 assistance in the project.

19

20 Police Committee:

21

22 No report.

23

24

25 Water & Sewer Department:

26

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

28

29 Mr. Humphrey highlighted areas of interest from his report and
30 requested Council's approval of the following:

31 1) Award the contract to the Thrasher Group for engineering and
32 design on the sidewalk project; and authorize staff and the Town
33 Attorney to finalize the contract and move forward.

34 Council member Carter made the motion to award the contract to
35 the Thrasher Group for engineering and design on the sidewalk

1
2 project; and authorize staff and the Town Attorney to finalize and
3 execute the contract per the recommendation of the Sidewalk
4 Committee. The vote went as follows: 4-0 in favor.

- 5
6 2) Approve a change order on an existing contract with Dewberry on
7 the sanitary sewer project in the amount of \$96,295.

8
9 Council member Purcell made the motion to approve a change
10 order on an existing contract with Dewberry to perform the design
11 work and develop bid documents for the forthcoming sanitary
12 sewer rehabilitation project not to exceed \$96,295. Council
13 member Artz seconded the motion. The vote as follows: 4-0 in
14 favor.

15
16 Litter Committee:

17
18 No report.

19
20 Streets & Sidewalks

21
22 No report.

23
24 Cemetery

25
26 No report.

27
28 **REPORTS FROM STAFF**

29
30 Counsel

31
32 Council member Dulaney questioned if there was any way we could
33 speed up the process to assist Mr. Cole with his renovations –
34 possibly by having the Town Manager and Legal Counsel meet to
35 discuss the matter further. Mr. Gore stated that there are legal
36 matters involving the lease extension that requires more attention and
37 should not be acted upon until he's had a chance to properly review
38 the document, and Council as a whole would then need to review it
39 and vote at the December meeting.

1
2 Clerk

3
4 No report.

5
6 Treasurer

7
8 No report.

9
10 Manager

- 11
12 • The sidewalk is scheduled to be installed tomorrow at the
13 Ellisville Drive crossing.
14 • Thirty-three building permits have been issued this year.
15 • Tom asked Council if they would like to light a tree on the town
16 hall campus for the holiday this year, as they did not do it last
17 year, and have recently heard from a few citizens requesting
18 the town go back to lighting a tree. After some discussion, the
19 general consensus was to light the tree adjacent to the town
20 hall building.

21
22 **COMMUNICATIONS**

23
24 Mayor Nuckols stated the lap tops were donated to the town for
25 Council's use at meetings, etc. and encouraged members to take
26 them home to get acquainted with the system if they'd like. Mayor
27 Nuckols added that they were not mandatory, however wanted to
28 make meetings easier by having documents more easily accessible.

29
30 **CLOSED SESSION**

31
32 At 7:08 p.m., Council Member Dulaney made the motion to convene
33 in closed session to discuss the following: as permitted by Virginia
34 Code § 2.2-3711(A)(1), a personnel matter involving a town
35 employee. Council member Purcell seconded the motion. The vote
36 went as follows: 4-0 in favor.

1

2 **REGULAR SESSION**

3

4 Council Member Artz made the motion to go back in to open session.
5 Council Member Purcell seconded the motion. The vote went as
6 follows: 4-0 in favor.

7

8 Council returned to regular session at 7:43 p.m.

9

10 **CERTIFICATION OF CLOSED SESSION**

11

12 *Council member Artz made the motion certifying that, in the closed
13 session just concluded, nothing was discussed except the matter or
14 matters (1) specifically identified in the motion to convene in closed
15 session and (2) lawfully permitted to be discussed under the
16 provisions of the Virginia Freedom of Information act cited in that
17 motion. Council member Purcell seconded the motion. The vote
18 went as follows: Carter, for; Purcell, for; Artz, for; Dulaney, for (4-0 in
19 favor).*

20

21 **ACTION:**

22

23 Council did not take any action following closed session.

24

25 **ADJOURNMENT**

26

27 Council member Dulaney made the motion to recess the meeting to 5
28 p.m. on Tuesday, December 18, 2018.

29

30 _____
31 Mayor

32

33 _____
34 Clerk

Louisa Town Council

November 27, 2018

Page 10 of 9

1

2

3