

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

**Town of Louisa  
Monthly Meeting  
November 27, 2018**

14  
15

**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

16  
17

**Absent:** Jessie Lassiter, Vice-Mayor

18  
19  
20  
21

**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

22  
23  
24

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

25  
26  
27

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

28  
29

**BUSINESS FROM THE FLOOR**

30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

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 **PRESENTATION**

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.  
39

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

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

17  
18 **NEW BUSINESS**

19  
20 **1) Discussion/Action: Sewer Plant SCADA System Expense**

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

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

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

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

19  
20      Lieutenant Skeen then thanked the Public Works Department for their  
21      assistance in the project.

22  
23      Police Committee:

24  
25      No report.

26  
27      Water & Sewer Department:

28  
29      *(Please refer to the Water & Sewer Department report.)*

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

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

37  
38      Council member Carter made the motion to award the contract to  
39      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  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38

Clerk

No report.

Treasurer

No report.

Manager

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

**COMMUNICATIONS**

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

**CLOSED SESSION**

At 7:08 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 a town employee. Council member Purcell seconded the motion. The vote went as follows: 4-0 in favor.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

**REGULAR SESSION**

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

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

**CERTIFICATION OF CLOSED SESSION**

*Council member Artz 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 Purcell seconded the motion. The vote went as follows: Carter, for; Purcell, for; Artz, for; Dulaney, for (4-0 in favor).*

**ACTION:**

Council did not take any action following closed session.

**ADJOURNMENT**

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

- 1
- 2
- 3