

**Town of Louisa
Monthly Meeting
September 15, 2009**

Present: James S. Artz, Mayor; Mary Jane Clarke, Vice-Mayor; Warren D. Gehle, Matthew L. Kersey, A. Daniel Carter, H. I. Dulaney, Council Members; 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: The Central Virginian; Sergeant Mark McGehee, Town of Louisa Police Department

Absent: None.

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

Mayor Artz called the meeting to order at 7:03 p.m.

Council Member Kersey gave the invocation.

BUSINESS FROM THE FLOOR

None.

CONSENT AGENDA

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

OLD BUSINESS

Consideration of a request from Loch Lane Apartments, LLC to alter the alignment of the unimproved portion of Carter Street

Mr. Marks updated Council briefly stating that a public hearing was held last month regarding the alignment, and added that there was no one present to speak for or against the request. Mr. Marks stated that the request was tabled by Council for further review by Mrs. Carolyn Perry, an attorney who was chosen by Mr. Marks and authorized by Council to fill the vacancy following Mr. Maupin's passing. Mr. Marks informed Council that Mrs. Perry changed the document slightly to further protect the town. Mr. Marks stated that Mrs. Perry sent a copy of the document to Mr. Craig's office on Thursday, September 10, 2009 and has not received a response back. Mr. Maupin informed Council that Mrs. Perry suggested doing one of two things: table the issue until we have a final agreement in place; or authorize the Town Manager to execute the document in its present form understanding that there might be minor clarifications or stylistic changes.

Council member Carter made the motion to authorize the Town Manager to execute the document. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Acceptance of a USDA RD Grant to Partially Fund 2 Police Vehicles

Mr. Marks updated Council informing them that earlier in the summer he had applied for a grant from Rural Development for new police vehicles. Mr. Marks stated that on August 17, 2009 the grant was approved. The approved grant would have a 60/40 split with Rural Development paying 60% for two new vehicles (in the amount of \$28,600) and the Town of Louisa paying the remaining 40% (in the amount of \$23,400).

Mr. Marks informed Council that he traveled to Harrisonburg last week to speak with Jim Allen to find out what was needed from the town. Mr. Marks added that he included in the packet the necessary Resolution of Governing Body, the letter of conditions from USDA RD, and a memo regarding a proposed budget modification. Mr. Marks stated that Council would need to adopt the resolution; he would need authorization to complete the Form RD 1942-46, Letter of intent to Meet Conditions; and authorize a budget modification in order to receive the grant.

Council member Kersey made the motion to adopt the resolution, and to authorize the Town Manager to proceed with the budget modification. Council member Dulaney seconded the motion. The vote went as follows: Carter, for; Gehle, for; Dulaney, for; Kersey, for; Clarke, for.

NEW BUSINESS

Proclamation of Constitution Week: September 17 through September 23, 2009

Council member Clarke stated that she presented the request to Mr. Marks after a member of DAR contacted her about declaring September 17th through September 23rd Constitution Week in honor of the 220th anniversary of the drafting of the Constitution of the United States.

Council member Carter made the motion to declare the week of September 17th through September 23rd Constitution Week. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Chief Batten requested that all new police cars be ordered or purchased in a light silver color in hopes to solve the paint chipping problem they are currently experiencing with the white police cruisers.

Council member Clarke made the motion to approve the ordering/purchasing of new police cars in a light silver color. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

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. Humphrey then requested that Council set a tentative date for the ribbon cutting for the completion of the sidewalk project on Route 33. Council collectively decided to set the ribbon cutting for Friday, October 9, 2009 at 1:00 p.m.

Mr. Humphrey also informed Council that the office will be receiving a notice of violation for exceeding the maximum contaminant level for halo acidic acids. As a result, the town will be required to distribute letters to all water customers notifying them of the violation and what will be done to remedy the situation.

Litter Committee:

No report.

Streets & Sidewalks Committee:

No report.

Cemetery Committee:

Mr. Marks reported that the columbarium project came in over two times the budgeted amount. Mr. Marks stated that the Cemetery Committee and Columbarium Planners Inc. met to redesign the plans and work on reducing the cost. The Cemetery Committee is expecting to receive a new estimate for Phase 1.

REPORTS FROM STAFF

Counsel

No report.

Clerk

No report.

Treasurer

No report.

Manager

Mr. Marks reported the following:

- Two Council members will be attending the VML Conference.
- The October Council meeting will be held on Tuesday, October 20th as planned.
- Mr. Marks has been working with our bond counsel to get the WWTP loan closed by December 1st.
- The County of Louisa, and the Town of Louisa has collectively chosen JLW Associates for the WWTP expansion project. Rural Development has to approve our recommendation and then allow us to enter the contract.
- A thank-you letter was received from Companion Animal Rescue Effort for the donation made in honor of Ron Maupin.

- State budget reductions have affected the town again. There has been a reduction in 599 Law Enforcement funds.
- Kettrina Merkel, Jessica Ellis, and Donna Pinter received special achievement awards and lunch on the town for their hard work. Kettrina Merkel and Tim Bevins received Length of Service Awards and Peebles gift cards.
- Mr. Marks stated that 2 CDs were coming due on October 3, 2009. Mr. Marks requested that Council give the Treasurer and himself authorization to reinvest the CDs. Council member Clarke made the motion to authorize the Town Manager and the Treasurer to reinvest the CDs. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.
- A ribbon cutting for the book mobile will be held here at Town Hall on Friday, October 2, 2009 at 12:00 noon.
- Mr. Marks reported that Council would need to go into executive session to discuss a probable litigation matter.

CLOSED SESSION

Council Member Kersey made the motion to go into Closed Session to discuss a Probable Litigation Matter under section 2.2-3711 A7. Council Member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 7:45 p.m.

REGULAR SESSION

Council Member Clarke made the motion to go back in to Regular Session. Council Member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

Council returned to regular session at 7:56 p.m.

CERTIFICATION OF CLOSED SESSION

Council Member Kersey made the motion to certify the closed session. Council Member Gehle seconded the motion. The vote

went as follows: 5-0 in favor.

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, Dulaney, Kersey

NAYES: None.

ABSENT DURING VOTE: None.

ABSENT DURING MEETING: None.

COMMUNICATIONS

None.

ADJOURNMENT

Council Member Carter moved to adjourn the September 15, 2009 meeting at 7:58 p.m.

Mayor

Clerk

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VOTE

AYES: Gehle, Kersey, Clarke, Stone.

NAYES: None.

ABSENT DURING VOTE: Carter.

ABSENT DURING MEETING: Carter.