

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

**Town of Louisa
Monthly Meeting
June 18, 2019**

13
14
15
16
17
18
19
20

Present: R. Garland Nuckols, Mayor; Jessie Lassiter, Vice-Mayor; A. Daniel Carter, James S. Artz, Bud Dulaney, John J. Purcell IV, Council members; Jeff Gore, Legal Counsel; Elizabeth T. Nelson, Treasurer/Acting Town Manager; Jessica M. Ellis, Clerk; LT Randal Skeen/Acting Chief of Police

21
22
23

Absent: M. Brad Humphrey, Project Manager

24
25
26
27

Also in Attendance: David Holtzman, The Central Virginian

28
29
30
31
32
33

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

34
35
36
37

Mayor Nuckols called the Louisa Town Council meeting to order at 6:03 p.m.

38
39
40

BUSINESS FROM THE FLOOR

None.

CONSENT AGENDA

Council member Artz made the motion to approve the agenda as presented. Council member Purcell seconded the motion. The vote went as follows: 5-0 in favor.

PUBLIC HEARING

Fiscal Year 2019-2020 Water and Sewer Rate Ordinance

Mrs. Nelson, interim Town Manager, spoke briefly informing Council that the public hearing was scheduled as advised by our auditors and

1
2 legal counsel.

3
4 Mayor Nuckols then opened the public hearing at 6:06 pm asking if
5 there was anyone present that would like to speak for or against the
6 FY 2019-2020 Water and Sewer Rate Ordinance. Hearing no
7 response, Mayor Nuckols closed the public hearing at 6:07 pm.

8
9 **OLD BUSINESS**

10
11 **1) Discussion/Action: Code Project**

12
13 Council member Dulaney updated those in attendance on the
14 progress made with the Code Project. Mr. Dulaney stated that many
15 of the suggested changes made by General Code have been
16 addressed, but noted there are still parts of the code that need
17 attention in the future. He concluded stating that he will be turning
18 the revisions in shortly, in order to meet the July 1st deadline, and
19 should hopefully hear back from General Code this summer with
20 feedback and a recommended ordinance to enact those changes.

21
22 **2) Discussion/Action: 2019-2020 Budget Resolution**

23
24 Council member Purcell made the motion to adopt the 2019-2020
25 Budget Resolution as presented. Council member Lassiter seconded
26 the motion. The vote went as follows: 5-0 in favor.

27
28 **3) Discussion/Action: 2019-2020 Water and Sewer Rate
29 Ordinance**

30
31 Council member Carter made the motion to adopt the FY 2019-2020
32 Water and Sewer Rate Ordinance as presented. Council member
33 Purcell seconded the motion. The vote went as follows: 5-0 in favor.

34
35 **4) Discussion/Action: Parking Ordinance**

36
37 Mrs. Nelson reported that the Police Committee, with the assistance
38 of staff and legal counsel, has been working on the Parking
39

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

Ordinance for quite some time. Mrs. Nelson stated that Mr. Gore had recommended to repeal due to the number of changes to the ordinance. Mrs. Nelson noted that there were a couple of other items that Mr. Dulaney would like to address before Council takes action.

Council member Dulaney stated that section 154-19 was a replication of another section of the code; and section 154-58 addresses a courtesy box on Main Street that does not exist to which Mr. Dulaney requested it be changed to Town Hall (as there is a courtesy box on our campus).

Mr. Gore then spoke explaining that it would be cleaner to repeal and replace certain provisions due to the number of changes to articles within certain sections of the code than to replace the entire ordinance.

Council member Dulaney then made a motion to adopt the Parking Ordinance with the amendments made as discussed and suggested by legal counsel. Council member Artz seconded the motion. The vote went as follows: 5-0 in favor.

5) Discussion/Action: Tree Removal on Sewer Easement - Pine Hurst Drive

A discussion was held between Council, legal counsel, and staff regarding a deed of easement (sewer) on Pinehurst Drive. Mayor Nuckols and staff reported that they are not in possession of a deed for that easement and have not been to the courthouse to research it. Mr. Gore advised that research needed to be conducted to find out if there is an actual deed of easement and stated that this matter, and other easement issues, could be handled during the upcoming water/sewer project, but that for the time being he could draft an agreement for the landowner to sign giving the town authorization to access her property to remove the fallen tree.

Council and staff continued the discussion addressing what to do with the wood once removed from the property. Council member Purcell volunteered to work with the Town Manager and staff to coordinate

1
2 the removal and placement of the wood.

3
4 Mr. Gore stated that, at this time, Council would only need to direct
5 staff to have the tree removed.

6
7 Council member Dulaney then made the motion to direct staff to
8 remove the tree as advised by legal counsel. Council member
9 Lassiter seconded the motion. The vote went as follows: 5-0 in favor.

10
11 Mayor Nuckols also made mention of a dead/dying tree in Hillcrest
12 cemetery that needs to be removed in the near future to avoid
13 damage to stones etc. Mayor Nuckols stated that he would like to
14 have staff (Mrs. Nelson) look into what it would cost to have the tree
15 removed. No formal action was taken by Council.

16
17 **NEW BUSINESS**

18
19 **1) Discussion/Action: 2019-2020 Committee Appointments**

20
21 Mayor Nuckols stated that he included the 2019-2020 Committee
22 Appointments in the packet for Council's review. No action was taken
23 as the Mayor appoints members of Council to committees at his
24 discretion, however, he did note that if members of Council wished to
25 make changes, to please contact him.

26
27 **2) Discussion/Action: Certificate of Deposit Maturity June 30,**
28 **2019**

29
30 Council member Dulaney made the motion to approve the CD
31 reinvestment with Essex Bank at 2.25% for 13 months as
32 recommended by Mrs. Nelson. Council member Lassiter seconded
33 the motion. The vote went as follows: Dulaney, for; Lassiter, for;
34 Carter, abstain; Artz, for; Purcell, for.

35
36 **3) Discussion/Action: Louisa Fireman's July 4th Parade and**
37 **Fireworks Permit**

38
39 Mrs. Nelson reported that there were two permits included in the

1
2 packet - one for the parade on the 4th; and the other for fireworks on
3 the 5th. Mrs. Nelson and Randal Skeen, Interim Chief of Police,
4 briefly reviewed the parade route and spoke more in depth about
5 marking off the streets to vehicular traffic so as to make the event
6 safer and more enjoyable. Mr. Skeen stated that he felt it was best
7 practice not to allow any vehicles to park along the parade route. He
8 went on to say that it would only affect the businesses in that area for
9 about two hours and suggested visiting with them in advance to
10 notify them of the changes this year.

11
12 Mayor Nuckols echoed Mr. Skeen in stating that the affected
13 businesses would be contacted in advance.

14
15 Mrs. Nelson added that Mr. Humphrey would be assisting Mr.
16 Skeen with the following: posting the appropriate signage on the
17 street in advance of the parade; and notifying business owners of the
18 changes this year. Mrs. Nelson informed Council that we would also
19 advertise the change in the newspaper.

20
21 Council member Dulaney reiterated that the parking changes would
22 ensure a safer event for all; and also questioned if the Mayor
23 would still be planning to assist with notifying businesses as he stated
24 during the parade discussion at the Police Committee meeting.
25 Mayor Nuckols stated that he would be available to help.

26
27 Council member Purcell then made the motion to approve both the
28 July 4th parade permit as well as the July 5th fireworks permit.
29 Council member Artz seconded the motion. The vote went as
30 follows: 5-0 in favor.

31
32 **4) Discussion/Action: USDA RD Loan/Grant Resolution**

33
34 Mrs. Nelson reported that while the town has budgeted for the
35 funding from this loan/grant in the upcoming 2019-2020 fiscal year,
36 we are a little late in getting the resolution in and we are not
37 guaranteed to receive the funds. However, adopting the resolution
38 will allow USDA RD to pursue the funding for the loan/grant for the
39 police vehicle and public works department vehicle, and if we do not

1
2 receive any funding, the town would not be out anything.

3
4 Council member Lassiter then made the motion to adopt the USDA
5 RD Loan/Grant Resolution. Council member Carter seconded the
6 motion. The vote went as follows: 5-0 in favor.

7
8 **5) Discussion/Action: July 5th Holiday**

9
10 Mrs. Nelson stated that the State of Virginia and County of Louisa
11 have declared Friday, July 5th, 2019 as a holiday and given their staff
12 the day off. Mrs. Nelson remarked that she wanted to make Council
13 aware of the change and questioned if Council would care to take any
14 action.

15
16 Council member Carter made the motion to declare Friday, July 5th
17 2019 as a holiday for town staff. Council member Dulaney seconded
18 the motion and commented that it has been a very complicated year
19 for the town and felt that it was very appropriate to recognize all the
20 work that the staff has accomplished and thanked those in
21 attendance. The vote went as follows: 5-0 in favor.

22
23 **6) Discussion/Action: Oakland Cemetery Stone Maintenance**

24
25 Mayor Nuckols reported that he has been working with the
26 Funeral Director at Woodward Funeral Home and has met with a
27 few other businesses and organizations who are willing to assist
28 us in restoring stones, etc. in Oakland Cemetery. He stated that
29 he is continuing to work on assembling a crew and also trying to
30 work out funding for some of the jobs that will require special tools,
31 equipment, etc. Mr. Nuckols also noted that there have been a few
32 private citizens who have expressed interest in making a monetary
33 donation to assist with the renovation. He stated that he would report
34 back with more information on the project at a later date as there
35 was no action to take at this time.

36
37 **STANDING COMMITTEE REPORTS**

38
39 Police Department:

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

(Please refer to the Police Department report.)

Lieutenant Skeen, Interim Chief of Police reviewed the police report that was included in the packet, but had nothing additional to report to Council.

Police Committee:

Council member Dulaney reported that the Police Committee met on May 31st and June 17th to review and discuss ongoing projects/programs (i.e. police cameras; and report improvements).

Water & Sewer Department:

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

Mr. Humphrey was not present for the meeting, therefore, Mrs. Nelson spoke briefly in his place asking if there were any questions from his report – to which there were none.

Litter Committee:

No report.

Streets & Sidewalks

Council member Purcell reported that he had nothing new to report at this time.

Mrs. Nelson reported that there was a Water & Sewer Committee meeting yesterday, June 17, 2019 to review year end issues and any ongoing projects.

Cemetery

No report.

REPORTS FROM STAFF

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

Legal Counsel

Mr. Gore reported that he and Brad have been working together and with the engineers to map the sewer relining project and indicate where the town has clear easements to access and improve the system. Mr. Gore stated that there are some missing links as the town is not in possession of a few deed of easements and have been asked by USDA to straighten out the situation by obtaining easements in order to move forward. Mr. Gore stated that the situation is odd in that all the work is being done underground, but the easements are required so they will be working with citizens in the near future to obtain them.

Clerk

No report.

Treasurer

No report.

Manager

No report.

COMMUNICATIONS

None.

CLOSED SESSION

Council Member Lassiter made the motion to convene in closed session to discuss the following: as permitted by Virginia Code § 2.2-3711(A)(1), to discuss a personnel matter involving specific employees. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 6:42 p.m.

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 returned to regular session at 7:37 p.m.

CERTIFICATION OF CLOSED SESSION

Council member Purcell 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 Lassiter seconded the motion. The vote went as follows: Carter, for; Artz, for; Purcell, for; Lassiter, for; Dulaney, for (5-0 in favor).

ACTION:

The following action took place after closed session:

Council member Dulaney made the motion to appoint Liz Nelson as the full time Town Manager at the current pay scale that was provided to her at the time she was appointed as the Interim Town Manager, effective immediately. Council member Carter seconded the motion. The motion went as follows: 5-0 in favor.

Council member Lassiter made the motion to appoint Randal Skeen as the full time Chief of Police at the current pay scale provided to him as Interim Chief of Police. Council member Purcell seconded the motion. The motion went as follows: 5-0 in favor.

Council member Dulaney made the motion to appoint our current Town Clerk, Jessica Ellis, to the positions of full time Town Clerk and Town Treasurer effective immediately at a pay scale as proposed by the Town Manager. Council member Carter seconded the motion. The motion went as follows: 5-0 in favor.

Council member Carter made the motion to appoint Liz Nelson as

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

the FOIA Officer for the town. Council member Dulaney seconded the motion. The motion went as follows: 5-0 in favor.

Council member Lassiter made the motion to appoint Brad Humphrey as the Zoning Administrator for the town. Council member Dulaney seconded the motion. The motion went as follows: 5-0 in favor.

Council and staff then held a discussion on the need for additional help in the office in the form of a full time position, and the reclassification of Police Department positions. Council member Dulaney clarified with legal counsel that the Town Manager and Chief of Police would handle those tasks.

Mayor Nuckols requested that Mrs. Nelson draft a letter to the County of Louisa informing them that he would be the liaison from the town on their Planning Commission.

ADJOURNMENT

Council member Artz made the motion to adjourn the meeting at 7:48 p.m. Council member Lassiter seconded the motion.

Mayor

Clerk