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**Town of Louisa
Monthly Meeting
December 17, 2019**

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, Town Manager; Jessica M. Ellis, Clerk/Treasurer; M. Brad Humphrey, Project Manager; Tom Leary, Interim Chief of Police

Absent: None

Also in Attendance: David Holtzman, The Central Virginian; Ashland Fortune, Sheriff of the Louisa County Police Department

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

Mayor Nuckols called the Louisa Town Council meeting to order at 6:09 p.m.

Council member Lassiter arrived at 6:40 pm.

BUSINESS FROM THE FLOOR

None.

CONSENT AGENDA

Mrs. Nelson made note of the supplemental packet, mentioning that the fall protection was included with the WWTP statement this month and appears on the bill list.

Council member Artz made the motion to approve the agenda as amended. Council member Carter seconded the motion. The vote went as follows: 4-0 in favor.

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OLD BUSINESS

1) Discussion/Action: Oakland Cemetery Tree Maintenance

Mrs. Nelson reported that she obtained a quote as directed last month to repair the holly tree and included it in the Council packet for review and consideration.

Council member Artz made the motion to approve appropriating funds from perpetual care reserves for Oakland Cemetery to have Mountain Road Tree Service work on the damaged holly tree. Council member Dulaney seconded the motion. The vote went as follows: 5-0 in favor.

NEW BUSINESS

1) Discussion/Action: Resolution - Recognizing Sheriff Ashland D. Fortune for Years of Service

Council member Dulaney made the motion to adopt the resolution. Council member Carter seconded the motion. The vote went as follows: 4-0 in favor.

Mayor Nuckols asked Sheriff Fortune to stand with him as Mrs. Nelson, Town Manager, read the resolution of service aloud. Mayor Nuckols then presented the resolution to him.

Sheriff Fortune took a few moments to speak of his service and thank the town for their support.

2) Discussion/Action: Maturing Certificate of Deposit

Council member Purcell made the motion to reinvest the CD with Essex Bank for six months at 1.60% APY. Council member Artz seconded the motion. The vote went as follows: Purcell, for; Carter, abstain; Dulaney, for; Artz, for.

3) Discussion/Action: Holiday Schedule

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2 Council member Dulaney made the motion to approve the 2020
3 Holiday Schedule and also award town staff a half day on December
4 31, 2019 per town policy. Council member Purcell seconded the
5 motion. The vote went as follows: 4-0 in favor.

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7 **4) Discussion/Action: Auxiliary Police Policy and Ordinance**

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9 Council member Dulaney reported that the Police Committee and
10 staff are still fine tuning the policy and ordinance and hope to have
11 them ready in the next couple of weeks for Council's consideration.

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13 **5) Discussion/Action: Resolution – Virginia Department of**
14 **Health Planning Grant Application**

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16 Mrs. Nelson reported that Council's approval is needed to apply
17 for a \$35,000 planning grant from the Virginia Department of
18 Health Office of Drinking Water. Mrs. Nelson stated that the funds
19 would assist with the development of construction plans for water
20 system projects as proposed by the Thrasher Group.

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22 Council member Artz made the motion to approve the resolution
23 for the VDH Planning Grant Application. Council member
24 Purcell seconded the motion. The vote goes as follows: 4-0 in favor.

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26 **STANDING COMMITTEE REPORTS**

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28 **Police Matters:**

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30 Council member Dulaney reported that the committee met on
31 December 16, 2019 and reviewed/discussed at length, the
32 recommendations made by Chief Leary.

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34 **Streets & Sidewalks:**

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36 No report.

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38 **Legal Matters:**

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Council member Dulaney made mention of the required Conflict of Interest and FOIA training. Mr. Dulaney reported that he had recently completed the Conflict of Interest training and stated that he found it to be fairly easy. He reminded Council of the December 31, 2019 deadline to take the course and added that Council has until July 1, 2020 to take the FOIA training course.

Mr. Gore stated that he would come to town hall and present the FOIA course to interested members, if desired.

Personnel:

No report.

Water and Sewer:

Council member Purcell and Mrs. Nelson reported that the committee met again with the Louisa County Water Authority and held discussions on upcoming CIPs and potential funding, and continued conversations from last month.

Cemeteries:

Council members reported that they had received compliments on how nice Oakland Cemetery is looking after many of the stones have been cleaned and reset.

Finance:

No report.

Refuse Collection, Recycling, and Litter Control:

No report.

REPORTS FROM STAFF

Police Chief:

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(Please refer to the Police Department report.)

Chief Leary took a few moments to brief Council. He noted he had now been with the town for three months, and has seen a lot of progress over the past several weeks. The Chief highlighted the following actions: staff is currently screening applications for the Administrative Assistant's position; officers are training at CSJA; Officer Tussing has now reached training instructor status with the CSJA; the evidence audit went well; staff is continuing to review and update policies; operationally, all officers are doing well; Officer Adams has resigned, and they are in the screening/hiring process to replace his position; and the first interview for the Sergeant's position was held today.

Project Manager:

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

Mr. Humphrey highlighted areas of interest from his report.

Legal Counsel:

No report.

Clerk/Treasurer:

No report.

Manager:

No report.

COMMUNICATIONS

Council member Lassiter arrived at 6:40 pm.

Mayor Nuckols led a brief discussion on Second Amendment rights, specifically speaking of actions that other local municipalities have

1
2 recently taken on the matter.

3
4 Mr. Gore then spoke, from a legal stand point, and stated that he
5 could bring something back, such as a template, for Council to review
6 and consider at the next meeting if they wished.

7
8 Council member Dulaney and Mayor Nuckols requested that Mr.
9 Gore work with the Town Manager on the matter and bring something
10 back for Council.

11
12 **CLOSED SESSION**

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14 Council Member Purcell made the motion to convene in closed
15 session to discuss the following: as permitted by Virginia Code § 2.2-
16 3711(A)(1), to discuss the Police Chief's contract. Council member
17 Lassiter seconded the motion. The vote went as follows: 5-0 in favor.

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19 Council went into closed session at 6:45 p.m.

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21 **REGULAR SESSION**

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23 Council returned to regular session at 7:07 p.m.

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25 **CERTIFICATION OF CLOSED SESSION**

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27 *Council member Artz made the motion certifying that, in the closed*
28 *session just concluded, nothing was discussed except the matter or*
29 *matters (1) specifically identified in the motion to convene in closed*
30 *session and (2) lawfully permitted to be discussed under the*
31 *provisions of the Virginia Freedom of Information act cited in that*
32 *motion. Council member Purcell seconded the motion. The vote*
33 *went as follows: Carter, for; Artz, for; Purcell, for; Lassiter, for;*
34 *Dulaney, for (5-0 in favor).*

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36 **ACTION:**

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38 The following action took place after closed session:
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Council member Dulaney made the motion to appoint Tom Leary to the Chief of Police position. Council member Lassiter seconded the motion. The vote went as follows: 5-0 in favor.

Council member Carter made the motion to accept the Chief's contract with changes as discussed. Council member Lassiter seconded the motion. The vote went as follows: 5-0 in favor.

ADJOURNMENT

Council member Lassiter made the motion to adjourn the meeting at 7:09 p.m. Council member Purcell seconded the motion.

Mayor

Clerk