

Town of Lovettsville

Town Council Minutes of the July 10, 2014 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:30 p.m. on July 10, 2014 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Council Members Present

- Mayor Robert Zoldos II
- Vice Mayor Michael Senate
- Council Member Kimberly Allar
- Council Member Tiffany Carder
- Council Member Rodney Gray
- Council Member Jennifer Jones
- Council Member James McIntyre

Staff Present

- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Treasurer Lance Gladstone
- Town Clerk Harriet West

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Presentations

There were none.

Comments from the Public

Mayor Zoldos called for comments from the public. Vice Mayor Senate read the rules for public comment.

Sarah Stinger, 11698 Ropp Lane, spoke about the Community Center project. She provided a packet of information that she received from Loudoun County regarding the Community Center project (Attachment 1). She said the most important thing for them to be aware of is that she and members of the Lovettsville Historical Society and Alumni Association met Supervisor Higgins and Chairman York and members of their staff today to discuss a proposal for the new building. She said that the actual design of the project began in December 2013, based on the documentation the County provided, so it is still in the early stages. It is a \$5.3 million project and the County has not spent much of the budget yet. She said Chairman York said very clearly that he has no concerns about reallocating funds for the project if there are changes in the design. Ms. Stinger noted that the Lovettsville Historical Society and Alumni Association are requesting that the original classrooms be incorporated in the new design. County officials said they would consider this, but their concern was that they would have to come back to the Town for approval. She encouraged the Mayor and Town Council to let the County know that the Town would not have a problem with incorporating the old classrooms in the design while it is still in the design phase. This would be a win-win for the community. She asked the Mayor and Council to read the information she provided.

Ed Spannaus, 32 E. Broad Way, expressed his concerns regarding a meeting the Town Manager held with the County staff and the County architectural firm in early 2012 involving plans for the Community Center. He said that it appears that the Town Manager did not report this meeting either to the Mayor or the Council at the time. The reason this is so important is that the possibility of demolishing the present Community Center was raised at that meeting. When many members of the community finally became aware of the demolition plan, particularly members of the Alumni Association who had attended school there, they became quite upset. As has been pointed out, the past six months controversy could have

been avoided if there had been adequate outreach and community input prior to the design options being developed by the County and the recommendation for demolition being made. From the document that Sarah Stinger obtained under the FOIA (Freedom of Information Act), they have now learned that the Town Manager participated in a meeting with representatives from the County's Construction and Waste Management Department and the architectural firm of Louviere, Stratton & Yokel on February 28, 2012. Mr. Stratton, who is a principal of the architectural firm, opened the meeting by stating that his firm intended to produce a conceptual study, including "an option that demolishing the existing building and replaces the structure with a new building". Mr. Spannaus said he has examined the Town Manager's monthly reports covering the period from February through July 2012, which includes a listing of the Town Manager's major activities and meetings he attended and there is no reference to the February 28 meeting. Mr. Spannaus said he also looked through the minutes of the Planning Commission and Town Council for that period and there is no indication that this meeting was reported to the Council or to the Planning Commission. He also consulted the former Mayor, who was in office until June 30, 2012 and she informed him that she does not recall being informed about this meeting or invited to it, although she regularly attended meetings of this sort with County officials in Leesburg. The importance of this is that she knew the Community Center had formerly been a school even if many newer residents are not aware of this fact. Mr. Spannaus said in his discussions with the Town Manager, Mr. Markel indicated he considered the meeting to be fairly routine and he didn't regard the matter as all that important. Mr. Spannaus said, as they have now seen, the issue of the demolition of the Community Center is quite important to many members of the community. Mr. Spannaus said he has always had a good relationship with the Town Manager but his apparent failure to report this meeting either to the Mayor or the Council is a serious matter that deserves their attention.

Mayor Zoldos called for additional comments from the public. There were none.

Community Presentations

A. Loudoun County Sheriff's Office

Deputy Sheriff LoPreto reported on several recent incidents involving a stolen bike and destruction of property. He gave an update on the burglary at the Community Center and noted that it is not related to the incident at Franklin Park or the proposed demolition of the Community Center. He said the amount of security and surveillance is lacking at some of these facilities, including Town Hall. He suggested that the Town invest \$500 in video surveillance equipment to keep Town Hall a little bit safer.

Deputy LoPreto distributed copies of the County code regarding community policing agreements (Attachment 2). He said the Sheriff's Office is responsible for enforcing County and State laws, not Town laws. He said the Town will need to come up with an option to enforce the Town Code. Deputy LoPreto said the Town could develop a Memorandum of Understanding between the Town and the Sheriff's Office for a specified period of time, such as five years. Deputy LoPreto noted that the agreement is subject to change if a new Sheriff is elected. The other two options are for the Town to establish its own police force or for someone from the Town, such as the Town Manager, to appear before the magistrate to swear out a summons or warrant, which the Sheriff's Office would enforce.

Town Attorney Whiting said the Town has endorsed the concept of a three-part agreement. She has been in correspondence periodically with one of the Deputy County Attorneys about this and will approach the Acting County Attorney to let him know this remains a matter of interest to the Town. The Town has already incorporated a number of County code chapters into the Town code, by reference, to facilitate enforcement under such an agreement. There are already agreements in place for the Town's highest priority needs such as animal control and the services of the fire marshal.

Mayor Zoldos said it is the Council's expectation that the Town move forward with having the Sheriff's Office provide enforcement for the Town. Mayor Zoldos asked if there was anything else needed from the Town to move this forward. Attorney Whiting said the next step is to get the umbrella agreement and add other Chapters of the County code that the Town would adopt by reference. Deputy Sheriff LoPreto said the Sheriff's Office will not be able to enforce the Town's laws until the agreement is in place. Deputy LoPreto then introduced Captain Greg Ahlemann, the new Western Loudoun Station Commander. Captain Ahlemann discussed the recent incidents at the Community Center and Franklin Park and the ongoing investigation and said that his office wants to be part of the community. The Mayor

and Council noted that speeding continues to be a problem, especially on Rt. 287, Loudoun Street, and Broad Way. Deputy LoPreto discussed enforcement efforts in Town. Captain Ahlemann said his station will be getting an additional community policing officer and an unmarked car later this summer. He noted that speeding is the number one complaint county-wide.

There were no other community reports.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

Manager Markel said the Planning Commission met last week on administrative issues.

B. Parks Committee

Vice Mayor Senate gave updates on the Town information sign and plans to mow a path at the Quarter Branch Park.

C. MayFest Committee

Councilwoman Carder said she posted pictures from MayFest on the website.

D. We're In Committee

Councilwoman Carder reported on the meeting held earlier today. Brunswick City Council Member Ellis Burruss spoke about Brunswick's annual business expo and how they would like to get Lovettsville businesses involved in the planning efforts. The Third Annual Brunswick Business Expo will be held in November at the Brunswick fire hall and will be capped at 60 vendors.

E. Oktoberfest Committee

Councilman McIntyre gave updates on logistics for Oktoberfest. He said they are making some big changes for Kinderfest including a new, larger location and additional activities. He discussed how the Town could work with other local groups to pool resources and help each other avoid duplication.

Additions/Deletions/Modifications to the Agenda

Mayor Zoldos called for changes to the agenda. Councilwoman Allar asked to add a discussion item for Town name tags or t-shirts. Mayor Zoldos added two items – summer Town staff/officials get together and economic development/events planner position.

Minutes

A. Town Council Special Meeting – April 3, 2014

Motion: I move to accept the minutes of April 3, 2014 as submitted.

By: Vice Mayor Senate

Second: Council Member Gray

Aye: Council Member Allar, Carder, Gray, McIntyre, and Senate

Nay: None

Abstain: Council Member Jones

Absent: None

Report from the Treasurer

Treasurer Gladstone presented the April 2014 Financial Report. There were no questions.

Motion: I move to accept the April 2014 Financial Report.

By: Council Member Allar

Second: Council Member Jones

Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate

Nay: None

Abstain: None

Absent: None

Staff Reports

A. Report from the Project Manager

Manager Markel gave updates on the relocation of utility poles on East Broad Way and obtaining the final easements for this project.

B. Report from the Zoning Administrator

Manager Markel reviewed the Zoning Administrator's report. He noted that staff has been in dialog back and forth with NVRetail on the Town Center commercial project. He is expecting the third draft of the revised proffers next week.

C. Report from the Town Attorney

There was no report.

D. Report from the Town Manager

Manager Markel gave updates on the proposed charter amendments, online access to the Town Code, in- house utility operations, interviews with the Planning Commission candidates, scheduling a workshop to discuss developing a policy on grease traps, and an upcoming meeting with Loudoun County and VDOT (Virginia Department of Transportation) to discuss traffic calming on S. Loudoun Street.

He thanked Melissa Hynes for her two years of service to Town as the Zoning Administrator and for the excitement and momentum she brought to the Town's economic development efforts through We're In.

Manager Markel said he would be happy to discuss the issues raised by Ed Spannaus earlier in the meeting.

Action/Discussion Items

A. Reappoint Planning Commission Member

Manager Markel presented this item. The Council is being asked to consider re-appointing Lorraine Bauer to the Lovettsville Planning Commission.

Motion: I move that the Lovettsville Town Council re-appoint Lorraine Bauer to the Lovettsville Planning Commission for a four year term to end on June 30, 2018.

By: Council Member Jones

Second: Council Member Carder

Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate

Nay: None

Abstain: None

Absent: None

B. Approve FY 2015 Town Council Meeting Calendar

Manager Markel presented this item. The Council is being asked to set the Town Council meeting calendar for FY 2015.

Motion: I move to approve the FY 2015 Lovettsville Town Council Meeting Calendar as presented (Attachment 3).

By: Vice Mayor Senate

Second: Council Member McIntyre

Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate

Nay: None

Abstain: None

Absent: None

C. Appoint Town Council Representative to E. Broad Way Inspector Selection Committee

Manager Markel presented this item. The Council is being asked to consider appointing a Town Council member to the East Broad Way Streetscape Inspector Selection Committee. The Town is currently soliciting proposals from qualified inspection firms to provide inspection and construction management oversight for the East Broad Way Streetscape project. Once proposals are received, the Town will set up interviews with the candidates. The Town Council representative will need to be available during weekdays for meetings at Town Hall. The committee's work should be complete by the end of August.

Councilman Gray said he is very interested in serving on the committee but asked if the interviews would be completed in one day or spread out over several days. Manager Markel said they would try to conduct the interviews on the same day.

Motion: I move to appoint Rodney Gray to serve on the selection committee for the East Broad Way Streetscape Inspector position.
By: Council Member McIntyre
Second: Council Member Carder
Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

D. Review and Approval of Rules of Procedures

Manager Markel presented this item. The Council is being asked to review and adopt the Mayor and Town Council Rules and Procedures. Manager Markel noted that the Rules and Procedures have been updated to include provisions allowing Council members to participate in official Council meetings from off-site locations based on legislation passed by the Virginia General Assembly during the past legislative session.

Motion: I move to adopt Ordinance 2014-07-0001 as attached to modify the existing Rules and Procedures for the Town Council (Attachment 4).
By: Vice Mayor Senate
Second: Council Member Jones
Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

E. Appoint Acting Zoning Administrator/Planner

Manager Markel presented this item. The Council is being asked to consider appointing an Acting Zoning Administrator during the search for a new full-time Zoning Administrator/Planner which is expected to take several months. Manager Markel said he invited Stephen McGregor, the Town's former Zoning Administrator /Planner to serve the Town in a temporary capacity. Mr. McGregor served as a consultant to the Town for six years and is very familiar with many of the Town's major planning projects. He was the lead staff support during the development of the 2011 Comprehensive Plan. Mr. McGregor will be in Lovettsville at least two days a week, for several hours each day. He will also serve as staff support for all Planning Commission meetings and for any Town Council meetings where planning or zoning issues are on the agenda.

Motion: I recommend that the Town Council appoint Stephen McGregor as Acting Zoning Administrator until a permanent replacement can be found to fill the vacancy.
By: Vice Mayor Senate
Second: Council Member Allar

The Mayor and Council discussed their reservations about this appointment but noted the need to provide additional staff support until the Zoning Administrator/Planner position is filled.

Councilmember Jones asked if the Town had discussed the possibility of getting Melissa Hynes to stay. Mayor Zoldos said she had already accepted a full-time position as the Zoning Administrator for a neighboring Town which offered a higher salary and a flexible schedule. He noted that her position with the Town was a hybrid position that included zoning/planning and economic development. Mayor Zoldos said he would love to see her stay but he did not think the Town could match the offer she had received. He suggested several times that the Council could go into closed session to discuss compensation packages.

The Mayor noted that they need to do something in the interim and Mr. McGregor is the best option. Hearing no further discussion, Mayor Zoldos called for the vote.

Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

F. Appoint Board of Zoning Appeals Member

Manager Markel presented this item. The Council is being asked to consider appointing Planning Commissioner Tony Quintana to the Board of Zoning Appeals. There is currently one vacancy on the Board of Zoning Appeals. The Zoning Ordinance allows a seated member of the Planning Commission to serve on the Board of Zoning Appeals. The Planning Commission discussed the appointment of a Planning Commissioner and nominated Tony Quintana to serve on the Board of Zoning Appeals.

Motion: I move that Town Council appoint Tony Quintana to the Board of Zoning Appeals.
By: Council Member Gray
Second: Council Member Jones
Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

G. Town Name Tags and T-Shirts

Councilmember Allar suggested purchasing name tags or T-shirts for Council Members and key staff to wear at Town events so they are easily recognizable in public. Following discussion, the Council agreed to have Councilman Allar work with staff to research this further.

H. Summer Town Staff/Officials Get Together

Mayor Zoldos discussed having a get together over the summer for Town officials, staff, and the We're In committee. Council agreed to have staff take care of making the arrangements

I. Economic Development/Events Planner

Mayor Zoldos said he and the Town Manager discussed the need for brining someone on board on a part-time basis to support the Town's economic development initiatives through the We're In committee since Melissa Hynes' departure. He said this is something the Town needs to consider over the next several months. Manager Marked discussed the difficulty of having one person handle planning/zoning and economic development and stressed the need for a part-time person to assist with supporting We're In and other Town events. Following further discussion, the Council agreed to have staff come back with recommendations for creating a part-time position including a job description and funding available.

J. VDOT Traffic Calming

Manager Markel said VDOT has requested consensus from the Town to begin the process for traffic calming on S. Loudoun Street. The Council discussed the need to address other high priority roads including Berlin Turnpike, Locust Street, and Church Street, as well as S. Loudoun Street.

K. Scheduling Fats, Oils, and Grease (FOG) Work Session

The Council discussed scheduling the FOG Work Session on July 17 or July 30, 2014.

Information Items

Manager Markel distributed the updated contact information for the Town Council and Planning Commission.

Comments from the Mayor and Town Council

Councilwoman Allar reminded everyone about Wild on the Green and noted the Town would be partnering with the Lovettsville Lion's again on this event.

Councilwoman Carder reminded everyone about The Immortals concert on July 19. She also said she is excited about the various opportunities to support the Town's local businesses.

Vice Mayor Senate said they should all mourn the loss of Walter Engle, who was a long-term resident of the Town.

Councilwoman Gray said he enjoyed seeing the fireworks on July 3rd and hearing the Rob Jones motorcycle ride.

Councilman McIntyre gave updates on a work party at the Quarter Branch Park barn and an event that the Mad Horse Brew Pub will be hosting for the World Cup playoffs.

Mayor Zoldos reported on the following:

- He thanked Melissa Hynes for her service to the Town and invited everyone to stop by and wish her well tomorrow afternoon.
- He thanked the Town Manager and Project Manager for hiring the utility staff and getting them set up with vehicles, tools, and equipment.
- The Town Green is a great location to watch the fireworks and he would like to see the Town create a low impact event next year by adding background music.
- He welcomed Jennifer Jones to the Town Council.
- Plans for the joint signing of the Potomac Partnership are being finalized.
- There were 94 motorcycles in the Rob Jones Ride and it was spectacular for a first year event.
- There was a great article in *The Loudoun Times* about (disabled veteran) Tony Porta and why he moved to Lovettsville.
- A local group of parents has been meeting about how to improve bus routing.
- There are lots of events coming up including the Movie on the Green, the concert at the pavilion, National Night Out, Wild on the Green, and Oktoberfest.

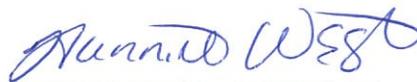
Closed Session

There was no closed session.

Adjournment

There being no further business before the Council, the meeting was adjourned at 10:07 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: November 20, 2014

Attachments:

1. Lovettsville Community Center Renovation/Replacement Synopsis (Sarah Stinger)
2. §15.2-1726. Agreements for consolidation of police departments or for cooperation in furnishing police services
3. FY 2015 Lovettsville Town Council Meeting Calendar
4. Ordinance 2014-07-0001

Lovettsville Community Center Renovation/Replacement Project Synopsis

This summary was compiled with information obtained in Loudoun County's June 13, 2014 response to a Virginia Freedom of Information Act (VAFOIA) request, the public record and information provided by individuals explicitly cited herein. All information outlined with text boxes are images (computer screenshots) of actual County documentation, with some highlighting/arrows/circles added to direct the reader to a specific portion. Note: unless specified otherwise, all opinions and conclusions are that of the author.

A. NO CONSIDERATION OF HISTORICAL VALUE CONDUCTED FOR THE PROPOSED DEMOLITION PROJECT

In the following e-mail excerpt, County staff freely admits that, despite the long history of the Lovettsville Community Center building, preservation of historic sections was not considered:

"The community center property is located within the boundaries of the Lovettsville National Register Historic District (VDHR # 255-5001). The District was listed in the National Register of Historic Places (NRHP) in 2012. The original section of the community center building dates to 1927 but a fire in 1976 destroyed most of the structure, rendering this building as "non-contributing" to the Lovettsville Historic District by the National Register of Historic Places.

Because this structure is not of historical significance to the US Department of the Interior, and is not on the Historic National Registry nor is considered contributing to the historic district of Lovettsville, preserving major sections of the building was not considered."

Deputy Director, Capital Planning, Budget & Policy
Loudoun County Department of Transportation & Capital Infrastructure
e-mail dated Friday, May 23, 2014 10:43 AM

This assertion was made despite the March 2012 Lovettsville Community Center Conditions Assessment Report showing several classrooms as intact and generally in good to very good condition (see highlighted observations described in the consultant's report excerpt below.) Note: For reasons unclear, this March 2012 report was not included on the County website established for the Lovettsville Community Center Renovation project; however, it was provided in response to the VAFOIA request.

- 3.4.2.2. Administrative Offices: Finish systems are in good repair but carpeting and ceiling tiles are showing significant signs of age.
- 3.4.2.3. Classroom 1 (and adjoining Toilet): Finish systems are in good repair. Ceiling tiles are showing significant signs of age.

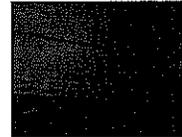
3.4.2.4. Classroom 2: Room is one of the original classrooms with plaster walls and ceiling, and maple flooring. Plaster is in generally good condition excepting only a minor settlement crack in one corner. The maple floor is in very good shape for its age. Refinishing and minor repair is warranted.



3.4.2.5. Classroom 3: This classroom is one of the original classrooms and is approximately 6 feet or so below grade. It is situated approximately a half level below the level of the gymnasium and accessed by a flight of stairs. A non-rated storage closet has been constructed at the base of the stairs which constitutes a hazard to exiting through the only means of exit available to the classroom. This closet should be removed. Water infiltration damage is present on two of the exterior walls of the room. At a minimum the exterior walls should be excavated and effectively waterproofed to eliminate the water at its source. Otherwise, the plaster wall and ceiling finish is in good repair as is the VCT flooring.

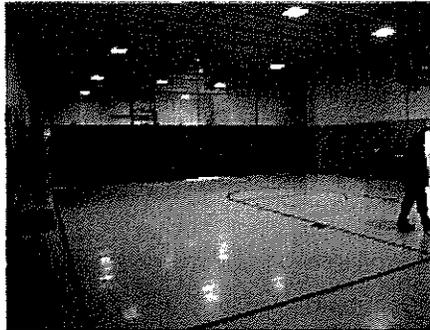


3.4.2.6. Classroom 4: This classroom is symmetrical to Classroom 3 except its floor level was raised in 1977 to be at the same level as the gymnasium. The room is a multipurpose room and used for dance, music and other functions. The walls and ceiling are plaster and are in good condition. The floor is VCT, also in good repair.



3.4.2.7. Room 5: This classroom is symmetrical to Classroom 2 and also has plaster walls and ceiling, and maple flooring. The plaster is in good condition. The maple floor is in very good shape for its age. Refinishing and minor repair is warranted.

3.4.2.8. Room 6 (Childcare Room): Finish systems are in good repair. Ceiling tiles are showing significant signs of age.



3.4.2.9. Gymnasium: Finish systems are in good repair.

Therefore, the County’s design contractor, LSY, knew of the original classroom features, including at a minimum the maple wood flooring, plaster walls and plaster ceiling.

Lovettsville historian Ed Spannaus provided the following additional information about the building's history that should be recognized:

"The land was first obtained by the county for a school on that site in 1866. It was later enlarged to four rooms, and included a high school by 1910. The old frame school building -- for which we do have pictures -- was replaced by a one-story brick building with two school rooms in 1927. This may be the first part of the present building. In 1937 four more rooms were added, with the expansion being completed by 1940."

Did the County's architect LSY have a responsibility to recommend the County conduct a formal historical review process? Review of their contract (see below) was conducted to help answer this question. Although, the individual Task Order issued for the Lovettsville Community Center Renovation Project doesn't explicitly specify historical building design tasks, such tasks are explicitly included as Task J. of Section 2.4 (architectural design) in LSY's main Task Order Contract with the County (QQ-01577).

Excerpts of both documents follow, first the main Task Order Contract and followed by the specific project Task Order.

2.4 Architectural Design Architectural design services to include but not limited to

- A Design and construction administration services for the design and construction of new capital facilities to include project evaluation, program verification, and engineering services (civil, structural, MEP, land surveying, etc.)
- B Design and construction administration services for alterations and/or renovations of existing County facilities and maintenance and repair projects to include project evaluation, program verification, life safety updates, code review and compliance, handicapped accessibility, lead paint and asbestos abatement, and engineering services (civil, structural, MEP, land surveying, etc.) incidental to the project.
- C Facilities requirements and utilization studies
- D Feasibility studies for new, renovation, alteration, maintenance and repair projects
- E Facility studies and audits to determine compliance with various federal, state, and local regulations

DDC/STP Group 1
Laborers' Station & Market Agreement for Services
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- F Facility assessments
- G Preparation of reports, preliminary documents, working drawings, specifications, and construction cost estimates
- H Sustainable design services including LEED certified design (or equivalent), energy efficient design, or Energy Star certified design, energy efficiency evaluations, studies, and/or energy modeling, identification and incorporation of historic design requirements to include:
Additional architectural services as directed
- I Historic Architectural Projects, services of a specialized nature on projects that may be partially funded through Federal and State grant programs requiring sensitivity to preservation and restoration of historic structures. These services include but are not limited to:
 1. Research and documentation of historic structures
 2. Architectural designs that comply with County and the Secretary of Interior's criteria for historic structures. Research and documentation of historic structures
 3. Facilities requirements and utilization studies
 4. Feasibility studies for new, renovation, alteration, maintenance and repair projects associated with historic structures
 5. Facility studies and audits to determine compliance with various federal, state, and local regulations
 6. Design services for minor new construction, alteration, renovation, maintenance and repair projects to include project evaluation, planning, handicapped accessibility, and engineering services (civil, structural, MEP, land surveying, etc.) incidental to the project
 7. Preparation of reports, preliminary documents, working drawings, specifications, bid documents and construction cost estimates
 8. Additional historic architectural services as directed

QQ-01577

**ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR
THE LOVETTSVILLE COMMUNITY CENTER RENOVATION**

SCOPE OF SERVICES (PHASE-1) Revised 8-24-11

In reference with attached proposed project information sheet

A TASKING

FEASIBILITY STUDY & PRELIMINARY PROGRAMMING (PHASE-1):

Architect shall at a minimum perform following tasks.

- a. Preliminary Code analysis of existing building and site and other code requirements as applicable that may impact on future building and site design.
- b. Site visit to perform preliminary assessment of existing building and site conditions in conjunction with impact on proposed project.
- c. Identify site and building constraints that may impact future building and site design.
- d. Identify conditions of all existing infrastructures and Building systems (all trades) and impact on the future design/renovation of building and site.
- e. Identify any hazardous conditions that may impact future building and site design.
- f. Identify/verify any other information on field as required to fully execute above said task.
- g. Identify minimum three different preliminary/outlined design concepts and cost options.
- h. Recommend the best viable preliminary design concept and cost option to meet allowable construction budget and program requirements.
- i. Presentation of preliminary design concepts options to users for review and final approval.
- j. Review and develop preliminary Pre-design program on the basis of approved feasibility option. Coordinate with DCWM, Loudoun County team as required.
- k. Submit preliminary Pre-design program to DCWM, Loudoun County team for further review and comments. Coordinate further as required with Loudoun County as required.
- l. Arrange/conduct meetings with DCWM, Loudoun County team as required to fully execute above said task.

Note: Architect to comply with all terms and conditions in reference with Loudoun County contract/agreement QQ-01577.

The Lovettsville Project Task Order also does not specify LEED design (see clause "H." of QQ-01577). Yet project files confirm LSY is conducting LEED design for the Lovettsville project. Therefore scope items in the main contract like "H" (LEED) as well as "J" (Historical Architectural projects) reasonably flow down to individual task orders *implicitly*.

Therefore, if a County contractor (whose contract includes historical architectural design services) discovered a building being evaluated for demolition has any potential to have historical value, then that contractor would have an **obligation** to raise the issue to the County such that the County would submit the project through the exact same historical resource evaluation process that the County requires of homeowners, developers and other entities seeking demolition permits. Because there is no record of LSY raising this issue to County staff, it is possible this [failure] contributed to the County's historical resource evaluation process being bypassed.

The following responds to the rationale County staff used, *after the fact* in their May 23, 2014 e-mail (excerpt included above on page 1), to justify not considering the classroom's historical value:

1. Does the County approve demolition permits of pre-1940 structures on the sole basis of their lack of historic status with the National Historic Registry and US Department of the Interior classification? Or do County staff typically conduct their own independent evaluation of a building's historical value before demolition permits are approved?
2. The Lovettsville Historic District was not yet created at the time a demolition option was first identified in the project files (March 2012). Therefore, how can the Historic District determination be used as a rationale for a decision, if the Historic District determination wasn't even in existence when demolition was proposed?
3. The public record has no evidence that County Planning staff who were actively assisting with the Town's efforts to create the Historic District were ever apprised or given an opportunity to comment on the proposed demolition.
4. While the building exterior was determined to not contribute to the Town's application for Historic District designation, the official Historic District survey backup specifically mentions historical classrooms inside the building.

Review of the County's contract QQ-01577 raises an interesting question: Assuming, based on the VAFOIA response, the County has *not yet* explored the potential for obtaining grant funding to assist with costs for the project, would staff be willing to work with a motivated group of Lovettsville community members to prepare grant applications?

The following recent correspondence explains the underlying rationale for the proposed new construction/demolition option:

 | **LSY**

11 February 2014

Loudoun County
Department of Transportation & Capital Infrastructure
209 Gibson Street, NW
Suite 100, MS #64
Leesburg, Virginia 20176

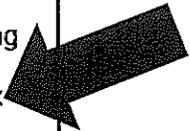
Attn: Joseph Kroboth, Director DTCL

Cc: Sandy Hunter, AIA, LEED AP

Re: Lovettsville Community Center - Conceptual Exterior Design Options

Mr. Kroboth:

LSY is pleased to be working with Loudoun County on the design of the new Lovettsville Community Center. We have been a part of this effort from the early efforts in early 2011 when the County Board tagged this community center as needing an upgrade to serve citizens of all physical abilities. At that time we were tasked in evaluating the code deficiencies of the existing building and ADA / Accessibility barriers of the existing Lovettsville Community Center. Due to the numerous levels of the existing Center, the strategies to renovate the center were complex and expensive. The end result would serve all citizens but the amount of funding would not substantially improve the programs and future life cycle of the Center. Based on that analysis, Paul Brown directed us to evaluate the feasibility and cost of designing a new community center on the site.



It is acknowledged that preserving history makes things more complicated, but I stridently disagree, and I am confident most Loudoun citizens would also disagree with the notion that a desire to avoid “complex” projects is a remotely valid rationale for demolition.

As described further in Section B, the omission of the building history and existence of intact original classrooms (ca. 1940 or prior) during the County’s presentation at the November 2012 “public input” meeting (where demolition was first proposed to the public), is unacceptable. (Note: I attended the November 2012 public meeting). The withholding of this information from citizens (like me) who had no knowledge of the building’s history prevented participants from making an informed choice.

In fact, even the disadvantages (“Cons”) currently identified by the County on their website for the demolition option fail to note the loss of the original classrooms:

<p>LSY Lovettsville Community Center Louviers, Stratton & Yokel, LLC</p>	<p><i>the Town of Lovettsville</i> November 29, 2012</p>	
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Option 2 – New Construction

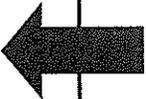
Pros

1. Entire facility is on one floor and very efficient which yields reduced square footage and thus reduce operating costs. It also removes the need for an elevator (initial construction cost and maintenance costs).
2. Existing facility will be operational during construction (eliminating the need for temporary buildings)
3. Building provides a new “Gateway” to the Town from the East
4. Ability to provide institutional occupancy (2 means of egress is required from each classroom) which is needed for licensed programs with children less than 2 ½ years.
5. Showers are provided in each restroom
6. Kitchen is easily accessible from parking lot for catering deliveries and use
7. Shared “Toilet cores” allow for flexibility and sharing between 2 classrooms during “rush” periods.
8. Sinks/ wet areas in classroom can be used for by children after “messy activities” without monopolizing the restrooms.
9. Better coordinated pedestrian and vehicular circulation
10. Clear circulation to the playground
11. Playground is no longer adjacent to the parking lot for increased child safety
12. Improved parking adjacency for pool and community center visitors
13. Central lobby can be used for rental events in the gym while the classroom wing can be secured.
14. Wood gym floor included

Cons

1. Funding decision required by Board of Supervisors
2. Two Phased Construction schedule (demolish existing building after occupation of new facility)

NOTE: In all three options the existing Memorial Garden is relocated next to the Community Center Building.



It is difficult to understand why the loss of these classrooms isn’t at least worth mentioning as a disadvantage when these classrooms were known to exist (as noted in the March 2012 report excerpt provided above on page 2) and were specifically listed in the official Lovettsville Historic District survey backup, according to Lovettsville Historical Society Board Member Sam Kroiz.

Not only was the public not fully informed when surveyed in November 2012, the documents indicate Supervisors also were not fully informed by their staff when the demolition option was proposed (reference the Dec 10, 2012 Supervisors’ briefing packet with staff’s recommendation for new construction).

B. LACK OF APPROPRIATE PUBLIC INPUT AND TRANSPARENCY

With respect to the November 2012 community meeting, several citizens were led to believe that services would be severely impacted during building renovation but no impacts would be felt with the demolition option, as documented in the following excerpts from the meeting minutes attached to the Supervisor briefing package:

Date of Meeting: December 10, 2012

#5

**BOARD OF SUPERVISORS
FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE
ACTION ITEM**

SUBJECT: Lovettsville Community Center Renovation:
Public Input Report

ELECTION DISTRICT(s): Catoctin

Attachment 1

Lovettsville Community Meeting

Lovettsville Community Center Renovation Options

Presentation and Stakeholders Q&A

Question: If we renovate, we would only have childcare available but what about the preschool program? 

Answer: If new is chosen, all programs would remain in the current building. If renovation is chosen, then trailers would be brought in and some of the programs would have to be reduced due to space constraints. But staff would look at the numbers enrolled in the program and make determinations after decision is made on new construction or renovation. 

Comment: People need to be made aware of this because it would have an impact on their daily lives. 

Lovettsville Community Center Feedback Form

Lovettsville Community Center Public Input – Options Meeting on Thursday, November 29, 2012

Comments Submitted

1. I don't feel the elevators would be cost efficient (break downs). I feel the impact on the community would be difficult if programs were halted during a renovation.
- 6... and re-dedicating. I am concerned that in choosing to renovate the building vs. building new the community would be negatively impacted. The community center is a hub for this town and provides vital services not fully provided elsewhere in town, the most important being the preschool classes, daycare and after school programs. Everyone in town relies on them and they need to keep running in full capacity. The parking lot will go right behind my house, please make sure the lighting is low and

Despite the [no impact] advantage cited for demolition and the disadvantages [potential loss of pre-school programming] with renovation as presented during the November 2012 public meeting, DMS' May 2012 cost estimate for Lovettsville Community Center Renovation Options 1 and 1A included \$168,796 for temporary classroom and related facilities.

Temporary Facilities					
	classrooms	3	ea	\$40,827.00	\$122,481
	toilet unit	1	ea	\$26,315.00	\$26,315
	temporary utilities	1	ls	\$20,000.00	\$20,000
					\$168,796
02 EXISTING CONDITIONS TOTAL					\$285,236
5/14/2012					
D M S					
2 of 13					

Based on research conducted at the Lucketts Community Center, **daycare and pre-school programs were not interrupted nor reduced during the Lucketts Community Center Renovation project.** Then, why would Lovettsville families be treated differently? Interestingly, the temporary classroom buildings utilized to maintain full daycare and pre-school programming during the renovation still remain at the Lucketts location.

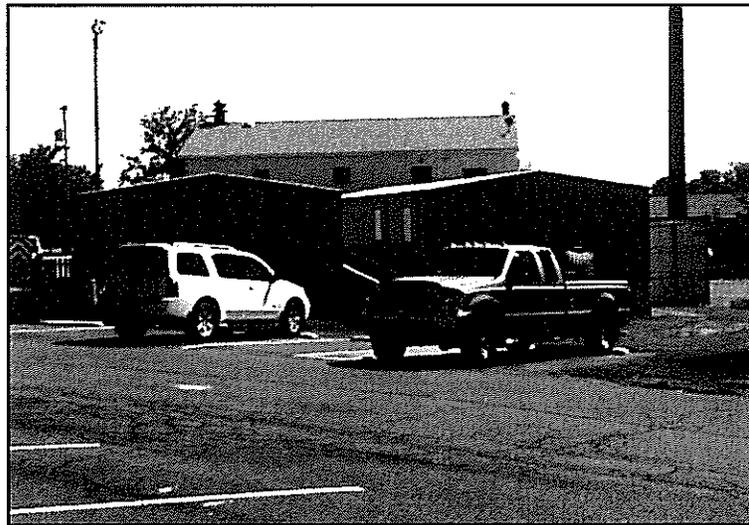


Photo: Temporary classroom buildings
Lucketts Community Center parking lot, June 2014

Considering that the County must own these buildings and is not leasing them and continuing to incur lease expenses, these buildings could be moved to Lovettsville for the construction project.

Furthermore, DMS' estimated costs of providing temporary classrooms for the Lovettsville Renovation Project, including toilet and utilities (\$168,796) represent a small fraction of the total anticipated project cost of \$5.38M.



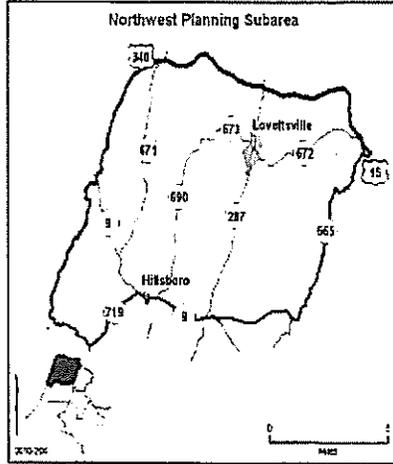
Lovettsville Community Center Replacement

Project Description

This project provides funding to design and construct a new Lovettsville Community Center on the site of the current community center in FY 2014. An option to construct a new Lovettsville Community Center on the site of the current Community Center, instead of renovating the current facility, was presented to the Board of Supervisors during the FY 2014 CIP budget deliberations.

This replacement project is a cost effective way of delivering a modern, community center facility for County residents without additional land acquisition costs. A renovation of the current Community Center, while possible, does not resolve all of the site constraints and building issues of the current facility that a new, replacement community center could.

Previously allocated funds for this project were approved under a bond referendum for community center renovations. General obligation bond funding previously allocated to the project will be re-allocated to the new Community Center renovation project in the County.



Funding

This project is funded using debt financing.

Operating Impact

Operations & Maintenance

Operations and maintenance expenses are currently accounted for in the Department of Parks, Recreation and Community Services' operating budget.

Debt Service

Debt service is forecast to begin in FY 2014 and is estimated to total \$2 million during the six-year CIP planning period.

Capital (\$ in 1000s)	Pror. Alloc.	FY 2013 Adopted	FY 2014 Adopted	FY 2015	FY 2016	FY 2017	FY 2018	6 Year Total	Future FY's	Project Total
Professional Services	500	0	500	0	0	0	0	500	0	1,000
Furniture, Fixtures & Equip	150	0	0	0	0	0	0	0	0	150
Construction	2,847	0	4,880	0	0	0	0	4,880	0	7,727
Total Cost	3,497	0	5,380	0	0	0	0	5,380	0	8,877
Debt Financing	3,497	0	5,380	0	0	0	0	5,380	0	8,877
Total Financing	3,497	0	5,380	0	0	0	0	5,380	0	8,877

Operating Impact (\$ in 1000s)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	6 Year Total
Debt Service	0	50	432	525	511	498	2,016
Total Impact	0	50	432	525	511	498	2,016

The difference between the reported project budget and the estimated construction cost (\$5.38M - \$3.3M = \$2.08M) suggest that the cost of initial evaluation and design-related services are estimated to be in excess of \$2M (over 50% of the \$3.3M construction costs). Is that typical of County projects? Is the design cost so high because it is challenging to design a building that must be constructed in such close proximity to the old building and effectively "sandwiched" between the old building and the road, with minimal/no setback? And why does the CIP show a project budget of \$8.87M.

So why were citizens led to believe child-related services would be impacted if the building was renovated but not for replacement? ...particularly considering these same services were not interrupted or even reduced throughout the Lucketts CC renovation.

Back to the November 2012 public meeting minutes:

The meeting ended with a wrap up from Paul Brown and requested that those citizens in attendance put down their choice on the survey form.

(18) I support the new construction option for the community center.

Of the thousands of citizens in the greater Lovettsville area, a significant decision like this was reportedly made on the basis of 18 citizens attending a single meeting the week after Thanksgiving (advertised two weeks in advance) who were asked at the end of the presentation to complete a survey form. The lack of further outreach to citizens and groups in the community before advancing this decision reflects poorly on the County government embarking on a project of this magnitude.

This cannot be overstated: citizens in attendance at the Nov 2012 meeting were led to believe that, if they didn't vote for new construction, pre-school and after-school care services would be reduced/interrupted and employees providing those services could lose their jobs. And certainly the associated impact on the community would be significant because, as noted on the County's Official Website for the Lovettsville Community Center,

"Through our preschool, childcare, and after school programs, we serve nearly 200 families each day."

Equally or more disturbing than the misinformation about renovation options interrupting services for families and impacting jobs, the November meeting minutes confirm County staff repeatedly assured citizens that multiple public input sessions would be held during the forthcoming conceptual/design phase:

Question: How will it look if the the back of the building facing Broadway Street?

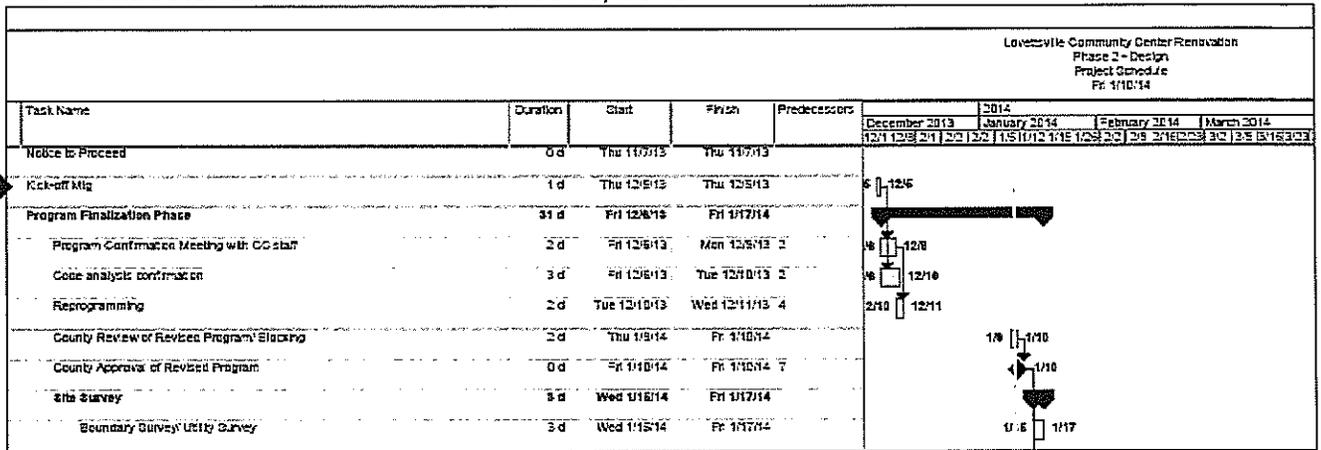
Answer: Architects will try to achieve that the building won't look like the back of the building but be pleasing to the eye. The design will be looked at during the public input sessions.

Question: If the square footage is less in the new construction, can the placement of the kitchen be moved?

6

Answer: The design process will be conducted and will include public input sessions. The item may go to the BOS in January or February and after the BOS adopts, then will plan another community meeting.

During 2013 members of the community began to learn about plans to demolish the building, including the Lovettsville Historical Society and the Lovettsville Alumni Association (LAA). Because these groups had not been consulted formally of the proposed demolition, they requested a meeting with their Catoctin District representative in November 2013. Judy Fox, LAA Vice President reported that during their meeting with the Catoctin Supervisor, he told their concerned members that County staff indicated the project had advanced too far to change course. However, based on the project schedule (provided in the VAFOIA response) the County just issued notice to proceed on the design project, with the project kick off meeting with their contractor conducted on December 6, 2013:

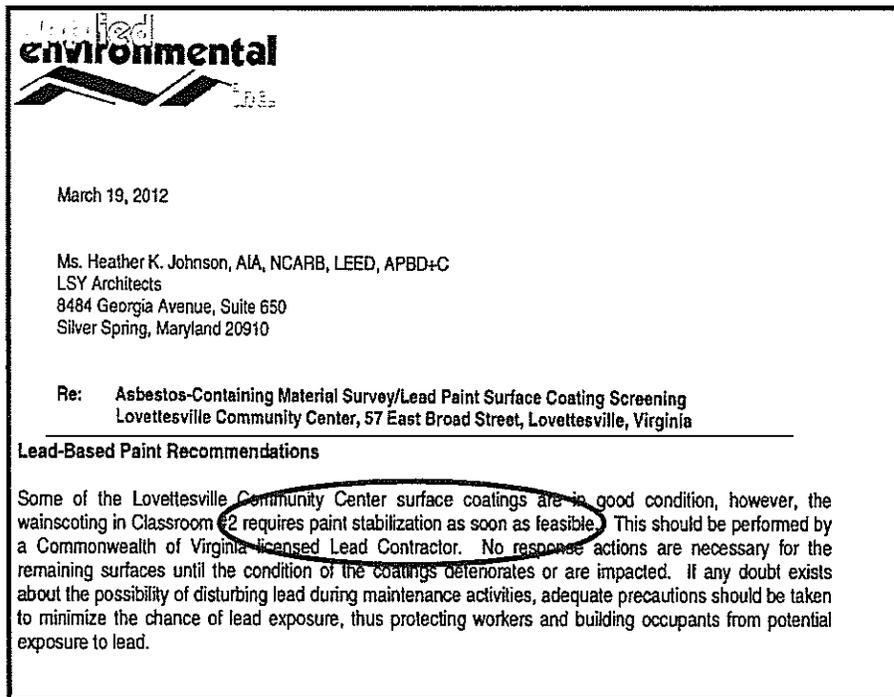


Further, the VAFOIA response shows no evidence of the concerns raised by the Lovettsville Historical Society and the Lovettsville Alumni Association were ever communicated to staff or their contractor managing the project design effort. From my perspective, County staff had made a decision, advanced that decision by misleading the public (perhaps innocently), and were not interested in entertaining any modifications to their design contract to address very serious concerns being raised by long-standing members of the community, including former Mayor Elaine Walker.

The County's assertion that the project is too far along to incorporate the original classrooms in the new building design is unsubstantiated because the design phase has just begun. In fact, only \$165,587 total invoices have been submitted to, and paid by, the County thus far on the \$5.38M project (summary below based on the VAFOIA response):

Payee	Tasks	Invoice #	Date	Amount
LSY	Site Survey, Meeting with Town of Lovettsville Manager, Conditions Assessment Report, Zoning Research	11034-1	3/31/2012	\$ 46,993
LSY	Conditions Assessment Report, Conceptual Design, Design Charettes with County Staff	11334-2	5/31/2012	\$ 41,773
LSY	Lovettsville Community Meeting	11034-3	11/6/2012	\$ 3,637
LSY	Conceptual Design, Design Charettes with County staff, Mechanical Systems Scoping, Site Plan	11034.02-1	1/31/2014	\$ 61,475
LSY	Meetings with Town of Lovettsville Officials	11034.02-2	3/31/2014	\$ 2,448
Special. Eng	Geotechnical Borings	140403	5/31/2014	\$ 9,261
TOTAL			\$	165,587

2. Have structural engineers confirmed the integrity of the existing building (where uninterrupted child-related programming are proposed to continue) will in no way be compromised throughout the new construction? Will any additional cost be incurred to stabilize the old building in order to proceed with this option, and reasonably insure the safety of citizens and workers? Has the County's risk management team reviewed the plan for services to continue in the old building during construction?
3. Current conditions: As documented in the following attachment to the March 2012 Lovettsville Community Center Conditions Assessment Report (made available via VAFOIA), lead paint abatement in one of the operating pre-school classrooms was recommended be conducted "as soon as feasible". When was this work completed?



4. In my conversation with a Catoclin District Supervisor Aide, there was reference to a pending VDOT permit. There was no record in the VAFOIA response of VDOT permitting, as implied would be part of the project during the November 2012 public input meeting, per the following excerpt from the minutes:

Question:	Any discussion on the path to the park?
Answer:	Yes, it is in the site plan. Also included is that there will be a three way stop at the intersection.

So was staff's reference to the current VDOT permitting for: 1. the *permanent* 3-way stop at the intersection of Lovettsville and Milltown Rds or 2. a *temporary* construction-related permit? There have been numerous accidents at this blind curve intersection, and conditions are likely to worsen during this construction project. When is the permanent 3-way stop planned for installation?

D. PATH FORWARD

Before further design costs are incurred, I urge the County to:

- focus on moving forward, not characterize this as a mandate to “start all over,”
- take advantage of the valuable work that has already been done, much of which arguably would have been required no matter the design,
- conduct appropriate community outreach, or at least assemble a small working group of engaged Lovettsville area taxpayers and citizens (not just Town officials) - similar to the Lovettsville Park planning process, and
- re-direct the project as appropriate to more closely reflect the needs and interests of the greater Lovettsville area community who will be using the facility for generations to come.

I am hopeful that the statements made by several County and Town officials regarding funding for this project at risk of being re-allocated to projects in other parts of the County are not accurate and instead are fueled by their tremendous disappointment (indeed shared by countless members of our community) with the Loudoun School Board’s recent decision to take the MS/HS-10 land acquisition bond funding (allocated in 2007) away from western Loudoun and instead use for the Ashburn/Dulles Districts.

And I remain optimistic that the outpouring of support for the Lovettsville Community Center and the information presented in this synopsis will help strengthen the County’s resolve to remain fully committed on this community center project and see it through to completion in the very near future.

Prepared by: Sarah Stinger, Lovettsville resident since 1990

Date: June 30, 2014



Loudoun Community Center Renovation - Lovettsville

LSY #11034

Meeting No: 4
Meeting Date: February 28, 2012
Topic: Zoning Ordinance Issues

Attendees:

Name	Organization	Telephone	Email
Keith Markel	Lovettsville	540.822.5788	kmarkel@lovettsville.gov
Kiran Parikh	LC-DCWM	703.737.8022	kiran.parikh@loudoun.gov
William Stratton	LSY	240.988.6633	wstratton@lsyarchitects.com

Meeting Purpose: To have a preliminary discussion with the City Manager of Lovettsville concerning the City of Lovettsville Zoning Ordinance.

- 4.1. **General:** W. Stratton opened the meeting with a description of the project goals and objectives. LSY intends to produce a conditions assessment report followed by a conceptual study that includes three options as follows:
 - a. a minimum renovation option working within the constraints of the existing building to correct handicap accessibility issues and any building deficiencies identified in the conditions assessment report,
 - b. an option that demolishes the existing building and replaces the structure with a new building, and
 - c. an third option that is somewhere between the renovation option and the full building replacement approach.
- 4.2. **Applicable Zoning Ordinance:** K. Markel confirmed the applicable version of the Zoning Ordinance is identified as having been adopted on September 21, 2006 with Amendments through December 8, 2011. The Town's Comprehensive Plan was that version adopted February 24, 2011.
- 4.3. **50% Rule:** The City will use the "50% Rule" to determine if the project retains or loses its grandfathered non-conforming use permission. If the cost of renovation exceeds 50% of the appraised value of the building(s) being renovated, then the grandfathered non-conforming use status is lost and the County will be required to seek City approval for the non-conforming use after renovation. Currently, County records indicate a value of \$1.125 million for all of the improvements on the site. That value includes the value of

pavement, pool, pool house, other accessory structure, and the community center building.

Action Item: K. Parikh will provide LSY with the value the County would like to ascribe to the Community Center building when determining the applicability of the "50% Rule" for the project. In the meantime, the maximum value (least conservative) is assumed to be \$1.125.

- 4.4. Applicable Zoning District:** The community center lot is located in the R-1 Residential District. Currently, the use is a non-conforming use because:
- a. The various occupancies and use types (pre-school, child daycare, senior center, interior recreation, etc.) are not listed in the Permitted Uses list,
 - b. Most of the various occupancies are not listed in the Conditional Permitted Uses list and the County has not sought a Conditional Use Permit for those that are listed.

K. Markel recommends the County request an Amendment to the Zoning Ordinance that adds "Community Center" to the list of "Conditionally Permitted Uses" in the "Residential District R-1" part of the ordinance (paragraph 3-3(c)). He indicated he thinks this will be the most practical way to recognize the location of the community center while minimizing the potential impact on future zoning issues.

Upon completion of the design, the County will submit the construction documents to the City for Zoning approval. An application for a Conditional Use Permit will be evaluated along with the drawings. No fee will be required. The submittal will be likely be forwarded to VDOT, the Fire Marshal, City Zoning Administrator, and County Erosion and Sediment Control reviewers for comment.

- 4.5. Water Authority Review:** The project will also be reviewed by the Lovettsville water authority to make sure proposed renovation or new construction is served adequately by the existing water and sewer connections. Currently, the pool is served by a 2" meter, and the building by a smaller connection.

Action Item: Design team to confirm the size of the existing water service connection to the building and determine its adequacy for each proposed project option.

- 4.6. Heath Department Review:** The design of the kitchen will require review by the County Health Department.
- 4.7. Ball Field:** K. Markel believes the ball field is lightly used by the community and does not represent the highest / best use of the property, given the County's plan to develop multiple ball fields in the County Park. He recommended including an analysis of alternative use or uses in the conceptual study. W. Stratton indicated LSY will keep an open mind relative to this issue as the study progresses.
- 4.8. Bus Circulation:** Both K. Markel and K. Parikh thought the project should seek to provide a means for buses to turn around on site without backing up. LSY will include an analysis of this issue in the report and conceptual designs.
- 4.9. Required Parking:** If the project cost exceeds 50% of the building value, the project will need to address both quantitative (numbers of spaces) and qualitative (size of spaces & aisles, landscaping, etc.) aspects of the zoning ordinance. The County will need to propose a reasonable number of spaces since the zoning ordinance does not specify the required number of spaces. K. Markel recommended providing a number of spaces that is consistent with the number provided for other County recreation centers, or as

required by the County Zoning Ordinance if addressed in that ordinance. K. Parikh directed LSY to communicate with Jan Nelson to coordinate this issue.

Action Item: LSY include an analysis of this issue in current study.

- 4.10. **Buffer Requirements:** Buffers will not be required since the parcel will remain R-1 and is surrounded by R-1 lots. Yards, setbacks, open space and other like requirements will be as dictated by the R-1 district designation.
- 4.11. **Site Vehicular Entrance:** K. Markel feels the site would benefit from a second entrance but recognized the topographic gradient would likely prohibit providing one.
- 4.12. **Sitewalk:** Lovettsville is extending the public sidewalk to the southwest corner of the site in its streetscape project. If possible, it would be good to continue the sidewalk to the new crosswalk provided in the intersection improvement project. LSY will diagram the idea for consideration by the County.
- 4.13. **Heart and Soul:** K. Markel stressed the community center represents the "heart and soul" of the community and is critical to many civic activities. He very strongly urges the County to be as comprehensive as funding permits to create a vibrant, modern community center in Lovettsville.

These minutes represent my understanding of the items discussed. They will be considered correct and complete unless notice to the contrary is provided within five days of distribution.

Sincerely,



William C. Stratton, AIA, LEED AP

Principal, Louviere, Stratton & Yokel, LLC

Cc: Participants

Heather Johnson

Roger Watson

Action Item List

Action Item No.	Description	Responsible	Due Date	Resolved Date	Notes
120228.01	50% Rule Property Value: Loudoun County advise value of property to use in determining 50% of property value for Building Code and Zoning Ordinance requirements	Kiran Parikh			
120228.02	Confirm the size of the existing water service connection to the buildings and determine their adequacy for each proposed project option	L2S			
120228.02	Parking requirements analysis	LSY			

§ 15.2-1726. Agreements for consolidation of police departments or for cooperation in furnishing police services.

Any locality may, in its discretion, enter into a reciprocal agreement with any other locality, any agency of the federal government exercising police powers, police of any state-supported institution of higher learning appointed pursuant to § 23-233, Division of Capitol Police, or with any combination of the foregoing, for such periods and under such conditions as the contracting parties deem advisable, for cooperation in the furnishing of police services. Such localities also may enter into an agreement for the cooperation in the furnishing of police services with the Department of State Police. The governing body of any locality also may, in its discretion, enter into a reciprocal agreement with any other locality, or combination thereof, for the consolidation of police departments or divisions or departments thereof. Subject to the conditions of the agreement, all police officers, officers, agents and other employees of such consolidated or cooperating police departments shall have the same powers, rights, benefits, privileges and immunities in every jurisdiction subscribing to such agreement, including the authority to make arrests in every such jurisdiction subscribing to the agreement; however, no police officer of any locality shall have authority to enforce federal laws unless specifically empowered to do so by statute, and no federal law-enforcement officer shall have authority to enforce the laws of the Commonwealth unless specifically empowered to do so by statute.

The governing body of a county also may enter into a tripartite contract with the governing body of any town, one or more, in such county and the sheriff for such county for the purpose of having the sheriff furnish law-enforcement services in the town. The contract shall be structured as a service contract and may have such other terms and conditions as the contracting parties deem advisable. The sheriff and any deputy sheriff serving as a town law-enforcement officer shall have authority to enforce such town's ordinances. Likewise, subject to the conditions of the contract, the sheriff and deputy sheriffs while serving as a town's law-enforcement officers shall have the same powers, rights, benefits, privileges and immunities as those of regular town police officers. The sheriff under any such contract shall be the town's chief of police.

(1970, c. 271, § 15.1-131.3; 1978, c. 9; 1984, c. 622; 1989, c. 294; 1994, c. 268; 1997, c. 587; 2008, c. 437.)

Town of Lovettsville

FY 2015 Town Council Meeting Calendar

July 2014

S	M	T	W	T	F	S
		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		

- 2- Planning Commission
- 3-Parade & Fireworks
- 4 - Independence Day
- 10-Town Council
- 11-Movie on the Green
- 16-Planning Commission*
- 24-Town Council

January 2015

S	M	T	W	T	F	S
				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

- 1-New Year's Day
- 1-Berserkle on the Squirkle
- 7-Planning Commission
- 8-Town Council
- 19-Martin Luther King, Jr. Day
- 21-Planning Commission*
- 22-Town Council

August 2014

S	M	T	W	T	F	S
					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						

- 5-National Night Out
- 6-Planning Commission
- 8-Movie on the Green
- 20-Planning Commission*
- 21-Town Council Meeting
- 24- Wild on the Green

February 2015

S	M	T	W	T	F	S
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

- 4-Planning Commission
- 12-Town Council
- 16-President's Day
- 18-Planning Commission*
- 26-Town Council

September 2014

S	M	T	W	T	F	S
	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				

- 1-Labor Day
- 3-Planning Commission
- 11-Patriot Day
- 11-Town Council
- 12-Movie on the Green
- 17-Planning Commission*
- 26/27/28-Oktoberfest

March 2015

S	M	T	W	T	F	S
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				

- 4-Planning Commission
- 12-Town Council
- 18-Planning Commission*
- 26-Town Council

October 2014

S	M	T	W	T	F	S
			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	

- 1-Planning Commission
- 9-Town Council
- 13 - Columbus Day
- 15-Planning Commission*
- 23-Town Council
- 31-Trick or Treat

April 2015

S	M	T	W	T	F	S
			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		

- 1-Planning Commission
- 9-Town Council
- 15-Planning Commission*
- 19-Volunteer Fest
- 23-Town Council
- 24-Arbor Day

November 2014

S	M	T	W	T	F	S
						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						

- 5-Planning Commission
- 6-Town Council
- 11-Veterans Day
- 15-21 American Education Week
- 19-Planning Commission*
- 20-Town Council
- 26-Thanksgiving (Half-Day)
- 27/28-Thanksgiving (All Day)

May 2015

S	M	T	W	T	F	S
					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						

- 6-Planning Commission
- 8-Movie on the Green
- 14-Town Council
- 20-Planning Commission*
- 23-MayFest
- 25-Memorial Day
- 28-Town Council

December 2014

S	M	T	W	T	F	S
	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			

- 3-Planning Commission
- 5-Town Tree Lighting
- 11-Town Council
- 13-Light up Lovettsville
- 17-Planning Commission*
- 18-Town Council
- 24/25/26-Christmas

June 2015

S	M	T	W	T	F	S
	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				

- 3-Planning Commission
- 11-Town Council
- 12-Movie on the Green
- 17-Planning Commission*
- 25-Town Council

*The Planning Commission will meet on the 2nd Wednesday of the month on an as-needed basis.

Color Code:

Blue: Town Council Meetings

Green: Planning Commission Meetings

Orange: Town Special Events

Red: Lovettsville Town Hall and Loudoun County Offices Closed

ADOPTED: JULY 10, 2014

In the event of cancellation due to hazardous conditions within the meaning of Va. Code section 15.2-1416, the meeting shall be continued to the next regularly scheduled meeting date.

Town of Lovettsville

Ordinance No. 2014-07-0001: AMEND SECTION 2-49 OF THE TOWN CODE, TO ALLOW PARTICIPATION BY ELECTRONIC COMMUNICATION MEANS UNDER CERTAIN CIRCUMSTANCES

MOTION: Senate

SECOND: Jones

WHEREAS, Virginia Code section 2.2-3708.1 provides for participation in Town Council meetings by a member unable to attend in person due to certain circumstances when the terms of the statute are met and the Town Council has adopted a written policy allowing for and governing such participation by electronic communication means; and

WHEREAS, the Lovettsville Town Council believes that providing for such participation by adoption of a policy complying with the said statute will promote the interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED that Section 2-49 of the Town Code, be amended as set forth below:

2-49. Place of meetings.

(a) Meeting location. All meetings of the Mayor and Town Council, unless otherwise determined, shall be held in the Lovettsville Town Hall located at 6 East Pennsylvania Avenue, Lovettsville, Virginia. Notice of change in meeting place shall be prominently posted on the door of the regularly scheduled meeting place and shall be given by such other means, including a local newspaper, Town website or other available media, as may be feasible. Every attempt will be made to keep the meeting location within the Corporate limits of the Town.

(b) Participation by electronic communication means. *The Mayor or a Town Council member may participate in a meeting of the Town Council through electronic communication means from a remote location that is not open to the public only under the circumstances set forth in Virginia Code section 2.2-3708.1 and the Town Council hereby approves such participation.*

VOTE:

Ayes: Allar, Carder, Gray, Jones, McIntyre, and Senate

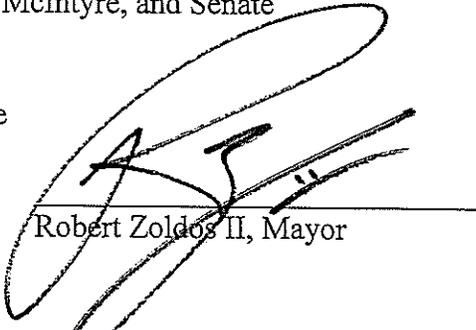
Nays: None

Abstentions: None

Absent for vote: None

APPROVED: July 10, 2014


Harriet West, Town Clerk


Robert Zoldos II, Mayor

The German Settlement