

# Town of Lovettsville

## Town Council Minutes of Regular Meeting October 22, 2009

Mayor Elaine Walker called the regular meeting of the Lovettsville Town Council to order at 8:03 P.M. on Thursday, October 22, 2009.

### Present at Meeting

- Mayor Elaine Walker
- Vice Mayor Robert Zoldos, II
- Council Members Charlotte Coleman, Scott Dockum, Michael Senate, Shaun Staley
- Town Manager Keith Markel
- Town Attorney Liz Whiting
- Town Clerk Judy L. Kromholz

### Absent

- Council Member DiJon Jones

### Audience

Among those present in the audience were Tracey Senate (*Brunswick Citizen*), Bing Lam, Frank Kromholz, and Loudoun County Sheriff's Deputy Tim Lambert. Chism Blauer and Sherri Blauer of Hamilton Cub Scout Troop 743 were also present.

### Call to Order/Welcome/Pledge of Allegiance/Invocation

Cub Scout Chism Blauer led the assembled in the Pledge of Allegiance.

### Comments from the Public

No speakers signed up to speak. Mrs. Bauer commended the Sheriff's Office on the driver's education program they are presenting to high school students.

### Lovettsville Volunteer Fire and Rescue Company

Councilman Senate reported on the election of new officers at the Company and stated that the new management will be attending one of the November Council meetings.

### Lovettsville Business Association

No member of the Association was present.

### Additions/Deletions/Modifications to the Agenda

There were no changes to the agenda.

### Presentations

#### Loudoun County Sheriff's Office – Special Presentation to Deputy Lambert

Mayor Walker introduced Deputy Sheriff Tim Lambert as Lovettsville's second Community Policing Officer. She explained that he left the position abruptly when he was promoted and now serves as a member of the Criminal Investigation Division. She presented a plaque to Deputy Lambert in recognition of his service to the Town of Lovettsville and thanked him for all he has done for the community.

### Approval of Town Council Minutes

No Council minutes were presented.

### Report from the Treasurer

No Treasurer's Report was presented.

### Staff Reports

#### A. Report from the Zoning Administrator

Administrator McGregor was excused from attending. Manager Markel reviewed Mr. McGregor's monthly report with Council. There were no questions from the Council. Manager Markel commented on the excellent progress being made by the Comprehensive Planning Advisory Committee.

**B. Report from the Project Manager**

Project Manager Fellers was excused from attending. Manager Markel reviewed her report with the Council. He stated that power should be installed at the waste water treatment plant in about three weeks. Vice Mayor Zoldos complemented Project Manager Fellers' presentation of information. Manager Markel reported that there have been widespread personnel reductions at VDOT and will keep the Council informed if this affects the progress of the Town's projects.

**C. Report from the Town Attorney**

The Town Attorney had no formal report but will be addressing Council on the I&I matter.

**D. Report from the Town Manager**

Manager Markel had nothing additional to report at this time.

**Consent Agenda**

There were no items on the Consent Agenda.

**Action/Discussion Items**

**A. Inflow and Infiltration Debt Financing - Issuance of General Obligation Bonds**

Attorney Whiting presented this item. She explained that this debt will be issued as part of a Virginia Resource Authority umbrella bond pool. The Council must approve a resolution and an ordinance to authorize the bonds. This financing will be used to address the Phase I requirements of the Town's Virginia Department of Environmental Quality agreement. The Ordinance will be filed with the Circuit Court once all of the additional paperwork is completed. She explained that the Council is pledging the utility income stream and general funds of the Town to repay the principle and interest of this loan. The resolution has been prepared to allow the Town to borrow up to \$600,000, although staff expects final expenditures to be significantly less. The Town will only close on the loan amount needed to complete the project. The rate of 3.3% is a benefit of being in the VRA revolving fund and the Town's liability will be about \$35,000 per year for 20 years. Councilman Dockum asked if there is the possibility of multiple change orders increasing the Town's expenditures significantly. Manager Markel stated that the Town will only borrow what is actually needed and will close at \$492,000 which includes contingency funds.

**Motion:** To adopt the Resolution Providing For The Issuance, Sale And Award Of A Taxable General Obligation Water And Sewer Bond, Series 2009, Of The Town Of Lovettsville, Virginia, In A Principal Amount Not To Exceed \$600,000, Heretofore Authorized, And Providing For The Form, Details And Payment Thereof.

**By:** Vice Mayor Zoldos

**Second:** Council Member Senate

There being no further discussion, Mayor Walker called for the vote by declaration.

**Aye:** Council Members Coleman, Dockum, Senate, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** Council Member Jones

**B. LVZA 2009-0007: Zoning Fees Authorization**

Manager Markel presented this item. He explained that over the last two years the Town has begun this process as part of the budget process. This motion would authorize staff to move forward in removing fees from the body of the Zoning Ordinance to a separate Fee Schedule. Councilman Dockum asked if public hearings would be required. Attorney Whiting stated that hearings would be required to the extent that existing Ordinance text is changed.

**Motion:** I move that the Town Council direct staff, the Zoning Administrator and the Planning Commission prepare a combined Zoning and Subdivision Ordinance amendment item, LVZA 2009-0007/LVSA 2009-0001 Removal of Specific Fee Amounts in the Town Ordinances for Development Related Applications, so that public hearings can be scheduled as soon as possible.

**By:** Council Member Dockum

**Second:** Council Member Coleman

There being no further discussion, Mayor Walker called for the vote.

**Aye:** Council Members Coleman, Dockum, Senate, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** Council Member Jones

**Information Items**

Manager Markel reported that there are four applicants for the two open positions on the Planning Commission. He proposed establishing a combined Planning Commission/Town Council committee to

interview the applicants and make recommendations to the full Council. Councilman Staley stated that he is in favor of including Commissioners on the selection committee. Vice Mayor Zoldos stated that it would be easier for the candidates to face a smaller group of questioners. Manager Markel called for volunteers and Councilmen Dockum, Staley and Senate volunteered. They said that they would prefer the interviews be scheduled on those Thursday evenings when there is no Council meeting. Manager Markel will poll the committee members to set the interview dates and reiterated that the Mayor and all Council members are welcome to attend the interviews.

#### **Comments from the Mayor and Town Council**

Councilman Staley stated that he will miss the Movies in the Park and looks forward to their return in the Spring. Councilman Senate noted that the Lovettsville Fire and Rescue Company also enjoyed standing-by at the movies.

Councilman Dockum asked Manager Markel about preparing certificates of appreciation for the Oktoberfest Committee. Council directed staff to prepare a presentation for their meeting on November 19<sup>th</sup>, if the schedule allows. It was noted that this meeting will take place at the Lovettsville Elementary School and will include a program presented by the school chorus. Therefore, the Oktoberfest presentations may have to be moved to December.

Vice Mayor Zoldos reported that he did a presentation to Cub Scout troop 962 on Monday evening. He ran a mock meeting with the Scouts which went very well. Vice Mayor Zoldos also congratulated new Lovettsville Fire & Rescue Company Rescue Chief Tracey Senate on her election.

Mayor Walker reported on the following:

- She expressed her appreciation for the Movies in the Park program and stated that the Town needs to use the Park more often for community events.
- Mayor Walker reported that she was one of thirty mayors invited to attend the Mayor's Conference which preceded the Virginia Municipal League Conference. She then attended the VML conference along with Manager Markel. She reported that many good ideas came from both conferences and stated that the Town needs to seriously pursue additional grant opportunities.
- On Saturday, October 31<sup>st</sup>, Trick or Treating will be allowed in Town only for children up to the age of 12. She encouraged the community to attend the organized "Trunk or Treat" celebration at the Lovettsville Community Center.
- Along with the Ruritan Club, she is again organizing a commemorative event for Veteran's Day. The program will take place at 11 A.M. More information will be forthcoming.

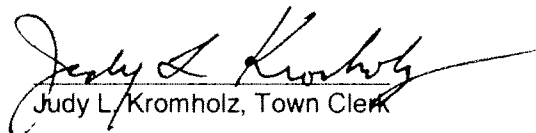
#### **Adjournment**

There being no further business before the Council, Mayor Walker called for a motion.

**Motion:** To adjourn the October 22, 2009 meeting of the Lovettsville Town Council  
**By:** Council Member Dockum  
**Second:** Council Member Coleman  
**Aye:** Council Members Coleman, Dockum, Senate, Staley, Zoldos  
**Nay:** None  
**Abstain:** N  
**Absent:** Council Member Jones

The meeting was adjourned at 9:07 P.M.

Respectfully submitted,

  
Judy L. Kromholz, Town Clerk

Date Approved: January 14, 2010

Attachments:

- I. Speaker Signup Sheet
- II. Resolution Providing For The Issuance, Sale And Award Of A Taxable General Obligation Water And Sewer Bond, Series 2009, Of The Town Of Lovettsville

# Town of Southville

## Speaker Sign - Up Sheet

### Town Council Regular Meeting - October 22, 2009

Please Print.

Name and Association	Address	Topic	Email Address (Optional) <sup>1</sup>

Each speaker will be limited to no more than three (3) minutes at the beginning of the meeting, or no more than five (5) minutes at the end of the meeting.

<sup>1</sup> If you provide your email address, you will be added to the Town Council & Planning Commission Meetings Notification List.

The undersigned Town Clerk of the Town of Lovettsville, Virginia, certifies that:

1. A regular meeting of the Council of the Town of Lovettsville, Virginia, was held on October 22, 2009, at which the following members were present and absent during the voting on the ordinance referred to below:

**PRESENT:** Robert Zoldos, II, Scott Dockum, Shaun Staley, Michael Senate, Charlotte Coleman

**ABSENT:** DiJon Jones

2. An ordinance entitled "Ordinance Authorizing the Issuance of General Obligation Water and Sewer Bonds of the Town of Lovettsville, Virginia, in the Maximum Principal Amount of \$600,000" was adopted, after a public hearing on the issuance of the bonds described therein was held on October 8, 2009 in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, by the affirmative roll-call vote of two-thirds of all members of the Council, the ayes and nays being recorded in the minutes of the meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Robert Zoldos, II	Aye
Scott Dockum	Aye
Shaun Staley	Aye
Michael Senate	Aye
Charlotte Coleman	Aye

3. Attached hereto is a true and correct copy of the foregoing ordinance as recorded in full in the minutes of the meeting on October 22, 2009.

4. This ordinance has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the Town of Lovettsville, Virginia, this 22nd day of October, 2009.

(SEAL)

  
Town Clerk, Town of Lovettsville, Virginia

**ORDINANCE AUTHORIZING THE ISSUANCE OF  
GENERAL OBLIGATION WATER AND SEWER BONDS,  
OF THE TOWN OF LOVETTSVILLE, VIRGINIA, IN THE  
MAXIMUM PRINCIPAL AMOUNT OF \$600,000**

**WHEREAS**, the Town of Lovettsville, Virginia (the “Town”), desires to finance the construction of improvements to the Town’s water and sewer system, including manhole replacement and repair and pipe lining, together with related costs (the “Project”);

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF LOVETTSVILLE, VIRGINIA:**

1. It is determined to be necessary and expedient for the Town of Lovettsville, Virginia (the “Town”), to finance the Project and to borrow money for such purpose and issue the Town’s bonds therefor.

2. Pursuant to the Public Finance Act of 1991, there are authorized to be issued bonds of the Town in the maximum principal amount of \$600,000 to provide funds, together with other available funds, to finance the Project and to pay costs of issuing such bonds.

3. The bonds shall bear such date or dates, mature at such time or times not exceeding 40 years from their dates, bear interest at such rate or rates, be in such denominations and form, be executed in such manner and be sold at such time or times and in such manner as the Council may hereafter provide by appropriate resolution or resolutions.

4. The bonds shall be issued as general obligation bonds for the payment of principal of and interest on which the Town’s full faith and credit shall be irrevocably pledged. In addition, the revenues of the Town’s water and sewer systems may be pledged for such payment.

5. The Town Clerk, in collaboration with the Town Attorney, is authorized and directed to see to the immediate filing of a certified copy of this ordinance in the Circuit Court of Loudoun County.

6. This ordinance shall take effect immediately.

**VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF LOUDOUN, VIRGINIA**

**IN RE: THE ISSUANCE AND SALE OF UP TO \$600,000 IN WATER AND SEWER BONDS BY THE TOWN OF LOVETTSVILLE, VIRGINIA**

**ORDER**

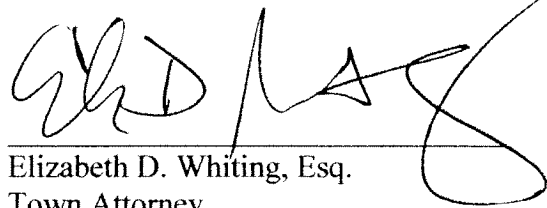
There having been presented to the Court a certified copy of an ordinance entitled “Ordinance Authorizing the Issuance of General Obligation Water and Sewer Bonds of the Town of Lovettsville, Virginia, in the Maximum Principal Amount of \$600,000”, and establishing the terms and provisions for the payment thereof, adopted by the Town Council of the Town on October 22, 2009, it is hereby

ORDERED that the certified copy of such ordinance and order, which are attached to this Order, be and the same is hereby filed as required by Sections 15.2-2607 and 15.2-2627 of the Code of Virginia of 1950, as amended.

ENTERED this \_\_\_\_\_ day of October, 2009.

\_\_\_\_\_  
Judge

I ASK FOR THIS:



Elizabeth D. Whiting, Esq.  
Town Attorney  
Town of Lovettsville  
241 Edwards Ferry Road, NE  
Leesburg, VA 20176  
(703) 777-6808