

# Town of Lovettsville

## Town Council Minutes of Public Regular Meeting December 17, 2009

Mayor Elaine Walker called the regular meeting of the Lovettsville Town Council to order at 8:00 PM on Thursday, December 17, 2009.

### Present at Meeting

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

### Absent

- None

### Audience

Among those in the audience were Kelly Gray and Donald Beery of the Lovettsville Volunteer Fire and Rescue Company, Bing Lam, and Amanda Staley.

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

Mayor Walker gave an invocation in honor of the holiday season. Cub Scout Robert Zoldos III led the assembled in the Pledge of Allegiance.

### Comments from the Public

No members of the public had signed up to speak (Attachment I)

### Lovettsville Volunteer Fire and Rescue Company

President Donald Beery gave a presentation on the current status of the Company. He included a general business report, the monthly fire report, the monthly rescue report, and the monthly safety message. He announced that Mayor Walker was elected the new Company Treasurer. Councilman Dockum asked President Beery to explain the role of administrative members in the organization and President Beery listed many of the functions they perform. Councilman Dockum suggested that the Company apply to the Department of Homeland Security for grant money and offered to help the company complete the applications. Councilman Senate thanked the new company management for their presentation and noted that they had 'hit the ground running'.

### Lovettsville Business Association

No member was present to report.

### Additions/Deletions/Modifications to the Agenda

There were no changes to the agenda.

### Presentations

No presentations were scheduled.

### Approval of Town Council Minutes

#### A. Town Council Public Hearing and Meeting – August 27, 2009

- Motion:** To approve the minutes of the August 27, 2009 Town Council Public Hearing and Meeting as amended.  
**By:** Council Member Senate  
**Second:** Council Member Coleman  
**Aye:** Council Members Coleman, Dockum, Jones, Senate, Staley, Zoldos  
**Nay:** None  
**Abstain:** None  
**Absent:** None

#### B. Town Council Meeting – September 10, 2009

**Motion:** To approve the minutes of the September 10, 2009 Town Council Meeting as amended.  
**By:** Council Member Staley  
**Second:** Council Member Senate  
**Aye:** Council Members Coleman, Dockum, Staley, Zoldos  
**Nay:** None  
**Abstain:** Council Members Jones, Senate  
**Absent:** None

C. Town Council Meeting – September 17, 2009

**Motion:** To approve the minutes of the September 17, 2009 Town Council Meeting as presented.  
**By:** Council Member Jones  
**Second:** Council Member Dockum  
**Aye:** Council Members Dockum, Jones, Senate, Staley, Zoldos  
**Nay:** None  
**Abstain:** Council Members Coleman  
**Absent:** None

**Report from the Treasurer**

No report from the Treasurer was presented.

**Staff Reports**

A. Report from the Project Manager

Manager Markel presented Project Manager Fellers monthly status report and updated a number of items including:

- Power was switched over at the Waste Water Treatment Plant today and it is now officially on three phase power. The project can now move into the startup phase.
- PRH+A received a partial response from the Virginia Department of Transportation (VDOT) as to the traffic counts and are waiting for final approval. If another meeting with VDOT is required, it will take place in early January 2010 and PRH+A expects to return to Council in January with an updated list of design options.
- The Town has not been recommended for Loudoun County Gas Tax funds this year by the County's grant review committee. The County felt that the Town was premature in its application because final cost figures for the construction have not been established. Manager Markel plans to reapply in the Fall of 2010 when more detailed costing information is available.
- VDOT is completing the second phase of the bike path survey which includes underground utility identification.

Councilman Dockum asked for an update on the progress of the Inflow and Infiltration (I&I) repair work that began this week. Manager Markel stated that the biggest concern right now is the soft earth. He explained that the contractor makes the decision on whether or not to proceed because they have to repair whatever rutting they cause. The contractors will be putting hang tags on doors of homes near their work as they progress.

Manager Markel also reported that four out of the five water meters on Fox Meadow Drive have been replaced.

B. Report from the Town Attorney

The Town Attorney had no formal report.

C. Report from the Town Manager

Manager Markel reported that the Council will be presented with resolutions for VDOT to accept the realigned Route 287. The Town must approve the resolutions first; then a similar resolution will go before the Loudoun County Board of Supervisors, and ultimately to the Commonwealth Transportation Board for final approval.

**Consent Agenda**

There were no items on the Consent Agenda.

**Action/Discussion Items**

**A. Water Pressure Control Modifications**

This item had been tabled by Council at their last meeting. Manager Markel presented a draft of the procedures he developed in response to Council's request at their last meeting.

Mayor Walker asked if the Town would be putting the onus on Loudoun Water for testing the pressure and expressed concern as to whether or not this would be appropriate or even included in their contract with the Town. She suggested that a licensed plumber retained by the homeowner should be responsible for making this evaluation.

Councilman Dockum noted that Loudoun Water would need to get some kind of damage waiver before doing the test. He also recommended that the testing be done by a third party.

Vice Mayor Zoldos stated that he still believes that the Town has some responsibility for the pressure going into individual homes. He noted that if the Town requires the homeowner to pay a third party, it will negate the effect of any credit. He suggested that the Town do the testing and if it was found that the pressure is too high, the Town install the pressure reduction valve. He has done some research and found that there is very little precedent for a decision.

Councilman Senate agreed that the Town must protect Loudoun Water, but stated that the Town is responsible for the system and the procedure should be standardized to one testing source.

Vice Mayor Zoldos asked if the Town can contact Loudoun Water to determine if this testing can become an approved activity for their operators in the Town. Councilman Dockum suggested asking three plumbers licensed in Virginia what the average cost of this test would be and then increase the credit to reflect that expense. He also stated that he would prefer that the valve be installed in the house rather than in the crock.

Attorney Whiting noted that the Loudoun Water contract would make them the Town's agent and they would be acting under the Town's auspices.

Vice Mayor Zoldos requested that Manager Markel investigate what the test would cost when done by a licensed plumber, noting that Loudoun Water's charge might be higher than a private licensed plumber.

This item remains tabled by the Council.

**B. Lovettsville Park Status**

Mayor Walker reported that she has spoken with Supervisor Sally Kurtz frequently since the last Council meeting and Supervisor Kurtz is really going to bat for the Town to find the money to pay for the revised transportation study and park master plan. Supervisor Kurtz asked Mayor Walker to share with the Council that she is exploring all possibilities to find funding. She is concerned about the June 30<sup>th</sup> deadline and is working on either meeting the deadline or having it extended. Mayor Walker asked that this item be held over until the first Council meeting in January. Vice Mayor Zoldos asked if Director Ryburn had provided the timeline promised at the last Council meeting and Manager Markel distributed an email from Director Ryburn detailing the timeline. Vice Mayor Zoldos expressed concern about the process that will occur after the Special Exception hearing, asking if the development of the Park will be delayed until the second access is built which could take five to ten years.

**Information Items**

No information items were presented.

**Comments from the Mayor and Town Council**

Councilwoman Coleman wished everyone a happy holiday and safe travel.

Councilman Senate reminded everyone that Santa would continue to ride the fire engine through various neighborhoods and wished everyone happy holidays.

Councilman Staley also wished everyone happy holidays.

Councilman Dockum reported that he and his family attended the Pancake Breakfast with Santa at the Lovettsville fire house and had a great time. He also attended the Civil War commemorative sign dedication and thought it was a very informative event.

Councilman Jones wished everyone happy holidays.

Vice Mayor Zoldos wished everyone happy holidays

Mayor Walker reported on the following:

1. The Santa breakfast at the fire station was a great deal of fun.
2. The Dedication of the Civil War Trails Marker went very well.
3. She attended Christkindlmarkt and noted there was a good turnout for this event.
4. She also attended the Senior Citizen luncheon at the Lovettsville Community Center today and noted that the Lovettsville Elementary School fifth grade chorus entertained at the event.
5. The staff is having a holiday lunch on Monday.
6. She wished everyone a very happy holiday and best of the New Year.

### Comments from the Public

There were no comments from the public at this time.

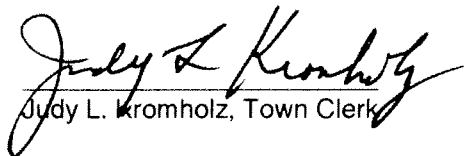
### Adjournment

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

**Motion:** To adjourn the December 17, 2009 meeting of the Lovettsville Town Council  
**By:** Council Member Zoldos  
**Second:** Council Member charlotte  
**Aye:** Council Members 6  
**Nay:** None  
**Abstain:** None  
**Absent:** None

The meeting was adjourned at 9:30 PM

Respectfully submitted,



Judy L. Kromholz, Town Clerk

Date Approved: February 25, 2010

Attachments:

- I. Completed Speaker Sign-up Sheet

# Town of Southville

## Speaker Sign - Up Sheet

### Town Council Regular Meeting - December 17, 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.