

# Town of Lovettsville

## Town Council

### Minutes of Public Hearing and Regular Meeting February 9, 2012

#### PUBLIC HEARING

The Lovettsville Town Council Public Hearing on the Regional Water Supply Plan was called to order by Mayor Elaine Walker at 7:30 PM at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA 20180.

#### Welcomes and Introductions

Mayor Walker welcomed the citizens attending the meeting.

The Mayor introduced Vice Mayor Robert Zoldos II and Council Members Tiffany Carder, Tim Sparbanie, Shaun Staley and Michael Senate. The Mayor also introduced Town Staff, including Town Manager Keith Markel, Project Manager Karin Fellers, and Town Clerk Judy Kromholz. Attorney Elizabeth Whiting arrived at 7:45 PM during the presentation.

#### Absent

None

#### Explanation of Procedures and Opening of the Hearing

Mayor Walker read the public notice of this Public Hearing on the Regional Water Supply Plan as it appeared in the *Purcellville Gazette* as shown in Attachment I.

#### Presentation

Manager Markel explained the background of this plan and introduced Normand Goulet of the Northern Virginia Regional Commission and Thomas Bonacquisti and Chris Keplinger from Loudoun Water.

Mr. Goulet made a presentation on the Regional Water Supply Plan. Vice Mayor Zoldos asked if the Town was subject to any of the drought warning triggers and Mr. Goulet stated that the Town was in very good shape and had very reliable wells. Manager Markel pointed out that one of the goals is to be consistent with other jurisdictions when warnings and watches are issued. Mayor Walker noted that this project has been in process for more than 10 years and that the Town had been on water conservation many, many times before the current well system existed. She stated that the Town is very grateful to the developers in this Town for supplying through proffers the additional water supply it now has.

#### Public Speakers

No one in the audience had signed up to speak on this topic (Attachment II: Speaker Signup Sheet). Mayor Walker asked if anyone wished to speak and no one did.

#### Declaration to Close the Public Hearing

Mayor Walker declared this Public Hearing closed at 7:58 PM.

#### REGULAR MEETING

Mayor Elaine Walker called the regular meeting of the Lovettsville Town Council to order at 7:59 PM on Thursday, July 9, 2012.

#### Present at Meeting

- Mayor Elaine Walker
- Vice Mayor Robert Zoldos II
- Council Members Tiffany Carder, Tim Sparbanie, Shaun Staley, Michael Senate
- Town Manager Keith Markel

- Town Attorney Liz Whiting
- Town Treasurer Lance Gladstone (*arrived at 8:38 PM*)
- Project Manager Karin Fellers
- Town Clerk Judy L. Kromholz

**Absent**

- None

**Audience**

Among those present were former council member Charlotte Coleman and Planning Commission Vice Chairman Jack Burden.

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

Mayor Walker led the assembled in the Pledge of Allegiance.

**Presentations**

Jennifer Gardner, Vice President of the Lovettsville Elementary School Parent Teacher Organization (PTO) updated the Mayor and Council on the progress of the playground at the school. She reported that the committee has found a local company that manufactures and distributes playgrounds at half the cost of what they had expected to pay to the company they were first talking with. As a result, the project is now fully funded and they are hoping to install the playground this spring. However, they are asking the Town to fund two benches at a cost of \$2,700 to be placed at the playground. Councilman Sparbanie said that the Oktoberfest Committee has offered the Lovettsville Library and the PTO the older replicas to sell with half the proceeds going to Oktoberfest and the other half to the seller. Vice Mayor Zoldos noted the numerous fundraisers the PTO has run this year and how successful they have been.

**Comments from the Public**

There were no comments from the public.

**Community Presentations**

A. Loudoun County Sheriff's Office

Loudoun County Deputy Sheriff Wacker was called away by his department and was not able to attend the meeting.

B. Lovettsville Planning Commission

Vice Chairman Burden reported on the Planning Commission February meeting.

C. Economic Development Advisory Committee

Councilman Staley reported that the Committee will be meeting next Thursday. They have a new appointment to be voted on by the Council.

**Additions/Deletions/Modifications to the Agenda**

Councilwoman Carder added the MayFest budget as an action item. Councilman Staley added the appointment of a new member to EDAC to the agenda.

**Approval of Town Council Minutes**

A. Town Council Public Hearings and Regular Meeting -- December 8, 2011

**Motion:** To approve the minutes of the December 8, 2011 Town Council Public Hearings and Meeting as changed.

**By:** Council Member Staley

**Second:** Council Member Carder

**Aye:** Council Members Carder, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** Council Member Senate

**Absent:** None

**Staff Reports**

**A. Report from the Town Attorney**

The Town Attorney had no formal report.

**B. Report from the Town Manager**

Manager Markel reported that the new Zoning Administrator will start on February 27<sup>th</sup>. The Planning Commission will begin reviewing the Keena infill development at their next meeting. He distributed his monthly report to the Mayor and Council and thanked Loudoun Water operators Chris Keplinger and Stephen Gates for all of their work repairing the damage done by the two accidents involving fire hydrants during the icy weather.

**Action/Discussion Items**

**A. Regional Water Supply Plan**

Manager Markel presented this item. Council is being asked to review and approve the Northern Virginia Regional Water Supply Plan as presented by the Northern Virginia Regional Commission.

He explained that, in November of 2005, Virginia enacted the Local and Regional Water Supply Planning Regulation (9 VAC 25-780-10). This new regulation requires that communities develop a Water Supply Plan (WSP) with a 30-50 year time horizon that accounts for adequate and safe drinking water supplies along with encouraging and promoting all other beneficial uses of the Commonwealth's water resources, and developing incentives for alternative water sources. Because of the interdependency of several jurisdictions on water supplies and the efficiencies that could be realized by a group effort, 22 local governments in Northern Virginia joined together in a partnership with the Northern Virginia Regional Commission (the Commission). Each locality provided a pro-rata share of the total cost of developing the report. Lovettsville, like other smaller communities in the study area, contributed \$5,000 towards the project's cost. Over the past several years the Commission has worked with localities and with representatives of the localities, such as Loudoun Water in the case of Lovettsville. Data was collected and reported on issues such as existing water sources, consumption data, and growth projections. Over the past several months, representatives from the Commission have been visiting the governing bodies of the jurisdictions included in the report to provide an overview of the findings and to answer questions about the document for elected officials and those who come to the public hearing. Each member locality needs to hold a public hearing on the plan and to ultimately adopt the report so it can be forwarded on to the Department of Environmental Quality (DEQ) for a detailed review. Even with a locality's adoption of the plan in its current form, DEQ may recommend modifications or additions after their review. One of the outcomes of this plan is the need for all of the localities in the region to have a consistent drought response plan. In the coming weeks staff will provide a draft ordinance for consideration based on the model used by other localities in the region.

**Motion:** I move that the Lovettsville Town Council approve Resolution 2012-02-0001 to adopt the Northern Virginia Regional Water Supply Plan (Attachment III)

**By:** Council Member Sparbanie

**Second:** Council Member Senate

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

**B. Water Upgrades**

Project Manager Fellers presented this item. Council is being asked to accept Technical Memorandum Task Order 1. – Town of Lovettsville Water Improvements Study and provide direction to staff. She explained that, as part of the Tank Painting project, it was identified that modifications to the Water Supply systems will be necessary. The engineer, KCI, recommended the use of a smaller "jockey" pump at each well house which would introduce water into the system, using a pressure relief valve to maintain pressure and piping any water released from the pressure relief valve back into the ground storage tank. This solution was originally considered as a temporary solution, however, during a conference call with the Mayor, KCI, Loudoun Water and staff, Loudoun Water identified that the current well configuration is causing some operational challenges that this solution appears to correct. It was identified that the Town may wish to consider installing the "jockey pump" and pressure relief system at both wells permanently to provide a better operating system and ease of taking the elevated tank off line as needed. Both well

systems were originally designed by David Rigby at Wastewater Management, Inc. (WWM). The Town hired this firm to provide an evaluation of the "jockey pump" system and to design it if the Town wishes. Two reports were provided by WWM and then WWM stated that they would no longer be in a position to provide services to the Town. With the procurement of new Water and Sewer Engineers, the Town turned to Dewberry to complete this project. Dewberry met with staff and Loudoun Water to discuss the project and conducted two days of hydrant flow tests. Dewberry drafted a comprehensive report evaluating the options available to the Town to maintain pressure in the system while the tank is offline and to also address several operational issues identified by Loudoun Water. Dewberry and Loudoun Water participated in a work session with the Town Council several weeks ago. The Dewberry report is recommending the following improvements to the system.

1. Install a Variable Frequency Drive (VFD) on one of the 700+ gpm fire pumps at Kingsridge and Retirement Village Well Facilities. Dewberry has indicated that the VFDs will be needed to properly operate the water system while the tank is offline. The VFDs will ramp the pumps up and down to meet the flow demands to the system and maintain a constant pressure in the system.
2. Install a mixer in the elevated water tank to eliminate issues with freezing and improve water quality to the system: \$30,000 + electricity to operate. The report has added an engineering and contingency cost, however, Utility Services Company has quoted \$18,000 in their scope of services and there should not be much of any additional charges for the installation.
3. Install a dual pressure transducer in the standpipe of the elevated tank. This will offer accurate tank level readings even when the pumps are running and will not be affected by changes in weather. \$22,500.
4. Replace an existing 700+ gpm fire pump at Kingsridge and Retirement Village Well facilities with a small 150 gpm jockey pump. These pumps will operate much more efficiently and will not introduce the high pressure surges to the system currently caused by the larger fire pumps.
5. Upgrade the Water System SCADA system. The new pressure transducer will permit the pumps to turn on and off based on the water level in the tank instead of on timers making the system more complex to program and operate. The addition of the smaller pumps and the VFDs further complicates the system. Dewberry spoke with Instrulogic, the company that installed and programmed the existing Water SCADA system, and they have indicated that the SCADA software currently in use for the water system is many years out of date and will need to be upgraded to properly control the improvements to the system. The report recommends relocating the SCADA system to Kingsridge to take advantage of the generator and also recommends switching to the Sherwood Logan system implemented recently at the WWTP. A cost for the SCADA system has not yet been determined. Programming needs and an evaluation of which existing components can be used must be completed before a cost can be obtained.

The recommended improvements address the everyday operational issues as well as the need to provide pressure and flow to the system while the tank is out of service. Design of the system in order to ensure smooth operations while the tank is out of service will be maximized if the Town could collect more information about the usage in the system. Once the new SCADA system and transducers are installed, the Town will be able to collect information about the tank water level and pump operation over time. This information will be invaluable in determining the future demand needs for the system. For this reason, the Town Council should consider making the recommended improvements in a phased approach as follows:

1. Install the VFDs on the fire pumps prior to taking the tank offline. USC is capable of doing this work and staff recommends getting a price from them as they will already be working on the tank. While the tank is out of service, the VFDs will operate independently based on pressures in the system to ensure that flows are maintained while the tank is out of service. This will require additional engineering to determine what is needed and is included in the estimates listed above. The performance of the VFD's will be monitored during this initial tank maintenance period to determine if modifications are needed for the long-term permanent system.
2. The installation of the pressure transducer should be completed while the tank is out of service. USC is capable of doing this work and staff recommends getting a price from them as they will already be working on the tank. The mixer is not absolutely necessary but is recommended for improvement function during cold weather and improved water quality. This will require additional engineering to determine what is needed and is included in the estimates listed above.
3. The new SCADA system requires design to define what its capabilities must be. An evaluation of the existing components to determine what can be reused will be a part of the design and pricing of the new SCADA system. It will be beneficial to have the SCADA system installed as soon as possible

after the tank painting in order to collect valuable information about the water usage of the system to program the permanent system. This will require additional engineering to determine what is needed and is included in the estimates listed above.

4. Collect usage data once the new SCADA system is in operation. When the tank is back in operation, set the VFD fire pumps to supply water to the system with slow starts to reduce the pressure spikes and increases in pressure to the system. It may be possible that the VFD fire pumps can be set such that they can operate efficiently enough to function like the jockey pumps. If it is found that the jockey pumps are still a necessary improvement to ensure proper flow supply and efficiency, the data collected by the SCADA system will ensure that the proper sized pumps are installed.

Project Manager Fellers introduced Barry Bond and Jamie Mays from Utility Services Company to answer any questions the Mayor or Council might have. They will be responsible for maintaining pressure in the system while the tank is off-line. During their tour and review of the facilities, Utility Services convinced Town staff that the VFD presented the best solution and also recommended that the Town needs one transducer, not two. (*Treasurer Gladstone arrived during this discussion*). Vice Mayor Zoldos thanked Project Manager Fellers for returning to Council with the information they had requested to support their decision.

**Motion:** I move that the Lovettsville Town Council accept the *Technical Memorandum Task Order No. 1 Town of Lovettsville Water System Improvements* prepared by Dewberry dated February 3, 2012 and direct staff to obtain costs to complete:

1. Install the VFDs on the fire pumps prior to taking the tank offline. USC is capable of doing this work and staff recommends getting a price from them as they will already be working on the tank. While the tank is out of service, the VFDs will operate independently based on pressures in the system to ensure that flows are maintained while the tank is out of service. This will require additional engineering to determine what is needed and is included in the estimates listed above. The performance of the VFD's will be monitored during this initial tank maintenance period to determine if modifications are needed for the long-term permanent system.
2. The installation of the pressure transducer should be completed while the tank is out of service. USC is capable of doing this work and staff recommends getting a price from them as they will already be working on the tank. The mixer is not absolutely necessary but is recommended for improvement function during cold weather and improved water quality. This will require additional engineering to determine what is needed and is included in the estimates listed above.
3. The new SCADA system requires design to define what its capabilities must be. An evaluation of the existing components to determine what can be reused will be a part of the design and pricing of the new SCADA system. It will be beneficial to have the SCADA system installed as soon as possible after the tank painting in order to collect valuable information about the water usage of the system to program the permanent system. This will require additional engineering to determine what is needed and is included in the estimates listed above.

**By:** Council Member Senate

**Second:** Council Member Sparbanie

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

#### C. Tank Maintenance Agreement

Mayor Walker and the Council agreed to discuss this item next in order to let the experts leave as early as possible. Project Manager Fellers presented this item. Council is being asked to review and approve the Agreement with Utility Services Company for a Maintenance Program for the Elevated Water Storage Tank.

She explained that the Town's elevated storage tank is in need of painting. The Town has been working to reattach the cellular phone antennas in order to facilitate this maintenance. Once the antennas are reattached suitably, the next step is to complete recommended repairs to the tank as identified in the KCI

Inspection Report and to paint the tank inside and out. The Town Council previously directed staff to develop a final Proposal and Agreement with Utility Services Company (USC). Staff met with the Town Attorney and a representative from USC to discuss the agreement and the proposal. Modifications were made to both the Proposal and the Agreement. The proposal describes the schedule and services that USC will provide and the cost schedule for those services and will be an appendix to the agreement.

The proposal includes the following services:

- Painting of the Exterior and Interior of tank in Year 1 and one time repairs/improvements.
- Annual Visual Inspection of the Tank (exterior and partial interior)
- Conditional Assessment Inspection of the Tank (exterior and full interior) and washout every 4 years
- Painting and Repairs to Exterior and Interior of tank in Year 12
- Emergency repairs and other maintenance as needed. Includes graffiti but not acts of god.
- *Optional:* Installation of tab attachments to the top of the tank as specified by KCI for future installation of cellular antennas and reattachment of the SCADA antennas and cable.
- *Optional:* Add a security ladder gate at the bottom of the tank and install cable safety climb. Stationary safety climb has been painted over and no longer functions well.

As part of the Water System Improvements Evaluation, installation of a mixing device in the elevated tank is being considered. The mixing provides two major benefits: prevention of freezing and maintenance of water quality. USC has stated that the mixing device will come with a 10 year warranty for all parts and the maintenance contract includes repair services. The device comes with controls that provide information about the performance of the device and this control can be tied to the SCADA system to provide alarms when the device is not functioning as expected. Out of the optional items, this item appears to have the most benefit; however, it is not absolutely necessary and could be installed later. Later installation will likely have a much higher price tag.

Town Council also asked staff to obtain a cost for repairing the dome light on the top of the tank. The cost to make this repair is \$1,550. It should be noted that a dome light is not required by any regulations for a tank lower than 200 feet. The Town of Lovettsville tank is 125 feet. If a dome light is functional at the top of the tank, it will likely require light bulb change out once to twice a year via climbing the tank. If the Town Council wishes to keep down maintenance costs, eliminating the light may be a better option. Staff also requested a price to install the "tabs" on the top of the tank designed by KCI. These tabs could be used to install an antenna corral to handle an additional carrier at some time in the future. The cost is fairly substantial to complete this work now and there is no guarantee that a carrier will ever use these tabs. Although, completing the welding prior to the paint job will eliminate the need for repainting if the tabs were put on later, it may not be an appropriate expense since it is unknown whether the tabs will ever be needed or used.

Staff recommends that the Town enter into an agreement with Utility Services Company for the maintenance of the Elevated Water Tank. The Proposal and Agreement have been reviewed by staff and the Town Attorney. Depending on which optional items are chosen by Town Council, the cost numbers in the agreement may need to be adjusted prior to signing. This can be done quite easily once Town Council makes a decision.

Based on the WTP Improvements report from Dewberry, the mixing device has been identified as a beneficial item to reduce damage from freezing and improve water quality; however, the device is not an absolute necessity. The upfront cost is an excellent deal with full maintenance coverage for 10 years. The only additional cost will be for the electrical. As the dome light is not required by any regulations due to having a height well below the cutoff height of 200 feet, staff does not recommend re-installing this light but instead would recommend removing the light housing from the tank during the upcoming maintenance work.

Staff recommends that Town Council forego the installation of the tabs at this time and either allow the carrier to install the tabs to the design specifications at the time that they would be needed or require the carrier to hire USC to install the tabs at such time they are needed.

Mayor Walker called for discussion. Mr. Bond explained that USC wants to partner with the Town over a long period of time. He emphasized the water quality improvements that would result from installation of the mixer. He noted that adding the tab later could compromise the paint job on the inside of the tank. If it is done now and a new user wants to be on the tank, the Town can amortize the cost of the tab thru the new user fees.

Councilman Sparbanie asked if there were alternatives to the mixer system and Mr. Bond explained that the alternative system is passive and the mixer operates all the time. The mixer will eliminate any icing problem.

**Motion:** I move that Town Council award Utility Service Company the Tank Maintenance Contract for the Elevated Water Tank and authorize the Mayor or Town Manager to sign the paperwork once in a form acceptable to the Town Attorney, with the Service Proposal to include the following:

- A. Standard Maintenance and Repair items (with cost spread across 12 years)
- B. Installation of the mixing unit during painting (with costs spread across 3 years)
- C. Installation of a new light on the top of the tank (with cost spread across 12 years)
- D. Installation of tabs for later installation of a corral (with cost spread across 12 years).

**By:** Council Member Senate

**Second:** Vice Mayor Zoldos

Mayor Walker called for discussion. Vice Mayor Zoldos stated that items A and B are standard, and that one new vendor will pay for item D in one year which makes it a good investment for the Town's future. He stated that his only concern about the light is that there will be complaints about light pollution, but it is a safety feature. Councilman Staley agreed that item D will pay for itself. He stated that he is not sure he is in favor of installing the light given that the tower is only 125' tall. Vice Mayor Zoldos stated that it is inexpensive considering the safety factor it would provide. Councilman Sparbanie stated that he agrees with Vice Mayor Zoldos and Councilman Senate that public safety is worth the cost. There being no further discussion, Mayor Walker called for the vote.

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

Mayor Walker stated that she has known Utility Services for many, many years and this is a very reputable company. Other Towns in the County are very pleased with their services. Mr. Bond commended the hard work of Manager Markel and Project Manager Fellers in bringing the project to this point in a timely manner.

#### D. Sewer Inflow and Infiltration Monitoring Report

Project Manager Fellers presented this item. Council is being asked to accept the Inflow and Infiltration Removal Verification Report (Report) and authorize its transmittal to the Virginia Department of Environmental Quality identifying that the Town has fulfilled the reduction to Inflow & Infiltration (I&I) required in the Consent Order

She explained that, in September, 2008, the Town entered into a Special Order of Consent with the Virginia Department of Environmental Quality (DEQ). A main element of the consent order was for the Town to "create and implement a Final Plan and Schedule detailing the Infiltration and Inflow (I&I) rehabilitation and repair program to address the current I&I problems" and to implement the Final Plan. The Town completed the recommended Phase 1 repairs as outlined in the Final Plan in the spring of 2010. As part of the consent order, the Town collected flow data for the influent to the WWTP before and after the I&I corrections were made.

The Town's consultant, CHA (formerly Olver) has reviewed the flow data and developed the attached Report outlining the flow data and identifying the success of the Phase I corrections. The Report identifies an approximate 70% reduction in the ground water infiltration and at least a 30% reduction in the rainfall-derived inflow and infiltration and that even with the additional flow from the projected growth of the Town, the rainfall-derived peak flow to the WWTP is anticipated to be below the 1.125 million gallons per day peak capacity for the WWTP. CHA recommends that the Town identify to DEQ that the requirement in the consent order to reduce I&I has been met and can be eliminated from the consent order.

Staff recommends that the Town accept the *Town of Lovettsville Infiltration and Inflow Removal Verification Report* dated January 23, 2012 and direct staff to send the letter to DEQ along with a copy of the report identifying that the Town has met the I&I requirement of the consent order. Project Manager

Fellers reminded the Mayor and Council that additional elements of the consent order need to be addressed in the next budget cycle.

**Motion:** I move that Town Council accept the *Town of Lovettsville Infiltration and Inflow Removal Verification Report* dated January 23, 2012 report and direct staff to send a letter to DEQ providing a copy of the report and identifying that the Town has met this requirement of the consent order.

**By:** Council Member Sparbanie

**Second:** Vice Mayor Zoldos

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

#### Report from the Treasurer

##### A. Financial Report – December 2011

Treasurer Gladstone presented his report for December 2011. The Mayor and Council had no questions.

**Motion:** To approve the December 2011 Treasurer's report as presented.

**By:** Council Member Carder

**Second:** Council Member Senate

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

#### Action/Discussion Items (continued)

##### E. Bandstand/Gazebo Budget

Manager Markel presented this item. Council is being asked to set a budget for the Bandstand/Gazebo and provide direction on next steps. The Town has always planned to install a Bandstand/Gazebo in the Town Green. A concept plan developed by the Town Center Development as well as the Town Green Concept Plan developed by the Town shows a Bandstand structure. The FY 2012 budgeted \$45,000 for development of the structure. The Parks Committee has begun work on developing this bandstand structure and has identified that the bandstand/gazebo needs to be attractive and functional and that careful selection of the structure is critical.

After conducting some initial pricing on gazebo kits as well as the costs for architectural design support, the Parks Committee has identified a desire to utilize a professional architect to design the structure and that a budget of Not to Exceed \$150,000 will provide the resources to construct a bandstand structure that will be a signature landmark in the community as well as attractive and functional for events held at the Town Green.

Staff, in consultation with representatives from the Parks Committee, has drafted a Resolution for Town Council consideration. If Town Council chooses to pass the resolution, the Parks Committee recommends approving the Phase 1 Scope of Services with Architect, Clint Good. The Scope of Services for Mr. Good's work was discussed at the Town Council meeting on January 26, 2012. Concerns were raised over the deliverables at the end of the design support phase of the project. The scope called for three pencil sketches to be created to serve as visuals for the community input meeting. Mr. Good noted in the scope that color renderings could be provided at an additional cost. Staff was asked to go back to Mr. Good to clarify the detail of the tangible products at the conclusion of the scoped work. Staff discussed the Town Council's concerns with Mr. Good and as a result he has provided additional information and options for Council to consider. He is still willing to draft the three pencil renderings of three possible construction designs and he has added that he will provide simple coloring to these drawings to show more definition. A much more detailed gouache or watercolor rendering could be provided for an additional \$2,000 to \$3,000 fee. As an alternative, Mr. Good would be willing to replace the three pencil sketches with two human eye perspective computer renderings that would show color and detail for the same fee. These designs would be created in Google Sketchup. It should be noted that using Google Sketchup will reduce the design options developed from three to two. With both options, Mr. Good said he will provide a plan view of the project area to reflect the location of this building with the other existing

elements of the Town Green.

Vice Mayor Zoldos asked if the Town would own the resulting renderings, and Project Manager Fellers stated that the Town's standard contract includes the stipulation that the Town would own all deliverable products.

**Motion:** I move that Town Council approve the Resolution to Support the Construction of a Town Bandstand in the Town Green. I further move that Town Council authorize the Mayor or Town Manager to sign the necessary paperwork to initiate Phase 1: Town Green Bandstand Programming/Schematic/Budgeting Services with Architect, Clint Good and direct Mr. Good to develop two colored computer designs in lieu of the three proposed pencil sketches along with a plan view for a cost not to exceed \$9,000.

**By:** Vice Mayor Zoldos

**Second:** Council Member Sparbanie

Mayor Walker called for discussion. Vice Mayor Zoldos stated that he feels strongly that having the ability to provide multiple views is important to the presentation to the surrounding homes. Councilman Staley stated that he prefers the drawing option because the Town receives three alternatives to present to the public rather than two. Vice Mayor Zoldos stated that the quality of the presentation is an important factor and feels that the Sketchup option will provide more professional results. Councilwoman Carder confirmed with Manager Markel that all options will include the site plan. Councilman Senate stated that he feels the inked in drawings would be more representative of the options and easier for people to consider. He is concerned about how detailed and representative a CAD drawing would be.

Councilman Sparbanie suggested tabling this item and inviting Mr. Good to attend the next Council meeting and explain exactly what he will be providing under each alternative. Councilman Senate suggested giving Mr. Good the assignment without selecting an option and asking him to attend the next Council meeting to discuss the alternative deliverables. Councilman Senate noted that generally the architect works with pen and ink, and the contractor then performs the CAD design phase.

**Friendly Amendment:** I move that Town Council approve the Resolution to Support the Construction of a Town Bandstand in the Town Green. I further move that Town Council authorize the Mayor or Town Manager to sign the necessary paperwork to initiate Phase 1: Town Green Bandstand Programming/Schematic/Budgeting Services with Architect, Clint Good for a cost not to exceed \$9,000.

**By:** Councilman Sparbanie

**Agreed to By:** Vice Mayor Zoldos

The Council agreed to revisit selecting the project output option later in the process. There being no further discussion, Mayor Walker called for the vote.

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

#### F. Funding for Lovettsville Elementary PTO Project PLAY

Vice Mayor Zoldos presented this item. He congratulated the PTO for finding the new vendor and stated that he believes the benches reinforce the concept that this will be a community facility. He suggested using the Beautification budget line to fund this request. He would like the benches to say Lovettsville to match the existing bench.

**Motion:** I move that the Town provide the Lovettsville Elementary School Parent Teacher Organization with funds to purchase two benches not to exceed a cost of \$3,000 to be placed near the new playground. The funds are to be allocated from the beautification budget line.

**By:** Vice Mayor Zoldos

**Second:** Council Member Sparbanie

Mayor Walker called for discussion. Councilman Staley noted that the Council had previously discussed allocating funds for the playground from next year's budget. Vice Mayor Zoldos stated that he is comfortable allocating the funds from the current budget because of the reduced amount being requested and because he is aware that delaying installation of the benches would create a logistical problem for

the construction. Council directed Manager Markel to inform the PTO that the benches should display the Town name if it can be done within the allocated amount. There being no further discussion, Mayor Walker called for the vote.

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos  
**Nay:** None  
**Abstain:** None  
**Absent:** None

#### Information Items

##### A. Bike Path Informational Update

Project Manager Fellers presented this item. She reported on the meetings the Mayor and staff had attended with Virginia Department of Transportation (VDOT) personnel and stated that the Town will be responsible for the storm water management portion of the project. VDOT has scheduled their public hearing for Wednesday, April 11<sup>th</sup>. Once the public hearing phase is completed, right of way acquisitions can begin and the project will be considered 'shovel ready' which may open up additional funding sources.

#### Action/Discussion Items (continued)

##### G. MayFest

Councilwoman Carder presented this item. Manager Markel explained the three options offered for obtaining an ABC license and Vice Mayor Zoldos suggested that the MayFest Committee review these options at their next meeting and return to Council with a recommendation. Councilwoman Carder reported on the proposed advertising expenditures, noting that the total is higher than originally budgeted. Vice Mayor Zoldos asked what the Committee needed from the Council at this time. Councilman Staley stated that they needed funding. Vice Mayor Zoldos suggested that Council allocate a lump sum to the event and instruct the committee to work within that amount. Manager Markel noted that they will need to make parking arrangements,

**Motion:** I move that the town of Lovettsville allocate the MayFest committee a maximum of \$5,000 from the events budget line for the first MayFest event.

**By:** Vice Mayor Zoldos

**Second:** Council Member Senate

Mayor Walker called for discussion. Councilman Sparbanie stated that the allocated amount would be 100% of that budget line item. He stated that he does not believe that the Council would fund 100% of Oktoberfest. He also noted that the committee does not have a fixed budget, has not appointed a treasurer and does not have a projected revenue stream. He stated that he would approve a smaller amount, but not 100% of the budget. He stated that they need to budget target numbers of vendors and sponsors. Vice Mayor Zoldos stated that this is seed money to fund a new event which will help publicize the Town and it is not fair to expect it to make money or to compare it to Oktoberfest as it currently exists. He noted that the Committee cannot hire bands without a commitment from the Town. Councilman Sparbanie suggested that the Town should make a smaller commitment. Councilman Staley stated that this year's budget reflects that this is a new event and the Council did specifically include money in this budget line to fund a new event. He stated that the committee had appointed a treasurer but there is nothing for the treasurer to do yet. Vice Mayor Zoldos called the question.

**Aye:** Council Members Carder, Senate, Staley, Zoldos

**Nay:** Council Member Sparbanie

**Abstain:** None

**Absent:** None

##### H. Economic Development Advisory Committee Appointment

**Motion:** I move to appoint Karen Wenner Cooper to the Economic Development Advisory Committee for a term beginning immediately and ending June 30, 2012.

**By:** Council Member Staley

**Second:** Council Member Carder

**Aye:** Council Members Carder, Senate, Sparbanie, Staley, Zoldos

**Nay:** None

**Abstain:** None

**Absent:** None

**Comments from the Mayor and Town Council**

Councilman Senate stated that he wants to see MayFest happen, but shares many of Councilman Sparbanie's concerns. Councilwoman Carder stated that she has been and will continue to work her hardest to make MayFest a successful event.

Councilman Sparbanie stated that he is desperate for this event to succeed but he is concerned about the budget. He stated that he is excited about the playground and proud they found the new vendor.

Vice Mayor Zoldos reported that at the Community Parks Committee meeting they saw an update to the site plan. Provisions have been made for all sports in the local area. The Park will have some water and sewer needs that they will discuss with the Town. He also reported that he had acted as a guest judge at the pinewood derby and had a good time. He stated that he shares the concerns expressed concerning about MayFest but he has sat down with the committee and has a better feel for what they have already accomplished.

Mayor Walker reported on the following:

- The Health Council for Loudoun County is planning Health for Life day on April 19<sup>th</sup>. This will be the third year for the event and it has proved very popular with the community.
- The Mayor and Council retreat will be this Saturday at 8:00 AM at Town Hall.
- She met with Inova this week and they are still actively pursuing a doctor to open a practice in Lovettsville.
- The first 2012 Oktoberfest Committee meeting will be next Monday at 7:30 PM.

**Closed Session**

The Mayor and Council went into closed session at 11:21 PM (Attachment IV: Closed Session Motions)

The Council came out of closed session at 11:55 PM. All council members certified that only public business matters lawfully exempt from the open meeting requirements under the Virginia Freedom of Information Act were discussed.

Let the record reflect that no vote was taken following the Closed Session.  
The meeting was adjourned at 11:56 PM.

Respectfully submitted,

  
Judy L. Kromholz, Town Clerk

Date Approved: April 26, 2012

**Attachments:**

- I. Public Hearing Notice from *Purcellville Gazette*
- II. Speaker Signup sheet
- III. Resolution 2012-02-0001 to adopt the Northern Virginia Regional Water Supply Plan
- IV. Closed session resolutions

Written Submissions to Council: None

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## Public Hearing/Legal Notices

### ADVERTISEMENT

#### Request for Proposal (RFP)

#### Public Information and Communications Services for the Town of Purcellville

The Town of Purcellville is requesting proposals for public information and communications services for the Town. Download the Request for Proposal (RFP) at the website, [www.purcellvilleva.gov](http://www.purcellvilleva.gov), or contact Steve Coakley, Budget/Procurement Specialist, at (540) 751-2351 or [scoakley@purcellvilleva.gov](mailto:scoakley@purcellvilleva.gov). The Town will hold a mandatory Offerors conference on February 1, 2012 at the Town Hall located at 221 South Nursery Avenue, Purcellville, Virginia, 20132. The Town will accept proposals until February 15, 2012 at 2:00 PM (EST), at the Town Hall. All other relevant items

#### Lovettsville Town Council Notice of Public Hearing Regional Water Supply Plan

The Lovettsville Town Council will hold a Public Hearing on Thursday, February 9, 2012 at 7:30 p.m. or as soon thereafter as the agenda permits, at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, Virginia, to consider the adoption of the local/regional water supply plan and Drought Ordinance, which includes the following:

- Existing Water Source Information;
- Existing Water Use Information;
- Existing Resource Information;
- Water Demand Management, or current conservation practices;
- Drought Response and Contingency Plans;
- Projected Water Demand Information;
- Statement of Need based on the adequacy of existing water sources to meet current and projected water demand over the planning period (a minimum of 30 years to a maximum of 50 years).

A copy of the draft water supply plan and ordinance are on file in the Lovettsville Town Office at the above address and are available to the public for inspection. If the meeting is canceled due to inclement weather, the public hearing will take place at the next regularly scheduled meeting of the Town Council. For more information call the Town Hall at 540-822-5788.



January 27 & February 3

#### RETAIL LICENSE APPLICATION – POSTING AND PUBLISHING

Smokin Willy, LLC trading as Smokin Willy  
201 N. Maple Ave Ste 1 Purcellville, VA (Loudoun County) 20132

The above establishment is applying to the VIRGINIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL for a Beer and Wine on premises license to sell or manufacture alcoholic beverages.

Shannon Scharrer / Vice President

Note: Objections to the issuance of this license must be submitted to ABC no later than 30 days from the publishing date of the first of two required newspaper legal notices. Objections should be registered at [www.abc-virginia.gov](http://www.abc-virginia.gov) or 800-522-3200

### INVITATION FOR BID

January 26, 2012  
Southern Collector Road  
in the Town of Purcellville, Virginia

BID # SCR-12-01  
VDOT PROJECT # U000-286-R45  
UPC # 101304

The Town of Purcellville is accepting competitive sealed bids from qualified contractors for the Southern Collector Road in the Town of Purcellville, VA. Sealed Bids will be accepted until 2:00 p.m. on February 23, 2012, at the Town of Purcellville located at 221 South Nursery Avenue, Purcellville, Virginia 20132. Bids must be clearly marked on the outside of the envelope "Sealed Bid – Southern Collector Road in the Town of Purcellville, VA – Reference – IFB No. SCR-12-01." Bids will then be publicly opened and read aloud. Bids received after the specified time will not be considered. A Contractor wishing to withdraw his bid shall give notice in writing of his claim of right to withdraw his bid within two business days after the conclusion of the bid opening procedure and shall submit original work papers with such notice.

A mandatory pre-bid conference will be held on Tuesday, February 7, 2012 at 2:00 p.m. at the Purcellville Town Hall, 221 South Nursery Avenue, Purcellville, Virginia.

The project includes but is not limited to the installation of approximately 1400LF of a new two-lane roadway connecting W.T. Druhan, Jr. Parkway (also known as A Street) to East Main Street (also known as Business Route 7) at Berlin Turnpike (also known as State Route 287). Included within the construction of this new two-lane roadway is the construction of a triple box culvert and MSE retaining wall. The project also includes the reconstruction and widening of a roundabout at the intersection of East Main Street and Berlin Turnpike and approximately 1500LF of East Main Street and Berlin Turnpike. The Scope of Work is more fully set forth in the Bid and Contract Documents.

General Contractors who are interested bidders must contact the Public Works Department by email at [mccaffee@purcellvilleva.gov](mailto:mccaffee@purcellvilleva.gov) with your contact information in order to be provided access to an electronic copy of the bid and contract documents. Questions regarding the bidding and contract documents must be directed in writing to: Capital Projects and Engineering Manager, Town of Purcellville, 221 South Nursery Avenue, Purcellville, VA 20132, or by email to [cleang@purcellvilleva.gov](mailto:cleang@purcellvilleva.gov).

### Public Notice

The Town of Purcellville is seeking bids from licensed contractors for snow removal, hauling and related services to use on an as needed basis. The Town maintains approximately 55 lane miles of roadways and multiple Town-owned properties within the Town of Purcellville. The Town will select multiple contractors to provide emergency on-call services, including weekends and holidays, within a two-hour response time, as needed.

Interested bidders should go to the Town's Web site at [www.purcellvilleva.gov](http://www.purcellvilleva.gov) and open IFB #MD-12152011-01 on the bid tab page. Bids are due by 10:00 a.m., January 6, 2012. Any questions should be directed to Maintenance Superintendent, Jason Dikawick at [jdikawick@purcellvilleva.gov](mailto:jdikawick@purcellvilleva.gov) or 540-338-7440, ext. 222.

### Luke

Continued from page 8

5-Olivia Heller; Grade 6-Luke Thornburgh; and for Grades 7 and 8 there were no competitors. The Homeschool Bee is an official participant in the Scripps National Spelling Bee, with four of the winners eligible to advance to the Loudoun County Regional Spelling Bee, where they have a chance at advancing to the nationals. The winners of grades 5 and 6 will compete in March at the Loudoun Regional Spelling Bee at Stone Bridge High School in Ashburn. The winner of that bee moves on to the Scripps National Spelling Bee later this spring. ♦

# Town of Lovettsville

## Speaker Sign - Up Sheet

### Town Council Public Hearing and Regular Meeting - February 9, 2012

Please Print.

Name and Association	Address	Topic	Email Address (Optional)
Jennifer Gardner Lovettsville Elementary PTO	1311 Forest Green Lane Lovettsville, VA	Lovettsville Elementary Playground	familyofgardeners@yahoo.com
BRAD BLOWN - UTILITY SERVICE		STORAGE TANK	
JAMIE MAYS UTILITY SERVICE		RAMP	

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.

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

# Town of Lovettsville

**Resolution 2012-02-001: A RESOLUTION APPROVING THE NORTHERN VIRGINIA REGIONAL WATER SUPPLY PLAN.**

**WHEREAS**, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

**WHEREAS**, The Town of Lovettsville is a participant in the Northern Virginia Regional Water Supply Planning Group as reported to DEQ by letter before the November 2, 2008 deadline; and

**WHEREAS**, on February 9, 2012, the Town of Lovettsville held a public hearing to accept public comment on the Regional Water Supply Plan; and

**WHEREAS**, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before March 30, 2012.

**NOW, THEREFORE BE IT RESOLVED** that the Town Council of the Town of Lovettsville hereby adopts the Regional Water Supply Plan as it pertains to the Town of Lovettsville. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town of Lovettsville reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. The Town of Lovettsville will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Lovettsville intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

**VOTE:**

**Ayes:** Carder, Senate, Sparbanie, Staley, Senate

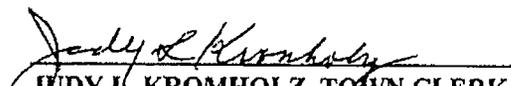
**Nays:** None

**Abstentions:** None

**Absent for vote:** None

**APPROVED** February 9, 2012

  
ELAINE WALKER, MAYOR

  
JUDY L. KROMHOLZ, TOWN CLERK

*The German Settlement*

# Town of Lovettsville

## VIRGINIA FREEDOM OF INFORMATION ACT

### Resolution: AUTHORIZE CLOSED SESSION

Date:

2/9/12

Time:

11:21 PM

MOTION BY:

Bob Zalden

I move that the Lovettsville Town Council convene in closed session pursuant to Va. Code section 2.2-3711 A

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals,
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body,
4. The protection of the privacy of individuals in personal matters not related to public business,
5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community,
6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected,
7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; or consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel [For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter],
19. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure,

# Town of Lovettsville

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body,

33. Discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6,

40. Discussion or consideration of records excluded from this chapter pursuant to subdivision 3 of § 2.2-3705.6 [Confidential proprietary records, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade and tourism development or retention; and memoranda, working papers or other records related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where, if such records are made public, the financial interest of the public body would be adversely affected],

with regard to [person, issue or property subject of discussion]

And thereafter reconvene in open session for action as appropriate.

SECOND: *Under Senate*

VOTE:

Ayes: *B. Zales, T. Spaldine, S. Staley, T. Corder, M. Senate*  
Nays: *none*  
Abstentions: *none*  
Absent for vote: *none*

Roll-call poll by presiding official:

"Do you certify to the best of your knowledge that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Lovettsville Town Council?"

When polled as to whether (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting, the following members stated "Aye:"

2/9/, 2012 at 11:55 PM

Certified:

*Daine Walker*

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