

Town of Lovettsville

Town Council Minutes of Regular Meeting March 11, 2010

Mayor Elaine Walker called the regular meeting of the Lovettsville Town Council to order at 8:00 PM on Thursday, March 11, 2010.

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 Treasurer Lance Gladstone (*arrived about 8:30 PM*)
- Town Attorney Liz Whiting (*arrived about 8:10 PM*)
- Town Clerk Judy L. Kromholz

Absent

- None

Audience

Among those present were Howard Williamson, John Broman (Lovettsville Business Association), Planning Commissioner Aaron Kahn, Amanda Staley, Heather Treadwell, Mike Zapf, Fred George, Tiffany Carder, and Bing Lam.

Call to Order/Welcome/Pledge of Allegiance/Invocation

Cub Scout Robert Zoldos III led the assembled in the Pledge of Allegiance.

Comments from the Public (Attachment I: Speaker Signup Sheet)

Commissioner Aaron Kahn addressed the location of the main tent at Oktoberfest. He requested that the committee consider how to get traffic towards the local businesses if the tent is in the park. He also wanted the Council to consider the possibility of putting in street lights at the southwest and northeast corners of the Town Square because those corners are very dark when he walks his dog at night. He stated that he is working with Mr. Entsminger at Elm Street Development to see if they would complete the sidewalk now, so that Lovettsville Town Center residents could walk to the Square.

John Broman read a prepared statement into the record (Attachment II).

Mr. Fred George stated that his property is still available for Oktoberfest as it has been in the past and he hopes that it still will be used. He stated that he is comfortable assuming the liability exposure. He also reported that he is having problems with the skateboarders in Town and has run them off his property on numerous occasions. He is suggesting putting a skate board facility in the Town Park as soon as possible. Deputy Sheriff Mertz-Myers confirmed that there is no ordinance against skateboarding on public property, but that individual owners can refuse the use of their property and should report issues to the Sheriff's Office.

Anne DeCoursey stated that she does not like idea of moving the tent at Oktoberfest and is concerned about safety issues because there is no sidewalk between the park and the old town.

Tiffany Carder stated that she has heard there are bad relations between businesses and the Town and the Town has not persisted in finding out the source of these rumors.

Lovettsville Business Association President Darren Casper emailed comments concerning the placement of the Oktoberfest event which were read into the record. (Attachment III)

Community Presentations

A. Loudoun County Sheriff's Office

Loudoun County Deputy Sheriff Mertz-Myers updated the council on current issues. She reported that there were no major accidents during the blizzards. She again reminded everyone present to lock their cars and emphasized that all reported thefts from cars were from unlocked cars. She reported that she does talk to the parents of skate boarders when she finds the skateboarders trespassing on private property.

B. Lovettsville Business Association

Vice President John Broman discussed the candidates' forum and asked the Council to allow an announcement to be posted on the Town's website. He commended the Town on inviting the Lovettsville Business Association into the Comprehensive Plan Advisory Committee discussions.

Additions/Deletions/Modifications to the Agenda

None.

Presentations

No presentations were scheduled.

Approval of Town Council Minutes

No minutes were presented.

Staff Reports

A. Report from the Zoning Administrator

Manager Markel presented Administrator McGregor's written report for February, 2010. He also reported that the Comprehensive Plan Advisory Committee has been making good progress. There were no questions from the Council.

B. Report from the Project Manager

Manager Markel explained that I&I and manhole replacement work is currently on hold because of the soggy ground conditions. Paving of Germanna Drive is scheduled to begin on March 22nd; residents have been notified as to the timing of the repair work and another notification will be sent this week.

Mayor Walker noted that the contractors have lost two-three weeks of work time because of the snow and the soggy conditions from the snow melt and rain. The contractors have been very cooperative throughout these delays.

C. Report from the Town Attorney

The Town Attorney had no formal report.

D. Report from the Town Manager

No report at this time.

Consent Agenda

There were no items on the Consent Agenda.

Action/Discussion Items

A. Town Financial Support of Oktoberfest

Manager Markel provided background information on this item. Historically the Town has provided \$3,500 in financial support for the event each year. This past year sponsorships were down due to several of the large contributors of the past choosing not to contribute to the event because of financial constraints. For FY 2010 the Town has budgeted \$10,000 for Town sponsored events. To date, approximately \$4,700 has been spent. The major expenses have been the \$3,500 contribution to Oktoberfest for 2009 and \$1,200 for the movies in the park series. The Events line item was also intended to provide seed money to start other public activities in the Town, but because of limited volunteer interest no other new projects were undertaken so far this year. Councilman Dockum would like to discuss the Town Council allocating additional funds for this year's event to allow for a greater variety of

entertainment and to possibly rent a larger tent to accommodate the increasing numbers of visitors to the festival.

Councilman Dockum noted that some of the supplies (chairs and tables) previously provided by the Community Center (Loudoun County Parks and Recreation) will not be available this year. He hopes there will be a surplus of funds to return to the events committee after Oktoberfest. The committee is requesting additional seed money for rentals and entertainment contracts.

Vice Mayor Zoldos asked how much the committee is requesting and Councilman Dockum stated that they were asking for a total of about \$8,000. He noted if the tent is relocated to the park or square there would be additional costs associated with posting sheriff's deputies at two street crosswalk locations.

Councilwoman Coleman asked what the current balance is in the Oktoberfest account and Councilman Dockum stated that it was about \$4,900. Mr. Fred George said he has some tables and chairs that could be borrowed for the event. Mr. John Broman said that the chairs in storage were in good shape, but that some of the tables were shabby. Councilman Dockum stated that if the main tent is placed in Lovettsville Park it will be bigger and more expensive, as well as requiring more tables and seating.

Manager Markel confirmed that the requested funds can be taken from both this year's and next year's budgets. Councilwoman Coleman asked about Arbor Day expenses and Manager Markel reported that those expenses would come from the Beautification Fund. Councilman Dockum reported that Oktoberfest will not be a two day vendor event this year, although the committee continues to plan for that expansion in the future.

Councilman Staley stated that he did not have a problem with a one-time allocation, but did not want this to become a permanent Town expense. He also noted that he would like to see the Town budget for and sponsor another big event next year. Councilman Dockum stated that the total cost of Oktoberfest is generally around \$20,000, with the bulk of the income derived from sponsors and vendor fees. This income is generally received closer to the actual event date; the Committee is requesting seed money to bridge that gap.

Vice Mayor Zoldos stated that while he is in favor of the allocation, he is concerned that it will impact the Movie in the Park series. He asked if the Committee could manage if it received \$4,000 from this year's budget and \$4,000 from next year's. Councilman Dockum stated that this would probably suffice and reiterated that the Committee is asking for a total of \$8,000, not an additional \$8,000.

Motion: That Town Council authorizes distribution of \$4,000 to the Oktoberfest Committee from the current budget (Events Line-Item), with the additional \$4,000 to be allocated from the next fiscal year budget.

By: Vice Mayor Zoldos

Second: Council Member Jones

Aye: Council Members Coleman, Jones, Senate, Staley, Zoldos

Nay: None

Abstain: Council Member Dockum

Absent: None

B. Use of Town Property for Town Events

Manager Markel explained that Councilman Dockum, speaking for the Oktoberfest Committee, had requested to address the Mayor and Council concerning the advantages and disadvantages of using Town property for events sponsored by the Town.

Councilman Dockum made a brief presentation, addressing the pros and cons of using Town property for these events.

Vice Mayor Zoldos stated that the decision on where to place events belongs to the Committee, not to the Town government. He stated that there is not enough property owned by the Town to hold such events entirely on Town owned property and that the Town does not own the streets. He noted that many jurisdictions (including Leesburg and Purcellville) use private property for many of the events, and that

local Lovettsville businesses should be encouraged to participate and hold complementary events. He also stated that a second tent should be placed in Lovettsville Park in a few years.

Councilman Jones stated that he basically agrees with Vice Mayor Zoldos, but is concerned about Town money being used to put the tent on private property. He also agrees the committee should make the decision. Councilman Staley expressed the same concern as Councilman Jones. He also emphasized that Oktoberfest is for the entire Town, not just the business segment or some other segment. Councilman Jones suggested investigating changing the traffic flow around the Town Square during the event and expanding the event into the Town Square. Manager Markel noted that Route 287 is a primary highway, not a local street and therefore subject to more strict regulations, similar to those affecting Route 7 or 15.

Councilman Senate stated that he feels this event is of the Town and needs to be run by the committee. He stated that the event will evolve on its own as the Town grows.

Councilwoman Coleman asked if a larger tent can be placed on the George property because the post office is no longer operating at that site. Councilman Dockum reported that no final decision has been made.

Attorney Whiting noted that the Town can obtain endorsements to its insurance policy to cover the event.

The consensus of the Council was that the committee should make the decision.

Councilman Staley asked how the committee makes a decision. Councilman Dockum reported that a majority vote of those present make any given decision unless he feels it is an issue that should come before Council.

Report from the Treasurer

A. Financial Report – December 2009

Treasurer Gladstone presented his report for December 2009. The Mayor and Council had no questions on either the General Fund or the Utility Fund.

Motion: To approve the December 2009 Treasurer's report as presented.

By: Council Member Dockum

Second: Council Member Staley

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

Nay: None

Abstain: None

Absent: None

Action/Discussion Items (continued)

C. FY 2011 Budget Parameters

Manager Markel distributed a proposed Schedule for Town Council Budget Work Session (attachment IV) and the parameters under which the budget is being developed (Attachment V). There were no questions from the Mayor or Council at this time.

Information Items

No information items were presented.

Comments from the Mayor and Town Council

Councilman Senate reported that the snowstorms have been hard on the fire and rescue personnel, their equipment, and their budget. He noted that six bingo nights were cancelled as a result of weather conditions, resulting in a large financial loss to the Company. He also stated that he was glad the incumbents are running for re-election and offered them all his support.

Councilman Staley suggested that the Lovettsville Business Association and the Town government schedule quarterly meetings to facilitate communication. He would like to see the joint committees re-established and volunteered to spearhead this effort. He also stated that he is eager to see the Sign Ordinance completed. He reported that he had spoken to personnel at Brunswick Crossing and reported

that they expect it to be at least two to three years before commercial development begins and that they hope to build 100-150 homes each year.

Councilman Dockum stated that he appreciates everyone coming out tonight for the Oktoberfest discussion.

Councilman Jones stated that he appreciated the Oktoberfest dialogue between the Town and the Committee and hopes that level of communication continues.

Vice Mayor Zoldos thanked Councilman Dockum for volunteering to head the Oktoberfest Committee. He announced that Little League Baseball will be having a big opening day celebration on April 17th including a parade, opening ceremonies, and multiple games. He reported that he had filed his re-election paperwork while he was mobilizing for service in Chile.

Mayor Walker reported on the following:

- Loudoun Places held their meeting in Lovettsville Town Hall yesterday. She attended along with Manager Markel.
- She reported that the Health Council is considering doing a nutrition fair in conjunction with Loudoun County libraries.
- She attended the Lovettsville Business Association monthly meeting last week.
- She noted that the company the Town used to use for trash pickup did a major spring and fall cleanup. The current company will pick this material up each week.
- She thanked Councilman Dockum for coming forward to head the Oktoberfest Committee and for his presentation tonight.

Closed Session

The Mayor and Town Council went into Closed Session at 10:10 PM (Attachment VI)

Those present in the audience were advised that the Council would resume the regular Council Meeting after the Closed Session.

Discussion Items

The Mayor and Town Council resumed in Open Session at 10:45 PM

Placing Information Concerning the LBA Candidate's Forum on the Town Website

Manager Markel advised the Council that he had received a request from the Lovettsville Business Association to place information concerning their Candidate's Forum on the Town website. He is asking the Council for guidance. He reported that the general policy followed by Staff is to post information on the website only for events sponsored or co-sponsored by the Town. The Town email notifications also include events of interest to and open to all members of the community.

The Council decided to follow the existing procedures by not placing the information on the Town's official website, but including the event in weekly emails. Manager Markel will inform the LBA of the decision.

Board of Zoning Appeals

Manager Markel reminded the Council that there are two open seats on the Board. The Town has had a request for applicants on the website for a number of months and repeated requests have been included in the weekly emails. Only one application has been received. Council asked Manager Markel to personally contact citizens who have previously applied for Town positions and determine if they are interested in serving on the BZA. We will report back to Council at their next meeting.

Adjournment

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

Motion: To adjourn the March 11, 2010 meeting of the Lovettsville Town Council

By: Vice Mayor Zoldos

Second: Council Member Coleman

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

Nay: None

Abstain: None

Absent: None

The meeting was adjourned at 10:50 PM.

Respectfully submitted,


Judy L. Kromholz, Town Clerk

Date Approved: May 27, 2010

Attachments:

- I: Speaker Signup Sheet
- II: Broman comments
- III Casper comments
- IV. Budget Work Session Schedule
- V. Budget Parameters
- VI. Recordation of Closed Session Votes

Town of Southsville

Speaker Sign - Up Sheet

Town Council Regular Meeting - March 11, 2010

Please Print.

Name and Association	Address	Topic	Email Address (Optional) ¹
Aaron Kahn	8 Spring Farm Dr.	Streetlights October 6 st	
John Brennan	12996 Slaters Rd	Events on town prop	
Frank Murphy	13620 Irish Rd	Oct Tent	
Anne DeCaro	-	-	
Tiffany Carter			

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.

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

3/10/10

From: John C. Broman, Jr.

Subject: Text of comments to Lovettsville Town Council at 3/11/10 meeting

Good evening.

Tonight I rise in respectful opposition to the proposed rule scheduled for discussion tonight titled "Use of Town Owned Property for Public Events".

But first, let me start by saying that I'm not here as John Broman, LBA Vice president, or John Broman, Oktoberfest Committee member. Right now I'm here simply as John Q. Public.

First, I'm sure most everyone in this room remembers the public response and the resultant backlash that came when it was proposed last year that the tent should (or would) be located in the new Town Center Park. The public rallied and helped form the Events Commission that allowed the Oktoberfest Committee the autonomy to make such critical decisions for itself, without any such mandates. After the ruckus died down, the committee got to work, and orchestrated a very successful Oktoberfest. So it puzzles me why anyone would want to reopen that wound, and incite folks to fight the same battle all over again.

Now it's been suggested that there are liability and insurance concerns with allowing the main tent to be placed on private property. Sure, every option has its pro's and con's. But placing the tent on private property has worked for so many years, so why is it suddenly a problem now? Just because another option exists now, such as the Town Center Park, that doesn't mean private property in the old-town area becomes suddenly unworkable.

Its been further suggested that it was okay in the past to use private property because there WAS no town property to use at the time. But that's employing fault logic. Having access to town property now (unlike before) is a perfectly valid argument to support the park over other options, such as in the old-town area, when comparing options. But it is NOT logical to say that just because we now have available town property, the use of private property is suddenly improper. The use of private property is either proper or improper, regardless of other available options such as access to town property.

So by now you all surely must think that I feel putting Oktoberfest activities on the other side of 287 is the dumbest idea around. On the contrary; it really does have some merit. But it's my opinion that the town is not yet ready for that. Believe me, I'm I eagerly looking forward the day that the Town Center commercial area is fully built out, as I'm sure you all are. And when it is, we will have successfully knitted the Old with the New. We'll have a central business



district that spans from Beauty on Broadway and the pizza shop clear over to the new Town Center Park. And I hope and pray that we make maximum use of every square foot of that for Oktoberfest someday. The bigger the better!

My issue with the Town Center Park as an Oktoberfest venue in the near term is its lack of contiguousness. For many years, there has been a sense of containment and safety within the bounds of the Oktoberfest. Now to relocate part of it across Route 287 and down a side street, is to break it into the two simultaneous events. I'll no longer be able to let my younger daughter walk freely between all the Oktoberfest venues on Saturday.

It's been said that putting the tent over there now will be a "signpost" to tell the people that here's where your park is. And that some day it will all be linked. But we don't need such a signpost. We all know where the park is, and hope to someday incorporate it into Oktoberfest...just not yet.

Lastly, when the town council voted to remove the Oktoberfest committee from the independently managed Event's Commission and instead make it a town-controlled committee, there was some trepidation among the Oktoberfest Committee members, with fears that decisions would be made unilaterally. When asked directly, Councilman Dockum told committee members that they would be able to keep their consensus / majority method of decision making, as long as it didn't run afoul some mandate from the Town Council. Based on this assurance, I and others pledged to Scott our support for his leadership and looked forward to getting back to work for 2010 planning.

But now the town council has been asked to discuss and perhaps pass some rule that removes this critical decision from the very committee that was formed to make such decisions.

Passing this rule would remove options the committee has. So ask yourself why would someone want to limit an available option, unless they disagreed with the popular option, and limiting that option was the only way to achieve their own preference? Regardless of what the intent truly is, this would certainly be perceived as an attempt to circumvent any open discussion and fair weighing of the options.

So I respectfully urge the council not to make any policy that would either mandate or prohibit, directly or indirectly, the location of any Oktoberfest venue, and instead allow the committee to make a consensus decision as in the past.

I've talked enough now, so I'll yield the floor. And thank you all for listening.

A handwritten signature in black ink, appearing to be the initials 'JRD' or similar, written in a cursive style.



Town of Lovettsville <toflovettsville@gmail.com>

Public Comment Tonight!

Darren Casper <darrencasper@yahoo.com>
To: Town of Lovettsville <toflovettsville@gmail.com>

Thu, Mar 11, 2010 at 6:11 PM

Judy, I was wondering if the town is accepting public comment tonight. I understand that the town might be finalizing a proposal or law requiring all Town Sponsored Events to be held on Public Land or Property not Private Property. I could not attend this meeting tonight because of the short notice and prior commitments. However if you could read my opinion as a member of the community, I would appreciate it very much.

Madame Mayor and Town Council,

I would like to address you all with my concerns regarding moving the majority of events related to (Oktoberfest) to any area that is not developed and is away from our local historic district and town. We (Darren Casper Family) would like to see the town keep and support the local businesses by keeping the majority of events in the Old Part of Town (similar to Brunswick Days).

Many of the local businesses have given time, food, support, energy and promoted Lovettsville as a destination for years. Oktoberfest is one time during the year where we need to give back to them and support them with this event. Many of them have said that having the main portion of the event moved West of 287 away from their businesses would cause them economic loss due to lack of traffic. If all the events primarily are away from the main town, then nobody is going to walk up and down the streets like in years past. I don't discount their concern. They have a better handle on what their business needs to have to succeed and what could be potentially devastating. The Town needs to make sure it is working with the businesses and volunteers who work tirelessly to pull this event.

Both myself and my wife have felt very comfortable about letting our children walk up and down the roads in past years because we knew that these roads were barricaded for protection of the vendors, visitors and citizens. I don't think that having people cross over 287 is safe. Keeping the event more localized to Old town creates a safer atmosphere that existed when the first families settled this area. This is what I believe we all are promoting at Oktoberfest is the Hard Working, Small Community Atmosphere of our prior German Settlers. If the town is supporting large tent party than call it as such and have another event that does not have embedded history of Oktoberfest in Lovettsville. Thanks for your time and we are once again looking forward to bringing out the family and other guests to the event.

Darren Casper

President

LBA Pres.



Casper Insurance Group

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Purcellville, VA 20134

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From: Town of Lovettsville [mailto:toflovettsville@gmail.com]
Sent: Thursday, March 11, 2010 2:30 PM
To: clerk@lovettsvilleva.gov

Subject: Town Hall Events – Week of March 14, 2010

There are no meetings scheduled at Town Hall this week.

The Town continues to seek applications for members on the **Board of Zoning Appeals**. Applicants must be residents of the Town. The application form is available in the Documents section of our website at www.lovettsvilleva.gov.

The **Lovettsville Protective Game Association** is planning a busy weekend. More information about these events is available on their website at www.lovettsvillegameclub.org. The LGPA offers discounts for advance registration for both events.

- Friday, March 12th – Basket Bingo: call 540-822-5106 for advance admission. The doors open at 6:00 PM.
- Saturday, March 13th – Ho-Kiss Po-Kiss Dance: Call 540-822-5956 for information or reservations.

Daylight Savings Time begins on Sunday, March 14th. Remember to 'Spring Ahead' one hour. The Loudoun County Fire-Rescue System wants to remind residents to change the batteries in their smoke alarms and carbon monoxide detectors at the same time as they change their clocks..

In addition, citizens are urged to take advantage of the current smoke alarm program offered to Loudoun County residents. The fire department is providing free home smoke alarm inspections and replacements. Recently, two fires occurred in homes that took advantage of the department's smoke alarm program and residents were alerted by alarms installed by firefighters, allowing them to safely evacuate. To obtain further information on the program or to request a smoke alarm installation, contact the department's hotline at 703-737-8093. More information is also available at www.loudoun.gov/smokealarms.

The **Lovettsville PTO Wild West Casino Night and Silent Auction** will be on Friday, March 19th at the Lovettsville Fire & Rescue Company. Contact Chair Sherri Zoldos at candystorelady@hotmail.com for additional information.

Mark Your Calendars:

Monday, March 22th (7:30 PM): The **Oktoberfest Committee** will be meeting at Town Hall. The committee is actively seeking new members. Come to the meeting or contact sdockum@lovettsvilleva.gov for more information.

Monday, April 5, 2010 (7:30 PM): The Lovettsville Business Association is hosting a **Candidates' Debate Forum** for the candidates for Lovettsville Mayor and Town Council in the upcoming election. For additional information visit their website at www.lovettsvilleba.com

The Lovettsville Protective Game Association has scheduled their **13th Annual Fishing Derby** for May 15th. This event is limited to children 12 and under and has been sold out in past years. Visit their website, or call 703-431-9466 for more information about attending, or sponsoring, this event.

Regards,

Judy

Judy L. Kromholz, Lovettsville Town Clerk

Town of Lovettsville

FY 2011 BUDGET AND CIP SCHEDULE

Date	Activity	Budget and CIP Topic
February 25	Regular Meeting	Distribution of Proposed Budget and CIP Schedule
March 11	Regular Meeting	TC/ TM Discussion on Budget Parameters
March 25	Regular Meeting	TM Presents Recommended Budget and CIP
April 8	Regular Meeting (followed by WS)	Budget Work Session (Rates & Fees)
April 15	Special Meeting	Budget, CIP, Rates, Fees
April 22	Regular Meeting	No Budget Discussion Planned
April 29	Work Session (special mtg.)	Approve Resolution for Not to Exceed Tax Rate, Fees
May 3	Advertisement	Advertisement sent to Newspaper
May 6	Special Meeting (if needed)	Budget, CIP, Rates, Fees
May 7	Advertisement Publication	Advertisement Published in Newspaper for Not to Exceed Rates and Fees
May 13	Regular Meeting	No Budget Discussion Planned
May 14	Advertisement Publication	Advertisement Published in Newspaper for Budget, CIP, Not to Exceed Tax Rate, Fees
May 20	Public Hearing & Work Session (special mtg.)	Advertised Budget, CIP, Not to Exceed Tax Rate, Fees. Third Work Session
May 27	Regular Meeting	No Budget Discussion Planned
June 3	Work Session (special mtg.)	Advertised Budget, CIP, Not to Exceed Tax Rate, Fees. (If needed)
June 10	Regular Meeting	Adoption: Budget and CIP
June 24	Regular Meeting	No Budget Discussion Planned

Town of Lovettsville

FY 2011 Budget and CIP Parameters Preliminary Information

Town Manager Discussion with Mayor and Town Council
March 11, 2010 Town Council Meeting

BACKGROUND

As our region and the rest of the Nation begins the slow economic recovery the Town's FY 2011 Budget and CIP will reflect the continued strain of depressed real estate values and decreased commercial activity. The Lovettsville community is still extremely dependent on residential real estate tax revenue to meet budget obligations. Thankfully, the precipitous decrease in real estate values over the past several years has significantly tapered off. This year the total assessment for the Town is down 4.8 percent compared to a decrease of 17.5 percent in 2009 and modestly better than the decrease of 5.5 percent in 2008. Added together the Town has experienced a decrease in assessments of 27.8 percent since 2007.

To offset the decrease in real estate revenue, the Town established a meals tax and cigarette tax in FY 2010. The meals tax was set at three percent of gross receipts. The cigarette tax was set at \$.40 per pack. The combined estimated revenue from these two new taxes is approximately \$53,200 for FY 2010.

On a positive note, Lovettsville residential building starts saw noticeable gains in the 3rd quarter of FY 2009 that has continued through today. The New Town Meadows development completed construction on all of their homes and the Town has signed 29 occupancy permits for homes in the Town Center Development since January of 2009. These new home sales have generated revenue both in the general and utility budgets from permit fees and sewer availability fees.

We have moved forward with several major Capital projects over the past year with much of the funding being provided by long term debt service and local, state and federal grant monies. The sewer plant is nearing completion, the inflow and infiltration remediation is more than half completed and design work for sidewalk along East Broad Way between Park Place and the Community Center is well underway. Unfortunately without surplus revenues in FY 2011 the Town will need to limit the amount of Capital projects that it can continue. The Town should do everything possible to not expose itself to additional debt financing unless absolutely necessary. Alternative funding such as Community Development Block Grants and Transportation Enhancement Grants should be pursued to maximize the Town's financial resources. The Town is waiting on

the results of the pending application for additional VDOT enhancement funds for the Berlin Pike bike path project. Again this year it should be anticipated that no measurable surpluses will exist in either the General or Utility Operating Funds.

Staff is still in the process of finalizing the recommended FY 2011 Budget and CIP. These two documents will be presented to the Mayor and Town Council on March 25, 2010. In the mean time, be thinking about your personal goals for the Town in the coming fiscal year. If moving forward on specific capital projects is essential in FY 2011 there are revenue generating options to consider. We will discuss these in greater detail after the recommended budget and CIP are presented in two weeks. Consider your thoughts on the following.

Would you favor an:

- Equalized Tax Rate
- Increase in the Meals or Cigarette tax
- Increase in Fees (Development Applications, Vehicle Decal)
- Increase in User Rates (Water and Sewer)
- New revenue streams
 - Personal property tax

FUND BALANCES AND DEBT SERVICE

Fund Balances @ December 31, 2009

General Fund Reserve	\$1,391,149
Sidewalk Fund Reserve (Gas Tax)	271,476
GF Investment Account	--
GF Savings Account	110,089
Sewer Fund Reserve	2,906,418
Water Fund Reserve	332,693
Water Tower Reserve (incl. funds for w. & s. debt. service)	146,376
Developer Proffers	49,955
Germanna Drive	17,560
VDOT Enhancement Grant (Bike Path)	221,947
CDBG Grant (East Broad Way)	56,876
Loudoun Street Improvement Fund	54,870

Outstanding Debt @ December 31, 2009

General Fund Debt	\$0
Sewer Fund Debt	6,906,758
Water Fund Debt	350,800

Debt Service Payments

General Fund	\$0
Sewer Fund	483,404
Water Fund	46,518

REAL ESTATE ASSESSMENTS AND TAX REVENUE

Real Estate Assessment and Tax Revenue (Information provided by Todd Kaufman,
County Assessor, information as of January, 2010)

SFD

2009 Assessment	\$123,195,000
Construction	7,779,700
Re-evaluation	36,500
2010 assessment	131,011,200
Number Parcels	463
Equalized % Change	.03%
2010 Average Assessment	\$282,962

SFA

2009 Assessment	\$13,862,100
Construction	0
Re-evaluation	(1,024,300)
2010 assessment	12,837,800
Number Parcels	78
Equalized % Change	-7.39%
2010 Average Assessment	\$164,587

Commercial / Industrial

2009 Assessment	\$ 15,903,700
Construction	-
Re-evaluation	(2,219,700)
2010 assessment	13,684,000
Number Parcels	31
Equalized % Change	-13.96%
2010 Average Assessment	441,419

Total Tax Base (not excluding Land Use Deferred)

2009 Assessment	\$184,946,900
Construction	7,779,700
Re-evaluation	(7,407,500)
2010 Assessment	185,319,100
Number Parcels	785
Equalized % Change	-4.01%
2010 Average Assessment	236,075.29

FY 2011 Revenue Calculation

Total Taxable FY2011 Assessment	\$185,210,070
Total Adjusted Taxable 2011 Assessment @ \$.18 / \$100	\$333,378.13
Total Estimated Real Estate Tax Revenue 2011 (Total Adjusted Taxable less 5% for Tax Relief)	\$316,709.23

OPERATING BUDGET

General Fund: Current Fiscal Year Figures

FY 2010 Approved Revenue Budget	\$621,359
FY 2010 Approved Expenditure Budget	621,359
FY 2010 Year to Date Revenue (December 31, 2009)	\$462,077
FY 2010 Year to Date Expenses (December 31, 2009)	289,378

Utility Fund: Current Fiscal Year Figures

FY 2010 Approved Revenue Budget	\$608,780
FY 2010 Approved Expenditure Budget	608,780
FY 2010 Year to Date Revenue (December 31, 2009)	\$304,207
FY 2010 Year to Date Expenses (December 31, 2009)	242,578

EMPLOYEE POSITIONS AND COSTS

Current Salaries and Wages:

Staff Positions:

Town Manager \$75,643
Project Manager \$63,036 (1/3 GF, 2/3 Utility)
Town Treasurer \$24.69 /Hr
Town Clerk \$21.54 /Hr.

Hourly Positions:

Town Attorney \$150/ Hr.
Zoning Administrator/ Planner \$50/ Hr.
Consultant \$110/ Hr.
General Maintenance \$18/ Hr.
Utility Support (Meter Reading) \$20/ Hr.

All permanent staff positions to receive retirement benefits at 5.0%. Town Manager, Project Manager and Treasurer have the option of receiving 100% Town paid medical, dental, and vision benefits.

CAPITAL PROJECTS AND FUNDING

General Fund Projects

<u>Projects</u>	<u>Source of Funding</u>
Broad Way Streetscape Imp. Phase 1 <i>(Community Center to Park Place)</i>	General Fund Reserve Debt Financing
Broad Way Streetscape Imp. Phase 2 <i>(Park Place to Town Center)</i>	General Fund Reserve Debt Financing
Loudoun Street Streetscape Imp.	Sidewalk Fund Reserves Debt Financing Outside Funding Source
Bike Trail	Enhancement Grant (T-21) Gas Tax General Fund Reserves Debt Financing
South Church Street Imp. <i>(Between Town Center Dr. & Broad Way)</i>	General Fund Reserves
New Town Hall	General Fund Reserves Debt Financing
7 Acre Park	General Fund Reserve
Town Square Development	General Fund Reserve
Town Center Park	General Fund Reserve
Lovettsville Community Park	Town Real Estate Tax Loudoun County Funding

Utility Fund Projects

Storm Sewer Plan

Water Fund Reserves

Sewer Infiltration and Inflow

Sewer Fund Reserve
Debt Financing

(State Revolving Loan Fund)

Wastewater Treatment Plant

Sewer Availability Fees
Sewer Fund Reserve
Debt Financing

Water Tower
(Modifications to existing Tower)

Water Tower Reserve Fund

New Water Tower

Water Tower Reserve Fund
Debt Financing

Water Line Replacement

Debt Financing

	Eqld %	Value %	Eqld Avg	2010Avg
Lovettsville	Change	Change	Asmnt	Asmnt
L/U Class 100-199 SFD	\$ 1.03%	6.34%	\$ 266,159	\$ 282,962
L/U Class 100-199 SFA (townhouse)	\$ 7.39%	-7.39%	\$ 164,587	\$ 164,587
L/U Class 100-199 Condo	\$ 1.00%	0.00%	\$ -	\$ -
L/U Class 100-199 Other (includes vacant land)	\$ 4.68%	-4.68%	\$ 65,835	\$ 65,835
L/U Class 100-199 Total	\$ 1.02%	-4.22%	\$ 208,119	\$ 219,138
L/U Class 200-299 SF Suburban	\$ 14.93%	-14.93%	\$ 347,663	\$ 347,663
ALL RESIDENTIAL CLASS 100 AND 200	\$ 2.59%	2.06%	\$ 216,655	\$ 227,000
L/U Class 300-399 MF 5+ Units	\$ 2.06%	-2.06%		\$ 465,450
L/U Class 400-499 Com/Indust	\$ 13.96%	-13.96%		\$ 441,419
L/U Class 500-599 Ag 20-99.99 Ac	\$ 00.00%	-100.00%	\$ -	#DIV/0!
L/U Class 600-699 Ag > 100 Ac	\$ 0.00%	0.00%	\$ -	\$ -
TOTAL TAXABLE	\$ 4.01%	0.20%		
L/U Class 000-099 Exempt	\$ 12.89%	-8.30%		
TOTAL TAXABLE AND EXEMPT	\$ 4.80%	-0.56%		
Land Use Deferred	\$	0.00%		

7,594.96

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Town of Lovettsville

Scott
Wijan

Resolution: AUTHORIZE CLOSED SESSION

MOTION: 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,
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

Town of Lovettsville

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.

BY: _____

SECOND: _____

VOTE:

Ayes: Zoller, Jones, Dockum, Staley, Senate, Coleman

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 [public body]?"

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:"

3/11/2010

Certified:

Signature:

Deane Walker

Title:

Mayor