

Town of Lovettsville

Town Council Minutes of Regular Meeting March 22, 2012

Mayor Elaine Walker called the regular meeting of the Lovettsville Town Council to order at 7:33 PM on Thursday, March 22, 2012.

Present at Meeting

- Mayor Elaine Walker
- Vice Mayor Robert Zoldos II
- Council Members Jack Burden, Tiffaney Carder, Michael Senate, Tim Sparbanie, Shaun Staley
- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Treasurer Lance Gladstone (*arrived at 8:00 PM during recess*)
- Zoning Administrator Melissa Hynes
- Town Clerk Judy L. Kromholz

Absent

- None

Girl Scout Pledge & Special Resolution

Mayor Walker and the Girl Scout troop led the assembly in the Pledge of Allegiance.

Troop Leader Brenda Hill introduced the other troop leaders and the scouts. Mayor Walker and the Council members read Resolution 2012-03-003 into the record.

Mayor Walker and the Council read resolution 2012-03-003 into the record.

Motion: I move to accept Resolution 2012-03-003 in support of the Girl Scouts of America.

By: Vice Mayor Zoldos

Second: Council Member Sparbanie

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

Nay: None

Abstain: None

Absent: None

The Council went into recess at 7:49 PM and came out of recess at 8:00 PM.

Presentations

A. Civil War Trail Signage – James Morgan & Ed Spannaus

Mr. James Morgan proposed to the Mayor and Council that the Town sponsor the installation of another Civil War Trails Marker in Town. He explained the history of the project and stated that the Town is being asked to contribute \$650 representing about 25% of the cost. Mr. Ed Spannaus presented some suggestions for where the sign might be placed including the pizza parlor parking lot because that was the business center of Town 150 years ago. A hotel/saloon was at that location at that time.

Councilman Sparbanie asked the timeframe and Mr. Morgan stated that there is no absolute deadline – they are hoping to install the sign sometime this year. Councilman Staley asked where the sign would be placed vis-a-vis the right of way and Mr. Morgan stated that it cannot be placed in the VDOT right of way, but is required to be in a place with public access and parking.

B. New Business Presentation (Parking Limitations) – Tim Keena

The applicant withdrew this presentation because the business owner had decided not to locate in Lovettsville.

Comments from the Public

Vice Mayor Zoldos read the rules for public comment.

Mr. Ed Spannaus discussed large truck traffic through Town. He stated that the Comprehensive Plan Advisory Committee proposed in the Transportation Chapter of the Comprehensive Plan that the Town discuss with VDOT the possibility of limiting large truck traffic through Town. He reported that his hedge has been hit many times by trucks attempting to turn on the narrow streets and that the utility pole in front of the old funeral parlor was hit recently by a turning truck and it could have been a very dangerous situation. He asked that this issue be prioritized as the Planning Commission works on the Comprehensive Plan recommendations.

Mary Ann Polacek stated that Mr. Spannaus has a residence in a commercial district that the Town is moving to define as a commercial historic district. She stated that a commercial district will attract more trucks and encouraging commercial development in that district will also encourage more truck traffic.

Mr. Spannaus stated that he is only talking about through truck traffic; he is not addressing local truck deliveries.

Community Presentations

A. Loudoun County Sheriff's Office

Loudoun County Deputy Sheriff Wacker reported that no significant incidents had occurred in the last two weeks. Councilman Sparbanie asked about the status of the Western Loudoun Sheriff's Office and Deputy Wacker stated that he is aware of discussion to downsize the office, but has no further information. Vice Mayor Zoldos asked about graffiti on construction sites in Lovettsville Town Center. Deputy Wacker reported that, based on discussions with residents in the area they are making progress in identifying the culprit. Vice Mayor Zoldos reported that a number of citizens had expressed concern that illegal activities were taking place on the site of the future Quarter Branch Park and Deputy Wacker said that there had been no incidents reported in that area in the last six months.

Additions/Deletions/Modifications to the Agenda

Councilman Staley added a discussion of Town signs to the agenda and Councilwoman Carder added a discussion of MayFest.

Approval of Town Council Minutes

A. Town Council Public Hearing & Regular Meeting – January 26, 2012

Motion: I move to accept the minutes of the January 2012 Public Hearing and Regular Meeting as modified.
By: Council Member Senate
Second: Council Member Carder
Aye: Council Members Carder, Senate, Sparbanie, Staley, Zoldos
Nay: None
Abstain: Council Member Burden
Absent: None

Report from the Treasurer

A. February 2012

Treasurer Gladstone presented the February 2012 Treasurers Report. Councilman Senate noted that the payment to Fastlane in the General fund was not accurate and Treasurer Gladstone explained that two payments were made, one from the General Fund and one from the Utility Fund. Councilman Sparbanie asked if the Town was being reimbursed for the replacement of the fire hydrant involved in an auto accident and Manager Markel stated that the Town had been fully reimbursed for labor and materials.

Motion: I move to accept the February 2012 Treasurers Report
By: Council Member Sparbanie
Second: Council Member Senate
Aye: Council Members Burden, Carder, Senate, Sparbanie, Staley, Zoldos
Nay: None
Abstain: None
Absent: None

Staff Reports

A. Project Manager Report

Manager Markel presented Project Manager Fellers written report dated March 16, 2012. There were no questions.

B. Report from the Zoning Administrator

Administrator Hynes presented the Zoning Reports for January, February and March 2012. She explained she is adding a section to the monthly report to track zoning enforcement cases.

C. Report from the Town Attorney

The Town Attorney had no formal report.

D. Report from the Town Manager

Manager Markel's welcomed Harriet West as the new Town Clerk. He reported that museum repairs will begin next week if weather allows. He thanked the Council for attending the Quarter Branch Park public input meeting and emphasized that nothing has been decided yet. The purpose of the meeting and questionnaires is to gather information before plans are made. The questionnaire is available in Town Hall and on the website and will be closed on March 30th.

Action/Discussion Items

A. Storm Water Regulations

Manager Markel presented Project Manager Fellers report on this item. Council is being asked to determine if the Town will adopt a Local Stormwater Management Program. He explained that revised Stormwater Management Regulations became effective in September, 2011. The revisions are substantial, including changes to the guidelines new development must follow and how new projects are reviewed and approved. The regulations were originally enforced by DEQ (Department of Environmental Quality) but in 2005 were moved to the jurisdiction of the Department of Conservation and Recreation (DCR). Then in 2011 the program was revised so that it is more similar to the Erosion and Sediment Control Regulations (E&S).

The revised Stormwater Regulations includes the following elements:

1. New technical criteria for new development including what Best Management Practices would be needed.
2. Local delegation changes. The Stormwater Regulations now have provisions allowing the locality to operate the Stormwater Regulations administration. Large municipalities are required, small Towns like Lovettsville are given the option to administer the state regulations. If the Town chooses not to administer the Stormwater Regulations, then DCR will administer it for the Town.

DCR met with staff to discuss the regulations and encourage the Town to take over administration of the program. Administering the program would involve the following:

1. Ordinance Adoption:
 - a. The Town Code would need to be modified to be consistent with the state VSMP General Permit requirements.
 - b. Ordinance review and update would be required every 5 years (DCR is drafting sample ordinance language and guidance.)
2. Plan Review and Approval:
 - a. Review and approve post-development stormwater management plans
 - b. Ensure maintenance agreements/easements are implemented
3. Inspection and Compliance:
 - a. Inspection of new development for compliance with approved plans
 - b. Enforcement would be through local ordinances
 - c. Program to ensure that structures, etc. built are maintained after construction is complete
4. Collection of fees to complete the above tasks is permitted and suggested rates are provided.

DCR is actively encouraging Towns to voluntarily accept administration of the program. They are hoping to be able to offer some grant money to help with the startup costs. They had no details yet on how much might be made available or who would be eligible for those grants. Alternatively, the Town has the option of leaving the administration of the Stormwater Regulations with DCR. The representatives indicated that

the state staff available to administer the Stormwater Regulations are limited and if many Towns choose not to take on administration, this limited staff could be overwhelmed such that the review and inspections provided may not be to the level the Town would like. Another option may be to partner with Loudoun County which is currently required to administer the Erosion and Sedimentation Regulations for all Towns within their jurisdiction. Although Loudoun County will not be *required* to administer the Stormwater Regulations, the Town could approach them to see if they would be *willing* to administer it. As the program is similar to E&S, and developers must meet the regulations for both programs, it may be logical to have Loudoun County manage both programs. For the Stormwater Management Regulations, the administering group has the ability to charge appropriate fees for the efforts needed to review and inspect the program, thus, Loudoun County would be able to collect the fees necessary for them to administer this program. The Town does not have the staffing necessary to manage this program. Loudoun County administration would be ideal if Loudoun County is willing to manage the administration on behalf of the Town. Otherwise, it will likely be necessary for the Town to leave the administration to DCR.

Staff recommends that the Town choose not to administer the Stormwater Regulations. Alternatively, the Town should remain open to either DCR or Loudoun County administration of the regulations. If DCR is successful in convincing Loudoun County to administer the program for the Town, like they already do for the Erosion and Sedimentation Regulations, the Town should accept that option. Manager Markel stated that this will become effective in 2012. The Council had no questions.

Motion: I move that Town Council direct staff to reply to DCR indicating that the Town does NOT choose to administer the Storm Management Regulations but that the Town would be willing to discuss the possibility of having Loudoun County administer the program if Loudoun County is willing.

By: Council Member Sparbanie

Second: Council Member Burden

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

Nay: None

Abstain: None

Absent: None

B. Tree City USA – Arbor Day

Administrator Hynes presented this item. Council is being asked to consider applying to the Arbor Day Foundation to be certified as a Tree City USA Community and to consider hosting the third annual Lovettsville Arbor Day Event. She explained that in Chapter 2 of the 2011 Town of Lovettsville Comprehensive Plan, the following Environmental Goal was adopted:

“To preserve, protect, enhance, supplement, or replace natural environmental resources to the greatest extent possible in an effort to provide amenity for living, working, and recreation and to minimize destruction of the local natural eco-systems.”

This Chapter also explained a current environmental issue facing the Town is that “there are relatively few trees in the community, so there is a need to preserve as many as possible”. In order to address this Issue, the policy was adopted that the Town of Lovettsville will work to “maximize preservation of existing healthy trees. The Town can support these goals by applying to be certified as a Tree City USA Community. The Tree City USA program, sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters, provides direction, technical assistance, public attention, and national recognition for urban and community forestry programs in thousands of towns and cities. Members of Tree City USA in Loudoun County include Leesburg, Purcellville and Middleburg.

To qualify as a Tree City USA Community, a town or city must meet four standards. These standards were established to ensure that every qualifying community would have a viable Tree Management Plan and Program. These standards were designed so that no community would be excluded because of size. These standards are:

Standard 1 - A Tree Care Ordinance

Standard 2 - A Tree Board or Department

Standard 3 - A Community Forestry Program with an Annual Budget of at Least \$2 Per Capita

Standard 4 - An Arbor Day Observance and Proclamation

Staff has made the following recommendations for Lovettsville to achieve the required Standards:

A Tree Care Ordinance: The Virginia Tree City USA Coordinator stated that we can submit our existing tree care polices as our Draft Tree Care Ordinance.

A Tree Board or Department: Staff recommends that the new Lovettsville Parks Committee could add town beautification, environmental advocacy and community forestry support to their mission statement. The Parks Committee should be renamed to reflect this mission statement and named in the Ordinance as administrator of this policy.

A Community Forestry Program with Annual Budget of at Least \$2 Per Capita: Staff recommends adding to the FY 2013 Budget a "Tree Care & Maintenance" line item. Existing tree maintenance expenses that would be accepted by Tree City USA should be moved to this budget line. The Town's financial commitment for FY 2013 would be \$3,200. A significant portion of this expenditure is already being budgeted. This standard also requires the Annual Budget to be supported by a document or work plan explaining the Town of Lovettsville's Community Forestry Program. I recommend that this work plan would be a basic 5 year Plan

An Arbor Day Observance and Proclamation: The local Girl Scouts have contacted the Town and asked if we would help them organize an Arbor Day event during the week of April 23, 2012. Staff recommends working with the Girl Scouts to host an Arbor Day celebration that would include the planting of a tree and a Mayoral Proclamation in order to meet this Standard.

Mayor Walker called for discussion. Councilman Senate stated that this is a great idea and believes the Parks Committee would be interested in working on this.

Motion: I move that Town Council direct staff to begin the Tree City USA Certification Process, including the following action items:

Action Item 1 - To organize a 2012 Arbor Day event

Action Item 2 - To reorganize the Parks Committee to include Town Beautification, Environmental Advocacy and Community Forestry Support in their mission statement

Action Item 3 - To review current Town landscaping and beautification expenditures, in order to provide the Town Council data on how Lovettsville can meet the Tree City USA budget funding standard

Action Item 4 - To prepare a Draft Lovettsville Tree Care Ordinance, with the support of the Virginia Tree City USA Coordinator

By: Council Member Staley

Second: Council Member Carder

Mayor Walker called for discussion. Councilman Sparbanie asked how the data would be accumulated for Action Item 3 and who would do it. Administrator Hynes stated that she had already begun accumulating the data and Manager Markel noted that the Town had already spent about \$6,000 removing dead and dying trees. Councilman Burden asked for clarification that the required expenditure of \$2/person would not be an additional tax, but would be a budget line accumulating existing allocations. Administrator Hynes noted that recertification is an annual process and if the Town did not meet the dollar figure it would simply not be recertified. Councilman Staley noted that the Town has probably already fulfilled 90% of the requirements.

Mayor Walker stated that she remembers when Leesburg started this program and she is pleased that we are now in a position to do this in Lovettsville. There being no further discussion, she called for the vote.

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

Nay: None

Abstain: None

Absent: None

C. Rain Barrel Workshop

Manager Markel presented this item. Council is being asked to consider partnering with Loudoun Soil and Water Conservation District to sponsor a rain barrel workshop. He reported that last year the Town held its first rain barrel workshop in cooperation with the Loudoun Soil and Water Conservation District. Six in-town residents and about as many out of town citizens participated in the workshop. The Town offered an incentive in the form of a \$20 utility bill credit to all in-town residents who constructed barrels for use at their homes.

The Loudoun Soil and Water Conservation District staff is interested in providing another workshop this spring and could be available to come to Lovettsville in April. The barrels would cost approximately \$50 if

a citizen constructed the barrel at the workshop. Citizens could also pre-order barrels and pick them up at the workshop, already constructed, for an additional fee.

Because of the success of last year's workshop, staff recommends the Town of Lovettsville again partner with the Loudoun Soil and Water Conservation District to host a rain barrel workshop with the same \$20 utility credit incentive for in-town residents. This event would take place on a weeknight in April.

Motion: I move that Town Council direct staff to work with the Loudoun Soil and Water Conservation District to develop and host a rain barrel workshop in Lovettsville to be held this spring. I further move that the Town Council again authorize a \$20.00 utility bill credit for any Lovettsville water account customer who constructs or purchases a rain barrel at this workshop (maximum credit of \$20.00 per account).

By: Council Member Staley

Second: Council Member Carder

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

Nay: None

Abstain: None

Absent: None

D. Deputy Clerk Appointment

Motion: I move to appoint Harriet West as Deputy Clerk effective Monday, March 26, 2012.

By: Council Member Senate

Second: Council Member Burden

Mayor Walker called for discussion. Councilman Sparbanie stated that he will abstain because he just met Ms. West tonight and had not participated in the interview process. Councilwoman Carder stated that she will abstain because she had applied for the position and believes she is the best person for the job.

Aye: Council Members Burden, Senate, Staley, Zoldos

Nay: None

Abstain: Council Members Carder, Sparbanie

Absent: None

F: Town Signs

Councilman Staley stated that he has been researching low cost methods of spreading information out to the community and is suggesting that the Town purchase two or three banners stating that a meeting is taking place that allow for changeable dates. Councilman Zoldos suggested that the Town should place "Future Home of..." signs throughout the Town where applicable. Councilman Senate agreed with both proposals. Manager Markel stated that the banners would cost \$45-\$65 each and that he would need to investigate the cost of permanent signs but said they would be approximately \$300 a piece. He recommended that the Council look at the Town sign that was recently installed at the Waste Water Treatment Plant to get an idea of the design he would propose.

Motion: I move to direct staff to purchase and erect vinyl signs to be displayed in the Town Square at a cost not to exceed \$200.

By: Council Member Staley

Second: Council Member Carder

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

Nay: None

Abstain: Council Member Burden

Absent: None

G: MayFest

Councilwoman Carder reported that the MayFest Committee has decided to construct a MayFest website and to purchase flyers, posters and save-the-date cards to be distributed throughout the community. She also reported that two bands have been hired. Vice Mayor Zoldos reminded the Council that the Committee will need additional volunteer staff on the day of the event. He reported that the committee is actively seeking sponsors to manage and provide prizes for each of the events.

The Council went into recess at 9:44 PM and returned at 9:55 PM

E. Budget and CIP Presentation

Manager Markel presented the Town Manager recommended budget and CIP and stated that the first budget work session will be next Thursday.

Information Items

No information items were presented.

Comments from the Mayor and Town Council

Councilman Senate reported that VDOT had repaired the drainage ditch along South Loudoun Street and although the situation has improved, it is still far from perfect.

Councilwoman Carder reported that Danner Day is scheduled for March 31st at the Lovettsville Game Protective Association. She congratulated Councilman Sparbanie on the birth of his son.

Councilman Sparbanie reported that the second Oktoberfest meeting had occurred and he is already stressing about volunteers. They have revised the vendor application and letter.

Vice Mayor Zoldos congratulated Councilman Sparbanie on the birth of his son. He welcomed Councilman Burden to the Council and Clerk West to the staff. He reported that Little League Softball Opening Day will be April 14th. He stated that the microbrewery could have been a cornerstone to the Town and expressed frustration that they withdrew. He stated that he will follow up with the property owner to see if they would reconsider. He attended the Lovettsville Grocery Cooperative meeting last night and learned a lot about their plans. He reported that VDOT did not just dredge the ditches along Loudoun Street; they also cleaned all the culvert pipes. They spent a lot of time; they did us a good service.

Mayor Walker reported on the following:

1. She presented Councilman Sparbanie with a card from the town officials and staff congratulating him on the birth of his son.
2. She will hold office hours with Councilman Burden on April 9th from 6:00 PM to 8:00 PM.
3. Loudoun Hospital is celebrating their hundredth anniversary and she is preparing a proclamation from the Town honoring that event.
4. She reported that there will be a tax sale of property on South Loudoun Street adjacent to the Community Park. She had suggested to the County that they purchase this property as an access to the Park but they did not approve the purchase. She reported that the Loudoun County Board of Supervisors is not planning to move ahead on the Lovettsville Community Park until 2017.
5. She welcomed Ms. West to Town Hall.

Adjournment

The meeting was adjourned at 10:44 PM.

Respectfully submitted,



Judy L. Kromholz, Town Clerk

Date Approved: May 10, 2012

Attachments:

- I. Resolution 2012-03-003 girl scout motion
- II. Speaker Signup Sheet

Written Submissions to Council: None

Town of Lovettsville

Resolution No. 2012-03-003: RECOGNITION OF THE 100TH ANNIVERSARY OF GIRL SCOUTS OF THE USA

MOTION: ZOLDOS

SECOND: SPARBANIE

WHEREAS, on March 12, 1912 the first Girl Scout meeting was held in Savannah, Georgia; and was led by Juliette Gordon Low, the founder of Girl Scouts of the USA and,

WHEREAS, since this first meeting more than 50 million girls have participated in the Girl Scout movement during their childhood; and that number continues to grow as Girl Scouts of the USA continues to inspire, challenge, and empower girls everywhere; and,

WHEREAS, the Girls Scouts of the United States membership has grown to 3.3 million members throughout the United States, of which 90,000 reside in the Greater Washington Region and are members of the Girl Scout Council of the Nation's Capital; and,

WHEREAS, 69% of current women US Senators and 65% of women in the House of Representatives were Girl Scouts when they were girls and countless women educators, scientists, and women in the media and performing arts discovered their passions and talents as Girl Scouts; and,

WHEREAS, we know that Girl Scouts develops girls of Courage, Confidence and Character who make the world a better place; and,

WHEREAS, The Girl Scout Council of the Nation's Capital serves a diverse community of girls in the District of Columbia and 25 counties in Maryland, Virginia and West Virginia; including Lovettsville, Virginia, and helps girls achieve success in the real world through partnerships with dedicated adult volunteers; and,

WHEREAS, the Girl Scouts of the Nation's Capital takes an active role in providing girls with opportunities to explore science, technology engineering, math, sports, government, financial literacy and other fields to broaden their horizons and allows girls to practice leadership styles, develop a strong sense of self, connect with other girls and their communities, and take action to advocate for themselves and others, locally and globally, thereby establishing a lifetime of active citizenship.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council for the Town of Lovettsville are proud to join the Girl Scout Council of the Nation's Capital in recognizing the 100th Anniversary of Girl Scouts of the United States of America.

VOTE:

AYES: Burden, Carder, Senate, Sparbanie, Staley, Zoldos

NAYS: None

ABSTENTIONS: None

ABSENT FOR VOTE: None

March 22, 2012



Elaine Walker, Mayor



Robert Zoldos II, Vice Mayor

The German Settlement

Town of Southville

Speaker Sign - Up Sheet

Town Council Regular Meeting - March 22, 2012

Please Print.

Name and Association	Address	Topic	Email Address (Optional) ¹
✓ Kaitlin Hill 6649			
Brenda Hill 6649	39919 Parkerfield Ct		
Esmeralda Pleitez 1434			
Fiona McCabe 1434			
Elizabeth Bailey 4891	4891 Greenwood		
Vivian Henniger 4891			
Carol Bailey 4891			
Melani Carthy 1434			
CHRIS KING carny			

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.

Mary Ann Blevins
M.E. Rainbolt

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

Town of Southville

Speaker Sign - Up Sheet

Town Council Regular Meeting - March 22, 2012

Please Print.

Name and Association (if any)	Address	Topic	Email Address (Optional)?
Sydney Sparbancic			
Ainsley Westbyre 4891	Black Forest Ln.		
Angie Sparbancic 4891			
Era McIntyre 6649	145 South Loudown St.		
Ed. Sparbancic	52 E. Broad Way	Gullies nearby truck backhoes	
Jim Moran	38179 SOUTHWAY RD	CMS TRAILS MATHESON	
Carley Tautlinger	32. Houser Dr		
Amanda Tautlinger	.1		
Bleish Tautlinger	"		

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Town of Swettsville

Speaker Sign - Up Sheet Town Council Regular Meeting - March 22, 2012

Please Print.

Name and Association	Address	Topic	Email Address (Optional) ³
Rachel Chatfield 68710	39855 Canterbury Ln	Junior GS	
Michelle Chatfield 62416	39855 Canterbury Ct.	Daisy GS	

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