



**MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes**



Thursday, January 9, 2014

PENDING APPROVAL

PRESENT: Mayor Betsy A. Davis
Vice Mayor C. Darlene Kirk
Councilmember Trowbridge Littleton
Councilmember Catherine "Bundles" Murdock
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder
Councilmember David B. Stewart

STAFF: Martha Mason Semmes, Town Administrator
Angela K. Plowman, Town Attorney
Rhonda S. North, MMC, Town Clerk
David M. Beniamino, AICP, Town Planner
A.J. Panebianco, Police Chief
Cindy C. Pearson, Economic Development Coordinator
Debbie J. Wheeler, Town Treasurer

ABSENT: Councilmember Kevin Hazard

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on January 9, 2014 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis led Council and those attending in the Pledge of Allegiance to the flag.

Public Comment

Melanie Malone, President of Seven Loaves Services, thanked the Council for their donation. She noted that the challenges of food insecurity continued. Ms. Malone reported that while she would like to think the news reports that the country was coming out of the recession were true and the problem would recede, this was not the case as she continued to see more demand for services. She noted that through the generosity of the Town, individuals and the community, Seven Loaves continued to meet the need.

Mayor Davis and members of the Council thanked Ms. Malone for what Seven Loaves did for the community.

Councilmember Murdock inquired as to where the majority of Seven Loaves' patrons were from. She further inquired as to how far away they were located. Ms. Malone noted that she had not yet analyzed the statistics for 2013; therefore, she would answer based upon the 2012 numbers. She reported that roughly half of their patrons came from Loudoun and Fauquier Counties, with that number equally divided between the two. Ms. Malone further reported that a mid-year review of the Middleburg zip codes determined that this accounted for approximately ten percent of their patrons. She advised that the three other counties that accounted for the predominant share of their patrons were Clarke, Warren and Frederick Counties, including the City of Winchester. Ms. Malone noted that Seven Loaves imposed no territorial restrictions on services. She reported that they also have clients from Shenandoah, Page, Rappahannock, Culpeper and Stafford Counties; and, noted that they accounted for ten percent of the population served.

Councilmember Murdock noted the ten percent population from the Middleburg zip codes. She asked Ms. Malone to advise Council if this number increased.

Councilmember Shea noted that people tended to give around the Christmas holidays. She asked whether Seven Loaves had any special needs at this time.

Ms. Malone confirmed they received a lot of donations, in the form of cash and food, in November and December. She noted that in January, people tended to stop thinking about this need. Ms. Malone encouraged students, churches and community organizations to conduct food drives, particularly in February and March and during the summer. She reported that they also operated a small clothes closet and advised that given the cold weather, the donation of coats and blankets were welcome.

Public Hearings

Ordinance to Amend Town Code Section 113-12 pertaining to Repairs to Water Laterals

No one spoke and the public hearing was closed.

Ordinance to Amend Town Code Chapter 83.1 pertaining to Sewers

No one spoke and the public hearing was closed.

Action Items related to Public Hearings

Council Approval - Ordinance to Amend Town Code Section 113-12 pertaining to Repairs to Water Laterals

Councilmember Snyder moved, seconded by Councilmember Murdock, that Council adopt an ordinance to amend Town Code Section 113-12 pertaining to repairs to water laterals.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Council Approval - Ordinance to Amend Town Code Chapter 83.1 pertaining to Sewers

Councilmember Snyder moved, seconded by Councilmember Murdock, that Council adopt an ordinance to amend Town Code Chapter 83.1 pertaining to sanitary sewers.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Council Approval – Supplemental Water & Sewer Regulations

Councilmember Snyder moved, seconded by Councilmember Murdock, that Council approve amendments to the Supplemental Water & Sewer Regulations as proposed.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Special Recognitions by Mayor and Council

Council Approval – Resolution of Appreciation – Christmas in Middleburg

Mayor Davis advised Jim Herbert, Chairman of the Christmas in Middleburg Committee, that every year, the event got better. She noted that he and his team did a phenomenal job. Ms. Davis expressed appreciation for the tremendous amount of work they put into the event and noted that it meant a lot to the Town, businesses and citizens. She presented a Resolution of Appreciation to Mr. Herbert.

Mr. Herbert noted the amount of money that the Town, people and organizations donated and the sponsorships they received so they had the money to put on the event. He reported that there were 13,500 attendees for the event, 10,000 of whom were present for the second parade. Mr. Herbert reminded Council that the Committee conducted public strategy and planning sessions on a monthly basis. He reported that the Christmas in Middleburg website had over 48,000 interactions. Mr. Herbert noted that Visit Loudoun estimated, based upon their surveys, that \$75/person was generated in free cash flow on the day of this event. He reminded Council that the Christmas in Middleburg Committee’s message was not about shopping or specials, but was an encouragement to celebrate our joy. Mr. Herbert opined that this was a good message. He thanked the Council for their support.

Councilmember Snyder moved, seconded by Councilmember Shea , that Council adopt a Resolution of Appreciation for the volunteers, sponsors and donors associated with the 2013 Christmas in Middleburg event.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Councilmember Murdock noted that Mr. Herbert reported attendance of 13,500 individuals. She inquired as to the figures from last year’s event.

Mr. Herbert reported that the 13,500 figure was based upon public safety officers’ observations and photographic counts. He estimated there were 15,000 or more in 2012. Mr. Herbert opined that the reason for the difference was weather related and noted that many people travelled from Pennsylvania, Maryland and North Carolina for this event.

Public Presentations

Dave Quanbeck and Janelle Stuart, of the Middleburg Charter School Committee, appeared before Council to provide a status report on their efforts. Mr. Quanbeck reported that the Committee has started to hold budget meetings and begun to tackle questions regarding transportation and special education funding. He advised that on February 25th the School Board would vote on their charter application. Mr. Quanbeck noted that this would be preceded by a community information session that would be held at the Middleburg Elementary School on January 22, during which time they would present information on what the school would look like and the curriculum. He noted that their advisor/consultant from Barcroft Elementary School would be there to lead the presentation on the curriculum. Mr. Quanbeck reported that their plans were based upon meetings held with the School Board and on what they would find to be acceptable.

Mr. Quanbeck reported that three members of the School Board would hold an unofficial, advertised meeting on February 3rd at the elementary school in order to gauge the level of community support. He encouraged people to attend and noted that one member of the School Board was skeptical of charter schools and was asking to see community support. Mr. Quanbeck noted that not a lot of people were attending the planning meetings to date and reiterated that the February 3rd meeting would be a good one to attend. He suggested it would be good for the community to talk about the importance of keeping the school alive.

Ms. Stuart noted that this School Board member has stated that she wanted to see support over and above the five people that were regularly seen at the meetings and has asked whether the community wanted a charter school. She opined that it would be great to have a large turnout during the February 3rd meeting.

Mr. Quanbeck reported that a regular School Board meeting would be held on February 11th, during which time the charter school adoption would be discussed as an information item and public input would be accepted. He advised that this would be an opportunity for members of the community to speak before the entire School Board. Mr. Quanbeck stressed that it was important for individuals who felt strongly about this to step forward and tell the School Board they wanted the school.

Mayor Davis asked whether individuals needed to register to speak before the School Board. Mr. Quanbeck confirmed that individuals usually must call ahead. He noted, however, that they usually could also sign up upon arrival if they arrived at the meeting early. Mr. Quanbeck advised Council that he would check and let the staff know the procedures. He noted that the Committee would prepare and distribute flyers regarding the January 22nd and February 3rd meetings. Mr. Quanbeck reiterated that the final meeting would be held February 25th, during which time the School Board would vote on the application and noted that public comments would also be accepted at the beginning of that meeting. He opined that it would be great to have a show of the Town's support through a resolution.

Council agreed to consider a resolution of support during their January 23rd work session.

Mr. Quanbeck reported that following their budget meeting held last night, Superintendent Hatrick presented his proposed budget for the coming year. He noted that it included an \$80 million increase over the current budget. Mr. Quanbeck advised that based upon the proposed tax rate that the Board of Supervisors was discussing, there would not be any money to fund the proposed increase. He noted that Superintendent Hatrick reviewed the drastic cuts that would have to occur if there was no new funding; and, advised that while they did not include closing the small schools, he knew this would come up as a cut.

Mayor Davis noted that Mr. Quanbeck mentioned that there was one member of the School Board who not supportive of the idea of a charter school. She questioned whether he felt positive that the Board as whole was supportive of the application. Mr. Quanbeck confirmed he did and opined that they would receive five or six affirmative votes. He noted, however, that he could not say this for sure given the budget pressures. Mr. Quanbeck advised Council that the Committee would not have taken this approach if it did not feel it had the School Board's support. He noted that charter schools were difficult to do in Virginia and advised that there were only six in the state as the system was not set up to approve them. Mr. Quanbeck confirmed the Committee had a School Board that wanted to open a charter here. He opined that doing so was a great way to ensure the viability of the Middleburg Elementary School. Mr. Quanbeck advised that the school currently had less than fifty students and opined that it was an indefensible argument that the school should be kept open with that number of students given the budget constraints.

Councilmember Shea expressed appreciation for the professionalism and dedication of those who have worked on this application. Mayor Davis noted that the Town was grateful for their hard work.

Mr. Quanbeck noted that the Hillsboro Elementary School was also preparing a charter application. He noted that this effort was being led by the teachers. Mr. Quanbeck opined that it would be a great complement for Middleburg. He noted that the two schools would not be competing for the same students and opined that they could be stronger together. Mr. Quanbeck advised that their process was a year behind Middleburg's and opined that it would be easier for them as Middleburg's application would answer questions as this has been a learning curve for the School Board.

Approval of Minutes

Councilmember Snyder moved, seconded by Vice Mayor Kirk, that Council approve the December 12, 2013 Regular Meeting minutes as amended.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Staff Reports

Town Administrator Semmes reported that Salamander approached the staff about working with the Town to start a way finding signage program; and, noted that she was working with them on this. She advised that she may bring a new budget item to the Council related to it. Ms. Semmes noted that she has talked to Purcellville about their way finding system.

Town Administrator Semmes reported that she heard from the VMLP insurance investigator on the Well 4 incident. She advised that he was seeking additional information related to costs from Bob Krallinger, the Town's utility engineer. Ms. Semmes expressed hope to have some good news within the month on the insurance claim.

Councilmember Murdock questioned whether the staff advertised the January 14th community information meeting regarding the Washington Street Crosswalk Project. Town Administrator Semmes confirmed it had. She noted that notices were also sent to the individual property owners on Washington Street and an announcement was included in the Friday E-Mail Blast. Ms. Semmes reported that she and VDOT would meet with four property owners next week to discuss the temporary construction easements that were needed.

Economic Development Coordinator Pearson reminded Council that it was time to apply for the grant for the Bluemont Concerts. She suggested the Council discuss this to see if they would like to make any changes. Council agreed to discuss this during their January 23rd work session.

Town Planner Beniamino reported that a consultant was brought in during the last HDRC meeting to discuss updating the Historic District Guidelines. He advised that they would return next month with a proposal. Mr. Beniamino opined that the HDRC would provide a recommendation shortly thereafter.

Councilmember Murdock noted that the Town was still looking for someone to serve on the Planning Commission. Councilmember Shea reported that she knew of an individual who she anticipated would contact the Town.

Town Clerk North reported that thus far, no applications have been received. Councilmember Murdock suggested the Council must encourage people to apply if no one was doing so.

Councilmember Shea reminded Council that because they expanded the number of Commission members, being down by one member did not cause as much of a chance of a quorum issue.

Councilmember Snyder thanked the **Town Treasurer** for highlighting changes in her report. He noted that it made it easier to review.

Mayor Davis noted that the report indicated that the difference in the water and sewer revenues was due to the change to a bi-monthly billing system. She asked whether a lot of the change was also due to Salamander. Town Treasurer Wheeler confirmed it was.

Councilmember Snyder noted that he and the Town Administrator would soon be working on the utility rate model. He advised that at that time, they would be asking questions regarding billing.

Councilmember Shea noted that the insurance and workers compensation line items were at a high percentage. Town Treasurer Wheeler reminded Council that those items were paid once a year.

Chief of Police Panebianco noted that this was his end-of-the-year report; therefore, he must include any IA reports. He reported that there were no allegations of the use of too much force.

Chief Panebianco reported that he submitted a draft recommendation to the Town Administrator on a formal process for events that basically mirrored Leesburg's policy. He reminded Council of the issues that have arisen when someone told the Department of an event, to which they must then react. Chief Panebianco suggested it would be better to tell them what must happen, especially when there were two major events on the same day. He noted that had he been asked about this, he would have said "it was not a good idea". Chief Panebianco explained that this caused logistical issues that he wanted to prevent in the future.

Chief Panebianco reviewed what occurred in 2013. He noted that they started the year dealing with a string of burglaries; and, advised that the Department had an opportunity to be involved in helping to resolve them, with Lieutenant Prince having played a key role in identifying the individuals, which led to their arrest. Chief Panebianco noted that the Town has always had issues with the parking meters and advised that Officer Tharpe was now inspecting them on a monthly basis and was marking the malfunctioning ones so the Maintenance Supervisor could repair them. He reported that in 2014, they would record the malfunctioning meters in a searchable spreadsheet so the staff would know at a quick glance which ones malfunctioned most often and needed to be replaced. Chief Panebianco recognized the efforts of Officers Fately and Putnam, who investigated two deaths within two days.

Chief Panebianco noted that the Police Department worked well with the Maintenance Supervisor throughout the year and advised that there were some items that could not happen without him. He reported that the Town received complaints about stop sign violations in a particular area and reported that a lot of people worked together to resolve it. Chief Panebianco advised that Salamander installed signs alerting guests that they were about to enter the town and needed to stop ahead. He further advised that the Town Planner addressed a sight distance issue at this intersection.

Chief Panebianco reported that his staff completed advanced training. He advised that rather than meeting other agencies training dates, he sent Officer Hollins to instructor school, with Officer Hollins then training the other officers as well as some officers in Purcellville.

Chief Panebianco reported that the Department started a Facebook page, which has received six hundred likes. He noted that it was receiving three to six hundred hits on each post and received five thousand hits to the post regarding a girl who wanted to receive cards for Christmas. Chief Panebianco reminded Council that this was a tool to put information out quickly and suggested it was a positive addition to their webpage.

Chief Panebianco asked the Council to let him know if there was something on which they wanted him to work or do differently. The members of Council opined that he was doing a great job.

Chief Panebianco recognized his staff. He noted that Middleburg experienced low crime numbers because the officers were out on the street a lot. Chief Panebianco advised that one of their biggest assets was communication from the citizens and business owners. He explained that when something was getting ready to happen, the Department would get a call that allowed them to prevent it.

Mayor Davis expressed appreciation for the hard work the Department did to keep the town safe. Chief Panebianco expressed appreciation for the Town staff's support and noted that it was a group effort.

Town Administrator Semmes reported that she received the water information but not the wastewater information needed to prepare the monthly **utilities** report. She noted that the last time she received the information to prepare the report was in July.

Reports of Town Committees/Council Liaisons

Councilmember Shea reported that Go Green met and was working to prepare an agenda, goals and a budget for presentation to the Council in February. She further reported that the Town Planner has been actively working with the Committee and was keeping them focused.

Councilmember Snyder reported that the Wellhead Protection Advisory Committee was scheduled to meet next week.

Addition of Item to the Agenda

Councilmember Snyder moved, seconded by Vice Mayor Kirk, that Council add item XI(C) to the agenda.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Action Items (non-public hearing related)

Council Approval - Resolution Requesting County Transportation Funding for Crosswalks – Washington Street

Town Administrator Semmes reported that the staff found that there was a way to ask for County funding and noted that the Town had not done so for many years. She opined that it seemed reasonable, when the staff learned of the shortfall on this project, to ask the County to support the Town in the construction of one or more crosswalks. Ms. Semmes reported that she spoke with Tim Helmstreet and provided him with the cost information. She advised that he agreed to put a placeholder in his budget; however, he noted that he needed a formal request. Ms. Semmes advised that normally, funding requests should have been submitted in October.

Mayor Davis thanked the Town Administrator for getting this done. She reported that Supervisor Janet Clarke seemed very supportive of the request when they discussed it during a meeting. Ms. Davis noted that the Town did not normally ask for these types of funds; and, advised that everyone in the meeting opined that it was well deserved.

Town Administrator Semmes noted that it would be better to construct more crosswalks at once in order to minimize the disruptions and enjoy an economy of scale.

Vice Mayor Kirk moved, seconded by Councilmember Snyder, that Council adopt a Resolution Requesting County Transportation Funding Assistance for the Route 50 Crosswalk Project.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart
No – N/A
Abstain: N/A
Absent: Councilmember Hazard
(Mayor Davis did not vote as there was no tie to require her vote)

Council Approval – Resolution of Appreciation – Dan Broderick

Councilmember Shea moved, seconded by Councilmember Snyder, that Council adopt a resolution extending its appreciation to Dan Broderick for his service on the Middleburg Planning Commission from January 12, 2012 to December 31, 2013.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart
No – N/A
Abstain: N/A
Absent: Councilmember Hazard
(Mayor Davis did not vote as there was no tie to require her vote)

Mayor Davis noted that the Town Clerk would mail a signed copy of the resolution to Mr. Broderick.

Council Approval – Utility Connections & Approval of Performance Agreement – Federal Street Office Building

Councilmember Snyder moved, seconded by Councilmember Littleton, that Council approve a request from Federal Street Partners, LLC to connect the Federal Street Office Building (SP 12-01) to the Town’s water and sewer systems, contingent upon the payment of the required water and sewer

availability fees for a ¾ inch meter, in the amount of \$35,251.29, along with the water and sewer connection fees, in the amount of 10% of the connection cost or \$1,000 whichever is greater for each. Councilmember Snyder further moved, seconded by Councilmember Littleton, that Council approve the Performance Agreement and Surety for this project, as reviewed and approved by the Town staff.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Councilmember Littleton noted that it has taken two years to get this project approved and moving forward. He complimented the staff and applicant for working together. Mr. Littleton opined that this should be an attractive project for the town.

Discussion Items

Utility Management Contract

Town Administrator Semmes reminded Council of the Request For Proposals (RFP) that was advertised in the fall. She further reminded them that two proposals were received from private utility service providers – one from IES and one from ESS, both of whom are long standing, well respected companies in Virginia. Ms. Semmes advised that at the same time, knowing that the Loudoun Water contract would expire December 31, 2013, she encouraged them to submit a draft renewal contract. She further advised that she talked with officials from Loudoun Water about the fact that the Town would like to have staff here all day during the week and some during the weekends as required by the State permits. Ms. Semmes noted the difficulty of getting someone from Loudoun Water to respond if they were not in Middleburg. She opined that the damages to the Well 4 treatment plant would not have occurred or the damages could have been minimized if the Loudoun Water staff had been here. Ms. Semmes reported that she received a draft contract from Loudoun Water on January 2nd; however, she would not recommend it in its present form should the Council desire to seek a renewal. She recommended that if the Council wanted to pursue a renewal, she work with Loudoun Water to secure terms that were more beneficial to the Town. Ms. Semmes noted that she was not here when the Town entered into the contract with Loudoun Water; however, she opined that they provided a contract that was based upon the services they could provide at the time. She further opined that it had become apparent that it was increasingly difficult for Loudoun Water to provide the level of service the Town staff, Council and customers expected. Ms. Semmes noted that it has also gotten very expensive because of the accidents. She advised Council that Loudoun Water had not said it could not provide the additional services; however, it had not offered them. Ms. Semmes reported that the contract offered fewer services. She questioned who would deal with issues such as frozen water meters if the utility people did not.

Town Administrator Semmes reported that Councilmembers Snyder and Hazard, Bob Etris of Whitman Requardt and herself served on a review committee to review the proposals. She further reported that should the Council decide to go with a private company, they were comfortable recommending IES due to their direct experience with the membrane technology at the wastewater treatment plant, as well as the overall cost of their proposal. Ms. Semmes reminded Council that the RFP requested a fixed cost for a certain level of minimum services that the staff felt was needed. She noted the importance of knowing this number for budget purposes; however, she advised that it did not include all of the costs. Ms. Semmes noted that currently, the staff did not know what the costs would be from month to month. She reiterated that both companies were qualified and recommended the Town try another company.

Councilmember Snyder reported that the review committee agreed that IES was a great solution and had the capabilities, dedication and years of service to do the job and they were cheaper than any other alternative. He advised that he was convinced that IES would help prevent the issues the Town was experiencing with Loudoun Water. Mr. Snyder noted that Loudoun Water was expensive and not able to provide the services the Town required. He advised Council that the Well 4 treatment plant was once again shut down. Mr. Snyder opined that IES could begin work and be fully responsible for the system sometime in March.

Councilmember Murdock noted that the review committee worked hard on this contract. She noted that she discussed it with Councilmember Hazard and was ready to go with their recommendation. Ms. Murdock inquired as to how soon the change could occur.

Councilmember Snyder noted the need to get a formal agreement in place and opined that this could probably occur this month. Town Attorney Plowman confirmed it was almost complete.

Councilmember Snyder reported that Terri Inboden, of IES, could be here in February to transfer the operations from Loudoun Water's staff and could fully assume the operations in March.

Mayor Davis noted the staffing difference between the two proposals in that ESS would provide a maintenance technician. She questioned what that would entail.

Town Administrator Semmes explained that ESS felt it was important to have three staff members present, with the third being a maintenance tech who would do meter change-outs and readings and minor repairs. She advised that IES said that this was what their operators did and noted that this was consistent with the Town's past experience. Ms. Semmes opined that ESS was a larger company, with more layers. She advised that having three staff members would not be a bad thing if the Town could afford it; however, she did not think it was needed.

Mayor Davis noted that if in the future, the Council agreed with the need for a third staff member, IES' cost would still be way below that of the other responders.

Councilmember Shea advised that in reading their proposal, she got the sense that IES had a pride of ownership, which was an attitude that Middleburg wanted. She further advised that she was convinced by their proposal that if something was wrong, they wanted to make it right.

Vice Mayor Kirk reminded Council that she did not support the contract with Loudoun Water when they were hired; however, she was fully behind the IES proposal as she liked what they were offering.

Town Administrator Semmes noted that she had a good discussion with Tom Bonequisti of Loudoun Water. She opined that they would not be hurt by the Town's decision; and, advised that the two staffs had a good relationship. Ms. Semmes noted that if the contract with IES did not work, the Town may want to return to using Loudoun Water. She further noted that they would continue to accept the Town's sludge. Ms. Semmes reiterated that the Town and Loudoun Water had a professional relationship and noted that they understood why the Town was going through this process. She reminded Council that they could not submit a proposal to the RFP as they were a public agency; however, they did offer a draft contract and noted that it was important to see what they were willing to do.

Councilmember Shea noted that there was no mention of having a representative on the Wellhead Protection Advisory Board and questioned whether they would. Councilmember Snyder noted the need to work that out as it was not in the RFP. He advised Council that the Wellhead Protection Advisory Board would discuss this at their meeting.

Councilmember Snyder moved, seconded by Vice Mayor Kirk, that Council authorize the Town Administrator and Town Attorney to conclude a contract with IES for a one-year period with the option for four additional one-year renewals, as specified in the Request For Proposals, for signature by the Mayor, with services to begin March 1, 2014 or as soon thereafter as practicable.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: Councilmember Hazard

(Mayor Davis did not vote as there was no tie to require her vote)

Update – Water Meter Replacement Program

Town Administrator Semmes reminded Council that money was included in the budget for meter replacements. She reported that the large meters have all been replaced with the exception of one. Ms. Semmes explained that the staff could not find the cut-off valve for the meter at the Hill School Science Building, but was working to do so. She advised that it was time to start work on replacing the residential meters and recommended, after talking with the Maintenance Supervisor and staff from Loudoun Water, that the Town start in the Ridgeview Subdivision. Ms. Semmes explained that some of the touch read systems in this area were not working properly. She noted that the budget did not contain enough money to replace all of the meters in this subdivision; however, if the Council believed this was a reasonable approach, they would begin the process. Ms. Semmes noted that the staff would let each property owner know the Town was replacing their meter and why. She suggested the replacements be done one street at a time. Ms. Semmes noted that this work would not begin until the weather was better. She questioned whether the Council believed this was reasonable. The members of Council agreed they did.

Councilmember Shea requested that the notices explain that the meters were being replaced in the Ridgeview Subdivision because of the number of non-working meters in that area. Councilmember Murdock suggested it explain that it was due to the age of the meters. Councilmember Snyder suggested that it explain that this change was intended to improve the accuracy of the bills, with a secondary goal of reducing the loss of water.

Information Items

Councilmember Shea announced that in an effort to support the community, Second Chapter Books would offer residents a ten percent discount on their purchases on the second Monday of each month during this year. She expressed hope that other businesses would consider doing something similar.

Mayor Davis noted that the Fun Shop offered a loyalty program.

Closed Session – Consultation with Legal Counsel

Councilmember Murdock moved, seconded by Councilmember Shea, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(7) for consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. Councilmember Murdock further moved, seconded by Councilmember Shea, that this matter be limited to legal advice regarding a Town contract. Councilmember Murdock further moved, seconded by Councilmember Shea, that in addition to the Council, the following individuals be present during the closed session: Angela K. Plowman and Martha Mason Semmes. Councilmember Murdock further moved, seconded by Councilmember Shea, that the Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Kirk, Littleton, Murdock, Shea, Snyder and Stewart
No – N/A
Abstain: N/A
Absent: Councilmember Hazard
(Mayor Davis did not vote as there was no tie to require her vote)

Mayor Davis asked that Council certify that to the best of each member’s knowledge (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, which each member so did. She reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, a motion was made and approved to adjourn the meeting at 7:38 p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk