Council Work Session
August 11, 2009

PRESENT
L. Bompiani, Mayor
M. Dearing, Vice Mayor
M. Isom, Council Member
D. Kite, Council Member
P. Workman, Council Member
H. Armbruster, Council Member

ABSENT
R. Snow, Council Member

PRESENT
Reid A. Wodicka, Town Manager
Lauri A. N. Sigler, Town Attorney
James A. Morris, Chief of Police
Clairen Sipe, Town Treasurer
Allison Morris, EACC Administrator
Diane Johnson, Recreation Director
Denise R. Monger, Clerk of Council

ABSENT
Timmy Turner, Public Works Director

PRESENT
Dan Talbot, Chair
Victor Corbo, Member
Cole McGregor, Member
Cathy Morrison, Member
Madelyn Dixon, Member
Margaretta Isom, Council Representative
Charlotte Shifflett, Secretary

The following items and issues were discussed:

- Doug Caldwell, Engineering Field Director and Jim Moore, Deputy Field Director, from the Commonwealth of Virginia, Department of Health, Office of Drinking Water, spoke regarding the issues at the spring and the necessity of the boil notice.
- Mr. Caldwell spoke regarding the Town bringing the new well on-line.
- Mr. Moore stated that in the early 1990's, the EPA adopted the Surface Water Treatment Rule. The EPA, under the authority of the Federal Safe Drinking Water Act, passed regulations that all public water supplies had to comply with. He noted that the Surface Water Treatment Rule stated any locality or water works that used surface water, streams or reservoirs had to provide a minimum treatment of approved filtration technology. He noted that state agencies were directed under that rule to administer programs to develop a procedure for evaluating ground water sources.
- Mr. Moore briefly spoke regarding the disinfection process which removes many harmful bacteria that could impact public health. He noted 2 common types of bacteria were total coliform and e-coli.
- Mr. Moore stated that raw water testing was done prior to any type of treatment to source water. He noted that the Town had been performing those tests for several years. He noted that if total coliforms were present and exceeded certain levels that could indicate that the source was under the influence of surface water. If that were the case, the agency would declare that source under the influence of surface water and additional treatment would need to be provided.
- Mr. Moore stated that some organisms found in water such as cryptosporidium are not treatable with chlorine. He noted the agency was unsure if cryptosporidium was present in the Towns' water source. However, since the spring was surface influenced and there was a possibility of cryptosporidium being present, a boil advisory was issued to protect public health until treatment was installed at the spring or an alternate water source was provided.
- Mr. Moore stated that the Department of Health monitors results from the tests taken by the Town. He noted that last year total coliforms were present in some

of the tests taken. However, there was no indication at that time that the tests were not being taken appropriately.

- He noted that a Town operator had taken notice that chlorine could be present in the samples being taken from the spring. He noted that when that issue was discovered, the Town staff moved the sampling area. He noted that the May and June test results indicated relatively high levels of total coliforms. He noted the Town was contacted by the department regarding those results and a meeting took place. He noted that the department had requested the spring box be disinfected and a good raw water sample taken. He noted that the Town had complied with those requests.
- He noted that the Town started to take weekly samples. He noted that the tests recently taken had a total coliform count of greater than 2400. He noted that count was extremely high. He noted that e-coli was also detected. Therefore, a boil advisory was issued.
- Mayor Bompiani inquired as to why after 60 years were the results from the water tests not acceptable. Mr. Moore responded that for many years raw water testing was not required. He reiterated that the testing process started in the early 1990's. He noted that it was only after the EPA had passed the rule on raw water that boil advisories were issued.
- Mayor Bompiani stated the Town had found that the tests they were performing were incorrect. He inquired as to the reason why the Department of Health did not check to see if the Town was performing the tests properly. Mr. Moore responded that the department performed inspections on an annual basis. He noted that none of the Town's test results alerted the department to any unusual findings. He noted that based on monitoring results, the department had no reason to suspect that the samples were being taken from a bad location.
- Council member Armbruster inquired if the department knew how contaminants were entering the spring. Mr. Moore responded that he was unsure of the exact location where contaminants were entering the spring.
- Council member Armbruster inquired if Massanutten's dumping of human waste on local fields could be a contributing factor to the spring's contamination. He noted that a public hearing had been held on that matter in which the issue of Town water contamination had been discussed. Mr. Moore responded that he felt only recently did the department receive accurate tests of raw water from the spring. For that reason, it would be difficult for the department to determine when or what was responsible for the contaminants.
- Council member Isom inquired if there were measures that the Town could take in order to continue to use the spring as a water source and if boiling water would be needed for citizens that have private wells. Mr. Moore responded that most private wells were not monitored. Regarding the spring, Mr. Moore noted that a future review of the matter could take place.
- Council member Isom stated that she was told the boil advisory would end as of August 24, 2009. Mr. Moore responded that the date of the 24th was reported in a newspaper article and was misleading. He noted that the advisory would be in effect until an acceptable filtration and disinfection system was installed at the spring or the spring was replaced with a new acceptable water source. He noted that an August 24th date was included in the notice because the Town's engineers estimated that the Elkwood well could go on-line temporarily by that date. He noted that estimate was given as a best case scenario estimate.
- Council member Kite inquired as to how many other localities had a spring as a water source. Mr. Moore responded that both the Town of Luray and City of Waynesboro had springs. He noted that the City of Waynesboro's spring was also declared under the influence of surface water. He noted that the city had wanted to keep their spring as a water source and was in the process of installing the necessary filtration and disinfection technology.
- Council member Workman inquired if the spring would be retested and if the technology needed to upgrade the spring would be mandatory for its future use.

Mr. Caldwell responded that the Town would need geological tests to indicate the exact location of the contamination.

- Mayor Bompiani stated that tests were available to determine if cryptosporidium was in the Town's water source. Mr. Moore responded affirmatively and stated that under the procedures that were established in Virginia, even if a test was performed and no cryptosporidium was found in the water, the department would not change its determination that the water source was under the influence of surface water because the potential for cryptosporidium was still present. He noted that total coliform and e-coli tests were used as indicators for the presence of bacteria because the tests were easy to perform, inexpensive and testing could be done frequently.
- Mr. Moore stated that for cryptosporidium testing, a special pump and filtration system must be used. He noted that those tests would need to be shipped to a special lab that performs those tests for a cost of approximately $600.00 per test. He noted that was the reason that type of testing could not be done routinely and why the other tests were used.

Electric (Chair: M. Isom)

Council member Isom stated that the committee meeting was held on August 6, 2009. She noted that the Town should pursue the right to retain the electric service area at the Koogler project.

Planning Commission (Council Rep: M. Isom)

Council member Isom stated that the commission met on August 4, 2009. She was not in attendance due to medical issues.

Town Attorney Sigler stated that there was no quorum for that meeting.

Public Safety, Health & Ordinance (Chair: H. Armbruster)

Council member Armbruster stated that the committee met on Monday. Chief Morris briefed Council on the request to reduce the speed limit on Mt. Pleasant Road.

Cemetery (Council Rep.: L. Dearing)

Vice Mayor Dearing stated that Council would need to vote to approve the purchase of land for the Cemetery. He briefly discussed the Town's obligation under certain agreements and covenants to operate and maintain Elk Run Cemetery.

Water & Sewer (Chair: L. Dearing)

Vice Mayor Dearing stated his concern that no work had taken place on the upgrades to the Town's wastewater treatment facility or the gravity line for the new school. He noted that some projects should be completed before cold weather returned such as the belt press water lines being moved to avoid freezing. Mr. Wodicka referred to a chart he provided to Council for a timeline indicating upcoming projects and their completion dates.

It was determined that the acquisition of real estate regarding the Elkwood well would be discussed in closed session.

Town Attorney Sigler stated that if a temporary agreement could be reached and the well would go on-line, the Health Department would suspend the boil advisory. She noted the Town would work to make permanent arrangements.

A brief discussion took place regarding the temporary set-up and measures involved to bring the well on-line.

Streets & Sidewalks (Chair: P. Workman)

Council member Workman suggested that an official press release be prepared and distributed to local news organizations regarding the water issues facing the Town.

Economic & Community Development (Chair: P. Workman)

Council member Workman stated that the committee was working with James Madison University students and staff to determine how to improve different areas of the Town. He noted that preliminary updates would be forthcoming as well as a final briefing.

Mayor Bompiani stated that he, Mr. Wodicka and Council member Workman traveled with the Democratic Committee of the 5th District to Washington D. C. to meet with a Legislative Aide for U. S. Senator Mark Warner regarding the Clean Coal Research Facility. He noted they had received support for the project and that new contact points were provided. He noted that the deadline to present the project under the stimulus package was August 24, 2009.

Personnel (Chair: D. Kite)

Council member Kite stated that he and the Town Manager would be holding Department Head evaluations next week.

Council member Kite asked that Council present their choice of nominees for the Gerald Monger Award to the Mayor. He noted that the nominee should be a person that services the community.

Community Center (Chair: R. Snow)

Council member Snow was on vacation and not in attendance. Therefore, Administrator Morris briefed Council regarding the "Elkton Civil War Battle." She noted that volunteers were needed for the event.

Recreation (Chair: D. Kite)

Recreation Director Diane Johnson stated that fall sports were beginning. She noted that a pageant would take place that weekend at the center.

It was determined that Council member Kite would discuss some capital projects with the Town Manager at a later time.

Mr. Wodicka stated that he had sent documentation to Council regarding the new VEMA contract which would go into effect on January 1, 2010. He noted that the Town had 60 days to sign the contract once the VEMA president endorsed the document. He noted that the Town would not see the direct benefit of the generator since the Town would not receive the credits directly. However, under the current contract the Town received a better formula for rate calculations. He noted that over the next five years, VEMA estimated that all participating localities would save in total $130 million. He noted that Town Attorney Sigler was still reviewing the contract. He noted that the length of the contract was 20 years with 2 possible extensions of five years each.

It was determined that the approval of the VEMA contract would need to be placed on the agenda for the September Council meeting as well as Council to appoint Mr. Wodicka as the representative to attend the VEMA meetings.

Vice Mayor Dearing questioned if the Town of Elkton Flag could be placed on the third flag pole at the Community Center. He noted that new poles were needed for the flags at the triangle in the center of Town. He also noted that a bust honoring Drs. Nicholson, Kite and Miller had been discussed for display at the triangle. He encouraged Council to move forward on that matter.

Mayor Bompiani stated that Mike Breeden would be assisting with landscaping activities at the "pocket park" located behind Ciro's Restaurant. He noted that on September 12, 2009, Miller Coors would be touring the park with representatives from their corporate offices in Colorado.

Mayor Bompiani stated that an Open House would be held at River Bend Elementary School on August 16, 2009 from 2:00 p.m. – 4:00 p.m.

Closed Session

Council member Kite moved, and carried to go into closed session under Virginia Code 2.2-3711-A.3 for discussion or consideration of the acquisition of real property. Council member Workman duly seconded the motion.

YEAS: M. Dearing, M. Isom, H. Armbruster, D. Kite, and P. Workman

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Council member Kite moved to go from closed session back into regular session and that each member, to the best of his or her knowledge, certified that only public business matters lawfully exempted from an open meeting requirement under Chapter 21 of Title 2.2 of the Code of Virginia were heard, discussed, or considered. Vice Mayor Dearing duly seconded the motion.

YEAS: M. Dearing, M. Isom, H. Armbruster, D. Kite, and P. Workman

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

As there was no further business, the meeting was adjourned.

Mayor: Larry A. Bompiani
Larry A. Bompiani

Recorder: Denise R. Monger
Denise R. Monger, Clerk