

**PURCELLVILLE TOWN COUNCIL MEETING
WORK SESSION
TUESDAY, AUGUST 25, 2020, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

The special meeting work session of the Purcellville Town Council and the GoTo meeting convened at 7:00 PM in Council Chambers with the following in attendance:

PRESENT:

Kwasi Fraser, Mayor
Mary Jane Williams, Vice Mayor
Chris Bertaut, Council member
Ted Greenly, Council member
Joel Grewe, Council member
Stanley Milan, Council member
Tip Stinnette, Council member

STAFF PRESENT:

David Mekarski, Town Manager
Sally Hankins, Town Attorney
Diana Hays, Town Clerk/Executive Assistant

STAFF PRESENT VIA REMOTE PARTICIPATION:

Hooper McCann, Director of Administration
Sharon Rauch, Director of Human Resources
Liz Krens, Director of Finance
Dale Lehnig, Director of Engineering, Planning & Development
Patrick Sullivan, Director of Community Development
Dave Dailey, Deputy Chief
Kimberly Bandy, Deputy Clerk

CALL TO ORDER

Mayor Fraser called the special meeting work session and the GoTo (virtual) meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AMENDMENT

Mayor Fraser made an amendment to move the ACTION Item 9a) Proposal for Engagement-Request for Expressions of Interest Process from Faegre Baker Daniels to the last item for DISCUSSION. Mayor Fraser commented that he and Council were unaware of this action item being on the final agenda.

Council member Stinnette added a DISCUSSION item 10a) Agenda Review Process and Staff Decision Making Matrix to be the first item.

David Mekarski, Town Manager, requested on behalf of Sally Hankins, Town Attorney, to move DISCUSSION item 10e) Nutrient Credit Project Selection and Decision Matrix to be

moved to the beginning of DISCUSSION. Sally Hankins suggested it be moved to PRESENTATION because of the consultant being on the line. Mayor Fraser kept the item at DISCUSSION 10f. Questions are deferred to the next Town Council Meeting.

CONSENT AGENDA

Council member Stinnette made the motion that the Purcellville Town Council approve the Consent Agenda, item 6a, as presented in the August 25, 2020 Town Council Meeting Work Session packet which is essentially a roll up for the Town Council meeting minutes from May. Council member Grewe second the motion.

There was a discussion to have the three newly elected Council members abstain from this vote since they were not in attendance at the meeting on May 26, 2020. A roll call was conducted.

Motion:	Council member Stinnette
Second:	Council member Grewe
Carried:	4-0-3 abstain

Grewe:	Aye
Greenly:	Aye
Bertaut:	Abstain
Williams:	Abstain
Milan:	Abstain
Stinnette:	Aye
Mayor:	Aye

PRESENTATION(S)

- a.) RFP Results for Line of Credit/Bond Anticipation Note (Kyle Laux, Davenport) *(Presentation on file at the Clerk's office)*

Mr. Kyle Laux, Davenport, gave a presentation of choosing a potential Line of Credit/Bond Anticipation from three banking establishments BCT, Key Government Finance, and Truist. Council questioned Mr. Laux, Elizabeth Krens, and David Mekarski in which developed a discussion regarding the current and possible future economy for the town. A decision would come from Council at the September 8, 2020 Town Council Meeting on this topic. There was also a brief discussion in regards to financing the future Police Headquarters.

- b.) Industrial Hemp Farming-Economic Development Opportunity in Western Loudoun County (Luke Greer, Northern Virginia Hemp Company) *(Oral presentation with no materials submitted)*

Mr. Luke Greer, Northern Virginia Hemp Company, gave an oral presentation on the history and present benefits of growing hemp and the possible profits from this product. He spoke of it being an emerging market growing leaps and bounds.

Mayor Fraser commented that Northern Virginia has become known for its' Hops, Horses, and now Hemp and he supports this idea.

David Mekarski asked how much land was needed to farm hemp. Mr. Greer commented that it would only be a few acres.

CITIZEN/BUSINESS COMMENTS

Council member Stinnette offered to read emailed citizen comments into the record from Robert Krens, Mary Lynne Hickey of 307 Miles Hawk Terrace , Christi Morgan of 608 Greysands Lane, Dawn Bowman of 211 N 28th Street, and Beverly Chiasson of 110 N. 28th St. (*Comments are attached.*)

ACTION ITEM(s)

None

DISCUSSION/INFORMATIONAL ITEMS

a. Agenda Review Process and Staff Decision Matrix

Council member Stinnette discussed the current process of publishing agendas and the critical path it follows. He suggested having an additional step of a Council member to review the final agenda before it is made public. Council member Stinnette continued to discuss Action items current to previous agendas. He discussed the process of the Community Police Advisory Committee, as an example, on how a critical path for this process was needed. He suggested to have a formal critical path with milestones of all future agenda action items and have it driven by Sally Hankins, Town Attorney.

Mayor Fraser reiterated the agenda review process should include a final review from a rotating designated Council member for a final step before it is sent to the public.

David Mekarski reminded Council of their directive at the August 11, 2020 Town Council Meeting to include a Proposal for Engagement-Request for Expressions of Interest Process from Faegre Baker Daniels and he did make the decision to include it on the final agenda.

Council member Grewe stated that a position of a secretary function within Council whose job is to cross check the final agenda before it is made public and suggested that a "process" be implemented for the "process" of an item for the agenda. He suggested possibly a "process vote" be created and shared during the creation of agenda topics with a timeline that reaches an action vote which makes the route of an item dependable, predictable, and scheduled.

Council member Greenly agreed with Mayor for a council member to review the agenda, he would like information shared ahead of time from presentations and he would also like to take a look on a whole at what a work session agenda should include or not include.

Council member Milan agreed with the need for a template for a project plan and to have a council member review the agenda before it is made public.

Mr. Mekarski suggested to have agendas drafted a month prior to assist staff in creating the reports for each agenda topic and to have Council as well as himself to abide by the resolution agreed upon for the purpose of each meeting and work session being held.

The Mayor and Mr. Mekarski agree to have a special meeting work session on the topic Agenda Process/Work Flow and Projects, to be discussed in detail with the Mayor, Town Manager, Town Attorney, and Town Clerk.

Mayor Fraser reiterated that during the meantime a final step will be included in the agenda process that a rotating designated Council member review the final version of the agenda before it is shared with the public.

Council member Grewe suggested that staff would be tasked to create the schedule to assign the designated council member and then share that with Council.

b. Status of CARES Act Funding Applications (oral update)

Hooper McCann, Director of Administration, gave an update on grants and stated that 16 applications were already submitted with an upcoming deadline of August 28th and a Facebook post will be shared August 26th as a public reminder of that deadline, and in hopes to eventually have all forms submitted to the Loudoun County Economic Development Authority for payment processing by Friday September 4th. Ms. McCann foresees a significant amount of funding left over from the first round of the \$2500-3500 range. She requested that Council concur and give directive to automatically award the additional second round of funding to those businesses that applied for the first round with the exclusion of the Restaurant Seating category along with the recommendation of doubling the awards. Ms. McCann stated that the next round of funding would be advertised by direct mail September 8th and businesses be given three weeks to respond. The nonprofit grants are scheduled to be sent out for round one on September 14th with a possible due date on the 28th and intentions of potential awards being up to \$10,000 based on the number of applications received.

David A. Mekarski requested that Hooper McCann address Council with an explanation of the amount of the second level of funding distribution as it will match the first round awarded, review High Level Spending Plan, and along with the amendments to the LMU giving the categories and dollar amounts. Ms. McCann further explained in detail those items suggested by Mr. Mekarski and also stated that Council would need to certify the second round of funding like the first to receive the amounts and advertise this by September 4th.

Council member Greenly questioned Ms. McCann how new home business owners could apply for these funds and she understood that it would be hard for them to possibly report on an entire year and that the time frame that would be looked at would be March until May estimates and comparisons.

Council member Stinnette stated he understood Ms. McCann as stated that the awards would be doubled from the first round for the next second round, and he also requested that Ms. McCann repeat what was said for the process on leftover money.

Council member Grewe made the motion that the Purcellville Town Council direct the Administration to double the first round of funding of the CARES Act funding applications as arranged in the last motion for the memorandum doubling the award amounts. Council member Stinnette second the motion.

David Mekarski added point of order allowing Administration to double the second round of the first application and Hooper McCann added categories 2-4 only.

Council member Grewe commented that this was an action to further help the Town businesses.

Motion:	Council member Grewe
Second:	Council member Stinnette
Carried:	7-0

Grewe:	Aye
Greenly:	Aye
Bertaut:	Aye
Williams:	Aye
Milan:	Aye
Stinnette:	Aye
Mayor:	Aye

c. Update on Water Tower Project

Dale Lehnig first commented that there was information in the staff report that reflected a meeting held last Tuesday and a more recent update, not in the staff report, that today T-Mobile will be starting this Thursday and be finished by the end of next week at most two weeks. AT&T will then start on September 14th moving antennas from the temporary to permanent tower and be done in a few weeks. Then there was no change from Sprint since their contract expired and Verizon there is no change to time line either.

Mayor Fraser commented seeing an email today regarding Sprint contract that the attorney was moving forward with a contract. Dale Lehnig commented that T-Mobile and Sprint are merging and Sprint still needed to renew their contract. Council member Stinnette referred to Matt Ames' email from August 24th to Dale Lehnig stated that Sprint's lease will renew, but it has not been agreed upon. Mayor Fraser confirmed it looked like they will renew, but it is not official as of yet.

Mayor Fraser stated, by looking at this as a project management stand point, that AT&T and T-Mobile will be on the tower by the end of September and Verizon and Sprint is still being worked on.

d. Update on Cell Tower Partner Selection

David A. Mekarski stated from the staff report in the agenda that the RFP review team met with Attorney Ames electronically over three sessions. The team met most recently on Wednesday, August 19. Attorney Ames, Dale Lehnig and Kathy Elgin reviewed, with Wireless Edge, the proposed modifications to their draft contract and reached mutual agreement on the majority of issues identified for revision by the Town. A final draft copy is currently being prepared by Attorney Matt Ames and will be forwarded to Wireless Edge for their final review and approval. It is anticipated that both the Town and Wireless Edge should be in position to submit the final contract for review and approval by the Town Council in your first meeting in October. In order to expedite the implementation process, we have authorized Wireless Edge to begin site analysis at the Wastewater Treatment Plant, at their expense, and they have agreed to begin that work immediately. Until we reach final agreement on the negotiated terms, the RFP team is not at liberty to reveal the details of the proposed business deal, which will be discussed in our presentation to the Town.

David A. Mekarski stated that Council member Bertaut had sent an email with procurement questions pertaining to the RFP which was forward to Kathy Elgin and Sally Hankins. When those questions are answered they will be shared with Council.

Mr. Mekarski also commented that currently our town zoning ordinance proposed an issue on the desired tower height and this would have to be discussed. He also estimated after the October Town Council meeting where a contract is agreed upon, it would be desired for the Cell Tower 2 to be in place 6 months out from there.

Council member Stinnette questioned "Does this bidder have carriers on the hook to put on the tower?" Mr. Mekarski commented that they won't build until they have that interest and interest inside the big four as well as outside.

Dale Lehnig, Director of Engineering, Planning and Development, commented that they are actively looking for interest and the big four companies would be looking to increase bandwidth and not put the other tower in any jeopardy.

Council member Grewe commented to be sure to be able to offer the coverage, better service than what exists currently, get the right people on that tower, and be able to quickly move on this project.

e. Nutrient Credit Project Selection and Decision Matrix

Sally Hankins, Town Attorney, stated that a Financial analysis and SWOT analysis were done for a Nutrient Bank project at the Aberdeen property. Sally Hankins commented that there are three scenarios for the Nutrient Credit Project; 1) Sell ownership of bank

approved by DEQ in whole or in part, 2) Convey the entire bank of 93 acres and not use any of the land for other use permanently, or 3) The Town partners with a private party to establish and sell credits of a Nutrient Bank. She continued on revenue assumptions and details with each scenario and upfront costs. She then opened with any questions and reminded Council that there was a consultant on the line earlier in the meeting that was dismissed and she may have to defer some questions to a later time.

Council member Stinnette stated by looking over the staff report that Ms. Hankins was less than positive that we can do a deal with a third party on Aberdeen and make a profit given the legislation that was recently passed in the Commonwealth and not sure to directly broker privately due to the same legislation. He stated that bottom line we cannot basically be a "profit making business" as a municipality when it comes to Nutrient Credits. He stated from what is in the staff report that possibly it would be best to send this project out to a third party and let that third party do research and figure it out. Ms. Hankins confirmed the summary comment from Council member Stinnette and included one other complication with municipal owned land with the sale of the bank on the land and then selling that bank to a private owner, which this would need to be addressed with the state.

Council member Greenly commented it would be similar to out west where there are public rights out west for grazing private cattle on public lands.

Ms. Hankins commented that there was one scenario not mentioned that would be to sell the land and the bank which then there would be no issues.

Council member Grewe commented on Council member Greenly's comment that rights to land without owning the land is complicated and could become a mess. He questioned Sally Hankins on what would it take to get more clarity on the steps to go forward with this project. Ms. Hankins stated that she could submit a legal opinion and ask the Attorney General for an opinion and which is entitled to great weight and would give reasonable ground, but not necessarily accurate, but would provide more comfort in going forward and it would take her a week to complete with a response time from the Attorney General within 90 days. Council member Grewe liked this idea because of all the other projects and it still moves this project forward.

Council member Milan questioned the amount of land used for each Phase 1, 2, and 3 used on each Phase and how it would affect other possible projects on Aberdeen.

Luke Greer, Northern VA Hemp Co, commented on his project being a return investment after \$300-350 per acre for seed and once harvested \$1200 for the grain and fiber per acre, if only grain it would be half that, at a once a year rate with a cautionary risk with fiber of cross pollination with other farms.

Ms. Hankins answered Council member Milan's amount of acres used per Phase question: Phase 1/13-14 acres, Phase 2/18 acres, Phase 3/5.25 acres, Phase 4/21.3 acres, Phase 5/9 acres, Phase 6/ 16.5 acres and Phase 7/10 acres.

Council member Bertaut commented on the point of request opinion from the Attorney General and not agree because those options needing this opinion would be the least lucrative and not to waste time. He shared that Rob Banner, Acre Investment, is in the audience and he might be able to answer some of questions. Council member Bertaut was puzzled there is a phase approach in all of these scenarios.

Ms. Hankins answered that this would be a question for the consultant that was not online. Council member Bertaut also questioned Phase 3 stated that Nutrient Credits being sold before tree planting and how that would be possible. Ms. Hankins stated that it might have been possible to release a portion of credits before harvest. Council member Bertaut also questioned planting pine versus hardwood and replacement costs and questioned possible losses. He also questioned the statement for scenario three of one weakness to be loss of land for future reservoir on Aberdeen and he was unaware of this type of plan.

David A. Mekarski commented that there is a commission permit with Loudoun County showing all water structure for property that does show plans for two reservoirs.

Council member Bertaut questioned the plan on building a surface reservoir being placed on a sloped piece of property.

Dale Lehnig answered with combination of removing soil and placing an embankment to build a surface reservoir and the idea was to store additional surface run off before treatment.

Council member Bertaut stated his understanding on the discussion of risk with third party to sell nutrient credits, if the third party were to go out of business and how the town is protected would be handled by an issuance of a bond or some sort of insurance.

Mayor Fraser commented that he prefer to concentrate on the 6 year plan of a million dollar revenue project which points to option 3 and move to an RFP process. Council member Stinnette agreed, but is it fully understood of the legal position of allowing a private party conduct business on public land. Sally Hankins stated that this is not clear. Council member Stinnette referred back to the added discussion item 10a) Agenda Review Process and Staff Decision Matrix and not knowing the critical path for this project.

Mayor Fraser questioned Ms. Hankins after all of the research that has been done since November 2019, what level of confidence would she have to go forward to an RFP process. She answered that there would need to be further opinions gathered on how to construct the Nutrient Credit contract and the terms with a private party.

Mayor Fraser stated that the Aberdeen property was purchased ten years ago for \$2.1 million dollars with no revenue obtained. This is an opportunity to commence some returns on the property with starting an RFP process.

Council member Greenly agreed with going forward with an RFP process.

Sally Hankins stated that there seemed to be an implication of a fumble from staff on the length of this project, but there has been several project requests proposed for this property with many different directions which has caused a lot of research time spent on many projects for this property. Also, this particular project has been lengthy with the need for returned communication and application process approvals.

Mayor Fraser commented that he acknowledges the amount of time and work placed on this Nutrient Credit project and in which has produced an option for higher returns, if that hadn't been done in November with the lengthy time, the town would not be in a good position to go forward. He appreciated the time and effort from staff.

Hays, Diana

From: Stinnette, Murrell
Sent: Tuesday, August 25, 2020 9:42 AM
To: Hays, Diana
Subject: Fwd: Selling of Town of Purcellville Resources

3 of 3...

Begin forwarded message:

From: Rick Krens <rickkrens@yahoo.com>
Date: August 23, 2020 at 19:34:15 EDT
To: Only Town Council <purcellvilletc@purcellvilleva.gov>
Subject: Selling of Town of Purcellville Resources

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please do not spend \$30,000 on a consultant to decide to sell off our water treatment plant. This would be a horrible financial decision. The end result would be even higher water rates from a private company. A private company will have to make a profit so economically this makes no sense at all.

I understand that water rates more than likely will go up but selling off the water treatment plant is not the way to go. Spending 30K on a study to look at how bad a decision this would be is a waste of

taxpayers money. Just say NO to privatizing our water.

Feel free to read this into the town council minutes as I feel that the town is once again going down the wrong path...again.

Regards,
Rick Krens

Hays, Diana

From: Stinnette, Murrell
Sent: Tuesday, August 25, 2020 9:41 AM
To: Hays, Diana
Subject: Fwd: Selling Purcellville's water utility

2 of 3...

Begin forwarded message:

From: Mary Lynn Hickey <marylynnhickey@gmail.com>
Date: August 24, 2020 at 09:22:47 EDT
To: Only Town Council <purcellvilletc@purcellvilleva.gov>
Subject: Selling Purcellville's water utility

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I request that my email be read into the Town Council meeting minutes.

Members of Town Council:

Your consideration of and support for selling off Purcellville's water utility constitutes grave malfeasance and a reckless and wanton disregard for the citizens of this community who elected you.

Instead, find your backbone and exercise the leadership incumbent upon you to pass a rate adjustment for our water and sewer utility that restores solvency this year and in future years that will preserve local control of our water and sewer.

Respectfully,

Mary Lynn Hickey
307 Miles Hawk Terrace
Purcellville, VA 20132.

Hays, Diana

From: Stinnette, Murrell
Sent: Tuesday, August 25, 2020 9:41 AM
To: Hays, Diana
Subject: Fwd: Aqua proposal

1 of 3...

Begin forwarded message:

From: CHRISTIE MORGAN <christiemo@aol.com>
Date: August 25, 2020 at 08:41:31 EDT
To: Only Town Council <purcellvilletc@purcellvilleva.gov>
Subject: Aqua proposal

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please read during TC meeting as I am out of town

I listened to Aqua's proposal and did some research on the company. I have major concerns about selling our water utility system to them and request that you vote no.

1. I found multiple Better Business Bureau complaints on Aqua's customer service.
2. I found multiple employee complaints about how they were treated by Aqua. This concerns me since they state that the current town employees will be hired by them. These are town residents and I do not want them to end up at a company that doesn't take care of their employees.
3. I am concerned that residents of Purcellville are not given a chance to review the full proposal. This feels like the wizard saying look at this while I pull this lever. For a town council who says they are all about transparency; this is not transparent.
4. The town council has been kicking this down the road for years. Water rate increases did not occur as they were subsidized by the tap fees of Mayfair and other in-town developments. This has caught up to the current town council who will need to make larger increases due to no increases in previous years and the no new development ideology. I am not willing to sell our water utilities to correct this mistake.
5. This is not something we can come back from when the TC realizes it was a mistake. A prime example of this is the Fireman's Field debacle. A rash decision was made and the town was able to partially correct it. The town will not being able to even partially correct this decision.
6. While this was supposed to be an "unsolicited" proposal, as a town resident it doesn't feel that it was. The Mayor has said he wants to monetize the town assets. Selling town assets is irreversible; once they are sold we won't be able to buy them back.

Once again I request that the Town Council votes no on the Aqua proposal.

Sincerely,

-
Christie L. Morgan, CPM

608 Greysands Lane
Purcellville, VA 20132
910-381-3868

Sent from my iPhone

Hays, Diana

From: Dawn Bowman <db1122@me.com>
Sent: Tuesday, August 25, 2020 9:51 AM
To: Hays, Diana
Cc: Only Town Council
Subject: Re: Our town is not for Sale

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Diana

I would like my email I sent below to Town council read as Citizen Comments at the next Town Council meeting.

Thank you

Dawn Bowman

> On Aug 25, 2020, at 9:34 AM, Dawn Bowman <db1122@me.com> wrote:

>

> Town Council

> My name is Dawn Bowman and I live at 211 N 28th Street Purcellville VA. As a town citizen I want to clearly state that I am opposed at you continuing discussions about the sale of our town's water and wastewater systems to Aqua. I am also opposed to spending taxpayers money to consultants to continue to even look at the possibility of selling our utilities. The most fundamental and daily used asset by every citizen, business, and visitor of our town is not for sale!

> Thank you

> Dawn Bowman

Good Evening; Mayor and Council,

My name is Beverly Chiasson – I reside at 110 North 28th Street in Purcellville.

The election is over. Mayor and Council as a citizen of Purcellville you now represent me. You made promises to me and to the citizens of Purcellville that your proposed “Innovative Solutions” would lower our rates and taxes. They include:

- Selling utilities to Loudoun County
- Power purchase agreement with Dominion Power
- Forestry management
- Nutrient and Carbon credits.
- Cell tower
- Washing School buses
- Altering filtration system at Waste Water Plant
- Nature park wells
- Selling Reclaim water
- USDA loans
- Grants

Yet 45 days after taking office the selling of our Town’s infrastructure has risen to the top of the list on ways to solve our rates. Please don’t be so naïve to believe this will solve it.....it will only transfer the liability away from you as an elected official.....or will it?

Purcellville has markers/landmarks that represent those that played a significant role in forming the Town we know today; Mayor and Council, what do you want your legacy to be? That you sold the very item that allows Purcellville to control our destiny and which is also the life line of our Town??

Yes, we pay a premium for living in Purcellville however our property values and quality of life remain high. Homes sell within 24 hours of being on the market.

If the Council proceeds with selling our Town's infrastructure watch Purcellville's property values collapse. The market does not like unknowns and that is exactly the future you will be charting for us.

Residents and businesses are not likely to move or stay in a town with these headlines.

Quotes in media regarding Aqua:

1. The Virginia Pilot – 4-2-2016 – “We Don't drink the water: Chesapeake homeowners billed for water they are afraid to use”
2. Pilotonline –4-13-2018 “Clean water, finally: Chesapeake to buy out private utility in Indian River community. (Private utility was Aqua). “The city was hoping to avert what “would eventually be a Flint, Michigan.”

3. Chandler Texas – CBS19 – 2/4/2020 – “What’s in the Water? Henderson County Residents Frustrated by Aqua Water, Inc. “
4. Aqua Virginia Customers Unite !! – Facebook Group formed due to the volume of complaints.

I urge you to step back from this scheme and focus on what is in the Town’s best interest. Implement the promises you made. If you now understand the “Innovative Solutions” are not the answer to lowering rates then be truthful with those you represent. Our lives are in your hands.

Thank you

Council member Milan asked if there was already interest. Ms. Hankins stated that she has already received an enormous amount of interests on purchasing this Nutrient Credits bank. A discussion pursued with details on possibly driving other ways to produce even more revenue through this project with the Aberdeen property.

Mayor Fraser requested a consensus from Council on moving forward with an RFP. Council overall agreed to move forward with Council member Grewe requesting also an opinion from Attorney General and Council member Stinnette insisting on a timeline/critical path of this Nutrient Credit Project.

Sally Hankins commented she would rather not pursue opinion from the Attorney General and at the next meeting she could present a chronological timeline to schedule the project map for the Nutrient Credit Bank. She also stated that the procurement officer to bring forth, at some point, an RFP for Nutrient Credits for Council to review in possibly four weeks.

f. Proposal for Engagement-Request for Expressions of Interest Process from Faegre Baker Daniels

Council member Stinnette stated that at the last meeting there was a discussion for staff to go forward on this topic, but possibly some steps were missed. He stated what has to happen first for Council to review and get a better understanding would be to: 1) To better understand the process for unsolicited bids and 2) The steps for privatization displayed as a gant chart with all steps noted.

Sally Hankins commented that there was a discussion at the last Council meeting that staff advised Council to get an appraisal of properties, structured engineering, and document everything owned. When Ms. Hankins spoke to this consultant which does many privatization sales and they advised that those things did not have to be done first. This consultant advised to first start a Request for Expression of Interests and through that process those types of questions would be answered and the town would be more informed to look into a privatization sale. The consultant did persuade staff by going through a REI, free information would be provided on the value of our system, its' efficiency, and how it operates.

Council member Stinnette stated that still leaves his first item for discussion remaining and that is to better understand the context for the process of unsolicited proposals.

Sally Hankins agreed and stated that the questions around the unsolicited bid on the water system are in a category of its' own and she had mentioned before the current town policy on handling unsolicited bids on a whole needed to be discussed and changed to be more of an administrative duty and not always handled by vote from Council. There had been too many recent submittals of unsolicited bids to properly respond to each.

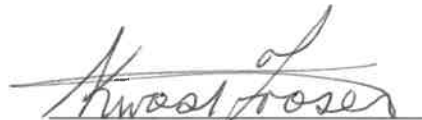
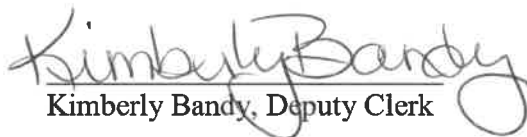
David Mekarski questioned the Mayor on there now being a full consensus to move forward on an RFP for a Nutrient Credits for Aberdeen, should the unsolicited proposal for solar rays for the Aberdeen property be respectfully rejected. Mayor Fraser disagreed and would like to see what the solar ray energy proposal would be and what it could yield. Mr. Mekarski shared with Council that the solar rays proposal would be to lease the entire amount of the land for a 40 year period and put 111 acres in solar rays and sell that energy to Dominion and share a cut of the revenue. Ms. Hankins stated it would be a significant amount.

Council member Grewe requested that Ms. Hankins resend email on the process for unsolicited proposals to Council and put this item on an agenda for review to maintain a good handle for unsolicited proposals. Ms. Hankins stated advice that we do a courteous rejection to these unsolicited proposals, put the said concept on a future agenda, and then decide if there is even an interest from Council to pursue.

Council member Greenly commented being glad that the Mayor moved this item from Action to Discussion. His second comment was the message Council gives to staff and requests from Council and the paperwork stated \$30,000 with additional fees which would make for a higher amount in reality.

ADJOURNMENT

With no further business, Council member Grewe made a motion to adjourn the meeting at 10:30 PM. The motion was seconded by Council member Greenly and carried 7-0.


Kwasi A. Fraser, Mayor
Kimberly Bandy, Deputy Clerk