



LEESBURG ENVIRONMENTAL ADVISORY COMMISSION

TUESDAY
May 7, 2019
7:00 P.M.

Town Hall
Second Floor Conference
25 West Market Street

COMMISSIONERS

Maria Bergheim (20)
Scott Billigmeier, Chairman (22)
Jennifer Chu (20)
Bobbi Elliott (22)
Gabriella Kelemen (22)
Christopher LaFon (20)
Paul Sheaffer (20)

If you require any type of reasonable accommodation, as a result of a physical, sensory or mental disability, to attend and/or participate in this meeting, please contact Richard Klusek at 703-771-2758. Three days advance notice is requested.

LEESBURG ENVIRONMENTAL ADVISORY COMMISSION

Mission: To promote and protect the environmental interests of the Town.

MEETING AGENDA Tuesday May 7, 2019

7:00 P.M. Second Floor Conference Room, Town Hall

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes: April 2, 2019*
4. Chairperson's Statement
5. Petitioners
6. Staff items (30 Minutes)
 - a. Golden Trash Can Award (Klusek)
 - b. EAC Annual Report Presentation (Klusek)
 - c. MS4 Permit Presentation (Ogedegbe)
 - d. Discussion of Bylaws* (Klusek)
 - e. Strategic Planning Session – May 9 (Klusek)
7. Old Business (30 Minutes)
 - a. Flower and Garden Debrief (Chu/Billigmeier)
 - b. Herbicide Alternative Debrief (Chu)
8. New Business (30 Business)
9. Adjournment

(*) Material attached

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**Town of Leesburg Environmental Advisory Commission
Meeting Minutes
April 2, 2019**

The Town of Leesburg's Environmental Advisory Commission (EAC) met on April 2, 2019 at 7:00 p.m. in the Town Hall at 25 West Market St., Leesburg, Virginia.

Call to Order: Chairman Billigmeier called the meeting to order at 7:00 p.m.

Roll Call: Present: Commissioners Scot Billigmeier, Jennifer Chu, Gabe Kelemen, Paul Sheaffer, Bobbi Elliott, Maria Bergheim, Christopher LaFon (7:03)
Mayor Kelly Burk

Staff Representatives: Richard Klusek

Approval of Agenda: A motion to adopt the agenda was approved with an amendment to address letters from Petitioners as New Business (6-0-1 LaFon absent).

Approval of Minutes: There being no corrections, Commissioner Billigmeier moved to adopt the meeting minutes of March 5, 2019 as presented. The EAC Voted 6-0-1 (LaFon Absent) to approve the minutes.

Chairman's Statement: The Chairman welcomed the Mayor and the Petitioners to the meeting. The Chairman commented on the excellent results from the EAC-sponsored Trash Pick-up day. The Mayor praised the EAC on the turn-out and good results from the Trash Pick-up day.

Petitioners: Emily Maltman proposed milkweed planting across Leesburg to help bees and butterflies. The goal of the effort is to create butterfly waystations and plant native flowers within Leesburg. She has found multiple areas for these waystations within Leesburg, including along the W&OD and various parks and schools. She is asking the EAC to help get the Town to dedicate certain areas for this purpose. The EAC supports this effort and recommended that Ms. Maltman contact Parks and Recreation with this idea, and also noted maintenance could be an issue, and would have to be part of any plan. The Mayor noted Boys Scouts and Girls Scouts could also get involved with these projects.

Brooke Josties spoke about methods to reduce single use plastics in the Town. She was not sure exactly what to ask of the EAC. She recommended starting small, looking at grocery bags and straws, and have the Town consider a charge or different type of recycling program that included these items. Ms. Josties agreed to send the EAC an email with a proposed plan of action.

Staff Items:

- a. **Environmental Portal (Klusek).** Klusek noted the EAC staff can modify our website directly, but Town Staff must still hit "publish" to make the changes active.
- b. **Water Conservation Challenge (Klusek).** Klusek noted the Challenge is now up, and citizens can participate. He suggested the EAC work with Town Staff to get the word out.

- c. Rain Barrel Workshops (Klusek). Two workshops are planned for April 22/23 and May 14/15 at Tuscarora Creek Park. Klusek and Billigmeier asked the Commissioners to continue to disseminate information on these Workshops.
- d. Energy Savings Policy (Klusek). Klusek is working with other Town staff to get this on Council Agenda.
- e. Cigarette Butt Recycling (Klusek). EAC discussed questions from Town Staff. Many noted people are not using the existing butt recycling centers. Town Staff is still looking for the EAC to put together a proposal on this issue to present to Town Council.
- f. Herbicide Alternatives (Klusek). This item is going to Town Council on April 22. It was suggested the EAC have a position and develop a letter. Many members of the EAC noted they have not seen the previous material and need to get better educated. [Note – this item is further discussed under New Business].
- g. Networking event coming up (Klusek). The purpose of this event is for all of the Commission members to meet and network. Date is April 29th and details are in the invitation.
- h. Review of Bylaws (Klusek). Klusek suggested the EAC should review our By-laws. He also noted that any unspent funds in our budget would go away after June 30th. The EAC agreed that a longer planning meeting should be scheduled to discuss the By-Laws and other issues, to be scheduled sometime after the Flower & Garden show.

Old Business:

- a. Annual Report Update (LaFon). Kelemen will remain the final copy editor and make the final minor edits, then send the final document to Billigmeier and Klusek, ASAP.
- b. Keep Leesburg Beautiful (Billigmeier/Chu). Discussed debrief letter and ways to better run the event in the future. Discussed emailing a thank you letter to the list of people that participated, along with a survey. Discussed making a poster for Flower & Garden show.
- c. Flower and Garden Show Planning (Chu). Chu handed out the task list, which was discussed. Klusek noted we cannot purchase gift cards with EAC funding. The EAC noted the most efficient place to do the rest of planning is within the Subcommittee. Subcommittee meeting dates were decided upon. A motion was made and approved by the EAC 7-0 to spend up to \$1500 on: EAC polo shirts, banners, and posters and to not fund the summer intern, with Chu as the Commissioner controlling the spending of the funds. The main themes of the EAC message will be: 1) Recycling Contamination; 2) Water Conservation Challenge (WCC) and 3) Other EAC Efforts. We will also have a recycling game. Raffle tickets for door prizes will be given for signing up for the WCC and participating in the recycling game.

New Business:

- a. Two Brochures for Commissioner Liaison meeting. Billigmeier presented two draft brochures and asked the EAC for comments.

- b. Portal maintenance. Kelemen volunteered to take on Portal maintenance. Billigmeier volunteered to be back-up. Both indicated training would be required and Klusek said that could be arranged.
- c. Petitioner Letters. Two emails asking the Town to stop using glyphosates as an herbicide were discussed by the EAC. It was noted again that new EAC members not aware of past efforts and needed an update on these past efforts. The EAC voted 7-0 to send the following email to Town Council and Town staff:

"The EAC received notice that the Town Council will be discussing the topic of herbicides at the Town Council Work Session on April 22, 2019. The EAC met on April 2, 2019 and discussed the issue of herbicides. The EAC voted to convey the following position to the Town Council: The EAC has serious concerns about the use of glyphosate by the Town. However, we are continuing to research alternatives that are safe, effective, and feasible. Discussion will continue at future EAC meetings."

At 9:00 a motion to extend the meeting was approved 7-0 by the EAC.

The EAC continued discussions on glyphosates, noting current issues and that more research needs to be done to develop a position. The EAC decided to hold 2-4-hour Strategy meeting to discuss glyphosates, EAC Bylaws, Friends of the EAC, and other long-term planning issues after the Flower & Garden show.

Adjournment: There being no further business, the meeting was adjourned at 9:19 pm.

LEESBURG ENVIRONMENTAL ADVISORY COMMISSION

Bylaws and Rules of Procedure

The following Bylaws and Rules of Procedure are adopted in order to facilitate the exercise of the Environmental Advisory Commission of the Town of Leesburg in Virginia.

ARTICLE I

SELECTION OF CHAIRMAN, VICE CHAIRMAN, and SECRETARY

Section 1-1. Chairman, Vice Chairman, and Secretary.

The officers of the Environmental Advisory Commission shall be a chairman, vice chairman, and secretary. The elections shall be held and the term shall commence on the second meeting of the commission each new fiscal year. Chairman, Vice Chairman, and secretary candidates must receive the votes of a majority of the members present. The Chairman, Vice Chairman, and Secretary shall serve until the second meeting of the succeeding fiscal year or until a successor is elected. Vacancies in either office shall be filled by election. The successor fills the remainder of the unexpired term. Candidates receiving the votes of a majority of the members present will ascend to these positions.

ARTICLE II

DUTIES OF CHAIRMAN, VICE CHAIRMAN, and SECRETARY

Section 2-1. Chairman.

The Chairman shall preside over all meetings of the Environmental Advisory Commission and shall:

- (a) Receive communications on behalf of the Environmental Advisory Commission and report the same at the next meeting.
- (b) Ensure the orderly conduct of all meetings.
- (c) The chair shall report any attendance problems to the town council, which has the authority to require a member to resign if the said member is absent from three consecutive meetings.
- (d) Carry out all other duties as established by the Environmental Advisory Commission.

Section 2-2. Vice Chairman.

The Vice Chairman shall act as chairman of the Environmental Advisory Commission when the Chairman is absent or unable to fulfill his duties.

Section 2-3. Secretary.

The Secretary is responsible for recording minutes and action items of meetings within five calendar days of the meeting, ensuring their accuracy and availability, and coordinating with Town staff for the proper retention of agendas, minutes, and other legal documents as may be required by Commonwealth law and approved by the chairman.

ARTICLE III**DUTIES OF THE ENVIRONMENTAL ADVISORY COMMISSION**

The duties of the Environmental Advisory Commission are specified in the Town Code (section 2-222) and include:

The Leesburg Environmental Advisory Commission's mission is to promote and protect the environmental interests of the town. The Environmental Advisory Commission reviews town planning and policy documents as they relate to the environment, conducts an annual environmental awards program, and advises the town council on town environmental concerns. The following are additional powers and duties of the Leesburg Environmental Advisory Commission:

- (a) Review significant town planning and policy documents periodically and provide recommendations on updating its environmental elements as needed.
- (b) Identify and pursue sources of funds for implementation of the commission's goals.
- (c) Administer an annual environmental awards program for conservation and beautification projects and other environmentally responsible efforts, encouraging business and citizen participation.
- (d) At the request of the planning commission concurrently review plans for

development (e.g., rezoning or special exception plans) for potential environmental impacts and provide comment to the planning commission for incorporation within the planning commission's comments on the plans.

- (e) Conduct or recommend to the town council commissioning of studies that address the town's environmental concerns.
- (f) Interface with representatives of the town and/or neighboring jurisdictions to collect information on environmental issues of interest to the town.
- (g) Initiate, facilitate, plan, direct and/or coordinate community-wide efforts that are supportive of the commission's goals. Such efforts may include coordination with local volunteer, private, and government organizations.
- (h) Promote public interest in the general improvement of the environment.
- (i) Provide at least annually a report to the town council on the activities and accomplishments of the Environmental Advisory Commission.

ARTICLE IV

MEETINGS

Section 4-1. Meetings of the Environmental Advisory Commission.

The Environmental Advisory Commission will meet the first Tuesday of the month or more often as necessary upon the call of the Chairperson or two or more members at 25 West Market Street. The Commission meetings will be open to the public and will convene at 7:00 p.m.

The time and location of Environmental Advisory Commission meetings can be changed as required for the expedient conduct of Environmental Advisory Commission business.

Environmental Advisory Commission procedure shall be governed by Robert's Rules of Order, Newly Revised Edition by Sara Corbin Robert, Scott, Foresman and Company, as follows:

- (a) A majority of the members present shall constitute a quorum and action of the

Commission shall be valid when authorized by a majority of those present and voting.

- (b) No new business items will be considered after 9:00 p.m.

ARTICLE V

ENVIRONMENTAL ADVISORY COMMISSION/STAFF RELATIONSHIP

It is the Town Manager's responsibility to ensure and supervise the adequate staffing and administrative support necessary for the Commission to conduct its business.

ARTICLE VI

ETHICS

The Environmental Advisory Commission is an arm of local government and deals with matters of importance and concern to local citizens. Activities of the Environmental Advisory Commission may come under close public scrutiny. It is vitally important that the Commission perform all of its activities fairly and openly without any hint of unethical conduct. The board/commission shall be knowledgeable of the requirements of the state Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.), State and Local Government Conflict of Interests Act (Code of Virginia, § 2.2-3100 et seq.) requirements, and the town's board and commission handbook.

ARTICLE VII

PROCEDURAL CHANGES

All guidelines, rules and items within the Bylaws may be amended by a two thirds vote of those present provided that five days notice of intent to amend has been provided to all Commission members.

Revised April 11, 2011

DIVISION 1. - GENERALLY

Sec. 2-193. - Membership.

- (a) Unless specifically noted, each board and commission shall consist of seven members who shall be residents of the town or town business owners (as allowed by law) and appointed by the town council.
- (b) The term of board and commission members, unless specifically noted, shall be for four years, if nominated by a councilmember, or two years, if nominated by the mayor, and such member shall continue on the board or commission until a replacement is appointed by council. If a councilmember resigns or vacates his/her seat for any reason, the appointed board or commission member shall remain through his/her original appointing councilmember's term.
- (c) An appointment to fill a vacancy shall be for the unexpired term.
- (d) In all cases, except as specified in the State Code, at least four members of any board or commission shall be residents of the town.
- (e) Unless specifically noted, a person may not be a member of more than one board, commission, or committee at the same time.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(a)), 6-24-2008; Ord. No. 2010-O-015, § I, 6-22-2010; Ord. No. 2014-O-012, 4-22-2014; Ord. No. 2018-O-007, § I, 2-13-2018)

Sec. 2-194. - Appointment process.

With the exception of the board of architectural review, the following procedure shall apply to appointment of individuals to the town boards and commissions.

- (1) In the event of a vacancy, inclusive of the conclusion of regular terms, the clerk of town council shall advertise such vacancies. Submitted letters of interest and/or qualifications shall be forwarded to town council.
- (2) Reserved.
- (3) After general elections, each newly elected or re-elected councilmember, including the mayor, nominates one person to each board or commission to fill vacancies.
- (4) The town council shall vote to approve or disapprove the selection.
- (5) Board members and commission members shall serve at the pleasure of the town council, except for members of the planning commission who pursuant to state law may only be removed for malfeasance and/or nonfeasance.

The following apply to all boards and commissions including the board of architectural review:

- (6) Should a vacancy occur, the council member who nominated that individual submits a replacement nominee.
- (7) Should a vacancy exist for more than 60 days, either at the expiration of a term or prior to the end of a term, the town council may accept replacement nominations from any council member.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(b)), 6-24-2008; Ord. No. 2010-O-015, § II, 6-22-2010; Ord. No. 2018-O-007, § I, 2-13-2018)

Sec. 2-195. - Duties.

- (a) The board/commission shall elect its chair annually. The commission shall elect annually the officers it deems necessary. Elections are encouraged to occur between January and March.
- (b) The chair shall report any attendance problems to the town council, which has the authority to require a member to resign. Attendance problems include, but are not limited to, if the member is absent from three consecutive meetings.
- (c) The board/commission shall meet monthly, and may meet as necessary upon the call of the chair or two or more members. Unless otherwise noted, failure to attend additional meetings called by the chair or at least two members shall not count against the monthly requirement.
- (d) The board/commission shall provide at least annually a report to the town council on the activities and accomplishments of the board/commission.
- (e) The board/commission shall adopt rules/bylaws governing the conduct of its business and meetings.
- (f) The board/commission shall be knowledgeable of the requirements of the State Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.), State and Local Government Conflict of Interests Act (Code of Virginia, § 2.2-3100 et seq.) requirements, and the town's board and commission handbook.
- (g) Unless otherwise noted, all actions of boards and commissions shall be subject to town council approval.
- (h) The chair, or his designee, shall provide to the clerk of town council key events/actions from each meeting which shall be provided to town council in a summary format monthly reporting on board and commission activities.
- (i) The board/commission shall assist in and carry out such other duties as may be assigned by the town council.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(c)), 6-24-2008; Ord. No. 2014-O-012, 4-22-2014; Ord. No. 2018-O-007, § I, 2-13-2018)

Sec. 2-196. - General meeting requirements.

- (a) A majority of the voting members of the board or commission shall constitute a quorum. The majority of votes necessary to take action or to transact business shall be a majority of those present and voting.
- (b) Meetings shall be open to the public under the State Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.).
- (c) Unless otherwise noted, all actions of boards and commissions shall be subject to town council approval.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(d)), 6-24-2008)

Sec. 2-197. - Compensation.

- (a) Compensation for the mayor and councilmembers, after July 1, 2013, shall be \$16,200.00 and \$15,600.00 per annum, respectively, payable in equal monthly installments.
- (b) Unless specifically noted, compensation for the chair and members of boards and commissions, exclusive of the councilmanic liaison, shall be \$1,350.00 and \$1,200.00 per annum, payable in equal monthly installments.
- (c) To be compensated, every board and commission member must present themselves with proper identification to the appropriate town department and must complete and submit all federal and state payroll tax withholding forms, as required by law.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(e)), 6-24-2008; Ord. No. 2013-O-011, § I, 5-14-2013; Ord. No. 2013-O-017, § I, 11-26-2013; Ord. No. 2014-O-012, 4-22-2014)

Editor's note— Ord. No. 2013-O-011, adopted May 14, 2013, shall be effective July 1, 2013.

Sec. 2-198. - Councilmanic liaison.

- (a) At the biannual organizational meeting of the council, members may nominate a liaison to each board and commission.
- (b) The role of the councilmanic liaison shall be as follows:
 - (1) Councilmanic liaisons are non-voting members who provide a link between the board or commission and the town council.
 - (2) Councilmanic liaisons serve as resources for relating relevant town council actions to the board or commission and for sharing relevant board or commission matters to the town council.
 - (3) Councilmanic liaisons are encouraged to attend advisory group meetings and/or communicate regularly with group members and remain current on all activities of the advisory group so that they can be accessible to members or provide information on behalf of the town council.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(f)), 6-24-2008; Ord. No. 2010-O-015, § III, 6-22-2010; Ord. No. 2014-O-012, 4-22-2014; Ord. No. 2018-O-007, § I, 2-13-2018)

Secs. 2-199—2-219. - Reserved.

Sec. 2-222. - Leesburg Environmental Advisory Commission.

- (a) *Recreated and reestablished.* The Leesburg Environmental Advisory Commission is hereby recreated and reestablished.
- (b) *Duties.* The Leesburg Environmental Advisory Commission's mission is to promote and protect the environmental interests of the town. The Environmental Advisory Commission reviews town planning and policy documents as they relate to the environment, conducts an annual environmental awards program, and advises the town council on town environmental concerns.
- (c) *Additional powers and duties.* The following shall be additional powers and duties of the Leesburg Environmental Advisory Commission:
 - (1) To review significant town planning and policy documents periodically and provide recommendations on updating its environmental element as needed.
 - (2) To identify and pursue sources of funds for implementation of the commission's goals.
 - (3) To administer an annual environmental awards program for conservation and beautification projects and other environmentally responsible efforts, encouraging business and citizen participation.
 - (4) At the request of the planning commission concurrently review plans for development (e.g., rezoning or special exception plans) for potential environmental impacts and provide comment to the planning commission for incorporation within the planning commission's comments on the plans.
 - (5) To internally conduct or recommend to the town council commissioning of studies that address the town's environmental concerns.
 - (6) To interface with representatives of the town and/or neighboring jurisdictions to collect information on environmental issues of interest to the town.
 - (7) To initiate, facilitate, plan, direct and/or coordinate community-wide efforts that are supportive of the commission's goals. Such efforts may include coordination with local volunteer, private, and government organizations.

(8) To otherwise promote public interest in the general improvement of the environment.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.94)), 6-24-2008)