

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
February 15, 2018**

The Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, February 15, 2018, at 7:30 p.m.

Council Members Present

Mary Anne Graham, Vice-Mayor
Janet L. Heston
Michael Hummel
Frederick J. Lyne
Michael K. Minshall
Christopher J. Prack

Council Members Absent

Scott T. Ramsey, Mayor

Staff Members Present

Buster Nicholson, Town Administrator
Melissa Hynes, Town Planner/Zoning Administrator
Angela Fletcher, Town Treasurer
Maureen Gilmore, Town Attorney

Others Present

Jeffrey Mitchell
Deputy LoPreto, Loudoun County Sheriff's Office
Deputy Moats, Loudoun County Sheriff's Office
Clinton Chapman

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice-Mayor Graham called the meeting to order at 7:32 p.m. Councilperson Heston led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Roll call was held, and a quorum was established.

IN RE: COMMUNITY POLICING

Deputy LoPreto presented a report on complaints received regarding parking inside the Town limits. Deputy LoPreto explained that enforcement of parking regulations inside the Town limits

is the municipality's function, governed by the Town Code; the County Code does not allow for Sheriff's Office enforcement of items in the Town Code. Deputy LoPreto explained that enforcement of parking by the Sheriff's Office at fire hydrants and at fire lanes and driveways is allowed. Deputy LoPreto cited the section of the State Code which allows for a municipality to create its own parking ordinance, and to designate an employee to enforce the regulations. Town Attorney Gilmore also noted that cooperative agreements between the parties could be explored. Deputy LoPreto explained that parking which is creating a danger may be cited under a specific Code section, but that the parking situation taking place inside the Town limits is not creating a danger. Councilperson Lyne requested that this issue be added to the agenda for the fall Strategic Meeting. Deputy Moats explained that this problem could be resolved to a degree upon completion of the Main Street Enhancement Project; the Deputy also explained possible solutions the Town could consider.

It was also noted that there were no incidents to report.

Council thanked the Deputies for their presentation.

IN RE: PUBLIC COMMENT

There was no Public Comment.

IN RE: ADOPTION OF REGULAR MEETING AGENDA (Amendments & Deletions)

Vice-Mayor Graham made a motion **that the Agenda be adopted, with the following changes: deletion of discussion of Southern Water Tank Signage; addition of Reclassification of Position under Action Items; addition of an Executive Session for discussion of personnel matters; and, moving the Quarterly Review from Mitchell and Company to the first item for consideration.** Councilperson Lyne seconded the motion, and requested that discussion of the *Telecom Legislation* be included under Action Items, as Item #3. Town Attorney Gilmore reviewed the changes to the Agenda. There was no further discussion of the motion. A vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Aye
Frederick J. Lyne	Aye

IN RE: APPROVAL OF MINUTES

a. December 7, 2017 Town Council Work Session

Councilperson Hummel and Vice-Mayor Graham provided corrections, including on page nine, on which the reference to *VDOT* should be to *Dominion Power* throughout. Councilperson Heston then made a motion **that we approve the Town of Round Hill**

Council Work Session minutes from December 7, 2017, as amended; Councilperson Hummel seconded the motion. There was no discussion. A vote was held, resulting in a tally of 3-0-3, as Councilpersons Minshall, Prack and Lyne abstained. Town Attorney Gilmore explained that abstentions are counted as "No" votes, and thus would result in the minutes not being approved; discussion of how to handle the vote ensued, with it being determined that a new motion should be made. Councilperson Heston then made a motion **that we approve the Work Session minutes of December 7, 2017, as corrected;** Councilperson Hummel seconded the motion. A vote was held; the motion was approved 4-0-2, with Councilpersons Prack and Lyne abstaining. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Abstain
Frederick J. Lyne	Abstain

IN RE: ACTION ITEMS

1. Quarterly Review from Mitchell and Company

Mr. Jeffrey Mitchell, of Mitchell and Company, conducted this review, with a copy of the report provided to Council Members. Mr. Mitchell provided an in-depth review of the contents of the report, which covered both the General Fund and the Utility Fund. Attention was paid to the "Fund Accounting" process used by the Town, in which both General and Utility Fund monies are kept in one bank account but are tracked separately. Mr. Mitchell provided a recommendation for the handling of the Town's Certificates of Deposit; he also noted that bond funds are kept separate. Mr. Mitchell suggested that the Council could create a committee which could investigate further the handling of various accounts, noting a program used by many nearby localities which the Town of Round Hill may want to consider.

Mr. Mitchell reported that the Town is in compliance with all regulations.

Vice-Mayor Graham requested that a bar chart for the Utility Fund be generated; Mr. Mitchell responded that this chart will be provided, and will be sent to Town Staff for dispersal to the Council.

There was discussion of how funds related to proffers are tracked, with it being noted that those funds are reflected in the Town's budget sheets. It was decided that an overview of this area of the budget will be provided to Council at a future Work Session.

Mr. Mitchell noted that he will be present at a Council meeting following the end of the first quarter in March. Additionally, Mr. Mitchell reported that he has worked with Town

Administrator Nicholson and Town Treasurer Fletcher to conduct the bank reconciliation earlier in the cycle.

Mr. Mitchell thanked the Council for its attention; Council Members thanked Mr. Mitchell for his report.

IN RE: APPROVAL OF THE CONSENT AGENDA

There were no Consent Agenda Items.

IN RE: BUSINESS ITEMS

1. Leak/High Usage Adjustment Policy

Vice-Mayor Graham noted that she asked for this item to be included on the Agenda for informational purposes, and explained that she hopes to return to the Council, in a short period of time, with a draft policy proposal. The policy will cover how high water/sewer bills, resulting from leaks of which the property owner has no knowledge, could be handled by Town Staff, thus eliminating the necessity of the homeowner appearing before the Council for consideration of his/her request for an adjustment.

2. Main Street Project Status Report

Town Administrator Nicholson explained that a written report was submitted by Project Specialist Lohr, and provided a brief review. Items highlighted in Mr. Lohr's report include: 1) that the County is supportive of the Memorandum of Understanding agreed upon by Round Hill and County representatives; 2) that the MOU will likely be included on the Consent Agenda of the Board of Supervisors March meeting; 3) that it be ensured that Dewberry has all information needed from Stantec, and understands that they serve as the engineering firm for the project; and, 4) that it is hoped the project will go to bid in the March/April time frame. Mr. Nicholson reported that Mayor Ramsey will attend the March 6 Board of Supervisors meeting, noting that other Council Members may attend, if they wish.

3. Loudoun Home Improvement Programs

Town Planner/Zoning Administrator Hynes presented this item, explaining that she recently attended a meeting at which the focus was identifying funding sources for home improvements which are available to residents. Ms. Hynes noted that information presented at the meeting will be disseminated to residents via the Town's newsletter and the placement of flyers at the Town Office. Ms. Hynes will also seek to determine answers to questions posed by Vice-Mayor Graham regarding the printed information provided.

IN RE: ACTION ITEMS

1. Reclassification of Position

Town Administrator Nicholson presented this item, noting that this is in regard to a vacancy in the Utility Staff. Mr. Nicholson stated that a request to reclassify the position is being made and explained the budget changes required to effect this change. It was also noted

that Council approval is required for the positions reclassification to take place. Mr. Nicholson stated that the current Job Description will be used in this reclassification, and that the position will be for that of a dual operator. Councilperson Lyne then moved **that we reclassify the Public Works Maintenance position to a Water/Sewer Operator position**; Councilperson Heston seconded the motion. There was discussion of including a requirement that any candidate for the position pass a physical examination. Vice-Mayor Graham asked that the motion be amended to include today's date; Councilperson Lyne amended his motion and Councilperson Heston, who seconded the motion, agreed to the amendment. A vote was then held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Aye
Frederick J. Lyne	Aye

Town Administrator Nicholson sought to clarify that the position is to be advertised without the requirement of passing a physical included; it was noted that that is correct. It was also noted that the issue of including the requirement for a physical examination would be discussed further at a Work Session.

2. Cell Technology

Town Administrator Nicholson presented this item, explaining that the Virginia Municipal League has reviewed pending legislation which would remove control of cellular technology from municipalities and place control at the state level; in response, the VML has drafted a Resolution opposed to this legislation. Mr. Nicholson stated that Staff recommends passage of the Resolution by the Council. It was noted that the proposed legislation is moving quickly through the General Assembly; therefore, prompt action by municipalities is required. Council reviewed the printed Resolution, with minor changes to grammar recommended. Councilperson Lyne then moved **that the Town Council adopt Resolution 2018-04, to oppose any telecommunication legislation that would erode local land use decision-making authority over wireless structures, such as small cell towers. The adoption of this Resolution notifies the Virginia General Assembly that the Town of Round Hill does not support HB1258 or SB405.** Councilperson Prack seconded the motion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Aye
Frederick J. Lyne	Aye

IN RE: DEPARTMENTAL REPORTS

1. Planning Commission

Councilperson Hummel presented this report, highlighting the following items: 1) a summary review of the site plan for the 6 Bridge Street property was conducted, with some changes requested; 2) work continues on the Zoning Ordinance Text Amendments; and, 3) there has been some trouble with lack of attendance at the meetings.

There was brief discussion of the possibility of increasing the Planning Commission membership from five to seven members. Town Planner/Zoning Administrator Hynes also noted that a work session is planned for February 28, 2018, for continued work on the Text Amendments.

Council discussed concerns regarding the possibility of oil leakage occurring at the 6 Bridge Street site, with Town Planner/Zoning Administrator Hynes stating that the Town would have some recourse, should that happen. Ms. Hynes also noted that the property owner has included in the site plans items requested by the Planning Commission which would help to mitigate negative impacts from the proposed use.

2. Town Planner/Zoning Administrator

Town Planner/Zoning Administrator Hynes noted that activity surrounding the 6 Bridge Street site has also been included in her report. It was noted that the Appalachian Trail Art Show was held on February 11 and was well attended. Ms. Hynes reported that a hiker who has completed the entire trail spoke at the event, and that approximately thirty pieces of art were exhibited. Ms. Hynes also noted that members of the Appalachian Trail committee have taken ownership of various areas of interest.

There was discussion of concerns regarding parking at the Round Hill Local Grocery; Town Planner/Zoning Administrator Hynes stated that she and Town Administrator Nicholson are working to determine the best way to alleviate those concerns. Councilperson Lyne again requested that this issue be included on the agenda for the fall Strategic Meeting.

3. Town Administrator Report

Town Administrator Nicholson stated that his report has been provided in written form, and asked if there were any questions. Councilperson Heston noted that the light at the

monument sign at the east entrance to the Town is not working; Mr. Nicholson stated that funds exist in the budget to replace the light, which was placed there by the property owner. Ms. Heston also reported that the street sign at the intersection of Mulberry and Main Streets is broken.

4. Mayor's Report

As Mayor Ramsey was absent, this report was not provided.

IN RE: COUNCIL COMMENTS

Vice-Mayor Graham stated that Sleeter Lake Park really looks like a park now. There were no further Council comments.

IN RE: EXECUTIVE SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss personnel and legal matters as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(1) and §2.2-3711(A)(3), with Town Planner/Zoning Administrator Hynes and Town Attorney Gilmore invited to attend a portion of the meeting, and Town Administrator Nicholson invited to attend the entire meeting;** Councilperson Hummel seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Frederick J. Lyne	Aye
Christopher J. Prack	Aye

Vice-Mayor Graham declared that the Town Council is now in Executive Session, and called for a recess at 8:59 p.m.

IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING

Vice-Mayor Graham moved **that the Round Hill Town Council adjourn its Closed Session and reconvene its open meeting;** Councilperson Prack seconded the motion. There was no discussion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Frederick J. Lyne	Aye
Christopher J. Prack	Aye

The Town Council voted to exit Executive Session at 9:52 p.m.

IN RE: CERTIFICATION OF CLOSED SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council certify that, while in Closed Session, the Round Hill Town Council discussed only those matters that were contained in the motion by which the Town Council convened its Closed Session; that motion is to be corrected to reflect that the Code of Virginia of 1950, as amended, sections should properly be notated as §2.2-3711(A)(7) and §2.2-3711(A)(1); this was lawfully exempt from open meeting requirements.** Councilperson Prack seconded the motion. There was no discussion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Frederick J. Lyne	Aye
Christopher J. Prack	Aye

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Vice-Mayor Graham at 9:54 p.m.

Respectfully submitted,

Mary Anne Graham, Vice-Mayor
Chairman pro tempore

Debra McDonald, Recording Secretary