

Town Council Meeting August | 2011

Round Hill Town Council Meeting
August 18, 2011
7:30 p.m.

A regularly scheduled meeting of the Round Hill Town Council took place Thursday, August 18, 2011 at 7:30 p.m. at the Town Office, 23 Main Street, Round Hill, Virginia.

TOWN COUNCIL MEMBERS PRESENT

Scott Ramsey, Mayor
Mary Anne Graham, Vice Mayor
Clarkson Klipple
R. Daniel Botsch
Christopher Prack
Janet Heston

TOWN COUNCIL MEMBERS ABSENT

Jennifer Grafton Theodore

STAFF PRESENT

John Barkley, Town Administrator
Rob Kinsley, Town Planner and Zoning Administrator
Maureen Gilmore (arrived late), Town Attorney
Susanne Kahler, Recording Secretary

MEMBERS OF THE PUBLIC PRESENT

Matt Bressler, Deputy, Loudoun County Sheriff's Department
Pat Long, Sven Johnson, Jack Frear, Yolanda Reyes, Residents

IN RE: CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:33 p.m.

IN RE: PLEDGE OF ALLEGIANCE

Vice Mayor Graham led those present in the Pledge of Allegiance.

IN RE: COMMUNITY POLICING

Deputy Bressler reported that the previous night a traffic stop had been made (in the parking lot of the Bank of Clarke County) which involved some narcotic material inside the vehicle. Otherwise, it was another quiet month with 28 calls for service, 6 traffic stops, 20 field activities within Town limits. Outside of Town limits, there were another 13 calls for service, 14 traffic stops and 24 self-generated field activities by deputies.

IN RE: PUBLIC COMMENT

Ms. Yolanda Reyes, a new resident of Round Hill residing at the old train station, said she was very interested in finding out more about the Main Street enhancement project and how it would affect her property. She is on the list of remaining homeowners that John Barkley will contact to set up a meeting.

IN RE: APPROVAL OF AGENDA

Vice Mayor Graham requested that an item be added under business as item #7 to discuss Water Conservation. Mayor Ramsey requested that a proposal for the Park Pavilion be added as well as Item #8. Councilperson Botsch wished to add as Action Item #2 a proposed Eagle Scout project at the Town Community Garden. Vice Mayor Graham moved to accept the agenda as so amended. Councilperson Botsch seconded her motion. **The motion passed 5-0-0.**

IN RE: WAIVER REQUEST

John Barkley said that Mike Amman, resident was requesting a 100 percent credit of his water/sewer bill attributed to a water leak of some 187,000 gallons. Mr. Amman had addressed the Council at Julys' meeting, however, a decision on the waiver was postponed until the August meeting so that more research into the matter could take place. Since that time, the Town's Utility Supervisor has confirmed that the meter was found to be operating with no malfunctions in the equipment on the Town's part. It was an original meter and had not been replaced. The leak was presumed to be somewhere between the meter and the house which qualified under the Town's policy for reimbursement or a credit of the difference between an average sewer payment over the last several months and his inflated payment amount. The Council also had not made the demand that the customer first pay the current amount as per the policy. The resident has a pool and irrigation system as well. It was also observed that Comcast was working in the area. The Town Utility staff recommended that the sewer portion be credited back to the usual norm averaged over the 3 months prior to the leak, a total amount of \$2,772.15. Vice Mayor Graham moved that this amount of \$2,772.15 based on the Staff's calculations be credited towards the Mr. Amman's utility bill.

At the request of Councilperson Botsch, Town Administrator John Barkley read the conclusion of the utility staff: Town operators showed him he had a leak on his side of the meter. The leak was isolated to the area between the meter and the house. Once the operators informed the property owner of the leak and his responsibility as a property owner to expedite the repairs to reduce the cost of water consumption, the property owner repaired the leak himself but called the Town Office to indicate that he did not get around to making repairs as soon as he would've liked, thus the larger than expected utility bill. Utility Operators tested the meter and found no malfunction. Town operators offered to assist with leak detection equipment and did assist. Comcast was noted to have been in the area at the time but there is no direct evidence."

After further discussion, Mayor Ramsey noted that no bill had ever been received from any plumbing company indicating that any repairs had been made. Vice Mayor Graham amended her motion to reflect that the credit of \$2,772.15 would be made contingent upon the Town receiving some evidence that repairs were made. Councilperson Botsch seconded her motion. **The motion passed 4-1-0 with Councilperson Heston voting nay.**

IN RE: MAIN STREET ENHANCEMENT PROJECT

Dave Bowers of Stantec stated that he, Town Administrator John Barkley and members of the Utility Committee have met with roughly a dozen landowners/residents whose

properties will be affected by the Main Street Enhancement project. There will be 6 or 8 more that they hope to meet with prior to the next Utility Committee meeting September 14. Their main objective was to talk about needed right-of-way because that was a big number that they didn't have a handle and thought it would be a big number if they would need to purchase it. Mr. Bowers felt that was something they now had a handle on and everyone seemed willing to work with them on right-of-way but everyone seemed to have a different opinion as to what was shown on the plan thus far. Councilperson Botsch reported that he and the other members of the Land Use Committee were quite pleased with the outcome of the meetings; John Barkley did an excellent job. There appeared to be no resistance to obtaining right of way necessary for project completion; that they realized that they were going to have to balance the concerns of the individual property owners with the overall objective of the project. They would continue to get the feedback from the rest of the residents that they have not met with yet and then continue to make adjustments to the plan and the objective is to have a revised plan at the October Land Use Committee meeting and have residents come in and look at it. One resident did ask about the involvement of their mortgage corporations in project approval. Yolanda Reyes, resident of the old train station site, expressed that her main concern was the traffic calming portion of the project. She said that she wanted the Town to do right by her, solve the storm water issue, improve the value of her home and to make it pretty. John Barkley, Town Administrator, wished to thank the residents and businesses for their cooperation and insight given during their recent meetings and said that he had learned a lot about both their personal views and the history of the Town itself. He also received a lot of suggestions as to what they can do to enhance the safety of Main Street as well as some options for traffic calming, lighting and other amenities.

"This project is all about safety, storm water has really been where most of this discussion has been but this is about getting vehicles and passengers to and from in a safe manner and I don't want to lose sight of that because storm water will consume this project if we are not careful. We have a long way to go but I want to thank everyone so but I want to thank the residents we have met with so far and we'll get back to you in a couple weeks," Mr. Barkley said.

Councilperson Botsch added that when the Land Use Committee meets in October, they will meet in the evening to make it easier for all interested parties to attend.

IN RE: REQUEST FROM ROUND HILL INVESTORS TO TRANSFER 3 TAPS

Maureen Gilmore, Town Attorney, said she had met with Round Hill Investor's attorney on Tuesday and they wished to transfer 2 existing taps plus obtain an additional one. They briefly discussed the testing of the new water treatment plant. Drawdown testing took place on wells 21SA and 21SB. The results were 136 gallons a minute combined output. They also discussed well 6SA which has had contamination issues in the past. One concern raised was treatment capacity of the plant. Treatment capacity is only approved for a certain gallonage and would not be able to process the water for all three wells. Ms. Gilmore conveyed to them that once the Town had clean water from the treatment plant the Town would be ready to discuss occupancy for the outstanding taps. RHI did ask that Mayor Ramsey present their request to the Council as a whole, which he agreed to do. As Ms., Gilmore noted, "What they really wanted were occupancy permits. One of the agreements made was not to sell any additional properties until this capacity

was provided. They have asked that we have another mediation date on August 31st at 10 a.m.," said Ms. Gilmore., "I sense that they would like the Town to agree to a certain number of connections." Mayor Ramsey said that, "they have made genuine progress in that we've gotten good MPN testing results from two of the wells; the third has not been tested. They've done a mutual drawdown test, however because they have never actually come to the Town for an agreement on an what kind of progress constitutes what number of occupancy permits, there is really no basis for them to expect us to give them occupancy permits at this time other than the generosity that we feel towards them." There are five meters that they have not been issued occupancy permits for. According to the conditions governing RHI's agreement with the Town, they have until September 30th to provide clean water to the Town in their wells or RHI is obligated to find alternative sources. Vice Mayor Graham moved that the Town deny any tap transfers or occupancy permits to Round Hill Investors at this time. Councilperson Prack seconded her motion. **The motion passed 5-0-0.**

IN RE: LETTER OF INTEREST – PLANNING COMMISSION VACANCY

A letter of interest was received from George Hoddinott IV expressing interest in filling the Planning Commission vacancy with a term expiration date of December 31, 2013. Councilperson Heston inquired as to whether anyone knew of or could confirm with certainty his residency status in Round Hill Vice Mayor Graham moved to appoint Mr. Hoddinott, upon confirmation of his residency, to the term expiring December 31, 2013. Councilperson Botsch seconded her motion. **The motion passed 5-0-0.**

IN RE: PERSONNEL POLICIES

Councilperson Heston said that Council Members had a package with markups and changes made by the Administrative Committee but they wanted the Council to get an opportunity to perform due diligence by taking them home and going over them. Final versions will come forward on the agenda for approval at the Town Council's September meeting.

IN RE: WATER CONSERVATION INITIATIVE

Vice Mayor Graham reported that currently well levels were sustaining current usage, however, longer recovery times were noted. Utility staff has recommended that the Town implement Phase 1 mandatory water conservation in early September. Councilperson Heston asked about the institution of voluntary water conservation means. Mayor Ramsey stated that voluntary conservation was already in place; that the Town had been under voluntary water conservation for the last seven years. Both Councilmembers Heston and Botsch said that they were unaware as no signs were posted to that effect. Vice Mayor Graham moved that the Town go into Phase 1 of mandatory water conservation and read meters every 2 weeks well as post signage informing the public and give notice on the Town's website. Councilperson Heston seconded her motion. Vice Mayor Graham said that Alan Wolverton, the Utility Supervisor was encouraged that they were going into this so late in the season.

Upon further discussion, Vice Mayor Graham wished to amend her motion, giving an effective date of August 31, 2011. Councilperson Prack asked if it would be, “unusual to leave mandatory conservation up to the date of the next Town Council meeting to the discretion of the Utility Supervisor to put the signs up as necessary and notify the Town that we are going mandatory? We could vote, giving him the authority between now and the next Council meeting to make that call.” Mayor Ramsey said, “If you want to delegate the authority, I’d rather you do that to the Town Administrator and the Mayor.” To which Councilperson Prack agreed that, “We could do that too I’m just looking at a way we could do this between now and then and not have to do it immediately.” Vice Mayor Graham said, “Maybe the Staff feels like it should be immediate. I will amend it to make it at the discretion of the Town Administrator, the Utility Supervisor and the Mayor. I would hope it would be done between now and the next meeting.” Councilperson Prack said, “That’s what I’m saying. It might rain in the next two weeks and that way we are not doing anything unnecessarily.” Mayor Ramsey asked Vice Mayor Graham to restate her motion. Town Administrator John Barkley pointed out that according to Town Ordinance; the Town Council was required to vote on a declaration of mandatory conservation enforcement and within that framework, such a motion was workable.

Vice Mayor Graham stated that she would like to amend her motion to read, “I move that the Town go into mandatory Phase I Water Conservation between now and the next Town Council meeting at the discretion of the Mayor, Town Administrator and the Utility Supervisor with reading of the meter to take place every two weeks, posting notification on the website and signage around Town.”

Councilperson Prack seconded her motion.

Councilperson Heston asked how another motion could be made when there was already one on the table.

Town Attorney Maureen Gilmore suggested that rather than try to amend the current motion on the table, that the motion be made to table the motion and leave it there and a new motion be brought forward in its place.

Councilperson Botsch moved to table the first motion. Councilperson Klipple seconded his motion. **The motion to table Vice Mayor Graham’s first motion passed 5-0-0.**

The second motion proposed by Vice Mayor Graham and seconded by Councilperson Prack to leave mandatory Phase I water conservation to the discretion of the Town Administrator, Utility Supervisor and Mayor between now and the next Town Council meeting passed 5-0-0. Mayor Ramsey asked Mr. Barkley to put out the signs for voluntary conservation immediately and put up notification on the Town website to ask residents to begin conserving water and letting them know that the Town Council was considering going to mandatory conservation and begin reading the meters every two weeks.

IN RE: PARK PAVILLION DESIGN PROPOSAL

Stonegate Construction put forth a plan development proposal for the park’s public pavilion which would mimic the design features of the train station. The estimate for design came to a total of \$1,475.00.

Councilperson Botsch moved to approve an amount up to, but not exceeding \$1,475.00 to

be allocated for a park pavilion design proposal plan. Councilperson Klipple seconded his motion. **The motion passed 5-0-0.**

IN RE: APPROVAL OF MINUTES - JULY 21, 2011 TOWN COUNCIL MEETING

Councilperson Heston noted that she was the Council member who inquired about the conference Mr. Barkley attended, reference page 5, second paragraph.

Vice Mayor Graham moved that the minutes be approved as amended. Councilperson Botsch seconded her motion. **The motion passed 5-0-0.**

IN RE: EAGLE SCOUT PROJECT – TOWN COMMUNITY GARDEN

Councilperson Botsch moved to approve the proposed Eagle Scout project by Chuck Hadran which proposed building a 4 foot mulch path in front of the Round Hill Community Garden and shed and affixing a gutter system to the shed which would empty into a rain collection barrel. Vice Mayor Graham seconded his motion. **The motion passed 5-0-0.**

At this time Mayor Ramsey interjected that Councilperson Heston had asked a question concerning where the funds for the park pavilion design proposal would come from and wished to address that issue now. It was suggested that the Council look to the capital improvement portion of the Town budget to find funds necessary for the park pavilion design proposal the Council had previously committed to. After some discussion, it was agreed to reduce the sidewalk improvement budget by \$1500. Since the amount was less than one percent of the budget, a simple adjustment could be made with no public hearing required.

IN RE: TOWN ADMINISTRATOR’S REPORT

The Utility staff is still tweaking the sludge press at the wastewater treatment plant. The Town did not provide proper notice to terminate the lease on the copier so they are going to send it down to the wastewater plant as they are in need of a copier. Town staff will follow up and get a final price from Ricoh and also inquire how to terminate lease early but currently they are stuck with it.

Councilperson Heston inquired about the Hayman Lane project. There is one property owner who is not interested in agreeing to sign a right of entry. Bid specs are drawn up and ready to go out. Town Attorney Maureen Gilmore is working on the issue.

There have not been any further reported sightings of a “big cat” near Sleeter Lake.

IN RE: TOWN PLANNERS REPORT

Councilperson Botsch inquired whether Rob had heard further from any of his contacts regarding the Buhl Electric property. To date he had not.

Councilperson Prack said that he had a couple people ask him about the banners on the gas station and whether they would be permanent. Rob said that he has stopped by the station a couple times to talk to the manager but he has not been there. Councilperson Prack also added that he had been there to pump gas several times and there has not been anyone attending. People were pumping fuel but there was no one present in the office and the doors were locked.

Councilperson Heston asked where the Sheriff's substation was in the process. Mr. Kinsley replied that they were 80-90 percent done with the site plan. Ms. Gilmore stated that they were no further along in progress with the utility agreement.

IN RE: MAYOR'S REPORT

Mayor Ramsey stated that he had nothing new to add.

IN RE: UTILITIES COMMITTEE MEETING REPORT

Vice Mayor Graham said that Keith was asked about the water study that Peed and Bortz were tasked with. They are working on it but everything connected with RHI and the wells has taken up a lot of their time. they hope that will be resolved shortly and they can return to making progress on the water study.

IN RE: ADMINISTRATION COMMITTEE REPORT

Councilperson Heston said they had discussed the job descriptions and forwarded them to Council. They also discussed the copier and the lease, bills and the procedure into which bills are taken care of and the Town Administrator has been tasked to look in to trying to alleviate any late fees from bills that come in after the Town Council meeting and try to work with the Treasurer to avoid having late fees in the future. They have a potential new employee that has been offered a position with the Town as wastewater treatment operator, contingent upon passing all his background checks and drug screening. He will start September 6th and has a Class 3 license. Their next meeting will be September 14th.

IN RE: LAND USE COMMITTEE

Councilperson Botsch said that they had pretty much covered matters earlier during tonight's meeting.

IN RE: COUNCIL COMMENTS

Mayor Ramsey said he sent out an email over the weekend calling the Council's attention to the Town's fiscal situation now as to where they were four years ago and wanted to reiterate that they now had Utility reserves and this was a result of making sound decisions at budget time and when considering capital projects.

Vice Mayor Graham said she still wanted to have some kind of ribbon-cutting ceremony when everything was operational down at the wastewater treatment plant so citizens were aware of their progress.

IN RE: ADJOURNMENT

With no further questions or comments, Mayor Ramsey adjourned the meeting at 9:12 p.m.

Respectfully submitted,

Scott Ramsey, Mayor

Susanne Kahler, Recording Secretary