

**Round Hill Town Council Meeting**  
**Thursday, February 17, 2011**  
**7:30 p.m.**

A regularly scheduled meeting of the Round Hill Town Council took place Thursday, February 17, 2011 at 7:30 p.m. at the Town Office, 23 Main Street, Round Hill, Virginia.

**TOWN COUNCIL MEMBERS PRESENT**

Mary Anne Graham, Vice Mayor  
R. Daniel Botsch  
Clarkson Klipple  
Janet Heston  
Christopher Prack  
Scott Ramsey, Mayor (arrived at 7:43 p.m.)

**TOWN COUNCIL MEMBERS ABSENT**

Jennifer Grafton Theodore

**TOWN STAFF MEMBERS PRESENT**

John Barkley, Town Administrator  
Susanne Kahler, Recording Secretary

**IN RE: CALL TO ORDER**

Vice Mayor Mary Anne Graham called the meeting to order at 7:35 p.m.

**IN RE: PLEDGE OF ALLEGIANCE**

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

**IN RE: COMMUNITY POLICING REPORT**

None

**IN RE: PUBLIC COMMENT**

Susanne Kahler noted that she is now writing a monthly Round Hill local news column for the Blue Ridge Leader. The newspaper publishes the first Thursday of the month so submissions need to be made well in advance to: kahlerohana@comcast.net.

**IN RE: APPROVAL OF AGENDA**

Councilperson Janet Heston moved that the agenda be approved as presented.  
Councilperson R. Daniel Botsch seconded her motion.

**The motion passed unanimously 5-0-0.**

## **IN RE: FY 2012 BUDGET AND TAX RATES – OVERVIEW**

John Barkley, Town Administrator, gave an overview of the FY2012 budget process. He said that he would distribute the General Fund budget numbers in March. He did review the FY 12 Equalization of Revenues Worksheet that he had distributed that evening. The current tax rate is .22 cents per 100 dollars in assessed value. Total assessed valuations in FY2011 for the Town were 63,808,300.00. For FY12 the assessed value of the entire Town increases to 65,265,100.00 – a 2% increase. Mr. Barkley said, “It is the Town Council’s decision whether to maintain the current property tax rate, which would realize more than 101% of the current revenues, or to lower the tax rate – in order to equalize the revenue. Equalizing the revenue is a way to where the average taxpayer of real estate taxes in Town will not see an increase.”

“The tax rate needed to equalize revenues from FY11 to FY 12 was 0.21744; which will give the Town revenues that are no more than 101% of FY11 revenues. Anything over that triggers a public hearing which and you have to advertise that you are increasing your tax rate, from a practical standpoint, even if you are not,” Barkley continued, “For example, if we stayed at .22 cents we would have to advertise that we were increasing the tax rate.”

Councilperson Botsch interjected, “Because even though we were not increasing the tax rate... we would be increasing the tax collection more that 1 %?”

“That is correct.” Mr. Barkley replied, “It remains the Town Council’s decision whether to increase the rate, lower the rate or equalize the rate so it remains the same.”

Mayor Scott Ramsey arrived at 7:43 p.m.

Mr. Barkley added that the Town was generally going to hold the line in the coming year, “We are a little bit further than mid-year right now and we are pretty well set on about 58% of expenditures - which is where is where we want to be.”

In response to a question from Councilperson Botsch, Mr. Barkley responded that the elderly assistance numbers were what was given by the County and accurate. He also added that the Town of Round Hill was currently in good financial condition as noted by their last audit and presently maintained a 1 year operating surplus.

“The Town would continue to offer core services and maintain capital budget levels as best as we can to fund projects such as the Main Street Enhancement Project and Franklin Park Trails project and doing so does not necessarily require a proposed increase in fees,” Mr. Barkley said.

Mr. Barkley said that the if the Town held onto the equalization rate and continued to tighten it’s belt that they had some new revenue sources such as the cell tower, FEMA money, and a Federal Stimulus grant on the capital side of things. The Town would be looking at a salary increase for Town staff – which would be a combination of a COLA adjustment and merit pool. He did expect that health insurance premiums would again rise 8-10 percent. “The Town would continue to limit new programs and purchases while continuing to fund current line items for the services that we provide and the equipment and consultant services that they need,” said Barkley.

“The Utility Fund numbers will also be presented, beginning in March and continuing into April, and the Town will hold the line the same way on the Utility side of things. The budget will include a 3 percent increase in user as well as availability fees as was

included in the recommendations of the in the 2004 utility rate study. On the capital finance side of things we will continue to push along with Hayman Lane project; we will finish up the wastewater treatment plant – that will be pretty well sewed up by April 1st – I don't think any of that project will lag into July. So we will have a balance of capital funds that the Town Council can consider using to do some wastewater or water system projects. We have source issues, we have to look for some well sites, we have to do some diagnostics; we have to continue to fit out the water system to serve the developments that have been approved but not constructed yet. We are going to need some engineering help to look over our shoulder when they start constructing the water treatment plant at the Westlake subdivision as well as the air stripper tower. We don't expect any of the wells that are in Town right now that haven't been brought on line now to be brought on line in this fiscal year. So water will be the issue in FY12 as far as I can tell. Some of the salary/benefit issues for the Utility side of things - healthcare will increase the same 8-10 percent. Again there will be a COLA increase and merit pay based on performance evaluations. Chemical supplies and equipment continue to be an issue and on the increase. The Town will continue to fund programs on the operating and capital sides. The Town of Round Hill is on good solid financial footing and we will endeavor to continue that trend in FY12, "Mr. Barkley finished.

Vice Mayor Mary Anne Graham noted that the meter replacement fee has not increased while the cost of replacement has. Mr. Barkley said that will be one item discussed when reviewing the Utility fund budget.

Councilperson Janet Heston asked, "Will we (the Town) have responsibility for the lift station?"

Mr. Barkley replied, "There is a formula for Lake Ridge and Westlake that will fund the installation but we have a shared responsibility."

## **IN RE: WESTERN LOUDOUN SHERIFF'S SUBSTATION**

Mayor Scott Rasmsey said that he had met with the County Attorney and Lewis Rausch, Director of the Office of Capital Construction. According to Mayor Ramsey, "It was a very productive meeting; they were able to reach substantial agreement on just about all points that were remaining. They settled on an arrangement where the Town would have a permanent easement during the timeframe the property was in the County, and then, if the property moved into the town via a BLA, then they would provide a fee simple title to the property at that point. This allowed them (the County) to avoid any setback issues during their site development but still provided the Town a goal - ownership of the property by the time the Town would put in a well."

"I believe that there is some circling back that we will have to do with the County Administrator to get them to agree on that. They still have to pitch it to the BOS but Lewis Rausch and the County Attorney were comfortable with that," Mayor Ramsey continued, "There was a couple things that the County wanted that we just couldn't support - requiring special exceptions for well use which we don't necessarily agree with; being charged in-town rates which we simply couldn't accommodate. The one part of the agreement that I wanted to check with the Council on - is that there had been a paragraph in there that said that if the County failed to meet the terms of the agreement that they would be shut off from service and the County did not feel they could agree to that as this was a public service center We had some discussion about what was the procedure if

there was breach of contract as well is what would the town actually do, the county actually do and a judge actually do when faced with that conundrum. If the Town actually shut off the service, there would probably be some sort of injunction while they worked the matter out - so without actually putting language in there that said they would keep service even if they were in breach we also removed the language that said they would be shut off if they were in breach. We didn't concede that point, we just didn't put language in there that reinforced that.”

Vice Mayor Mary Anne Graham asked whether the Sheriff's office had asked for an extension of their lease on the upstairs portion of the Town office building. John Barkley said the Town Council had to consider it in March as it would become effective in April.”They will ask for no increase, no escalation. They are paying well under the market rate, I will say that. We will recommend that you NOT increase it but the Town Council can do as they see fit. FY09 was the last time the rate was increased.”

## **IN RE: TOWN WATER AND SEWER ORDINANCE**

Vice Mayor Mary Anne Graham reviewed the sewer ordinance with the Council. “There have been suggestions for amending the ordinance to handle grinder pumps in anticipation of Lake Side developing their property south of Town. I think that in many ways when we have an ordinance revision that will pretty much take care of that situation and kind of keep the Town from having to be open to grinder pumps wherever someone might want to put them. However, I have been informed that the property has been put up for foreclosure and is being auctioned off tomorrow so my suggestion is that even though it is a good amendment to the sewer ordinance, I would like to table the amendment until someone else comes in and buys the property and requests the use of grinder pumps because I just would like to keep the Town from having someone else get us to put in grinder pumps by using the ordinance against the Town. If the property is not going to be developed as quickly, perhaps we don't need to consider grinder pumps at this time. Councilperson Heston asked if the language in the ordinance was pro or con grinder pumps.

Vice Mayor Graham said that the engineers had looked at the property and decided that grinder pumps were the way to go - they seemed like a plausible way to go. Although the County is opposed to grinder pumps, the language in the proposed ordinance amendment clearly states that they are responsible for maintenance and our ordinance would very clearly say that maintenance would be up to the homeowner.

Councilperson Heston said, “So we have a recommendation to allow them and are changing the ordinance to accommodate them; shouldn't we then vote on the matter? I don't think we should be reactive - I think we should be proactive and not wait until someone comes forward and wants that - I think we should have something in place in reference to that since it has already come up and we should decide if we want them at all...and then if we do, to go forward. If we don't, it is a wasted exercise to worry about an ordinance.”

Mayor Ramsey asked, “Is the language in the ordinance ready for advertisement?”

Why don't we get the final language in front of the council for the next meeting,” he suggested, “and if the Council is comfortable with that language, we can authorize the Town Administrator to advertise and maybe we will approve it at the April meeting.

Vice Mayor Graham reiterated that the Town would have absolutely zero responsibility in relation to the upkeep and maintenance of the grinder pumps, should they be installed. Councilperson Heston responded, "Well I do understand that, but my concern is that for example - a house has been sold three times and maybe they (the new owners) are not totally aware of grinder pumps and how they're done so now we have someone whose sewage and situation is no longer in compliance with the health department or there is raw sewage floating around or whatever...it is a bad situation and who are they going to come to? Then I'm sure someone is going to expect the Town to do something."

Mayor Ramsey said, "Certainly. They are going to call us if sewage starts to show up in their basement and they are unfamiliar with the grinder pump system. They are going to call us. Absolutely.

"And are we going to feel obligated because we are good citizens and have that responsibility to do something about it? That is my concern," Heston said.

"That is one reason, Janet, why I wanted to take the whole ordinance off the table.

Because if you don't have an ordinance for grinder pumps, then you can't have grinder pumps period," Vice Mayor Graham replied.

Councilperson Janet Heston added, "And I guess I would agree with that if I knew a little more about them but you're saying the architect or engineer is saying it's a good idea so I guess I am getting the feeling that we are already going to do it. And I don't feel comfortable with us going to do it."

Councilperson Botsch inquired, "Are we going to get a report from the engineering firm?" Mayor Ramsey, "The engineer submitted some information to the Utility Committee. We can certainly send to you what the Utility Committee has seen. Additionally, Jordan Dimoff has identified a vendor that they intend to use and I am sure the vendor has plenty of information on their systems that can be provided to Council on this particular installation, but again, that is the situation of what this particular developer planned. I think that this remains part of site plan review. One of the issues that I think Loudoun Water was concerned about as well from a long term perspective is if Company A goes out of business and the homeowner has to find Company B to service their grinder pump. To some extent we always end of relying on experts in the end. Our expert, the Town engineer, has indicated their support for the concept, but I think that we should review their report and if still have questions that we should gather more information until we have all of our questions answered."

Town Administrator John Barkley added, "At site plan review, Rob (Kinsley, Town Planner and Zoning Administrator) customarily sends the utility plan out to the Town engineer and other folks to review, so that is a trigger. This is an unprecedented situation. Loudoun Water has a chapter on grinder pumps so it is clearly an issue for them."

Vice Mayor Mary Anne Graham," Moving on to the water ordinance: from various conversations and emails over the last month, apparently because of our loans we cannot waive the fee for putting in fire suppression connections but apparently from what Maureen (Gilmore, Town Attorney) has said, our lenders would approve is if we had in our fee schedule a fee for fire suppression connections. I sense that there are some people on the Council who don't want to make that connection the same amount as a current tap would be so I guess what we need to do is come up with something that is a percentage of whatever the prevailing availability fee would be. We do have an ordinance drafted but I

guess what the Council needs to discuss at some point is what we want to charge for a connection for fire suppression.”

Town Administrator John Barkley added, “Our neighbors (other Western Loudoun towns) haven’t dealt with it and don’t have anything on the books.”

Vice Mayor Graham, “It is open for a recommendation for a number and I don’t hear anything from anybody here.”

Mayor Ramsey stated, “The actual number can be part of the budget review process. I am still hoping that we can get some guidance from other jurisdictions on the matter.”

Vice Mayor Graham, “So there will definitely be a revised sewer ordinance for review at the next Council meeting and hopefully, there will be something for the water/fire suppression as well.”

## **IN RE: LOUDOUN COUNTY REDISTRICTING**

“The County is still in the throes of considering various plans. The Miller Plan is officially the only plan under consideration by the County,” according to Mayor Ramsey,”Burton has proposed several alternatives that keep his (Blue Ridge) District largely the way it is now but he is going farther north, where the Miller Plan shows a substantial encroach to the east. There is a March deadline where they have to submit their proposed Districts to the state and the Federal Dept of Justice because Virginia is still under a court order for voting rights violations going back to the 60s and 70s so Virginia is one of the states that has to submit all election precincts for Fed Dept of Justice review.”

Councilperson Botsch asked Mayor Ramsey if he got any feedback from his letter to the County which included the resolution passed last month by the Town Council asking for the entire town/JMLA to be kept within the same district.

Mayor Ramsey said he was told the resolution did have an impact on the Board and was actually used as one of the reasons why they eliminated many of the plans.

John Barkley, Town Administrator, said he was told Round Hill was the only jurisdiction that had given them any feedback. “One thing to consider is whether you would prefer to have 1, 2 or perhaps 3 supervisors representing you. That could happen,” he added.

Councilperson Botsch said, “I think what would matter as well is the population you are mixed with and what are their interests are. I think we should be a little concerned how far east our District goes as the Eastern part of the County has a much different agenda than the Westerners.”

Mayor Ramsey said, “I think that is a good point. I can certainly express to Tim Hemstreet and the County Board of Supervisors our agreement with Supervisor Burton that having a Western District that extends into Ashburn is not a good idea. That would certainly put us in line with Burton’s recommendations as well.”

## **IN RE: APPROVAL OF MINUTES FOR JANUARY 20, 2011**

Councilperson Botsch noted a change to page 2. The top paragraph should be **PRCS**. He moved that the Town Council approve the January 20, 2011 minutes with the one correction.

Councilperson Heston seconded his motion.

**The motion carried 4-0-1 with Christopher Prack abstaining as he was absent from the meeting.**

**IN RE TOWN ADMINISTRATOR'S REPORT**

Mr. Barkley said that he had talked to the gentleman who repaired the graphic part of the monument sign and he indicated that he can pretty inexpensively get the welcome signs in the ground for the Town. He has a proposal from him that he will share with the Town Council once the ground thaws and we receive VDOT approval.

Mr. Barkley also met with Fire Chief Brower. The Town has put locks on hydrants in undeveloped areas and they (Fire Dept) aren't happy – they want a knox lock. Round Hill is the only jurisdiction that has put locks on their hydrants to help prevent water theft. Councilperson Janet Heston inquired about the inspection done with TMobile – whether they reimbursed the Town for the cost. Mr. Barkley explained that the inspection was presumed to be a cost of doing business.

**IN RE: TOWN PLANNER AND ZONING ADMINISTRATOR'S REPORT**

In Rob Kinsley's absence, Mayor Ramsey noted that the Planning Commission has now approved the site plan for the Bank of Clarke County - so they have all necessary approvals from the Town now to proceed with their plans. The Bank is hoping for a mid-April opening.

Vice Mayor Graham asked if anything on appointing new members to the Planning Commission has taken place. No one has come forward to express any interest in serving to date.

**IN RE: MAYOR'S REPORT**

Mayor Ramsey said that he is continuing discussions with Supervisor Burton regarding the Franklin Park trail project to get him engaged and involved in their efforts on this topic.

Possible closing of Round Hill Post Office – Mayor Ramsey is drafting a letter to the regional postmaster opposing the possible closing of the Round Hill Post Office.

Councilperson Prack said that he has heard that they were not necessarily closing – instead scaling back to a one-person counter operations person with mail sorting taking place at a centralized facility.

**IN RE: UTILITY COMMITTEE REPORT**

Vice Mayor Graham said she had a conference call 3 weeks ago with DEQ about obtaining a waiver to their permit as they didn't have the sludge press operable. The Town was actually operating under 2 permits – the one when the plant was expanded and the one that was connected with the Chesapeake Bay situation. The staff has operated to the best of their ability to try and satisfy both. The staff was going to work to minimize the impact of their phosphorus discharge. Vice Mayor Graham said they were extremely cordial but the end result was the DEQ said no to the waiver. There was an understanding reached, however, that no penalties will be imposed because the Town would've put remediation into effect so that levels will fall within permit range by the end of the year. Marty and Alan have been working to try to get chemical feeds into the system to bring down the phosphorus level. There was a deadline of December 3<sup>rd</sup> 2010 for the

completion of the capacity expansion at the wastewater treatment plant, with the rest of the work to be done by April. Between the weather and fact that East Coast has had other projects, completion was pushed to June. Another issue came up – Alan discovered that the truck bay area for the sludge loading area was not covered; he wants to change it so the area will be fully enclosed with temperature control so the sludge does not freeze. The cost is estimated to be between \$12,000 and \$15,000.

**IN RE: ADMINISTRATIVE COMMITTEE MEETING**

The Administrative Committee met yesterday and reviewed the personnel handbook, individual job descriptions for accuracy with a focus on possible upgrades and also changes to employee status – exempt versus non-exempt personnel.

**IN RE: LAND USE COMMITTEE MEETING**

There were 4 items on their agenda: Sheriff’s substation, Main Street Enhancement Project, developing a BLA map and also reviewing the draft state regulations on derelict structures although to enforce the issue may ultimately require seizure of the property.

**IN RE: COUNCIL COMMENTS**

Vice Mayor Mary Anne Graham noted that Toby Moriarty scheduled the first meeting to plan the Memorial Day Festivities for the Hometown Festival Tuesday evening, March 1<sup>st</sup>..

Mayor Ramsey noted that the 2010 census figures were in and Round Hill’s population was determined to be 539 individuals and 218 households. 16 were vacant.

**IN RE: ADJOURNMENT**

With no further questions or comments, Mayor Ramsey adjourned the meeting at 9:30 p.m.

Respectfully submitted.

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Scott Ramsey, Mayor

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Susanne Kahler, Recording Secretary