

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
January 21, 2010**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, VA, on Thursday, January 21, 2010.

Council Present

John Heyner, Mayor (at 8:15 pm)
Mary Anne Graham, Vice-Mayor
Dan Botsch
Janet Heston
Scott Ramsey

Staff Present

John Barkley, Town Administrator
Betty Wolford, Treasurer
Maureen Gilmore, Town Attorney (at 8:00 pm)

Absent

Mike Hummel
Chris Prack

Others Present

Deputy Matt Bressler, L.C. Sheriff's Dept.
Jan Mitchell, L.C. Fire Marshall's Office
4 Citizens

Attachments

- I. Agenda – January 21, 2010
- II. FY 2011 Budget Development Schedule
- III. Town Council Meeting Minutes, November 19, 2009
- IV. Western Loudoun Sheriff's Substation:
 - a. Draft Letter
 - b. Water and Sewer Service Agreement
- V. Letter of Understanding: Westlake Water and Sewer Utilities
- VI. Resolution 2010-1: 2010 Town Council Meeting Schedule and Inclement Weather Policy
- VII. Resolution 2010-2: Town Park Master Plan: Referred to the Planning Commission
- VIII. Town Administrator Weekly Reports:
 - a. January 19, 2010
 - b. January 11, 2010
 - c. January 4, 2010
 - d. December 22, 2009

IN RE: CALL TO ORDER

Vice Mayor Graham called the meeting to order at 7:30 pm.

IN RE: PLEDGE OF ALLEGIANCE

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

IN RE: COMMUNITY POLICING

Deputy Matt Bressler reported that there had been a few calls for service in the town and area. He noted an increase in the western part of Loudoun in vehicle break-ins. Deputy Bressler

indicated that evening/night foot and bike patrols would be taking place and warned residents to keep their vehicles locked as well as keeping valuables out of sight or removing them from the vehicle. He asked residents to contact the Sheriff's Department if anyone sees something suspicious. Councilperson Heston asked the department to keep a strong watch on the town's park when the weather gets warmer (this site has had issues in the past). She also noted that graffiti had been sprayed on the 35 MPH speed limit sign located just to the south of Town on New Cut Road/Airmont Road.

IN RE: PUBLIC COMMENTS

David Weik, 18 Cedar Street, reported that he had been in contact with Rob Kinsley, Town Zoning Administrator, about issues at a property located on Cedar Street. The house is zoned R-2 and is a rental and he felt that it was being used as a multi-family home (6 to 10 people living in the home). He stated that he had talked to the owner of the house who indicated that one family was residing at this property. Mr. Weik was also concerned about the large number of vehicles (as many as 8) parked on the property displaying no Round Hill tag. He noted that he had also spoken to Deputy Bressler who will be working on the vehicle/tag issue.

Mr. Weik also addressed his concern on the condition of the roadway (loop from Bridge to Cedar Streets). He reported that the town had done some water line work awhile back and now the roadway has settled with large potholes appearing.

No further comments were received.

IN RE: APPROVAL OF AGENDA

Vice Mayor Mary Anne Graham motioned the agenda be approved as submitted with Councilperson Dan Botsch seconding. Motion to approve agenda as presented was approved by voice vote of the council present 4-0-2, Councilpersons Hummel and Prack absent for the vote.

IN RE: BUSINESS

1. Fire Prevention & Smoke Alarm Program – Jan Miller, L.C. Fire Marshall's Office

Ms. Miller stated that the Fire Marshall's office had implemented a pilot program for smoke alarms for single family, residential properties. This program, "Put a Finger on It", was first started in Purcellville and proved to be very successful. Round Hill and Hamilton will be next. Ms. Miller explained that they target homes that are 10 years or older by going door to door offering to install the newer smoke alarms that are tamper proof and have a 10 year battery alarm. Prior to the door to door campaign, notifications explaining the program will be done by advertisements in the paper and at various locations in town. The Fire Marshall's Office is also asking for town support to get this message out to the citizens (website, poster display). Ms. Miller will have literature submitted to the town office.

2. Wastewater Plant BNR Project: Pre-Bid Conference Report and Updated Project Timeline

Vice Mayor Graham reported that the Utility Committee and the town engineer had discussed the pre-bid conference held with 9 companies in attendance. Those companies present at the conference were given an explanation of what the project entailed followed by a question/answer period, as well as being given a tour of the WWTP. All proposals will be submitted on or before to February 4th at which time a formal bid opening will be done in the Town Office. The Utility Committee will review all proposals and make a recommendation on one company to the Town Council. The Council will need to take action at their February 18th regular meeting in order to meet the timeline of this project. Mrs. Graham expressed to the council the importance of having a quorum at this meeting in order to take a vote.

Mr. Barkley stated that he was trying to clarify with the town attorney if the town was obligated and/or required to take the low bidder; he felt that he would have a response by the Utility Committee's February meeting.

3. FY 2011 Budget Development Schedule

Mr. Barkley stated that this schedule (attached) was developed to coincide with the public hearing and regular meeting schedule of the council. He noted that the first budget meeting is scheduled for February 4th and would be a review of the current budget which may need revisions. Mr. Barkley had left the required timeframe for advertisements for the budget and tax rates as well as an equalization hearing. The Council will adopt the FY 2011 Budget at their June 19, 2010 regular meeting.

Vice Mayor Graham asked that Mr. Wolverson and Mr. Feltner be asked to attend the first Utility Fund Budget meeting on April 1st.

Councilperson Ramsey suggested that the February 18th meeting be an overview (with no detail) of both the General and Utility Funds for FY 2011.

IN RE: ACTION ITEMS

1. Approval of Meeting Minutes

a. November 19, 2009 Regular Meeting

Council had reviewed this draft and made the following changes:

- (1) page 7, mid page, under Councilperson Ramsey's remarks, change "Franklin Park Trail" to Main Street Project;
- (2) page 7, same sentence, add on Virginia ByWays to end of sentence;
- (3) page 8, change spelling of "Moriarity" to Moriarty;
- (4) page 9, mid page, under Councilperson Ramsey's statement, add after the words "noted that" the words the town may request;
- (5) page 9, same sentence, "had upgraded" should be changed to upgrade
- (6) page 10, mid page, under Councilperson Heston' remarks, Patty "Haus" should be changed to House two times in this paragraph;
- (7) page 10, same paragraph, third sentence, delete "woman who creates stonework signs" and insert stonemason
- (8) page 10, same paragraph, same sentence, delete the word "rough";
- (9) page 10, same paragraph, same sentence, change "to make the sign out of stone" and change to for construction of a stone monument that would be used for a sign;
- (10) page 14, first bullet, add " after the word Mayor;
- (10) page 15, first bullet, add "after the word Mayor.

Councilperson Scott Ramsey motioned approval of the minutes of the council's November 19, 2009 Regular Meeting as amended. Vice Mayor Mary Anne Graham seconded the motion. The motion to approve minutes as amended passed by voice vote of the council present 4-0-2 as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Dan Botsch	aye
Mike Hummel	absent
Janet Heston	aye
Mary Anne Graham	aye
Scott Ramsey	aye
Chris Prack	absent

The items relating to the Western Loudoun Sheriff's Substation and the Memorandum of Understanding were skipped until arrival of the Mayor and the Town Attorney.

4. Resolution 2010-1: 2010 Town Council Meeting Schedule and Inclement Weather Policy

This Resolution (see attachment) sets the regular council meetings on the third Thursday of each month and any public hearings for the first Thursday of the month. It also allows the cancellation of a meeting and/or public hearing due to inclement weather with no need to formally advertise (reschedule of meeting would be placed on website, park sign and town office door).

Councilperson Scott Ramsey motioned adoption of Resolution 2010-1, Town Council Meeting Schedule/Inclement Weather Policy with Janet Heston seconding. Motion to adopt Resolution 2010-1 was approved by voice vote of the council present 4-0-2, the votes being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Dan Botsch	aye
Mike Hummel	absent
Janet Heston	aye
Mary Anne Graham	aye
Scott Ramsey	aye
Chris Prack	absent

5. Resolution 2010-2, Round Hill Town Park Master Plan and Policy

This Resolution (attached) directs the Town's Planning Commission to develop a Town Park Master Plan and Special Use Policy for recommendation to the Town Council on or before June 30, 2010. A brief discussion followed on the timeline for development, and memorial requests that may be submitted prior to adoption of said Plan and Policy.

Councilperson Dan Botsch motioned adoption of Resolution 2010-2, Round Hill Town Park Master Plan and Policy. Councilperson Janet Heston seconded the motion. Motion to adopt Resolution 2010-2 was approved by voice vote of the council present, the ayes being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Dan Botsch	aye

Mike Hummel	absent
Janet Heston	aye
Mary Anne Graham	aye
Scott Ramsey	aye
Chris Prack	absent

2. Western Loudoun Sheriff's Substation: Draft Letter and Water/Sewer Service Agreement

Mr. Barkley submitted new material/information (not included) to the council present. Council members reviewed this information. Vice Chair Graham noted that this latest rendition, recommended by the Utility Committee, includes a new Item (#11) in the Agreement which states that "In the event that the County fails to perform any of the terms under this Agreement, and no extension for performance has been granted by the Town, then the Agreement shall be declared null and void and the Town shall have no obligation to serve the property with municipal water and sewer". Also added to the cover letter, shown in the last paragraph, was the language "this letter shall not be construed as an approval or agreement of the proposed use of the property".

Councilperson Scott Ramsey motioned the Town send the letter referenced and the draft agreement referenced to the County for consideration as water and sewer agreement for the Western Loudoun Sheriff's Substation. Councilperson Janet Heston seconded.

Mr. Barkley noted that this final version was drafted by the town attorney after receiving comments from the council and the Utility Committee. Discussion followed on letter and agreement, water capacity and calculations, use of the property.

Mayor Heyner asked for a revision of the last paragraph to read as follows: **"Neither this letter nor the water and sewer agreement shall be construed as an approval or agreement of the use of the property". Councilpersons Ramsey and Heston agreed to this change. It was also agreed to delete the word "Service" in the title as well as any reference made to the "Water and Sewer Agreement".**

Motion to forward the letter and agreement as amended to Loudoun County was approved by voice vote of the council present 4-0-2, the vote being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Dan Botsch	aye
Mike Hummel	absent
Janet Heston	aye
Mary Anne Graham	aye
Scott Ramsey	aye
Chris Prack	absent

3. Memorandum of Understanding: Westlake Water and Sewer Utilities

Council received the final version of this Memorandum (not included). Maureen Gilmore reported that some additional language had been added back into this version. She noted the changes in the third bullet which states that RHI shall provide access easements for the three wells at no cost to the town as well as conveying these wells within appropriate parcels that meet requirements at no cost to the town. Discussion followed on past delays pertaining to access and ownership of facilities. Ms. Gilmore noted that this document was based on provisions of a previous agreement.

Councilperson Scott Ramsey motioned that the town send the letter proposed by the town attorney to Kevin Rogers of Oak Hill Properties and include the language in the third bullet item that pertains to Well #27A, striking the word “for”. Councilperson Dan Botsch seconded the motion.

Discussion followed on language in the letter, particularly the third bullet of the Memorandum. Mayor Heyner suggested, for clarification, adding “at no cost to the town” to the end of the first sentence in this bullet. Further discussion followed with the result being that the first sentence in the third bullet would be changed as follows:

“RHI shall convey Wells 27A, 7A and 7B to the Town at no cost to the town. Such conveyances shall be within appropriately sized parcels that meet all land development, health requirements and security compliance”.

Councilpersons Ramsey and Botsch accepted the revision.

Discussion followed the intention of the Memorandum, county regulations, Consent Decree, construction (engineer reviews, inspections).

The motion to send the Memorandum of Understanding as presented and revised this evening to Kevin Rogers was approved by voice vote of the council 4-0-2, the votes being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Dan Botsch	aye
Mike Hummel	absent
Janet Heston	aye
Mary Anne Graham	aye
Scott Ramsey	aye
Chris Prack	absent

IN RE: REPORTS

1. Town Administrator

Mr. Barkley’s Weekly Reports for December 22, January 4, January 11 and January 19 had been included in the Council’s Packet.

Mayor Heyner and Mr. Barkley had met with L.C. Parks and Recreation officials to voice the town’s concern about the possibility of the abandonment of the sidewalk to be constructed on the north side Loudoun Street. County Staff indicated that this is not their intent. The County is moving forward to gain final approval with the hope of construction to begin this year. They plan to schedule another meeting with property owners who will be affected by this Trail to review revisions made in the final plan.

Mr. Barkley reported that VDOT is in the process of conducting an environmental review of the Town’s Main Street Enhancement Project. VDOT has received the town’s RFP for their review and

approval. Stantech is working on the preliminary work for this project and is in the process of trying to obtain information from Anderson & Associates on their original work.

Mr. Barkley stated that T-Mobile has submitted a draft lease agreement which has been forwarded to the town attorney for review. The SPEX application by T-Mobile has been submitted to the county and has gone out for referrals. Peed & Bortz have received a copy of the application for review and comment.

Vice Mayor Graham asked the status of the SPEX for Round Hill United Methodist Church expansion. Mayor Heyner reported that the church officials had met and revised their plan to scale down the size of the building, moving the addition back from North Locust Street. Timeline for Planning Commission recommendations was briefly discussed, noting that the Planning Commission had made the request to the church to downsize the building and increase the parking spaces, as well as requesting a determination on set back and yard requirements from the Zoning Administrator. The applicant had also requested a determination from the Zoning Administrator on parking spaces. Mayor Heyner asked for a report on Loudoun Places. Mr. Barkley reported that Loudoun Places would be conducting a Five Star Customer Service event on February 23rd at 8:00 am at Ida Lee. Expectation is that 150-200 people will attend.

2. Town Planner/Zoning Administrator

A written report dated January 19, 2010 had been submitted by Mr. Kinsley in the council's packet.

3. Mayor's Report

Mayor Heyner stated that the Franklin Park Project had been discussed under the Town Administrator's reports.

5. Utility Operations, Public Facilities and Projects Committee

Vice Mayor Graham reported on additional items not listed in this committee's minutes (not included). They were:

- Survey of water quality had been included in the January utility billings and mailed to all customers;
- Staff had been instructed to investigate the well site at the Hamlets;
- Staff has asked if the bids come in low could the town request the company awarded the bid do an addendum to include the Lift Station project.

Discussion followed on Lift Station project which had not been identified in the advertisement, Bond money and regulations on use of this money. The Town Attorney did not think this would be allowed, but will check.

The water line and easements at the Hamlets of Blue Ridge subdivision were briefly discussed with further investigation needed on deeds of easements and pipe location.

6. Administration and Communications Committee

Councilperson Heston spoke of the Automated Payment addressed in one of the Town Administrator's Reports. She stated that she would like to be notified when Official Payments does its demonstration. Results of the demonstration by this company should be made at the committee's February meeting.

7. Land Use Committee

Councilperson Ramsey reported that the committee had discussed the SPEX by the Round Hill Methodist Church, the Master Plan for the Town Park; the new SPEX submitted for the Exxon Station (extending hours, pump service, lighting, canopy, sign; and the need to meet the existing conditions before consideration of new ones).

IN RE: COUNCIL COMMENTS

Vice Mayor Graham asked if it was too late for the council to consider changing the town elections from May to November. It was noted that the town had decided not to pursue this change, to hold the town elections in May as the majority of the other towns had decided to do.

ADJOURNMENT

There being no further discussions, the session ended at 9:00 p.m.

John W. Heyner, Mayor

Betty Wolford, Temporary Recorder