

**ROUND HILL TOWN COUNCIL
MINUTES
of the
REGULAR MEETING
July 25, 2019**

A Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, July 25, 2019, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Amy E. Evers
Michael B. Hummel

Council Members Absent

Donald W. Allen
Melissa Hoffmann

Staff Members Present

Martha Mason Semmes, Interim Town Administrator/Zoning Administrator
Lauren Runyan, Town Planner
Maureen Gilmore, Town Attorney

Others Present

Matt Michlowitz
Stephen Gregg
Joshua Young
Fred Lyne
Juan Restrepo

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:30 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey stated that, with Councilpersons Hummel and Evers, Vice-Mayor Graham, and himself present a quorum was established. Mr. Ramsey recognized a special guest, former Councilperson Frederick Lyne.

IN RE: COMMUNITY POLICING REPORT

As the Community Policing officer was not in attendance, this report was not provided.

IN RE: PUBLIC COMMENT

Mr. Juan Restrepo, of 17243 Old Ingleside Drive, Round Hill, stated that he was in attendance to inquire about the water rates, noting that he has lived in other areas of Loudoun County and has done some comparison of utility rates. Mr. Restrepo asked if anyone on the Council could provide an explanation of the rates. Mayor Ramsey asked if Mr. Restrepo has reviewed the information regarding utility rates contained on the Town's website, noting that *Frequently Asked Questions* and the most recent *Water Rate Study* are both posted, and can help to provide information on how the rates are calculated. Mr. Ramsey explained that the rates are set so that the Town "breaks even" on the system, and that the costs are higher here than they are for Loudoun Water, as Loudoun Water operates on a much bigger scale with much denser development. Mayor Ramsey noted that the costs associated with Round Hill's system are comparable to other community systems, and, in fact, are lower than those in Purcellville, Middleburg, and Lovettsville. Mayor Ramsey provided his e-mail address, and invited Mr. Restrepo to direct his questions to him in that manner.

Mr. Stephen Gregg, of 17247 Old Ingleside Drive, Round Hill, spoke, noting that he, as Mr. Restrepo, just recently moved to the community, and stating that he is striving to understand various proposals, projects, and systems. Mr. Gregg also asked about the study being conducted regarding possible expansion of the Town limits, referencing an older article in a local newspaper, and asked if it is still ongoing. Mayor Ramsey explained that the boundary line adjustment project was placed on hold for a time, during the development and opening of Sleeter Lake Park, and the addressing of other issues, but that the proposal is still on the Council's Strategic Plan, with work on that item to again be undertaken. Mr. Ramsey further explained that his sense is that the Council favors bringing Mr. Gregg's neighborhood, Brentwood Springs, into the Town limits; this action would provide for the in-Town utility rate to be charged to residents, in addition to services such as trash collection to be provided by the Town. Councilperson Hummel noted that it would be helpful for residents of Mr. Gregg's neighborhood to inform the Council if they are interested in their development being incorporated into the Town, upon the boundary line adjustment effort being taken up again. Mayor Ramsey stated that residents should also inform the Board of Supervisors of their interest in this, as a boundary line adjustment depends upon a voluntary agreement between the Town and the County. Mayor Ramsey again provided his e-mail address for anyone who wishes to speak with him, and noted that residents may also come into the Town Office and speak with Town Staff regarding any questions they may have. Mayor Ramsey welcomed the new residents to Round Hill.

Former Councilperson Fred Lyne then spoke, noting that he served on the Town Council for the last five years, and stating that he wanted to apologize for his abrupt departure, which resulted from his house in Round Hill selling shortly after it was put on the market. Mr. Lyne stated that he appreciated all the help and support he received from the Mayor, Vice-Mayor and Council Members during his tenure on the Town Council, and noted that he is informing his former neighbors in Round Hill about the vacancy on the Council, and will continue to do so. Mr. Lyne

noted his feeling that all the Town Council Members' hearts are in the right place, and that it was a great experience working with everyone; Mr. Lyne echoed Councilperson Hummel's sentiment that the Council tries to work together in the right way and to come to good decisions for the betterment of Round Hill, and noted his feeling that the members of the Town Council do a great job. Mr. Lyne stated that he appreciated the time he spent on the Town Council, and also appreciates the time current Council Members continue to spend working on behalf of the Town. Mr. Lyne noted his sadness that he will not be serving on the Council "to see the first shovel of dirt turned over for Main Street," with Mayor Ramsey noting that he will definitely be invited when that event does occur. Finally, Mr. Lyne, based upon his recent experience, suggested that those with complaints about the water in Round Hill "taste-test" neighboring water supplies. Mr. Lyne again thanked everyone for their support, noting the amazing job Vice-Mayor Graham and Mayor Ramsey do, and stating that the amount of hours they spend carrying out their duties "blows me away;" Mr. Lyne noted that they are dedicated public servants and that he appreciates that. Mr. Lyne thanked the Council for the opportunity to speak. Councilperson Hummel stated that he will miss Mr. Lyne being part of the Council, and noted that he had a calm, logical approach to issues which was easy to listen to and think about; Mr. Hummel stated that he learned a lot watching Mr. Lyne's approach to his duties. Vice-Mayor Graham stated that she enjoyed hearing Mr. Lyne's input during Council sessions, in particular during strategy sessions, and noted his engagement in those issues. Ms. Graham stated, "we will miss you." Councilperson Evers thanked Mr. Lyne for his guidance, especially, she noted, as she is new to the Council; Ms. Evers stated that there are big shoes to fill due to Mr. Lyne leaving the Council. Mayor Ramsey noted that he has enjoyed serving on the Council with Mr. Lyne, as well as being a neighbor and friend. Mr. Ramsey stated that he did not recruit Mr. Lyne to serve on the Town Council, as he wants anyone who serves to do so for his or her own reasons and to be guided internally to that service; Mr. Lyne did so, Mr. Ramsey stated, due to his sense of public service and caring for the community. Mayor Ramsey noted that few people have that kind of public spirit, and that seeing Mr. Lyne energized about addressing issues pertinent to the Town help to energize him, as well. Mayor Ramsey stated, "Even though we had several issues that we disagreed on, or ended up compromising on, I always felt, afterwards, that, when I compromised with you I was doing the right thing, and that you were pulling me where I needed to go." Mr. Lyne stated that he felt the same way.

Mayor Ramsey then told of a situation which occurred during the yearly budget process, a number of years ago, during which, in discussing the *Town Administrator's Discretionary Fund*, a Council Member and long-time resident of Round Hill expressed concerns regarding the inclusion of this fund in the budget. Potential uses for the fund were put forth, such as sending flowers to a Council Member or Staff Member who had been hospitalized, or providing a turkey for a holiday dinner. The fund was, ultimately, included in the budget. Mayor Ramsey explained that, when the Council Member who expressed these concerns stepped down from the Council, he was provided with the parting gift of a turkey; this gift has subsequently been presented to each Council Member who has stepped down. Former Councilperson Lyne was then presented with this traditional parting gift, and thanked the Council for the remembrance.

Interim Town Administrator Semmes, speaking on behalf of Town Administrator Hynes and Town Staff, stated that everyone will miss Mr. Lyne's guidance, and that Staff respects everyone who serves in public office as they know how difficult that can be. Ms. Semmes noted that Town Staff has found this Council incredibly supportive, which helps both staff morale and the operation of local government. Mr. Lyne indicated his appreciation of this sentiment, and of the support of the Staff, as well. Town Attorney Gilmore stated that, in response to her request, Mr. Lyne promptly submitted his letter of resignation from the Town Council; Ms. Gilmore stated that she appreciated the alacrity with which he responded to her request. Town Attorney Gilmore further noted that Mr. Lyne served as a "fresh voice" on the Town Council, often presenting views which were animated, were different, and which gave Council Members and Staff the opportunity to research and discover if ideas would work; additionally, she noted, Mr. Lyne always saw the big picture and had a very commonsense approach to any challenges. Ms. Gilmore stated that she will miss his professionalism, particularly in the way he approached his role of Chairperson of the Administration Committee.

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

Vice-Mayor Graham moved to adopt the Agenda, with the following changes: postponement, due to the absence of some Council Members, of *Business Item #4 – Leak Adjustment Policy Amendment*, to a meeting in September; deletion of the *Closed Session*; and, under *Business Items*, the addition of *Item #4 – Sleeter Lake Park*, and *Item #5 – LED Lights*. Vice-Mayor Graham also asked if *Action Item #1 – Resolution of Appreciation for Robert W. Lohr, III*, should be heard first; it was determined that it should. Councilperson Hummel seconded the motion. There was no discussion of the motion. A vote was then held; the motion was approved 3-0, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye

IN RE: ACTION ITEMS

1. Resolution of Appreciation for Robert W. Lohr, III

Vice-Mayor Graham, in making a motion, presented *Resolution 2019-11*, as follows:

A RESOLUTION: EXPRESSING APPRECIATION TO PUBLIC MANAGEMENT INTERN ROBERT W. LOHR, III

WHEREAS, Robert (Bobby) W. Lohr, III, has served the Town for ten weeks this summer as a non-salaried public management intern; and

***WHEREAS**, Mr. Lohr has contributed to a variety of Town work projects over his internship, including, but not limited to a Town parking study, special events support, and Sleeter Lake Park projects; and*

***WHEREAS**, Mr. Lohr has been hard-working, dependable, flexible and creative in all of the tasks to which he has been assigned and has completed assignments in a timely and high-quality manner, contributing to the productivity of the Town; and*

***WHEREAS**, The Town Staff have greatly appreciated and enjoyed working with Mr. Lohr during his tenure as a public management intern and wish to join with the Town Council in recognizing Mr. Lohr's contributions to the Town; and*

***NOW THEREFORE**, be it resolved that the Round Hill Town Council hereby expresses its sincere appreciation to Robert W. Lohr, III, for his contributions to the betterment of the Town during his tenure as a Town intern and wishes him well in all his future endeavors.*

ADOPTED THIS 25TH DAY OF JULY 2019

Councilperson Evers seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye

Mayor Ramsey stated that *Resolution 2019-11* has been adopted; a copy of the Resolution and a gift were presented to Mr. Lohr. Vice-Mayor Graham stated that Mr. Lohr will be missed.

IN RE: APPROVAL OF MINUTES

1. Town Council Meeting of June 20, 2019

Vice-Mayor Graham referenced a report requested of Mr. Jeffrey Mitchell, CPA, during his quarterly report to the Council, and noted on page five of the minutes, asking if the report, consisting of a breakdown of proffers and escrow items, has yet been provided. Councilperson Hummel noted that he also had a question regarding that item, as he has not yet received information on the topic, and stated that he would address this during the *Council Comments* portion of the meeting. There were no corrections to the minutes. Vice-Mayor Graham then made a motion **to adopt the minutes, as presented**; Councilperson

Hummel seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 3-0, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye

IN RE: BUSINESS ITEMS

1. Public Parking at Town Office

Mayor Ramsey noted that this is in regard to overnight parking which is occurring at the Town Office, and stated that he sent an e-mail to Staff containing his comments about the issue; it was decided to place this on the Agenda for this evening's meeting so the entire Council could have an opportunity to discuss the matter. Mayor Ramsey advised Staff to post that no overnight parking is allowed on the lot, providing ample warning prior to towing being enforced. Councilperson Hummel, noting that he does not necessarily object to the Mayor's recommendation, asked if liability reasons are a factor; Mayor Ramsey noted that he does not object to the use of the Town Office lot to help provide for unmet commercial parking needs, but does have concerns regarding residential parking there. It was noted that the same car is consistently parked in the lot, and sometimes remains parked there for several days. Councilperson Hummel stated that, in light of these factors, he agrees with the Mayor's recommendation. Vice-Mayor Graham noted that the person parking there has never asked permission. Mayor Ramsey noted that, as a general rule, the Town Office parking lot is not to be used for general public parking. Interim Town Administrator Semmes explained that, often, the first four to five spaces in the lot are taken up by this long-term parking, making it more difficult for those coming into the Office to conduct business to find a place to park. Mayor Ramsey stated that, to his knowledge, there has been no arrangement made for this parking.

Staff was directed to post signs and begin enforcement of the no overnight parking policy, providing ample warning to those utilizing the lot in this manner prior to any cars being towed. Mr. Ramsey noted that it may be necessary to revisit this policy when construction on the Main Street Enhancement Project begins.

2. Lapel Pin Update

Vice-Mayor Graham reported that the company which indicated a willingness to produce a smaller number of pins (fifty) sent a sample; this was provided to Council for its review. Ms. Graham explained that she is awaiting receipt of the official logo, so that it may be imprinted on the pins.

3. Staff Appreciation Policy

Vice-Mayor Graham presented this item, noting that a draft document which provides recommendations for this program has been included in Council packets. Ms. Graham reported that she spoke with Town Attorney Gilmore regarding any potential tax consequences of financial awards; it was determined that there would not be liabilities, if the written plan providing for these awards were to be adopted by the Council. Information clarifying the difference between an award and a bonus was provided by the Vice-Mayor. In response to comments from Council, it was noted that the IRS does not always make these determinations based upon the income provided on an employee's W-2 Form. Town Attorney Gilmore explained that these types of monetary awards can be characterized as non-taxable income, if they comply with guidelines, including: 1) that they are provided under the auspices of an adopted, qualified program; and, 2) that monetary limitations governing the amount awarded which is non-taxable are followed. Vice-Mayor Graham asked that Council read and consider the document provided this evening, and hold a Closed Session during one of the Council's meetings in September, during which particular aspects of this proposal may be discussed, including dollar amounts for awards. It was determined that a Closed Session for that discussion would not be necessary. Vice-Mayor Graham stated that she will provide, in advance, suggested dollar amounts for discussion. Ms. Graham requested suggestions from Council regarding any changes members would like to make in the draft document provided. Town Attorney Gilmore suggested that Council determine, in its review of the document, if they wish these monetary gifts to be considered *bonuses* or *awards*, noting that the IRS deems awards not likely to be considered as compensation, but that bonuses are almost always considered to be compensation; Ms. Gilmore noted that IRS guidelines exist. Town Attorney Gilmore suggested that Council determine if it wishes to consider these awards as income, and if Council Members agree with the categories included in the draft document. Ms. Gilmore further explained that, if the program adopted includes longevity bonuses, these represent taxable income and would require the adoption of an ordinance for employee compensation programs.

Discussion ensued, with it being clarified that the dollar amount provided for awards/bonuses serves to determine if the award/bonus is considered taxable income; providing awards/bonuses which result in the employee receiving taxable income would require that an ordinance be adopted. Town Attorney Gilmore, in response to a question from Council, explained that adoption of the ordinance must be advertised, but that a public hearing for adoption of the ordinance is not required. Vice-Mayor Graham noted that an award for five years of service was not included in the draft document, and stated that she will include that category in the update to the document. Councilperson Hummel suggested that the *bonus* category be eliminated from the document, to avoid confusion and possible tax concerns; Town Attorney Gilmore agreed with this suggestion, noting that she removed the word *bonus* in her review of the draft document. Councilperson Hummel suggested additional changes to the document, including: changing the word *organization* to *Town Staff*, in the first section; and, ensuring that the term *Town Council* is used

throughout the document, to provide for consistency. There was also discussion regarding the form of these awards – if they should always be cash awards, or if some other way of recognizing service should be considered (such as providing a plaque, for example); it was noted that cash awards were a favored vehicle during early discussions of this possible program. It was also noted that items, such as gift cards, tickets to sporting events or theater productions, etc., with a value below \$100.00, are exempt from IRS reporting. Councilperson Hummel suggested that the final section of the document be entitled simply *Suggestion Award*. Additionally, Mr. Hummel asked to clarify if, upon adoption of the program, an employee who had already passed a length of service date (such as five years) would be retroactively provided with an award, or would not be recognized until meeting the next longevity award date; Vice-Mayor Graham stated that these awards would be provided retroactively, based upon the most recent award. Finally, Councilperson Hummel asked about possible implications of the last sentence of the document, under the heading *Suggestion Award*, dealing with the employees' retention of all rights and interests resulting from a suggestion made by the employee; Town Attorney Gilmore stated that she will research any potential implications of this statement. Mayor Ramsey noted his concerns with this section of the draft, as well, noting that determining ways to handle the business of the Town in a more cost-effective and/or streamlined way is part of each employee's job, and proposing that this portion of the draft document be deleted. The proposed *Spot Awards* were discussed, with concerns raised that providing these types of awards could engender resentments among staff members; it was suggested that this type of award could be structured in a different manner, and included in the *Project Award* portion of the document. Council decided to remove the proposal to provide employees with paid days off as any type of award. It was also decided to remove the *Suggestion Award* portion of the proposal.

Vice-Mayor Graham stated that she will make the changes to the document suggested this evening, and will return an updated document to Council Members, to be discussed at a September meeting.

4. Sleeter Lake Park

Vice-Mayor Graham presented this item, stating that, resultant from discussions with members of the Town Staff, it appears to her that running Sleeter Lake Park is too much for the Town; Ms. Graham suggested that perhaps the Town should consider putting the park under the auspices of the County, beginning next year. Vice-Mayor Graham stated that she and Staff members could site particular problems which have arisen, and noted that, in part, some of the problems are a result of the position of Lake Monitor not having been filled, as there have been no interested, qualified candidates. Vice-Mayor Graham noted that, this past Sunday, a vehicle was parked in a "No Parking" area; a member of the Utility Staff happened to be at the plant, informed the patron that he must move his car, and explained that further infractions would result in his car being towed. Ms. Graham noted that this situation may not have occurred if a lake monitor had been in place. Interim Town Administrator Semmes agreed with Vice-Mayor Graham that it has proven difficult

to find someone to fill the lake monitor position, and noted that Project Specialist Lohr has reached out to the County Department of Parks and Recreation in an effort to identify someone who may be interested in the position. Ms. Semmes also reported that the owner of a small, local security company contacted Town Staff and expressed an interest in providing this service; it is unknown, at this time, the cost which would be associated with this service. Interim Town Administrator Semmes explained that hiring a private company to provide this service could be another alternative, and stated that she would be happy to explore this option further. Ms. Semmes noted that the hiring of a private firm could be done for the remainder of this season, with the possibility of the County assuming responsibility for the park to begin next year, if the County expresses an interest in doing so. Mayor Ramsey reported that he has spoken with County representatives regularly regarding the possibility of taking over control of Sleeter Lake Park; Mr. Ramsey stated that they have not seemed leery of the proposal, and have seemed to be interested. Town Attorney Gilmore reported that version seven of the *Memorandum of Understanding for the Management, Maintenance and Operation of Sleeter Lake Park*, between the Town of Round Hill and Loudoun County does exist, and that the County Attorney's office has reviewed and made suggestions to this memorandum. Ms. Gilmore stated that, if Council would like to pursue this, she and Town Administrator Hynes, upon her return from leave, could revive the discussion of this memorandum with the County and determine where this stands. Mayor Ramsey noted that the Department of Parks and Recreation, at the staff level, seemed amenable to being the operators of the park. Mayor Ramsey stated that the transfer of the park to the County could be handled via a long-term lease, or as a Deed of Gift; additionally, Mr. Ramsey noted, it was assured that the agreement with the Round Hill Owners' Association is transferrable. Councilperson Evers asked if it is possible that the transfer of the facility to the County could result in increased traffic, noting that traffic and parking issues are already a concern at the park; Mayor Ramsey noted that there could be pluses and minuses to this arrangement, as the County will increase marketing of the park, which could result in increased traffic, but that transfer of the facility to the County would allow for the Sheriff's Office to enforce traffic and/or parking regulations. Mayor Ramsey stated his hope that assumption of control of the park by the County could occur over a period of time.

The concern was raised that residents of western Loudoun could have the provision of watercraft storage impinged upon by residents of other areas of the County, if control of the park were to be assumed by the County; options which could be pursued to avoid this situation were discussed.

Mayor Ramsey requested that Staff pursue increased County involvement in the operation of Sleeter Lake Park, by which the County would consider this to be operating under its Parks Ordinance, and the Sheriff's Office could write tickets for parking infractions occurring at the site. Project Specialist Lohr referenced recreation facilities for which the County has partnered with towns in the operation of the sites, and suggested that Council provide items they would be interested in highlighting in discussions with the County,

following which meetings could be set to discuss the possibility further. Mr. Lohr also noted that consideration must be given to budgetary requirements for both the County and the Town, as the opening of Sleeter Lake Park occurs close to the end of the fiscal year, and the operation of the facility for its season spans two fiscal years. Mayor Ramsey noted that he does not want to put a deadline on the possibility of the County assuming control of the park, and stated his belief that the discussion depends more upon what the County is willing to take on, rather than what the Town is willing to give up.

There was discussion of the need for additional parking at Sleeter Lake Park, including parking which is Americans with Disabilities Act (ADA) compliant. Requirements for ADA-compliant parking were discussed, as well.

Project Specialist Lohr reported that he and Interim Town Administrator Semmes have a meeting slated with representatives of the County, regarding the floating dock, and could ask some of the questions raised this evening at that meeting. Mr. Lohr noted that it would be more efficient to address any changes which would result in the requirement for a site plan amendment at one time, rather than making numerous site plan amendments. Various items related to the park were discussed by Council and Staff.

5. LED Lights

Project Specialist Lohr presented this item, noting that Dominion Energy (formerly Virginia Power) accelerated its schedule for installation of these fixtures and installed them on High Street and Locust Street late last week. Mr. Lohr stated that he believes the lights meet the objectives the Council put forth for them, and noted that he is happy with the lights which have been installed. Project Specialist Lohr stated that Dominion Energy will complete this initial phase of installation, and then will complete the installation of the remaining thirty-three fixtures when given permission by the Town; upon completion of this second phase, the new fixtures will have been installed on Main Street, Loudoun Street, Longstreet Avenue, New Cut Road, and in Hillwood Estates. It was noted that entities which have agreements with Dominion for lighting in their private parking areas are not, at present, participating in this LED lighting program; Project Specialist Lohr, at the request of the Mayor, will contact Dominion Energy to determine if these entities could participate, if interested in doing so. It was clarified that these entities would be the responsible parties for the cost of electricity to their fixtures, going forward, if they decide to participate; the goal would be to help support the Town's "dark sky" ordinance. Project Specialist Lohr reported that, as a result of this program, an internal audit of streetlights was conducted and proved to be helpful. Project Specialist Lohr asked Council for permission to order the remaining light fixtures, in an effort to lessen the months-long lead time encountered thus far in this program, noting that this item has already been included in the budget. Mayor Ramsey noted that Council opted to phase in this program in order to afford residents an opportunity to provide feedback, prior to completing the entire program, and asked if enough time has been provided for this to take place; Project Specialist Lohr noted that the first phase of installation is still to be completed, and that the

second phase could be delayed by a month or so, in order to provide this opportunity. It was determined to delay ordering the remaining lights until September 1st, in order to provide time for feedback by residents. There was brief discussion of the LED fixture at the corner of North Locust and High Streets, which contains a 100 watt bulb and will be replaced with an 80 watt bulb, and if the 100 watt bulb could be installed at Sleeter Lake Park; Project Specialist Lohr will check with Dominion regarding this request. It was decided to set September 5th as the deadline date for receiving community feedback, as a Town Council meeting is scheduled for that date and a review of community input may be held, if needed; if no complaints are received by September 5th, the project may move forward beginning on the following day.

IN RE: ACTION ITEM

2. Approval of Change Order #4 and Final Payment Request for Yatton Road Water Loop

Project Specialist Lohr presented this item, noting that it is rare that a Change Order is presented which provides a credit on a capital project; Mr. Lohr also acknowledged Fuog Interbuild, which did not charge the Town for three days of failed attempts by a firm associated with the project to bore under the creek at the site. Project Specialist Lohr stated that a large portion of this refund is due to that decision; additionally, Mr. Lohr noted, other bores required for the project went smoothly, and some valves which had been purchased were not needed, both of which are reflected in the refunded amount. Project Specialist Lohr provided a review of the budget for the project, and changes which occurred during the work, noting that the completed project came in at nearly \$157,000.00 under the budgeted amount. Mayor Ramsey stated that this project was the largest undertaken by the Town since the expansion of the wastewater treatment plant, and noted that this project went incredibly smoothly. Vice-Mayor Graham recognized the contributions of Staff in the successful completion of the project, with Councilperson Hummel recognizing Mr. Lohr for his leadership. Following this discussion, Vice-Mayor Graham moved that **the Town Council approve Change Order #4 to the Yatton Road Water Improvement Project in the amount of a \$23,230.00 decrease to the final contract and authorize Staff to complete all needed paperwork to close out this project;** Councilperson Evers seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Allen and Hoffmann absent. The vote was recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye

IN RE: REPORTS

1. Town Administrator Report

Interim Town Administrator Semmes presented this report, noting that she would be happy to take questions regarding her written report, and highlighting the following items:

- All background checks for George Mullis, Jr., have been completed. Mr. Mullis, who is currently working for the City of Winchester, will begin his duties as Round Hill's Public Works Maintenance Technician on August 6th. Mr. Mullis will perform duties in both Public Works and as a Water Technician.
- The possibility of using a contractor to provide a Lake Monitor at Sleeter Lake Park will be explored further, with information returned to Council at a future date.
- The third certified letter sent to the owner of the property at 11 New Cut Road, in reference to a waterfall constructed at the site, was successfully delivered. This letter served to inform the property owner that he has until July 31, 2019 to remove the feature. If the property owner does not remove the waterfall by the deadline, the Town may have it removed and send the bill to the property owner for that cost. It was noted that VDOT has sent a letter to the property owner, as well, as the feature is, at least partially, in the VDOT right-of-way; however, VDOT has not enforced the removal of the feature. There was discussion of the need of conducting a survey, to determine exactly how much of the feature is in the VDOT right-of-way, and of previous work done in the area which may serve as a guide to the portion of the feature located on public property. It was decided to conduct a survey, to mark the boundaries of the right-of-way and the setbacks, following which a contractor may be hired to remove the feature. Interim Town Administrator Semmes also noted that she will review the Zoning Ordinance to determine if a violation occurred at the site, as it seems a permit for building any portion of the feature located on private property was not secured. The homeowner is to be informed prior to any action taking place at the property. Ms. Semmes noted that she will keep Council informed regarding this issue. Mayor Ramsey stated that it should be ensured that the Town does not exceed its legal authority.
- At the request of the Council, Staff will send a new round of letters to the owners of the property at 51 Main Street, regarding the condition of the property; additional complaints about the property have been received by Town Staff from residents.

2. Town Planner Report

Town Planner Runyan presented this report. In reference to the Parking Study, Ms. Runyan reported that all parking spaces in Round Hill have been counted, all business owners have been contacted, and the parking spaces have been tabulated; the first setback map has been produced, and was provided to Council Members for their review. Town Planner Runyan reported that, to-date, only two businesses in the B-1 Business District have the minimum required number of parking spaces. Additional information regarding this report will be provided to Council at a September meeting. In response to a question from Mayor

Ramsey, regarding feedback received from business owners, Ms. Runyan reported that most business owners stated their belief that the Town Park was originally to be used to provide parking, and that confusion exists as to why the site was not used for that purpose. Additionally, Ms. Runyan noted that tensions presently exist between the owner of the diner and the landlord who provides parking in that area, that some business owners are giving donations to a nearby churches so that customers may park in its lot, that traffic issues exist at businesses where vehicles are backing onto Loudoun Street, and that the intersection of Loudoun and Main Streets is sometimes congested and does not contain a crosswalk. Possible future solutions to some of these issues were discussed.

Town Planner Runyan further reported that a "Tree Walk" map is being compiled, with the assistance of private entities, and will be part of the Town's application for designation as a *Tree City*.

IN RE: COUNCIL COMMENTS

Councilperson Hummel asked about the status of the Town Treasurer; it was reported that she has returned to work following her accident and subsequent surgery. Councilperson Hummel asked when Town Administrator Hynes is scheduled to return to work, following her maternity leave; it was noted that she will be in-office during the last week of August, to prepare for the first September Town Council meeting, and will resume her regular duties around September 3rd. Councilperson Hummel provided a status report on the Comprehensive Plan Amendment currently before the Planning Commission, noting that it has been difficult to seat a quorum for Planning Commission meetings, and that, therefore, no progress has been made since the spring. It was reported that the vacancy on the Planning Commission has been advertised, but that no one has, as yet, indicated an interest in serving. Finally, Councilperson Hummel noted that he has been told that action is being taken to change the street names in the Hillwood Estates subdivision, with it being further noted that a petition is being circulated. The change of street names in this area would fall under the purview of the County. In response to a question from Councilperson Hummel, it was confirmed that September 5th is the date of the next Town Council meeting.

Vice-Mayor Graham reminded those in attendance of the Virginia Municipal League (VML) conference, slated for late September; Ms. Graham requested that anyone interested in attending inform her, so that registration can be completed. The Vice-Mayor stated that she will send an e-mail containing information about this conference to Council and Staff. Vice-Mayor Graham also noted, for the information of those attending this evening's meeting, that Supervisor Tony Buffington serves as a member of the Capitol Police Department, and was seen on television. Project Specialist Lohr confirmed that the VML Conference is scheduled for October 6-8, 2019, to be held at the Hotel Roanoke and Conference Center, and that the registration fee is \$385.00. It was noted that hotel reservations have already been secured.

Councilperson Hummel requested that Town Attorney Gilmore verify that required FOIA training, provided electronically, has been successfully registered for those completing the course.

Mayor Ramsey noted that he sent an e-mail regarding candidate forums for positions on the Loudoun County Board of Supervisors, for the Blue Ridge District, the Catoclin District, and the At-Large Chair, sponsored by the Coalition of Loudoun Towns (COLT), *Loudoun Now*, and the *Loudoun Times-Mirror*; Mr. Ramsey stated that arrangements for these events are being completed, and reported that the forum for the candidates for the Blue Ridge District has been scheduled for Thursday, October 3, 2019. As this event will take place on the date of the regularly scheduled Town Council Work Session, it was decided by Council to reschedule its October meetings, so that those interested may attend the forum. It was decided to reschedule both Town Council meetings for that month for the second and fourth Thursdays, October 10th and 24th, contingent upon the seating of a quorum of members on October 24th. If there will not be a quorum on October 24th, the Regular Meeting will be held on its currently scheduled date of October 17th.

Mayor Ramsey asked to confirm that, at present, it is planned to cancel both Town Council meetings scheduled in August; a special meeting may be called, if needed.

There was discussion of a complaint which has been lodged by a resident of Brentwood Springs, regarding who bears the responsibility for mowing the VDOT right-of-way at Niels Poulsen Park; it was decided that the Town should assume responsibility for mowing that area.

Town Attorney Gilmore reported that the petition to hold a special election has been filed, however, the order has not yet been entered. Ms. Gilmore noted that she spoke with the County Registrar earlier this week regarding this election, which will be held in May 2020.

Mayor Ramsey reported that the vacancy on the Town Council has been advertised; Council will discuss, at its September 5th meeting, letters of interest/resumes which have been received, and will establish the process it wishes to undertake to fill the vacancy.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 10:00 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary