

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
June 21, 2018**

The Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, June 21, 2018, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Janet L. Heston
Michael B. Hummel
Frederick J. Lyne
Christopher J. Prack

Council Members Absent

Michael K. Minshall

Staff Members Present

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

Others Present

Deputy LoPreto, Loudoun County Sheriff's Office
Clinton Chapman
Jane Ford
John Ford
Donald Allen
William Heston
Betty Wolford
Patrick Szabo

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:36 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey stated that, with all Council Members except Councilperson Minshall, and himself present, a quorum was established.

IN RE: COMMUNITY POLICING

Deputy LoPreto reported that Deputy Moats has been promoted to the rank of Detective, and will no longer serve as a deputy for the western portion of Loudoun County; Deputy LoPreto stated that he is unsure when a new assistant will be appointed. Deputy LoPreto noted that the next Sheriff's Office Quarterly Meeting is scheduled for August 8, 2018, beginning at 7:00 p.m. Finally, Deputy LoPreto noted, it has been quiet and there is nothing to report for Round Hill.

Council thanked the Deputy for his report.

IN RE: CEREMONY TO HONOR RETIRING TOWN COUNCIL MEMBERS

Mayor Ramsey acknowledged Councilperson Heston and Councilperson Prack, who are both retiring from service on the Town Council; it was noted that Ms. Heston has served for twelve years, and Mr. Prack has served for nine years. Mayor Ramsey stated that both Council Members are civic-minded residents of Round Hill, and he feels sure we will hear from them again. Councilperson Prack then stated, *I just wanted to thank the Mayor and members of the Town Council, present and past, and the future members who ran and were elected. It is a thankless job, it is interesting, though, I learned a lot, stuff I never thought I would know. And, I can say that, in the work that I was part of with the different Town Councils I was always very proud of what we did for the Town of Round Hill. I wish you all the best of luck, I thank you.* Councilperson Heston then stated, *I just want to say I appreciate, and would like to thank, not only other Town Council members that I've served with, but the community, as they did elect me and had faith in me to represent what their best interest was, to try to do what was in their best interest. I just really feel that the Town Council, local government, is the most important thing, because this is where it really does affect you, although a lot of people don't realize that, and it's where you can have the most say in any municipal government organization. So, it's just been a real blessing to have this opportunity to serve my community, and I've enjoyed it, and it's sweet sorrow to be leaving; but, things have allowed that I might not be able to serve another four years, so I didn't want to start another four years and not be able to follow through. So, thank you everybody.* Mayor Ramsey told the story of the traditional gift provided to Council Members completing their service, and presented Ms. Heston and Mr. Prack with the "Traditional Retirement Turkeys." The Mayor also made remarks in which he thanked both Ms. Heston and Mr. Prack for their service. Mayor Ramsey called for a recess at 7:47 p.m., so that a reception could be held to honor these Council Members.

The regular meeting was reconvened at 8:00 p.m.

IN RE: PUBLIC COMMENT

There was no Public Comment.

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

Councilperson Heston noted, in her motion **to approve the Agenda**, that the minutes of the December 7, 2017 Town Council Meeting, and the March 22, 2018 Town Council Meeting, were previously approved, and thus should be removed from the Agenda. Mayor Ramsey requested

that an **Executive Session, to discuss real estate matters, be added to the Agenda.** Vice-Mayor Graham seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0, with Councilperson Minshall absent. The vote is recorded as follows:

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

IN RE: APPROVAL OF MINUTES

1. January 18, 2018 Town Council Meeting

It was noted that a portion of these minutes includes minutes from a Special Meeting of the Planning Commission, held following the Public Hearing of this date; it was determined that this section should be removed and presented to the Planning Commission for its review and approval. Councilperson Heston also noted corrections to the listing of votes on pages fourteen and fifteen. Finally, Ms. Heston noted that, on page seventeen *Mrs.* or *Ms.* should be used in a consistent manner, and not interchanged. Vice-Mayor Graham made a motion **to adopt the minutes, with the corrections noted;** Councilperson Heston seconded the motion. There was no discussion. A vote was held; the motion was approved 4-0-1, with Councilperson Prack abstaining, and Councilperson Minshall absent. The vote is recorded as follows:

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

2. April 5, 2018 Town Council Meeting

Councilperson Heston noted that, on page five, under the section **Cell Antenna Revenue**, it should be noted that the Town is in negotiations with *one* additional cell provider, not *two*. Vice-Mayor Graham noted that, on page five, under the section **Cigarette Tax**, it is incorrectly noted that the Town has the authority to set only Personal Property and Real Estate taxes; it was decided to strike that item from the minutes. Vice-Mayor Graham made a motion **that the minutes be approved, with the stated corrections;** Councilperson Lyne seconded the motion. There was no discussion. A vote was held; the motion was approved 3-0-2, with Councilpersons Hummel and Prack abstaining, and Councilperson Minshall absent. The vote is recorded as follows:

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

IN RE: BUSINESS ITEMS

Town Planner/Zoning Administrator Hynes requested that *Business Item #2, Summer Town Council Meeting Schedule*, be moved to the first item for discussion. Council agreed to this change.

1. Summer Town Council Meeting Schedule (July 1 to September 1, 2018)

Town Planner/Zoning Administrator Hynes led this discussion, asking if Council Members would consider moving the July meetings to the second and fourth Thursdays, due to the first Work Session meeting date, as currently scheduled, falling the day after the July 4th holiday. Following discussion, the Council decided to keep to the current schedule.

The schedule of meetings for August was then discussed. It was decided to keep the Work Session on August 2nd, as scheduled, and to cancel the Regular Meeting, scheduled for August 16th. It was also noted that this can be revisited during the July meetings.

2. ZOAM-2018-01 – Zoning Ordinance Text Amendments

Town Planner/Zoning Administrator Hynes presented this item, providing a brief history of the work done on this project; it was noted that the Planning Commission worked on these text amendments for a year, beginning work in March of 2017, and holding its public hearing in April of 2018. Following the public hearing, the text amendments were forwarded to the Town Council for its review. Ms. Hynes stated that she has not received many comments regarding these amendments from Council Members; further, she recommended scheduling a public hearing to be held either in July or September. Ms. Hynes noted that she would like to begin work on a new ZOAM with the Planning Commission, and thus would like to complete work on this project. Discussion ensued, with Councilperson Lyne expressing concern that the information related to these text amendments is not widely known in the community. Mayor Ramsey indicated his agreement with Councilperson Lyne, and stated that he did not want to schedule a public hearing if the possibility exists that the draft of these amendments will change notably. It was decided that Staff will prepare a page on the Town's website which provides information regarding the text amendments; additionally, Ms. Hynes and Councilperson Lyne will collaborate on the creation of a Facebook page, with a link to the Town's website, and will include a method for residents to provide comments. The links to these pages are to be sent to Council Members upon their implementation.

Town Planner/Zoning Administrator Hynes also noted that the owners of two of the Town's larger commercial properties have asked her about the feasibility of using those structures as a restaurant; therefore, Ms. Hynes asked if a restaurant use should be added to this ZOAM, or if a separate ZOAM for this use should be given to the Planning Commission for consideration, prior to beginning work on Non-Conforming Commercial Properties. It was decided to request that the Planning Commission work on the restaurant use prior to Non-Conforming Commercial. Town Planner/Zoning Administrator Hynes will prepare an *Intent to Amend* for the July 5, 2018 Town Council Work Session.

The items to be considered further by the Council in ZOAM-2018-01 were recapped by the Town Planner/Zoning Administrator. Requirements for an *Accessory Apartment* were also reviewed by Ms. Hynes. Ms. Hynes stated that she is open to meeting with any Council Member in a one-on-one setting for further discussion of the text amendments.

There was discussion of the term *floor area*. The Town Planner/Zoning Administrator will provide a definition of this term to Council Members. It was noted that the footprint of a building may not be discernable from the floor area, and Council requested that the section dealing with this topic be reworded for clarity. There was also lengthy discussion of a two-level apartment located in an existing home, with questions raised regarding if this would be permissible, and, if so, how rules/regulations should be written for this use. Mayor Ramsey stated that one unit in such a structure must be occupied by the property owner. Town Planner/Zoning Administrator Hynes stated that all permits must be obtained for this use prior to residents occupying the structure.

3. Review FY2019-2021 Strategic Plan

Town Planner/Zoning Administrator Hynes presented this item, noting that the adoption of the budget ties into the Strategic Plan, as proposals put forth in the plan are funded by means of the budget set for each year. Ms. Hynes also noted that, as the County will assume collection of Personal Property and Real Estate taxes, the budget planning process must begin earlier in the coming years. There was discussion of the *Town Expansion/Boundary Line Adjustment* portion of the FY2018 Strategic Plan, with Councilperson Lyne noting that that item has not been accomplished as planned. Town Planner/Zoning Administrator Hynes stated that tasks associated with this effort were completed, and Mayor Ramsey noted that much time during this fiscal year has been spent on the completion and opening of Sleeter Lake Park. It was decided that Council will take up the Boundary Line Adjustments following the opening of Sleeter Lake Park. Mayor Ramsey recommended that no further items be added to the Strategic Plan, so that work may continue work on the projects currently provided for in the plan.

IN RE: ACTION ITEMS

1. Town Staff Job Descriptions

Town Administrator Nicholson presented this item, noting that a memorandum containing updated Job Descriptions is included in Council Members' packets. Mayor Ramsey explained that the request is being made that Council approve adding the position of *Director of Public Works*, so the position may be advertised. In response to a concern raised by a Council Member, Mayor Ramsey stated that this issue is time-sensitive, and thus was not presented at a Council Work Session, as it would normally be. Mayor Ramsey directed Mr. Nicholson to advertise the position as *salary based upon experience and qualifications*; Mr. Nicholson stated that he would do so, but asked that the specific salary he requested be approved, for use in the budget. Vice-Mayor Graham then made a motion **to create a Director of Public Works Job Description, and hire a full-time Director of Public Works, with a salary range of \$85,000.00 to \$95,000.00 and with three weeks' vacation**; Councilperson Hummel seconded the motion. Mayor Ramsey noted that this motion will enable the adoption of the Job Description, and will provide the Town Administrator the authority to hire a candidate to fill the position. Mayor Ramsey called for discussion of the motion; Vice-Mayor Graham and Councilperson Heston stated that it would have been helpful to have been provided enough time to thoroughly read this information. Councilperson Hummel highlighted an error in the last sentence in the section *Necessary Education and Experience*, regarding the holding of a driver's license; it was decided to strike that sentence from the Job Description. There was no further discussion. A vote was then held; the motion was approved 5-0, with Councilperson Minshall absent. The vote is recorded as follows:

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

Councilperson Lyne then moved **to approve the Utility Supervisor Job Description and retire the Assistant Utility Supervisor Job Description**; Councilperson Heston seconded the motion. Mayor Ramsey called for discussion of the motion. Councilperson Heston requested clarification regarding if this Job Description was written in a general sense; Town Planner/Zoning Administrator Hynes explained that it was an existing Job Description, with Mayor Ramsey stating that it was updated to clarify the relationship between this position and the Director of Public Works. Ms. Hynes also noted that administrative tasks were removed from the Job Description. Town Administrator Nicholson stated that the goal in updating these descriptions is to place a higher emphasis on licensure. It was decided to require a waste water license for a candidate for this position, with a water license preferred. There was also a question regarding the necessity

of advertising these Job Description changes, with it being noted that it is believed advertisement is not necessary; Town Administrator Nicholson will research this issue and make a determination. Following this discussion, a vote was held; the motion was approved 5-0, with Councilperson Minshall absent. The vote is recorded as follows:

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

2. Ordinance 2018-02 – Adoption of Rates and FY2019 Budget

Town Administrator Nicholson explained that a memorandum providing additional information is included with the Ordinance; Mayor Ramsey further explained that a typographical error was made in the rate advertisement, by which the Out-of-Town Water Rate was advertised at \$14.01, rather than the rate of \$12.45 approved by the Council. Mayor Ramsey stated that this error would be corrected via the motion made to adopt the FY2019 Budget. Mayor Ramsey then called for a motion, reminding the Council that the budget must pass by a super-majority vote. Councilperson Lyne moved **that the Round Hill Town Council adopt Ordinance 2018-02, to approve the Budget, to adopt Tax Rates, Utility Rates, Fees, Motor Vehicle License Fees, and Land Development Fees, and to make appropriations for the Fiscal Year ending June 30, 2019, with the correction that the Water Use Rate for Out-of-Town Customers is \$12.45 per 1,000 gallons, in Fiscal Year 2019;** Vice-Mayor Graham seconded the motion. Mayor Ramsey called for discussion of the motion. Councilperson Heston stated that she has concerns regarding the budget, as salaries were not adjusted for Utility Staff, although there were several changes made in the staffing of the department. Mayor Ramsey responded that an adjustment to the budget may be required upon the Director of Public Works position being filled. Councilperson Heston further stated that there have been new employees hired, both in the Utility Department and at the Town Office, for which the salaries agreed upon have not been made known to some on the Council; Ms. Heston stated her concern that the salaries notated in the budget may be too high. Councilperson Prack noted that a Budget Amendment could be made when needed. Discussion of this issue ensued, with Mayor Ramsey clarifying that Councilperson Heston's primary objection is that salary information, which was requested previously, has not been provided to Council Members. Mayor Ramsey asked if the vote on the FY2019 Budget is the appropriate place to raise these objections. Councilperson Hummel noted that the salary issues under discussion would result in a savings, and not a budget overage. Councilperson Heston noted her concern that an overage in the budget would be spent in some other area; Councilperson Prack stated that he does not believe there is a history of that happening, and noted that everyone has served as good custodians of the Town's funds. Mayor Ramsey stated his

feeling that this vote may not be the appropriate venue to express these particular concerns. Town Administrator Nicholson noted his concerns regarding discussing salaries in an open meeting. Councilperson Prack stated that there is a motion on the floor, and he would like to call-to-question. A voice vote was then held; the motion was approved 4-1, with Councilperson Heston voting no, and Councilperson Minshall absent. The vote is recorded as follows:

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

Mayor Ramsey stated that the Budget and the appropriations are approved.

IN RE: DEPARTMENTAL REPORTS

1. Town Planner/Zoning Administrator Report

Town Planner/Zoning Administrator Hynes noted that her report is included in writing in Council packets, and asked if there were any questions. Ms. Hynes noted that she has begun an orientation process for new Council Members, and has provided a guidebook for Council and Staff using information included in the VML Handbook. In response to a question from Vice-Mayor Graham, Ms. Hynes reported that she took the first ICMA Mid-Career Manager Institute Class. In response to a question from Councilperson Lyne, Ms. Hynes provided information from a meeting she had with representatives of the Mt. Zion Baptist Church regarding their hopes to redevelop or rebuild their church. Finally, Ms. Hynes reported that no applications have yet been received to fill the vacancy on the Planning Commission; the deadline for submission is July 13, 2018.

2. Town Administrator Report

Town Administrator Nicholson provided a review of projects which are on-going, and noted that small items from FY2018 are being completed. A meeting is scheduled for tomorrow with representatives of AT&T regarding installation of equipment on the water tower; negotiations are on-going with Sprint. Mr. Nicholson reported that he has been involved in meetings with the County regarding collection of taxes, in the Treasurer's absence. Mr. Nicholson stated that an advertisement for the vacant position of Town Treasurer has been placed in the *Purcellville Gazette* and on the VML website; two applications have been received to-date. Councilperson Hummel provided an update on work at the Brentwood Springs subdivision, noting that the trail will be shortened by twenty feet, and will be deemed in substantial compliance. Councilperson Heston noted that the agendas and minutes are not yet up-to-date on the Town's website; Mr. Nicholson and Ms. Hynes stated that they are working on bringing these items up-to-date, with the

goal being to be completely on target by July. Mayor Ramsey asked if Well 22A is completely connected; Mr. Nicholson stated that he would check with the Town Engineer regarding this and report to the Mayor via e-mail.

3. Mayor's Report

Mayor Ramsey reported that he has attended several meetings, and provided the following information:

- Met with the County regarding the location of the new Round Hill Fire Department building at the site of the Western Loudoun Sheriff's Office Substation. The County is proceeding as though this parcel will not be included in a boundary line adjustment. A concept plan for the project has been completed. Mayor Ramsey stated that he informed County representatives that the Town still plans to bring that parcel into the Town limits; County Administrator Hemstreet requested a letter of intent from the Town regarding this. Mayor Ramsey stated that he will write this letter. Mayor Ramsey provided an overview of the County's process for this project.
- Mayor Ramsey, along with Town Administrator Nicholson and Town Attorney Gilmore, met with representatives of the Round Hill Homeowners' Association regarding rules for Sleeter Lake Park. A letter was received today containing additional requests from the RHOA; this will be discussed in this evening's Executive Session. Mayor Ramsey stated that this issue has been consuming much of his and the Staff's time.
- A COLT meeting was held last week, with all the mayors in attendance. The only topic discussed was the "Envision Loudoun" project, specifically regarding how it will affect the towns and how the mayors may have an impact on the process. There is concern regarding the transition area and proposed development there, which could push additional development further to the west. Mayor Ramsey noted that the County has, in its draft document, removed nearly all information regarding towns and joint land management areas; the towns prefer the County leave this section intact. The Planner from the Town of Middleburg will draft a response regarding "Envision Loudoun," with the assistance of the Mayor of Middleburg; all town councils will be asked to endorse this response. Mayor Ramsey highlighted concerns he has with the County's process for drafting and implementing this document.
- The Movie in the Park event was held last Friday, with approximately seventy-five in attendance. Mayor Ramsey thanked the Council for its support of this project.

IN RE: COUNCIL COMMENTS

Council Members expressed their thanks to the retiring Council Members. Vice-Mayor Graham reported that there will be a TANV meeting, which will be hosted jointly by the Towns of Purcellville, Middleburg, and Round Hill; the Town of Purcellville will provide the meeting space. Vice-Mayor Graham also reported that she will meet with the principals of the Yatton Road lots on June 28th. Councilperson Lyne noted that the Woodgrove High School girls' softball team won the State Championship; this is their third championship win in a row. Mr. Lyne stated that he would like to have a banner erected in their honor, as is done in Purcellville; Town Administrator Nicholson will contact Purcellville staff regarding this. Mayor Ramsey reported that the Woodgrove High School Odyssey of the Mind team presented a framed photograph of their team at the World Championship to the Town, in thanks for the Town's support of this effort.

IN RE: EXECUTIVE SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss real property acquisition rights related to Sleeter Lake Park as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(3), with Town Administrator Nicholson, Town Attorney Gilmore, and newly-elected Council Member Allen invited to attend;** Councilperson Heston seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 5-0, with Councilperson Minshall absent. The vote is recorded as follows:

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

Mayor Ramsey called for a recess at 10:31 p.m.

IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING

Vice-Mayor Graham moved **that the Round Hill Town Council adjourn its Closed Session and reconvene its open meeting;** Councilperson Heston seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Minshall absent. The vote is recorded as follows:

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

Mayor Ramsey declared that the Council is now in Open Session.

IN RE: CERTIFICATION OF CLOSED SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council certify that, while in Closed Session, the Round Hill Town Council discussed only those matters that were contained in the motion by which the Town Council convened its Closed Session, and that were lawfully exempt from open meeting requirements.** Councilperson Heston seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Minshall absent. The vote is recorded as follows:

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

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 11:13 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary