

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
July 5, 2018**

A Regular Meeting was held by the Round Hill Town Council at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, July 5, 2018, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
Donald W. Allen  
Michael B. Hummel  
Frederick J. Lyne  
Michael K. Minshall

**Council Members Absent**

Amy Evers

**Staff Members Present**

Buster Nicholson, Town Administrator  
Melissa Hynes, Town Planner/Zoning Administrator

**Others Present**

Clinton Chapman

**IN RE: CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Ramsey called the meeting to order at 7:29 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance. As only Councilperson Evers was absent, a quorum was established.

**IN RE: PUBLIC COMMENT**

There was no Public Comment.

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

Vice-Mayor Graham moved **that the Agenda be adopted**; Councilperson Hummel seconded the motion. Councilperson Lyne proposed the following changes: delete *Business Item #3 – Town Staff Job Descriptions*; and, add *Town Charter Update* and *Town Removal of Trash and Weeds* as two additional *Business Items*. Both Vice-Mayor Graham and Councilperson Hummel accepted these changes. A vote was then held; the motion was approved 5-0, with Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

## IN RE: APPROVAL OF MINUTES

### **1. April 19, 2018 Town Council Meeting Minutes**

Vice-Mayor Graham noted a typographical error on the last page. Councilperson Hummel requested that the HOA, noted on various pages and regarding discussion of Sleeter Lake Park, be further identified, to provide clarity; it was determined that the references should be to the *Round Hill Homeowners' Association*, and abbreviated as *RHOA*. Councilperson Hummel also referenced the *Council Comments* section, on page nine, noting that the last sentence should be amended to state, *Councilperson Hummel requested that Town entry signs be cleaned, except for the sign on the east entrance to Town, as it is not needed.* Vice-Mayor Graham then moved **that the minutes be approved, as corrected**; Councilperson Lyne seconded the motion. A vote was held; the motion was approved 4-0-1, with Councilperson Allen abstaining and Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Abstain
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

### **2. May 3, 2018 Town Council Meeting Minutes**

Councilperson Hummel noted that, on page five, in Section Five – Utilities Update, in the fourth bulleted item, the reference should be to *one force main*, not *one forced main*. Mr. Hummel also noted that, throughout page six, the reference to the *Round Hill Homeowners' Association* should be corrected, as noted in the corrections for the April 19, 2018 minutes. Vice-Mayor Graham asked to clarify the last paragraph on page five, which referenced bids for the Yatton Loop work and the Main Street Enhancement Project; Town Administrator Nicholson stated that the discussion at that meeting regarded requesting bids for both projects at the same time, in order to undertake work on both projects at the same time. However, Mr. Nicholson noted, that effort was not possible. It was decided to correct the reference to read, *Town Administrator Nicholson also reported that there was discussion of whether to bid together or separately on the Yatton Loop work and the Main Street Enhancement Project.* Vice-Mayor Graham also referenced page seven, the first paragraph, regarding a meeting of representatives from Purcellville and Round Hill at which the Town of Purcellville offered funds and/or

services to Round Hill, and asked if the word *dire* should be added to the sentence; it was decided not to add the descriptor, but to add the word *their* services. Councilperson Hummel then moved **to approve the May 3 Regular Meeting Minutes, subject to the changes discussed**; Vice-Mayor Graham seconded the motion. There was no discussion. A vote was held; the motion was approved 3-0-2, with Councilpersons Allen and Lyne abstaining, and Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Abstain
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Abstain

### **3. May 17, 2018 Town Council Meeting Minutes**

Vice-Mayor Graham noted that, on page thirteen, under *Council Comments*, in the second sentence, the phrase *she called the County to request a waiver for sludge removal to the landfill* should have the phrase *this was favorably resolved* added. Councilperson Hummel requested that, on page two, in the sections regarding the Resolutions for Jeremy Salguero and Amanda Imthurn, a summary sentence describing the purpose for the Resolutions be included. Discussion ensued regarding the inclusion of resolutions such as these in packet materials, and if they would be attached to the minutes and available to the public. In conjunction with this discussion, Councilperson Lyne requested that an item be added to the Agenda for the next Council meeting regarding videotaping meetings. Mr. Lyne suggested that this topic could be discussed along with discussion of the update of the Town's website. Councilperson Hummel noted that, on page five, in the fourth line from the bottom of the page, it seems that clarification is needed; it was decided to word the sentence as follows, *...sometime in the period from 1994 to 1999, the Town adopted a Differential Ordinance, the purpose of which was to discourage purchasers from buying capacity for a property and then not developing it for many years*. Mr. Hummel requested that the representative from the office of Jeffrey Mitchell, CPA, be referred to by name; two references are made to this, on pages six and seven. Finally, on pages fourteen and fifteen, the minutes included blanks, as the recording of the meeting did not continue and provide that information; these blanks were filled in by the Mayor and Council Members. There were no further corrections. Vice-Mayor Graham then moved **to approve the minutes, as amended**; Councilperson Lyne seconded the motion. A vote was held; the motion was approved 3-0-2, with Councilpersons Minshall and Allen abstaining, and Councilperson Evers absent. The vote is recorded as follows:

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Michael K. Minshall	Abstain
Donald W. Allen	Abstain
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

## **IN RE: BUSINESS ITEMS**

### **1. Utility Department Update**

Vice-Mayor Graham presented this item, with the following discussed:

- There were four individuals in attendance at a pre-bid meeting held last week regarding construction at the Yatton Loop; Town Engineer Lane also received information from another individual. Bids will be opened on July 12, 2018, but will not be ready to go to Council at its regular July meeting. The suggestion was made that Council consider the bids at its August Work Session; Council Members agreed to this suggestion. It was requested that Mr. Lane provide advance information prior to that meeting, with it being noted that, if he identifies a clear choice in awarding the bid, he may not need to attend the August Work Session.
- Mr. David Hansen, a representative for Yatton LLC, attended a meeting at which grinder pumps and water connections for the four lots were discussed.
- Whether four separate lines, or one main, should be used for the Yatton Loop project; with the consensus being that one main should be used.
- Discussion regarding the line being privately held, at present; additionally, discussion of requirements for the line if the Town assumes maintenance.
- That the developer of the Yatton Road lots understands four connections will be required; additionally, the developer understands that it is his responsibility to contact VDOT regarding this project.
- Wording of the contract which will ensure that the Town will not be liable for costs incurred by the developer.

### **2. Open Staff Positions Update**

Town Administrator Nicholson presented this item, noting that five resumes for the position of Town Treasurer, and two resumes for the position of Utility Director, have been received. Mayor Ramsey suggested that some members of the Town Council be included on a committee charged with making these hiring decisions; Mr. Nicholson will coordinate this effort with Mayor Ramsey and Councilperson Lyne.

### **3. ZOAM-2018-01 – Zoning Ordinance Text Amendments**

Town Planner/Zoning Administrator Hynes presented this item, with the following discussed:

- Drawings representing possible configurations of Exterior Accessory Apartments provided for Council review.
- Additional language suggested to limit the size of these structures to a smaller square footage than that currently allowed by the ordinance.
- Presentation of the requirements suggested for this use by the Town Planner/Zoning Administrator.
- The size requirements for an apartment over a garage compared to the size requirements for a cottage.
- The suggestion that the desired conditions for this use be attached to the permit, and that these be included in the ordinance, with the language strengthened and clarified.
- If the number of occupants should be limited by the amount of square footage of the apartment. It was noted that Round Hill's ordinance includes a definition of, and language regarding, a *family*, used to help determine who may live in an accessory apartment; this language is taken directly from Loudoun County's ordinance.
- Including documentation which ensures that the property owner lives on the subject property, and providing for a "paper trail."
- Concerns raised by the Chair of the Planning Commission that the entire text amendment package will be returned to the Commission. It was noted that it will not, that Council will make its desired changes and then hold its own public hearing.
- That these text amendments will apply to any area brought into the Town's limits through the boundary line adjustment process; it was noted that that will happen only if those properties are rezoned to the district included in the amendments.
- That Councilperson Lyne and Town Planner/Zoning Administrator Hynes will work on providing further information to residents regarding these text amendments, and will provide a draft of information to be placed on both the Town website and the Town Facebook page at the next Council meeting.

### **4. Town Charter Update**

Councilperson Lyne presented this item, stating that the goal is to begin work again on an update to the Town Charter. Mr. Lyne requested that an additional Council Member work on this project with him; Councilperson Hummel volunteered to do so. Mayor Ramsey provided a recap of the history of this project, noting that Staff is not to work on this until the Council reaches a consensus on the changes desired. Councilperson Lyne stated that information regarding the update will be provided to the Council at a September meeting. Mayor Ramsey noted that all Virginia Town Charters are available on-line, as is a section of State Code which delineates the

powers provided to the towns, and suggested that this be reviewed to provide additional information for Round Hill's Town Charter update.

### **5. Removal of Trash and Weeds**

Town Administrator Nicholson presented this item, noting that it pertains to an in-town property. Mr. Nicholson reported that letters requesting that the owner clean up the property have been sent, but have not been effective, as they were in the past. Discussion of a remedy to this situation ensued; it was noted that the Town may undertake the clean-up, and may place a lien on the property to ensure reimbursement of costs. It was also noted that Council approval is required for the expenditure involved in Town clean-up of the property. Town Administrator Nicholson explained that the property owner will be advised of this process prior to any work being done. Vice-Mayor Graham then moved **that the Town Council authorize Town Staff to the cut the grass, weeds, and foreign growth, and to remove trash, on the property located at 51 Main Street, Round Hill, Virginia, after Town Staff has given written notice to the owner;** Councilperson Lyne seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0, with Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

### **IN RE: ACTION ITEMS**

#### **1. Resolution 2018-08 – Intent to Amend Zoning Ordinance**

Town Planner/Zoning Administrator Hynes presented this item, noting that the purpose is to consider permitting a restaurant use in the B-1 District as a by-right use. This will be forwarded to the Planning Commission, for update of the pertinent Zoning Ordinance section, if authorized by the Town Council. Councilperson Hummel made a motion **to approve the Intent to Amend, 2018-08, as before the Council this evening;** Vice-Mayor Graham seconded the motion. Town Planner/Zoning Administrator Hynes and Mayor Ramsey provided information on this effort, for informational purposes for the new Council Member. Mr. Clinton Chapman asked if this will also pertain to the PD-CC District; Council discussed the possibility of including that district in this Resolution, but decided to bring forward a separate Intent to Amend for that parcel. A voice vote was then held; the motion was approved 5-0, with Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

## **2. Appointment of Vice-Mayor**

Councilperson Hummel made a motion **to nominate Mary Anne Graham**; Councilperson Allen seconded the motion. There were no other nominations. A voice vote was held; the motion was approved 4-0-1, with Vice-Mayor Graham abstaining and Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Abstain
Amy Evers	Absent
Frederick J. Lyne	Aye

## **IN RE: MAYOR & COUNCIL COMMENTS**

- Councilperson Hummel welcomed Councilperson Allen to the Town Council. Mr. Hummel also noted that the new sign at the Town Office "looks fantastic."
- Vice-Mayor Graham welcomed Councilperson Allen to the Town Council. Ms. Graham asked the following of Town Administrator Nicholson: 1) that he provide the accounting for the Hometown Festival she requested; 2) if the engineering issues has been resolved with County Administrator Hemstreet, with Mr. Nicholson noting that it has not yet been resolved; and, 3) regarding a person recently seen on the Evening Star Drive water tank, with Mr. Nicholson reporting that the person was working on the tank, in preparation for AT&T installing upgrades.

## **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 estate matters as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(3)**; Councilperson Hummel seconded the motion. Councilperson Lyne requested that Town Administrator Nicholson and Town Planner/Zoning Administrator Hynes be included in the Executive Session; Ms. Graham and Mr. Hummel agreed to this request. A voice vote was held; the motion was approved 5-0, with Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

Mayor Ramsey declared that the Town Council is now in Executive Session, and called for a recess at 9:15 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 Allen seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

Mayor Ramsey stated that the Town 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 Lyne seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Donald W. Allen	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Amy Evers	Absent
Frederick J. Lyne	Aye

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 10:45 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary