

**ROUND HILL TOWN COUNCIL  
WORK SESSION MINUTES  
March 7, 2019**

A Work Session was held by the Round Hill Town Council at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, February 7, 2019, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
Donald W. Allen  
Amy E. Evers  
Melissa Hoffmann  
Frederick J. Lyne

**Council Members Absent**

Michael B. Hummel

**Staff Members Present**

Melissa Hynes, Town Administrator, Town Planner/Zoning Administrator  
Rob Lohr, Project Specialist  
Sue Holland, Town Treasurer  
Marty Feltner, Utility Supervisor  
Maureen Gilmore, Town Attorney

**Others Present**

John A. Clark  
Al Van Huyck  
Michael Lannon  
Jill Lannon  
Janet Heston  
Jeffrey Mitchell, Mitchell & Company  
Patrick Szabo, *Loudoun Now*  
Paul Smith  
Clinton Chapman  
Marie Schuller, Comcast

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

Mayor Ramsey called the meeting to order at 7:33 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

### **IN RE: ROLL CALL**

Roll call was held; with all members of the Town Council, except Councilperson Hummel, and the Mayor present, a quorum was established.

### **IN RE: PUBLIC COMMENT**

Mayor Ramsey opened the meeting to public comment, asking those who speak to state his/her name and address for the record, and to try to keep their comments brief.

Mr. Al Van Huyck, of Appalachian Trail Road, then spoke, noting that he is in attendance this evening in response to two issues he read of in a local newspaper. Mr. Van Huyck stated that he has lived in the area for approximately fifty years. Mr. Van Huyck stated that he is "not here to tell you what to do, but I am here to kind of ask you to think carefully about two issues," the motel property and the bars downtown. Mr. Van Huyck noted that he served on the County Planning Commission for six years, serving as chairman during the year the General Plan was last updated. Mr. Van Huyck stated his concern that the Town Council was rushing too quickly on some issues. The first issue Mr. Van Huyck addressed was the zoning ordinance amendment under consideration, which would make food and beverage establishments by-right; Mr. Van Huyck stated his belief that that would be a serious mistake, explaining that "by-right means that you try and write regulations, and then, anybody who fits those regulations can go ahead and build in whatever areas are being provided, and these are very unusual uses." Mr. Van Huyck further noted, "you have a set community here, which has already a certain culture. I have never seen, and I've written many zoning ordinances in my life, because I've been a planner, that you can write all the regulations that deal with uses that really can be quite complicated and different. So, I would just leave you hanging with the words 'think carefully before you go by-right,' because you have all these uses that you're talking about – noise, and light, and seating capacity, and they're going to want programs that they're going to run for music and other things..." Mr. Van Huyck noted that these establishments would be in juxtaposition to other buildings in the Town, and stated that requiring a special exception would allow the setting of conditions for these uses, but having "it by-right – you're going to be chasing these things." Mr. Van Huyck urged the Council to be very careful about this, as problems could arise; he noted that parking would certainly be a problem. Mr. Van Huyck also stated that many of these types of businesses, throughout the County, are increasingly dependent upon music concerts and other related activities to be profitable, and noted that that sets a new dimension for "the kind of culture going on in Round Hill." Mr. Van Huyck again requested that the Council be careful, and think this through, before allowing these uses to be by-right. Mr. Van Huyck then addressed the Weona Villa motel site, referencing a recent article in *Loudoun Now* which reported on micro-cottages, similar to those proposed for the site, currently being built in the County; Mr. Van Huyck stated that, "And it is, indeed, an idea that's coming – we're seeing it elsewhere." Mr. Van Huyck stated that he was told, upon beginning his service on the County Planning Commission, that these issues are land use issues, and that the applicant – whether a good or a bad applicant – should never be considered as part of the process. Mr. Van Huyck stated that Tree of Life is clearly an excellent organization which has done great work, but that the Council should only consider this proposed change to the Comprehensive Plan on the basis of land use, and that there should be no bias toward or against

an applicant. Mr. Van Huyck further stated that the proposed plan for the motel property is a long way from being ready, and expressed concern that approving this could set a precedent which would say, to other users, that the Town is willing to extend water and change the JLMA. Mr. Van Huyck reiterated that the Council should not rush to judgment, and stated that the Town could offer a letter rather than going ahead with an amendment. Mr. Van Huyck closed his comments by stating, "I'm only here tonight, not to judge what you're doing, but to warn you from my experience." Mr. Van Huyck thanked that Council.

Council Members thanked Mr. Van Huyck. Mayor Ramsey clarified that the Town Council is not voting this evening to amend the Comprehensive Plan, but is considering an *Intent to Amend*, which will refer the issue to the Planning Commission for its consideration in drafting guidelines related to potential extension of utilities. Mr. Ramsey further clarified that the action being considered by the Council this evening is not in regard to a particular site, or a particular application, but is only to update the Comprehensive Plan by adding guidelines for use in making future decisions. The Council again thanked Mr. Van Huyck for providing his comments this evening.

Mr. Michael Lannon, of 17520 Tedler Circle, Round Hill, spoke, noting that, at the last meeting of the Town Council, "everybody who spoke in favor of this particular land use case, on the motel property, did not live adjacent, or even anywhere near, the property ... everybody who lived adjacent to the property, who was present and spoke, spoke out against this particular land use case, and I would just like the Council to consider that." Mr. Lannon thanked the Council.

There was no further public comment.

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

Vice-Mayor Graham made a motion **to adopt the Agenda**; Councilperson Lyne seconded the motion. Mayor Ramsey asked if there were any amendments to the agenda. Councilperson Lyne asked for clarification regarding how future Work Session agendas would be determined, i.e., if items for discussion by committees of the Town Council will be determined at each meeting; Town Administrator Hynes noted that items may be determined prior to the meeting, or suggested at the meeting, prior to adoption of the agenda. Mayor Ramsey suggested that agenda items be provided to the Town Administrator in advance, so that proper preparation can occur prior to each meeting. It was decided by the Council to hear *Monthly Reports from Committee and Special Project Chairs* after the adoption of the agenda. A vote was then held; the motion was approved 5-0, with Councilperson Hummel absent. The vote is recorded as follows:

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

## IN RE: MONTHLY REPORTS FROM COMMITTEE & SPECIAL PROJECT CHAIRS

### **a. Capital Projects & Parks**

There was no report.

### **b. Utility Operations**

Vice-Mayor Graham presented this report, deferring the report on the Yatton Road Loop Project to Project Specialist Lohr. Ms. Graham highlighted the following:

- Two bids were requested for installation of the Stoneleigh generator, which are expected to be received by mid-March, for a vote by the Council in April.
- The electronic gate at the Waste Water Treatment Plant is again operating properly.

Mr. Lohr highlighted the following (regarding the Yatton Road Loop Project):

- Four of the five borings at the site have been completed, the remaining boring goes under the creek; a revision of the Virginia Marine Resource Commission permit to allow for the boring under the creek was needed, with final approval expected this week. The boring under the creek prevented much open cutting. Great progress is being made in this project.
- Corrective action has been taken to ensure the safety and ease of the travelling public through the project area.
- Mailboxes moved during the project have been put back in place.
- Repairs were made to an old line to the Draisey house.
- Most of the remaining work will not be in the roadway.

### **c. Administration & Technology**

Councilperson Lyne, Chair of the committee, reported that he will work with Town Administrator Hynes to set meeting times for the committee, and will provide these times to the Council; it is proposed that the committee meet once each month.

## IN RE: APPROVAL OF MINUTES

### **1. February 7, 2019 Town Council Meeting**

Vice-Mayor Graham noted that, on page seven, under *Community Police Officer Retirement*, the phrase *the Deputy will be presented with a replica of the Town Office* should be *the Deputy was presented with a replica of the Town Office*. There were no

further corrections. Vice-Mayor Graham made a motion **that the minutes be approved, as corrected**; Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0, with Councilperson Hummel absent. The vote is recorded as follows:

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

### IN RE: BUSINESS ITEMS

#### **a. Quarterly Financial Report by Town Accountant**

Mr. Jeffrey Mitchell, of Mitchell & Company, presented this report, explaining the documentation provided to Council and noting that this report is for the quarter ending December 31, 2018. The following items were reviewed: 1) the Summary of Cash Deposit Funds Held for the General Fund and the Utility Fund; 2) the Compliance AUP; 3) the Water/Sewer Billing Test, done to ensure that the correct rates were being charged; 4) the Combining Balance Sheet for Non-Major Governmental Funds, through June 30, 2018; 5) the Combining Statement of Revenues, Expenditures, and Changes in Fund Balances, Non-Major Governmental Funds, through June 30, 2018; and, 6) the General Capital Projects Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual, for the year ended June 30, 2018. Mr. Mitchell further reported that his firm is working with Town Administrator Hynes and Town Treasurer Holland on the possible future implementation of "fund accounting" budgeting. Mr. Mitchell reported that the debt being carried by the Town is in keeping with Town policy. Mayor Ramsey requested the addition of a footnote in future reports, to explain capital expenditures in the General Fund budget, to assist in making yearly calculations; Mr. Mitchell stated his firm will provide this. Mr. Mitchell provided information regarding County funding for the Main Street Enhancement Project, as included in the report, noting that these monies are not shown as income until spent. Mr. Mitchell recommended that the Town adopt the budget for any capital project for the duration of the project; this allows for tracking of monies spent in each fiscal year during which the project is on-going. Discussion of this item ensued, as this recommendation had been made in the past, and the Council had been in favor of its adoption at that time; Staff noted that some of these capital projects began prior to the adoption of the policy, which did not allow for complete implementation of the policy, but that it will be followed for future capital projects. There was also discussion of monies proffered to the Town, which are not presently being used; the request was made to ensure that the Town uses grant funding first, and then proffer funding, for future projects. The Council thanked Mr. Mitchell for providing this report.

**b. Airmont Road Property – Presentation by Owner**

Town Administrator Hynes presented a review of the history of this item, a proposed development called Blue Ridge Estates, which began in the summer of 2016. Ms. Hynes included information regarding the update of the Comprehensive Plan, being conducted during that time, and the impact that had on the property. Town Administrator Hynes explained steps Mr. Clark, the property owner, has taken to work with the Town on the possible development of this site; additionally, Ms. Hynes noted that the Town Council's indication, as reported in *Loudoun Now*, of being open to possibly working with Tree of Life regarding the Weona Villa property led Mr. Clark to requesting this opportunity to make his presentation to the Town regarding his Airmont Road property. Town Administrator Hynes stated that the Town Council may consider Mr. Clark's presentation this evening in the Intent to Amend resolution.

Mr. John Clark, of Fredericksburg, Virginia, is working with Mr. Ben Bartell on the development of this property; Mr. Clark explained that Mr. and Mrs. Bartell are long-time residents of Loudoun County, and are committed to working with the Loudoun County Public School system in a suicide-prevention program, in honor of their late son. Mr. and Mrs. Bartell wish to move into a smaller home while remaining in the County. Mr. Clark explained that they wish to bring the property, located at the intersection of Airmont and Yatton Roads and surrounded on three sides by the Town, into the Town limits, and hope that the Comprehensive Plan can be amended to allow for this. Mr. Clark stated that they wish to work with the Planning Commission and the Town Council to identify housing types which may be built there, in order to provide housing options to various brackets of median income earners. Mr. Clark provided sizes and price points for the proposed housing at the site, and explained that they will work to ensure the houses are energy efficient. Mr. Clark stated that he understands this is discretionary for the Town, and explained that they plan to build twenty houses on the twenty-three-acre parcel. It was noted that the zoning for the property is R-1-A, which does meet the requirements of the Comprehensive Plan. Mayor Ramsey also provided information on the history of the proposed project, noting that the current proposal is more consistent with the Comprehensive Plan and the Route 719 Plan. Mr. Clark explained that the subdivision has been recorded with the County. It was the consensus of the Council to discuss this proposal during the discussion of the Intent to Amend resolution, slated for this evening's meeting.

**c. Comcast Franchise Agreement**

Mayor Ramsey provided background information on this topic. Town Attorney Gilmore explained that some confusion currently exists regarding the proposed Memorandum of Understanding. Mayor Ramsey requested that a basic agreement with Comcast, in the form of a Memorandum of Understanding, be negotiated; further, the Mayor requested that the Town work with the County in its pending negotiations on a franchise agreement with Comcast.

**d. Request for FY2019 Budget Adjustment**

Town Administrator Hynes presented this topic, explaining that the request is for needed items in the Town Office, including office furniture and curtains; the source of funding from the budget for this adjustment was provided, as well. Discussion ensued, with the Mayor requesting that Council approve a budget adjustment amount, without including specific direction on how the funds are to be spent. The Town Administrator was asked to coordinate changes in the appearance of the Town Office with the Administration and Technology Committee. Councilperson Lyne then moved **that the Town Council authorize the Town Administrator to spend up to \$10,000.00 for office furnishings;** Councilperson Evers seconded the motion. Mayor Ramsey clarified that the source of funding for this adjustment is to come from Town Staff salaries. Both Councilpersons Lyne and Evers agreed to this clarification of the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 5-0, with Councilperson Hummel absent. The vote is recorded as follows:

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

**e. Town LED Streetlight Pilot Program**

Project Specialist Lohr presented this item, explaining that, upon the request of several jurisdictions, and through work with various entities, Dominion Energy has agreed to institute a program in which a selection of decorative and LED lights will be provided, with new rates set for these options. A pilot program, involving the installation of three of these LED lights in Round Hill, was undertaken three weeks ago, with little feedback received from the community. Mr. Lohr explained that the overall cost of this project is slightly less than \$10,000.00, which will be paid back in approximately two years, and which will ultimately result in a continued savings realized over the costs paid by the Town for its streetlights during the last ten to fifteen years. Mr. Lohr stated that this request is for a determination by Council on how it wishes to proceed. Discussion ensued regarding the areas in which these streetlights will be installed, and the cost for installation of both poles and light fixtures, with it noted that the Town will not own the fixtures. Project Specialist Lohr explained that the cost of streetlights for the Main Street Enhancement Project is not included in the current grant funding for that project, but that grant funding could be requested for a future phase of streetlight installation. It was noted that Dominion Energy is taking steps to ensure the fixtures will continue to be available. The request was made that the wattage of the fixtures be reduced; Project Specialist Lohr will investigate wattages available for these fixtures. Councilperson Allen then made a motion **that the Town proceed with the light project;** Vice-Mayor Graham seconded the motion. Vice-

Mayor Graham then requested an amendment to the motion to move forward with fifty percent of the lights to be installed, with Town Staff to return to Council for approval of the remainder of the project; Councilperson Allen disagreed with this amendment. Mayor Ramsey stated that the original motion stands. A vote was then held; the motion was approved 5-0, with Councilperson Hummel absent. The vote is recorded as follows:

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

**f. First Annual Round Hill Appalachian Trail Festival**

Town Administrator Hynes presented this item, explaining that the Round Hill Outdoors Committee is a committee of, and is funded by, the Town Council; this committee supports four projects during the year. The committee has decided to hold an Appalachian Trail Festival, which will be held at BChord Brewery; that site was chosen due to its location close to the trail, and in the hope that the location will encourage hikers on the trail to attend the festival. It has been decided to hold this festival in conjunction with the ceremony to recognize Round Hill as an Appalachian Trail Community, scheduled for June 15, 2019, at 11:00 a.m. Methods to fund the festival have been undertaken by the committee; however, the Town Administrator requested a budget adjustment in the amount of \$1,000.00 be made, to assist with funding for portable restroom facilities and marketing items for the event. Discussion ensued regarding where in the budget the funding will come and if a budget adjustment will be required; Town Administrator Hynes will make this determination and report this to the Council. Vice-Mayor Graham moved **to provide up to \$1,000.00 in funding for the First Annual Round Hill Appalachian Trail Festival, and to return to Council with a budget adjustment, as necessary;** Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0, with Councilperson Hummel absent. The vote is recorded as follows:

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

**IN RE: SPECIAL ACTION ITEMS**

**a. ZOAM-2018-02 – Restaurants & Craft Beverage Establishments**

Town Administrator Hynes explained that a public hearing was held regarding this amendment, following which the Planning Commission made a recommendation to approve the amendment, but the Town Council did not vote on this item at that time; therefore, a vote will be held this evening. Vice-Mayor Graham voiced her concern regarding the consistency of opening times; Town Administrator Hynes stated that all opening times are consistent within the B-1 Business District, with Mayor Ramsey noting that the seeming inconsistency arises from language related to the PD-CC District, which was not subject to this amendment. Mayor Ramsey reported that there was no public comment at the hearing regarding this amendment, and referenced the comments made by Mr. Van Huyck this evening. The Mayor also noted that restaurants are a by-right use in all districts in the County in which they are allowed. There was lengthy discussion of parking requirements for a restaurant versus a tasting room, as well as what is included in the "gross floor area." Mayor Ramsey requested that a definition of "gross floor area" be provided, as it is germane to the subject of parking requirements. It was decided to retain the parking requirements as currently included in the amendment. Vice-Mayor Graham then made a motion **to adopt ZOAM-2018-02, with corrections made to Scrivener's errors**; Councilperson Evers seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 5-0, with Councilperson Hummel absent. The vote is recorded as follows:

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

**b. Resolution 2019-03 – Intent to Amend Comprehensive Plan**

Town Administrator Hynes presented this item, noting that the purpose of the *Intent to Amend* is to determine if water and sewer service should be extended to the identified parcels; the decision is not specific to any particular project. Language originally included in the Comprehensive Plan, pertinent to this issue, but ultimately removed from the plan, was discussed. Mayor Ramsey noted that if this Intent to Amend is approved, the criteria should apply to all land bays and should provide policies to govern this, and any other, potential extension of utilities. Discussion ensued regarding the quickness with which this issue is being considered by the Council, and of other properties which may be affected by the decision. It was determined by the Council that additional detail is needed, and that guidelines should be provided to the Planning Commission for its work on this

amendment. Additionally, it was determined that public facilities should be included in this amendment. It was decided to defer action on the *Intent to Amend*, so that Council Members can provide additional direction to Staff to be used in drafting an updated proposal; this proposal will be considered at a future meeting. It was also decided to provide a ninety-day time period for Planning Commission work on the amendment.

Mayor Ramsey called for a recess at 10:18 p.m.; the meeting was reconvened at 10:33 p.m.

### **IN RE: BUDGET WORK SESSION**

#### **a. Final Comments on Draft FY2020 Utility Fund Operating Budget**

Town Administrator Hynes led the discussion of this item, with the following items/issues highlighted:

- Late Fees – with it being noted that these are reflected in the actuals, and with it being determined to remove them from the projected budget.
- Budgeting of Compensation for the Project Specialist – an explanation was provided of how this compensation is tracked, and of the need for accurate and defensible charge-backs. It was noted that the majority of this compensation should be reflected in the General Fund Budget.
- Categorization of Other Employees – with it determined that the Town Administrator and Town Treasurer will work together to categorize employees working at the Town's utility facilities.
- Funding for Repairs at the Large Reservoir – with it being noted that this expense was included in the *Easement Maintenance* category. It was determined that this expenditure should be broken out between the Utility Fund and the General Fund.
- Chlorine/Chemical Costs – it was noted that the cost of two spare analyzers was included in this line; the determination was made that this expenditure should be reflected in the Water Supplies/Maintenance line-item.
- County Waiver for Sludge Disposal – discussion ensued regarding how to correctly reflect this in the budget.

Council Members are to provide their questions/comments to Staff, for use in preparation of budget documents to be discussed at upcoming meetings.

#### **b. Presentation & Discussion of Draft FY2020 Utility Fund Capital Improvement Budget**

The following items/issues were highlighted:

- The Existing VRA Loan – it was noted that this source of funding may be used for capital projects.

- The Consent Decree – it was noted that this has not yet been reflected in the budget documents; it was decided these funds should be included in the documents, with notation included to ensure the funds are not incorrectly spent.
- Revenue – it was noted that this figure was determined based upon twenty homes being built.
- Unspecified Capital Projects Line – it was noted that if a project is not specified it will be reflected in the Operating Budget.

The following Capital Projects were presented and discussed:

- Well 22A to Evening Star Water Treatment Plant – it was noted that this is an on-going project, which is in its final stages. The project is important to water quality. Any funds budgeted to this project, but not needed, will be returned to Reserves.
- Yatton Road Loop – it is likely this project will be completed during this fiscal year.
- Well Acquisition Project – this project had been put on-hold, due to effort to open Sleeter Lake Park; negotiations for this site will recommence, and this effort should now be prioritized. The cost for an appraisal at the site is included in this line.
- South Water Tank – work on this project has been accelerated, as the Town has received the required zoning/permits from the County. It was noted that State loans are available, which could be used to help fund this project; the deadline for application is April 1, 2019. Construction of this facility will begin during fiscal year 2022; it is a priority, as Round Hill is the only municipality in Virginia without a secondary tank to use to provide water service in the event of an emergency. It was decided to time the construction of this facility to when build-out on the west side of Sleeter Lake is nearing completion. It was also decided to proceed with engineering. Finally, the suggestion was made that Staff investigate the possible refinancing of the existing loan.
- Generator at the Stoneleigh Well – it is hoped the permits will be issued next week; following receipt of permits, the Town will solicit bids. When complete, focus will turn to the Goose Creek facility.
- Updates and Improvements – this includes a pump-around at the lift station, the installation of a removable cover for the vault lid, installation of permanent conduit, replacement of the digester pump, improvements to reserve inventory, and installation of an equipment storage shed. The costs of these projects, and sources of funding were discussed.
- Rebuilt of the Route 719 Well Building – it was decided to budget for the continued operation of this well, as currently treated, and for the least expensive way to repair the building. The Town Administrator is to verify the easement at this site.

Due to the late hour, it was decided to resume discussion of the Draft FY2020 Utility Fund Capital Improvement Budget at the next Council meeting.

**IN RE: COUNCIL COMMENTS**

There were no Council Comments.

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 12:01 a.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary