

**ROUND HILL TOWN COUNCIL  
WORK SESSION MINUTES  
December 1, 2016**

A work session was held by the Round Hill Town Council at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, December 1, 2016, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
Frederick J. Lyne  
Michael K. Minshall

**Council Members Absent**

Janet L. Heston  
Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator  
Melissa Hynes, Town Planner/Zoning Administrator  
Kimberly McGaha, Town Clerk

**Others Present**

Sarah Etro  
Clinton Chapman  
John Harris  
Maureen Gilmore

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

Mayor Ramsey called the meeting to order at 8:03 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

**IN RE: ADOPTION OF WORK SESSION AGENDA (Amendments & Deletions)**

Mayor Ramsey asked if Council wished to update the Agenda prior to hearing Public Comment; it was the decision of the Council to do so. Vice-Mayor Graham then moved **that the Agenda be amended to add an Action Item – Town Council Vacancy and Special Election; this item to be added prior to Item IV on the current Agenda.** Councilperson Lyne seconded the motion. Mayor Ramsey called for discussion of the motion; Councilperson Minshall asked why this item was being added as requested; Vice-Mayor Graham explained that it is being done on advice of

Counsel. A vote was then held; the motion was approved 3-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

### **IN RE: PUBLIC COMMENT ON WORK SESSION AGENDA ITEMS**

Mayor Ramsey called for Public Comment on Work Session Agenda Items, noting that comments on the Comprehensive Plan will be heard during that portion of the meeting. Mr. Clinton Chapman asked for clarification regarding the following portion of the current Comprehensive Plan: "Section 3: Visionary Components, Elements and Objectives; Item g: Innovative Solutions." Mr. Chapman noted that, within the "Innovative Solutions" are contained a number of Objectives, including one dealing with mixed-use development. Mr. Chapman asked if this has been removed from the draft update of the Comprehensive Plan, and, if so, why it was eliminated. Mayor Ramsey explained that, upon adoption of the updated Comprehensive Plan, everything contained in the current Plan will be superseded. Town Planner/Zoning Administrator Hynes further explained that reference to mixed-use was not included in the narrative of the updated Comprehensive Plan, although it has been included in the policy portion of the Plan. Mayor Ramsey then stated that the Town Planner/Zoning Administrator has been instructed to include mixed-use in the narrative, if mixed-use is included in the policy portion of the document. Mr. Chapman thanked the Council for the clarification.

### **IN RE: SPECIAL ELECTION**

Mayor Ramsey explained that Ms. Kimberley Fortunato has submitted her formal resignation from the Town Council, effective November 24, 2016. Under State law, the Town must notify the Clerk of the Circuit Court of any vacancy in a locally-elected position within fifteen days; as part of that notification the Town must provide its recommendation as to how it wishes to fill the position, particularly in providing a date for a special election. Town Attorney Gilmore explained that the Town's next regular general election is scheduled for May 2018. Ms. Gilmore further noted that State Code provides that the Town should have a special election to fill the vacancy; this may be done at the next general election, scheduled for November 7, 2017, or the Town may choose to hold its own special election in May 2017. Town Attorney Gilmore stated that, if the Town of Round Hill chooses to hold a special election in May 2017, the Town will be required to pay the cost of that election; a special election held during the November 2017 general election may be held at no additional cost to the Town. The cost of a special election in May 2017 would be between \$3,000.00 to \$5,000.00. Mayor Ramsey and Town Attorney Gilmore noted that, by Charter, the Town is required to fill the position within forty-five days of the vacancy occurring; this appointment would be valid until the special election is held and the results are certified.

Mayor Ramsey also noted that, if the position is not filled within the forty-five-day time limit, an aggrieved citizen could petition the court to appoint a replacement to fill the vacancy. Town Attorney Gilmore explained that the appointee would serve until the election results are certified; for an election held on Tuesday, the results would likely be certified by Friday of the same week. Upon certification of the election, the person elected to the Council may be sworn-in, and would then serve until June 30, 2020. Town Attorney Gilmore explained that she requires authorization by the Town Council, which may be provided through adoption of a resolution, stating if the special election is to be held on May 2, 2017, or November 7, 2017; with the adoption of the resolution Ms. Gilmore will be able to file a petition with the Circuit Court asking for the Court to issue a Writ of Special Election. Town Attorney Gilmore noted that she has informed both the State Electoral Board, and the County Registrar, of this pending action. There was brief discussion of when to hold the special election, with the consensus of the Council being to hold the election during the November 7, 2017 general election. Mayor Ramsey stated that notification regarding the opening on the Town Council will be placed on the Town's website, Facebook page, and on the Town's information sign. The Mayor stated that an appointment should be made by the first week of January. Town Planner/Zoning Administrator Hynes reminded Council that the Public Hearing for the Comprehensive Plan is scheduled for January 5, 2017, with the vote on the Comprehensive Plan scheduled for January 10, 2017; therefore, she recommended that the issue of appointing a replacement to the Council be added to the Agenda for the January 19, 2017 Regular Meeting. There was brief discussion of how this could impact the forty-five-day requirement for filling the position, with Mayor Ramsey noting that the deadline is for a citizen to petition the court, and that the vacancy likely would be filled prior to any action by the court if addressed at the January 19<sup>th</sup> meeting. It was also decided to set December 22, 2016 as the deadline for receiving letters of interest. Following this discussion, Vice-Mayor Graham made a motion **that the Council approve Resolution 2016- , authorizing the filing of a Petition for a Writ of Special Election to fill the Town Council vacancy created by the resignation of Kimberly Fortunato, and any necessary documents. Now Therefore, be it resolved that the Round Hill Town Council hereby authorizes the Town Attorney to file a Petition for a Writ of Special Election to be held on November 7, 2017, to fill the vacancy created by the resignation of Kimberly Fortunato, and to submit any other necessary documents.** The motion was seconded by Councilperson Lyne. There was no discussion of the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

**IN RE: UPDATES & ITEMS FOR DISCUSSION**

## **1. Comprehensive Plan**

Mayor Ramsey noted that there are three chapters slated for discussion at this evening's meeting; following discussion of these chapters, the Mayor requested that items requiring further discussion (the "hot topics") be noted, and that the work plan going forward be reviewed. Mayor Ramsey stated that items requiring further review will be addressed at the December 7<sup>th</sup> Work Session, with a copy of the Comprehensive Plan incorporating all changes provided to Council Members by December 9, 2016. Council is to review the entire document prior to the December 15, 2016 Regular Meeting; the document to go to Public Hearing will be decided at that meeting. In response to a question by Vice-Mayor Graham, it was noted that, if the update is not completed by the Council in a timely fashion, the Comprehensive Plan will go back to the Planning Commission. There was further discussion of the process to be used for the final editing.

### **a. Chapter 4 – Natural Resources**

Following are comments and changes proposed for this chapter:

- 1) In Part 2, Vice-Mayor Graham requested that verbiage be included regarding the dam and the creation of Sleeter Lake, and that it be explained that the lake is owned by the Homeowners' Association.
- 2) Councilperson Lyne requested that Part 2, Section 2: Stormwater Management, be reworded to provide for a proper characterization of the number of homes affected by stormwater run-off, deleting the word *majority* in relation to the number of structures.
- 3) Under Goal 1, Objective a, Vice-Mayor Graham requested that Strategies 1 and 2 be combined.
- 4) There was discussion of Goal 2, Objective a, Strategy 4, with it being noted that the monitoring of stormwater management infrastructure is required; therefore, this Strategy will remain in the document.
- 5) Under Goal 2, Objective a, Strategy 5, it was requested that the phrase *consider amendments* be changed to *adopt amendments*. It was further requested that this change be carried throughout the document.
- 6) It was requested that a legend be included in the topographic map.

### **b. Chapter 10 – Transportation**

Following are comments and changes proposed for this chapter:

- 1) Mayor Ramsey suggested that the reference to a *parallel bridle path* located in Part 1, Section 3: Pedestrian Ways, be removed.
- 2) Vice-Mayor Graham asked that language be included regarding a traffic signal at the Evening Star Drive/East Loudoun Street intersection, with Mayor Ramsey noting that proffers should be reflected in the Comprehensive Plan.

- 3) For Part 2, Section 2: Hayman Lane, Mayor Ramsey provided language which would accurately reflect that the Town has an interest in Hayman Lane, as it is a land-owner there, but that the Town is not responsible for maintenance of the interior road. Mayor Ramsey also noted that there is no corresponding policy in the update of the Comprehensive Plan regarding Hayman Lane. Finally, Mayor Ramsey requested that Hayman Lane be removed from the map included in the section.
- 4) Mrs. Etro suggested that a section regarding the Franklin Park Trail be included in Part 2: Opportunities and Challenges.
- 5) Mayor Ramsey noted that items removed from the narrative should also be removed from any corresponding map, as the narrative and the maps should match.
- 6) The suggestion was made that language in the Comprehensive Plan regarding improving the Town's relationship with VDOT be strengthened.
- 7) Mayor Ramsey requested that a map depicting bicycle and pedestrian facilities be included in the Comprehensive Plan, if possible.
- 8) Mayor Ramsey asked that boundaries for Phase I and Phase II of the Round Hill Greenway be corrected on the corresponding map, and that it be shown that Phase III ends at the entrance to Lake Ridge Estates. Additionally, Sleeter Lake Park and its access should be depicted on the map, as well.
- 9) It was determined that the tunnel under the Bypass should be noted in the narrative. Additionally, it should be ensured that mechanisms are in place to control lighting, discourage graffiti, and provide an on-going effort by the Town to maintain the structure.
- 10) Town Planner/Zoning Administrator Hynes is to investigate further where curb and gutter, and ditch, designations for Loudoun Street and Main Street apply
- 11) Vice-Mayor Graham requested that the transportation map under review be titled "Future Transportation." Planning Commission Member Michael Hummel requested that the current Transportation Map be included in the Comprehensive Plan, as well.
- 12) It was decided to remove from the map an area in the proposed Evening Star Drive corridor where a conservation easement exists and the extension of Evening Star Drive will likely never occur. An explanation of this is to be included in the narrative portion of the chapter.
- 13) It was determined that the access road at the Sheriff's Office Substation, which may be used as a future public street, should be included on the Transportation Map and in the chapter's narrative.
- 14) Mayor Ramsey suggested including Lakefield Road on this map, and in the narrative, as it serves as access to the future Sleeter Lake Park, as access to the Waste Water Treatment Plant, and as an emergency access to Franklin Park. Including this road will assist in promoting its maintenance.

- 15) In the Goals, Objectives and Strategies section, it was suggested that Strategies three and four, under Goal 1, Objective b, and Strategies one and two, under Goal 1, Objective c be reorganized, to make them more succinct.
- 16) Under Goal 1, Objective 3, Strategy 2, Vice-Mayor Graham suggested that wording be included which will ensure that lighting is not intrusive.
- 17) Under Goal 2, Mayor Ramsey asked that language be included which encourages connected streets in the Joint Land Management Area.

### **c. Chapter 9 – Public Utility System**

Following are comments and changes proposed for this chapter:

- 1) It was the consensus of the Council that a map of the utility system be included in the Comprehensive Plan.
- 2) It was decided to strike the last sentence in Part 1, Section 1: Introduction; the sentence to be removed is as follows: *Signs of development activity returned to the area in 2014 and have significantly increased over the past two years.*
- 3) In Part 1, Section 2: Water System, it was requested that language regarding *maximum contaminant levels (MCLs)* be restated in a way that adds clarity.
- 4) It was determined that Mayor Ramsey would work with Town Planner/Zoning Administrator Hynes to edit Part 2: Utility System Demand and Growth.
- 5) Town Attorney Gilmore noted that in Part 2, Section 2: Service Area, she does not recommend expansion in the JLMA.
- 6) Under Part 2, Section 3: Undeveloped/Underdeveloped Area, it was requested that the acronym *ERC* be defined.
- 7) Mayor Ramsey stated that he will work with the Town Planner/Zoning Administrator in the editing of Part 3: Water Production, and will help to clarify the basis upon which the Town determines system usage and capacity.
- 8) In Part 4, Section 3: Single Tank System, Vice-Mayor Graham requested that the word *single* be removed from the section heading. Additionally, both Ms. Graham and Mayor Ramsey requested that language be included regarding the beginning of engineering for the proposed southern water tank.
- 9) Councilperson Lyne noted an error in the amount of capacity of the Stoneleigh water tank, noted on page sixty-four.
- 10) It was requested that language be included in the narrative which explains why the utility system serves a large number of out-of-town users.
- 11) Town Attorney Gilmore noted a duplication in the narrative, which will be edited by Mayor Ramsey.
- 12) In Goal 1, Objective a, Vice-Mayor Graham asked that the phrase *or exceeds* be added, so that the Objective reads, *"Provide water that is safe to drink and meets, or exceeds, customer expectations for quality."*
- 13) Councilperson Lyne requested that Revenue Bonds be included under Goal 3, Objective b. It was decided to include this in a new Strategy 3.

- 14) Under Goal 3, Objective b, Strategy 1, Town Attorney Gilmore recommended replacing the word *consider* with the phrase *account for*.
- 15) Vice-Mayor Graham requested that the phrase *water and sewer* be included in Goal 4, so that the Goal reads, "*Ensure that extensions of utility services are supported by current water and sewer capacity and compatible with the Town's land use goals and objectives.*"

The work plan was then reviewed. The next work session will be held on December 7, 2016, at which time the "hot topics" will be discussed. These items include: which of the Land Bays will be included in the Urban Growth Boundary Line, and if the Urban Growth Boundary Line should be separate from, and smaller than, the Service Line; ensuring that references to the Greater Round Hill Area and the Joint Land Management Area are notated properly throughout the Comprehensive Plan; the Urban Growth Boundary; the property at 8 East Loudoun Street; and, the maps to be included in the Land Bays section. Mayor Ramsey requested that specific items for discussion at the upcoming work session be e-mailed to the Town Planner/Zoning Administrator, with carbon copies to the Mayor and Council. It was also noted that the updated Comprehensive Plan will undergo legal review prior to the December 7<sup>th</sup> meeting.

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

Vice-Mayor Graham noted that volunteers are still needed for the Tree Lighting, to be held on December 3<sup>rd</sup>. Ms. Graham also stated that she will forward information she has gathered regarding the vulture situation in Town, and asked that the topic be added to the Agenda for the Regular Meeting.

#### **IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 11:32 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary