

**ROUND HILL TOWN COUNCIL  
WORK SESSION MINUTES  
March 2, 2017**

A Work Session was held by the Round Hill Town Council at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, March 2, 2017, at 7:00 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor (arrived at 7:24 p.m.)  
Mary Anne Graham, Vice-Mayor  
Janet L. Heston  
Michael Hummel  
Frederick J. Lyne

**Council Members Absent**

Michael K. Minshall  
Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator  
Kimberly McGaha, Town Clerk  
Alan Wolverton, Supervisor – Utilities  
Marty Feltner, Assistant Supervisor – Utilities  
Angela Fletcher, Town Treasurer

**Staff Members Absent**

Melissa Hynes, Town Planner/Zoning Administrator

**Others Present**

Clinton Chapman

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

Vice-Mayor Graham called the meeting to order at 7:19 p.m. and led those present in the Pledge of Allegiance.

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

There was no Public Comment on the Work Session Agenda.

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

Town Administrator Nicholson requested that the discussion of the Budget – Utility Fund be moved to the first item under "Updates & Items for Discussion." Councilperson Hummel made a motion **to adopt the Agenda, as amended**; Councilperson Heston seconded the motion. A vote was held; the motion was approved 3-0. Vice-Mayor Graham did not cast a vote, as she was acting as Chairperson pro tempore; Councilpersons Minshall and Prack were absent. The vote is recorded as follows:

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Mary Anne Graham	Did not vote
Janet L. Heston	Aye
Michael Hummel	Aye
Frederick J. Lyne	Aye
Michael K. Minshall	Absent
Christopher J. Prack	Absent

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

*a. Other*

**i. Budget – Utility Fund**

Town Administrator Nicholson led this discussion, noting that the information under review this evening is included in Council Members' packets. Mr. Nicholson noted that a slide was created for each budget line item to facilitate this evening's review. Town Administrator Nicholson reported that the Fiscal Policy passed in 2015 was used to develop the FY2018 budget. The Town Administrator explained the method which will be used for calculating reserves, and noted that the Town's auditor has been asked to include a report regarding reserves in his annual presentation to the Council. Discussion ensued regarding both encumbered budget items and reserves. Town Administrator Nicholson stated that the goal in the budget, in regards to the amount of debt, is to keep within 10% of the Town's real estate values. There was discussion regarding Hillwood Estates, with it being noted that not all the houses in that development are connected to the Town's utility system. Mr. Nicholson reported that, in using the recent Rate Study, the determination was made to raise 2018 rates by 3%. Salaries for employees were also discussed; the FY2018 budget includes a raise of 4%, with a cost of living increase of .03% included.

Town Administrator Nicholson and Town Treasurer Fletcher then presented a review of the Revenue portion of the Utility Fund Budget. Each line item was discussed, as follows:

Line Item 1 – Water User Fee – Town Treasurer Fletcher explained how this item was determined, noting that it includes the 3% rate increase suggested. It was noted

that new users were included in the calculation, as were in-town versus out-of-Town users.

Line Item 2 – Water Deposit – This was carried forward.

Line Item 3 – Water Connection Fees – This was calculated based on ten additional homes being built and added to the system. Mayor Ramsey requested that the number of homes be increased to twenty.

Line Item 4 – Meter Fees – Consent Decree – Town Administrator Nicholson reported that he determined no new houses will be built and no additional lots will be sold; thus, this line was entered as 0. Town Treasurer Fletcher noted that this Line Item and Line Item 8 are linked.

Line Item 5 – Sewer User Fees – There were no changes or further information requested for this line.

Line Item 6 – Sewer Deposit – It was noted that this line is inactive.

Line Item 7 – Sewer Connection Fees – It was decided to increase the number of homes to twenty.

Line Item 8 – Sewer Connection Fees/Oak Hill – There were no changes or further information requested for this line.

Line Item 9 – Miscellaneous Income – Town Administrator Nicholson reported that, at this time, this line represents an estimate. Town Treasurer Fletcher, at the request of the Mayor, will further review customer deposits, and will speak with former Treasurer Wolford to ensure that deposits of late fees are correctly reflected in this line item.

Line Item 10 – Transfer from Money Market – It was noted that this line is inactive.

Line Item 12 – Water/Sewer Revenue Totals – This line reflects the total of the preceding lines in this portion of the budget.

A review of the Expenditure portion of the Utility Fund Budget was then presented.

Line Item 13 – IT – Town Administrator Nicholson explained that IT expenditures will be notated in the Line Item for which they are used; additionally, Mr. Nicholson noted that this reflects expenditures at the Town Office, the Wastewater Treatment Plant, and at some of the well sites. Councilperson Heston and Mayor

Ramsey asked if this item is no longer being broken down into wastewater, water, and sewer; Mr. Nicholson stated that that is correct. Town Administrator Nicholson also explained that only a few Line Items were changed, the titles of which are printed in color; however, the rest of the Line Items are the same as in last year's budget format. Utility Supervisor Wolverton broke down the IT expenses into categories, and the cost for each category. It was noted that the amount of this Line Item increased markedly; Mayor Ramsey and Town Administrator Nicholson explained that the increase is due to the purchase of IT hardware. Councilperson Heston requested that a breakdown of those expenditures be included in this Line Item. Councilperson Lyne asked if the expenditures for the SCADA system update provided by Town Engineer Lane are listed under a separate Line Item; Mr. Wolverton stated that they are. Utility Supervisor Wolverton also reported that computers have not yet been bought, and that that expenditure will come from the FY2018 Budget. Councilperson Heston asked where the expenditure for purchase of software support and licenses (Southern Software and Shenandoah Tech) is notated; it was explained that that expenditure is found in Line Item 36.

Line Item 14 – Engineering Support – There was discussion of the amount of this Line Item, and if it is adequate in light of upcoming work on the Yatton Road loop, the south water tank, and Well 22. It was noted that Town Engineer Lane provided this estimate, and it is believed to be accurate.

At this point in the meeting, Town Administrator Nicholson provided a paper copy of the breakdown which was used to determine Line Item 13 – IT, for informational purposes, as requested by the Council.

Line Item 15 – Fleet Maintenance – There were no changes or further information requested for this line.

Line Item 16 – Gas/Oil – Utility Supervisor Wolverton explained that this Line Item is lower, due to lower costs.

Line Item 17 – Safety – Utility Supervisor Wolverton explained that this Line Item has increased, due to additional training requirements for Staff, as directed by OSHA and VDOT. It was noted that these costs are broken out under various Line Items. Councilperson Heston requested further documentation regarding this breakdown.

Line Item 18 – Transfer to CIP – User Fees – Town Treasurer Fletcher explained that this reflects an end-of-fiscal-year transaction, which is used to help balance the budget; it is flexible, so, as expenditures change, this number will change. Ms. Fletcher further explained that, if there are more revenues than expenditures, the

excess is reflected in this Line Item and then is transferred to the CIP. Mayor Ramsey noted that Mr. Mitchell, the Town's auditor, stated that separate CIP accounts and Operating accounts are not necessary; therefore, the Mayor asked if this could be titled *Transfer to Reserves* rather than *Transfer to CIP*, noting that this is essentially already occurring. Town Treasurer Fletcher noted that a *Transfer to Reserves* Line Item already exists, but is not being used; Mayor Ramsey explained that the current *Transfer to CIP* line has been used to balance the CIP budget, and any further reserves were transferred into that existing *Transfer to Reserves* Line Item. Mayor Ramsey suggested that, on the Operating side, the line be titled *Transfer to Reserves*, and on the CIP side the line be titled *Transfer from Reserves*. Town Administrator Nicholson stated that this method would work well, especially since the Town is moving to a project-based budget.

Line Item 19 – Transfer to General Fund – Mayor Ramsey asked that a spreadsheet be provided for review of this line; this will be available at the Council's next Work Session.

Line Item 20 – Tools – Town Administrator Nicholson stated that the amount in this Line Item is standard, and reported that the addition of some tools on the truck is necessary.

Line Item 21 – Operating Supplies – Town Treasurer Fletcher explained that this Line Item was renamed, as it was combined with Line Item 36 – Water/Sewer Office Expenses. There was discussion of the individual items included in this Line Item, and of previous Budget Line Items included in this category.

Line Item 22 – Employment Want Ads – There were no changes or additional information requested for this line.

Line Item 23 – Direct Deposit Fees – There were no changes or additional information requested for this line.

Line Item 24 – Drug Testing – There were no changes or additional information requested for this line.

Line Item 25 – Ms. Utility Fees – Utility Supervisor Wolverton noted that it is hard to predict the amount needed for this Line Item, and explained variables which exist. Mr. Wolverton and Assistant Supervisor Feltner explained steps taken to reduce this line.

Line Item 26 – Generator Services/Fuel Reserve – Utility Supervisor Wolverton explained that this line has been renamed, and that the former *Contract Services*

and *Water Supplies and Maintenance* lines have been included. There was brief discussion of work done on the West Lakes transfer switch. Councilperson Heston asked for an explanation of the drop in the amount of this Line Item; Utility Supervisor Wolverton explained that maintenance work was performed this year which will not be needed in the coming fiscal year.

Line Item 27 – SCADA Maintenance – Town Administrator Nicholson explained that this is a standard amount for this Line Item. There was discussion of a system specific to the Stoneleigh subdivision. Councilperson Heston asked to clarify that this covers only maintenance for the existing SCADA system; Utility Supervisor Wolverton explained that the costs for maintenance can be high, and that Staff is confident they can be trained to perform the needed troubleshooting and maintenance.

Line Item 28 – Easement Maintenance – Town Administrator Nicholson explained that this line is slightly higher due to mowing and installation of gravel. Discussion ensued regarding costs of maintenance for Lakefield Road, which will serve as a secondary access to Sleeter Lake Park. It was noted that this expenditure will be reflected in the General Fund Budget. Mayor Ramsey suggested that, in the future, more costly maintenance to the access road be split between the Utility Fund Budget and the General Fund Budget. Town Administrator Nicholson also explained that the Town will work with the County regarding the costs of maintenance at Sleeter Lake Park.

Line Item 29 – Building/Grounds Maintenance – Town Administrator Nicholson stated that this line reflects actuals for projects required during the fiscal year. Utility Supervisor Wolverton explained various projects included in this Line Item, including paving, installation of new concrete, installation of new metal doors, and replacement of the roof at the Stoneleigh pump station. Mayor Ramsey asked to clarify if covenants exist for the Stoneleigh pump station; Mr. Wolverton explained that they are presently trying to determine that issue. Mayor Ramsey asked that it be ensured that work on the roof replacement is allowed by the covenants before work begins. There was also discussion of the noise which exists at the Wastewater Treatment Plant when venting is required, and the cost to correct that problem. The costs related to the heating/cooling system at the Goose Creek Plant were also discussed. Finally, the installation of signs at the various Utility sites was discussed.

Line Item 30 – Water/Wastewater Security and Monitoring – Town Administrator Nicholson explained that this line includes improvements to security measures at the plant adjacent to the soon-to-open Sleeter Lake Park. Mr. Nicholson reported that security cameras, purchased using grant funding, are now in position.

Line Item 31 – Customer Deposit Refunds – It was noted that these items are handled off-budget. There were no changes or additional information requested for this line.

Line Item 32 – Audit – There were no changes or additional information requested for this line.

Line Item 33 – Legal Fees – Council – Town Administrator Nicholson explained that the total for this line is lower due to the decision to transfer part of this expenditure to the General Fund Budget. Mayor Ramsey suggested that Legal Fees be categorized by project, rather than the current "Council" and "Staff" categories; therefore, this Line Item and Line Item 34 will be combined.

Line Item 34 – Legal Fees – Staff – This line was combined with Line Item 33, as noted above.

Line Item 35 – W/S Insurance – Town Treasurer Fletcher explained that this line includes liability insurances and vehicle insurances, and reflects a three percent increase. In response to a question from Councilperson Heston, it was noted that the three percent increase is an estimate, until the actual numbers come in.

Line Item 36 – W/S Office Expenses – Town Treasurer Fletcher explained that this line was combined with Line Item 21.

Line Item 37 – Paymentus Convenience Fees – Councilperson Heston asked if it is believed more residents will be using this service; both Town Treasurer Fletcher and Town Administrator Nicholson stated that the use of this service is expected to increase. Mayor Ramsey requested information on the percentage of utility customers who are using this on-line payment option. Town Administrator Nicholson explained that this line includes costs for customers to use credit/debit cards to make their payments; this is available to customers who come into the Town Office to make their payments. There was brief discussion of charging a fee for using a credit/debit card to make a payment, as the Town is charged a fee each time this type of payment is processed; the consensus was that a fee should be charged only if it is worthwhile for the Town to do so.

Line Item 38 – Contingency – Town Administrator Nicholson explained how the amount in this line was calculated, noting that three percent of the estimated total budget was used to determine this figure. There was discussion of items included in this line which are "unknowns," such as the landfill fee waiver, which usually is granted, but which is not a given, and building and grounds maintenance, which

covers unusual occurrences such as damage caused to Town properties by severe storms. Mayor Ramsey asked for clarification regarding how these expenditures will be coded; Town Administrator Nicholson stated that these costs are coded in the pertinent Line Items, with an explanatory note included. Mayor Ramsey further sought to clarify that the costs are then moved from the Budget Line Item to the Contingency Line Item; Town Administrator Nicholson stated that that is correct, noting that nothing is coded in the Contingency Line Item as there is no way to track those expenditures. Mayor Ramsey further explained that the purpose of including this Line Item is so that other Line Items may be budgeted more precisely, without the need for including extra funds for possible emergencies – the Contingency Line Item provides funding for those occurrences.

Line Item 39 – Full Time – WWTP, Line Item 40 – Overtime – WWTP, Line Item 41 – Step Increase – WWTP, Line Item 42 – Full Time – Water/Sewer, Line Item 43 – Overtime – Water/Sewer, Line Item 44 – Step Increase – Water/Sewer, Line Item 45 – Full Time – Water, Line Item 46 – Overtime – Water, Line Item 47 – Step Increase – Water – Town Administrator Nicholson explained that these items were grouped together for this evening's presentation, as the Town has little to no say over these expenditures (i.e., Social Security, retirement, life insurance, and health insurance). Mr. Nicholson did note that the category "License Bonus," has been changed to "Step Increase," as it more correctly reflects the nature of the process, whereby an employee who obtains an additional license receives a raise in salary. Mr. Nicholson explained that this was done to encourage employees to attain additional licensure. Mayor Ramsey noted that he had requested a four percent salary increase be included, and asked Council if it wished to discuss this now or at a later time; the consensus was to include the four percent figure for budget discussion purposes, with possible further discussion to take place later.

Line Items 47 through 55 – These lines were not discussed.

Line Item 56 – Social Security – Water, Line Item 57 – Retirement – Water, Line Item 58 – Life Insurance – Water, Line Item 59 – Health Insurance – Water, Line Item 60 – Uniforms – Water, Line Item 61 – Training – Water, Line Item 62 – Worker's Compensation – Water, Line Item 63 – W/S and PW Social Security, Line Item 64 – W/S Retirement, Line Item 65 – W/S Life Insurance, Line Item 66 – W/S Health Insurance, Line Item 67 – W/S Uniforms, Line Item 68 – W/S Training, and Line Item 69 – Retiree Health Insurance Coverage – Town Administrator Nicholson explained that it is mandated that a certain percentage be included in these Line Items, and noted that the "Retiree Health Insurance Coverage" Line Item consists of encumbered funds. Discussion of Line Item 69 ensued, with it being noted that this reflects the Town's payment toward health insurance for retired employees, and is separate from the VRS program. Town Administrator Nicholson



addressed the training covered by Line Item 62, noting that a significantly lower expenditure is expected during the coming fiscal year.

Line Item 70 – Transfer to Reserve – It was noted that this line is being used in lieu of the CIP Line Item.

Line Item 71 – WWTP Telephone/Internet Service – Town Administrator Nicholson explained that FIOS is being installed at the wastewater treatment plant; the previous service is being replaced due to numerous problems encountered. It was noted that the cost is slightly higher, and that the figure in this Line Item was provided by Verizon.

Line Item 72 – Cellular Phones – This item covers cellular phones for Utility Staff.

Line Item 73 – Electric – WWTP – Town Administrator Nicholson explained that the total in this Line Item has been increased due to concern that the amount budgeted for the current fiscal year was not sufficient. Utility Supervisor Wolverson explained variables which go into determination of this billing by Dominion Virginia Power, including that, if there is an increased demand at the plant during a peak consumption period, the billing for that entire cycle is based on the peak rate. Discussion of possible ways to lower this cost ensued, with it being noted that it is not likely a reduction will be possible.

Line Item 74 – Lift Station Electric – Utility Supervisor Wolverson and Town Administrator Nicholson explained that a higher amount was included in this line for the current fiscal year in anticipation of additional users going on-line, however, that did not occur. The amount included for FY2018 is based on actuals. Discussion ensued regarding the system on Airmont Road, and problems which are occurring in that area; Mayor Ramsey asked Utility Supervisor Wolverson and Town Engineer Lane to look into these issues, and provide a report to the Council which includes possible solutions.

Line Item 75 – Electric – Wells – Town Administrator Nicholson reported that two wells have been added, and the figure in this Line Item is based upon actuals.

Line Item 76 – Miscellaneous Expense – Bank Fee – Town Treasurer Fletcher explained that this Line Item covers returned checks and related items.

Line Item 77 – Sludge Removal – Town Administrator Nicholson noted that this is a regular cost. Utility Supervisor Wolverson also noted that, at this time, the Town is not required to pay a tipping fee.

Line Item 78 – WWTP Lab – Supplies & Testing – Town Administrator Nicholson explained that this Line Item includes both contract laboratories and supplies for in-house testing, for the Town's utility system to remain in compliance.

Line Item 79 – Lab Equipment – This expense has been moved to the Supplies Line Item.

Line Item 80 – WWTP Chemicals – It was explained that this figure is based upon actuals, and has not increased.

Line Item 81 – WWTP Service Contracts – Town Treasurer Fletcher noted that this Line Item has decreased slightly.

Line Item 82 – WWTP Equipment and Supplies – Town Treasurer Fletcher noted that this Line Item has decreased slightly.

Line Item 83 – WWTP Maintenance and Updates – Town Administrator Nicholson stated that this figure is based upon expected expenditures, which accounts for fluctuations in this Line Item.

Line Item 84 – WWTP Plant License/Permit – Town Administrator Nicholson explained that this reflects an annual fee paid by the Town.

Line Item 85 – Sewer Line/Manhole Maintenance – Town Administrator Nicholson explained that this expenditure covers replacement of manhole covers on the gravel portion of Yatton Road, which are being destroyed when VDOT plows; the proposed work would make the covers level with the pavement, rather than above, as they are now. VDOT insists that this work be bonded, although the cost of the work is less than the cost of the bond; this Line Item includes a \$20,000.00 bond for the manhole replacement. Discussion ensued regarding how best to handle the bond amount; it was noted that it will either be listed as revenue, or removed entirely.

Line Item 86 – WWTP Dues & Subscriptions – It was noted that dues increased slightly.

Line Item 87 – WWTP Postage/Shipping – It was noted that this Line Item also includes postage for mailing out bills.

Line Item 88 – Lift Station Maintenance – Utility Supervisor Wolverton explained the items included in this line, including vacuum pump replacement and cleaning of the Lift Station.

Line Item 89 – Safety – WWTP – It was noted that this Line Item had been previously discussed.

Line Item 90 – Staff Support – Town Administrator Nicholson explained that this covers additional support in case of illness/injury/unexpected absence of a member of the Staff.

Line Item 91 – Water Tower Inspection/Maintenance – Town Administrator Nicholson explained that the painting of the water tower, scheduled for 2015, was not done, but had been budgeted; therefore, it is being included in the FY2018 Budget. Mr. Nicholson explained that the Town has a painting and maintenance contract for the water tower; discussion ensued regarding this contract, the work included which has and has not been completed, and how the costs have been broken down.

Line Item 92 – Water Supplies and Maintenance – Utility Supervisor Wolverton explained the various items included in this Line Item, and noted that the cost is lower, as work completed last year does not need to be repeated this year. It was noted that the Town will need to buy green sand during fiscal year 2018.

Line Item 93 – Well Maintenance – Town Administrator Nicholson explained that the total in this Line Item is built upon actuals. Utility Supervisor Wolverton explained items included in this line.

Line Item 94 – Water Licenses, Permits & Operational Fees – Town Administrator Nicholson explained that this is a static number.

Line Item 95 – Water Lab – Testing and Supplies – It was noted that this number can fluctuate.

Line Item 96 – Water Postage/Shipping – There were no changes or additional information requested for this line.

Line Item 97 – Dues and Subscriptions – It was noted that this Line Item increased; however, it should not have increased by the amount noted. Staff will determine the correct amount of the increase.

Line Item 98 – Water Meter/Service Repairs – Town Administrator Nicholson reported that this is an estimate, and reflects enough funding for fifty meters.

Line Item 99 – Small Reservoir Maintenance – There were no changes or additional information requested for this line.

Line Item 100 – Safety – Water – There were no changes or additional information requested for this line.

Line Item 101 – Large Reservoir – There were no changes or additional information requested for this line.

Line Item 102 – Water Line Repairs – Town Administrator Nicholson explained that this line covers planned repairs. It was noted that the amount of this line was exceeded during the current fiscal year, due to two significant water line breaks.

Line Item 103 – Chlorine/Chemical – Water – Utility Supervisor Wolverton explained the various items included in this Line Item.

This initial review of the FY18 Utility Operating Budget was complete; Town Administrator Nicholson noted that the changes requested will be made, and the updated Utility Operating Budget will be provided for further review at the next Council meeting. Mr. Nicholson also requested that comments regarding this type of review be provided to him, so that continued budget review for FY2018 may be tailored.

Council then discussed when the next meeting of the Town Council will be held.

#### **IN RE: NEXT MEETING DATE**

An alternate date for the next Town Council meeting was discussed, as several Council Members cannot attend on the regularly scheduled date (March 16, 2017). It was noted that a special meeting is scheduled for Tuesday, March 21, 2017, during which Council will meet with County officials; after discussion, it was decided to hold the Regular Town Council Meeting at 5:00 p.m. on that date. This date and time will be advertised, so residents will be aware and may attend budget discussions.

#### **IN RE: UPDATES & ITEMS FOR DISCUSSION (continued)**

##### ***b. Land Use***

##### **i. Comprehensive Plan – Transportation Chapter**

Mayor Ramsey presented this item in Town Planner/Zoning Administrator Hynes' absence, explaining that the comments received from VDOT regarding this chapter were of a superficial nature, and that the policies and maps included in the chapter are acceptable; the addition of labels for the maps was requested. Mr. Ramsey stated his belief that the required changes may be handled administratively and will not require that a Public Hearing be held. The updated Comprehensive Plan will be published after the changes are made.

***c. Administrative, Communication & Technology***

**i. Trash Company**

Town Administrator Nicholson presented this item, noting Councilperson Heston's request that alternative providers for the Town's trash collection be investigated. Mr. Nicholson noted that the Town's contract with its current provider ends on June 30, 2017. Mr. Nicholson explained that there now exists a State-run web-based procurement program which aids in the search for providers; this program streamlines the procurement process, and is provided at no cost to the towns. Town Clerk McGaha set up a training session for Staff for use of the service. Town Administrator Nicholson reported that he will use the program to search for alternate providers for the Town's trash collection. There was also discussion of trash collection in the Lake Ridge subdivision, with it being noted that the homeowners' association has been paying for that service. The Town should be assuming that cost; this issue will be corrected.

***d. Utility***

**i. Water/Sewer Ordinance**

Vice-Mayor Graham began the presentation of this item, explaining that above ground utility installation is possible for, and has been discussed, in relation to the "Temporary Family Health Structures" (granny pods) being proposed for inclusion in the Town's Zoning Ordinance. Utility Supervisor Wolverson explained that this type of installation can be done, but must be assembled so that it can be dismantled; this would constitute a separate tap. An installation of this type would be determined on a case-by-case basis, with yearly checks performed to ensure that the structure is still occupied.

Mayor Ramsey then asked what can be accomplished at this evening's meeting regarding the review of these ordinances, as there is not yet a Staff Report, and Town Engineer Lane's comments were just received today; therefore, Council Members have not had sufficient access to necessary documents related to this review. Mayor Ramsey further stated that a Staff Report should be available prior to final review, with a version presented which Council can recommend go to Public Hearing. It was decided that Town Planner/Zoning Administrator Hynes, Vice-Mayor Graham, and Councilperson Hummel will work to create the final version for Council review.

Councilperson Hummel referenced a section of the ordinance regarding the issuance of a clearance letter by the County, noting that there is no certainty, as yet, that the County would even issue a clearance letter; this was cited as an example of matters contained in the ordinances, as they currently exist, which need to be clarified.

Councilperson Lyne stated that the comments provided by Councilperson Hummel and Town Engineer Lane need to be incorporated into the ordinances, so that Council Members may review that updated document. Mayor Ramsey agreed, stating that he wants a single document, with a Staff Report included, for review. Mr. Ramsey noted that, at present, there exist too many documents to be able to conduct an efficient review. It was also determined that Town Planner/Zoning Administrator Hynes should be the person to "take possession" of this project.

Councilperson Lyne referenced Town Engineer Lane's comment regarding Article V, Section 9, in the Sewer Ordinance, asking what rights of review, or what type of appeal process, would be afforded to a property owner. Town Administrator Nicholson asked to clarify if Mr. Lyne's intention is that there exists in the ordinances a general appeal process; Councilperson Lyne stated that that is correct. Mayor Ramsey read from the portion of the ordinance regarding the assessment of civil penalties by the Town, with Councilperson Lyne asking if there should not be a process for appeal prior to the courts becoming involved, and the necessity of obtaining legal counsel existing. Mayor Ramsey noted that cases such as these have not happened in recent memory, and that such cases tend to arise with other uses (such as the addition of garages, uses engendered by restaurants, etc.). It was determined that Staff will research this issue, to determine any possible recourse available for citizens.

Vice-Mayor Graham noted that Utility Billing Supervisor Chernoff has suggested that specific dates, rather than the current thirty-five-day time limit, be included in the Billing portion of the Water Ordinance. Following discussion, it was decided that the specific due dates will be printed on the bills; no specific dates will be included in the ordinance.

Councilperson Lyne asked for the timeline for providing the updated documents to Council; it was determined that the updated documents will be provided to Council Members by March 30<sup>th</sup>, for discussion at the Town Council Work Session scheduled for April 6<sup>th</sup>. Mayor Ramsey stated that he wants fully integrated documents, with an explanation of all changes included, one week prior to the meeting during which the documents will be finalized for advertisement.

Councilperson Hummel referenced three policy statements in the ordinances about which he has questions/concerns. The first deals with the mechanics of availability fees which do not seem fair; the second deals with discontinuing water service if Town Utility Staff are not allowed access to the interior of a client's home; and the third deals with a new section regarding water and sewer service being provided to a property outside of our service area, which infers that the Town will serve outside its service area. Discussion of this third issue ensued, with it being decided that

wording should be included in the ordinance which states, "Any service that the Town provides shall be charged at a rate equal to that charged by Loudoun Water, unless it is covered by the prevailing fee schedule adopted by the Town; or at a rate determined by the Town Administrator." In discussing the second issue, Councilperson Hummel stated his belief that specific reasons should be included for requiring that Utility Staff be allowed entrance into a residence, with Mayor Ramsey requesting that research be done on how this issue is handled in other municipalities' ordinances and/or in Loudoun Water regulations. Finally, regarding the issue of availability fees, Councilperson Hummel noted that Round Hill charges this fee earlier than any other jurisdiction; when construction has been completed, if the Town has raised this fee, the client is charged any extra above that already paid; Mr. Hummel stated that this seems unfair, as no utility services have been used to this point. Additionally, Mr. Hummel noted, the 180-day deadline for tying into the system seems difficult to meet. Councilperson Hummel stated that both of these provisions seem "anti-business" to him. There was discussion of how these policies came to be in existence, and of possible changes which may be made to make these policies more reasonable, including extending the time limit for tie-in from 180 days to 365 days. Additionally, Mr. Hummel suggested allowing a one-year grace period prior to charging the increase in the availability fee. Council agreed that these are reasonable changes. Mayor Ramsey also suggested, regarding access to a property by Utility Staff, that the word "premises" be changed to "point of service;" it was noted that a sprinkler system does require access to the interior of the property, but that language concerning that can be tailored. It was noted that Town Attorney Gilmore will review these ordinances; it was requested that her comments be provided to Staff by March 23<sup>rd</sup>.

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

Vice-Mayor Graham reported that she attended the pre-application meeting for the south water tank, along with Town Planner/Zoning Administrator Hynes and Town Engineer Lane; County staff was very receptive to this project. Ms. Graham noted that the County wants this new tank painted blue. Mayor Ramsey noted that the process for this is moving quickly, and that the south tank may be completed on schedule.

#### **IN RE: ANNOUNCEMENTS**

There were no announcements.

#### **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 personnel matters as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(1)**; Councilperson Lyne seconded the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Minshall and Prack absent. The vote is recorded as follows:

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

Mayor Ramsey called for a recess at 10:48 p.m.

**IN RE: EXITING CLOSED SESSION**

Vice-Mayor Graham moved that **the Round Hill Town Council recess its Executive Session and convene its Open Session**; Councilperson Heston seconded the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Minshall and Prack absent. The vote is recorded as follows:

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

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 Executive Session, the Round Hill Town Council discussed only personnel matters**; Councilperson Heston seconded the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Minshall and Prack absent. The vote is recorded as follows:

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

Mayor Ramsey stated that the Closed Session has been certified.



**IN RE: ADDITIONAL TOWN COUNCIL BUSINESS**

Councilperson Hummel reported that the VDOT inspection at Lake Ridge Estates was held today, and went well; the next step will be the Town's acceptance of infrastructure pertaining to the Town, such as the trail, a private street, sidewalks, etc. It was noted that the homeowners' association will be responsible for plowing the private street. Mr. Hummel explained that he is assisting Town Planner/Zoning Administrator Hynes with the bond release process, as she has not previously facilitated a bond release; a punch list will be generated to ensure that obvious problems are dealt with. Councilperson Hummel stated that they are beginning to identify larger issues, which they will present to the Council for discussion. The biggest issue seen there, at present, regards regulations for the tree-safe area, which were to be included in HOA documents, but were not. Mayor Ramsey asked if the Town has approved the covenants; Councilperson Hummel stated that it did, several years ago, and prior to Ms. Hynes' employment with the Town. Mr. Hummel explained that residents hired a firm to clear portions of the tree-safe area; the developer, KHovnanian, discovered this and stopped the work. However, it was noted, a method for dealing with such occurrences in the future should be developed. Additionally, Mr. Hummel noted, the developer is responsible for replanting the area. Councilperson Hummel also noted that the existing stone walls on the property were to be preserved; no work has been done toward this effort. Discussion ensued regarding where responsibility for these issues lie, and how issues regarding the tree safe area may be handled. Mayor Ramsey also noted that a mechanism of enforcement must be determined. The construction of a monument-style Town entry sign, as included in the proffers, was also discussed. Councilperson Hummel reported that some of the sidewalks in the development may not have been constructed within the correct easements, and that that issue must be verified. Councilperson Hummel stated that he hopes he and Town Planner/Zoning Administrator Hynes will be able to provide a report in approximately two weeks. Mayor Ramsey noted his concern that a long-term, sustainable plan be devised for the tree-safe area. Councilperson Heston asked if the developer of Lake Ridge was charged a fee to cover the inspection for the bond release; Councilperson Hummel stated that it was, as a flat fee was charged. Councilperson Heston then asked if there could be legal repercussions for charging the fee and then having the inspection work done in-house; it was noted that, if a flat fee was charged, this should not create any problems. Councilperson Heston also raised the issue of Councilperson Hummel being held liable, in the event the developer contests decisions made; it was noted that he is simply providing assistance to the Town, and that the Town is the responsible party. Councilperson Heston asked if an outside party should be doing this work; Mayor Ramsey noted that Councilperson Hummel is training Town Planner/Zoning Administrator Hynes, and that, in the future, it may be wise to hire a trained person to do this work. Councilperson Hummel also suggested that Council may consider bringing in an outside expert prior to the final bond release for Lake Ridge. Town Administrator Nicholson noted that KHovnanian has always been reasonable in its dealings with the Town. Mayor Ramsey stated that his main concern is with issues such as the tree-safe area, and the odors from the utility system, which may not be solvable within the next year; in relation to this, there was discussion of the grinders installed in the area.

Mayor Ramsey reported on a phone conversation he had with Jeff Lawrence, who met with Town Staff and Town Attorney Gilmore last week; Mr. Lawrence felt the meeting did not go well, and stated that he felt he was not being given a path forward for development of the Eastern Commercial District. Town Administrator Nicholson stated that Mr. Lawrence was given two paths forward: 1) build commercial, as that has already been approved; or, 2) check with the County regarding a determination of proffers. Mayor Ramsey reported that he explained to Mr. Lawrence that Town Staff will not prepare the Zoning District for mixed-use, his group would need to draft that for review by the Planning Commission and Town Council; Mr. Lawrence stated that he was not aware that this path forward was available to his group. Mr. Lawrence also noted that he felt the attendance of the Town Attorney at the meeting was "combative." Mayor Ramsey stated that, from his perspective, Mr. Lawrence was trying to determine if it is still worth it for his firm to pursue this property. Councilperson Hummel noted that the feeling of "hostility" Mr. Lawrence noted likely has been brought about by the way his applicant has treated Town representatives from the outset. Mayor Ramsey also noted that Mr. Lawrence has discussed the proffers attached to that property with the County; the County stated that the proffers are no longer its jurisdiction and are now the responsibility of the Town. However, Mayor Ramsey noted, Mr. Lawrence spoke to a zoning employee, not the County Attorney. Mr. Lawrence's impression is that the County will no longer impose any obstacle on any changes on the use of that property, and that any proffers on the residential side have been fulfilled. Additionally, it was noted that Mr. Lawrence believes the path forward requires that the County Attorney and the Town Attorney work out any proffer issues which may exist; Mr. Lawrence feels that the Town is unwilling to pay its attorney to move forward with this work. Mr. Lawrence is pursuing the determination with the County. Discussion ensued regarding if Town Planner/Zoning Administrator Hynes could pursue the determination, rather than the Town Attorney. Mayor Ramsey reiterated that Mr. Lawrence's group is currently pursuing the determination, and was made aware that the County may contact the Town, if needed. Councilperson Hummel and Town Administrator Nicholson noted that Mr. Lawrence could fill out an application for the proposed mixed-use project, which would require that a fee be paid; this fee could be used to help defray the Town's expenses for legal counsel. Mayor Ramsey reported that he informed Mr. Lawrence that his group would be required to submit a text amendment application for any changes they may want to make to setbacks, buffers, etc. Additionally, a pre-app review of a mixed-use zoning district would be made available to his group. Updates made to the Comprehensive Plan regarding this parcel were discussed, with it being noted that the Town may consider mixed-use only as part of a new zoning district; this takes the proffer issue off the table. Mayor Ramsey explained the process he provided to Mr. Lawrence, for development of commercial-only or mixed-use, and noted that Mr. Lawrence indicated that he did not receive that information from Staff. Town Administrator Nicholson stated that he feels the Round Hill Partners Group's method of operation is to not spend money on the project, and then just "flip" the parcel. Mayor Ramsey also reported that Town Attorney Gilmore has stated that she has concerns regarding the project& proffers with the county, and wishes to speak further with the Mayor. There was no further discussion of this issue.

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 12:32 a.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary