

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
April 20, 2017**

The Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, April 20, 2017, at 7:30 p.m.

**Council Members Present**

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

**Council Members Absent**

Janet L. Heston  
Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator

**Staff Members Absent**

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

**Others Present**

Deputy LoPreto, Loudoun County Sheriff's Office  
Elizabeth Boyko  
Pegah Fowler  
Clinton Chapman  
Andy Macleod  
John Fuog  
David Hornbaker

**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

Mayor Ramsey stated that, with Council Member Minshall, Council Member Hummel, Vice-Mayor Graham, Council Member Lyne, and the Mayor in attendance, a quorum is present.

### IN RE: COMMUNITY POLICING

Deputy LoPreto asked if anyone in attendance had any questions, or any information regarding the Town, that he or she wished to discuss. Deputy LoPreto noted that there have been no big incidents in the Town. Mayor Ramsey noted that the "cow situation" took care of itself; the Deputy agreed with that statement. Mayor Ramsey asked if any of those in attendance had any questions; there were none. Councilperson Minshall asked about security at the site of the HeroHome currently under construction; Deputy LoPreto noted that there have been instances of vandalism at that site, but, more recently, the area has been quiet. Councilperson Hummel reported that a security camera was placed at the site, and is being monitored. Deputy LoPreto also reported that a Sheriff's Office Deputy is working on this case. Council thanked Deputy LoPreto for his report.

### IN RE: PUBLIC COMMENT

Mayor Ramsey opened the meeting to public comment, asking if anyone signed in to speak, and noting that anyone who did not sign in, but wished to speak, would be given an opportunity to do so. Ms. Elizabeth Boyko, of 35542 Sarasota Street, then spoke, explaining that she was standing in for Ms. Stacy Warner, and representing Round Hill Elementary School. Ms. Boyko also introduced her son, Dylan, a fifth-grade student at the school and member of the school's Odyssey of the Mind team. Ms. Boyko explained that Round Hill Elementary School's Odyssey of the Mind team won both a regional and a State competition, which earned them an appearance at the World Competition, to be held at Michigan State University. Ms. Boyko read a letter written by Mr. Andrew Davis, Principal of the school, to the Town Council, regarding this accomplishment and requesting financial support for the team. The request made was for sponsorship of one or more students, at a cost of \$700.00 per student. It was noted that six students from Round Hill Elementary will attend the event. It was also reported that students, parents, and the PTA were working to raise funds for this trip. Mayor Ramsey noted that his wife has worked with this program for a long time, and this is the first time the elementary school team has gone to the World Finals. Additionally, Mr. Ramsey noted, the School Board does not provide much financial backing to these programs. Discussion ensued regarding the number of students the Council wished to support, with it being decided to sponsor two students. Vice-Mayor Graham then made a motion **that the Town donate \$1,400.00 to the Round Hill Elementary School Odyssey of the Mind team;** Councilperson Lyne seconded the motion. Councilperson Minshall asked for more information regarding the Odyssey of the Mind program. Ms. Boyko explained that the teams begin working in October, and meet every week until the regional competition is held, which occurred in February this year. The teams choose one problem from a list of five long-term problems, and work during the time from October to the regional competition to find a creative way to solve the problem. Mr. Minshall asked if the problem is a social problem; Ms. Boyko and Dylan explained that his team's problem this year was a "superhero cliff-hanger," for which they devised a skit to perform. The teams compete only against teams in their division which chose the same problem. The team is provided a time limit for presenting the solution to its problem.

Judging is based on the following: meeting the time limit; the creativity shown in solving the problem; and, for the costumes and props used. Each team is also given a spontaneous problem, for which the solution must be devised during the competition. Mayor Ramsey noted that the spontaneous problem could consist of such things as a word game, or building a structure using materials provided. Mr. Ramsey also explained that a key aspect of Odyssey is that no parental help is allowed, in fact, no outside assistance is allowed at all; the students must make the decisions themselves, and create the scripts, budgets, costumes, music, etc., on their own. The coach is there only to explain the rules, Mayor Ramsey added. Mayor Ramsey noted that this provides for the students to work together as a team, and is very different from the traditional school curriculum, being much more like real life in many ways. Vice-Mayor Graham asked if the budget will support the \$1,400.00 donation; Town Administrator Nicholson stated that it will. There was no further discussion. A vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

The Council congratulated the team on its accomplishment. Vice-Mayor Graham asked that the representatives return to the Council with a report on how they did in the World Finals. Councilperson Hummel asked when the check should be prepared; Town Administrator Nicholson stated that the check will be processed tomorrow.

Ms. Pegah Fowler, of 35522 Sarasota Street, then spoke, asking for input from the Council regarding ways to reach out to leaders in the community in an effort to launch projects in which the students are involved. Ms. Fowler stated that the students would be somewhat responsible for organizing and publicizing the projects. Ms. Fowler also noted that there is particular interest in assisting in some manner with the construction currently taking place in the Round Hill area on a new HeroHome, and asked for information regarding ways to involve the students in this effort; additionally, Ms. Fowler asked for assistance in providing a budget to the students. Mayor Ramsey explained that an item on this evening's Agenda may also be of interest to the students; this item deals with a movie series planned for the Town Park during the summer months. Additionally, Mr. Ramsey noted, other community events/efforts have been sponsored by the Town Council in the past. The Mayor suggested that, if a community project exists in which the students may be interested in participating, they compile a proposal, and then discuss it with him and Town Administrator Nicholson prior to its presentation to the Council for consideration. Ms. Fowler noted that a tour for some students interested in the HeroHome project has been scheduled for Sunday, April 30; the property owner and some veterans will attend and will meet with the students. The goal of this meeting, Ms. Fowler explained, is to provide the students with

information regarding what the nation's veterans do for citizens, and why construction of a HeroHome takes place; it is hoped that this will help to facilitate a conversation between the students and those involved in the HeroHome. Ms. Fowler explained that this represents the type of project in which she is hoping to involve the students. Mayor Ramsey stated that both Council and Staff are available as resources for her and her students.

Ms. Fowler then turned to another topic for which she and her supervisor at State Farm, Mr. Andy McLeod, were in attendance – the movie nights to be held at the Town Park. Mayor Ramsey noted that this topic is on the Agenda for this evening's meeting, and stated that the issue may be discussed at that time.

Mr. John Fuog, of 35971 Ashby Farm Circle, Purcellville, Virginia, introduced himself, noting that he is a long-time resident of Loudoun County, having lived here all his adult life. Mr. Fuog explained that he is in the construction business, and has tried to support the Town of Round Hill for many years. Mr. Fuog further noted that his firm constructed the picnic pavilion at the Town Park approximately fifteen years ago, and that he was a Scout leader who assisted with an Eagle Scout project at the park. Mr. Fuog stated that his comments this evening are regarding Sleeter Lake Park, for which his firm submitted a proposal in response to a request for bids. Mr. Fuog noted that he has spoken with Town Planner/Zoning Administrator Hynes regarding the project, and stated his belief that the Town was getting close to making a decision regarding awarding the contract. Mr. Fuog noted that everyone compiles proposals differently, and explained that his firm submitted a fixed-price proposal which contains no hidden agendas or allowances which could escalate the price. Mr. Fuog further explained that his firm met with Staff at the site, prior to submission of the bid, and discussed assistance with relocation of a honeybee hive attached to one of the buildings, and demolition of two buildings not included in the scope of work provided; Mr. Fuog explained that these were included in his proposal. Mr. Fuog stated that he is in attendance this evening to present additional information on his proposal, and to answer any questions Council may have. Mayor Ramsey noted that the proposals were presented to Council at its Work Session held two weeks ago, and that Staff recommended the contract be awarded to a different firm. Council authorized Staff to begin negotiations with that contractor at that meeting. Mayor Ramsey noted that the recommended contract is included as an Agenda item for this evening's meeting, and that negotiations have been in progress with Mountaineer Pipe Corporation. Mr. Fuog noted that his firm had not received information regarding the awarding of the contract, and wished to attend this evening's meeting to present appropriate information. Town Administrator Nicholson explained that the companies whose bids were not accepted have not yet been notified as the Council has not yet made a final decision. Mr. Fuog offered further assistance, if needed, reiterating that they have been a long-time supporter of the Town and wish to continue to do so. Mr. Fuog thanked the Council.

There was no further Public Comment.

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

Vice-Mayor Graham moved **that the Town Council adopt the Agenda with the following change: move Approval of Minutes to follow Business Items.** Councilperson Lyne also requested that *Eagle Scout Recognition* be included under Business Items, with it being determined that it would be the final Business Item. Vice-Mayor Graham agreed to this addition to the motion. Councilperson Lyne seconded the motion. There was no further discussion. A vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

**IN RE: BUSINESS ITEMS**

**1. Community Events at the Town Park**

Mayor Ramsey stated that a memorandum regarding this item, prepared by Town Planner/Zoning Administrator Hynes, is included in Council Members' packets. Town Administrator Nicholson then provided a summary of the contents of the memo, explaining that Staff was approached by Ms. Fowler, who expressed concern regarding the youth of the community and the provision of recreational opportunities for them during the summer months. Ms. Fowler decided, based upon information included in the Town's Comprehensive Plan, to work to implement a Movies in the Park program. Ms. Fowler is working to obtain sponsorships from local businesses for this program. Three options regarding Town support for the program were included in the memo, they are: 1) no financial support is to be provided by the Town for the event, but the Town would support this via promotion in Town communications, additionally, consideration may be given to waiving any park permit fees; 2) the Town would agree to a summer season, temporary restroom contract; and, 3) the Town would agree to the summer temporary restroom contract, and would provide \$500.00 toward the summer movie package. It was noted that the proposed \$500.00 in support would be included in the FY2018 Budget, which would bring the total in the FY2018 Budget for the Loudoun Street Park to \$2,256.00. Mayor Ramsey noted that provision of the temporary restrooms would be the largest cost associated with the program; Town Administrator Nicholson stated that that is correct, and that the cost would be around \$2,000.00 for the summer season. Mr. Ramsey also noted that the temporary facilities could be left in place following the Hometown Festival, and would provide a benefit to all users of the park, not just those attending the movies. Mayor Ramsey noted that, for the current fiscal year, the difference in cost associated with use of these facilities beyond the Hometown Festival would be minor. Town Administrator

Nicholson stated that this expenditure is not included in the FY2018 Budget, and that a budget adjustment would be made if Council decides to provide financial backing to the program. Mayor Ramsey explained that the budget impacts would be almost entirely in next year's budget, therefore, a vote would not be required this evening, and Town Administrator Nicholson could prepare the budget to include this expenditure prior to adoption of the FY2018 Budget. Mayor Ramsey noted that the cost during the current fiscal year would be approximately \$60.00, an expenditure which is within the Town Administrator's authority to approve. Mayor Ramsey noted that the Council's primary decision is to determine the level of support it wishes to provide to this effort. Ms. Fowler then explained that she and Mr. McLeod have already secured the projector and screen, and that the movies have been secured, as well. As they are providing the projector and screen, there will be no cost to the Town for those items. The most expensive of the movies is \$425.00. Ms. Fowler explained that it is believed two food vendors will participate, and will help to defray the cost of the movies via their earnings at the events. Ms. Fowler further explained that it is hoped a winery and/or brewery will also serve as a vendor, and that, if four vendors agree to participate, each can provide \$100.00 toward the cost of the movies. Ms. Fowler also stated that it is hoped the vendors will commit to this project for the three months scheduled. Mayor Ramsey noted that it may be possible to find a sponsor for the event. Ms. Fowler explained that she has reached out to the dentist and the veterinarian located in Round Hill, in the hopes of securing a sponsorship, but has not had a response from either, to date; she also noted that she would be willing to reach out to others who may be interested in sponsoring the events. Ms. Fowler stated that she is aware there will be costs associated with alcohol licensing and insurance for the events, and asked if the Town already has secured these items. Mayor Ramsey and Town Administrator Nicholson stated that the Town secures a banquet license, not an ABC license, for the day of the Hometown Festival, and noted that, if the events are coordinated through the Town, assistance will be provided with these items. Councilperson Lyne asked the age group the movies will be geared toward; Mr. Fowler stated that the movies will be primarily cartoons and geared toward small children, with park facilities available for the use of older children, and beverages provided for the adults in attendance. Attendees will provide their own chairs and blankets. Ms. Fowler also noted that another night could be chosen to have bands in the park to provide entertainment. Ms. Fowler stated that, perhaps, grills could be provided for community cook-outs. Councilperson Hummel asked if an effort has been made to have the Bluemont Concert Series held at the Town Park; Mayor Ramsey stated that there were some programs provided several years ago, but nothing has been done recently. Several Council Members voiced their support of more activities being held at the park. Vice-Mayor Graham asked about the Park Policy adopted by the Town, and if it pertains to other types of events; Mayor Ramsey explained that a Park Event Policy, adopted by the Land Use Committee approximately two year ago, does exist, and provides for activities to be coordinated through that committee; Mr. Ramsey suggested that the policy be reviewed. Mayor Ramsey stated that, at this evening's meeting, the main issue to be determined is the continued rental of the portable restroom facilities; providing these facilities throughout the warm months would allow community groups to plan events to be

held in the Town Park. Mr. McLeod stated that it may be preferable to install permanent restroom facilities, if these various events go forward; Mayor Ramsey stated that the installation of permanent facilities may be explored if the demand for use of the park continues through two years of programs. Mayor Ramsey also explained that the Town has no staff to work at events, so volunteers from the community would have to provide the staffing. Mr. McLeod explained that he is allowing Ms. Fowler, who is his employee, to work on these efforts during the weekdays, in order to more readily meet with potential vendors, and noted that she will serve as the community "champion." Mr. McLeod also provided information regarding the projection equipment he will provide, and noted that all he needs is to access to electric service. Vice-Mayor Graham asked if forms exist for the use of the Park; Town Administrator Nicholson stated that they do. Mayor Ramsey stated that a permitting process exists, but needn't be completed this evening, as the Town Administrator can handle these issues at another time. Mayor Ramsey stated that, this evening, Council should provide direction to Staff as to how to handle this request. Councilperson Minshall stated his support for this idea, with several other Council Members echoing that sentiment. Vice-Mayor Graham asked if the Town will sponsor one of the movies, in addition to providing restroom facilities, which Mayor Ramsey noted is one of the options put forward in Town Planner/Zoning Administrator Hynes' memo. Mr. McLeod noted that the cost of the movies may range from \$395.00 to \$425.00. Ms. Fowler explained that she would like for the vendors to "have some skin in the game," and asked that she be allowed to work with the vendors in securing funding for the movies. Ms. Fowler stated that Vocelli Pizza is definitely interested in providing food at the event(s), and that other vendors may be interested; the goal is to provide refreshments for all age groups. Ms. Fowler also explained that it is hoped Mr. McLeod's State Farm office will be the permanent sponsor. Ms. Fowler stated that her primary reason for pursuing this is to provide a sense of community to the children/youth of the area, considering the growth which has taken place, and to provide them with an understanding that this is their Town, and they have a vested interest in taking care of it when they are out. Councilperson Minshall asked if representatives of Tammy's Diner and Savoir Fare have been contacted; Ms. Fowler stated that they have not, as yet, but that she will speak to someone at Tammy's Diner tomorrow. Mayor Ramsey asked Town Administrator Nicholson to include the continued rental of the portable restroom facilities in the General Fund Budget, and to budget an additional \$1,000.00 for Community Investment, the use of which may be revisited next year. It was the consensus of the Council to move forward with support of this proposed event.

## **2. FY2018 Budget – Review & Finalize**

Town Administrator Nicholson presented this item, explaining that additional information has been included in Council Member's packets regarding meeting the "soft" costs of engineering for the south water tank, in order to complete all prerequisites prior to seeking a loan for the costs of construction. Mr. Nicholson further explained that this does not increase the cost of the project, but rather changes the income stream from loan-only to some funding being taken from Reserves. Mayor Ramsey asked to clarify that the budget

documents before Council are the documents which will be advertised, barring changes being made by the Council this evening; Town Administrator Nicholson stated that that is correct. Vice-Mayor Graham asked if any changes from the Council's last budget discussion are reflected in the General Fund Budget presented this evening; Town Administrator Nicholson stated that there are no changes, but noted that a breakdown by future fiscal years has been included in the Capital Budget, as requested by the Mayor. Mayor Ramsey requested that a breakdown of the Main Street Enhancement Project and the Franklin Park Trail Project be provided to the Council; Town Administrator Nicholson stated that options for this reporting will be discussed prior to the beginning of the new fiscal year, and that Council will have a choice in how these reports are structured. Mayor Ramsey and Councilperson Lyne requested that a full history of both projects be provided during the coming summer months. Mayor Ramsey noted that a change to the Budget was requested this evening – the addition of \$2,750.00 to cover expenses for the Movies in the Park program. Discussion ensued regarding where in the budget this addition should be reflected. It was decided to add the cost of the portable restroom facilities to the Park Expenses portion of the budget, which will result in the Town Property Line Item being increased to \$1,800.00, and the Celebrations Line Item being increased by \$1,000.00. These increases will affect the bottom line by \$2,800.00, to be transferred from Reserves. The Council agreed to these changes. Mayor Ramsey noted that a Transient Occupancy Tax and a Meals Tax are included on this evening's Agenda for discussion, and asked if those taxes would be collected next year, thus affecting the FY2018 Budget. Discussion of this issue ensued, with Mayor Ramsey suggesting that it be assumed, for the present, that enactment of those taxes will not affect the FY2018 Budget, as advertised, and that any possible impact be handled as a separate process following adoption of the Budget. Town Administrator Nicholson stated that the only effect enactment of these items may have on the FY2018 Budget is possible revenue from the Transient Occupancy Tax, which would be a minimal amount, and which would go into Miscellaneous Income for the coming fiscal year. Mr. Nicholson explained that adoption of these taxes has been recommended by Town Attorney Gilmore, to ensure they are in place prior to any action being taken by the General Assembly regarding these issues. Mayor Ramsey asked if the Council feels comfortable advertising the General Fund Budget, as presented this evening; Council agreed to advertise the General Fund Budget as presented. Mayor Ramsey then asked if there are any changes Council wished to make to the Utility Budget; there were none. Vice-Mayor Graham asked to clarify if discussion at an Executive Session regarding the General Fund Budget will have an effect on advertisement; following discussion, it was decided to assume that the Executive Session discussion will have no effect, and to proceed with advertisement of the Budget.

### **3. Transient Occupancy Tax**

Town Administrator Nicholson presented this item, noting that a memorandum regarding this issue is included in Council Members' packets. Mr. Nicholson reported that the Town Attorney has recommended adoption of a policy regarding this tax by the Town, in the expectation that the General Assembly will address this in its 2018 session; adoption of a

policy by the Town prior to that action would be preferable. Town Administrator Nicholson also noted that information regarding a Meals Tax is included for consideration. Mayor Ramsey asked to clarify if changes would be required to the Town's Ordinance, if either of these taxes were enacted, or if they may be enacted as part of the Town's Fee Schedule; Town Administrator Nicholson stated his belief that the Ordinance would need to be changed, but stated that he would clarify the issue. Vice-Mayor Graham noted that, in her discussions with the Town Attorney, it was determined that adoption of an Ordinance would be required. Town Administrator Nicholson stated that the Ordinance would be provided for Council consideration at the May 4, 2017 Town Council Work Session. Vice-Mayor Graham also recommended that the date by which existing businesses would be required to collect a Meals Tax be changed from July 1, 2018 to July 1, 2019. Mayor Ramsey stated his belief that there is not enough of a meals industry in Round Hill to justify collecting a meals tax, and suggested that an Ordinance could be adopted, with the amount to be collected set to 0%, to serve as a "place holder." Town Administrator Nicholson elaborated on the reasons for adoption of a Meals Tax policy, including possible development at the Eastern Commercial District site, and the possibility of increased numbers of B&B and Airbnb-type rentals in the area. Therefore, Mr. Nicholson stated, it would be wise to have this policy in place; the numbers may be adjusted as needed. Mayor Ramsey stated that it may be wise to enact this policy prior to any State action on the issue, and noted that his preference would be to set the rate at 0%, or a low number, and to waive collection of the tax revenue, to be determined on a yearly basis. The Mayor stated that he would like to preserve this tax advantage, to provide incentive for businesses to locate in Round Hill. In response to a question from Councilperson Lyne, Mayor Ramsey stated that he would like to have the policy in place, with discussion of levying the tax discussed when a more substantial meals industry exists in the Town. Councilperson Minshall asked if it would be possible to word the Ordinance in a manner which would allow setting a different tax rate for existing businesses, to provide assistance to businesses which have operated in the Town for a number of years; Mayor Ramsey stated that he believed there would be a very limited ability to do so, if it could be allowed at all, and that the Town Attorney would need to address that question. It was noted by both the Mayor and Councilperson Minshall that collection of the tax could be waived. Mr. Clinton Chapman, an associate of the Round Hill Partners Group, stated that it would be preferable to have a set policy, in order to provide certainty to businesses which may possibly locate at the Eastern Commercial District site. Mayor Ramsey noted that Council may direct Staff to prepare the Ordinances, but should not do so unless prepared to adopt them. Vice-Mayor Graham stated that she would like to have the Ordinances provided for discussion at the May 4<sup>th</sup> meeting. Councilperson Lyne asked if Town Attorney Gilmore should attend that meeting, to answer Council Members' questions; Mayor Ramsey suggested that Council direct its questions to the Town Attorney prior to the meeting, so that she may have the information prepared for review at the May 4<sup>th</sup> meeting. Mayor Ramsey reviewed the questions discussed this evening, to be forwarded to Town Attorney Gilmore, and noted that he, Town Administrator Nicholson and Town Planner/Zoning Administrator Hynes

will prepare the questions. It was decided to direct the Staff to prepare the Ordinances for the upcoming Council Work Session.

#### **4. Auditor Quarterly Reports**

Town Administrator Nicholson presented this item, noting that a memorandum containing information regarding these reports, provided by Mr. Jeffrey Mitchell, of Mitchell & Company, is included in Council Members' packets. The memorandum explains the items which will be reviewed in these reports, and notes that the reports will be provided within thirty days of the end of each quarter. Town Administrator Nicholson stated that three Quarterly Reports will be provided, with the fourth quarter's report being the Annual Auditor's Report. Mayor Ramsey stated his preference that all four Quarterly Reports be provided, even if the work on the fourth report is duplicative, so that a complete set exists; it was the consensus of the Council to request all four Quarterly Reports. Vice-Mayor Graham asked if the cost for this service needs to be added to the FY2018 Budget; Town Administrator Nicholson stated that the funding for this has already been included in the budget. Council Members again expressed their support of this initiative. Discussion ensued regarding if this should be done for one year only, or for multiple years; it was the consensus of the Council that this should be done on an ongoing basis. Mayor Ramsey noted that the Town receives quarterly notices from the banks of the cash balances in the Town's accounts; however, there is no way, at present, to determine if those totals are correct. Mayor Ramsey stated that adding these reports will "build up the process," and provide an additional mechanism for ensuring the accuracy of the Town's account balances. Councilperson Minshall stated that, "growth is coming this way rapidly, and putting things like this in place now prepares us for the future." Mayor Ramsey noted his agreement with this sentiment; additionally, Mr. Ramsey noted that the Town's resources have grown significantly, and this provides a "step in the right direction" in safekeeping those resources. Town Administrator Nicholson noted that provision of quarterly reports constitutes a good business practice. It was also noted that these reports likely will help the Town Treasurer in her preparation of the Balance Reports.

#### **5. Eagle Scout Recognition**

Mayor Ramsey noted that he received information yesterday regarding Eagle Scout Mark Doherty, a resident of The Villages, whose family has been in the Round Hill area for many years; this information was sent out to Council Members earlier today. Councilperson Lyne then made a motion **that the Town Council approve the Proclamation in Honor of Mark Doherty, which follows:**

**WHEREAS, The Town of Round Hill wishes to honor its young men and women for their accomplishments; and,**

**WHEREAS, Mark Doherty has achieved the rank of Eagle Scout, with Troop 961, of Hillsborough, Virginia; and,**

**WHEREAS, Mark Doherty will hold his Eagle Scout Court of Honor, with Boy Scout Troop 961, on April 30, 2017;**

**NOW, THEREFORE, BE IT RESOLVED that Sunday, April 30, 2017, be named "Mark Doherty Day" throughout the Town of Round Hill, in honor of Mark Doherty's accomplishment as an Eagle Scout.**

Vice-Mayor Graham seconded the motion. Mayor Ramsey asked if there were any further discussion. Vice-Mayor Graham asked for information concerning Mr. Doherty's Eagle Scout Project; Mayor Ramsey explained that he did not receive that information for inclusion in the Proclamation. Mr. Ramsey also noted that he will attend the Court of Honor as a representative of the Town. The Mayor then noted that, included in his e-mail to Council Members, was a brief history of how the Town has honored Eagle Scouts; Mr. Ramsey stated that this effort by the Town has not been uniform in nature, and further noted that in the past two years there have been at least five Eagle Scouts from the Round Hill area. However, the Mayor noted, this will be only the second Eagle Scout who has had the honor of his own day being proclaimed, as a regular process is not in place to provide this. Mayor Ramsey stated his willingness to work with Scout leaders in the community to ensure that offering this honorarium is a standard practice going forward; Council was supportive of this effort. There was no further discussion of the motion. A vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

Mayor Ramsey stated that he will inform Eagle Scout Doherty's family about this Proclamation. Councilperson Lyne suggested that this information also be placed on the Town's website and Facebook page; Mayor Ramsey stated that he will ascertain if the family would like that to be done prior to, or after, the Court of Honor, and will inform the Town Administrator of that decision.

**IN RE: APPROVAL OF MINUTES**

**a. February 2, 2017 Joint Public Hearing PC/TC Minutes,  
and TC Work Session Minutes**

Vice-Mayor Graham noted that, on page seven, Kevin Blatchley's name is misspelled. Vice-Mayor Graham then **made a motion that the Town Council approve the minutes, as amended**; Councilperson Lyne seconded the motion. There was no discussion of the motion. A vote was held; the minutes were approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

**b. February 16, 2017 Regular Town Council Minutes**

Vice-Mayor Graham **moved that the minutes be approved**; Councilperson Lyne seconded the motion. There were no corrections, and there was no discussion. A vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

**IN RE: APPROVAL OF THE CONSENT AGENDA**

There were no Consent Agenda Items.

**IN RE: ACTION ITEMS**

**1. Board of Zoning Appeals Reappointment (Richard Brown)**

Town Administrator Nicholson presented this item, reviewing pertinent information from the Zoning Ordinance regarding appointments and terms of office for members of the Board of Zoning Appeals. Mr. Nicholson explained that BZA Member Richard Brown's term expires on April 30, 2017, and that Staff is recommending he be reappointed by the Town Council. Vice-Mayor Graham moved **that the Town Council reappoint current Board of Zoning Appeals Member Richard Brown**. Mayor Ramsey requested that it be clarified that the term expires on April 30, 2022; Vice-Mayor Graham agreed to this

amendment to her motion. Councilperson Hummel seconded the motion. There was brief discussion of members who have served, and will serve, as Chair of the BZA, and of the meeting schedule for this body. Following this discussion, a voice vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

## **2. Sleeter Lake Contract**

Mayor Ramsey stated that a representative from the firm Mountaineer Pipe is in attendance at this evening's meeting. Town Administrator Nicholson explained the process used in solicitation of bids for construction at Sleeter Lake Park, noting that Staff used the eVA Solicitation site, which garnered three responses. Stantec reviewed the bids received and provided a favorable recommendation for Mountaineer Pipe. Town Administrator Nicholson explained that Council directed Staff to negotiate the contract, and further explained that Councilperson Hummel provided a template for use in these negotiations. Mr. Nicholson also reported that Town Attorney Gilmore has reviewed the contract and provided comments. It was also noted that six meetings have been held during which negotiation of this contract was undertaken, and that detailed work has gone into tightening up the specifications of the contract. The Town Administrator stated that Staff is confident in its recommendation of Mountaineer Pipe, and is asking Council to provide authorization to sign the contract, based upon the Town Attorney's approval. Mayor Ramsey asked if the total cost included in the contract has changed since the last meeting; Town Administrator Nicholson stated that it has, slightly, and that Mr. David Hornbaker, of Mountaineer Pipe, will explain that change in more detail. Mayor Ramsey asked if the cost has increased or decreased, and if the Scope of Work has changed substantially; it was noted that the cost has decreased by approximately \$200.00, due to removal of the requirements for landscaping and for the construction of mulch trails. Town Administrator Nicholson explained that he requested construction of the mulch trails be removed due, in part, to maintenance issues, and noted that these trails may be installed at a later date. Councilperson Hummel asked if the Town is bonding this project with the County, noting that the landscaping/mulch trails were shown on the approved site plan, and asking how the bond will be released if they are not constructed; Mr. Hummel asked if a revised site plan will be submitted. Town Administrator Nicholson stated that he would need to clarify that issue. Councilperson Lyne noted that he is concerned about how this will look, and stated that he would like to see a rendering of this project without those items included. Mayor Ramsey clarified that Staff has planned to execute the landscaping portion of the

construction with a separate contractor. Town Administrator Nicholson restated his reasons for removing construction of the mulch trails from the project at this time. Mr. Hornbaker noted that the trails, as provided for in the original site plan, are in a storm ravine, which presents many difficulties from a maintenance standpoint. It was also noted that an archaeological area exists adjacent to the houses in the vicinity, through which a trail is to be located; this is not allowed. Mr. Hornbaker recommended that it be determined where the most foot traffic will take place, prior to installing trails. Mayor Ramsey stated that he is not opposed to installing trails as part of Phase II of the project, as long as the park is usable without the trails; Town Administrator Nicholson stated that it would be usable. Councilperson Lyne asked about the landscaping removed from the plan; Town Administrator Nicholson stated that the landscaping in question would be minimal, and may be done at a later date. Councilperson Hummel stated that the price quoted for the trees included in the landscaping seemed high; Mr. Hornbaker stated that the price is higher due to the inclusion of a one-year warranty, which would cover maintenance costs during that time. It was also noted that a preferable variety of trees may be obtained for this portion of the project from another source. Finally, Mr. Hornbaker explained that, within approximately two weeks, the optimal time for planting trees will have passed, and that the survival rate of trees planted in the coming weeks would be poor. Councilperson Minshall suggested that a celebration of the opening of the new park could include donations for a tree-planting. Town Administrator Nicholson stated that some of the funds originally included for landscaping were moved in the budget to cover the costs of correcting a problem with the road; Mr. Nicholson explained the road improvements needed. The Town Administrator and Mr. Hornbaker explained how these changes are reflected in the contract. Mr. Hornbaker then explained that the contract, as it presently exists, provides the Town the ability to direct how trees on the site will be managed – which are native and should be retained, and which are invasive and should be removed. Town Administrator Nicholson stated that he, along with the Town's engineer and Mountaineer Pipe's engineer, will oversee the project. Mr. Hornbaker explained how the pricing reflected in the contract is structured, and how crew rates will be charged. Mr. Hornbaker also stated that his firm wants to develop a relationship with the Town. Councilperson Lyne stated that his concerns center on the shifting of funding from aesthetics to items such as roads, and noted that he would like to see how these changes may impact the bigger plan; Town Administrator Nicholson stated that there will be an opportunity to infill the landscaping, and that he requested changes to the contract which will help provide for ease of maintenance. Vice-Mayor Graham asked to clarify if the Town Administrator will be authorized to approve all Change Orders, or if a dollar limit will be set, beyond which Council approval would be required. Mayor Ramsey noted that, if a Change Order represents a budget impact, Mr. Nicholson would be required to make that request of the Council; additionally, Mr. Ramsey noted that a general purchasing policy exists which sets budgetary limits. The Mayor also noted that he would like to ensure the Town Administrator has the authority to make decisions on-site, while the crews are in place; Change Orders would be reported to Council as they are made. Vice-Mayor Graham then asked about the "Contingent Items, Demolition" portion of the proposal, regarding removal

of tires at the site; Mr. Hornbaker explained that the tires will be counted prior to removal, and that the number included in the proposal was based upon a count conducted at the site. Mr. Hornbaker also explained that one or two additional tires, found at the time of construction, will not incur an additional billing amount. Vice-Mayor Graham noted that Staff has been impressed with Mountaineer Pipe's conscientious efforts to work with the Town; Mr. Hornbaker noted that the employees of Mountaineer Pipe live in the area, and that they would be proud to work with the Town and to put their name on this project. Mayor Ramsey asked when installation of storage racks will occur; Town Administrator Nicholson stated that that will be done during Phase II of the project. The Mayor also asked about the Memorandum of Understanding with the County regarding maintenance at the park; Town Administrator Nicholson reported that the MOU has not yet been approved by the County, although his understanding is that the County will provide maintenance. Mr. Nicholson also noted that a small amount of funding for maintenance has been included in the Town's budget. It was noted that Town Planner/Zoning Administrator Hynes is still working with the County on this issue. Mayor Ramsey asked if the site plan changes have been reviewed with the Franklin Park maintenance supervisor, to allow for his input. Mr. Hornbaker explained that Loudoun County maintenance standards will be followed in construction at the park. Mayor Ramsey stated that it should be insured that the same use/materials standards as those in place at Franklin Park are used at Sleeter Lake Park; Mr. Hornbaker noted that Town Planner/Zoning Administrator Hynes has addressed these issues with the County. Mr. Hornbaker stated that his firm has investigated the use of aggregate materials for trails. Councilperson Hummel noted that he has the following concerns: 1) ensuring County approval of the changes to the site plan, to avoid the necessity of installing wood chip trails and the installation/removal of trees, which could incur additional costs; 2) determining if bonding of the project will be done in conjunction with the County, which could have an impact on the changes to the site plan noted in item number one; and, 3) changes to the scope of work, and its impact on other bidders who were unable to submit proposals which included these changes. Mr. Hummel stated that the proposal submitted by Mountaineer Pipe is very complete, and that the majority of the numbers included are "good numbers;" additionally, he noted that the choice of items to be removed, and included, in the contract by Staff represent good choices. Mayor Ramsey asked to clarify if the scope of work has changed to such an extent that this should be put out to bid again. Mr. Ramsey also reviewed the process undertaken in soliciting this proposal, noting that Staff was directed, at the last Council meeting, to negotiate this contract based upon that process. Discussion ensued regarding the process undertaken to solicit these bids, and differences in the bids received. Mr. Hornbaker explained that his firm does not like to do Change Orders, and thus tries to be up-front with its proposals. There was discussion of the total costs provided in two of the bids received – those from Mountaineer Pipe and Mr. Fuog. Councilperson Lyne asked that an item be added to the Land Use Committee portion of the Agenda for the next Council meeting, so that Phase II of the development of Sleeter Lake Park may be discussed. Vice-Mayor Graham then made a motion **that the Council approve the Sleeter Lake Park, Phase I, contract to Mountaineer Pipe, at a cost not to exceed \$168,835.35**; Councilperson Lyne

seconded the motion. Vice-Mayor Graham requested that the Town Planner/Zoning Administrator's recommendation to award Phase II of the project to Mountaineer Pipe, if its work during Phase I is completed successfully, be removed. Mayor Ramsey noted that the approach to be taken in requesting bids for Phase II of the project can be determined upon completion of Phase I. Councilperson Hummel asked if a schedule for this project will be provided; Mr. Hornbaker explained that this will be provided upon receipt of the signed contract. Councilperson Minshall asked when ground will be broken, if the contract is approved this evening; Mr. Hornbaker explained that ground will be broken within two days of receipt of the signed contract. Mr. Hornbaker also noted that his firm is aware of the goal of opening the park on July 1, 2017. Councilperson Hummel asked if a grading permit will be obtained; Town Administrator Nicholson stated that that permit was received today. Vice-Mayor Graham asked to ensure that the road to the park be treated as a two-way road, noting that it is narrow; Town Administrator Nicholson stated that this will be addressed at the preconstruction meeting, which Utility Staff will attend. There was no further discussion. A voice vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

## **IN RE: DEPARTMENTAL REPORTS**

### **1. Town Planner/Zoning Administrator Report**

Mayor Ramsey noted that this report was provided to Council Members via e-mail.

### **2. Town Administrator Report**

Town Administrator Nicholson noted that his report has been provided to Council in writing. Mr. Nicholson also reported that blasting at Brentwood Springs will begin again on April 17, and will last for approximately six weeks. It was noted that, when blasting took place there previously, there were some complaints of minor damage to property by residents in that area. Mayor Ramsey requested that notices of this action be placed on the Town's website and Facebook page; Mr. Nicholson stated that Town Clerk McGaha will place those notices. Mayor Ramsey asked if the Town is at a point in its work on the Main Street Enhancement Project that work on property acquisition at the proposed new well site can commence; Town Administrator Nicholson stated that preparatory work on this acquisition is underway, and that information regarding that work will be included in his next report. Mayor Ramsey requested an update on this project prior to the upcoming HOA meeting, which will be held on Tuesday of next week. Town Administrator Nicholson stated that he will attend that HOA meeting, and will ensure that representatives of the

County attend, as well. Discussion at this meeting will center on the Franklin Park Trail Project; the new well site will not be discussed. Town Administrator Nicholson also reported that the bylaws of the HOA allows the Board to vote on utility-related issues; voting by the entire membership is not required in these instances.

### **3. Mayor's Report**

Mayor Ramsey reported that there was some concern, expressed on Facebook, regarding the water tower and cell site on the tower. Resident Allison Tinney posted a request on Facebook that the County pass a rate-control ordinance, which mandates that out-of-town utility customers may be charged only the same rate as that charged by Loudoun Water. Mayor Ramsey noted that Ms. Tinney's Facebook post stated that the intent of this request is to force Round Hill to sell its utility system to Loudoun Water. The Mayor reported that he reached out to Supervisor Buffington and his assistant regarding this; they both indicated that they are not in agreement with this effort. The Mayor stated his belief that this will not go beyond postings on Facebook. Mayor Ramsey noted that he will attend Mark Daugherty's Honor Court, and that he will try to attend the upcoming HOA meeting. Finally, Mayor Ramsey reported that he is assisting Town Planner/Zoning Administrator Hynes with the financial analysis for the boundary line adjustment discussion.

### **IN RE: COUNCIL COMMENTS**

Councilperson Hummel reported that the Planning Commission is finalizing three Zoning Ordinance amendments, for Short-Term Rentals, Temporary Family Health Structures, and Family Day Homes and Residential Care Homes, for a Joint Public Hearing scheduled for June 1, 2017; it is hoped the information for this hearing will be provided to the Council within the next two weeks. Mayor Ramsey requested that the information prepared for the Planning Commission's May 2 meeting be provided to Council a week prior to its May 4 Work Session. Discussion ensued regarding this time-line, with concern expressed that it does not provide enough time for Town Council review of the amendments; Town Administrator Nicholson stated that he will ensure Council has ample time for review. Mayor Ramsey suggested that Council Members provide their comments to the Planning Commission prior to its May 2 meeting, so that requested changes could be made at that meeting. It was the consensus of Council and Staff that forwarding comments to the Planning Commission prior to its meeting would be preferable. Councilperson Hummel reported that the developer of the Creekside/Brentwood Springs subdivision, Wormald, has begun work on the proffered park; the Town will have review ability for the playground equipment to be placed in the park, and the Town will choose the name for the park. Mayor Ramsey noted that ideas for naming the park have been put forward by some Council Members; Councilperson Hummel requested that this topic be included on the Council's work list. Councilperson Hummel also noted that a proffered trail along Main Street/Woodgrove Road, to be built by Wormald, is dependent upon another entity obtaining the needed easements; Mr. Hummel asked if the Town should begin that effort. Mayor Ramsey stated that, in discussions with the property owners of the three existing homes in this area, it was made clear that two of those owners will not provide easements. Councilperson Hummel explained that, if the trail cannot be built, Wormald will contribute the funding which would have gone to that construction to the Town. Vice-Mayor

Graham reported that paper copies of the Comprehensive Plan are scheduled to be provided to Council Members by this coming Monday. Ms. Graham also reported that the advertisement for the Public Hearing regarding the update of the Water and Sewer Ordinances has been published in the Purcellville Gazette. It was noted that this Public Hearing will be held at the May 4, 2017 Town Council Work Session. Finally, Vice-Mayor Graham noted that her granddaughter, during a visit, commented that she found the people in Round Hill "very friendly." There were no further Council Comments.

**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), with the Town Administrator invited to the first part of the session;** Councilperson Hummel seconded the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

Mayor Ramsey stated that the Council is now in closed session, and called for a brief recess at 9:42 p.m.

**IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING**

Vice-Mayor Graham moved **that the Round Hill town Council adjourn its closed session and reconvene its open meeting;** Councilperson Lyne seconded the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

The Regular Meeting was reconvened at 11:00 p.m.

**IN RE: CERTIFICATION OF CLOSED SESSION**

Vice-Mayor Graham moved **that the Round Hill Town Council certify that, while in closed session, the Round Hill Town Council discussed only those matters that were contained in the motion by which the Town Council convened its closed session, and that were lawfully exempt from open meeting requirements;** Councilperson Lyne seconded the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Heston and Prack absent. The vote is recorded as follows:

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

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 11:15 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary