

**MINUTES
of the
ROUND HILL TOWN COUNCIL
JOINT PUBLIC HEARING
with the
ROUND HILL PLANNING COMMISSION
and
REGULAR MEETING MINUTES
July 20, 2017**

A Joint Public Hearing held by the Round Hill Town Council and Round Hill Planning Commission, and a Regular Town Council Meeting, were held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, July 20, 2017, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Janet L. Heston
Michael K. Minshall
Christopher J. Prack

Council Members Absent

Michael Hummel
Frederick J. Lyne

Staff Members Present

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

Others Present

Maureen Gilmore, Town Attorney
Pegah Fowler
Angie Hoffstat
Michael Parcete
John Fleming
Kelly Caccamo
Deputy LoPreto, Loudoun County Sheriff's Office

IN RE: CALL TO ORDER

At 7:35 p.m., Mayor Ramsey began the meeting by explaining that a Joint Public Hearing was being held, with both the Town Council and the Planning Commission present. Roll Call was held by the Town Council; as Councilpersons M. Minshall, Heston, and Prack, Vice-Mayor Graham, and Mr. Ramsey were present, there was a quorum. Planning Commission Chairman Mirabal then held a Roll Call for the Planning Commission; as Commission Members Daly and L. Minshall, and the Chairman, were present, there was a quorum. It was determined that Mayor Ramsey would chair the Joint Public Hearing.

IN RE: PUBLIC HEARING – SPRING 2017 ZONING TEXT AMENDMENTS

Mayor Ramsey asked if anyone in attendance had any Conflicts of Interest; there were none. Mr. Ramsey asked if all members of both bodies had reviewed the amendments; it was noted that they had. There were no written comments.

Mayor Ramsey then called for the Staff Presentation, which was made by Town Planner/Zoning Administrator Hynes. Ms. Hynes noted that members of the Town Council and the Planning Commission have, in their packets, paper copies of the PowerPoint presentation related to these amendments, as well as copies of the three documents under consideration – the *Definitions*, the *Standards*, and the *Zoning Districts*. Town Planner/Zoning Administrator Hynes reported that this Joint Public Hearing was advertised two times prior to this evening's meeting, in The Purcellville Gazette; additionally, copies of the documents under consideration have been available in the Town Office for public review. Ms. Hynes noted the official title of these amendments, *ZOAM 2017-01, Spring 2017 Zoning Ordinance Amendments*. Key goals from the previously passed *Intent to Amend Zoning Ordinance Resolution*, passed in February 2017, were presented; these include assisting in providing for diversity in housing in residential neighborhoods, addressing the needs of seniors and disabled residents, allowing for greater use of residential properties, and addressing some items identified by the 2016 Zoning Ordinance Diagnostic. Town Planner/Zoning Administrator Hynes further explained that these amendments also address some key goals from the Comprehensive Plan. The three new uses determined by the Planning Commission are: a *Family Day Home*, a *Residential Care Home*, and a *Temporary Family Healthcare Structure*. Ms. Hynes presented brief explanations of each of these uses, which are designed to: allow for provision of child care in a resident's home; provide care for those with special needs; and, assist residents wishing to provide care to elderly family members. Town Planner/Zoning Administrator Hynes then presented the *Use Standards* section, which, she explained, is a newly-added section to the Zoning Ordinance designed to provide a central location for placement of these standards. The *Definitions* section was presented next, with it being noted that seven new definitions were added; changes made to existing definitions were also provided. Ms. Hynes explained that changes made which allowed for uniform standards to be put in place in various Zoning Districts, including the B-1 Business District, in which residential properties are located; additionally, the Planning Commission added a section regarding *Conformity*. Planning Commission Chairman Mirabal noted that, in these amendments, a *Family Care Home* was changed to a *Family Day Home*; Mr. Mirabal asked that an explanation of this change be offered,

to provide clarity for attendees, noting that the changes made make this use less restrictive. Ms. Hynes stated that these uses, including a *Family Day Home*, will be by-right uses under these amendments, and will also ensure the Town is in compliance with State Code. Vice-Mayor Graham referenced *Section 7.11 – Use Limitations*, asking that Item "b" and/or "c" in this section, which deals with accessory structures, be included in all residential sections of the Zoning Ordinance, to avoid confusion or conflict. Councilperson Heston asked to clarify if this subject is included in the *Definitions* portion of the Ordinance; Town Planner/Zoning Administrator Hynes explained that it is not, but has been used as "an unspoken rule" in regulating the Zoning Ordinance. Ms. Hynes also noted that use limitations which exist in other sections of the Ordinance do not currently exist in the B-1 – Business Zoning District. Mayor Ramsey asked to clarify how this issue applies to *Guest Houses*; Town Planner/Zoning Administrator Hynes explained that, in the B-1 District, a Guest House may not be used as a lodging or a dwelling. Mayor Ramsey sought to further clarify that, in keeping with the language of the current B-1 District Zoning, a Guest House may not be located in the B-1 District; Ms. Hynes stated that that is correct – an accessory structure may not be used as a dwelling. Ms. Hynes noted that the Planning Commission did add language which allows for a temporary use (such as a Temporary Family Healthcare Structure). Mayor Ramsey noted that the Town Council had tasked the Planning Commission with addressing accessory dwellings and short-term rentals, noting that the Planning Commission is still working on that issue; Mr. Ramsey suggested that Vice-Mayor Graham's request be included with the work currently being done by the Commission. Minor corrections to spelling were noted. The request was made to include *rehabilitation centers* under the *Nursing Home* section of Article 2. The proper designation for the "caretaker's quarters/religious leader's residence," under *Place of Worship* in Article 2 was discussed, with the Town Planner/Zoning Administrator stating that the term "parsonage" can be added, until a term which better explains the use can be determined. Mayor Ramsey noted that, in the past, the "parsonage" was considered an accessory use to the primary use at a Place of Worship. Town Attorney Gilmore suggested that the Planning Commission take up this issue during its discussion of Accessory Dwellings and Short-Term Rentals. Councilperson Heston asked about the inclusion of swimming pools in Article 2, under *Structure*, asking if this includes in-ground pools, or deals with above-ground pools only; Town Planner/Zoning Administrator Hynes explained that it is regarding above-ground pools only, due to setback requirements. Ms. Hynes stated that this issue will be discussed further by the Planning Commission. Councilperson Heston also noted that, in Article 2, under the section entitled *Town Sponsored Event*, the phrase "*approved by the Town Park Committee*" should be replaced with "*approved by the Town Council*," as a Town Park Committee does not currently exist. Mayor Ramsey suggested that the phrase be as follows: "*approved by the Town Council or a designated committee*;" Council Members agreed with this wording. Councilperson Heston noted that a definition for a *Tree-Save Area* has not been included, and asked if the term should be included. Mayor Ramsey asked if that change is to be made to the current Text Amendments, or could be undertaken during the Planning Commission's upcoming discussions; Councilperson Heston stated that it could be placed on the Commission's "to-do list," and need not be included in the document under consideration this evening. Minor typographical errors were noted. There was no further Town Council/Planning Commission comment.

Mayor Ramsey opened the Public Comment portion of the Public Hearing; no one provided any comments.

Mayor Ramsey asked if there were any other items the Planning Commission or Town Council wished to discuss; there were not.

Mayor Ramsey adjourned the Joint Public Hearing at 8:03 p.m.

Mayor Ramsey asked if the Planning Commission intends to adopt the Zoning Text Amendments at its next meeting; Chairman Mirabal stated that that is correct. Mayor Ramsey asked if the Planning Commission wishes to make a recommendation this evening. Town Attorney Gilmore further explained the Planning Commission's options regarding this issue, noting that it may convene a meeting this evening to discuss making a recommendation during the Town Council's regular meeting. The Planning Commission chose to convene a meeting to discuss its recommendation. Mayor Ramsey called for a recess at 8:05 p.m. Chairman Mirabal convened the Planning Commission meeting at 8:05 p.m.; Roll Call was held, and it was determined a quorum was present. Chairman Mirabal explained that the Planning Commission is to determine if it will approve for recommendation to the Town Council the Zoning Text Amendments which were discussed in Public Hearing this evening; technical/grammatical errors will not be considered in the Planning Commission's decision. Planning Commission Member Lori Minshall made a motion **to recommend Planning Commission approval of the amendments for the Family Day Home, the Residential Care Home, and the Temporary Family Healthcare Structure**; Commission Member Daly seconded the motion. Town Attorney Gilmore asked, for point of clarification, if the Planning Commission intends to recommend adoption of all proposed amendments; it was noted that it does. Ms. Gilmore then recommended that the motion include the title *ZOAM 2017-01*. Commission Member Minshall then amended her motion thus: **to recommend that we accept the Zoning Ordinance Amendments 2017-01, as discussed this evening**. Commission Member Daly seconded the motion. A vote was held; the motion was approved 3-0, with Commission Members Evers and Hummel absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Jean Daly	Aye
Stephan Evers	Absent
Michael Hummel	Absent
Lori Minshall	Aye

Chairman Mirabal adjourned the Planning Commission meeting at 8:10 p.m.

IN RE: RECONVENE TO TOWN COUNCIL WORK SESSION

The Town Council Regular Meeting was reconvened by Mayor Ramsey at 8:10 p.m. Mr. Ramsey thanked the Planning Commission.

Mayor Ramsey stated that the Town Council Members noted as being in attendance at the Public Hearing are present.

IN RE: COMMUNITY POLICING

Deputy LoPreto provided this report. Deputy LoPreto noted that an earlier report of an incident on Longstreet Avenue, Round Hill, proved to be incorrect, and that a theft from the property there did not occur. The Deputy stated that the Sheriff's Office Quarterly Meeting will be held on August 2nd, at the Western Loudoun Substation on West Loudoun Street. It is the goal of the Sheriff's Office to increase public participation in these meetings, and it is hoped that representatives of the various homeowners' associations in the community will attend. Deputy LoPreto noted that there is a great deal of information provided at these meetings, and that they provide a good opportunity for citizens to pose questions they may have. Deputy LoPreto asked that the meeting be placed on the Town's website and social media pages. The meeting for this quarter will begin at 7:00 p.m. Mr. LoPreto noted that these meetings also provide insight into the future direction of the Sheriff's Department. It was noted that the Sheriff's Office is hiring, and that a video regarding this effort is available on the Sheriff's Office's website. Deputy LoPreto thanked the Council, and encouraged those in attendance to call the Sheriff's Office with any questions or concerns they may have. The Council thanked Deputy LoPreto for his report.

IN RE: PUBLIC COMMENT

Mayor Ramsey opened the meeting to Public Comment. Ms. Pegah Fowler, of 35522 Sarasota Street, spoke, explaining that the Movie in the Park night scheduled for tomorrow evening has been cancelled, due to unavailability of vendors and the hot weather the area is experiencing. Ms. Fowler noted that the next event will be held in September. In addition, Ms. Fowler explained that she hopes to have vendors for wine and beer available at the September Movie Night. Ms. Fowler explained that there are already many families in the community who hold gatherings of this type in their neighborhoods; her hope is to bring the entire community together to this event in the Town Park, and to provide activities for children as a way to instill a sense of community in them, as well. Ms. Fowler spoke to concerns expressed by law enforcement officials in the area regarding possible future problems occurring with the youth, as the population in the area grows, noting that her hope of creating a sense of community in the younger children is an effort to help avoid these problems. Ms. Fowler noted there is a hope that Round Hill will, in the future, have a community center at which various events of this type may be held. Ms. Fowler explained that the effort to provide wine and beer at the movie nights is to provide for the adults, as well, as these events. Mayor Ramsey explained questions the Council has regarding serving alcohol at the movie nights, and asked that Ms. Fowler provide additional information on her application with the Town for these events, to help address the Council's questions and concerns. Ms. Fowler explained difficulties and costs associated with having wineries attend the events; additionally, she explained

procedures which may be employed to limit alcohol consumption. Mayor Ramsey reiterated that, if the Town is being asked to license alcohol sales at the movie nights, the Town must be provided with additional details. Mr. Ramsey explained that the Council likely will not meet in August; therefore, its first meeting will be the Work Session scheduled for the first Thursday of September. Mr. Ramsey noted that Ms. Fowler can provide the additional information requested at that meeting. Ms. Fowler also noted that an effort is being made to streamline vendor payments, to make the process simpler for all involved. Mayor Ramsey thanked Ms. Fowler for undertaking this effort, noting that he "hopes it takes off." Ms. Fowler thanked the Council for its time.

Mr. John Fleming, of 17737 Marbury Street, in the Lake Point neighborhood, then spoke regarding the Franklin Park Trail, and its route from Franklin Park to Marbury Street. Mr. Fleming raised concerns about the location of the trail, especially safety concerns. Mr. Fleming referenced the opening of the trail through the tunnel under the Route 7 Bypass, through his neighborhood, stating that that brought with it more loitering, theft, and vandalism. Mr. Fleming noted that the trail will run directly behind his house, and stated his concerns regarding the safety of his children while playing in their backyard; Mr. Fleming also noted that some of the people using the trail will be unknown to residents in Lake Point. Mr. Fleming asked if the trail will be patrolled by police officers; additionally, Mr. Fleming asked if the Town will assume responsibility for maintenance of the public areas in his subdivision, or if those costs will be paid by members of the homeowners' association. Mr. Fleming also asked about Sleeter Lake Park, notably if it, too, will be patrolled by police officers, as well as who will be responsible for upholding rules and regulations for use of the lake. Mr. Fleming raised concerns regarding costs which may fall to homeowners in the Lake Point neighborhood, if Sleeter Lake Park is opened to the public. Mr. Fleming noted that others in his neighborhood also share these concerns. Mayor Ramsey thanked Mr. Fleming for his comments, and explained that Sleeter Lake Park, the Franklin Park Trail, and existing trails in the Lake Point neighborhood were all intended for general public use. Mr. Ramsey further explained that the trail which currently exists at Lake Point was dedicated by the developer for full public access, and was intended to be part of the regional trail network. That trail was part of the reason for County approval of the building of Lake Point. Mayor Ramsey also noted that Lake Point was not designed as a gated community, and that public access to the lake was one of the reasons the builder obtained approval from the County for the development. Mayor Ramsey stated that he wanted the public to know that the trail network which exists in the neighborhood was part of the proffers, and were designed for public use. Mr. Fleming stated that he was glad the Mayor told him about the history of the trail and the proffers involved, as he was told by the selling agent, when he purchased his property, that the trail would be private and for the sole use of HOA members. Mr. Fleming explained that he paid a premium on the lot due to the existence of the trail there, believing it would be private. It was noted, by a member of the public, that she believes the HOA Board members hold the same perception as Mr. Fleming – that the HOA owns the lake and holds all the rights to the amenities there. Mayor Ramsey clarified that the HOA does own the lake. Mr. Fleming clarified that he was not told that the amenities there would eventually be open to the public. Mayor Ramsey further clarified that the HOA owns the lake and the land upon which the trails are built, and that is all HOA common property. Mr. Ramsey stated that, in the

case of the trails, easements exist which state that the trails are dedicated for public use, and are meant to be part of the regional trail network; this is part of the reason the Franklin Park Trail was planned as it was. Additionally, Mr. Ramsey noted, one of the proffers provided for the development of a park at the lake, which included public access; the Town and County are now in the process of developing this amenity. Mr. Fleming noted that, at the time he purchased his property he was provided with information which was completely contradictory to what he has learned this evening, and that having knowledge of the proffers agreed to when the development was first approved helps him going forward. Mayor Ramsey explained that the proffer list is included in ZMAP- 89-04, which may be accessed from the County. Mr. Ramsey also noted that, regarding the public safety issues raised by Mr. Fleming, the Town is very sensitive to those issues, and will be advocating for community policing and other strategies to ensure that any impacts from public use of the park, trails, and lake are fully addressed; Mr. Ramsey stated that, when the Town opens the park, it will be just as focused on those issues as residents in Lake Point. Mayor Ramsey stated that, "we live here too, we're your neighbors," and the desire is to work these issues out together. Mr. Ramsey further stated that, in serving as a spokesman for many the Town's citizens, "we definitely want to have public amenities which were promised," and will pursue opening these amenities up to the public in a responsible manner. Mr. Fleming thanked the Mayor and Council for providing clarification on these issues. Mayor Ramsey stated that he understands Mr. Fleming's position, and likely would have similar reactions if he were in the same situation, thus, he does not want Mr. Fleming to feel as though his concerns are not seen as valid. Mr. Fleming again thanked the Mayor and Council, stating, "I appreciate your time."

There was no further Public Comment.

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

Vice-Mayor Graham made a motion **that the Agenda be approved, with the following changes: under "Approval of Minutes," add June 1, 2017 Work Session Minutes; under "Action Items," add Approval of MOU for Brookfield Washington, LLC; hold discussion of Action Item #4, Lake Ridge Water/Sewer Bond Release, Action Item #5, Sleeter Lake Park Contract, and the added Action Item regarding the Brookfield Washington, LLC Approval of MOU prior to the "Approval of Minutes."** Vice-Mayor Graham noted that these changes are being requested so that principals in the discussions may attend, without the necessity of them attending the entire meeting. Mayor Ramsey asked if discussion will be held this evening on the *County Maintenance Agreement for Sleeter Lake Park*; Town Planner/Zoning Administrator Hynes explained that that item has been removed from the Agenda. Councilperson Heston seconded the motion. Mayor Ramsey clarified that, following the "Adoption of the Regular Meeting Agenda," discussion will be held on the following: the Lake Ridge Water/Sewer Bond Release; the Sleeter Lake Park Contract; and, the Brookfield MOU. Mr. Ramsey further clarified that the meeting will then proceed to "Approval of the Minutes," and the rest of the Agenda, as shown. Mayor Ramsey asked if Council wished to approve "ZOAM 2017-01," which was presented at this evening's Public Hearing. Councilperson Heston asked if it was necessary to approve the item at this time; Town Planner/Zoning Administrator Hynes stated that it was not

necessary, but that the Text Amendments would not become active until after approval in September. Councilperson Prack suggested that ZOAM 2017-01 be placed on the Agenda as "Action Item #3," which had been slated for discussion of the *Sleeter Lake Park County Maintenance Agreement*; both Vice-Mayor Graham, who made the motion, and Councilperson Heston, who seconded the motion, agreed to this change. There were no further questions, comments, or debate on the Agenda. A vote was then held; the Agenda was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

IN RE: ACTION ITEMS

1. Lake Ridge Water/Sewer Bond Release

Town Planner/Zoning Administrator Hynes presented this item, explaining that, on September 17, 2015, the Town Council approved the reduction of the Lake Ridge Estates Water and Sewer Performance Bond; the bond was reduced from \$534,887.66 to \$106,977.55. Ms. Hynes reported that Town Engineer Lane has conducted a final inspection of Lake Ridge Estates and has found no further issues nor made further comments; Mr. Lane provided a letter of support for the formal release of the Water and Sewer Bond, to be replaced by a one-year Maintenance Bond in the amount of \$26,700.00. It was noted that copies of these documents are included in Council Members' packets, and that the amount of the Maintenance Bond represents five percent of the original bond. Vice-Mayor Graham moved **that the Round Hill Town Council approve the Bond Release request made by KHovnmanian Homes, for the Lake Ridge Estates neighborhood, for the release of the remaining bond issued by Aspen American Insurance Company, in the amount of \$534,887.66, on the condition that the developer posts a satisfactory one-year maintenance bond, that is the equivalent of five percent of the original bond, the amount being \$26,700.00.** Councilperson Heston seconded the motion. Mayor Ramsey called for discussion of the motion. Councilperson Heston asked to clarify if this covers all issues previously discussed regarding this subdivision; Town Planner/Zoning Administrator Hynes and Mayor Ramsey stated that this bond covers only water and sewer. Mayor Ramsey referenced an earlier issue regarding an odor related to the water/sewer utility infrastructure in the development, and asked if that will be handled off-bond. Town Administrator Nicholson explained that the odors have not recurred of late, adding that Town Utility Staff has kept a journal related to this issue, and during the past eight months the odor problems have not been detected. Mr. Nicholson stated that Utility Staff surmised that increased building in the subdivision has

resulted in increased flow through the pipes, which has mitigated the odors. It was suggested that continued monitoring of this issue take place. There was no further discussion. A voice vote was then held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

Mayor Ramsey instructed Town Staff to reduce the bond to the maintenance amount.

2. Sleeter Lake Park Contract

Town Administrator Nicholson presented this item, providing background information on the bid process, and noting that all previous bids were rejected and the contract was again put out for bid. Mr. Nicholson noted that he has asked Stantec to provide a summary of the work on this issue thus far, although Staff is prepared with a recommendation. The Stantec engineer representing the firm spoke, presenting an overview of the bid process thus far. She reported that the request for bid was placed on-line, with five contractors contacted; two bids were received, one from McGee Civil Construction and one from Vision Restoration. References provided by McGee Civil Construction were checked; the firm has worked with Loudoun County, Fairfax County, and the Town of Herndon, and all references checked out. The Stantec representative also stated that a Dunn and Bradstreet report was run on both companies, and the results were acceptable. McGee Civil Construction was selected, as it was the lowest responsible bidder, and the scope was validated. The contract was drafted by Town Attorney Gilmore and Stantec's Principal Engineer, Jeffrey Lohr; the contract is solid. Mayor Ramsey asked to clarify that the Town will not be conducting contract negotiations, as the contract contained in the bid package will be signed; the Stantec representative noted that that is correct. Mayor Ramsey asked if McGee had been contacted, and if the firm was ready to sign the contract as presented; Town Administrator Nicholson stated that the firm was informed that the contract included in the bid package has been prepared for their signature. Mayor Ramsey asked if a potential start date has been set; Mr. Nicholson stated that it has not, as Town Staff wished to complete and sign the contract prior to setting that date. Councilperson Heston asked if the scope of work included in this new contract is the same as that negotiated with the previous potential contractor; Town Administrator Nicholson stated that it is. Councilperson Heston asked to clarify that change orders will not be necessary; Town Administrator Nicholson stated that that was correct. Mayor Ramsey asked if this contract covers demolition work needed; it was noted that it does. Council requested copies of the

bid package for review. In response to a question from Vice-Mayor Graham, Town Administrator Nicholson stated that, as a Town Council meeting likely will not be held in August, waiting until September to approve this contract would greatly delay work on the project. Town Attorney Gilmore reviewed the materials provided by Stantec, explaining to Council that a full bid package is not available at this evening's meeting and explaining the materials which are available for immediate review, including the Agreement, the Special Construction Conditions, and the contract. Vice-Mayor Graham asked if Council could vote on this item at the Public Information Meeting scheduled for the first Thursday of August, to provide time for review; Mayor Ramsey noted that a Town Council meeting has not been advertised for that date, therefore, Council business could not be transacted at that meeting. Town Attorney Gilmore provided a listing of items included in the contract, which include installation of erosion and sediment controls, demolition of minor structures, debris removal, grading, entrance road repair, park roadway and turn-around construction, and parking spaces. The Town will be responsible for purchase of temporary restrooms, signage, and parking area wheel-stops. Town Administrator Nicholson stated that additional work to the graded area is to be provided, as well. Vice-Mayor Graham reiterated that, regardless of when a vote on acceptance of the contract is held, she would like to see a copy of the entire bid package. It was noted that all documents related to this effort are available on-line, with the exception of the bids, which the Stantec representative provided. Vice-Mayor Graham asked if the scope of work contains any differences from the previous proposal; Town Administrator Nicholson stated that the only major difference is that this contract provides for the removal of mulch trails, a difference of which Council was already aware. Mr. Nicholson further stated that, from his perspective, the work included in this new contract "is a smaller job," and consists primarily of clean-up at the site. It was noted that the small building containing a tank located at the site, and the large house foundation, have both been fenced off; it was noted that the fencing will be temporary. Concerns were voiced by the Mayor and Council Members regarding the appearance of the fencing. Mayor Ramsey also asked to clarify if work will remain to be done, following completion of the contracted items under discussion this evening; Town Planner/Zoning Administrator Hynes stated that there will be additional items for the Town to undertake at the site, and that she will work with various volunteer organizations on beautification projects at the park. Mayor Ramsey asked if construction of picnic areas will take place during this phase; there was uncertainty regarding this issue. Town Attorney Gilmore explained that the scope of work is described in the contract that the contractor will sign, and the contract documents include the plans; the area shown as Phase 1 is shown on the plans, with a lump sum for payment provided. Ms. Gilmore explained how, in the negotiations with the previously chosen provider, the negotiations became a line-item issue and grew in specificity, which caused negotiations to break down. Mayor Ramsey asked if a bond for the work will be posted; Town Attorney Gilmore stated that a Performance Bond would be posted. The Stantec representative noted that general liability insurance, copies of the Virginia Contractor's License and other required licenses, the Performance Bond, the Payment Bond, the Taxpayer Identification Number and

Certification, and the W-9 have been provided by the contractor. Mayor Ramsey asked if a payment schedule is included in the contract; it was noted that it is. Mayor Ramsey also asked if the contract specifies a schedule from ATP to completion; Town Attorney Gilmore stated that it does. Mayor Ramsey asked if it is specified that the project be substantially complete within a prescribed amount of time; the Stantec representative stated that the time frame is two months. Mayor Ramsey asked to clarify if the Town will perform its work, such as signage and landscaping, after the contractor completes its work; it was noted that that would be best, and that installation of landscaping materials would best be done in the fall. Discussion ensued regarding a possible opening date for the park, and of the best type of fencing for use at the stone house foundation, until restoration work at the structure can be undertaken. Councilperson Heston asked if the cost for items such as landscaping will be additional; Town Planner/Zoning Administrator Hynes explained that it is included in the originally budgeted amount for the project. Mayor Ramsey asked that a review of the budget for Sleeter Lake Park be presented at the September Work Session. In response to a question from the Mayor, Town Planner/Zoning Administrator Hynes explained that installation of picnic tables is not included in this phase of work. Mayor Ramsey asked if the design of the picnic area is included in the contract under consideration this evening; Town Attorney Gilmore and Town Planner/Zoning Administrator Hynes stated that it is not. Town Administrator Nicholson and Town Planner/Zoning Administrator Hynes explained that any work done in the picnic area must be done within the confines of the grading permit. Mayor Ramsey reiterated his request that the Sleeter Lake Park project/budget be reviewed, with more details provided, at the September Work Session. Town Attorney Gilmore pointed out completion dates included in the contract, with substantial completion required forty-five days from the start date, and final completion required seventy-five days from the start date; penalties for exceeding the allotted time for completion were provided, as well. Materials and design for picnic tables were briefly discussed, with the Town Administrator and the Town Planner/Zoning Administrator ensuring Council that durable materials will be used for the tables. Mayor Ramsey then provided a recap of the issue before Council for a vote. Vice-Mayor Graham then made a motion **that the contract for construction of Phase 1 of Sleeter Lake Park be awarded to McGee Civil Construction, LLC, in the amount of \$149,500.00;** Councilperson Minshall seconded the motion. Councilperson Heston asked if the Town's Attorney is comfortable with this contract and this agreement; Town Attorney Gilmore stated that she is. A voice vote was then held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

Mayor Ramsey stated that the Town Administrator is authorized to execute the contract.

3. Brookfield Washington, LLC, Memorandum of Understanding

Town Attorney Gilmore presented this item, explaining that the Memorandum of Understanding was drafted following discussion among the three parties involved, and noting that two issues of dispute were resolved. One of those issues regarded a utility line and its related bond, with Ms. Gilmore noting that the bond has been secured and is good order. The second issue was Brookfield's unwillingness to be a successor and to sign to the consent decree; Brookfield has dropped its opposition. Town Attorney Gilmore explained that Mayor Ramsey will not sign the MOU until after Brookfield and RHI sign, which is the normal process. Vice-Mayor Graham reported that, during the meeting among the three parties, Brookfield stated that they will not install the infrastructure to supply Town water and sewer to the lots which surround the cluster lots. Mayor Ramsey noted that the Town established its position, and that this MOU is in keeping with that position. Town Attorney Gilmore and Mayor Ramsey elaborated upon issues which could occur in this effort, and the Town's position regarding unknown factors which could arise. Vice-Mayor Graham asked when construction is slated to begin; Town Attorney Gilmore stated that she is unsure. Vice-Mayor Graham then moved **that the Round Hill Town Council authorize the Mayor to sign the Memorandum of Understanding and Agreement (MOUA) between the Town of Round Hill, Round Hill Investors, LLC (RHI), and Brookfield Washington, LLC (Brookfield), after both RHI and Brookfield have signed the MOUA;** Councilperson Heston seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

So that Town Attorney Gilmore could be present for discussion of ZOAM 2017-01, Mayor Ramsey stated that, with no objection from Council, he will re-order the Agenda for discussion of that item at this time. There was no objection.

4. ZOAM 2017-01

Town Attorney Gilmore presented this item, stating that the Planning Commission, with very good support from the Zoning Administrator, had very fruitful discussions regarding these zoning amendments; the purpose of the amendments, in large part, is to ensure that the Zoning Ordinance conforms to State law. Ms. Gilmore noted that, if these amendments are adopted now, Round Hill will be one of the first localities in Virginia to have incorporated these into the Zoning Ordinance. Vice-Mayor Graham asked if the Planning Commission will rewrite the ordinances, or if the Berkeley Group will be engaged for that purpose; Town Attorney Gilmore stated that she was unsure, but that the zoning text amendments will serve as a first step in the rewriting process. Town Attorney Gilmore briefly addressed the issues of accessory dwellings and short-term rentals (such as Airbnb), stating her belief that the Planning Commission will be successful in its work on these topics. Ms. Gilmore reported that Airbnb has already approached the State Treasurer, asking that a collection agreement be signed which would allow Airbnb to collect Transient Occupancy Taxes throughout the State, without providing information to localities. Therefore, some of the larger jurisdictions have begun efforts to oppose this effort by Airbnb. Issues such as these are providing the impetus for enacting legislation to govern these types of rentals. Town Planner/Zoning Administrator Hynes added to the discussion of conducting an overhaul of the Zoning Ordinance, explaining that, at present, the Planning Commission is doing "triage" on the Ordinance, to ensure compliance with State Code. Ms. Hynes further noted that the Town Council will need to decide, within the next six months, the long-term goal for the Zoning Ordinance; Mayor Ramsey noted that decisions regarding this issue can be made at the Council's fall retreat. Town Attorney Gilmore explained that the Planning Commission voted unanimously, during its special meeting this evening, to recommend that the Town Council adopt these amendments, as presented. The Planning Commission also noted that it will begin a "To-Do List," based on Town Council comments made this evening. Mayor Ramsey reviewed the action taken thus far on ZOAM 2017-01, noting that a Public Hearing was held this evening following the appropriate advertising of the amendments, that public comment was received, and that the Planning Commission has recommended that Town Council approve these amendments, with administrative edits made and Scribner's errors corrected. Councilperson Heston then made a motion **to adopt the Amendments to the Town of Round Hill Zoning Ordinance, Article 2 – "Definitions," Articles 3, 4, 5, 6, 7, and 21 – "Zoning Districts," and new Article 25 – "Use Standards," as authorized by Code of Virginia of 1950, as amended, §15.2285 and §15.2286, under Ordinance 2017-03;** Councilperson Minshall seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

Mayor Ramsey stated that the Ordinance is hereby enacted, and instructed Staff to update the Zoning Ordinance. Town Attorney Gilmore explained why a voice vote is required to enact an ordinance.

IN RE: APPROVAL OF MINUTES

1. April 20, 2017 Town Council Regular Meeting Minutes

Vice-Mayor Graham noted the following corrections: on page two, under "Community Policing," in line four, the phrase reads *Mayor Ramsey asked if an of those*, but should read *Mayor Ramsey asked if any of those*; and, on page ten, under "Eagle Scout Recognition," the last name of the Eagle Scout being honored should be spelled *Doherty*. There were no further corrections. Vice-Mayor Graham then moved **that the Town Council adopt the April 20, 2017 Minutes, as amended**; Councilperson Heston seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 2-0-2, with Councilpersons Heston and Prack abstaining, and Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

2. May 4, 2017 Town Council Work Session Minutes

Mayor Ramsey noted that, on page eight, in the third bulleted item, in line two of that item, the correct spelling of the street name is *Keddleston Court*, not *Kettleston Court*, as notated. Vice-Mayor Graham made a motion **that the Minutes of May 4, 2017 be approved, as amended**; Councilperson Heston seconded the motion. There was no discussion. A vote was held; the motion was approved 2-0-2, with Councilpersons Minshall and Prack abstaining, and Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

3. May 18, 2017 Town Council Regular Meeting

Vice-Mayor Graham noted that, on page two, under "Public Comment," in the second paragraph, line six, Ms. Leah Enright's title is misspelled – it is notated as *Mr.* rather than *Ms.* There were no further corrections. Councilperson Heston made a motion **that the Town Council adopt the Town of Round Hill Regular Meeting Minutes for May 18, 2017, as presented and corrected;** Councilperson Minshall seconded the motion. There was no discussion. A vote was held; the motion was approved 3-0-1, with Vice-Mayor Graham voting "present," and Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

4. June 1, 2017 Town Council Work Session Minutes

Mayor Ramey noted that a backlog which has existed with the minutes is being resolved. There were no corrections to these minutes. Councilperson Heston made a motion **that we accept, as presented, the Minutes for the Work Session of June 1, 2017;** Vice-Mayor Graham seconded the motion. There was no discussion. A vote was held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

IN RE: APPROVAL OF THE CONSENT AGENDA

There were no Consent Agenda items.

IN RE: BUSINESS ITEMS

1. Community Shred Event

Town Clerk McGaha presented this item, explaining that another community shred event was included in this year's budget, and that she contacted ProShred, the provider for last year's event, who has agreed to provide its services again this year. The Community Shred Event is set for October 21, 2017, from 10:00 a.m. to noon, at Round Hill Elementary School. Ms. McGaha reported that the event will be advertised, via the Town's newsletter and Facebook page, and the Community Sign at the Town Park. Town Clerk McGaha stated that it is hoped the turn-out will be larger this year. Vice-Mayor Graham asked for the cost to the Town for this event; Town Clerk McGaha stated that the cost will be \$550.00. Mayor Ramsey asked that a report on the event be provided to Council, and stated that it can be included in the Town Administrator's regular report to the Council.

2. BLA Public Information Meeting Format

Town Planner/Zoning Administrator Hynes presented this item, noting that this report is serving the following purposes: 1) providing a reminder that the meeting is coming up; 2) presenting an update on what has happened with this effort, to date; and, 3) providing a presentation of the format for the Public Information Meeting. Ms. Hynes reported that the signs advertising the meeting are ready, and will be placed in neighborhoods throughout the Town, information regarding the meeting has been placed in the three local newspapers, and Mayor Ramsey participated in a radio interview. Mr. Ramsey reported that he was interviewed on WMAL, but that he has not yet heard the broadcast. Town Planner/Zoning Administrator Hynes expressed her concern regarding miscommunication, as several citizens attended this evening's meeting, thinking that it was the Public Information Meeting for the Boundary Line Adjustment effort. Mayor Ramsey reported that there has been much citizen interest and response, and that a large turn-out is expected for the August Public Information Meeting at the elementary school cafeteria. It was also reported that few surveys have been turned in, to date. Mayor Ramsey noted discussion which has occurred on Facebook, noting that some comments on social media have been received from people who do not live in the area. Mayor Ramsey also noted that two information meetings are scheduled at this time, and that a third meeting may be scheduled, if needed. Councilperson Heston noted that she was disappointed that the newspaper account was incorrect, regarding water rates, and stated her belief that a thorough presentation of the information is not being provided to residents. Discussion of this issue ensued, with Councilperson Heston and Vice-Mayor Graham stating that the information regarding rates is not insignificant, and that all information should be provided to residents. Town Planner/Zoning Administrator Hynes stated that a more thorough explanation of this issue will be provided at the information meetings and in subsequent newspaper articles. There was discussion of the water and sewer rates, and adjustments which may occur due to a

boundary line adjustment. Mayor Ramsey stated that issues surrounding utility rates will be addressed at the public information meetings, with Town Planner/Zoning Administrator Hynes stating that newspaper articles regarding this issue will provide more detail. Mayor Ramsey also noted that the Council will decide tax and utility-related issues, and stated that he cannot report on those issues until Council decisions have been made. Councilperson Heston reiterated her position that there needs to be more transparency regarding issues affecting citizens. Mayor Ramsey also stated that the Water Rate Study will require revision after decisions regarding boundary line adjustments are made. Vice-Mayor Graham asked, based upon her conversation with a resident, if those whose properties are included in the Town's limits via a boundary line adjustment will be required to connect to Town water and sewer service; Mayor Ramsey stated that they will not, but noted that the County will no longer approve installation of a septic field, unless no other option exists. Additionally, Mr. Ramsey noted, drilling of a private well inside the Town limits will not be allowed. Mayor Ramsey then presented the format for the Public Information Meeting, as follows: 1) a short presentation made by the Mayor; 2) provision of additional information, if needed; and, 3) proceeding to a question and answer session as quickly as possible. Mayor Ramsey stated that the bulk of the meeting will be devoted to a free-form question and answer session. Councilperson Heston asked if the Boundary Line Adjustment Study is on the Town's website; Town Planner/Zoning Administrator Hynes stated that it is. Ms. Hynes noted that a printed copy of the Study, as well as other supporting information, can be provided to any resident who does not have internet access. Mayor Ramsey noted that he can address frequently asked questions toward the end of his presentation. The Mayor also noted that no "up-zoning" will occur with any boundary line adjustment. Town Planner/Zoning Administrator Hynes noted that a sound system is not available at the elementary school; discussion ensued regarding from where a sound system may be borrowed for the event. Mayor Ramsey asked that as many Council Members who can attend the meeting, and suggested that they sit or stand throughout the gathering. It was noted that the most important reason for Council Members to attend is to listen to residents' questions and concerns. It was also noted that this meeting will begin at 7:00 p.m. Mayor Ramsey stated that he will emphasize that the Council has not yet made any decisions regarding enacting any boundary line adjustment(s). Vice-Mayor Graham suggested that the reasons for a slow and deliberate approach to this issue be emphasized, as well. There was brief discussion of the 3,500-resident threshold for street maintenance, including the amount of time it may take, and number of neighborhoods which would need to be included in the Town's limits, to reach that threshold.

IN RE: ACTION ITEMS

1. Resolution 2017-06 – NOVA Regional Hazard Management Plan

Town Planner/Zoning Administrator Hynes explained that this item was discussed at the Council's July 6th Work Session; therefore, it is appropriate to take needed action on the Resolution without further discussion. Vice-Mayor Graham moved **that it be resolved that the Town of Round Hill support the official adoption of the Northern Virginia Regional Hazard Mitigation Plan, as described in Resolution 2017-06, dated July 20, 2017**; Councilperson Heston seconded the motion. There was no discussion. A vote was held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

2. Resolution 2017-07 – New Park Name (Brentwood Springs)

Councilperson Heston moved **that the Town Council adopt Resolution 2017-07, Adoption of the Name for the New Town Park at Brentwood Springs, which will officially name the Park *Niels Poulsen Park***; Vice-Mayor Graham seconded the motion. Council briefly reviewed photographs of proposed designs for signs at the park. Mayor Ramsey noted that Council is not voting this evening on the design, only on the naming of the park. There was no discussion of the motion. A vote was held; the motion was approved 4-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

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

Mayor Ramsey stated that, as the motion was approved by the Council, the park shall be known as *Niels Poulsen Park*.

Council then returned to discussion of the design of the sign for the park, with Town Planner/Zoning Administrator Hynes reporting that the sign cannot be chosen until Council

is presented with, and approves, a design for the playground. Mayor Ramsey stated that the discussion of the sign design will be deferred.

3. Cedar Street

Town Administrator Nicholson presented this item, explaining that issues surrounding the deed of the subject property have been resolved, and that the construction easement has been set; it was noted that Council previously reviewed the plat. Mr. Nicholson reported that he received two quotes for this project, from Brother's Paving and Albert's Paving; the quote from Albert's Paving was lower, so that firm was chosen to perform the work. Town Administrator Nicholson stated that, per the Purchasing Policy, a Council vote is not required for this; however, Committee approval is required. Mayor Ramsey stated that approval by the Town Council can substitute for Committee approval. Councilperson Heston asked when work on this project will start; Town Administrator Nicholson stated that work should begin this coming week. Mayor Ramsey asked how traffic will be handled during the work; Mr. Nicholson stated that he will discuss this with the provider, and that residents will be notified. Councilperson Heston asked if VDOT or the Sheriff's Department should be notified of the road closing; it was noted that that is not necessary, as this is not a state road, and that it would be the responsibility of Albert's Paving to contact VDOT if needed. Mayor Ramsey reiterated his concerns regarding driveways which will be blocked; he also recommended that the fire department be notified of this road closure. Town Administrator Nicholson reported that funding for this project is already in the budget. In response to a question from Councilperson Heston, Mayor Ramsey noted that a vote is not required, but consensus of the Committee is. Mayor Ramsey then stated that the Committee-of-the-whole consents to the project, and directed Town Administrator Nicholson to proceed.

IN RE: DEPARTMENTAL REPORTS

1. Town Planner/Zoning Administrator Report

Town Planner/Zoning Administrator Hynes noted that her report has been provided to Council in written form, and asked if there were any questions. Vice-Mayor Graham asked about the meeting recently held regarding the affordable housing project, specifically asking who attended/was involved; Town Planner/Zoning Administrator Hynes reported that only two people attended the meeting. Ms. Hynes stated that she will work to devise a new format for promoting this committee, to garner more support and a larger attendance. Town Planner/Zoning Administrator Hynes reported that an Appalachian Trail Community meeting was held today and went well; approximately fifteen were in attendance, and those in attendance signed-up for various projects. The next meeting of the Appalachian Trail Community committee will be held on Thursday at 6:30 p.m. Mayor Ramsey asked if a meeting will be held with Lake Ridge residents. Town Planner/Zoning Administrator Hynes clarified that the purpose of this meeting is to discuss services provided by the Town, for which KHovnanian has been collecting dues/fees. Ms. Hynes reported that some residents have had these charges reimbursed. Ms. Hynes also noted that there is nothing

the Town can do regarding issues surrounding the tree-save area. Town Administrator Nicholson reported that he was on-site following a recent storm, and spoke to the KHovnarian representative at that time; the representative assured him that the tree-save area would be taken care of, but nothing has been done there to date. Mayor Ramsey explained that the HOA is being used to pay for developer obligations, and stated that the residents there may need to undertake legal action regarding this. Town Planner/Zoning Administrator Hynes reported that the principals involved in this issue asked to hold a meeting at the Town Office, which she approved. Mayor Ramsey suggested that Ms. Hynes reach out to other municipalities to obtain advice and/or insight into solutions for this problem. Discussion of the history of problems with the HOA in this development ensued, with Mayor Ramsey noting that, upon the residents obtaining control of the HOA, the Town will be able to more easily work with them. Mr. Ramsey also noted that, if the HOA membership desires, the work done by the HOA can be reduced to a bare minimum.

2. Town Administrator Report

Town Administrator Nicholson noted that, as he has been out of the office and has just returned, a written copy of his report is not available. Mr. Nicholson asked if Town Engineer Lane provided a portion of the Utility report for the last meeting; Vice-Mayor Graham stated that he did. Town Administrator Nicholson stated that the Bills for Payment will be provided to Council next week. Mr. Nicholson met with the auditor this week; work is being done to line up the Quarterly Reports with the Fund Balance Reports. Town Administrator Nicholson reported that the cellular equipment is being moved from the monopole to the water tower on Evening Star Drive; this should be completed by the end of next week and the monopole should be removed at that time. Mr. Nicholson stated that the Town is back in negotiations with Sprint to locate equipment on the tower; Sprint contacted the Town regarding this. Vice-Mayor Graham asked about rental of the upstairs office space; Town Administrator Nicholson stated that two potential renters have shown an interest, but no one has committed to renting the space to-date. Mayor Ramsey suggested that Mr. Nicholson speak to Mike Mortenson of the Round Hill Homeowners' Association regarding rental of the space. Vice-Mayor Graham asked if the price being sought by the Town should be reduced; Town Administrator Nicholson noted that the rent being requested is very competitive. Councilperson Heston reported that the welcome sign at New Cut Road and Loudoun Street is down; Ms. Heston also asked about the painting of the fence at the Town Park, which was to have been done prior to the Hometown Festival, but which has still not been done. Town Administrator Nicholson stated he would check into both issues. Town Administrator Nicholson reported that the mixer in the water tower is running; additionally, Mr. Nicholson noted that the inside of the tank was inspected recently, and some problems with welds at the corral on the tank were noted; a quote for repair is being sought, and will be provided to Mr. Brown. Councilperson Heston asked why a Staff Member was recently working at the Town Park; Town Administrator Nicholson reported that he was working on electrical issues there.

3. Mayor's Report

Mayor Ramsey reported that he has attended a number of meetings with RHI and Brookfield regarding the MOU. Mayor Ramsey also reported that the Town is now in possession of a letter, signed by RHI, which states that RHI waives any right to establish rules or regulations for Sleeter Lake Park; this waiver is binding on RHI's successors and assigns. Mr. Ramsey explained that this, essentially, removes the consent decree out as a binder on the Town. Mayor Ramsey also noted that an agreement with the HOA on rules for the park/lake will be sought, but that the proffers put forth will still be binding on the HOA. Negotiation of the rules should not affect the opening of the park, Mr. Ramsey noted. Councilperson Prack asked if gasoline-powered boats have been used on the lake; Mayor Ramsey stated that one gasoline-powered boat is used there occasionally, and that this use may have been occurring for some time. Enforcement of the type of boats allowed on the lake was discussed, with it being noted that the HOA owns the lake, but the Town could be given the power to enforce rules there. Mayor Ramsey stated his goal that the lake be usable and enjoyable for everyone. Mr. Ramsey stated that he has gotten some questions regarding the boundary line adjustment effort. The Mayor attended two recent public meetings held by the County, one a public hearing regarding Quick Take/Eminent Domain for the Franklin Park Trail Project. There are nineteen properties involved in this; of that number, seven have not yet signed an agreement with the County to provide easements. Council Members discussed issues surrounding the deed at the church on East Loudoun Street. Mayor Ramsey noted that, of the nineteen properties subject to Eminent Domain for the Franklin Park Trail Project, no one signed-up to speak. All resolutions for Eminent Domain were approved at the meeting; no takings have yet occurred. Councilperson Heston asked if the Town will file on any properties; Mayor Ramsey reported that the Town will file on two properties – the church and the Patterson Building. This process was discussed briefly, with Town Administrator Nicholson stating that the Public Hearing by the Town is scheduled for September. Mayor Ramsey provided information on three properties near Lake Point at which quick take may not be pursued for the project; a slow take process likely will be employed, and could take up to a year until completed. Mayor Ramsey noted that he met with County representatives regarding potential impacts the slow take process could have on the project; agreement was reached on breaking the project down into phases, with the in-Town phase being constructed first. Mayor Ramsey reported that he also attended a County-led meeting regarding collection of taxes for the Towns by the County; he was assured that Round Hill's up-front cost for participation in the program will not change, as Leesburg will absorb any extra costs. The Town's yearly cost will increase by a small amount. These changes are due to two towns not participating in the program. Mayor Ramsey stated that the MOU must be reviewed and approved prior to Round Hill signing-on to this effort.

IN RE: COUNCIL COMMENTS

Councilperson Heston asked to confirm that a meeting will not be held in August; Mayor Ramsey noted that that is correct. There were no other Council Comments. Mayor Ramsey reminded Council Members of the Boundary Line Adjustment Public Information Meeting scheduled for August 3rd.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 11:12 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary