

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
September 21, 2017**

The Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, September 21, 2017, at 7:30 p.m.

**Council Members Present**

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

**Council Members Absent**

Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator  
Melissa Hynes, Town Planner/Zoning Administrator

**Others Present**

Deputy LoPreto, Loudoun County Sheriff's Office  
Clinton Chapman  
Mary Elizabeth Quispe  
Nicholas Quispe  
Kimberly Jenkins  
Pete Gray  
Mary Gray  
Roy R. Trumbull  
Mike Jenkins  
Linda Gallahan  
Tom Gallahan

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

Mayor Ramsey called the meeting to order at 7:35 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

**IN RE: ROLL CALL**

Mayor Ramsey stated that, with only Councilperson Prack absent, and all other Council Members and himself in attendance, a quorum is present.

**IN RE: COMMUNITY POLICING**

Deputy LoPreto presented this report, noting that he was not able to attend the meeting on annexation held recently, but is interested in how the County is growing and progressing. In addition, he noted, having a knowledge of these activities assists him in his work as a liaison to the Town. Deputy LoPreto stated that the Council should be aware of the need to have rules and regulations in place prior to any increase in the Town's boundaries, as the Sheriff's Office is prohibited, by the Code of Virginia, from enforcing Town ordinances inside the Town limits. Deputy LoPreto highlighted some issues the Sheriff's Office may be unable to assist with, such as noise complaints, solicitation, parking regulations (with the exception of fire hydrants and fire lanes), and abandoned vehicles. Deputy LoPreto stated that Round Hill is going about this effort in a wise manner by undertaking a slow and deliberate process. Deputy LoPreto also advised Council that an enforcement mechanism, e.g., appointing a code enforcement officer, should be in place prior to an increase in the Town's limits. Deputy LoPreto noted that the Vice-Mayor attended the most recent quarterly meeting held by the Sheriff's Office; the next meeting will be held November 1. Deputy LoPreto noted that much helpful information is provided at these quarterly meetings. Deputy LoPreto reported that the on-going case under investigation in Round Hill is still on-going. Deputy LoPreto also reported that the Sheriff's Office is currently conducting a program known as "Operation Safe," which focuses on community policing and safety; the officers are running radar in school zones, and enforcing texting and driving laws in conjunction with this program. Deputy LoPreto suggested that the Town add this information to its Facebook page. Deputy LoPreto stated that two of the most important areas of concern to the Sheriff's Office are enforcing texting and driving laws, and enforcing DUI laws. Deputy LoPreto noted that he will be on vacation at the time of the next Town Council meeting; Deputy Moats will be available if any issues arise within the Town. Mayor Ramsey noted that COLT has been discussing the possibility of holding a meeting with the Loudoun County Sheriff's Office and the Commonwealth's Attorney, in an effort to better understand the limitations placed on the Sheriff's Office's ability to undertake enforcement inside a town's boundaries. Mr. Ramsey explained that most other branches of Loudoun County government, with agreements in place between the towns and the County, will respond to requests for assistance by the towns; the Sheriff's Office is the exception. Mr. Ramsey stated that, if there is a legal impediment to the Sheriff's Office providing assistance, the members of COLT would like to better understand that, so that it may be addressed with the General Assembly. Mr. Ramsey further stated that other towns in Virginia have been able to work out agreements with their county sheriff's departments to provide enforcement of town rules/regulations/ordinances; these agreements often include additional payments to those sheriff's offices. Mayor Ramsey asked if it is possible that the Loudoun County Sheriff's Office's unwillingness to assist with these issues represents an effort by the office to garner additional payment for their services. Deputy LoPreto explained that a tri-party agreement may be negotiated; however, it would only be in force for the length of term of the current Sheriff. Mayor

Ramsey stated that the Town would be happy to negotiate an agreement with the Sheriff's Office, in an effort to assure coverage inside the Town; additionally, the Town would be willing to discuss issues involving Town ordinances and their effect on coverage with the Sheriff's Office. Deputy LoPreto explained that the County Attorney's Office would be the correct office to contact regarding negotiations on this front. Mayor Ramsey stated that Round Hill would like to "figure out what are these parameters, what are the limitations, what changes do we need to pursue in the State law, if necessary, to make it easier to do this, and what kinds of agreements we need to reach with the Sheriff's Department, in order to enable this." Mr. Ramsey stated that he agrees the Sheriff's Office should not necessarily be responsible for "whatever random law we come up with on our own," but should provide assistance with laws which are in keeping with County laws enforced by the Sheriff's Department. Mr. Ramsey also noted that Town residents pay the same County taxes as all other County residents, and therefore should receive the same services. Deputy LoPreto agreed with the Mayor that the first step to undertake in addressing this issue is for the Town to align its codes with those of the County. Deputy LoPreto agreed that this is an issue within Loudoun County, noting that Loudoun County is different from most counties in the commonwealth, in which the towns are the major population centers; laws included in the State Code were developed to prevent a sheriff's office from enforcing its will on a town. Mayor Ramsey noted that this issue won't be solved at this evening's meeting. Councilperson Heston requested that the Sheriff's Office increase enforcement regarding speeding on Main Street; Deputy LoPreto recommended that a complaint be lodged via the Loudoun County Sheriff's Office website's Traffic Hotline, noting that all of those complaints are addressed. Deputy LoPreto reported on areas, specifically at the intersection of McLean Court and Main Street, where radar is being run; he also recommended that VDOT be contacted regarding performing maintenance to make traffic signs more visible. Finally, Deputy LoPreto noted that a speed study may be undertaken in the fall of this year. There were no further questions or comments. Deputy LoPreto thanked the Council; Council Members thanked the Deputy for his presentation.

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

There was no Public Comment.

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

Town Planner/Zoning Administrator Hynes requested that the Resolution 2017-09 – Intent to Amend the Zoning Ordinance be added as Action Item #2; additionally, she requested that the "County CIP Funding Request" be added under Business Items, as Item #3. Vice-Mayor Graham made a motion **that the Town Council adopt the Agenda, as amended**; Councilperson Heston seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

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

### **IN RE: SPECIAL PRESENTATION TO THE NIELS POULSEN FAMILY**

Mayor Ramsey recognized guests in attendance at this evening's meeting – members of Niels Poulsen's family, including his granddaughter, Mary Elizabeth. Town Planner/Zoning Administrator Hynes asked Kimberly Jenkins to step forward; Ms. Jenkins wrote the nomination made to the Town Council to name the park Niels Poulsen Park. Ms. Hynes noted that Ms. Jenkins will be able to introduce everyone in attendance. Ms. Jenkins introduced the following family members: Mary Elizabeth, Mr. Poulsen's granddaughter, who currently lives in Arlington, but who grew up in Round Hill; Mary Elizabeth's husband, Nicholas; Ms. Jenkins' son, John, and husband, Michael, who reside in Round Hill; Ms. Jenkins' mother and father, Gail (who is Mr. Poulsen's great-granddaughter) and Roy Trumble, who reside in Georgia; and her uncle, Tommy, and his wife, Linda Gallahan, who reside in Fredericksburg, Virginia. Mayor Ramsey stated that, at the Town Council's July 20<sup>th</sup> meeting, Council voted to name the new park at the Brentwood Springs subdivision Niels Poulsen Park; the goal was to name the park after a prominent Round Hill Citizen, with many nominations accepted from both the public and Council Members. Mr. Pete Gray, a Round Hill citizen and local historian, provided historical background. The Council decided to honor the life of Mr. Poulsen by naming this new park in his honor. Mr. Ramsey noted that the Town is very proud to have this happen. Mr. Ramsey then invited Mary Elizabeth to make a statement. Mrs. Quispe provided the following statement: "I am delighted to be here; it's a wonderful experience to be home, in Round Hill. Round Hill takes a big part of my life, I love it so much. But, I thank you for allowing me to share this night with you, as you were talking about making the park named in his honor. ... I thank you for naming it, the park, after him. But, I'm sure he never, in all of his life, ever thought that he would be remembered, and specially honored, by the Town. He loved this Town, and made it his home, from Denmark, and he had his family here; he loved Round Hill very much. He was a member of the Methodist church, Round Hill Methodist; and, I found out tonight, that he was a Free Mason – I did not know that until tonight. ... But, to preserve his name, as you have done, or will be doing, it'll highlight the history of this Town for centuries to come. I used to stop by their home on my way from school, and I loved my grandmother, Mary Alice, and I enjoyed talking with her, but I had a terrible time, trying to understand my grandfather, with his Danish language. I don't like to keep saying, "huh, huh, what did you say? What did you say?" but I could not understand him; I hope he understood. But, I'm sure that he appreciated the fact that, if he knew this, that this park would be name in his honor and in his memory. So, my gratitude goes to all of you, for making this time possible, and for asking me to share this time with you. Thank you so much, I do appreciate it." Mayor Ramsey

responded, "I think it's we who are honored here tonight, and I'd love to ... suspend the meeting for an hour and quiz you about all your memories of Round Hill. I do have a presentation to make; we have two framed copies ... as well as replicas of the sign that will be in front of Niels Poulsen Park. ... This is a new sign design that we are putting out throughout the Town for all of our facilities, so this is the sign that will go in front of the park." Mayor Ramsey presented the items to the family. The meeting was suspended, at 8:04 p.m., for the presentation and for photographs to be taken.

The meeting resumed at 8:13 p.m.

### **IN RE: APPROVAL OF MINUTES**

#### **a. June 15, 2017 Town Council Regular Meeting Minutes**

Councilperson Hummel noted the following corrections and questions regarding the minutes: on page twenty-two, in the third line, where items were "bundled" together for approval, the phrase reads *discussion ensued regarding if both entities may be adopted via one ordinance*, however, the phrase should read *discussion ensued regarding if both items may be adopted via one ordinance*; Mr. Hummel noted that the sections denoted with asterisks, on pages twenty-three and twenty-five, seemed confusing, and that, although it represented the order of the meeting, it results in minutes which do not "flow" very well. Councilperson Heston also voiced concern that the asterisks create confusion. Vice-Mayor Graham noted the following corrections: on page eighteen, in line fifteen, the sentence states, *Vice-Mayor Graham reiterated her suggestion that policy be set regarding these donations, so that they not appear to be arbitrary*, the phrase should read *Vice-Mayor Graham reiterated ... do not appear...*; on page nineteen, in line six, the phrase reads *inform a decision*, however, following discussion, it was decided to retain the notation as written; Ms. Graham then noted that, in the minutes, the titles of those speaking are alternated with the titles "Mr. or Ms." Ms. Graham suggested that the official title be used in a first reference, followed by the title "Mr." or "Ms." In succeeding references. It was noted that this would save space and would provide for consistency. Ms. Graham suggested that Staff make a determination regarding this usage. Mayor Ramsey stated that it is most important to ensure clarity regarding who is being referenced; the official titles could be omitted, unless there is a long section in which the title of the person referenced may have been forgotten/may become unclear. Following this discussion, Councilperson Lyne **moved that we approve the June 15<sup>th</sup> minutes, with the changes noted**; Vice-Mayor Graham seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 4-0-1, with Councilperson Minshall abstaining and Councilperson Prack absent. The vote is recorded as follows:

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

**b. July 6, 2017 Town Council Work Session Minutes**

Councilperson Hummel requested that the title "Consumer Confidence Report (CCR)" be used for a first reference, with the anagram "CCR" used in subsequent references; Council agreed with this suggestion. Vice-Mayor Graham then **made a motion that the minutes be approved, as amended;** Councilperson Heston seconded the motion. A vote was held; the motion was approved 4-0-1, with Councilperson Lyne abstaining, and Councilperson Prack absent. The vote is recorded as follows:

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

**c. July 20, 2017 Town Council Regular Meeting Minutes**

Vice-Mayor Graham provided the following correction: on page seven, in line two, the phrase *are meant to be the part of the regional trail network*, should read *are meant to be a part of the regional trail network*. Councilperson Hummel noted that, on page nineteen, under the section referencing Cedar Street, in the sixth line from the bottom of that paragraph, the phrase should read *fire department*, not *first department*. Mayor Ramsey noted that, on page seven, the title *ZMAP 8904* should be notated *ZMAP 89-04*. There were no further corrections. Vice-Mayor Graham made a motion **that the Minutes be approved, as amended;** Councilperson Heston seconded the motion. A vote was held; the motion was approved 3-0-2, with Councilpersons Hummel and Lyne abstaining, and Councilperson Prack absent. The vote is recorded as follows:

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

Frederick J. Lyne

Abstain

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

There were no Consent Agenda items.

**IN RE: BUSINESS ITEMS**

**1. Town Expansion (Update)**

Town Planner/Zoning Administrator Hynes presented this item, explaining that two public information meetings regarding potential boundary line adjustments were held during the summer months. The purpose of the meetings was to provide educational outreach to residents and to hear and respond to their questions/concerns. The same information was presented at each meeting, with the attendance at the first meeting being larger. A number of resident surveys were received; based on that information, a revised survey will be provided. Mayor Ramsey also noted that most of the surveys received at the first meeting were completed prior to the presentation and follow-up question and answer period; Mr. Ramsey reported that he has also received comments via e-mail, and from residents who have visited the Town Office. The results from all these forms of communication have been mixed. Mr. Ramsey suggested that outreach, from this point forward, be directed to specific areas/neighborhoods. The Lake Point subdivision was specifically discussed, with Councilperson Hummel noting that residents who attended the public information meeting were almost unanimously opposed to inclusion in the Town's limits; however, a resident there with whom he spoke stated that he, and others living on his street, are not necessarily opposed. Mr. Ramsey noted that some residents feels this is "a done deal," and reiterated his suggestion that outreach be conducted to various neighborhoods/streets. Ms. Hynes noted that it is more likely that residents who are opposed to a project will attend a meeting than those who are not opposed. Mayor Ramsey stated that Council and Staff need to try to understand residents' concerns, and noted that residents may not completely understand how this change may impact taxes and fees they will pay. There was also discussion of a resident's concern that "double rules" may apply, with it being noted that Town rules and regulations may be amended/adapted so that they work in the best interests of all residents. In response to a question from Vice-Mayor Graham, it was noted that current Town residents have also provided their input, both at the meetings and through the completion of surveys; discussion of this information ensued. Ms. Hynes explained that Council should concentrate on making policy decisions related to these boundary line adjustments, so that more complete and specific information may be provided to residents. Mayor Ramsey directed that the "Boundary Line Adjustment" topic be added to the Town Council's October Work Session Agenda. Mr. Ramsey stated that he will provide updated numbers, for items such as utility rates and property taxes, and noted that tax rates may be discussed at that meeting, as well. The Mayor elaborated upon issues surrounding tax rates which may be discussed at that upcoming meeting. Mr. Ramsey stated that parcels to be included in a boundary line adjustment may be discussed at the Work Session, if Council wishes, although, he noted, he is not sure he is ready yet to discuss that issue. Mr. Ramsey stated that he would like the Town to conduct direct outreach to some neighborhoods,

including Newberry/Falls Place, Fallswood, and Hillwood Estates, to consist of smaller, focused meetings for each neighborhood, to help answer more direct questions. Ms. Graham noted that a feeling of "why them and not us" seems to exist in The Villages; Mr. Ramsey stated that he would like to conduct direct outreach to that neighborhood, as well, to better understand the feelings of residents there. Discussion ensued regarding where to hold these more targeted meetings, with the Mayor suggesting that, initially, contact be made with residents who have already reached out to the Town. Ms. Hynes stated her belief that the question and answer portion of this process has been educational. Mr. Ramsey reported on a conversation he had with a resident of Hillwood Estates, who felt more comfortable about the idea of inclusion of his neighborhood into the Town's limits after this discussion, during which more specific information was provided. Mayor Ramsey stated that Council and Staff need to strive to more fully understand what residents hope to gain from inclusion into the Town. It was noted that the pedestrian tunnel which exists in Newberry/Falls Place will likely be the subject of questions and concerns. Mr. Ramsey reiterated his belief that conducting more direct outreach is best at this time, and that it is not yet time to choose specific parcels for inclusion into the Town limits. In response to a question from Councilperson Lyne, Mr. Ramsey explained that Council should come to the October Work Session prepared to discuss utility rates and property tax rates; Mr. Ramsey stated that he will provide updated data for use in this discussion. The Mayor stated that boundary line adjustment outreach should continue for the fall and early winter, with specific parcels to consider for inclusion chosen after the beginning of next year. Council and Staff discussion of boundary line adjustments will continue, with a determination regarding where it will fit in next year's plan made at the fall Strategic Planning Session. Mr. Ramsey reported on a meeting he attended with representatives of the Stoneleigh subdivision, noting that they have asked to be included in a potential boundary line adjustment with the Hill High Orchard parcel; a letter will be provided by Stoneleigh outlining their reasons for this request. Mr. Clinton Chapman explained that the developers of the subdivision envisioned Stoneleigh as, eventually, being included in the Town limits. It was noted that Stoneleigh is currently in an area under long-term consideration for inclusion. Mr. Ramsey explained that it is possible some areas may be considered as a group, but noted that in other areas specific parcels may be considered. Mayor Ramsey stated that he and Ms. Hynes will conduct individual outreach, and asked that Council Members do the same. Mr. Ramsey stated his feeling that the public information meetings were successful, and his belief that all public input has not yet been received. In closing, and in response to a question from Ms. Graham, Mr. Ramsey directed Council Members to explain that this will be undertaken in a deliberate manner, and that, if a small expansion goes well, the Town will consider a larger expansion.

## **2. Water/Sewer Complaint Log**

Vice-Mayor Graham presented this item, explaining that Utility Billing Coordinator Chernoff provided the log for review. Ms. Graham noted that a discussion occurred on Facebook, concerning a resident's large water bill; Mayor Ramsey reached out to the resident, but no formal complaint was made. Mr. Ramsey stated that Utility Staff did

respond to the residence, to check for any potential water leaks, and that Ms. Chernoff spoke with the customer. This was not logged as a complaint, as the contact consisted of a question regarding an unusually large utility bill; it was noted that the log under consideration this evening deals with quality complaints. Councilperson Heston asked about the number of complaints logged regarding water pressure issues, and, in conjunction with this discussion, asked for an explanation of a Pressure Reducing Valve. Mr. Ramsey explained that some mains in the system operate at a higher pressure than that needed inside a home, therefore, pressure release valves are installed to regulate the water pressure at the residence. Ms. Heston asked if Utility Staff could be asked to check these valves; Ms. Graham stated that they could. Mr. Ramsey noted that a PRV is installed by a builder, and exists on the customer's side of the system. Councilperson Lyne asked about a complaint regarding sediment and brown water, for which the customer was advised to flush their lines; Mr. Lyne asked to clarify that this takes place inside the house, which Mr. Ramsey stated is correct. Mr. Ramsey noted that, if interior lines are flushed until no further sediment/brown water occurs, the process may use a large amount of water; in some cases, a credit may be applied to the account to cover this use. Mr. Ramsey also stated that this is a generic suggestion made to customers who are experiencing this issue. It was noted that the amount normally used to flush interior lines is known to Staff, and that use above that normally seen for this process will not be afforded a credit. There was discussion of which wells are nearest to the residence in question, with it being noted that it is impossible to determine which well may have provided water to the house, as all water goes into the mains. It was also noted that some of the Town's wells are filtered. Finally, Mr. Ramsey stated that the blasting currently taking place at Brentwood Springs may be causing some of these discolored water issues. In closing the discussion, Ms. Graham noted that Town Clerk McGaha began the practice of keeping this log, as it is good for Council to be aware of these complaints.

### **3. County CIP Request**

Town Planner/Zoning Administrator Hynes presented this item, explaining that the County invites localities to make funding requests, which are due at the end of September each year. Round Hill has received funding through this program for parking lot improvements, and for various undertakings at Sleeter Lake Park. Ms. Hynes proposed that this funding source be discussed by Council during budget season, so that specific requests may be identified. Ms. Hynes stated that there are two projects for which she proposes this funding be requested; one of those is the placement of gravel at the lot adjacent to Niels Poulsen Park. In response to a question from Councilperson Lyne, Ms. Hynes explained that gravel for the lot has been requested, as no decision has been made regarding the final use of the lot. Mr. Lyne raised concerns regarding the appearance of a gravel lot; Ms. Hynes stated that improvements, including landscaping, would be undertaken to improve the appearance of the lot. Mayor Ramsey requested that signs, such as "No Overnight Parking" and "Towing Enforced," be posted at the lot. Ms. Hynes explained the uses allowed for this funding by the County, which are transportation, pedestrian improvements, and improvements to a County-owned/maintained facility; therefore, projects which fall in

these categories are being considered by Town Staff. Mayor Ramsey expressed an interest in making improvements to the trail from Sleeter Lake Park to Lake Point, and asked if the funding could be used for this project. There was brief discussion of the material to be used in construction of the trail, and of portions of the trail which already exist, with Mr. Ramsey expressing the hope that it could be improved to the point of usability, including for bicyclists. Ms. Hynes noted that she would like to obtain additional funding for Sleeter Lake Park, but is hesitant to make that request of the County at this time. Following this discussion, Council decided to request funding under this county initiative for improvements to the trail from Sleeter Lake Park to Lake Point. Returning to the topic of the gravel lot adjacent to Niels Poulsen Park, Town Administrator Nicholson asked Council to consider any requirements it may wish to have implemented at that site, including the size of the lot, and the number of cars which will be allowed to park there. Ms. Hynes noted that she could request general funding for Sleeter Lake Park, to be used for small, general projects the Town would like to undertake there. Ms. Hynes and Mr. Nicholson will work together on the funding requests to be made of the County; these requests will include "Sleeter Lake Improvements," which will include improvements to the trail. Council will be kept informed regarding this process. The second project under consideration for use of this funding is improvements to Hayman Lane, which, in its current state, is unsafe. Ms. Hynes stated that she will compile a presentation on Hayman Lane to be provided to the County. Mayor Ramsey highlighted the fact that there are issues there with easements, and that the Town needs to ensure that residents of Hayman Lane will provide necessary easements to the Town. Mr. Ramsey stated that he does not want the rest of the Town's residents to be responsible for paving and/or maintaining a private road. Ms. Hynes suggested that a quote be obtained from a paving company, following which residents are contacted regarding providing access. Mr. Ramsey noted that, as the Town is one of the eight land-owners on Hayman Lane, the Town should approach this issue as such and provide its share of the costs. In response to a question from Councilperson Lyne, Mr. Ramsey explained that Hayman Lane is a private road, but that the Town does own a parcel at the end of the street, and does have easements for Town utilities on the lane. Discussion ensued regarding the differences between this potential project, and paving which was recently undertaken on Cedar Street. Mayor Ramsey reiterated his stance that he does not mind participating in a coordinated effort, but that all residents there should agree to this being a public road, and should agree to participate in the process. Ms. Hynes reported that five of the residents on Hayman Lane approach her regularly for help with the road. Mr. Ramsey stated that, if the residents are willing to pay their fair share of the costs, he may agree with the Town undertaking this project. There was also discussion of who is, currently, responsible for plowing on Hayman Lane; Mr. Nicholson reported that he has suggested the residents there form an association and pool funds to pay for plowing. Councilperson Hummel asked if the correct term for use regarding road access via Hayman Lane is "easement" or "right-of-way," noting that the terms have different meanings. Mr. Hummel stated his belief that the term "right-of-way" should be used. Mr. Ramsey stated that, if the residents of Hayman Lane will sign a letter-of-intent, to provide right-of-way, the Town may entertain this idea. In response to a question from Mr. Lyne, Councilperson

Heston noted that this is the only area in Town where this issue exists, as it is the only area where the Town owns property on a private road. Mr. Ramsey stated that Hayman Lane, in its current state, does pose a public safety hazard. Mr. Ramsey explained how plowing would be done, if access is provided by residents; he also explained how tax revenue could be raised to pay for maintenance. Mr. Ramsey noted that a "take" could be employed for one property there, if needed; however, he would not want to use this process for all properties, as it would ultimately result in the Town paying to improve those residents' private road. Ms. Hynes stated that she will work on gathering information pertinent to this proposal. In closing the discussion, Ms. Hynes noted that this problem arose after Sleeter Lake was built; prior to that, the houses there were accessed via Chamblin Way.

## **IN RE: ACTION ITEMS**

### **1. Resolution 2017-08 – Reimbursement of South Tank Project**

Mayor Ramsey noted that this Resolution was discussed at the Council's recent Work Session, and asked if any other developments have occurred since that time. Town Administrator Nicholson explained that the only new development is that Mr. Mason, of the Davenport firm, verified that the Town's utilization of a VRA Investment Pool loan for this work would not require procurement rules for going out to bid. Mr. Mason will provide this assurance to the Town in writing. Mr. Nicholson noted that this issue would not affect the Resolution before Council this evening. Mr. Ramsey noted that it would be good to provide reimbursement for this project, if possible, but would not be sensible to competitively bid the remaining engineering work on the project, just to meet this particular option. Vice-Mayor Graham made a motion **that we approve Resolution 2017-08, Resolution of Official Intent to Reimburse Expenditures, with proceedings of borrowing**; Councilperson Lyne seconded the motion. Mr. Ramsey asked if there was any further discussion of this issue, noting that it was previously discussed at the Council's Work Session. Councilperson Heston asked if Council was to receive further information regarding the bond procedure; Mr. Ramsey stated that he did not recall any open items from the Work Session, and noted that the Town Administrator provided an answer to a question posed by the Town Attorney at that meeting. In response to an additional question from Ms. Heston, Mr. Ramsey explained that approval of this Resolution will allow for further tracking of expenses for this project, in advance of the bond issuance; when the bond is issued, that will allow the Town to submit those expenses to be capitalized by the bond, in addition to other construction costs. This Resolution allows the Town to capitalize some of the engineering expenses leading up to the project. Ms. Heston asked if the Town will issue bonds; it was noted by Mr. Ramsey and Councilperson Lyne that bonds will be addressed by a separate vote. Mr. Ramsey further explained that the Town is not obligated to obtain a bond to pay for these expenses. Ms. Heston stated her feeling that it seems like this is "sort of backwards;" Mr. Ramsey stated that it is an unusual Resolution, but is intended to show bond counsel, at a later date, that these costs were incurred for the named project in the bond, and that we are formally certifying that. Ms. Heston asked if the Resolution is necessary; Mr. Nicholson stated that Davenport advised the Town to pass the Resolution, as it makes this arrangement ironclad. Mr. Ramsey noted that this does not

obligate the Town to float a bond, or to capitalize the project in the bond afterwards; Mr. Nicholson stated that it also does not obligate the Town even to build the structure – it just provides a mechanism to reimburse Mr. Lane for engineering, if the Town chooses to do so. Mr. Ramsey reported that Mr. Lane has recommended the tank not be built until more demand exists/more houses have been built, but that it would be wise to ensure that all "preliminaries" are in place, so that the project would be "shovel-ready." Ms. Graham also noted that this will ensure that future purchasers at the site will be aware that plans exist for the tower to be built. Mr. Ramsey noted that, at this time, the Town is moving forward with engineering and development approvals for the project. Mr. Ramsey also noted that this will impact the Town's Rate Study. There was no further discussion of the Resolution. A voice vote was held; the Resolution was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

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

## **2. Resolution 2017-09, Intent to Amend the Zoning Ordinance**

Town Planner/Zoning Administrator Hynes presented this item, noting that this Intent to Amend Resolution was discussed at the Council's recent Work Session. Ms. Hynes reiterated that this is in keeping with the 2017 Action Plan, and addresses non-conforming commercial properties and uses. Vice-Mayor Graham made a motion **that we approve Resolution 2017-09, referring review and drafting of Zoning Ordinance Amendments to the Planning Commission to implement 2017 Comprehensive Plan Central Commercial District Goals and Objectives**; Councilperson Lyne seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

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

## **3. Part-Time Project Support**

Town Administrator Nicholson presented this item, noting that this issue was discussed at the Council's recent Work Session. Mr. Nicholson provided a written job description for the position for Council review, and explained that requirements were added since the discussion at the Work Session. Councilperson Heston asked if the experience requirements are too restrictive and could create difficulties in finding applicants for the position; discussion of ways in which the job description could be rewritten, to make it more precise to the needs of the Town, were discussed. Mayor Ramsey stated, in response to a question from Councilperson Hummel, his opinion that the Town will not encounter too much difficulty in filling the position; if it does prove difficult, the job description can be rewritten. There was also brief discussion of the need for a motion to approve the addition of the Part-Time Project Support position; it was decided that a motion should be put forth. Following this discussion, Councilperson Heston made a motion **that we add the Project Support Part-Time Position, as presented, and as included in the current Fiscal Year Budget**; Councilperson Hummel seconded the motion. Councilperson Lyne asked that it be ensured the costs are allocated correctly; Mr. Nicholson ensured him that they would be, and would be handled in a similar manner to those of the Town Attorney. There was no further discussion. A vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

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

Mayor Ramsey stated that Mr. Nicholson may begin work on this hiring effort. In response to a question from Ms. Heston, Mr. Ramsey explained that the position will be retained as long as Council wishes, and for as long as it is budgeted by the Council. Mr. Ramsey also noted that the goal is to provide Mr. Nicholson with flexibility in the effort, with Mr. Nicholson informing Council of his decision, and of terms of the offer, prior to offering the position to the selected candidate. Information related to this will necessarily remain confidential, as it is a personnel issue. The pay range offered will be determined by the candidate's experience.

## IN RE: DEPARTMENTAL REPORTS

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

Town Planner/Zoning Administrator Hynes noted that she used her weekly reports to compile this monthly report. Councilperson Heston asked for an update on the Appalachian Trail Community meetings; Ms. Hynes reported that the meetings went well, with approximately twenty-five attending the two meetings. The Committee will complete its work in time for Council approval of the project at its February 2018 work Session; that

will allow the application to be filed by the March 2018 deadline. Ms. Heston also asked if the "No Trespassing" signs, which were to have been installed at the stone house foundation at Sleeter Lake Park, have been addressed, as she has not yet seen them. Councilperson Lyne and Mayor Ramsey raised concerns regarding the level of detail included in this report, with Mr. Lyne particularly concerned about conversations between Ms. Hynes and members of the public, which are then reflected in the report. The request was made that names not be included, unless the person in question has requested the issue be brought to the Town Council; Ms. Hynes agreed that that is preferable. Discussion returned to the "No Trespassing" signs at Sleeter Lake Park; Ms. Hynes reported that they have not yet been installed, as changes to fencing, which will impact placement of the signs, have not been completed. Ms. Heston raised concerns regarding legal liability if the signs are not posted. Vice-Mayor Graham asked if the mock hearing held at the most recent Board of Zoning Appeals meeting was successful; Ms. Hynes noted that it was. Ms. Graham also asked if the new owner of the property at 6 Bridge Street will undertake the car repairs provided by his business inside the garage; Ms. Hynes stated that he will. Ms. Graham asked where West Loudoun Auto Repair is located; Mr. Ramsey asked if the release of the Lake Ridge Estates Utility Bond, which Council recently voted upon was approved; Ms. Hynes stated that it was. In response to a question from Ms. Heston, an issue which has arisen regarding a large number of chickens being kept at a home in Town was discussed. At this time, Round Hill has no mechanism for addressing this issue; an appropriate way to respond to complaints is being explored. Mayor Ramsey suggested that the neighbor who lodged the report be encouraged to speak with the owner of the chickens first. Mr. Ramsey also thanked Ms. Hynes for her work on the Boundary Line Adjustment Public Information Meetings.

## **2. Town Administrator Report**

Town Administrator Nicholson's report was presented in writing. Councilperson Heston asked about the VPDES included in the Waste Water Treatment Plant portion of his report; Mr. Nicholson and Mayor Ramsey explained that it is a discharge permit, with Vice-Mayor Graham explaining that the permit allows for operation of the plant. Those in attendance were uncertain of the words which each letter of the anagram denotes, with Ms. Graham stating that she would find out and let Council Members know. Mr. Nicholson reported that construction on Sleeter Lake Park has begun; the silt fence has been installed and debris has been removed. Mr. Nicholson encouraged Council Members to visit the site. Mr. Nicholson noted that an update on County acquisitions for the Franklin Park Trail/Sidewalk Project is included in his report; at this time property has been acquired from twenty-two owners, six owners have agreed to property acquisition, and two have not yet signed. The Town and one individual are the property owners who have not yet signed; Mr. Ramsey stated that the Town will sign. And negotiations are on-going between the County and the remaining property owner. Mr. Ramsey asked to clarify if a lender is involved in the acquisition at the Savoir Faire property; Mr. Nicholson stated that there is a lender involved, and that the Town Attorney has been involved, as well. Mr. Nicholson further explained that there has been some question regarding the process for the property,

and if the lender should be involved, dependent upon the dollar amount involved. Mr. Nicholson stated that Town Attorney Gilmore likely could expound upon this issue more thoroughly. Mr. Ramsey sought to clarify the issue, asking if a lender release has not been provided for that property, and if a decision is being made regarding if the acquisition should proceed at risk without lender approval; Mr. Nicholson stated that he believed that was correct. Ms. Graham asked to clarify if the property in question is the house at 8 East Loudoun Street, or the Patterson Building at 1 West Loudoun Street; it was noted that it is the East Loudoun Street property. Mr. Nicholson stated that he is pleased with the progress on this effort. Councilperson Lyne asked if there has been an update on the Memorandum of Understanding for this project; Mr. Nicholson reported that he has asked the Town Attorney to move this up on her priority list. Mr. Ramsey asked if the MOU is still under review by the County; Mr. Nicholson noted that it is. Mayor Ramsey asked if the County is still working on completing the engineering package; Mr. Nicholson stated that they are, and that the process is moving along well. Mr. Ramsey asked about the Yatton Road Loop and Well 22-A project, as noted in Mr. Nicholson's report, seeking to determine if they are part of one project, or are two separate projects, and if Well 12 should be included in the Yatton Road Loop project. Mr. Nicholson stated that he will check with Town Engineer Lane about this. Discussion then turned to the issue of grinder pumps proposed for a future development on Yatton Road; Vice-Mayor Graham noted that that issue will be discussed at the Utility Staff meeting scheduled for this coming Monday morning. Previous problems with grinder pumps were briefly discussed, with Mr. Nicholson stating that grinder pumps seem to be the best solution for the Yatton Road lots. It was noted that the use of grinder pumps would require Council approval, with Mr. Ramsey noting that Council would require affirmation from Mr. Lane if grinder pumps are the best choice, prior to Council approval being given. Ms. Graham asked when the August Bills for Payment report will be provided to Council; Mr. Nicholson stated that Town Treasurer Fletcher will prepare that report, for both August and September, tomorrow.

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

Mayor Ramsey noted that the Boundary Line Adjustment Public Information Sessions, as discussed earlier, a meeting with the principals of the Stoneleigh Golf and Country Club, and providing estimates for two individual homeowners in relation to the proposed boundary line adjustments, represent most of his activities this month. Mr. Ramsey will endeavor to provide updated BLA figures to Council at the next work Session. There were no questions.

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

Councilperson Minshall thanked the Town Administrator for finally getting their street paved; Mr. Minshall also noted that he did have his driveway paved at the time the street was being paved. Vice-Mayor Graham expressed her concern regarding the deterioration of the stairs and of signs located in the upper story of the Town Office building, and asked that measures be taken to preserve the signs; discussion of this ensued, with it being determined that the signs should be restored. Ms. Graham also noted that a potential renter for the upstairs office space has decided

against renting. Mayor Ramsey noted that the upstairs office rental may need to be revisited, if the space remains unrented. 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 attend;** Councilperson Hummel seconded the motion. A voice vote was held; the motion was approved 5-0, with Councilperson 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	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

The open meeting was recessed at 10:37 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 Heston seconded the motion. A voice vote was held; the motion was approved 5-0, with Councilperson 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	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

**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 Heston seconded the motion. A voice vote was held; the motion was approved 5-0, with Councilperson 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	Aye
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 10:55 p.m.

Respectfully submitted,

---

Scott T. Ramsey, Mayor

---

Debra McDonald, Recording Secretary