

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
April 18, 2013**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, VA, on Thursday, April 18, 2013.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
R. Daniel Botsch
Clarkson J. Klipple
Christopher J. Prack

Others Present

Deputy Anthony Cooper
Elizabeth Wolford,
Town Treasurer
Maureen Gilmore,
Town Attorney

Council Members Absent

Janet L. Heston

Staff Members Present

John Barkley, Town Administrator

IN RE: CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:34 p.m.

IN RE: PLEDGE OF ALLEGIANCE

Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: COMMUNITY POLICING

Deputy Cooper reported on the suspicious vehicle at Round Hill Elementary School, noting that the vehicle circled the parking lot twice before leaving the school grounds. Deputy Cooper also reported on the following: damage to construction equipment at Franklin Park on April 1st; a theft from an unlocked vehicle on High Street; and a burglary on Clover Terrace, with no forced entry reported. Mayor Ramsey and Councilperson Prack referenced the serious traffic accident in which a Jeep rolled over; Deputy Cooper noted that he was unaware of this. Deputy Cooper reported that he is being transferred to South Riding; this may be a temporary position, but he is unsure at this time. The transfer is due to ongoing problems in the area requiring additional staffing. Deputy Cooper reported that he will work one case he has left here, and that he is unsure if he will continue to attend Town Council meetings; he will no longer keep

track of crime reports for this area. Mayor Ramsey noted that it would be good to have a representative from the Sheriff's Office attend Council meetings. Deputy Cooper discussed the meeting the Sheriff's Office will hold here on April 23rd, and explained the format of the meeting and the reasons for holding these meetings. One representative from each entity involved in law enforcement will attend, to report on news/issues pertinent to each community. These meetings will be held on a quarterly basis, once the new substation is built. The goal is to consolidate the meetings the deputies attend. Deputy Cooper will ensure that someone attends the Round Hill Town Council meetings. Mayor Ramsey asked about the recent home invasion in Taylorstown; Deputy Cooper presented the information the Sheriff's Office has to this point regarding this crime. The home owner is a police officer, who was not home at the time of the invasion. Mayor Ramsey noted that it is uncommon for this type of crime to occur in this area. Councilperson Botsch asked if anything has yet been found missing in the break-in at the mini-mart; Deputy Cooper reported that nothing has been found missing to date. It was noted that there is no license plate number for the suspicious van at the elementary school. The Council thanked Deputy Cooper for his report.

IN RE: PUBLIC COMMENT

There was no Public Comment.

IN RE: APROVAL OF AGENDA

Vice-Mayor Graham made a motion to approve the Agenda, but to move Item #9, FY 2014 Budget, to Item #3 under Business Items. Mayor Ramsey noted the flyer from Susanne Kahler regarding the graduation party for Woodgrove High School, and sponsorship by the Town. Vice-Mayor Graham suggested including that for discussion as Item #2 under Action Items. Councilperson Botsch seconded the motion. The Agenda was approved as amended by a vote of 4-0, with Councilperson Heston absent for the vote. The vote recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent
Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

IN RE: BUSINESS ITEMS

1. Western Loudoun Sheriff Substation – Water and Sewer

Town Administrator Barkley reported that this item is included as a place-holder on the agenda, due to different decisions the County has made regarding water and sewer service at the new substation. Town Attorney Gilmore had discussed this in detail with the Utility Committee. Town Administrator Barkley added this item to the agenda in order to provide the Council the opportunity to vote on their

continued desire to extend water and sewer service to the substation. Mayor Ramsey asked if there has been any change since the previous document was signed; Town Attorney Gilmore noted that there has not. Mayor Ramsey then noted that he had been previously allowed by the Council to execute the agreement. Mayor Ramsey summarized the contents of the agreement, and reiterated the changes incurred, due to the ongoing debate of use of well/septic versus water/sewer at the site. In light of this, Mayor Ramsey asked if the Council needs to vote again. Town Attorney Gilmore expanded upon language in the agreement regarding providing water and sewer, as well as the well at the site. Mayor Ramsey noted that he didn't see any change in the agreement. It was determined that the previous authorization agreed upon by the Council, for the Mayor to execute the agreement, is still in effect. Town Attorney Gilmore will contact the County and inform them that the Town is still comfortable with the most recent terms of the agreement. There was no further discussion.

2. Loudoun First Responder Medical Plan – Town Protocol

Town Administrator Barkley explained that this is a County-initiated plan that would provide emergency antibiotic treatment to first responders, in the event of a Category A Bioterrorism Attack. Mr. Barkley explained that there are four classifications for personnel who would receive the antibiotic treatment. The Town's task now is to designate a person to drive to County distribution point and retrieve the medication. Vice-Mayor Graham noted that she feels there should be an alternate for this position. Town Administrator Barkley stated that, for the purpose of this exercise, he recommends the Council designate just one person; a more complete plan for the Town will be devised. Mayor Ramsey suggested the representative should be a town employee, but not a member of the Utility Staff. Deputy Cooper explained that when the Sheriff's Office conducts various types of training, procedures always change, so the Town could expect that to happen with this, as well. Mayor Ramsey suggested submitting Town Treasurer Welford's name as the Town's point of contact; Council was in agreement with this. Councilperson Botsch asked if the Town is to identify officials to be included in the distribution of the medication; discussion ensued of who should be included. Deputy Cooper noted that Round Hill could be a candidate for an attack due to the use of the Beaver Dam reservoir. Mayor Ramsey noted that the Town no longer gets water from the reservoir, that all the Town's water now comes from wells. It was decided that a utility skeleton crew and Town Administrator Barkley should be the first to receive the antibiotics. There was no further discussion.

3. FY 2014 Budget: Utility Fund Capital Budget

Town Treasurer Welford noted that she had made a couple of changes – a transfer from the Utility Fund change, and expenditures proposed by Utility Staff. Mrs. Welford also discussed the CDs and Money Market items listed on page 2 of the budget document. Mayor Ramsey highlighted two major capital projects, which

weren't on the Capital Projects Plan until this year: 1) the Yatton Road water line loop; and 2) infiltration in the sewer line on Yatton Road. Mayor Ramsey noted that the infiltration issue will be studied to determine if the line needs to be replaced. Vice-Mayor Graham asked if there are any projected funds for conducting a well study. Discussion ensued among Mayor Ramsey, Vice-Mayor Graham and Town Administrator Barkley regarding this issue, with particular attention paid to Line Item #8, Water Resource Planning. It was noted that Keith Lane has not yet made his recommendation regarding this issue, but was expected to do so at the upcoming Utility Committee meeting. Mayor Ramsey elaborated upon three projects at issue for the Town: a water model study, a hydro geologist study and a water resources study. Vice-Mayor Graham suggested changing Item #8 to a Water Resource Study, and making this category more general. Mayor Ramsey noted that \$20,000.00 was budgeted this fiscal year, and asked if the Town will or will not be spending that. Town Administrator Barkley answered no, and explained that this area has many "moving parts," thus making it difficult to find a starting point. Mayor Ramsey noted that there is no study or analysis to justify the money the Utility Staff says is required for these projects. Discussion of the infiltration problem on the Yatton Road line ensued, with discussion centering on when it will be required to address the problem. Mayor Ramsey asked if focusing on those projects impact long-range planning the Council has requested. Brief discussion of the completion date of the Westlake subdivision ensued, with consideration of its impact on those projects. Town Administrator Barkley discussed working with the Utility Staff/Committee to fine-tune the long-range planning. There was further discussion among Council regarding long-range planning issues and funding of same. Vice-Mayor Graham discussed the approximate amount needed for a study to be done by a hydro-geologist. Mayor Ramsey noted that he is unsure the Town is ready for a hydro-geologist's study, or part of one, as yet. Mayor Ramsey explained the reasons for having a water resources study done. Town Treasurer Wolford explained a study previously done by Dewberry and Davis regarding the use of the reservoir. Mayor Ramsey suggested increasing the amount for a water resources study to \$55,000.00, which includes \$20,000.00 previously budgeted. Town Administrator Barkley discussed the VRA Bond Projects; Mayor Ramsey suggested including the Yatton Road project. There was an ensuing discussion of the movement of funds and resultant totals in each category. The Council also discussed the fence installation project and the handling of funds for that. Town Administrator Barkley suggested "maybe we should tweak" Line Item 17, Yatton Sewer Main Replacement, as well. Discussion ensued regarding the amount of time this project could take, and if it would even be needed. Mayor Ramsey suggested leaving it in; he also suggested creating a better name for line three under Line Item #19, "Demolish Sleeter Lake Nature Preserve." Town Treasurer Wolford suggested removing the word "Demolish." Town Treasurer Wolford asked about safety issues at the reservoir; Councilperson Prack noted that there have been young people

trespassing, tearing up the ground, and building campfires. It was the consensus of the Council that this should be addressed quickly and more fully. It was also the consensus of the Council that it should be determined if wells could be drilled there; if not, it should be decided if the Town should sell the property, as it is a liability. Discussion of properties owned by the Town ensued. In closing, it was noted that most of the suggestions for this section of the budget came from Utility Staff. There were no further questions regarding the Utility Fund Capital Budget.

IN RE: ACTION ITEMS

1. Approval of Minutes

1. March 21, 2013 Town Council Meeting

Councilperson Botsch noted that, on Page 3, the strip of grass mentioned in the discussions of landscaping at the Town Park is on Main Street, not outside the park. Councilperson Botsch asked about the conduit issue discussed in the FY 2014 Budget – General Capital Fund Budget section; Town Administrator Barkley reported that the Town has a verbal commitment from the County to pay for conduit, obtained at the meeting held on April 9th. There was a brief discussion of comments offered at that meeting (April 9th). Following this discussion, Vice-Mayor Graham moved to approve the minutes as amended; Councilperson Klipple seconded the motion. The minutes were approved by a vote of 4-0, with Councilperson Heston absent for the vote. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent
Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

2. Request from Woodgrove High School PTSO

Town Administrator Barkley handed out a copy of the written request from the Woodgrove High School PTSO for monetary support of their graduation party. Vice-Mayor Graham spoke in support of this type of event. Discussion ensued regarding the amount that should be donated. Town Attorney Gilmore asked if the Town had donated to Loudoun Valley High School in the past. Town Treasurer Wolford noted that the Town donated to Loudoun Valley High School the first year this type of event was held, but has not since. Vice-Mayor Graham made a motion that the Town of Round Hill donate \$250.00 to the Woodgrove High School graduation party; Councilperson Botsch seconded the motion. Mayor Ramsey suggested that the Council look on this as a precedent. Councilperson Prack looked up the list of sponsors posted on

the Woodgrove website, and noted that there are many. Town Attorney Gilmore recommended voting on the current motion, then discussing another motion. The motioner and the second agreed to reduce the amount of the donation to \$200.00. The motion passed by a vote of 4-0, with Councilperson Heston absent for the vote. The vote is recorded thus:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent
Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

IN RE: REPORTS

1. Town Administrator's Report

Town Administrator Barkley noted that his reports are provided in written form, and that he would be happy to answer any questions. Mr. Barkley reported that the Town has now received four bids for landscaping at the Town Park; he also discovered the reasons for the discrepancies among the bids. Mr. Barkley noted that the amount being bid for maintenance of the park for the season is roughly equivalent to the amount paid by the Town just for clean-up prior to the Hometown Festival. Councilperson Botsch asked that the landscape company be sure to post signs if chemicals are used. Mayor Ramsey asked if the Town should specify that organic fertilizer be used; Councilperson Prack noted that, since the Town is in the water treatment business, it might be wise to use organic products. It was the consensus of the Council to use organic fertilizer. Town Administrator Barkley reported that the service order request policy is being adjusted, and that a schedule is being devised to allow Ms. McGaha to better respond to questions from the public. Mr. Barkley reported that an amended plan for AT&T's lease of space on the water tank is being devised, and he is sure the Town will need an amended lease for this. Mr. Lane will provide a follow-up report. The president of the Stoneleigh Home Owners' Association reported that a neighbor is encroaching on the Town's property at the water tank there; Mr. Barkley will schedule a walk through with the Home Owners' Association president. Town Administrator Barkley and Town Attorney Gilmore are still working on the issue of the sewer easement at 45 Main Street; discussion of the easement and the Town's plat, and if they match, ensued. Town Attorney Gilmore discussed the particulars of the utility easement near the property; it was noted that this will be discussed further during the Executive Session. Vice-Mayor Graham asked if Stoneleigh is abiding by its payment arrangements; Town Administrator Barkley and Town Treasurer Wolford reported that they are. The Council discussed the draft forms of advertisements being considered for use in filling the Town Planner/Zoning Administrator position, upon Mr. Kinsley's retirement; there was

also discussion of how those various duties will be carried out in the future. It was reported that this issue will be discussed further at the next Administration and Communications Committee meeting. Councilperson Botsch elaborated upon the three ways the position may be configured/advertised. Discussion ensued of the rationale for pursuing different ways of handling this. Town Administrator Barkley noted that the Town Council would have to create the different positions. Discussion of how to move forward with this issue ensued. Mayor Ramsey noted that he is in favor of making the ads for this somewhat vague. The consensus of the Council is to have one advertisement prepared, so that interviews may be conducted soon. Town Administrator Barkley was instructed to publish the advertisement by next Wednesday, unless instructed differently. Councilperson Botsch noted that the Council will need figures for how much money to budget for this position, based upon how the position is advertized. There was a brief discussion of ways to identify possible candidates.

2. Town Planner/Zoning Administrator's Report

Town Administrator Barkley reported in Town Planner/Zoning Administrator Kinsley's absence, and noted that the report is provided in written form in each Council Member's packet. Regarding the section of the report titled "County Coordination," Councilperson Botsch asked if the meeting regarding the Creekside subdivision had been arranged yet; Mr. Barkley stated that he was unaware that a meeting had been set. Councilperson Botsch asked if there is a link to the Franklin Park Trail Project on the County's website; Town Administrator Barkley reported that, as yet, there is not. Councilperson Botsch suggested that, when it is, there be a link to the Town's website, as well. Councilperson Botsch asked if the draft chapters for the Comprehensive Plan update have been placed on the Town's website; Town Administrator Barkley reported that they have not, due to IT problems. Vice-Mayor Graham asked about the problem that had been occurring in sending e-mails from the town office. Town Administrator Barkley reported that the problem is not yet resolved. The IT person working with the Town suggested using a specific Town address for town-related e-mails, in order to cut down on confusion. Discussion of this ensued, with Mayor Ramsey wanting to be sure all Council e-mail is forwarded to each Council Member at the end of the day. There was also discussion of clearing accumulated e-mails.

3. Mayor's Report

Mayor Ramsey reported that he will complete the Water Rate Study prior to the May Utility Committee meeting. Mr. Ramsey also reported that the Town newsletter will be going out soon, and that any Council Member may submit the "Council Corner" article. Mayor Ramsey noted that the planning for the upcoming Hometown Festival is going well; the Town has secured many sponsors. In addition, there have been discussions as to how to garner a response

from Woodgrove High School regarding their band performing in the parade. Mayor Ramsey also reported that this coming Saturday is the opening day for the Upper Loudoun Little League

4. Utility Operations, Public Facilities, and Projects Committee

Vice-Mayor Graham reported that Keith Lane has received two proposals for water resource exploration, but hopes to secure better/more accurate proposals. Mr. Lane will review those proposals, and will hopefully provide a recommendation at the May meeting. Mrs. Graham noted that she toured the new water treatment plant this past Sunday.

5. Administration and Communications Committee

It was reported that this committee did not meet. Vice-Mayor Graham asked that comments regarding Town Administrator Barkley's upcoming review be forwarded to Councilperson Heston.

6. Land Use Committee

Councilperson Botsch reported that they are awaiting an exception from VDOT regarding lane width and sidewalk width in connection to the Main Street Enhancement Project. Mr. Botsch noted that the nature park was discussed, as was the issue of missing names on plaques at the Town Park. Councilperson Botsch noted that, thus far, the Town has been unable to find the invoices for the plaques. Vice-Mayor Graham asked if this issue has been posted on the Town's website; Town Administrator Barkley stated that it has not. Various ways to find out the missing information regarding the plaques were discussed. Councilperson Botsch reported that Dave Bowers, from Stantec, will look into special exceptions possibly required for Sleeter Lake Park. Mayor Ramsey asked Town Attorney Gilmore about the proffers for this property that discuss boating on the lake, and if access might be by-right as part of the satisfaction of the proffers. Town Attorney Gilmore asked if the County referred to the proffers when they stated a special exception is required, to which Mayor Ramsey answered no. Town Attorney Gilmore noted that the Town may ask the County for an interpretation of the proffers. Mayor Ramsey stated that this should be done, and that the Town should request clarification regarding a floating dock and a boat rack. Councilperson Klipple brought up the issue of the distance of the parking lot from where boats will be put in, thus requiring access. Town Attorney Gilmore reported that the Town has received one zoning interpretation letter, which she will review. Following that, she will ask the County for another zoning interpretation letter regarding the floating dock, loading/unloading area, and wooden boat rack. Councilperson Botsch suggested checking with Mr. Bowers regarding this, to ensure that his letter not go to the County ahead of Town Attorney Gilmore's review. Mayor Ramsey noted encroachment from a property adjacent to the Town's property in "The Hook." He also discussed issues

regarding trespassing on the Town's property there, and the question of if that parcel should be posted noting that no pedestrian traffic is allowed. Discussion among Council members with Town Attorney Gilmore regarding the Town's responsibility in this matter ensued. Also, there was discussion of someone boating to the nature park and not actually accessing the property. Town Attorney Gilmore will check on this. Mayor Ramsey stated that it sounds like we should post the nature preserve. Mayor Ramsey instructed Town Administrator Barkley to mark and post the area. Councilperson Botsch noted that Mayor Ramsey may okay a letter to the County regarding Sleeter Lake Park, without first going through the Land Use Committee. Discussion of the possibility of draining the reservoir, and issues surrounding this, ensued.

IN RE: COUNCIL COMMENTS

Vice-Mayor Graham reported that she will not be at the May meeting.

IN RE: EXECUTIVE SESSION

Vice-Mayor Graham moved that the **Round Hill Town Council convene in Closed Session to discuss pending and probable litigation in re: to utility and zoning matters as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(7).** Councilperson Klipple seconded the motion. A voice vote was held, with the motion approved by a vote of 4-0. The vote is recorded thus:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent
Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

Mayor Ramsey called for a brief recess in order to clear the room. The regular meeting was recessed by Mayor Ramsey at 10:08 p.m.

IN RE: MEETING ADJOURNMENT

The Town Council exited closed session at 11:35 p.m. with the following motions:

Motion to resume open session by Vice Mayor Graham, seconded by Councilperson Klipple. Passed 4-0.

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent

Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

Motion to certify no items discussed that were not exempt from open session by Vice Mayor Graham, seconded by Councilperson Klipple. Passed 4-0.

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent
Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

Motion to authorize the Mayor and to meet with East Coast Utility Contractors and Prime Solutions to negotiate a settlement on the sludge press issue, made by Vice Mayor Graham, seconded by Councilperson Klipple. Passed 4-0.

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Absent
Clarkson J. Klipple	Aye
Christopher J. Prack	Aye

The regular meeting was adjourned by Mayor Ramsey at 11:40 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary