

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
April 24, 2014**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, VA, on Thursday, April 24, 2014, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
R. Daniel Botsch  
Janet L. Heston  
Clarkson J. Klipple  
Frederick J. Lyne (arrived at 8:45 p.m.)

**Council Members Absent**

Mary Anne Graham, Vice-Mayor  
Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator

**Staff Members Absent**

Mickey Rhoades, Town Planner/Zoning Administrator

**Others Present**

Maureen Gilmore, Town Attorney  
Mary Leonard  
Brad Brown  
Jordan Dimoff  
Tim Pearson  
Steven Rhodes  
Amara Farrell  
Scott Farrell  
John Farrell  
Tia Waldrige  
Evy Waldrige  
Leah Thorn  
Mira Waldrige

The meeting was called to order at 7:31 p.m. by Mayor Ramsey

**IN RE: PLEDGE OF ALLEGIANCE**

Councilperson Klipple led those present in the Pledge of Allegiance.

**IN RE: PUBLIC COMMENT**

Mayor Ramsey then called for public comment. Mr. Ramsey asked that each speaker state his or her name and address for the record, and try to keep comments to five minutes. Mary Leonard, of 46 Main Street, spoke regarding a memorial for the Town Park. Mrs. Leonard noted that the Round Hill Women's Club had done some research, and found that the Park is in need of a new Christmas tree. The Club would like to provide a memorial in the Park for deceased members, especially for the late "Mac" Brownell. Mrs. Leonard stated that the Club would like to start the process to donate a tree. Mrs. Leonard also commended the Town for its entry sign, but noted that the area near it needs to be cleaned up. Mrs. Leonard thanked the Council for their time. Mayor Ramsey noted that memorials for the park fall under the auspices of the Land Use Committee; Councilperson Botsch confirmed that the committee will work with the Round Hill Women's Club on this project. Tia Waldrige, of 17170 Brookdale Lane, and representing Girl Scout Daisy Troop 3111 of Round Hill Elementary School, presented the troop's idea for a community service project. The troop would like to provide a library; Mrs. Walbridge handed out pictures of this type of library to Council members, for their review, and explained what the troop's library would look like. The troop will maintain the library, but would like to know where in Town this could be placed. Councilperson Botsch stated that the Land Use Committee will take this up at their next meeting; Mrs. Waldrige stated that they will have more details regarding this for presentation at that meeting. Mrs. Waldrige thanked the Council; Council thanked the troop for their attendance. Finally, Steven Rhodes, a representative of CSI, noted that he is here to answer any questions the Council may have regarding his company's trash and recycling proposal for the Town.

**IN RE: APROVAL OR AMENDMENT OF AGENDA**

Councilperson Klipple made a motion **to approve the Agenda of the Round Hill Town Council Meeting of April 24, 2014**; Councilperson Botsch seconded the motion. Possible amendments to the Agenda were discussed, but none were settled upon. The Agenda was approved by a vote of 3-0, with Councilpersons Graham, Lyne and Prack absent for the vote. The vote is recorded as follows:

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

## **IN RE: BUSINESS ITEMS**

### **1. Lake Ridge Offsite Trail Easement**

Mr. Jordan Dimoff introduced Mr. Tim Pearson, KHovnanian Homes' project manager for the Lake Ridge subdivision, who provided an update on the trail. Mayor Ramsey provided a brief history of this trail project, explaining that the subdivision was originally owned by Andrews Development Corporation, which sold their interests to KHovnanian Homes. Mr. Ramsey stated that the project included providing this trail, on the opposite side of the street, on land also originally owned by Andrews. It was noted that the proposed trail would help connect the Lake Ridge subdivision to the Town trail system. Mayor Ramsey reported that two parcels involved in the trail project went into different ownership, and that the parcel on the opposite side of the street was sold without the easement being recorded. KHovnanian would like to move forward with work on the subdivision, but cannot satisfy the terms of the rezoning without the offsite trail easements. Mayor Ramsey reported that Town Planner/Zoning Administrator Rhoades has been working with KHovnanian Homes, in order to either obtain the missing easement or to identify an alternate route. Mayor Ramsey explained that, at this point, the lack of the trail easement is impacting the entire project schedule. KHovnanian is trying to find alternative ways to proceed with the bulk of the project without solving the offsite trail easement problem, which at this point has no guaranteed solution. Mr. Pearson described the easements which have been obtained, and described interaction with landowner Robert Harvey, who has not yet been willing to provide the easement. Mr. Pearson stated that his company wishes to find some vehicle which would allow them to begin work on the subdivision, while continuing to pursue offsite easements through Mr. Harvey, or alternate locations within the Town. Councilperson Heston noted that she believed proffers go with the land and that if the land is sold, the proffers are still in force, as they are a legal document. It was noted that the proffers are still in force for the new owners of the Lake Ridge Estates property, but that adjoining properties were sold without ensuring the easements were in place prior to the sale, and these properties are not subject to the proffers as they were not rezoned. Mayor Ramsey briefly explained how this occurred. It was noted that KHovnanian is looking for a way to move forward with construction prior to obtaining all necessary easements. Council reviewed a map of the site, and Mr. Dimoff and Mr. Pearson explained the location of the proposed trail. Mayor Ramsey noted that the Town can legally prevent KHovnanian from developing the property until the proffer is satisfied. In response to a question from a Council Member, Mr. Pearson explained that the proffers are the responsibility of the one seeking rezoning (in this case, Andrews/KHovnanian), and that one of the proffers for this project was that the developer would obtain easements and develop an offsite trail. The previous developer (Andrews) sold property necessary to the construction of the trail, without the easement in place; the current property owner has no obligation to provide the easement. KHovnanian is negotiating with the current property owner (Mr. Harvey) to obtain the needed easement, but has as yet been unable to do so. Discussion ensued regarding possible remedies to this problem. Mayor Ramsey further explained some of the history of the Town's trail project in relation to this development. Councilperson Heston asked Mr. Pearson if KHovnanian has

approached Ms. Roy (an adjoining property owner) regarding an easement on her property; Mr. Pearson noted that he has attempted to contact Ms. Roy, but has not been able to do so, but that Town Planner/Zoning Administrator Rhoades has. Mr. Pearson then explained KHovnanian's proposed solution. He asked that the Town allow them to begin work on the subdivision, noting that \$50,000.00 would be placed in an escrow account. Mr. Pearson stated that KHovnanian would pursue alternate means to construct the trail, which could include a proffer modification in the future. If the company is unsuccessful in their endeavors to build the trail, the Town may use the escrow monies to build trails in any way they choose. It was noted that the Town could amend the proffer. Mr. Pearson noted that the pursuit of a proffer amendment takes some time, and that the company would like to begin construction soon – that is why he has offered this proposal. Town Attorney Gilmore recommended acceptance of the plan. Mayor Ramsey explained the time frame for possible approval of the proposal by the Council, and asked how this would affect KHovnanian; Mr. Pearson explained that it would affect the company's decision points, but not necessarily the offer itself. Mayor Ramsey noted that Council will want to discuss this with the Town Attorney, and will do so in a closed session. Mr. Pearson explained Mr. Harvey's concerns; Mayor Ramsey noted that it sounds as though some of those concerns could be addressed by a home owner's association. Mayor Ramsey thanked Mr. Pearson for his explanation of the situation, and noted that the Council may not officially act until the next Council Meeting. Mr. Dimoff and Mr. Pearson thanked the Council.

#### **IN RE: ACTION ITEMS**

##### **1. Approval of Minutes: March 20, 2014 Town Council Meeting**

Council briefly reviewed the minutes. Councilperson Botsch made a motion **to approve the Round Hill Town Council regular meeting minutes for March 20, 2014**; Councilperson Heston seconded the motion. The minutes were approved by a vote of 3-0, with Councilpersons Graham, Lyne and Prack absent. The vote is recorded as follows:

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

##### **2. Utility Service Group Proposal**

Mr. Brad Brown, the representative of this company, was in attendance at the meeting. Mayor Ramsey noted that this proposal was introduced at the last Town Council budget meeting, and that Mr. Brown made a presentation to the Utility Committee; the presentation to be made this evening is in response to the input from

these two sources. Mr. Brown thanked the Council for their time, and explained the asset management services Utility Service Group provides. Mr. Brown stated that the proposal before the Council is a “turn key proposal.” Drawings were provided to illustrate the work that could be done to the Town’s water tank; Mr. Brown stated that the tank could be “spruced up” and be made safer to climb. Mr. Brown noted that all three surfaces of the tank will be painted, and the antennae on the tank could be placed in a corral area. Mr. Brown explained the crowding occurring due to co-axial cable in the center of the tank access, and explained ways that situation could be corrected. Mr. Brown reported that similar proposals are being discussed or executed in several surrounding jurisdictions, and that the company is conducting talks with the Town of Lovettsville. The five year scope of the plan was explained, as were the options for moving the co-axial cable. Mr. Brown explained the difference between running the cable on the outside of the tank versus the inside of the tank, and reported that his company’s proposal for Round Hill is to keep the cable on the outside of the tank. Councilperson Klipple asked if the co-axial cable containment pipe is 20”; Mr. Brown noted that it is. Councilperson Heston clarified that the antennae on the tank will be moved; Mr. Brown stated that it will be. Mrs. Heston asked if the Town can legally move that equipment; Town Attorney Gilmore explained the legal process necessary in order to move this equipment. Mayor Ramsey clarified Councilperson Heston’s question, asking if the Town could compel the carriers to assist in moving their equipment, if moving it is necessary for structural reasons, but not charge them for the corral itself. Town Attorney Gilmore stated that the Town would have to talk with each carrier regarding moving their equipment. Mayor Ramsey asked if any of the carriers could block the relocation; Town Attorney Gilmore explained that the current leases do not address this issue, and explained a possible solution. Mr. Brown stated that, if the placement of the equipment on the water tank impedes OSHA regulations, the Town has legal recourse to move the equipment. Mr. Brown explained that two of the carriers increased the amount of cable located on the tank. Councilperson Heston asked if inspections were done after the installation of the cellular equipment; it was noted that these inspections were not conducted. Mayor Ramsey explained that the original drawings showing placement of the cable did not match the reality of the installation. Mayor Ramsey noted that, as a lease holder, the Town is responsible to assist in the correction of any OSHA violations. Town Attorney Gilmore explained that the leases state that the equipment must be installed according to the drawings. Mr. Brown noted that the equipment, as currently installed, does not meet accepted standards. Mr. Brown explained the work provided for in his company’s proposal, and the guarantees included; Mayor Ramsey elaborated upon this information. Councilperson Botsch asked if the painting could be done separately from the installation of a corral; Mr. Brown noted that it could. Mayor Ramsey explained equipment that would need to be moved and/or taken out of service in order for the painting to be done, as well as a possible temporary structure (cell on wheels) that may be employed to house the equipment. It was noted that a special exception permit may be required for this. Councilperson Botsch asked about the impact of this on the Town’s service contracts; Mayor Ramsey noted that the Town would have to forgo rent during the time the equipment would be inoperable. Councilperson Botsch clarified that it would not be a violation of the Town’s

contracts; Mayor Ramsey stated that it would not, as the Town is allowed to maintain the facility. Councilpersons Heston and Klipple asked the total length of time the antennae would be out of service; Mr. Brown explained work that would take place while the tank is still in service, and noted that the tank would be out of service for approximately a month. Mr. Brown explained the timing of the work, and when an invoice would be presented to the Town. Mr. Brown also explained that painting of the interior of the tank would take six weeks. Mayor Ramsey noted that the special exception process with the County can be lengthy. Council noted their concern regarding the amount of time revenue from the placement of cellular equipment on the tank would be lost. Mr. Brown explained that the work will negate future loss of antennae usage/revenue during regular upkeep. Councilperson Klipple asked how much extra space will be provided by installation of the corral; Mr. Brown noted that quite a bit of space will be provided. Mr. Brown provided a review of the costs proposed and the time frame for continued upkeep, and noted that his firm has an in-house team who can negotiate with carriers. Councilperson Botsch asked if the construction of the corral could be a contingency of lease renewal; Town Attorney Gilmore stated that it could. Mayor Ramsey elaborated upon this. Mayor Ramsey explained to Mr. Brown the Town's concerns regarding the carrier issue; Mr. Brown noted that his firm would assist with issues regarding this. Councilperson Klipple asked about installation of the cable conduit in regards to future maintenance and expansion, and if interior versus exterior installation is preferable; Mr. Brown explained how his firm makes a determination regarding this, and noted that he feels exterior installation would be the best choice for the Town. Mayor Ramsey explained possible scheduling for this work, noting that spring may be the best time of year to undertake this, and that that may necessitate waiting until March 2015. Mr. Brown explained portable water storage that would be provided while the tank is empty, and further described what the agreement with Utility Service Group would cover. It was noted that the agreement would begin on the date of signature. Mayor Ramsey asked what would be billed prior to work beginning; Mr. Brown noted that no charges would be billed at that time. Council thanked Mr. Brown for his presentation. Mayor Ramsey asked Town Administrator Nicholson for the staff's recommendation; Mr. Nicholson recommended doing further research, and then revisiting this in about a month's time. Town Attorney Gilmore provided the expiration dates for the current leases. Councilperson Botsch noted his concerns regarding dealing with both the County and the carriers. Mayor Ramsey stated that the cellular equipment will need to be taken out of service for a short time, regardless of the scope of work undertaken. Councilperson Klipple asked how much time construction of the corral adds to the cellular equipment being out of service; Town Administrator Nicholson answered that it would add one week. Councilperson Botsch asked if there is a possible market for the expanded capacity gained by adding the corral; Mayor Ramsey noted that the Town has not been approached by a fifth carrier. It was noted that a fifth carrier could not be accommodated by the current configuration; however, Mayor Ramsey suggested that Council not base their decision on this proposal in light of that fact, but rather on the OSHA issues. Mr. Brown explained that the proposal also includes installation of an active mixer, which helps with water quality; Town Administrator Nicholson elaborated upon how the mixer works. Mr. Brown thanked the Council for

their time. Councilperson Heston stated that she feels receiving and reviewing only one proposal is not prudent. Mayor Ramsey asked Town Administrator Nicholson to research another possible provider, but noted that there are other firms which do the painting but none have been identified which provide all the services contained in this proposal. Councilperson Heston asked if all these services are necessary; Mayor Ramsey noted that the Utility Committee recommended adoption of the proposal. There was no further discussion.

### **3. Round Hill Garden Continued Operations**

Town Administrator Nicholson reported that Terri Stockton has been named the new administrator of the Round Hill Community Garden, and that the group has expressed a desire to keep the garden in operation. Mr. Nicholson noted that it will not be as big an operation as it was previously. Mayor Ramsey asked if the group is going to abide by previous agreements with the Town; Mr. Nicholson stated that they are. Councilperson Lyne asked how much water the garden has used in the past; Town Treasurer Wolford reported that they were allotted 15,000 gallons, but did not use close to that amount. It was noted that the community garden may not use water if water restrictions are in effect. There was a brief discussion of the prior use of grey water at the community garden. Following this discussion, Councilperson Botsch made a motion **to approve the Round Hill Garden Club's continued use of the Town site, and to waive water usage fees up to 15,000 gallons, for the 2014 growing season. The Round Hill Garden Club will be responsible for any overages.** Councilperson Klipple seconded the motion. The motion was approved by a vote of 4-0, with Councilpersons Graham and Prack absent. The vote is recorded as follows:

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

### **4. American Disposal Contract Renewal**

Town Administrator Nicholson reported on the results of contract negotiations with American Disposal; it was agreed that there would not be a raise in rates for two years, following that the rate would increase by 1.5% with a yearly renewal. Rolling recycling bins will be provided for residents who request them. The Town will work with American Disposal to determine who will field requests for the recycling bins. Councilperson Heston asked for the current annual increase for the Town's current contract; Town Treasurer Wolford reported that the present rate represents a 1.5% increase over the previous year. Councilperson Botsch then made a motion **to approve the contract with American Disposal Services, Inc., as presented;** Councilperson Heston seconded the motion. Town Attorney Gilmore raised a question about language in the agreement which makes the terms of the agreement

unclear. Mayor Ramsey suggested including an addendum to clarify the conflicting language. Town Administrator Nicholson reported that the 1.5% rate of increase is negotiable. There was further discussion of how to write the agreement in order to make the effective date of the 1.5% increase more clear. It was noted during these discussions that this document is an addendum to a larger contract. Town Attorney Gilmore then suggested a way to rewrite the agreement. Discussion ensued regarding holding a vote on this proposal at this evening's meeting versus waiting until the agreement is amended. Council voted to table the current motion. Following this, Councilperson Botsch made a motion **to approve the addendum to the contract between The Town of Round Hill and American Disposal Services as stated in the current addendum, except that the Town Administrator will work with the Town Attorney to make technical changes to ensure that the intention of this addendum is crystal clear;** Councilperson Heston seconded the motion. Mayor Ramsey explained that there is a representative at this evening's meeting from CSI, which also has provided a proposal. Mr. Ramsey further explained that the Town Administrator has negotiated an agreement with the current provider and has recommended adoption of that proposal. Town Attorney Gilmore explained that the current contract is the result of a joint public procurement involving three or four towns in this area. Councilperson Lyne stated that he feels Council should consider the other proposal, in light of their desire for a second proposal for work to be done to the water tank. The CSI representative stated that he can provide a formal proposal. It was noted that CSI approached the Town regarding this issue. Town Attorney Gilmore stated that Round Hill is not required to go with the public procurement process. Councilperson Lyne asked for a comparison of services provided by both firms. Mayor Ramsey suggested that a committee review this; it was decided that the Administration, Communications and Technology Committee will conduct the review. Mayor Ramsey noted that the Town Attorney will also need to review the CSI proposal. Discussion of the current contract ensued; Town Treasurer Wolford reported that it was a generic contract, in which American Disposal filled in the blanks with pertinent information. Mayor Ramsey asked if CSI could use the same terms as in the American Disposal contract. There was brief discussion of bins provided by CSI. Councilperson Heston noted that the Administration Committee will review this at their May 5, 2014 meeting. It was noted that Council will take up this item again at their May 15, 2014 meeting. Councilperson Lyne made a motion **to table the previous motion to approve the American Disposal contract;** Councilperson Heston seconded. The motion was approved by a vote of 4-0, with Councilpersons Graham and Prack absent. The vote is recorded as follows:

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



#### **5. Hayman Lane Demo Budget Adjustment**

Town Administrator Nicholson explained this item, noting that there is a house at the end of Hayman Lane which needs to be demolished. There is now a resident in the neighboring house, which make this property a greater hazard. Councilperson Heston raised the question of requirements for the demolition of the house, relating to the adjoining nature preserve (the house is located in the preserve); Town Administrator Nicholson explained that these requirements were met at the time the bid was proposed and accepted. In response to a question from Councilperson Lyne, Mayor Ramsey explained that the money for this project was budgeted prior to last year's budget, but the work was not carried out and the cost of the current bid has increased, therefore a budget adjustment is required. Town Administrator Nicholson explained that an increase in the cost of materials was responsible for the increase in the price quoted. Mayor Ramsey noted that this item could be put out to bid again, but it is uncertain of the result would be better. Councilperson Heston asked when the work will be done; Town Administrator Nicholson noted that he would speak to the contractor regarding that. Following this discussion, Councilperson Lyne made a motion **to approve the above adjustment and addition to the FY 2014 budget, noting that in making this change there is no change in the total amount of the Utility CIP expenditures**; Councilperson Botsch seconded the motion. The motion was approved by a vote of 4-0, with Councilpersons Graham and Prack absent. The vote is recorded thus:

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

#### **IN RE: REPORTS**

##### **1. Town Administrator's Report**

Town Administrator Nicholson reported that the planning for the Hometown Festival is going well, and explained details surrounding this. Mr. Nicholson reported that a meeting was held with County representatives on April 23, 2014 regarding the Franklin Park Trail Project. The project is moving ahead; it seemed that County representatives were amenable to the Town's requests regarding Loudoun Street. Town Administrator Nicholson noted that the rest of his report has been submitted to Council Members in writing, and that he would be happy to answer any questions. Mayor Ramsey discussed the Christmas tree in the Town Park, noting that the Town had already budgeted to replace the tree. Discussion ensued regarding the Round Hill Women's Club's offer to replace the tree, and how the cost of the tree would be addressed. Councilperson Heston suggested doing further research on the type of tree to be purchased, in order to assure the new tree doesn't grow too tall. Mayor Ramsey asked if the Land Use Committee would add this to their list of responsibilities;

Councilperson Botsch noted that it would be added. Town Administrator Nicholson and Town Treasurer Wolford discussed monies previously budgeted for the purchase of a tree; Mayor Ramsey suggested that, following a decision on the type and height of tree to be purchased, a budget adjustment be executed. Mayor Ramsey asked for an update on the sludge press; Town Administrator Nicholson reported that East Coast is presently on-site, and that the centrifuge will be delivered next week.

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

It was noted that this report is presented in written form due to the absence of Town Planner/Zoning Administrator Rhoades. There were no questions.

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

Mayor Ramsey discussed the meeting held yesterday with Mr. Kroboth and the County staff regarding the Franklin Park Trail Project. Mr. Ramsey reported that the County's entire management chain was present at the meeting. Mayor Ramsey noted that the Town expressed their desire for joint management of the bid and/or construction phases of this project, and explained to County staff why they are requesting this. Mayor Ramsey reported that the Town will work initially at the staff level, before going to the Board of Supervisors regarding this project. Mr. Ramsey discussed areas where the Town will take a junior role. Mayor Ramsey noted that the County staff had many questions regarding the engineering firm for this project, primarily wondering if the Town preferred that the County retain Stantec; Mayor Ramsey assured them that the choice of an engineering firm would be the County's decision. The County seemed to agree that it would be in the best interests of the public to go forward with the project in the way suggested. Mayor Ramsey told the County that the Town would obtain their own easements; Mr. Ramsey asked that Town Attorney Gilmore check into the easement acquisition process. Mayor Ramsey reported that the County seemed receptive to the Town's ideas, but was also "looking for land mines." Mr. Ramsey also noted that the easement acquisition process could cause the schedules to diverge. Councilperson Lyne asked if there will be a follow-up to this; Mayor Ramsey reported the County will contact the Town within thirty days. Mayor Ramsey explained that the County believes the condemnation process will not be allowed in order to obtain easements. There was a brief discussion of a "quick take," which is a type of condemnation procedure, and which Town Attorney Gilmore explained more fully. It was noted that a quick take is used as a last resort. Town Attorney Gilmore explained other options the Town may have in obtaining easements. There was discussion of the possibility that no condemnations may be allowed, due to federal grant money being involved in this project; Town Attorney Gilmore will investigate this. Mayor Ramsey reported that the Hometown Festival is looking good, although sponsorships are a little behind what is normal. Mayor Ramsey also discussed the food options available at this year's Festival, noting that the Town will not serve as the middle man for food sales this year.

#### **4. Utility Committee**

This report was provided in written form, due to the absence of Vice-Mayor Graham. Council briefly reviewed the Committee report; it was noted that the Utility CIP will be discussed further during the budget discussions.

#### **5. Administration, Communications and Technology Committee**

Councilperson Heston noted that this report is provided in written form. The next meeting will be held on May 5, 2014 at 7:30 p.m.

#### **6. Land Use Committee**

Councilperson Botsch noted that this report is not in the Council Member's packets, as the meeting was just held two days ago. It was noted that the Hometown Festival Permit would be approved pending the approval of the ABC permit. The committee discussed the sidewalk on West Loudoun Street, in front of the Berry property, and will obtain an estimate for its repair. Councilpersons Heston and Botsch asked Town Administrator Nicholson to investigate the need for repair of the sidewalk in front of the Baptist church. Mayor Ramsey asked that the sidewalk on the corner opposite the Berry property also be checked. Councilperson Botsch reported that residents of Lakefield Road have expressed concerns regarding Sleeter Lake Park, requesting a turn-around at the end of the road and treatment of the gravel road in order to keep down dust. Finally, Councilperson Botsch reported that a meeting with County representatives will be held on May 5, 2014 regarding the Main Street Enhancement Project.

#### **IN RE: BUDGET DISCUSSION**

Town Treasurer Wolford explained the information she obtained regarding window decals: two firms were contacted, with quotes ranging from \$800.00 to \$1,100.00. Councilperson Heston asked how many tags Round Hill buys; Mrs. Wolford stated that they buy approximately 500. It was noted that the difference in cost is due to use of a two-color process versus a multi-color process. Town Treasurer Wolford also discussed the cost of magnetic stickers for use on motorcycles. It was decided that further discussion on the use of stickers, rather than the current tags, will be held. It was decided by Council to hold the budget discussion scheduled for this evening at the next budget discussion session.

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

Councilperson Heston noted that she agrees with Mary Leonard – the area under the sycamore tree needs to be cleaned up. Mrs. Heston asked if Town Staff could clean it, or if RHI could clean the area; Town Administrator Nicholson will check on this.

#### **IN RE: EXECUTIVE SESSION**

Councilperson Heston made a motion **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss the following: disposition of real property easement interests as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(3); land use proffer matters requiring the advice of**

legal counsel, as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(7); pending litigation in the Loudoun County Circuit Court styled, In re

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**BZA Appeal, GemRam, LLC v. Town Council, et al., and In re BZA Appeal, Town Council v. GemRam, LLC.**, as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(7); and personnel performance matters, as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(1); with Town Attorney Gilmore and Town Administrator Nicholson invited to attend; Councilperson Botsch seconded the motion. A vote was held and the motion was approved 4-0, with Councilpersons Graham and Prack absent. The vote is recorded as follows:

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

The meeting was recessed by Mayor Ramsey at 10:23 p.m.

**IN RE: RESUME OPEN SESSION**

The Town Council exited closed session at 11:53 p.m. with the following motions:

Motion to resume open session by Councilperson Heston, seconded by Councilperson Botsch. Passed 4-0. Councilpersons Graham and Prack were absent for the vote. The vote is recorded thus:

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

Motion to certify no items discussed that were not exempt from open session by Councilperson Heston, seconded by Councilperson Botsch. Passed 4-0. Councilpersons Graham and Prack were absent for the vote. The vote is recorded thus:

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

Frederick Lyne  
Christopher J. Prack

Aye  
Absent

**IN RE: MEETING ADJOURNMENT**

The regular meeting was adjourned at 11:54 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary