

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
December 17, 2015**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, December 17, 2015, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
R. Daniel Botsch
Janet L. Heston
Clarkson J. Klipple
Frederick J. Lyne

Council Members Absent

Christopher J. Prack

Staff Members Present

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

Others Present

Clinton Chapman

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: PUBLIC COMMENT

There was no Public Comment.

IN RE: APPROVAL OR AMENDMENT OF AGENDA

Mayor Ramsey noted that a letter from the Town of Purcellville was received after the Agenda had been prepared and sent out; the information contained in the letter was before each Council Member. Mayor Ramsey explained that Purcellville had just passed a resolution regarding a request for transportation improvements, and they have asked each of the neighboring towns to support them and to provide for a joint letter. Council Members were informed that they may add the topic to this evening's Agenda, or it may be deferred to the January meeting. Vice-Mayor Graham then made a motion **that the Agenda be approved, with the addition of Action Item #5, Resolution Supporting a Review of Travel Alternatives for Route 7 eastbound;** Councilperson Lyne seconded the motion. There was no 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>
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

IN RE: ACTION ITEMS

1. Approval of Minutes: November 19, 2015 Town Council Meeting

Vice-Mayor Graham noted a question/correction regarding Town Attorney Gilmore's presentation, asking if it was correct that she stated the Town Zoning Map must be updated yearly. Town Planner/Zoning Administrator Hynes explained that it must be if there have been any applications or changes for the previous year, and that, technically, it is updated every year on July 1st. Councilperson Klipple then made a motion **that we approve the minutes from the November 19, 2015 Town Council Meeting;** Councilperson Heston seconded the motion. There was no further discussion. 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>
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Abstain

2. Creekside Water/Sewer Bond Release

Town Planner/Zoning Administrator Hynes explained that there are five phases included in the development of the Creekside subdivision, which include Phase I-a and I-b. Phase I-a, Water and Sewer Infrastructure, has been completed; therefore, the developer is requesting a bond release. Peed & Bortz has completed its inspections, and the utility administrators feel confident Round Hill can release the bond, as long as a maintenance bond is in place. Vice-Mayor Graham noted that, in the letter requesting the bond release, the amount listed is 10% of the Performance Bond; it correctly should be 5%. Mayor Ramsey asked if the Town's ordinance should be updated regarding this issue (10% versus 5%); Vice-Mayor Graham expressed her agreement that it should. Further discussion ensued, with it being noted that the Town Attorney and others requested that the amount of the bond be 10%, but the Subdivision and Land Development Ordinance lists the amount as 5%. Mayor Ramsey asked that the SLDO be "put on the list" for future updating. Vice-Mayor Graham then asked if Council is comfortable with changing the amount of the bond, as noted in the motion, to 5%. Further discussion ensued, with it being noted that the original amount provided for in the Town's SLDO is 5%, and that all work has been completed, to-date, in a satisfactory manner, which would preclude requesting a higher amount for a maintenance bond. Vice-Mayor Graham asked Town Planner/Zoning Administrator Hynes if she is comfortable with changing the amount to 5%; she noted that she is. Vice-Mayor Graham then **moved that the Round Hill Town Council release Performance Bond #PB-0209580004, in the amount of \$738,377.00, that guaranteed the construction of water and sanitary sewer lines at Creekside at Round Hill, Phase I, on the condition that the developer post a satisfactory one-year Maintenance Bond equal to 5% of the Performance Bond, to guarantee the maintenance repair of the lines and the provision of as-built drawings and other documentation;** Councilperson Klipple seconded the motion. Councilperson Heston asked if a dollar amount for the 5% Maintenance Bond should be included in the motion; Mayor Ramsey stated that the motion's reference to 5% of the original amount of the Performance Bond is sufficient. There was discussion of the recent change in name of the development, to Brentwood Springs, with it being noted that all legal documentation refers to the development as Creekside. There was no further 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>
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

Vice-Mayor Graham then made a motion to approve **Resolution 2015-16, Approving and Accepting the Creekside Phase I-a Subdivision Public Improvements**; Councilperson Klipple 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>
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

3. Walraven Improvement Bond Release

Town Planner/Zoning Administrator Hynes explained that this bond was reduced in December 2014 and the water and sewer lines were accepted; the developer is now requesting full release from the bond. Stantec conducted an inspection, which the development passed; Staff recommends full release of Walraven's bond. Ms. Hynes noted that the difference between this and Creekside is that this development carries a Letter of Credit; additionally, a one-year maintenance bond will be required. Therefore, this will be an approval with conditions. Mayor Ramsey noted the lack of a dollar amount for the maintenance bond; Town Planner/Zoning Administrator provided that figure – 5% of \$267,000.00; it was noted that the motion will need to include this information. Previous reductions of this bond were discussed. Following this discussion, Councilperson Lyne made a motion **that the Round Hill Town Council release the remaining Letter of Credit issued by the NVB Bank in the amount of \$43,705.63, for Walraven Section 1 Subdivision, on the condition that the developer posts a satisfactory one-year Maintenance Bond based on 5% of the \$267,000.00 construction cost**; Vice-Mayor Graham seconded the motion. Mayor Ramsey clarified that Stantec recently reviewed the site; Town Planner/Zoning Administrator Hynes stated that that is correct, noting that Peed & Bortz conducted the first inspection for the majority of the work. Councilperson Heston asked for clarification of why Stantec conducted the inspection. Town Administrator Nicholson and Ms. Hynes explained that infrastructure such as sidewalks and storm water management were inspected; Peed & Bortz deals primarily with utility infrastructure. Following this 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>
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

4. Authorization of Upperlakes Utility Lot Deed

Town Administrator Nicholson presented this item, explaining that there exists a pump station in Upperlakes which RHI has constructed; this evening Council is reviewing a deed which will convey the utility lot to the Town, and is being asked to authorize the Mayor to sign the deed. Town Attorney Gilmore has reviewed the deed and everything is in good form. Mr. Nicholson reported that there is a very small punch list for the pump station, thus the Town will not yet accept the pump station into its system; additionally, the Performance Bond will remain in place until the punch list has been satisfied. Mayor Ramsey asked if the bond has been reduced; it was noted that it has not. Councilperson Heston asked why the Town would not wait until everything is ready; Town Administrator Nicholson stated that Town Attorney Gilmore explained the reasons, which are included in the documentation before Council Members this evening. Councilperson Lyne noted that the documentation states, "...conveyance of the Utility Bond is one of the prerequisites for release of the Performance Bond;" Mayor Ramsey stated that, normally, these issues are dealt with at the same time, but that, if the Town Attorney approves of this, he feels comfortable going ahead with the transaction. Councilperson Heston asked to clarify that the bond release and acceptance of the pump station will be handled separately by Council at a later date; it was noted that that is correct. Following this discussion, Vice-Mayor Graham made a motion **that the Round Hill Town Council authorize the Mayor to sign the deed conveying the pump station utility lot in Upperlakes to the Town;** Councilperson Lyne seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-1, with Councilperson Heston voting no and Councilperson Prack absent. The vote is recorded as follows:

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

Mayor Ramsey stated that he will proceed as instructed.

5. Resolution Supporting a Review of Travel Alternatives for Route 7 eastbound

Mayor Ramsey presented this item, explaining that Purcellville has put forth this resolution in response to citizen complaints regarding Route 7 eastbound traffic flow problems, and has asked for all the western towns to collectively try to raise the profile of this issue. Councilpersons Lyne and Botsch both noted their support of this effort, and briefly discussed the positive effect work done in the westbound lanes has had. There was discussion of work which is on-going at the intersection of the Route 7 bypass and Route 7 Business, with it being determined that that is not a major contributing factor to the delays on the Route 7 bypass eastbound. Mayor Ramsey called for a simple motion for this item. Councilperson Lyne then moved **that the Town of Round Hill support Purcellville's joint letter requesting review of travel alternatives for Route 7 eastbound;** Councilperson Botsch seconded the motion. There was brief discussion of possible solutions being put forth, with it being noted that the letter does not endorse a single solution. Council Members discussed ideas they see as possible solutions. Following this 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>
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

Town Administrator Nicholson will notify Purcellville of the Council's support of this effort.

IN RE: REPORTS

1. Town Administrator's Report

Town Administrator Nicholson provided one addition to his written report regarding the application with VDOT for additional Main Street funding, noting that has received an e-mail from the VDOT Transportation Alternatives Program Manager for this region. In this e-mail, Mr. Nicholson was informed that \$18 million is available state-wide for these types of programs, with \$1 million earmarked for this area. In light of this, it was recommended that Round Hill request \$700,000.00, with the hopes of receiving \$350,000.00 in additional funding. Town Administrator Nicholson reported that the request may be made of VDOT again next year. Additionally, Mr. Nicholson noted that he has a couple of recommendations for a path forward, and will further explore this issue at the next Land

Use Committee meeting. Vice-Mayor Graham asked about training Town Administrator Nicholson recently attended; Mr. Nicholson reported that the training dealt with obtaining reimbursements, and that he learned about various aspects pertaining to this subject. Councilperson Heston asked what the acronym ROW means, as noted in the information regarding the Main Street Enhancement Project; Mr. Nicholson stated that it stands for *right of way*. There were no further questions.

2. Town Planner/Zoning Administrator Report

Town Planner/Zoning Administrator Hynes asked if there were any questions regarding her report. Ms. Hynes noted that the biggest thing she is working on at present is an escrow agreement between the Town and Creekside; the developer is preparing to build its first five houses, from which Round Hill will receive monies in fulfillment of proffer requirements. Building cannot take place until this agreement has been established. Ms. Hynes noted that she is working with the County Attorney's Office in preparing this agreement. Discussion ensued regarding possible uses for these funds, which would total \$164,000.00. In response to a question from Councilperson Heston, Town Planner/Zoning Administrator Hynes noted that monetary proffers have also been received from the developer of Lake Ridge. Mayor Ramsey referenced the Darling subdivision, which provided monetary proffers for sidewalks and streetlights in that development; other proffers of this sort have been directed toward Town-wide improvements. Councilperson Heston asked why this escrow agreement is such a large part of Ms. Hynes' work at this time, in light of the fact that the Town has previously entered into these types of agreements; Town Planner/Zoning Administrator Hynes explained that it is because the Lake Ridge development is inside the Town limits, but Creekside is not, and that it also relates to the way the proffer was written. Councilperson Lyne asked if it was part of the final Creekside proffers that Evening Star Drive be widened its entire length; Town Planner/Zoning Administrator Hynes explained that that was not contained in the proffers, but was, rather, a wish. Councilperson Lyne further stated his belief that funds provided by RHI were to be used to widen that street, with Councilperson Heston noting that that was her understanding, as well. Town Planner/Zoning Administrator Hynes explained that, upon completion of the cost estimate for the project, it was found the cost exceeded the funds available. Councilperson Klipple asked what the cost would be to repair the culvert under Main Street at Greenwood Drive; it was noted that the cost was estimated at \$4 million. Mr. Klipple noted that the developer of Creekside will need to cross the same creek in their construction, and he expressed his doubts that it would cost them that much. Town Planner/Zoning Administrator Hynes stated that she will explore this issue and will find out for Council what the plans are for widening Evening Star Drive. There was further discussion of this issue, with Councilperson Botsch noting that, originally, the plan was for VDOT to take over the road once the improvements had been made, and for truck traffic to be rerouted to Evening Star from Main. Mayor Ramsey stated that he would like to find

out if the County intends to use funds set aside for improvements in Round Hill for the widening of Evening Star Drive, and if not, what improvements in Round Hill are being planned. Town Planner/Zoning Administrator Hynes reiterated that she will look into this issue. Mayor Ramsey stated that he would like to know what the County thinks the status of the money is, and, if it seems plans for its use are deadlocked for the foreseeable future, Town Attorney Gilmore be consulted and a meeting be arranged with County representatives, in order to discern if it could be better used, rather than just sitting in a bank account. Councilperson Lyne again asked if the street was originally to be widened for its entire length; discussion ensued, with the consensus being that that is correct. Vice-Mayor Graham asked for the reason for the boundary line adjustment requested on North Locust Street; Town Planner/Zoning Administrator Hynes explained that the property in question is owned by Michael Hummel and abuts the backyard of his home, and that he has requested the boundary line adjustment in order to consolidate his two properties. The property in question is outside of the Town's limits. Mayor Ramsey provided additional history regarding this parcel, with it being noted that, if a boundary line adjustment is affected for the Sheriff's Office substation, this may be a moot point.

3. Mayor's Report

Mayor Ramsey reported that the Town's holiday tree lighting was held earlier this month; there was a great turnout for the event, and it was highlighted on the front page of the Purcellville Gazette. Councilperson Lyne stated that the tree looks good this year.

4. Utility Committee

Vice-Mayor Graham noted that the report is included in Council Members' packets. The committee will review the forgiveness policy, and will discuss aesthetics, at their January meeting.

5. Administration, Communications & Technology Committee

Councilperson Heston stated that the report is in front of Council Members, and encouraged each to feel free to ask any questions he/she may have. The next meeting will be held January 4, 2016.

6. Land Use Committee

Councilperson Botsch reported that the committee discussed the issues which are usually before it. A major concern is the additional funding needed for the Main Street Enhancement Project; the Town will be liable for \$850,000.00 in expenses if additional funding is not found. Mr. Botsch noted that Council Packets contain a very good write-up on the Land Use Committee; one issue of note is the summary of the discussion of the Economic Development section of the Comprehensive Plan update. Councilperson Botsch noted that the feedback provided by the committee to the Planning Commission was not as

extensive; however, they did inform the Commission that they were uncertain if the products and services being advocated were for the local community, or were geared toward bringing “destination-type” businesses into Town. Councilperson Lyne also noted that the Western Commercial District was discussed at the meeting.

IN RE: COUNCIL COMMENTS

The Council Members wished everyone Merry Christmas/happy holidays/happy Hanukah. Mayor Ramsey noted that Round Hill has been wished a Merry Christmas by the First Family, and by the Vice-President’s Residence, and by other localities and entities in Virginia. Councilperson Heston noted the report and nice letter received from the Girl Scouts in regards to the community garden at Round Hill United Methodist Church, and asked if the Town could send a response; Mayor Ramsey noted that that would be done. Councilperson Lyne asked what the holiday hours for the Town Office will be; Mayor Ramsey explained that the Town follows the County’s schedule. Mayor Ramsey wished everyone a very safe holiday, whether travelling or staying home.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 8:24 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary