

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
July 16, 2015**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, July 16, 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
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 7:36 p.m.; it was determined that a quorum was present.

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

Vice-Mayor Graham made a motion to approve the Agenda with the following additions: **Business Item 5 – Evening Star Drive Raw Water Line, Business Item 6 – Well Fencing, and an Executive Session**; Councilperson Prack seconded the motion. Councilperson Lyne requested that Business Item 2 – Planning Commission Roles and Responsibilities, be tabled until the next Town Council meeting; there was no objection to this request. Councilperson Heston requested that Reports Item 7 – Planning Commission Representative Report, be added to the Agenda; Mayor Ramsey noted that this report will be included in the discussion of Planning Commission Roles and Responsibilities. A vote was then held; the amended agenda was approved 6-0. 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	Aye
Frederick J. Lyne	Aye

IN RE: BUSINESS ITEMS

1. Comprehensive Plan

Town Planner/Zoning Administrator Hynes presented this topic, noting that three Public Input Meetings for the update of the Comprehensive Plan will be held – one in August, another in September at Round Hill Elementary School, followed by a third “wrap-up” meeting. The final draft of the plan should be completed by October, and the Planning Commission should make their recommendation to the Town Council at their November meeting. Councilperson Klipple asked which members of the public are to attend the Public Input Meeting; Ms. Hynes noted that everyone is invited to attend, and that she has seven confirmed attendees who represent both in-town and out-of-town residents. Mayor Ramsey noted that Round Hill governing bodies may perform planning for areas inside the Joint Land Management Area, and thus are obligated to listen to input from residents of those areas. Vice-Mayor Graham asked if Town Planner/Zoning Administrator Hynes will guide the input; Ms. Hynes noted that she will. Ms. Hynes explained that educating the public is one of the most important aspects of these meetings; it is important to ensure residents that Round Hill will not become another Purcellville or Sterling. Councilperson Klipple stated his belief that in-town residents should not foot the bill for planning for outside of town; Mayor Ramsey noted that providing policies for the JLMA is in the interests of in-town residents. Councilperson Heston also noted that the JLMA agreement with the County helped Purcellville during the debate over construction of the new high school. Mayor Ramsey further noted that Round Hill is the utility provider for the JLMA.

Councilperson Klipple reiterated his belief that this exercise should be for the benefit of tax-paying town residents. Further discussion of this issue ensued, with it being noted that both the Planning Commission and the Town Council must approve the updated Comprehensive Plan. Town Planner/Zoning Administrator Hynes also noted that any future boundary line adjustments will bring more residents into the Town's limits, and that there is benefit in a larger community. Mayor Ramsey asked for an explanation of the format for the Public Input Session; Town Planner/Zoning Administrator Hynes explained that she will lead the session, and that the process and agenda will be reviewed at the August 4, 2015 Planning Commission meeting. Mayor Ramsey asked if the Town Council will be provided with draft language. Councilperson Botsch recommended that the discussion remain more general and that no decisions be made yet on direction. Mayor Ramsey stated that this is the Planning Commission's process, and that the Town Council will have the opportunity to provide their own process. Mr. Ramsey further noted that the Council may provide input, so that, at the end of the update, a consensus exists. Town Planner/Zoning Administrator Hynes explained that she can be vague on specifics while still leading discussion on specific topics; Councilperson Botsch reiterated his concerns in this area. Town Planner/Zoning Administrator Hynes noted that she began work with the Town in the middle of the update process, following on the work done over several years and led by two prior Zoning Administrators. Ms. Hynes also explained that she wants residents to feel that they are part of the process. Councilperson Klipple again voiced his belief that taxpayer money should not be spent for out-of-town concerns; Councilperson Lyne noted that, ultimately, the Town Council will vote on the Comprehensive Plan, and that the Town Council represents Town residents. Further discussion of this issue ensued. Councilperson Heston asked if minutes and documentation from the Public Input Meeting will be provided; Town Planner/Zoning Administrator Hynes stated that they will. Ms. Hynes also reminded the Council that a Public Hearing process will be held for the final document. Mayor Ramsey suggested that the August Public Input Meeting be held to two hours in length, and that Town Planner/Zoning Administrator Hynes gauge public interest, in order to determine if another meeting is needed. Vice-Mayor Graham suggested that Ms. Hynes channel discussion away from utility rates, and Councilperson Botsch suggested that former Mayor Frank Etro be invited. It was noted that the August Public Input Meeting will begin at 7:00 p.m. Mayor Ramsey noted that all Town Council members may attend, but that they should not get into conversations on the topic with each other, in re: rules governing a legally held public Town Council meeting. Town Planner/Zoning Administrator Hynes asked Council for their opinion of the format of the Joint Work Session held in January; most Council Members felt that the format worked well. Ms. Hynes asked if, after the Public Input Meeting, another Joint Work Session should be held; Mayor Ramsey noted that the Council would defer to the decision of the Planning Commission regarding that. There was no further discussion of this item.

2. Planning Commission Roles and Responsibilities

Councilperson Heston noted that the request to explore this topic was the result of discussion at a recent Administration, Communications and Technology Committee meeting; the committee felt that there is inadequate opportunity for feedback from the Town Council representative to the Planning Commission, and that this should be added as a report at each Town Council meeting. The consensus of the Council is that it makes sense to add this to the Reports portion of the meeting. It was determined that this will be added to a future Town Council agenda.

3. Zoning Enforcement

Mayor Ramsey noted that he requested this be added to the Agenda, following discussions at the recent Land Use Committee meeting regarding zoning enforcement. Mr. Ramsey requested that Town Planner/Zoning Administrator Hynes provide information to Council Members regarding the current process for zoning enforcement. It was noted that those previous discussions led to the belief that the Town Council should address the current process for enforcement regarding complaints. For the purpose of correct notation, it was clarified that this was discussed by the Town Council at a recent meeting, not at the Land Use Committee. Councilperson Lyne asked if Round Hill's current policy is complaint-based; Town Planner/Zoning Administrator Hynes explained that it is based on two factors: 1) complaints; and 2) her observations. Ms. Hynes noted that resident complaints are important to this process, as it is not possible for her to see and know all violations taking place. Councilperson Lyne asked if the enforcement of complaints is based upon the Zoning Ordinance or the Town Code. Town Planner/Zoning Administrator Hynes explained how different municipalities handle these issues. Councilperson Lyne asked if dilapidated properties are covered by the Zoning Ordinance or the Town Code; Mayor Ramsey explained that, according to the Town Charter, the Zoning Administrator's official responsibility is to enforce the Zoning Ordinance. Mr. Ramsey further stated that the Town Charter is to be enforced by the Town Administrator. It was clarified that the terms *Town Charter* and *Town Code* refer to the same document in these discussions. Mayor Ramsey noted that enforcement of the Town Code, during his tenure in Town government, has been handled primarily by phone calls and letters. It was reiterated that issues which are under the auspices of the Town Code are forwarded to the Town Administrator, who may then delegate down in the handling of those matters. Mayor Ramsey further explained that the Town Zoning Administrator has authority, invested by State Code, upon appointment by the Town Council. Vice-Mayor Graham explained that Town Code violations have previously been handled by the Town Administrator; it was also noted that the current Town Administrator has written letters regarding violations of Town Code. Town Planner/Zoning Administrator Hynes presented various possible violations which could occur; this, in turn, led to discussion of issues such as a car parked on a sidewalk or a property where the grass needs to be cut. Mayor Ramsey referenced past attempts to

include provisions for fines for these violations in the Town Code, noting that the attempts have never fully come to fruition. Councilperson Prack noted that the Town Code is, at present, a mixture of old and new language. Mayor Ramsey briefly discussed scenarios which could lead to a dispute being handled by the Circuit Court, noting that both civil and criminal cases could be heard, in response to a question from Councilperson Heston. Town Planner/Zoning Administrator Hynes explained that Round Hill has no official ticket to be used in citing zoning violations; however, Town Attorney Gilmore is now assisting in creating such a form. Councilperson Botsch asked Ms. Hynes if she has the tools she needs in order to enforce the ordinance; Ms. Hynes explained that she does need the form under discussion. Mayor Ramsey further clarified the question, asking if the Town Planner/Zoning Administrator needs legislative changes from the Town Council in order to allow for proper enforcement. Town Planner/Zoning Administrator Hynes explained that she needs to research the possibility of using the health chapter of Round Hill's Town Code to deal with the derelict property at 17 Bridge Street; if this cannot be used, adopting the County's Maintenance Chapter may be required, which would allow for the County to assist with this issue. Discussion of the adoption by the Town of the County's Maintenance Chapter ensued; Town Planner/Zoning Administrator Hynes stated that she can make a presentation regarding this at the September Town Council meeting. Mayor Ramsey directed that the topic "Maintenance Code" be added to the Agenda for the September Town Council meeting, and discussed steps to be taken following this initial step. Councilperson Lyne asked to clarify who handles which issues; it was noted that the Town Administrator is responsible for most complaints, except those covered by the Zoning Ordinance, and that he may delegate follow-up on those complaints. However, the Town Planner/Zoning Administrator is responsible specifically for zoning complaints. Discussion of the various avenues by which a complaint may be filed ensued, with Town Planner/Zoning Administrator Hynes explaining that she would prefer to use the written form, as it helps with organization. In response to a question from Vice-Mayor Graham, Ms. Hynes noted that complaints may be filed via e-mail, if the form is completed; additionally, the form may be e-mailed to the complainant, and the form will be available on the Town's website. Ms. Hynes further stated that it is difficult to track anonymous complaints, and that use of a standardized form helps attest to the validity of the complaint. In response to the concerns of some Council Members, Town Planner/Zoning Administrator Hynes ensured the Council that anyone filing a complaint may remain anonymous. Councilperson Botsch explained his experience in this area, when he was a new resident of the Town, and expressed his concerns regarding the possible impact of the original wording of a complaint, if it goes before the Board of Zoning Appeals. Mr. Botsch noted his belief that professional assistance with the completion of the complaint form should be available. Town Planner/Zoning Administrator Hynes explained that the use of this form allows for time to "put your thoughts together" and provide a correct response. Town Administrator Nicholson stated that he doesn't see a problem with Town Staff

helping someone fill out a form, as is currently done with things such as park permits, in order to provide for the form being complete and correct. Councilperson Lyne suggested that Ms. Hynes keep a record of violations she observes, as well. Town Planner/Zoning Administrator Hynes explained positive results to be gained from keeping records on complaints received. Ms. Hynes further stated that zoning enforcement is very stressful, and that, in the future, the Town may want to consider hiring someone to assist with this duty. Councilperson Botsch noted it is important that citizens know that the Zoning Administrator does not make the rules, the Town Council does – the Zoning Administrator is tasked only with enforcing the rules. Mayor Ramsey stated that any complainant should retain the right to remain anonymous, in light of potential Freedom of Information Act requests, but that his/her name should be kept on file in the event any court action results, and for purposes of providing follow-up. Mayor Ramsey also noted that Town Attorney Gilmore and the Town Council would need to review complaints, in order to identify any which may lead to a court action. Town Planner/Zoning Administrator Hynes reviewed the form in use by the Town of Purcellville, noting that she likes this form and would find it easy to use; Ms. Hynes would fine-tune the form for Round Hill's use. The use of such a form would allow for future Zoning Administrators to have access to the history of any complaint. Councilperson Lyne asked how often Ms. Hynes conducts observation for possible violations; she noted that she does so approximately every other week. It was also noted that the Town Planner/Zoning Administrator and the Town Administrator work together in this area. Ms. Hynes explained that, often, issues arise with new homes, e.g., the addition of a deck or fence, particularly in areas where there is no home owners' association. Councilperson Botsch asked to clarify that the Zoning Administrator's job is to interpret the ordinance, and that the Town Council does not interpret; however, the Town Council may raise and discuss issues to do with the Zoning Ordinance. Mayor Ramsey stated that the Council raising issues is fine, in the context of ease of interpretation of the ordinance, and possible need for the Council to clarify the ordinance; this falls under the auspices of both a legislative function and a constituent service function. There was further discussion of Council involvement with the Zoning Administrator, and of issues surrounding zoning violations, with it being noted that the Zoning Administrator must feel that he/she is free to make decisions as he/she sees fit, without outside pressure to change those decisions being exerted. Councilperson Lyne suggested that the Council needs to decide how much of the Zoning Administrator's and Town Administrator's time they believe should involve zoning enforcement, versus their other duties, and that Council needs to make that clear to Town Staff. There was no further discussion of this topic.

4. SCADA Evaluation Proposal

Vice-Mayor Graham presented this topic, explaining that a proposal from Peed & Bortz, in the amount of \$5,000.00, to perform evaluation on the Town's SCADA system is before the Council this evening. The Peed & Bortz proposal was accepted by Town Administrator

Nicholson, and does not require approval by the Town Council. Ms. Graham reported that Loudoun Water declined to provide a proposal. Vice-Mayor Graham noted that Mr. Russell Jackson, a principal of Peed & Bortz, will present his recommendations to the Utility Committee at either its August or its September meeting. Mr. Jackson/Peed & Bortz believe the antenna on the water tower is too weak. Vice-Mayor Graham reported that a hybrid system, using both SCADA and VHF, is being recommended. Further, it was reported that Mr. Jackson believes the Town's system is sufficient. Vice-Mayor Graham noted that urgency does exist in providing for this evaluation. Town Administrator Nicholson further stated that the purpose of the proposal is to determine if Round Hill's system is adequate. Additionally, Mr. Nicholson noted, there will be a small add-on for the radio. Town Administrator Nicholson stated that it is suspected the problem could lie in the co-axial cable and the antenna; the amount to replace the co-axial cable and antennae would amount to nearly \$5,000.00. Therefore, the cost of the evaluation proposal seems worthwhile. Mayor Ramsey noted that cable almost always wears out first, and that the Town may want to replace the cable prior to the evaluation taking place. In response to questions from Councilperson Lyne, Town Administrator Nicholson further explained the evaluation proposal; Mr. Nicholson noted that the goal is to know, when purchasing a SCADA system, the Town is purchasing the correct system. Mayor Ramsey stated his belief that the Town needs to provide an engineer to act as its own expert in this matter. Mayor Ramsey spoke to the determinations of the Verizon representative regarding the possible effect their equipment on the water tower may be having on the Town's equipment, and explained why he feels those determinations are suspect. Town Administrator Nicholson explained that Peed & Bortz will investigate, and then will provide a report regarding the Town's options. Additionally, Mr. Nicholson noted, an answer is needed regarding radios, as, at present, communication is not taking place properly. There was no further discussion of this topic.

5. Evening Star Drive Raw Water Line

Vice-Mayor Graham presented this topic, noting that she received an e-mail from Town Engineer Keith Lane regarding pricing for the proposed Evening Star Drive/Greenwood Drive raw water line; the quote was in the amount of \$226,375.00. Mr. Lane felt this quote was too high, and the quote was rejected. Vice-Mayor Graham provided several parameters involved in the quote, and reiterated Mr. Lane's recommendation that the quote not be accepted. It was also reported that Mr. Lane was directed to ask for reconsideration of the proposal; this is where the issue stands at this point. Councilperson Lyne asked for the time-frame for this project; Mayor Ramsey noted that the time-frame is short, and explained various steps which have to be taken regarding this project prior to the next Town Council meeting. Vice-Mayor Graham explained that, at present, this proposed project is "up in the air," and that she wanted Council to be apprised of these developments. Mayor Ramsey explained the various entities involved in this project, noting that the firm which

will actually perform the excavation is approximately third down in the line of companies involved; that firm's quote for the excavation was approximately 30% higher than expected. Mayor Ramsey and Vice-Mayor Graham both noted that it is not feasible to secure another contractor to perform the excavation, due to time constraints. Mayor Ramsey noted that, due to these issues, the project probably will not be undertaken. In response to a question from Councilperson Lyne, Mayor Ramsey explained that the project is already provided for in the budget. It was also noted that Mr. Lane is the technical contact for this proposed project, and the Town Administrator Nicholson and Town Planner/Zoning Administrator Hynes are the persons chiefly responsible for negotiations. There was brief discussion of the amount originally budgeted for this project. There was also discussion of the meaning of the "rock clause" included in the proposal.

6. Well Fencing

Vice-Mayor Graham addressed this topic, noting that there have been some citizen complaints regarding the fencing at the Falls Landing well site. Town Administrator Nicholson was asked to explore alternatives; a contractor informed Mr. Nicholson that painting the existing fencing is not viable. The remaining option to deal with this problem is to install landscaping in order to screen the fences, as rubberizing the fencing also is not viable. Councilperson Heston noted her belief that installing vegetation to act as screening defeats the security purpose of the fencing. Mayor Ramsey directed Town Administrator Nicholson to research providers, in order to ascertain if there is a provider who feels painting can be successfully done, and then report those findings to the Council. Discussion of possible resolutions to this problem ensued, with Town Administrator Nicholson stating that he will obtain quotes for the installation of vinyl fencing. It was also noted that Town Staff could install the fencing, using the existing poles. There was no further discussion.

IN RE: ACTION ITEMS

1. Approval of Minutes: June 18, 2105 Town Council Meeting

Vice-Mayor Graham noted the following corrections: on page three, line five, the name *Sean Loy* is incorrect, it should be *Sean Lloyd*; on page 18, the line reading "*Vice-Mayor Graham reported that a meeting was held on Monday, with representatives from the three carriers in attendance, as well as she and Town Attorney Gilmore...*;" however, the line should not include Town Attorney Gilmore, but rather should read "*a member of the Town Staff.*" Vice-Mayor Graham also asked that it be clearly noted in the minutes that a member of the Town Staff was in place at the waste water treatment plant to monitor the system. There were no further corrections. Vice-Mayor Graham then made a motion **that the minutes be approved as amended**; Councilperson Klipple seconded the motion. A vote was held; the minutes were approved 5-0-1, with Councilperson Prack abstaining. 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	Abstain
Frederick J. Lyne	Aye

2. Planning, Zoning & Land Development Fee Study

Town Planner/Zoning Administrator Hynes presented this item, beginning with the review of a chart provided to Council Members which lists zoning permits, and related fees, as issued by neighboring localities. Ms. Hynes recommended that various fees, which she broke down into categories, be increased, in order to keep them more in-line with those in the neighboring municipalities. There was discussion of what types of structures would be included under these guidelines; specifically, discussion centered on if a playhouse would be included, although structures such as gazebos and trailers were also included. Town Planner/Zoning Administrator Hynes recommended that this fee schedule be adopted as-is at the Public Hearing to be held in September. Mayor Ramsey asked Council if they wish to advertise this as-is, or if changes should be made at this time. Vice-Mayor Graham asked if the addition of any other fees was considered; Town Planner/Zoning Administrator Hynes stated that the goal was to focus on zoning permits at this time. Mayor Ramsey clarified that the schedule being proposed has no impact on the building of decks and fences. Mr. Ramsey also explained his desire that this be a benefit to the tax-paying residents of the Town, and not an unpleasant interaction with Town Staff and government, and thus would suggest that fees dealing with things homeowners would normally do to their houses be “dialed back.” However, Mr. Ramsey noted, for other applications, he supports fees which are closer in line with other jurisdictions. Discussion among Council Members ensued regarding the various fees, as well as what qualifies as an accessory dwelling; fees for each category were set by the Council. Councilperson Heston asked about the variance fee included, noting that she believed variances were not permitted. Town Planner/Zoning Administrator Hynes explained that, prior to July 1, 2015, it was required that variances be requested based on hardship; however, newly enacted legislation makes it easier to obtain a variance. Councilperson Botsch asked if any fees “jump out” at Ms. Hynes as too high or too low; Ms. Hynes noted that they do not, although she does question “actual cost,” as some localities do not use actual cost, but rather cap this. Discussion of actual costs ensued, with Town Planner/Zoning Administrator Hynes stating that this issue may be further addressed next year.

3. Resolution 2015-12

Councilperson Prack made a motion **to approve Resolution 2015-12 – Planning, Zoning and Land Development Fee Schedule**; Councilperson Botsch seconded the motion. Mayor Ramsey noted that it should be understood that the motion is as amended at this evening's meeting. There was no discussion of the motion. A vote was held, and the motion was approved 6-0. 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	Aye
Frederick J. Lyne	Aye

4. Resolution 2015-11 – Public Hearing

Town Administrator Nicholson explained that Resolution 2015-11 was included in previously held budget discussions, and highlighted the changes – consolidating two billing cycles, and instituting the use of an “invisible” auto decal. Town Planner/Zoning Administrator Hynes pointed out an error in her Staff Report, in which the decal is referred to as a “forever” decal. Brief discussion ensued regarding the setting of the due date for payment, with it being noted that Town Treasurer Welford was to determine that date. There was also discussion of various dates included in the Resolution before the Council this evening. Following this discussion, Vice-Mayor Graham moved **that the Town Council adopt Resolution 2015-11**; Councilperson Lyne seconded the motion. Mayor Ramsey then called for any further discussion of the motion. Councilperson Heston expressed her concern that confusion exists regarding the date for payment included in the Resolution; upon further discussion, it was determined that the Resolution provides for the due date for payment. Town Administrator Nicholson ensured Council Members that the information to be advertised will be correct. A vote was held, and the motion was approved 6-0. 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	Aye
Frederick J. Lyne	Aye

IN RE: REPORTS

1. Town Administrator's Report

Town Administrator Nicholson stated that his report has been provided in written form, and noted that much discussion centered on utility issues. A spreadsheet attached to this report provides information regarding acquisitions for the Main Street Enhancement Project; Mr. Nicholson stated that Council Members may ask any questions they have regarding this at this time, or may e-mail questions to him. It was noted that the colors included in this spreadsheet have no particular meaning, but rather were used to differentiate various items. Town Administrator Nicholson reported that Stantec sent the 100% plans to VDOT this past Friday, and those plans are now under review by VDOT; all required documentation has now been submitted by Stantec. Councilperson Botsch sought to clarify that the plans submitted do not include changes made as a result of conversations with residents; Mr. Nicholson noted that that is correct. Town Administrator Nicholson stated that the 100% plan may be thought of as concerning "big" items, such as shifting over a large storm water pipe. Brief discussion ensued regarding changes which may occur in response to resident comments, with it being noted that an amendment with VDOT may be made, if major changes result. There was further discussion regarding concerns that using the term "100% plan" may connote that no further changes may be made; it was noted that changes may be made to provide for reasonable requests made by residents. Town Administrator Nicholson noted that a letter from Joe Kuna, Acquisition Manager for the Franklin Park Trail Project, has been attached to his report; this letter provides an overview of the County's acquisition process for the project. Mr. Nicholson also reported that he received a "Right of Entry" letter from the County for the park property. Councilperson Botsch reported that he also received a copy of this letter, and questioned the November 30th date referenced in the letter, noting that, if all agreements have not been entered into with property owners, it will be impossible to go out to bid on December 1st, Town Administrator Nicholson stated his concern regarding this issue, as well. Mayor Ramsey suggested that a more open letter of entry be pursued. Town Administrator Nicholson and Councilperson Botsch both stated that they will pursue clarification from the County regarding this. Town Administrator Nicholson stated that the Legal Items Report and the Taps Report have been included in his overall report. Mr. Nicholson noted that the VDH Office of Drinking Water has initially approved Round Hill for a funding package of \$6,283,500.00, for a term of twenty years, with the interest rate to be set at loan closing. The interest rate would be equal to 1% below the prevailing twenty-year AA Municipal Bond Market rate. This would be used to refinance existing debt. Town Administrator Nicholson noted that he has both an e-mail and a letter prepared, in order to notify VDH in writing, no later than July 30th, of Round Hill's acceptance of this funding package. Discussion of the interest rate for this loan ensued, with it being determined that the rate would be approximately 2.5%. Town Administrator Nicholson

also reported that it will take approximately eight months to close on the loan. In response to a question from Councilperson Heston, Mayor Ramsey noted that the existing rate is approximately 4%. Town Administrator Nicholson explained that refinancing this debt would provide for a savings of approximately \$3,000,00.00 over the next twenty years; he also noted that the current loan has eighteen years left, thus this refinance would extend the term of the loan by two years. Mayor Ramsey explained that the Council needs to authorize Town Administrator Nicholson to accept this offer, in order to enter the process and move forward. Town Administrator Nicholson stated that this is a limited pool of money, and that Round Hill is fortunate to be included in this program. There was discussion of when Round Hill would be locked into a rate, with it being noted that that would occur upon the actual signing of the loan, and that, if the prevailing rate at that time is higher than the present rate, Round Hill would not sign for the loan. Town Administrator Nicholson noted that closing costs are minimal, in response to a question from Councilperson Heston. The Council then instructed Town Administrator Nicholson to proceed with this. Mayor Ramsey asked about well exploration, specifically RHI's hesitancy in providing access to Well 14, and asking if this is in reference to storm water issues, or something different. Town Administrator Nicholson stated his belief that it is related to something different, and noted that he and Town Attorney Gilmore have reviewed the plat and the deed; they believe the plat does provide for access to this well. Mr. Nicholson further noted that access is not called out clearly on the plat, and that he and Ms. Gilmore believe there is a mistake on the plat. Mayor Ramsey asked if the Town has water rights to that well; Town Administrator Nicholson reported that he requested Town Attorney Gilmore to further explore records on file at the court house, in order to help with this determination. Vice-Mayor Graham asked who was supposed to file the easement; Town Administrator Nicholson stated that that is unknown. Vice-Mayor Graham noted, in response to Mayor Ramsey's earlier question, that providing for an easement to the well probably does not provide for water rights. Mayor Ramsey asked if the well lot is owned by Round Hill, or by RHI; Town Administrator Nicholson stated that he is unsure. Mayor Ramsey explained his concern that, even if RHI provides for access to the well, and it is found to be a viable source for water, RHI may not give the Town permission to pump the water if they retain the rights to the water. It was noted that RHI has been cited by DEQ for a violation at their storm retention pond, and may not want to put themselves in a position to receive another DEQ citation. Councilperson Lyne asked if Town Attorney Gilmore has provided an answer to the question of the sale of the reservoir; Mr. Nicholson noted that she has. Mr. Lyne clarified that a Public Hearing is required in order for the reservoir to be sold, and asked if the Town will move forward on that sale. Town Administrator Nicholson stated that the Town is moving forward on this sale, and that the Town's Engineer has been asked to look into this prior to any further action being taken. Mayor Ramsey stated that the Town may want to file some reasonable easements on the property before it is offered up for sale; following that, a real estate company will be contacted, and they may make

additional recommendations. Vice-Mayor Graham asked if anyone has first right of refusal on the property; Councilperson Prack stated that he has been told a gentleman does, although it could be difficult to prove so. It was felt that any possible first right of refusal should be researched. Discussion ensued regarding a possible time-frame for the sale of the property, as well as possible uses of the property if it does not sell. Vice-Mayor Graham asked Town Administrator Nicholson if he has been able to check on liability issues surrounding the proposed Boy Scout 5K to be held in October; Mr. Nicholson stated that he has not, as yet. There were no further questions for the Town Administrator.

2. Town Planner/Zoning Administrator Report

Town Planner/Zoning Administrator Hynes reported that Town Staff is excited about the new process for handling Utility Reconstruction/Inspection. Ms. Hynes reported that a meeting was recently held with the firm working on the Creekside development, and that having a new SOP and all required permits ready prior to the meeting has helped in streamlining the process. Going forward, there will be an inspection for major work done at Creekside, and the process will be open and transparent with documentation provided. Town Planner/Zoning Administrator Hynes noted a mistake in her Violations Letters Report, explaining that the turn-around period is thirty days, not ten as provided for in the report. Ms. Hynes noted that the letters will be ready to be sent at the end of the thirty days. In response to a question from Councilperson Botsch, Town Planner/Zoning Administrator explained the two properties involved. Town Planner/Zoning Administrator Hynes reported that she recently met with County Zoning Staff regarding Sleeter Lake Park, in preparation for an August pre-application meeting. Ms. Hynes noted that she hopes to have a solid set of options for the Council to vote on in September, following a presentation to, and recommendation by, the Land Use Committee in August. Councilperson Klipple asked if there is an update on Creekside documentation, as they are presently working under old plans; Town Planner/Zoning Administrator Hynes noted that the process is on-going, and that she will provide follow-up on this. Councilperson Botsch asked about the testing of foundations in relation to the blasting at the Creekside development; Ms. Hynes noted that testing is being done at properties she requested. There was further discussion of the length of time during which blasting will take place, and the reasons that blasting is being done. Town Planner/Zoning Administrator Hynes noted that she recently received a call from the proprietor of a hard cider company, asking if there is anywhere in Round Hill where they could open a tasting room; Ms. Hynes informed him that it would require a special exception and could take three months to gain approval. Discussion of these types of businesses, and possible locations for them, ensued. Town Planner/Zoning Administrator Hynes reported that she is working with the Planning Commission and Town Attorney Gilmore to put together a series of text amendments, which will go before the Planning Commission in September; this is in response to a Town Council request made last fall. This is a separate issue from the Comprehensive Plan

update, and was triggered by changes in state law; these text amendments will be consistent with the current Comprehensive Plan. In response to a question from Councilperson Botsch, Ms. Hynes noted that future changes to the Comprehensive Plan will not require further text amendments. Town Planner/Zoning Administrator Hynes reported that the Girl Scouts will attend the September Town Council meeting, and that their service project has been completed. Councilperson Botsch asked, in reference to a section of the Town Planner/Zoning Administrator's written report, which commercial properties in Round Hill are to be sold; Ms. Hynes noted that they are the bank, Savoir Fare, and the medical center. Ms. Hynes further noted that she has spoken with the realtors involved with the sale of these properties, and advised them that any potential buyers be informed of zoning issues surrounding the properties. Vice-Mayor Graham asked why Disclosures are included in the Planning Commission agenda, but the Town Council has not included them; Town Planner/Zoning Administrator Hynes explained that they are included primarily due to land development issues. Mayor Ramsey also stated that the Planning Commission has adopted more bureaucratic rules of procedure than the Town Council has. Town Planner/Zoning Administrator Hynes reported that there is certified Planning Commissioner training available, which would take place for two days in September and two days in December, and which may be attended by any interested Council Member. The course will be held in Roanoke. There were no further questions.

3. Mayor's Report

Mayor Ramsey reported that this has been a quiet month, and that Town Staff has been moving things along. Mr. Ramsey noted that he is planning on cancelling the August Council meeting; as there was no objection, the Mayor stated that the August Town Council meeting will be cancelled, with the next meeting to be held in September. Mayor Ramsey noted that a special meeting may be called, if needed.

4. Utility Committee

Vice-Mayor Graham reported that the Town has hired a part-time employee, who will be working in the mornings; this employee also works for Purcellville, and has received permission from them to work for Round Hill. This employee began working for Round Hill on July 14th. The next meeting of the Utility Committee is tentatively scheduled for August 11th. It will be decided, during the first week of August, if the meeting will be held.

5. Administration, Communications & Technology Committee

Councilperson Heston reported that the committee reviewed the retirees' health policy one more time, and will update it once more. Additionally, the Town Administrator provided updates on cross-training an employee. The next meeting of the AC&T Committee will be held on August 10th.

6. Land Use Committee

Councilperson Botsch reported that the committee met on July 8th, and that Mr. Clinton Chapman presented the Concept Plan for the Eastern Commercial District. In addition, four chapters of the Comprehensive Plan were discussed. Councilperson Botsch reported that, since the last Land Use Committee meeting, he has had a few meetings with Planning Commission Chair Mirabal, regarding the Land Use Committee and the Planning Commission working together to improve information flow. These ideas will be discussed in more detail at the next Land Use Committee meeting, and will be presented to the Planning Commission by Chairman Mirabal, at their next meeting. Councilperson Botsch provided some details about these ideas for improving information flow. Mayor Ramsey asked if Mr. Botsch has spoken with Staff and with the Planning Commission representative regarding this; Mr. Botsch noted that he has spoken with Staff, and that he is waiting for Chairman Mirabal's further input from the Planning Commission. Councilperson Botsch stated that he wants the process coming to the Land Use Committee to be driven by the Planning Commission; additionally, he wants the agenda coming to the Land Use Committee to be driven by the Planning Commission, as well. Mayor Ramsey suggested that Councilperson Botsch, Planning Commission Chair Mirabal, Council Representative to the Planning Commission Prack, and Town Planner/Zoning Administrator Hynes meet regarding this issue, prior to the next Planning Commission meeting, in order to ensure that all parties involved agree upon the proposals for improving information flow. Mayor Ramsey asked to clarify if the goal is to improve information flow, or if amendment of the work plan is being suggested; Councilperson Botsch noted that any amendment of the work plan would come from the Planning Commission, and further explained that the goal is to receive input and recommendations from the Planning Commission. It was noted that the second part of this process is to ensure that feedback from the Land Use Committee goes back to the Planning Commission. Councilperson Botsch noted that, at this time, the emphasis is on the Comprehensive Plan update; however, the overall goal is to provide for improved communication between the Town Council and the Planning Commission. In response to a question from Vice-Mayor Graham regarding streamlining the process and the necessity of returning comments regarding the Comprehensive Plan to the Planning Commission, Mayor Ramsey noted that the Planning Commission "owns the document," and "still controls the master copy;" the Town Council may suggest edits, but the Planning Commission ultimately makes the decisions regarding changes. Councilperson Botsch elaborated upon issues surrounding the update of the Comprehensive Plan, and furthermore the Town's future goals, in relation to the development of the Eastern Commercial District. It was noted that proper communication between the entities is necessary in order to deal with potential projects such as the Eastern Commercial District. Mayor Ramsey provided an overview of the process being followed in the update of the Comprehensive Plan, noting that, ultimately, the Planning Commission will present a finished document to the Town Council.

Councilperson Botsch reiterated the need for the various governing bodies to review the work done on the update, and to actually *see* comments made by each group. There were no further questions or comments regarding the Land Use Committee report.

RE: COUNCIL COMMENTS

Councilperson Heston reported on a conversation she recently had with the person in charge of the Little Library located at the Town Office; the doors of the library were not closing properly, which was reported to the person in charge. Additionally, the person in charge of the library asked that an item be included in an upcoming newsletter regarding the Little Library. Finally, donations of appropriate books are requested. Councilperson Klipple thanked those involved for their good work on the potential refinance. Vice-Mayor Graham commended the Round Hill Women's Group on their attempted July 4th Breakfast (which was cancelled due to weather); Ms. Graham also reported that she attended the ribbon-cutting ceremony at the new aquatic center. Councilperson Lyne reported that he was recently introduced to an aide to Supervisor Scott York, who stated, "I never hear from you guys!" Mr. Lyne noted that this provides another avenue for the Town to follow in accomplishing its goals. Mayor Ramsey reported that he will be away for ten days during July. 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, as authorized by the Code of Virginia of 1950, as amended, §2.2-6711(A-1);** Councilperson Klipple seconded the motion. A voice vote was held; the motion was approved 6-0. 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	Aye
Frederick J. Lyne	Aye

Mayor Ramsey noted that no staff are needed at the Executive Session, and called for a five minute recess at 10:48 p.m.

IN RE: MEETING ADJOURNMENT

Vice-Mayor Graham moved that **the Round Hill Town Council reconvene its public meeting, and that the minutes of the public meeting reflect that no formal action was taken in Closed Session;** Councilperson Prack seconded the motion. A voice vote was held; the motion was approved 6-0. 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	Aye
Frederick J. Lyne	Aye

Vice-Mayor Graham moved that **the Town Council adopt Resolution 2015-13, certifying its closed meeting of July 16, 2015;** Councilperson Prack seconded the motion. A voice vote was held; the motion was approved 6-0. 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	Aye
Frederick J. Lyne	Aye

The meeting was adjourned at 12:59 a.m. by Mayor Ramsey.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary