

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

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

**Council Members Present**

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

**Others Present**

Maureen Gilmore  
Fred Lyne (prospective  
new Council Member)

**Staff Members Present**

There were no Staff Members in attendance.

**IN RE: CALL TO ORDER**

Mayor Ramsey called the meeting to order at 7:30 p.m.

**IN RE: PLEDGE OF ALLEGIANCE**

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

**IN RE: COMMUNITY POLICING**

Vice-Mayor Graham noted that she was aware of some recent incidents in Round Hill, and asked if they should be addressed at this time. It was decided to address these issues during the Council Comments portion of the meeting.

**IN RE: PUBLIC COMMENT**

There was no Public Comment.

**IN RE: APROVAL OF AGENDA**

Vice-Mayor Graham moved that the Agenda be approved with the following addition: **add Approval of Minutes: July 8, 2013 Special Meeting as Action Item #2;** Councilperson Klipple seconded the motion. The amended Agenda was approved by a vote of 5-0. The vote is recorded as follows:

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

## **IN RE: BUSINESS ITEMS**

### **1. Water Model Proposal – Peed & Bortz**

Mayor Ramsey reported that the Water Model Proposal was discussed during the budget process and was budgeted for this fiscal year. Since the proposal is in hand it is ready for execution. Vice-Mayor Graham made a motion **to approve the Water Model Proposal from Peed & Bortz**; Councilperson Klipple seconded the motion. Councilperson Heston asked if there was a figure before this, or if this is the first time there has been a figure. Mayor Ramsey stated that this figure (\$45,000.00) was in hand during the budget process. Vice-Mayor Graham added that this has been discussed for a while, but that Keith wanted to wait until more work on the Town's utilities was being done. Councilperson Heston noted an error in the dates; Mayor Ramsey stated that he will clarify the dates with Keith and ensure that the copy to be signed is correct. Mayor Ramsey explained the purpose of the Water Model Proposal; Vice-Mayor Graham stated that this will be done in conjunction with the Ground Water Study. Following this discussion a vote was held; the motion was approved by a vote of 5-0. The vote is recorded as follows:

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

Mayor Ramsey stated that he will execute the Proposal with Peed & Bortz.

## **IN RE: ACTION ITEMS**

### **1. Approval of Minutes: June 20, 2013 Town Council Meeting**

Vice-Mayor Graham noted that she doesn't recall making a statement that is recorded on page 3, in the middle of the page. After discussion among Council Members, it was determined that she did make the statement. Vice-Mayor Graham also noted that on page 3, the eighth line from the bottom, a "d" should be added to the word "store." Councilperson Botsch noted that, on the same page, in the seventh line from the bottom, he didn't recall making the statement, "*...how decisions are made as to staffing by paid versus volunteer members...*"

and wondered if someone else did. After discussion, it was decided to remove the reference to staffing. Vice-Mayor Graham noted a reference to business continuing as usual at the existing fire department site. Discussion among Vice-Mayor Graham, Councilperson Heston, and Mayor Ramsey ensued regarding this reference. It was determined that the reference was to the store continuing in business if the fire department moves to a new site. Councilperson Botsch noted that, on page 4, the reference should be to the current fire department property (the in-town site), being included in the Comprehensive Plan, should the department relocate to the Sheriff's Office Substation site. Mayor Ramsey suggested the following wording, "*Councilman Botsch noted that, if the County is against using the current property to be developed, future use for the current fire department property should be included in the Comprehensive Plan.*" Councilperson Botsch agreed to this wording. Councilperson Botsch asked if, at the top of page 5, in the third line, the use of the phrase "...be a sap" should be omitted. Vice-Mayor Graham asked Town Attorney Gilmore to clarify permissible corrections to minutes. Town Attorney Gilmore noted that verbatim minutes may not be changed; in other minutes the meaning may not be changed, but wording may be adjusted so that the minutes make sense and accurately capture what was said. Discussion of the word sap continued; it was decided to remove the word. Following this discussion, Vice-Mayor Graham moved **to approve the Minutes of the June 20, 2013 Round Hill Town Council Meeting as amended**; Councilperson Klipple seconded the motion. The motion carried by a vote of 4-1-0, with Councilperson Prack voting no. The vote is recorded as follows:

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

## **2. Approval of Minutes: July 8, 2013 Special Town Council Meeting**

Mayor Ramsey thanked Councilperson Heston for taking the minutes at this meeting. Vice-Mayor Graham noted that the Pledge of Allegiance was not recited at the meeting, so the reference that it was should be removed. Following this discussion, Councilperson Heston made a motion **to approve the Minutes of the July 8, 2013 Special Town Council meeting, as amended**; Councilperson Botsch seconded the motion. The minutes were approved by a vote of 5-0; the vote is recorded as follows:

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

### 3. Appointment of Interim Zoning Administrator

Mayor Ramsey discussed Mr. Kinsley's possible date of return to work on a part-time basis, noting that he would not be able to return until July 29<sup>th</sup>, at the earliest. Mr. Ramsey stated that it is doubtful a new Zoning Administrator would be hired any sooner than the July 29<sup>th</sup> date. Mayor Ramsey noted that, in light of these facts, and the likelihood that the Council may not have an August meeting, it would be wise to appoint an Interim Zoning Administrator. Councilperson Botsch made a motion **to appoint Vice-Mayor Mary Anne Graham as the Interim Zoning Administrator, until such time as Robert Kinsley returns on a part-time basis, or a full-time Zoning Administrator is hired;** Councilperson Heston seconded the motion. The motion carried by a vote of 4-0-1, with Vice-Mayor Graham abstaining. The vote is recorded as follows:

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

### 4. Town Council Committee Assignments

Mayor Ramsey stated that these assignments are usually made at the first meeting of the fiscal year, and that, if anyone wants to change his/her assignment, now is the time to do so. Mayor Ramsey reviewed the committees and their responsibilities, for Mr. Lyne's information. It was noted that most Council Members serve on two committees. Town Attorney Gilmore noted that the Mayor is an Ad Hoc member of each committee. Council Members explained when each committee meets. It was decided that Mr. Lyne will serve on the Land Use Committee and the Administration and Communications Committee. Council decided to leave all other committee assignments as they are presently. Councilperson Heston informed Mr. Lyne about the date and time of the upcoming Administration and Communications Committee meeting.

## **IN RE: REPORTS**

### **1. Mayor's Report**

Mayor Ramsey noted that he has been undertaking many of the Town Administrator's duties, following Mr. Barkley's departure; he reported that Mrs. Wolford and Mrs. McGaha have been a great help in this. Mayor Ramsey reported that the IT services at the Town Office are below his expectations, and that he is speaking with Shenandoah, as well as the Town of Purcellville's IT staff, regarding this issue. Mayor Ramsey noted that a particular concern is the handling of e-mails. Mr. Ramsey will visit Purcellville in the next two weeks to see how they handle their e-mail requirements. Mayor Ramsey also noted his concern regarding how Round Hill handles the back-up of electronic files. Mr. Ramsey noted that the paper records are fine; Town Attorney Gilmore confirmed that the paper records are the Town's official records. However, Mayor Ramsey noted, he is concerned that the loss of any electronic records could hinder the Town's day-to-day operations. Town Attorney Gilmore noted that electronic records are subject to Freedom of Information Act requests. Councilperson Botsch referenced lack of capabilities with the Town's website, as well as difficulties with e-mails; he noted that he feels the new Town Administrator should be asked to address this issue. Mayor Ramsey noted that the Town's website and e-mail services are "bare bones," and at a budget rate; he agreed that the new Town Administrator should address this issue. Mayor Ramsey noted that the last update of the website was around the year 2001. Vice-Mayor Graham asked if Shenandoah is capable of providing the upgraded services the Town wants. Mayor Ramsey reported that Shenandoah is "more of an IT manager of servers and such," and that an upgrade in design would require that another entity be engaged. It was noted that the hosting is provided by Applied Tactics. Councilperson Heston noted that the Administration and Communications Committee had requested an update of this from the Town Administrator, but that didn't come to fruition. Mayor Ramsey stated that he would provide the information he gathers to the new Town Administrator. Mayor Ramsey explained to Mr. Lyne how the Town e-mail system is set up; he also explained to the Council how he uses "gmail" to pull e-mails from the Town's server. Mayor Ramsey reported that he attended the TANV meeting last week; he explained TANV to Mr. Lyne. Mr. Ramsey reported that the focus of this meeting was transportation issues, which don't affect Round Hill directly. Mayor Ramsey explained that the Commonwealth Transportation Board has specified that the Northern Virginia Regional Commission allocate funding for projects, and that, currently, the only representatives to this body are county representatives. The Board has only one non-voting member representing the towns. The county leader is expected to represent both the county and its towns, but the towns are not being represented properly. Mayor Ramsey reported that the towns who have their own street needs are trying to get a bill passed that would afford more representations for the towns on this board, but noted that the outlook for this is

not promising. Mayor Ramsey reported that the TANV members also discussed overlapping jurisdictions. It was noted that there is nothing in state law that deals with this issue; Delegate Rust is attempting to introduce legislation to address this issue, however, it seems unlikely to be successful. Mayor Ramsey elaborated on the issues surrounding overlapping jurisdictions. Vice-Mayor Graham asked about the status of the water damage to the ceiling of the Town Office. Mayor Ramsey stated that it was not addressed prior to Mr. Barkley leaving the Town's employ. Councilperson Heston reported that Town Treasurer Wolford told her that the problem occurred several years ago; discussion ensued regarding this, with the decision made that Councilperson Heston will discuss this with the Sheriff's Office. Councilperson Botsch asked if Ms. Deutsch (of the Round Hill Volunteer Fire Department) has reported back on the meeting held by the fire department regarding the future of the fire station; Mayor Ramsey noted that he had not yet heard from her. Vice-Mayor Graham stated that the fire department seems to feel no urgency to decide about this issue. Councilperson Botsch asked if the fire department has continued the process for the renewal of their Special Exception for the bunk house across the street; Mayor Ramsey stated that he knows they picked up the paperwork from the Town Office, but was unsure if it had been completed. Vice-Mayor Graham stated that she will check on this. Discussion of the fire department issue in relation to the update of the Town's Comprehensive Plan ensued. Mayor Ramsey noted that he is unsure if the fire department and the Sheriff's Office are really communicating regarding the possibility of the fire department moving to the Sheriff's Office Substation site.

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

There was no Town Planner/Zoning Administrator's Report this month.

## **3. Utility Operations, Public Facilities, and Projects Committee**

Vice-Mayor Graham noted that the minutes from the last meeting are provided in each Council Member's packet. Mrs. Graham noted that most of the Utility Committee report will be discussed in the Executive Session scheduled for this evening's meeting. Vice-Mayor Graham also reported that the piloting program for the centrifuge was successful. Finally, Mrs. Graham reported that the Committee will not hold an August meeting.

## **4. Administration and Communications Committee**

Councilperson Heston reported that the Committee has been diligently working on interviewing candidates for the Town's vacant positions, and will soon make their recommendations to the Council. Mayor Ramsey noted that the Council will not have an August meeting, and asked if a special meeting will be required in order to complete the hiring process. Discussion ensued of who will actually make the job offer. It was decided that the Administration and Communications Committee would actually make the offer, and that the Town Council would vote

to appoint the candidate. Councilperson Botsch discussed a possible schedule for this process. Town Attorney Gilmore reminded Council that, if they decide to hold another meeting, it will need to be advertised. Council Members discussed possible dates to hold a special meeting. It was felt that the appointment meeting for the Zoning Administrator is more important than the meeting for appointment of the Town Administrator. Discussion ensued, with the determination being that the candidate must be hired first, then be appointed by the Council. Town Attorney Gilmore noted that, under the circumstances, Council would have more say in who is hired, as there is no Town Administrator (who normally does the hiring). It was determined that Councilperson Heston may negotiate the terms of hiring, and that Mayor Ramsey will direct Town Treasurer Wolford to add the hire to the payroll. Councilperson Heston noted that the Administration Committee will call each Council Member to apprise him/her of their decision. Council Members discussed when each one will be on vacation, in conjunction with scheduling a special Council meeting. It was decided to discuss this further during the Executive Session. Mayor Ramsey reported that he will notify Town Office Staff that there will be no Council Meeting in August.

## **5. Land Use Committee**

Councilperson Botsch reported that the Main Street Enhancement Project waivers have been submitted, and that Mr. Bowers will have the 90% Plan to the Land Use Committee in August. Mr. Botsch also reported that the County is awaiting feedback from VDOT regarding the Franklin Park Trail Project before engaging the public further. Councilperson Botsch reported that the proposal for Sleeter Lake Park was submitted on July 1<sup>st</sup>; he also reported that a Special Exception will be required for the floating dock. Mr. Botsch reported that the County will not allow the existing access road to be used. Mayor Ramsey explained that there may be an easement there, but this is not known for a fact; however, that may be why the County will not allow use of the road. It was reported that Mr. Bowers does not know why the County will not allow use of the access road. Councilperson Botsch reported that, if the access road is not available for use, that could cause Phase 1 of the project to be very expensive. Mayor Ramsey suggested that Councilperson Botsch develop his own contact with the County, for the purpose of asking these types of questions. Councilperson Botsch discussed Lake Ridge Estates and who will cover maintenance, as they might have no Home Owners' Association. Discussion of this project ensued, with Town Attorney Gilmore noting that Town Planner/Zoning Administrator Kinsley was unable to find anything definitive in Planning Commission minutes regarding this. Mrs. Gilmore noted that the Town Council will want to decide who will be responsible for maintenance. It was also reported that, previously, the roads in this subdivision were maintained by VDOT, but the sidewalks were not. Councilperson Botsch reported that the Committee has been asked if the Town would take over the maintenance of street lights, and asked for clarification;

Town Attorney Gilmore recommended against this, and explained that this could be very expensive. Discussion of maintenance issues, and whether or not to have HOAs inside the Town limits, ensued. Councilperson Botsch reported that the Land Use Committee will meet in August. Vice-Mayor Graham asked if the Land Use Committee will discuss the VDOT proposal; Councilperson Botsch stated that he will discuss this further with Commissioner Hoddinott.

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

Councilperson Heston asked if the Stoneleigh water/sewer account is up-to-date. No one present knew, so Mrs. Heston stated that she will check with Town Treasurer Wolford about this. Council Members welcomed Mr. Lyne to the Council. Vice-Mayor Graham discussed damage to mailboxes on Main Street, and noted that the vandalism was presumably reported to the Sheriff's Office. Mrs. Graham also reported on damage to a garage door, noting that it is uncertain if this damage was vandalism, or weather-related. Vice-Mayor Graham also discussed the trash can at the bank building, which is being used for yard waste and household trash; it was the consensus of the Council that the trash can be left in place. Councilperson Prack noted that he has discussed this with some individuals who may be involved, and that these same individuals may also be involved in the vandalism of the mailboxes. Mr. Lyne thanked the Council for the opportunity to serve. 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 in Closed Session to consult with legal counsel regarding probable litigation in re: to the wastewater treatment plant, the Route 719 lift station, and other utility matters, and to discuss pending litigation in re: GENRAM, LLC vs. Town Council, et.al, as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(7); and to discuss and consider prospective candidates for employment, as well as current town personnel, as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(1);** Councilperson Klipple seconded the motion. Town Attorney Gilmore and prospective Town Council Member Fred Lyne were invited to attend. A voice vote was held, with the motion carrying by a vote of 5-0. The vote is recorded thus:

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

Mayor Ramsey called a recess, in order to clear the room, at 8:57 p.m.

**IN RE: MEETING ADJOURNMENT**

The Town Council exited closed session at 10:22 p.m. with the following motions:

Motion to resume open session by Vice-Mayor Graham, seconded by Councilperson Klipple. Passed 5-0.

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

Motion to certify no items discussed that were not exempt from open session by Vice-Mayor Graham, seconded by Councilperson Klipple. Passed 5-0.

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

The regular meeting was adjourned by Mayor Ramsey at 10:22 p.m.

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**IN RE: MEETING ADJOURNMENT**

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary

