

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
March 15, 2012**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, VA, on Thursday, March 15, 2012.

**Council Present**

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

**Others Present**

Deputy Anthony Cooper  
Maureen Gilmore,  
Town Attorney

**Staff Present**

John Barkley, Town Administrator  
Robert Kinsley, Town Planner and Zoning Administrator  
Betty Wolford, Treasurer

**Attachments**

- I. Agenda (Revised) – March 15, 2012
- II. Town of Round Hill General Operating fund FY 2013 Budget – 2<sup>nd</sup> Draft
- III. Town of Round Hill General Capital Improvement Fund FY 2013 Budget – 1<sup>st</sup> Draft
- IV. Round Hill Town Council Regular Meeting Minutes – February 16, 2012
- V. Letter from Loudoun County, Virginia regarding the Seventh Amendment to Lease Agreement, and the Seventh Amendment to the Lease Agreement, dated February 15, 2012
- VI. Preliminary/Final Site Plan, Round Hill Pavilion
- VII. Town Administrator's Report – February 24, 2012, March 2, 2012 and March 9, 2012
- VIII. Town Planner and Zoning Administrator's Report – March 13, 2012
- IX. Town of Round Hill Utility Committee Report – March 13, 2012
- X. Town of Round Hill Administration and Communications Committee -- March 12, 2012
- XI. Town of Round Hill Land Use Committee Report – March 2, 2012
- XII. Town of Round Hill Payment Plan Policy for Water and Sewer Bills

**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 council members and attendees in the Pledge of Allegiance.

**IN RE: COMMUNITY POLICING**

**Deputy Cooper** reported that there was an incident of vandalism at Lake Point Park. The Sheriff's Office will focus enforcement efforts there, especially on Friday and Saturday evenings. The Lake Point subdivision will install motion sensor lights to help combat this.

Deputy Cooper also reported that the department will undertake more policing of speeding, and drinking and driving, as there have been six accidents in the vicinity in the last month.

Deputy Cooper noted that, when the weather is warmer, the Sheriff's Office will begin bicycle patrols.

Finally, it was reported that there is no update on the new Sheriff's Substation.

In closing, Deputy Cooper asked for any comments or questions. There were none.

**IN RE: PUBLIC COMMENT**

No comments were received.

**IN RE: APPROVAL OF AGENDA**

**Councilperson Heston** requested that the Agenda be amended to include discussion of the Payment Plan Policy for Water and Sewer Bills. Vice-Mayor Graham moved to approve the agenda as amended; Councilman Klipple seconded the motion. The Agenda was approved, with the amendment noted, by a vote of 6-0.

**MEMBER**

Mary Anne Graham  
R. Daniel Botsch  
Janet L. Heston  
Christopher J. Prack  
Jennifer Grafton Theodore  
Clarkson J. Klipple

**VOTE**

Aye  
Aye  
Aye  
Aye  
Aye  
Aye

**IN RE: BUSINESS**

**1. Payment Plan Policy for Water and Sewer Bills**

**Councilperson Heston** reported that the Administration and Communications Committee has drafted a Payment Plan Policy for Water and Sewer Bills, and requested that the Town Council act on this policy at this evening's meeting, in order for the Town staff to "move" on delinquent accounts. It was asked if the Administration and Communications Committee is satisfied with this policy; Councilperson Heston reported that they are. Councilperson Heston made the motion to accept the Policy, with Councilperson Botsch seconding the motion. Mayor Ramsey asked for discussion of the Policy. It was noted that this policy gives the Utility Billing Administrator the ability to work with customers who are delinquent to set up a payment plan. Mayor Ramsey noted that he doesn't want this plan to enable habitually delinquent customers. Councilperson Heston noted that any customer with a delinquency must still pay the current amount due; this plan deals with past due amounts. Treasurer Wolford discussed the merits of a payment plan. Vice-Mayor Graham asked if the payment plan will reduce revenues; it was noted that it will not. The time frame given to remit past-due amounts was discussed, with Councilperson Heston noting that 120 days is an appropriate amount of time to help those who are in arrears. Treasurer Wolford noted that it sets a time frame, rather than allowing repayments to go on indefinitely. Councilperson Heston also noted that this plan puts the burden for repayment on the customer. Councilperson Prack voiced a concern about Item "d" which allows for an extension of repayment beyond 120 days; Councilperson Klipple felt the Item should remain in the plan, to allow for extenuating circumstances. Councilperson Theodore asked if this is to be used just in dealing with serious delinquencies; it was noted that it is.

Following discussion, the motion to approve the Payment Plan Policy for Water and Sewer Bills was approved by a vote of 6-0, with the votes recorded thus:

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

**2. FY 2013 Budget – General Fund, Capital Improvements**

**Mayor Ramsey** introduced Debbie Deutsch, Director of the Round Hill Arts Center. Ms. Deutsch gave a presentation highlighting programs that are provided by the Center at little to no cost to the community. She also reported that the Center has just hired a Program Manager, who began her duties on March 1<sup>st</sup>. Ms. Deutsch noted that the Round Hill Arts Center works with the Loudoun Arts Council on programs. Finally, she noted that the Arts Center is again helping with the Round Hill Hometown Festival, this year providing a crafts tent. Ms. Deutsch reported that the Round Hill Arts Center is the

anchor for the facility housing it on West Loudoun Street, and that the landlord wants them to utilize all of the second story of the building to create artists' studios.

Mayor Ramsey asked if Loudoun County will not be participating in providing matching grants this year. Ms. Deutsch noted that they will not; that the County will not be providing funding for arts programs this year. Ms. Deutsch reported that the Arts Center does charge some fees, and holds fundraisers, as they have rent to pay. Vice-Mayor Graham asked how fundraising is going this year; Ms. Deutsch reported that, thus far, they have raised enough money to complete one panel out of three in the stained glass logo being created for the Arts Center. Finally, Ms. Deutsch reported that there are eight groups who will be participating in the Hometown Festival this year.

Mayor Ramsey thanked Ms. Deutsch for attending and providing her presentation.

## **IN RE: ACTION ITEMS**

### **1. Approval of Minutes**

#### **a. February 16, 2012 Town Council Meeting**

Vice-Mayor Graham noted that, on Page 3, under FY 2013 Budget Process Overview and Schedule, the term "Town Planner" should be replaced with the term "Budget Planning."

On Page 10, in the Land Use Committee Report, Vice-Mayor Graham noted that the phrase "to coordinate with Supervisor Clarke's schedule," should be removed.

Vice-Mayor Graham also noted that members who are absent should also be noted on the first page.

Regarding the Time of Adjournment, it was noted that the minutes should include that the meeting reconvened at 10:00 p.m., and was adjourned at 10:05 p.m. The Mayor recorded motions made at the closed session, which will be included in the Minutes.

Town Attorney Gilmore discussed the use of code numbers.

As there was no further discussion, Councilperson Botsch moved to approve the Minutes as amended; Councilperson Theodore seconded the motion. The Minutes were approved with a vote of 5-0-1.

#### **MEMBER**

Mary Anne Graham  
R. Daniel Borsch  
Janet L. Heston  
Christopher J. Prack  
Jennifer Grafton Theodore  
Clarkson J. Klipple

#### **VOTE**

Aye  
Aye  
Aye  
Aye  
Abstain  
Aye

## **2. Lease Agreement Renewal – Western Loudoun Sheriff’s Substation**

Mayor Ramsey asked Town Administrator Barkley if the lease agreement has been sent; Mr. Barkley noted that it has. This is the seventh renewal of the lease since 1995. The lease was signed by the Director of General Services for the Board of Supervisors of The County of Loudoun on February 15, 2012. It was also noted that the parking agreement carries over. Vice-Mayor Graham moved to authorize the Mayor of Round Hill to sign the lease, Councilperson Heston seconded the motion. There was no discussion. The motion was approved with a vote of 6-0. The votes were recorded thus:

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

## **3. Town Park Pavilion – Construction Bids:**

Mr. Dave Bowers made the presentation. He noted that a letter had been sent to Dominion Virginia Power, asking them not to relocate the power line under the pavilion, which would result in a cost savings of \$1,259.00. Dominion Virginia Power agreed to this, with the stipulation that an emergency call not be placed in the event of an interruption of power. Vice-Mayor Graham asked if this included a power interruption during an event. Mr. Bowers noted that he was unsure of this. Mayor Ramsey noted that, during a prior event during which power was interrupted, the event was completed with the use of a donated generator. Vice-Mayor Graham also asked if Dominion Virginia Power would ever need to remove the pavilion pad; it was noted that they would not. Councilperson Heston asked if this requirement relates only to lights at the park; it does. It was reported that a letter will be sent to Dominion Virginia Power, and it will need to work its way up the chain there.

Mr. Bowers reported that six contractors had been solicited for bids, and that two responded. Also, it was reported that, for the pavilion to be usable by Memorial Day, it would be necessary to lay sod, not sow grass.

The Town Utility Staff will move the water line under the pavilion site.

It was noted that an estimate for possible weather delays should be included.

The construction of the Town Park Pavilion has been approved the Round Hill Planning Commission; the Town Council should move on this soon in order to have construction completed by the Hometown Festival date. Councilman Klipple asked for specifics regarding how much concrete will be used; wondering if it will be necessary to move a truck onto or near the property or if the concrete

could be moved by hand using wheelbarrows, in order to account for damp conditions, or to reduce costs.

There is a \$9,000.00 difference between the two bids received; Mayor Ramsey asked why. It was reported that the difference was due to one bidder being a smaller shop with costs related to that, and due to differing methods used. Councilperson Heston asked if the sod is included in the bid, or if it will be a cost to the Town later. It was reported that it is included in the bid. Mayor Ramsey asked for recommendations from both Mr. Bowers and Town Administrator Barkley. Mr. Bowers stated that he felt comfortable with both. Mr. Barkley stated that he would choose based upon pricing, and that he would recommend accepting the bid of Walker Clark. This contractor would provide exclusive focus on this project, not work this contract in conjunction with others. Councilperson Botsch asked about the warranties offered; there are no differences between the two contractors regarding this.

Following discussion, Vice-Mayor Graham moved to accept the bid provided by the firm Walker Clark; Councilperson Heston seconded the motion. The motion was approved by a vote of 6-0. John Barkley will notify Walker Clark, and Mayor Ramsey will sign the contract on Monday, subject to bonding and other contingencies (March 19, 2012).

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

## **IN RE: FY 2013 GENERAL FUND BUDGET:**

### **1. Operating Fund and Capital Improvement Fund**

Town Administrator Barkley noted that draft copies of the General Operating Fund Budget and the General Capital Improvement Fund Budget are included in each Council Member's packet. The Town Treasurer made revisions based on the previous work session; the committee will meet again on March 29, 2012. Vice-Mayor Graham asked why Line Item 13 was changed from \$12,000.00 to \$16,000.00; Treasurer Wolford answered that revenue from Verizon came in. Mayor Ramsey asked Council Members to call out Line Item numbers about which they have any questions. Mayor Ramsey mentioned the property tax rate. It was noted that the Cigarette Tax (Line Item 8) is a projected amount, and that that revenue is expected to come in 5-10% lower this year. Town Administrator Barkley reported that he has asked the County Administrator for advice on collecting taxes. Councilperson Prack inquired about a list of businesses in Round Hill; Mayor Ramsey noted that there is a suspicion that some businesses are not reporting correctly. Councilperson Klipple asked what the formula is for

calculating taxes; it was noted that it is based on gross receipts. Town Attorney Gilmore discussed how the taxes are collected; any business in Town must have a Round Hill BPOL license. Mayor Ramsey asked if there is anything to be done regarding auditing, and suggested that be taken up by the Administration and Communications Committee. Mayor Ramsey asked for any further questions regarding revenues; there were none.

Regarding Expenditures in the Budget, a discussion of the Cost of Living Adjustment ensued. Treasurer Wolford reported that, under the revised Virginia Retirement System, employees will pay 5% into their retirement accounts; the Town will no longer pay 100% of the amount. This revised system has been passed by the General Assembly and is awaiting action by the Governor; the Town will not know until April if this will take effect. Mayor Ramsey noted that it appears the net effect will be small and that the Council could go ahead and prepare the budget; he also noted that the Council should assume the measure will be signed by the Governor. Councilperson Heston asked if it is required that employees participate in the Virginia Retirement System, or are employees allowed to opt out. Town Attorney Gilmore responded that she is unsure if the program is compulsory. The Administration and Communications Committee will look into this issue.

Regarding Operating Expenses, Vice-Mayor Graham noted that Line Item 55 (Office Equipment and Furnishings) should be listed at \$500.00, not \$1,000.00. Vice-Mayor Graham asked about benefits; it was noted that \$500.00 goes toward Health Insurance. Councilperson Heston noted that the General Fund was listed at \$30,000.00 last week, and now is \$10,000.00; Mayor Ramsey noted that the General Fund is projected to be \$6,900.00. Vice-Mayor Graham asked if there is a possibility that litigation could arise; she suggested moving \$500.00 from Office Equipment to the General Fund. Councilperson Heston recommended leaving the General Fund at \$10,000.00. Mayor Ramsey asked for any further questions regarding Operating Expenses; there were none.

Regarding Building and Grounds, Councilperson Prack asked about availability of funds for painting and upkeep of the Town Office. Town Administrator Barkley reported that funds are available for work on the interior of the building; he suggested getting assessments from contractors for improvements, both interior and exterior, and then add the Council Members' comments. Councilperson Heston commented on the condition of the exterior of the Town Office; she suggested that, rather than undertaking a comprehensive assessment, the Town proceed with exterior painting. Mayor Ramsey asked if the painting should be done during FY 2012, or if the Town should wait until July 1<sup>st</sup>. It was noted that this is not a financial issue, but rather a budgetary issue. Councilperson Prack noted that he feels we should move as soon as possible on exterior painting. Mayor Ramsey noted that the Town should get several estimates on exterior painting. The consensus of the Council is that exterior painting should be taken care of right away. Town Planner Barkley will get estimates for the painting, and could present them at the April Town Council meeting. It was noted that, if budget adjustments are necessary, the Town Council needs to be involved;

Councilperson Heston noted that she feels the Council should look at the estimates, and that the item should be on the agenda for the April meeting. Discussion ensued regarding exterior painting, rotted wood and broken shutters on the Town Office, and on if an estimate for removal of lead paint would be required. It was reported that most of the lead paint on the building was removed in 1988; Town Administrator Barkley noted that lead paint was found in the rear of the building the last time exterior painting was done. Mr. Barkley also noted that he has one estimate for exterior painting, from Apple House Carpentry; Mayor Ramsey noted that the Council would like more estimates. Councilperson Theodore asked if Apple House Carpentry should get special consideration. Mayor Ramsey noted that the Council wants no estimate that leaves the cost of removal of lead unaddressed. It was decided to continue discussion of this at the April meeting.

Regarding Grant Funding, Mayor Ramsey noted that he had invited Ms. Deutsch, of the Round Hill Arts Center, to speak so the Council could see how the Arts Center supports the community, in their consideration of providing funding. He noted that Franklin Park is willing to help with funding, but doesn't want to usurp the Round Hill Arts Center's control of their programs, etc. Vice-Mayor Graham suggested providing funding at the same level as last year. Mayor Ramsey noted that, if the County cuts funding for arts programs, there may be "push back" from the citizens, but he is not sure that will be enough to influence the County Supervisors. It was the consensus of the Council to provide the same funding as in the previous year.

Councilperson Heston noted that small adjustments were made in Line Items 65 and 66.

Mayor Ramsey asked for questions regarding Line Items 70-79. Councilperson Heston asked why the estimated cost for Refuse/Recycling Pickup went down, which Treasurer Wolford explained. Councilperson Botsch asked how the figure for the cost of Electric Street Lights was arrived at, which Treasurer Wolford explained.

## **2. General Capital Improvement Fund**

Mayor Ramsey suggested the Council focus their discussions on expenditures. Councilman Klipple asked how much funding the Town has in reserves. Treasurer Wolford addressed the balances on Certificates of Deposit held by the Town; she noted that \$44,850 will be cashed in for payment on the Town Park Pavilion, and that, in two CDs held by the Town, the balance is \$297,000.00.

Regarding the Franklin Park Trail System, Mayor Ramsey discussed the option of using decorative pavers to construct the trail. He noted that the Town is responsible for soliciting bids, but has not yet done so. Also, regarding the Stormwater Improvements Line Item, it is now possible that the County may take care of that issue, which would allow the Town to use the money from escrow from the Darling property to pay for the pavers. Councilperson Heston noted that she has information on a "Sell-a-Brick" program that could provide funds to pay



for the pavers. It was noted that the pavers would be used at the Town Park, the Exxon station, the Patterson Building, Dr. Grady's dental office, and in crosswalks. Mayor Ramsey reported that it will be six months before bid documents for the trail are ready. Mayor Ramsey also suggested using both escrow money and the "Sell-a-Brick" program to cover the cost of the Franklin Park Trail.

Regarding the Main Street/New Cut Road Project, Vice-Mayor Graham asked if the sidewalk on High Street will be included in the improvements. Mayor Ramsey noted that the Town is reluctant to do any improvements until the design for the Main Street Program is in place; this is to ensure that all improvements are engineered with the rest of the project. It was suggested that the Council wait until the March County budget negotiations take place, in order to discern how the County will address funding. It was reported that any matching funds will go toward the cost of the engineering company. It was noted that normally \$20,000.00 is included in the budget for non-specific repairs, but that it was pulled from the FY 2012 budget in order to fund the pavilion.

Line Item 10 (Town Office Building and Ground Improvements), contains funding of \$38,000.00, to cover painting. It was noted that, if the painting is done this year, this funding will be unnecessary in the FY 2013 budget. Councilperson Botsch suggested installing ceiling fans. There was discussion of paving the parking lot. Councilperson Prack noted that he feels this is unnecessary at this time; that patching holes and sealing the lot would be sufficient. Councilperson Heston suggested reducing the \$38,000.00 amount. Mayor Ramsey suggested putting the amount not needed to cover painting into a Certificate of Deposit.

Mayor Ramsey asked if there were any further questions regarding the budget; there were none.

## **IN RE: REPORTS**

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

Town Administrator Barkley noted that his written report is in each Council Member's packet. He reported on a sewer back-up on Winslow Court during the previous two days, which is believed to have been caused by debris being put through the ventilation holes in manhole covers. Some property owners had damage to finished basements; the homeowners affected have been given the Town's insurance information. Vice-Mayor Graham asked how many Purcellville employees were here to help; it was noted that the number is not known. Town Administrator Barkley also reported that he has met with the County Administrator and has lobbied for County help with the stormwater issue. Mr. Barkley also reported on the change to the Virginia Retirement System, and noted that local governments will be required to implement these changes. Another decision made by the General Assembly will require an increase in the deposit made for utility service by tenants; Town Attorney Gilmore reported that Round Hill can continue to deal with property owners regarding deposits.

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

Town Planner/Zoning Administrator Kinsley noted that his report is included in each Council Member's packet. Mr. Kinsley is working on creating a map showing both the Joint Land Management Area and the service area for the Town; at present he has questions regarding this for both the County Mapping Office and the County Planning Office.

**3. Mayor's Report:**

Mayor Ramsey noted that he has covered most of his report in previous discussions. Mayor Ramsey reported that he and Vice-Mayor Graham met with Mr. Powers Thomas regarding the Town's future plans concerning his property. Mayor Ramsey referred Mr. Thomas to the Town's Comprehensive Plan. It was noted that, when the substation is built, BLA will occur. Mayor Ramsey noted, during this meeting, that the Town doesn't want private streets, only streets with VDOT maintenance. Finally, Mayor Ramsey noted that he will attend the County Budget meeting as an observer.

**4. Utility Committee:**

Vice-Mayor Graham reported that Dwight has passed his Class III water exam. Mayor Ramsey asked if everyone in the Water Department is Class III or higher; it was noted that they are. Vice-Mayor Graham discussed the issue of water/sewer taps for Hayman Lane, and noted that the issue will be further discussed by the Committee, with Town Attorney Gilmore clarifying the Town's responsibility in this matter.

**5. Administration and Communications Committee:**

Councilperson Heston reported that the Committee worked on the Water and Sewer Policy, in order to bring it to the Council at this evening's meeting. She also reported that the Committee is working on the Travel & Reimbursement Policy. Finally, the Committee is researching reimbursement of Town employees compared to other localities.

**6. Land Use Committee:**

Councilperson Botsch reported that the Committee is still working on the Proposed B-1 Business District Text Amendments, but was unable to provide recommendations to the Town Council at this evening's meeting; they will meet again. Also, Mr. Botsch reported that all broken/missing plaques at the Town Park will be replaced.

**IN RE: COUNCIL COMMENTS**

Councilperson Heston asked if the Council should review all bills due at each Council meeting. Councilperson Botsch said he felt the Council should monitor bills due closely, but was unsure this item should be included on the agenda. Mayor Ramsey explained how this issue was handled in the past, and how it is handled now. Vice-Mayor Graham noted that it had been decided to remove this from the agenda, as the Council was essentially approving items twice. Mayor

Ramsey noted that he is unsure the support for this is present in the Council. Finally, Councilperson Prack noted that he is unable to serve on the Utilities Committee due to his work schedule. He will now serve on the Administration and Communications Committee.

**IN RE: MEETING ADJOURNMENT**

There being no further business, the meeting was adjourned by Mayor Ramsey at 10:12 p.m.

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Scott Ramsey, Mayor

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Debra McDonald, Recording Secretary