

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
May 19, 2016**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, May 19, 2015, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
R. Daniel Botsch
Janet L. Heston
Clarkson J. Klipple
Frederick J. Lyne

Council Members Absent

Mary Anne Graham, Vice-Mayor
Christopher J. Prack

Staff Members Present

Buster Nicholson, Town Administrator
Elizabeth Wolford, Town Treasurer
Kimberly McGaha

Others Present

Clinton Chapman
Mike Minshall

IN RE: CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:33 p.m.

IN RE: PLEDGE OF ALLEGIANCE

Councilperson Klipple led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

Mr. Clinton Chapman, of the Round Hill Partners Group, spoke, expressing his group's frustration and lack of understanding regarding the Comprehensive Plan process. Mr. Chapman stated his understanding that this is still in the hands of the Planning Commission and has not yet come to the Town Council. Mr. Chapman explained that he has attended most of the meetings held in

relation to the update of the Comprehensive Plan; numerous schedules have been set, but none have come to a conclusion, and now he understands that the expected date for completion of the update has been moved into the fall. Mr. Chapman stated that this proves frustrating in planning projects in the Town of Round Hill. Mr. Chapman asked for an explanation of the situation surrounding the Comprehensive Plan, noting that he attended the recent Land Use Committee meeting and understood that the committee was uncertain of the schedule. Mr. Chapman reiterated his understanding that this is not yet in the hands of the Town Council, but stated his belief that someone should have a schedule for completion of the update of the Comprehensive Plan. Mr. Chapman also spoke of the January-February time frame during which it seemed the Planning Commission was nearing completion of their work on this update; at that time additional information was added by Staff, which led to further delays. Mr. Chapman thanked the Council. Mayor Ramsey stated that, as Mr. Chapman noted, this is with the Planning Commission at this time, thus some of these comments may be more aptly posed at a Planning Commission meeting. Mr. Ramsey also noted that, as he was not in attendance at the last Land Use Committee meeting, he cannot provide an update on the schedule. Mayor Ramsey asked Councilperson Botsch if a Planning Commission Public Hearing on the Comprehensive Plan is still scheduled for early June; Mr. Botsch stated that he just learned that is not going to take place, and that the Land Use Committee is no longer certain of the schedule. Councilperson Lyne stated that an early fall time frame for completion has been put forth, with Councilperson Botsch stating that that will be a best-case scenario, as the Comprehensive Plan is unlikely to come to Council before August. Mayor Ramsey stated that it will be unlikely the Town Council will complete its review and act on the Comprehensive Plan earlier than sixty days after the Planning Commission's Public Hearing, as Council will need time for its own review. Mayor Ramsey stated that he is unable to add anything further, as he does not have an updated schedule from the Planning Commission, the Planning Commission Secretary is out on leave at this time, and the Planning Commission representative is not present at this evening's meeting. Mayor Ramsey asked that Town Administrator Nicholson obtain a schedule for the Comprehensive Plan update process from the Planning Commission Chair, and provide that information to Mr. Chapman and to Council, as well. There was no further Public Comment.

IN RE: APPROVAL OR AMENDMENT OF AGENDA

Councilperson Heston **made a motion that the Round Hill Town Council Agenda for May 19, 2016 be approved with the following amendments: add Action Item #4 – Vote for a New Position of Town Clerk, and include an Executive Session at the end of this evening's meeting, regarding personnel issues;** Councilperson Botsch seconded the motion. Town Administrator Nicholson stated that Business Item #1 – Well Cleaning should be removed from the Agenda. Mayor Ramsey asked Councilpersons Heston and Botsch if they agree to this change; both Council Members did agree. There was no discussion of the motion. A vote was held; the Agenda was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

IN RE: BUSINESS ITEMS

There were no Business Items.

IN RE: ACTION ITEMS

1. Approval of Minutes: April 21, 2016 Town Council Meeting

Councilperson Heston **made a motion that the Round Hill Town Council Meeting Minutes from April 21, 2016 be approved;** Councilperson Lyne seconded the motion. There was no discussion. A vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

2. Resolution 2016-05 – VRS Member Contributions

Town Administrator Nicholson presented this item, explaining that this concerns employee contributions by salary reduction to the VRS retirement system. Mr. Nicholson further explained that this originates with VRS and occurs every year. There was discussion of how this deduction has been handled for the past five years by the Town, with it noted that this is the fifth year of the program. Town Treasurer Welford explained that this requires Council approval, and must be sent to VRS by July 1, 2016. Councilperson Heston made a motion **that Council approve Resolution 2016-05, as presented, on May 19, 2016;** Councilperson Lyne seconded the motion. There was no discussion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

3. Resolution 2016-06 – VML/VACo Investment Pool

Town Treasurer Wolford presented this item, explaining that VML established this program approximately two years ago; the interest rate in this program is better than current Money Market Accounts and CD's. Ms. Wolford further explained that local governments must be very careful in investing their money, and that these investments may only be done with certain groups. Therefore, VML has provided investment opportunities to local governments, which allow investment of any amount, and which provide a turn-around for withdrawal of funds of approximately two days without penalty. Councilperson Lyne asked if this is an insured fund; Town Treasurer Wolford explained that it is an investment pool. Mayor Ramsey noted that the investments represented by the pool are very conservative, and that the rate of return is less than 1%. Councilperson Botsch asked if there is any kind of expense ratio; it was noted that there is not. Councilperson Lyne asked to clarify that the Resolution authorizes the Treasurer to use this program; it was noted that that is correct. Councilperson Botsch stated that this is probably a good tool for use for such things as the money being set aside for employee healthcare costs, and noted that the interest rate is better than current CD's. Town Treasurer Wolford explained that this would be a good way to set aside funds for big projects which are upcoming, and that the Town would not be penalized for withdrawing funds, as it would be with CD's. Councilperson Heston asked if this program could be used for money currently set aside in a CD for retiree healthcare costs; Town Treasurer Wolford stated that the Town could do so. Following discussion among Council Members, it was decided to determine this evening if Round Hill wants to participate in the program; it was noted that discussion may be held at a later date as to various uses for the program. Council reviewed the Resolution, charts depicting how funds are invested, and the rate of return; the rate of return (.99%) and the fact that this is insured were noted. Councilperson Heston asked if the Town has a savings account; it was noted that Round Hill has a Money Market Account, which currently is paying interest at a rate of 0.3%. Councilperson Botsch then made a motion **to approve Resolution 2016-06 to authorize participation by the Town of Round Hill in the VACo/VML Virginia Investment Pool Trust Fund for the purpose of investing in accordance with §2.2-4501 of the Virginia Code**; Councilperson Heston seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

4. Position of Town Clerk

Councilperson Heston began discussion of this item by asking to clarify the mechanism used to create the position of Town Clerk. Mayor Ramsey stated that, as the position of Town Clerk is included in the Town's Charter, it need not be created and a resolution or vote is not required. Further discussion ensued regarding this, with it being determined that Town Administrator/Town Clerk is currently one position; however, they will be considered as two separate positions beginning on July 1, 2016. Councilperson Heston explained that she was informed that a vote is required to institute this change. Mayor Ramsey stated that the Personnel Manual should be changed to reflect the Town Clerk position as separate from that of Town Administrator. Councilperson Heston then made a motion **that Council approve a full-time Town Clerk position, effective July 1, 2016.** Mayor Ramsey stated that that responsibility should be removed from the Town Administrator job description beginning on July 1st, as there can be only one Town Clerk. Mayor Ramsey also clarified that Council will appoint someone to fill the position of Town Clerk; Councilperson Heston stated that that will be done at the June Town Council meeting. Mayor Ramsey clarified that Councilperson Heston's motion was to create the new position of Town Clerk in the Town Personnel Manual, and asked if there is a roster of positions; Councilperson Heston stated that there is not. Mayor Ramsey noted that a set of job descriptions does exist in the Personnel Manual; Councilperson Heston stated that a job description for the separate position of Town Clerk must be on file with the manual for the Town. Mayor Ramsey asked if these job descriptions are part of the Personnel Manual; Councilperson Heston stated that they are not, but that the Human Resources supervisor must maintain the job descriptions. Mayor Ramsey then stated that, as there has not been a second to the motion on the floor, Councilperson Heston may restate her motion to reflect the details just discussed. Councilperson Lyne asked if this should be discussed by the Administration, Communications and Technology Committee; Councilperson Heston stated that the committee did previously discuss this issue. Mayor Ramsey asked if a copy of the job description is available this evening; Councilperson Heston stated that it is not. Councilperson Heston then suggested that this be tabled until the next Town Council meeting. There was brief discussion of details discussed at the ACT Committee meeting regarding the creation of this position, and of how to move forward in the creation of this as a separate position. Town Council will approve two separate job descriptions when this is revisited at the next Council meeting.

IN RE: REPORTS

1. Town Administrator's Report

Town Administrator Nicholson noted that his report has been provided in written form, but there are some additional items to present this evening. Mr. Nicholson reported that the Town has tentatively been awarded funding for the Main Street Enhancement Project, dependent upon completion of some additional steps. The Town is on the list to receive \$698,443.00 for construction of sidewalks included in the Main Street Enhancement Project. A public hearing on the State level, and a vote on the recommendation of the committee by one additional larger body, is required. Town Administrator Nicholson stated that this project is much smaller than many of the other projects on the list for funding by the State; this leads him to believe Round Hill's funding will be approved. Mr. Nicholson also explained that receiving the full amount requested was unexpected, and will help bring the Town to nearly full funding. Mayor Ramsey asked to clarify that the receipt of this grant, if awarded, will lessen the necessity of obtaining funding from the County or other sources for construction of Main Street Phase I; Town Administrator Nicholson stated that that is correct, based upon current cost estimates. Mr. Nicholson presented further details of cost estimates and funding currently in place. Mayor Ramsey stated that he had a conversation with Supervisor Buffington regarding the Round Hill Investors proffer, for approximately \$800,000.00, for transportation improvements – specifically designated for the widening of Evening Star Drive. Supervisor Buffington has put forward with the County a request for Staff to investigate the proffer and provide recommendation for whether it should continue to be designated for the future widening of the street, or if it should be opened up for other transportation improvements. Mr. Ramsey stated that this project is one of the proposed uses for the funding under discussion; however, he informed Supervisor Buffington that the Town would also like to use this funding for Phases II and III of the Main Street Enhancement Project, as well as for other projects. Mayor Ramsey stated that the Town will continue to request that this funding be opened up for use for various transportation projects in the Round Hill area. Town Administrator Nicholson stated that, in any project such as this, there will be unforeseen costs which will not be covered by grant funding. Mayor Ramsey put forth the Town's priorities for use of this proffer money, asking for correction from the Council, as funding for construction of Main Street Phase I, followed by Main Street Phase II. Councilperson Botsch stated that this was discussed at the recent Land Use Committee meeting, with the recommendation being that funding from Evening Star Drive be moved to the Franklin Park Trail Project, if that project is not moved forward by the County. Mayor Ramsey asked to clarify if this would be used for improvements only to stormwater management in that area, or if other aspects of the project (such as sidewalks) would be included as well; Councilperson Botsch stated that the hope is to fund the entire project there. There was further discussion of the Franklin Park Trail Project, with Mayor Ramsey

stating that the Town needs to pay particular attention to easement acquisition along Loudoun Street. Councilperson Botsch explained that the Town does have, in its budget, funding for an engineer who could provide further explanation of the project to residents. Discussion of this ensued, with it being decided that it may be best to have representatives of both Stantec and Dewberry providing information to residents affected by this project. Town Administrator Nicholson then asked if there were any questions about any other portion of his report. Councilperson Botsch asked to clarify that the meeting held with Diversified Property Services took place prior to the Land Use Committee meeting; Mr. Nicholson stated that it did. Councilperson Heston asked about various bills to be paid, noting that there are numerous categories in which expenditures exceeded the amount budgeted; Ms. Heston asked for the reasons for these overages. Mayor Ramsey noted that the Town Administrator and the Treasurer review every bill. Councilperson Heston put forth specific categories in which expenditures exceeded the budget, such as office supplies and utility system chemicals, and asked if usage has increased, or if costs have increased, and asking if enough money has been budgeted for next year. Town Administrator Nicholson stated that he will provide the reasons for these overages to Councilperson Heston. Mayor Ramsey asked Town Treasurer Wolford if a budget adjustment or budget amendment is needed; Ms. Wolford stated that that is not necessary. Mayor Ramsey clarified that the overall budget is fine, just certain line items were not predicted properly; Treasurer Wolford stated that that is correct. Mayor Ramsey asked that Town Administrator Nicholson provide the information in question to Councilperson Heston, and that this issue be followed up by the Administration, Communications and Technology Committee. There was discussion of the reasons for the overage incurred by the Town's engineering firm.

2. Town Planner/Zoning Administrator Report

Town Administrator Nicholson stated that there is not a written report. Mr. Nicholson noted that he has been attending Planning Commission meetings in Town Planner/Zoning Administrator Hynes' absence; additionally, he has issued one permit for a deck and one permit for a shed. Town Administrator Nicholson reported that a consultant relationship has been instituted with The Berkeley Group, in the event additional expertise is needed in dealing with zoning and planning issues; this firm is on retainer. Mr. Nicholson also reported that he has reached out to Martha Semmes and her zoning administrator, who stated they would be happy to work with Round Hill, if needed. There was brief discussion of the provision of funding for The Berkeley Group. Councilperson Heston asked if letters have been sent out regarding mowing in the Town; Town Administrator Nicholson stated that they have not yet, but that the issue is being reviewed. There were no further questions.

3. Mayor's Report

Mayor Ramsey reported that he attended two meetings this month. One of those meetings was the Round Hill Volunteer Fire Department Board meeting, at which he answered questions regarding Main Street Enhancement Project easements. Mr. Ramsey noted that there was still some confusion on the part of the Board regarding this issue, however, he feels he was able to answer most of their questions; he expects that the Board will take action on this issue at its June meeting. Mayor Ramsey also reported that he was made an honorary member of the Round Hill Volunteer Fire Department, which he stated was a nice gesture that he appreciates. Mayor Ramsey stated that Round Hill's request for staff investigation of alternate uses of RHI transportation proffer monies had been placed on the Board of Supervisors consent agenda for approval; thus he did not need to attend that meeting. Additionally, funding for the Sleeter Lake Park Project has been included in the County's budget, which has been approved. Mayor Ramsey reported that he attended the ribbon cutting for the Habitat for Humanity house; there was a good turnout for the event, with Supervisor Buffington attending, as well. Mayor Ramsey reported that he was contacted by RHI; the parties involved in this group knew of the funding obtained for creation of Sleeter Lake Park, and reported that they have never adopted rules for the lake. They asked if they should adopt rules. Mayor Ramsey reported that, in January, they were provided with a revised set of rules; these rules were revised to reflect two separate parks on two separate parcels – one controlled by the HOA, and one under the auspices of the Town. Joint rules were provided for the lake itself, as it is the only common entity. Following further discussion between the two bodies, it was decided to place the rules on one track, and a consent decree amendment on another track; the consent decree amendment has been completed, but the rules have not. Therefore, rules for the lake have not been formally adopted. Councilperson Lyne asked if any of these discussion could affect the VDGIF grant; Mayor Ramsey stated that there is nothing in the existing rules which could affect the potential grant funding, but that RHI is requesting a rule to limit the number of boats allowed on the lake, which could have an effect on this funding. Discussion ensued regarding how this could affect the project, and of factors which would limit boat traffic on the lake. It was noted that RHI may not be aware of the time line for completion of the project imposed by the VDGIF grant, and of further restrictions imposed by grant funding; Mayor Ramsey stated that he would inform the group of these factors. Mayor Ramsey also reported that he will forward these rules to VDGIF and to the County. Mayor Ramsey reported that the requirement that rules be agreed upon is a proffer requirement; the proffer, however, is a County proffer, so it will be a County determination regarding rules/limiting the number of boats on the lake. It was noted that the proffer stipulates that the Town and the HOA agree on the rules, not the Town and RHI; therefore, if problems arise in working with RHI, the issue may be taken to the HOA board. Mayor Ramsey recommended that no VDGIF or County money be

spent until this issue with rules is resolved. There was further discussion of this issue, with it being noted that the Town is not bound by the proffer, as it is between the County and RHI. Mayor Ramsey stated that he will not allow RHI to veto this project. Town Administrator Nicholson stated that use of the VDGIF grant is of secondary importance to acceptance of County funding – turning down County funding could adversely impact future requests for funding. It was decided to move forward on this project in conjunction with the County, as the Town cannot run the park on its own. Mayor Ramsey provided goals for discussions with RHI regarding these rules. Councilperson Botsch recommended that the VDGIF representative be informed of this development; however, it was noted, the VDGIF deadline is non-negotiable. In closing his report, Mayor Ramsey reminded everyone of the upcoming Hometown Festival, and noted that anyone wishing to participate in the parade meet at 8:45 a.m. to line up.

4. Planning Commission Report

There was no report.

5. Utility Committee

Town Utility Billing Administrator McGaha reported that minutes from this meeting are forthcoming. Town Administrator Nicholson reported that the preliminary Engineering Report is being prepared for the south water tank. Mayor Ramsey reported that the County will issue permits for all five well sites, as requested; one permit will be a public well permit, the other four will be for test wells/monitoring wells. Mayor Ramsey further reported that the County is pursuing a zoning amendment which will allow municipal wells by-right in certain zoning districts; Town Attorney Gilmore is preparing feedback on this issue. If approved, this would remove the special exception requirement for development of wells. Finally, it was reported that the corral will be installed next week.

6. Administration, Communications & Technology Committee

Councilperson Heston noted that this report is before Council Members. The Committee's next meeting will be held on June 6th, at 7:30 p.m.

7. Land Use Committee

Councilperson Botsch reported on the presentation made by Tripp Muldrow of Arnett & Muldrow, which was made to the Planning Commission at its last meeting. Mr. Botsch noted that Town Administrator Nicholson has the recording and the PowerPoint presentation of that meeting/report, which he recommended Council Members review. Councilperson Botsch noted that Mr. Muldrow's study proposed the inclusion of businesses such as specialty food stores in the Eastern Commercial District, as the market does not exist for a larger grocery store there. Other possibilities for that parcel include sporting goods stores, general

merchandise stores, a fitness center, restaurants, and furniture/home furnishings. Creative marketing will be required for the Eastern Commercial District. Mr. Muldrow also stated that he is very optimistic about the Central Commercial District. Councilperson Botsch suggested that, when the Comprehensive Plan comes before the Council, Mr. Muldrow be re-engaged for discussions. Councilperson Klipple noted that the report on the study was very interesting; Councilperson Lyne noted that much information may be gleaned from the study. Councilperson Botsch also discussed the information included in the study regarding per capita income level in Round Hill, compared to the rest of the County. Mr. Clinton Chapman provided input from his group regarding this study, noting similarities between this study and his group's preliminary concept plan. Mr. Chapman also reported that his group believes they can be successful in finding a specialty food store for the Eastern Commercial District. Mayor Ramsey clarified that the study involved 37,000 square feet of commercial space in the Eastern Commercial District; this was broken down by various uses and the square footage required by those uses. That a pharmacy would locate there was discussed briefly, with it being noted that the merger of Walgreens and Rite-Aid, and the location of pharmacies in grocery stores and big box stores, negates the viability of a pharmacy in the Eastern Commercial District. Councilperson Botsch reported that the Committee's next meeting will be held on June 8th.

IN RE: COUNCIL COMMENTS

Councilperson Heston asked, on behalf of the Vice-Mayor, that the issue of re-routing construction traffic be revisited. Mayor Ramsey noted that this issue will be revisited upon the completion of the extension of Greenwood Drive. Mayor Ramsey also noted that there should not be construction traffic from the Creekside development on Route 719, and if there is, it should be reported to Town Staff. Councilperson Heston congratulated Mayor Ramsey and new Council Members on their election. There were no further Council Comments.

IN RE: CLOSED SESSION

Councilperson Heston 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, §2.2-3711(A)(1); the Town Administrator and the Town Treasurer are invited.** Councilperson Botsch seconded the motion. There was no discussion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

Mayor Ramsey called for a five minute recess.

IN RE: EXITING CLOSED SESSION

Councilperson Heston moved **that the Round Hill Town Council adjourn its closed session and convene its open meeting**; Councilperson Botsch seconded the motion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

IN RE: CERTIFICATION OF CLOSED SESSION

Councilperson Heston moved **that the Round Hill Town Council certify that, while in closed session, the Round Hill Town Council discussed only those matters that were contained in the motion by which the Town Council convened its closed session, and that were lawfully exempt from open meeting requirements**; Councilperson Botsch seconded the motion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Prack absent. The vote is recorded as follows:

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

There was no further discussion in open session.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:34 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary