

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
November 21, 2013**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, VA, on Thursday, November 21, 2013.

Council Members Present

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

Others Present

Maureen Gilmore, Town Attorney
Supervisor Janet Clarke
Sheriff Michael Chapman
Mark Hoffman
Betty Dodge
Joe Kroboth
Debbie Deutsch
Keith Brower
Jack Frear

Staff Members Present

Buster Nicholson, Town Administrator
Mickey Rhoades, Town Planner/Zoning Administrator

IN RE: CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:34 p.m.

IN RE: PLEDGE OF ALLEGIANCE

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

IN RE: PUBLIC COMMENT

There was no Public Comment.

IN RE: APROVAL OF AGENDA

Vice-Mayor Graham made a motion to approve the Agenda with the following amendment: **Action Item #6, Recommendation for Approval of Special Exception 2013-01, be moved to Business Item #2**; Councilperson Lyne seconded the motion. Councilperson Klipple suggested moving **Action Item #5, Referral of Proffer Amendment for Commercial Development at 7 Main Street, to Business Item #3**. Both Vice-Mayor Graham (motioner) and Councilperson Lyne (second) agreed to this amendment. Councilperson Botsch suggested moving the **Approval of Minutes from Item #1 to Item #6, under Action Items**. Both the motioner and second approved of this amendment. A vote was then held; the amended Agenda was approved 6-0. The vote is recorded thus:

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

IN RE: BUSINESS ITEMS

1. Round Hill Fire Department County Plans

Mayor Ramsey invited all those involved in this discussion to gather around the Council table. Supervisor Janet Clarke thanked the Mayor and Council for inviting those involved with this issue to have this discussion. Supervisor Clarke then had the attendees introduce themselves. Mrs. Clarke stated that County Staff present will explain possible plans for a future fire station at the Sheriff's Office substation site. Supervisor Clarke provided a brief history of the Western Loudoun Sheriff's Office substation, and spoke to the issue of well/septic versus public utilities at the site. Mrs. Clarke explained that the substation will open on well/septic; if the fire department moves there, the site will convert to public utilities. Supervisor Clarke also spoke of other public facilities in Loudoun County where utilities were managed in this way. Supervisor Clarke noted that many meetings have been held with the fire department regarding this issue. Mr. Kroboth discussed meetings held with the leadership of the volunteer fire department regarding the possibility of constructing a new station at the current site. It was explained that the current site is not large enough to house the new facility, and that purchasing adjacent property still didn't provide enough space for construction. Mr. Kroboth explained that several concepts were presented to the fire department which would facilitate co-location with the Sheriff's Office substation. In September, the fire department voted to approve concept #2. Mr. Mark Hoffman presented a larger version of the concept drawing attachment provided to Council Members. Mr. Hoffman spoke of the current design of the Sheriff's Office substation, noting it is in review with the Building and Development Department. Following that review, there will be a resubmission for site plan approval. Mr. Hoffman spoke about the current County zoning for

the parcel. He also reported that 13,000 – 15,000 square feet of space are required for a fire station, and that the parcel's set-backs would support the co-location of a fire/rescue department of that size there. The volunteers from Round Hill prefer a 15,000 square feet, one-story building. Mr. Hoffman also noted that several different concepts will be considered when an architect is hired, in order to best utilize the space. The present concept shows four bays and support quarters, with roads and required parking included in the drawing. It was noted that the grade of the parcel would require construction of a retaining wall. Mr. Hoffman also explained proposed stormwater management pond variations which could be constructed, and the possibility of co-locating such things as emergency generators and trash containers. Mr. Hoffman and Supervisor Clarke explained that this concept plan is based on locating the fire/rescue station at this particular site, which is county-owned land. Mr. Hoffman reported that the fire station would be required to go through the Special Exception and Public Hearing processes. Mayor Ramsey spoke about the co-location of such things as generators and trash receptacles, noting the Town's desire to keep those types of things away from residential property lines, and asked about the planning for this. Supervisor Clarke and Mr. Hoffman stated that full funding for this project would not be available until approximately 2018; Mr. Hoffman noted that funding to look into issues such trash containers, generators, etc., is not yet available. Mayor Ramsey asked how adding the fire station to this site would change stormwater requirements; Mr. Hoffman explained that regulations governing this will change in July of 2014, and explained how stormwater management may be planned and executed. Vice-Mayor Graham asked when the site would go from well/septic to Town utilities; Mr. Hoffman stated that it depends upon when funding should be available. Supervisor Clarke noted that it is difficult to say, until that point is reached, how the funding would occur; Mrs. Clarke also spoke of variables which could impact this. Mrs. Clark and Mr. Hoffman noted that funding for this would be clearer during the actual design phase. Mr. Kroboth pointed out, using a drawing of the site, that the present septic field is located higher in elevation than the area of the fire station; it was noted that the building of the fire department facilities would present the opportune time to switch to public utilities, due to the location and size of the well and septic field. Mayor Ramsey asked about the well planned for the site, and the possibility of it being transferred to the Town's possession. Mr. Hoffman addressed this issue, noting this possibility will be accounted for. Mr. Ramsey also asked about the road planned for the Sheriff's Office substation, asking how construction of the fire department could impact it, and wondering if it will be sufficient for both facilities. Mr. Hoffman stated that, as it stands now, the existing road should be sufficient. Mr. Hoffman pointed out on the drawing the location of the road in relation to an existing asphalt trail. Mayor Ramsey spoke about the possibility of bringing the property into the Town limits in the future, and the requirements for doing so. Mr. Ramsey also spoke about working with the County on zoning issues surrounding this project; Mr. Hoffman addressed this issue, as well. Vice-Mayor Graham asked when the ground-breaking will be held for the Sheriff's Office substation; Mr. Hoffman noted that the plan at this time is for a spring 2014 ground-breaking. Supervisor

Clarke explained that there is one final action on the project, then it will go out to bid, and that this should occur in the next two to three months. Supervisor Clarke noted that the Board of Supervisors is beginning work on the next fiscal year's budget, and that, if this project is moved ahead by one year, it is possible the design will receive funding next year. Mrs. Betty Dodge, a representative of the Round Hill Volunteer Fire Department, explained the options presented to the volunteers, and noted that the volunteers do not want a social hall at the new location; they prefer to keep the social hall at the current facility. Mrs. Dodge stated that "We're okay with what they're proposing." Mayor Ramsey asked how much well testing information is in. Mr. Hoffman explained that the well has been constructed and tested, and that water was found at 780 feet. Mr. Hoffman also noted that the well was constructed with the intent of servicing only the Sheriff's Office substation building. Mayor Ramsey stated that the Town may be interested in their engineers meeting with the entity used by the County in locating this well. Mr. Hoffman noted that the well study was not detailed, and explained how the site was chosen. Sheriff Chapman noted that he has no questions, but noted how this project has been a "good education" for him, and that his hope is that ground will be broken in the spring. Councilperson Heston noted that it is not planned to extend the sidewalk to the Town at this point, but that she feels it is important for the County to consider doing so during planning. Supervisor Clarke spoke of impediments to extension of the sidewalk, to date, but noted that the adjacent property owner is now amenable to the sidewalk going in at this location. Mr. Krobeth spoke to where sidewalks are planned now and asked where the sidewalk extension would be; Mayor Ramsey explained that it would be to the Town line. Discussion ensued on the topic of sidewalks as related to extension of utilities to the site, and VDOT regulations concerning this. Councilperson Botsch asked if a merge lane will be constructed at the intersection of West Loudoun Street and the Route 7 by-pass. It was noted that this would be a VDOT issue; there was brief discussion of the topic of a merge lane. Supervisor Clarke suggested that the Council submit a letter to her office regarding this issue, noting that she would pursue it with VDOT. Mrs. Clarke stated that VDOT has no plans for this at this time. Mayor Ramsey noted that this issue was considered at the time the Sheriff's Office substation was being planned, but VDOT found a merge lane unnecessary at that time. Discussion of state transportation funding, and possible uses for it, ensued. Councilperson Botsch noted that there is a need to look into this, especially in light of the work being done by VDOT on the east side of Town. Mayor Ramsey and Councilperson Botsch discussed the importance of the addition of a merge lane. Following this, Mayor Ramsey thanked everyone for attending, and called for a brief recess (8:29 p.m.). Supervisor Clarke thanked the Council. The regular meeting was reconvened approximately seven minutes later (8:36 p.m.).

**2. Recommendation for Approval of Special Exception (SPEX-2013-01)
For Uses of 3 Main Street as a Public Facility by the Round Hill
Volunteer Fire Department**

Town Planner/Zoning Administrator Rhoades presented this item to the Council, noting that this is regarding the use of the property at 3 Main Street as a bunkhouse for the volunteers of the Round Hill Volunteer Fire Department. Ms. Rhoades explained that the Planning Commission and the Town Council held a joint Public Hearing, upon which the recommendation was made that the Town Council approve SPEX-2013-01, with the elimination of Condition #9, concerning restrictions of food service deliveries. At this time in the discussion, Councilperson Heston and Mayor Ramsey noted that they did not have a copy of this document in their packets; further discussion of this item was deferred until copies were made available. Upon resumption of this discussion, Town Planner/Zoning Administrator Rhoades explained that the Planning Commission recommended that the Town Council approve the special exception application for public facility uses at 3 Main Street, with the elimination of Condition #9. The elimination of Condition #9 was recommended because the issue of food deliveries has been addressed by a change in the Town Code. Following this discussion Councilperson Botsch **made a motion to approve Special Exception SPEX-2013-01 for uses of 3 Main Street as a public facility by the Round Hill Volunteer Fire Department with the elimination of Condition #9 of SPEX-2008-02 concerning restricted hours for food service or other deliveries;** Councilperson Heston seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved by a vote of 6-0. The vote is recorded thus:

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

**6. Referral of Proffer Amendment for Commercial Development
At 7 Main Street**

Mayor Ramsey stated that this application is not yet ready for Council action, but will be discussed to determine if it is ready to be sent to the Planning Commission. After Planning Commission review, it may be referred to the Town Council for their action. Town Planner/Zoning Administrator Rhoades explained the document, noting that Council Members have the first two original pages of the document, then the changes requested going forward. Mayor Ramsey noted that there are two parts to the fee charged for this: advertising and recompense for Town time and labor. Vice-Mayor Graham asked for clarification of this proffer amendment; Mayor Ramsey explained that the owner now wants to use the property solely as a residence and the original proffers do not allow for this.

A question arose regarding the dates on the copy of the proffer amendment provided to Council Members. Town Planner/Zoning Administrator Rhoades explained that the dates on the document will change as it progresses through the approval process. Mayor Ramsey noted that this is not the time to discuss the actual content of the document. Councilperson Botsch asked if this is technically a re-zoning; Mayor Ramsey and Town Attorney Gilmore explained that it is a form of re-zoning. Councilperson Heston asked how the referral to the Planning Commission will be documented; Mayor Ramsey noted that it will be reported in the minutes. Discussion ensued regarding the use of a form to document the referral to the Planning Commission. Councilperson Klipple then **made a motion to approve the Referral of the Proffer Amendment for Commercial Development at 7 Main Street to the Planning Commission**; Vice-Mayor Graham seconded the motion. Councilperson Lyne asked that the motion be amended to reflect that the applicant will only be charged for incurred costs to the Town; both the motioner and second agreed with the amendment. Councilperson Heston asked for clarification of this amendment, which was provided. A voice vote was then held. The motion was approved by a vote of 5-1, with Councilperson Heston 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	Nay
Clarkson J. Klipple	Aye
Frederick Lyne	Aye
Christopher J. Prack	Aye

Mayor Ramsey directed that the Proffer Amendment be referred to the Planning Commission, and that Staff be informed that they are only to charge for incurred costs.

4. Engineer's Report – Keith Lane

a. Ground Water Study

Mr. Lane presented this study, noting that the intent is to discuss this at this evening's meeting, and then to discuss in more detail at the next Utility Committee meeting. Following that, the Utility Committee will have a recommendation for the Council to consider. It was reported that the Town had previously given Emery & Garrett a purchase order for Phase I of the Ground Water Study, to look at existing wells, and to look at the feasibility of adding wells. Emery & Garrett completed that study and provided a preliminary report to the Utility Committee. Vice-Mayor Graham asked for copies of the report; Mr. Lane noted that it is a large report, upon which Mayor Ramsey loaned Vice-Mayor Graham his copy of the report for her review. Mr. Lane provided the following overview of the report: 1) Emery & Garrett looked at the existing wells to determine if additional capacity exists; and, 2) they also looked at the possibilities for new sources. Emery & Garrett found that the existing wells are

“pretty much” being operated at capacity; there is slight extra capacity on the two newest wells. In short, the existing system is being run as much as possible. Mr. Lane noted that two new wells will come on-line at the Westlake development. All wells have pressure transducers that send water levels to the Town’s computer system; a report covering the period of one year was made using this data. Emery & Garrett identified five groundwater areas which could be used to provide additional capacity. Mr. Lane spoke about the map he provided to Town Council members and explained how groundwater sources are identified. Mr. Lane noted that the next step would be on-site evaluations; Emery & Garrett recommended the Town move forward with this. The cost for this phase of the work (Phase II) would be approximately \$23,000.00 – 30,000.00. On-site evaluations would require approval from property owners. Mr. Lane stated that Emery & Garrett have experience doing this, and understand that some sites won’t be feasible for exploration. It was noted that consideration needs to be given to the location of a well in regards to the need for water in a specific area and the location of the treatment plant. Mr. Lane stated that he feels this step is necessary. Mr. Lane further stated that he understands there are budget issues surrounding this topic. Mr. Lane also noted that it is generally preferable to do this type of work in the winter. Vice-Mayor Graham noted that she anticipates the need for a budget amendment in regards to this at the first of the year. Mayor Ramsey elaborated on this, noting that it was previously thought this project would be undertaken at a later date; however, the question now is if the Town should go ahead with this project while Emery & Garrett are already “on board?” Mr. Lane explained the four phases of this potential project; he also reported that the cost of test well drilling would be approximately \$25,000.00 per well. Mr. Lane stated that he feels Phase II should be undertaken, as there is momentum for it now, and the costs will not go down over time. Mr. Lane also reported that the data collected should remain the same between this year and next year. Vice-Mayor Graham asked for Mr. Lane’s assessment of the well at the Sheriff’s Office substation. Mr. Lane noted that he feels the rate of production is “not terrific,” especially in light of the depth that was necessary to find water; this well will be sufficient for the substation at a production rate of about 20 gallons per minute. Mayor Ramsey stated that he feels the well will not be an incentive for the Sheriff’s Office substation to hook up to Town utilities, but sewer service will be. There was a brief discussion of a sample letter to property owners provided by Emery & Garrett. Mayor Ramsey noted that Town Council action is not required on this item today, but may be required at next month’s meeting, upon the Utility Committee’s recommendation. Councilperson Botsch asked if there is an idea as to how long the current wells’ production will be sufficient, in light of increasing development; Mr. Lane answered that they will know in the spring of the coming year. Mr. Lane reported that production in a couple of the existing wells has dropped off; most of the Town’s wells are being pumped at the highest rate the hydrogeologist would recommend. Mr. Lane also reported that the new customer list is growing rapidly; Councilperson Botsch noted that it looks as though that will continue to accelerate. Mayor Ramsey noted that the recent spike in building has made the Town’s financial position more firm. Vice-Mayor Graham reported

that Mr. Emery was complimentary to our staff in regards to the management of the wells. Mr. Lane reported that Mr. Emery was once an employee of the firm, when they did work here in the 1980's, and thus was able to provide pertinent information.

b. 719 Lift Station

Mr. Lane reported that this station has been in operation successfully since last Tuesday, and is working well. It was reported that this station was actually purchased in 2006/2007, but not installed until recently; therefore, the bearings were not in great shape and may need to be replaced. Alan Wolverton (Utility Staff) will speak to Winchester Electric regarding this issue; the plan is for each pump to be taken to this firm, one at a time, for replacement of the bearings. The contractor will return and switch the generator from the old station to the new; following that, the old station may be disassembled.

Mayor Ramsey thanked Mr. Lane for his report.

5. CDBG Grant Funding Opportunities

(Discussion on this topic was deferred until copies of pertinent documents were available.) Town Planner/Zoning Administrator Rhoades reported that the CDBG Grant is funding the Town was going to try to pursue; however, it was discovered that we do not qualify. One potential use for this funding was to acquire stormwater easements in order to enhance the Main Street Enhancement Project. Ms. Rhoades reported that the CDBG entity found the issues at 17 Bridge Street an interesting potential project; however, the owner of that property has reported that there are four developers interested in the site. Securing a CDBG grant would take at least a year, so it is most likely that a developer will buy the 17 Bridge Street property. Councilperson Prack stated that he feels the developer should be encouraged to demolish the existing building as soon as possible. Vice-Mayor Graham asked for the acreage of that parcel; Mayor Ramsey reported that it is approximately ¼ acre. Town Planner/Zoning Administrator Rhoades stated that the lot is buildable; Mayor Ramsey stated that it may be possible the property could qualify for a variance. Town Planner/Zoning Administrator Rhoades reported that the owner stated that one of the developers owns an adjacent lot. Town Planner/Zoning Administrator Rhoades stated that the Town will try to apply for a CDBG Grant again next year. It was also noted that there is funding for individual projects through this entity.

IN RE: ACTION ITEMS

1. Sludge Removal

a. Sale of Sludge Press

Town Attorney Gilmore reported that she spoke to the Front Royal Town Attorney, and he reported that our Towns representatives' work with them encouraged their Town Council to buy our sludge press. The purpose of this item on the agenda is to provide approval for the Mayor to sign the agreement on

behalf of the Town Council. Front Royal will pay ½ of the total cost as a down payment, and the remaining ½ upon delivery of the unit. Mayor Ramsey noted that the Council has the background information on this topic. There was brief discussion of the pay-off for this unit, as well as obtaining a clean title. Following this discussion, Vice-Mayor Graham **made a motion that the Town Council authorize the Mayor to execute the Agreement and Bill of Sale, as presented;** Councilperson Heston seconded the motion. A voice vote was held, with the motion approved 6-0. 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
Frederick Lyne	Aye
Christopher J. Prack	Aye

Mayor Ramsey stated that he will meet with Town Attorney Gilmore and will execute the document.

b. Purchase of Centrifuge

Mayor Ramsey noted that Town Staff has worked to rapidly secure a replacement for the sludge press, and that Town Engineer Lane would explain what has transpired. Mr. Lane noted that a copy of the letter of recommendation from Peed & Bortz is included in each Council Member's packet, as is his comparison summary. Mr. Lane reported that quotes were solicited from two centrifuge companies, Andritz Separation and Alfa Laval. Both companies came to Round Hill and piloted their units on-site; both units performed well. Mr. Lane noted that the original quotes were in the range of \$400,000.00 – 420,000.00; the actual quotes for the units were \$360,000.00 (Alfa Laval) and \$306,350.00 (Andritz Separation). Mr. Lane noted that he considers both proposals to be essentially equivalent. The Andritz model piloted here is the actual model which would be installed. Mr. Lane noted that he has no strong opinion on either quote. He also noted schedule concerns, as the Town is operating in approximately a four month window. Mr. Lane assured the Council that the companies know time is of the essence. Alfa Laval is projecting an approximate seven to nine and one-half month delivery time; Andritz is projecting an approximate three month delivery time. Both companies are based in Europe, and the centrifuges come from Europe. Mr. Lane explained how Andritz came in with the shorter time frame: the centrifuge is manufactured in Europe, the skid is assembled in the United States; Andritz anticipated the sale to Round Hill and has already had the centrifuge built. Mr. Lane explained the documentation provided; he also discussed minor differences in the systems, but noted that, over-all, they "wash out." Andritz offers a built-in hoist system on the skid. Mr. Lane recommended that the Town approve the Andritz proposal, at \$306,350.00. Councilperson Lyne asked about the training of staff, and if it is included in the quote. Mr. Lane noted

that it is, and that includes five days initial start-up, and then further training. Training may potentially be held at two different times of year, to encompass different weather conditions; or one training session may be held during a maintenance period. Councilperson Heston asked what would happen if the centrifuge arrives prior to the sludge press removal; Mr. Lane explained that the existing unit would need to be moved temporarily. Also, Councilperson Heston asked from where the funding for this will come; Mayor Ramsey reported that it will come from utility reserves. Mayor Ramsey noted that this contract only covers purchase and delivery of the unit, there will be further charges for installation services. Mr. Lane and Mayor Ramsey addressed centrifuge installation issues and costs. Vice-Mayor Graham then **made a motion that the Round Hill Town Council award the purchase of a centrifuge to Andritz Separation, Inc., and issue a purchase order not to exceed \$306,350.00;** Councilperson Heston seconded the motion. There was no discussion of 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>
Mary Anne Graham	Aye
R. Daniel Botsch	Aye
Janet L. Heston	Aye
Clarkson J. Klipple	Aye
Frederick Lyne	Aye
Christopher J. Prack	Aye

4. Bond Approval for Westlake WTP

Mayor Ramsey noted that the Town Council needs to approve any bonds issued for projects. Mr. Lane reported that he has reviewed the cost estimate that went into this bond, and the amount of the bond matches that cost estimate. Town Attorney Gilmore stated that the bond meets all requirements. Town Administrator Nicholson stated that he is comfortable with this. Mayor Ramsey noted that this is a surety bond, and will enable completion of the Westlake treatment plant. Following this discussion, Vice-Mayor Graham **made a motion that the Round Hill Town Council approve the Performance Bond, 42BC-SPE7-235, for the Westlake Water Treatment Plant, in the amount of \$1,521,040.00;** Councilperson Klipple seconded the motion. There was no discussion of the motion. A voice vote was held, with the motion approved by a vote of 6-0. 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
Frederick Lyne	Aye
Christopher J. Prack	Aye

Mayor Ramsey instructed Mr. Lane and Town Administrator Nicholson to execute the agreement.

5. Stantec Contract Extension

Town Administrator Nicholson presented this item, recommending the extension and highlighting the termination clause of the contract. Councilperson Botsch **made a motion that the Round Hill Town Council approve the Stantec contract extension for a period of one year;** Councilperson Heston seconded the motion. A voice vote was held. The motion was approved by a vote of 5-0-1, 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
Frederick Lyne	Aye
Christopher J. Prack	Aye

1. Approval of Minutes

a. October 17, 2013 Town Council Meeting

Councilperson Botsch referenced page 6, paragraph 5, regarding the 7 Main Street proffers. Councilperson Botsch asked to clarify Town Attorney Gilmore's statement regarding if more restrictive or less restrictive changes would necessitate another public hearing. Mrs. Gilmore noted that her answer was that more restrictive changes would require a public hearing. On the same page, nine lines from the bottom, the minutes reflect that Councilperson Klipple asked about the sale of a re-zoned property. Upon discussion, it was determined that the question was regarding proffer changes, and the transfer of those proffers to a new owner of said property. Councilperson Heston asked that the recording of the meeting be checked regarding this discussion. On page 12, regarding the bond for Goose Creek, it was noted that the vote was 5-0, not 6-0 as recorded. Vice-Mayor Graham asked about Mr. Mitchell's report regarding billing; various Council Members explained this item. A vote on approval of the minutes was deferred until the December meeting, pending confirmation of the exact discussion regarding proffers.

IN RE: REPORTS

1. Town Administrator's Report

Town Administrator Nicholson elaborated upon the item in his report regarding the Lakeridge subdivision, noting that he spoke with the manager of KHovnanian Homes regarding the deadline for accepting proffers. The manager had requested this be done as soon as possible. Mayor Ramsey asked Councilperson Botsch to discuss this further in his Land Use Committee report. Town Administrator Nicholson asked if there were any other questions regarding this. Councilperson Lyne asked if the Franklin Park Trail Project stormwater issue is back on track.

Town Administrator Nicholson noted that it is, and that Stantec confirmed this via e-mail. Mayor Ramsey and Town Administrator Nicholson elaborated upon a miscommunication between the County and Stantec in regards to this project. Mayor Ramsey and Town Administrator Nicholson discussed the County's time table for the Franklin Park Trail Project, and their disappointment with this. Mr. Nicholson noted that the Main Street Enhancement Project will be ready long before the Franklin Park Trail Project. There were no further questions for the Town Administrator.

2. Town Planner/Zoning Administrator's Report

Town Planner/Zoning Administrator Rhoades noted that her report is before each Council Member. Mrs. Rhoades reported that she spoke with Mark Schultz regarding Sleeter Lake Park; the County is getting ready to write the determination on the boat launch, and the indication is that they will determine in the Town's favor. Town Planner/Zoning Administrator Rhoades reported that she went to the office of the Purcellville Gazette today and obtained copies of the ads for the affidavit, enabling the previous week's Public Hearing to be certified. Vice-Mayor Graham asked when the Board of Zoning Appeals would hear the request for a variance for Chamblin Way; it was reported that this will take place on December 4th. Councilperson Heston asked for clarification of the zoning clearance letters; Town Planner/Zoning Administrator Rhoades noted they are for 25 West Loudoun Street. Councilperson Botsch asked if Town Staff also spoke to the County regarding access to Sleeter Lake Park; Town Attorney Gilmore stated that the County is satisfied with the present access. Mayor Ramsey noted that, eventually, the Town also wants access via Marbury Street. Mayor Ramsey and Councilperson Prack discussed property the Town owns abutting this road; there was also a brief discussion of the building of this road. Town Attorney Gilmore stated that the Town can try to have that discussion with the County (i.e., using Marbury as an access), and explained current discussions regarding access to this site with the County. Councilperson Botsch stated that he feels access via Marbury is a secondary issue, with which Mayor Ramsey agreed. Mayor Ramsey stated that the Council should look to access via Marbury as "Phase II" of the Sleeter Lake Park project. It was noted that the hope is to use this road for vehicular access. Mayor Ramsey stated that the goal is to use Lakefield as a utility access and Marbury as park access. There were no further comments.

3. Mayor's Report

Mayor Ramsey noted that much of his work for the past month has concerned the sale of the sludge press to Front Royal, and the possible relocation of the fire department to the Sheriff's Office substation site. Mayor Ramsey reported that the Volunteer Fire Department held a ceremony to burn their note – the property is now paid off. It was reported that the tree lighting at the Town Park will be held on December 7th. Town Staff will decorate the tree, the Junior Women's Club will have activities for children, and the Woodgrove Chorus will sing. Mayor Ramsey reported that he received a request for an Eagle Scout project, and will forward that to the Council. Mayor Ramsey also reported that, in discussions he held with Supervisor Clarke, Mrs. Clarke suggested the Town send a letter to the County, on a regular basis, containing the Town's "legislative agenda." Mayor Ramsey will be bringing this to the Council. Councilperson Heston referenced the Town of Hamilton's lawsuit against the County regarding control of their wells. This issue was briefly explained. Mrs. Heston asked if there is a way to present our position on this topic to the County. Mayor Ramsey explained the history of this issue; Town Attorney Gilmore stated that there have been no further developments on this. Mrs. Gilmore also explained the history of the County's and Hamilton's interactions regarding their wells, and noted that this has not yet gone to court. Town Attorney Gilmore explained the County's zoning ordinance amendment which precipitated this disagreement. Mayor Ramsey noted that this issue originated with the extension of utilities to the Western Loudoun Sheriff's Office substation. Town Attorney Gilmore described her attendance at a County zoning meeting regarding this. It was also reported that the onus could be placed on the towns in defending a determination made by the County. Councilperson Heston suggested that it would behoove the towns to go before the County as a group; that she feels the County is overstepping its bounds. Mayor Ramsey noted that the COLT organization needs to be reinvigorated to deal with this issue, as TANV deals more with state/town issues. Councilperson Heston stated that "Maybe our Mayor could get COLT reinvigorated." Town Attorney Gilmore stated that the Town of Leesburg is the entity most at risk in this dispute. Town Attorney Gilmore stated that she is unsure when the County will act on this amendment. Mayor Ramsey noted that, if the Town develops new wells, this will affect us. Mayor Ramsey also feels this is not urgent for Round Hill at this time. Mr. Ramsey will contact the chairperson of COLT (Mayor Lazaro of Purcellville) regarding this. Mayor Ramsey feels Round Hill should state its position, and not be as concerned with what the County determines. Councilperson Heston noted that this could affect the Town in the future; Town Attorney Gilmore stated that Round Hill should avail itself of remedies as they occur, as they may not be able to do so going forward. Mrs. Gilmore elaborated on the ordinance and its affect on Round Hill. There was no further discussion.

4. Utility Committee

Vice-Mayor Graham noted that the Utility Committee Report is in front of each Council Member, and most of the issues have already been covered. The Committee's next meeting will be December 10, 2013 at 7:30 a.m.

5. Administration and Communications Committee

Councilperson Heston reported that the meeting was held. Town Administrator Nicholson reported that the Committee looked at the adoption of Google Apps, and the decision was made to go with this system. It was felt that the customer service provided with Google Apps was better than that provided by Microsoft. It was noted that Instant Messaging is included in Google Apps, and that the Town needs to consider FOIA issues surrounding this. Town Attorney Gilmore elaborated upon uses of IM that are subject to FOIA laws, as well as the Virginia Supreme Court's finding regarding this issue. Councilperson Botsch asked if Instant Messaging could be blocked with the new system; Town Administrator Nicholson stated that he will look into this. Councilperson Heston asked how this would "be FOIA-able;" Town Attorney Gilmore noted that it would fall under the open meeting provision of the law, and she elaborated upon this. There was a brief discussion of the Fredericksburg case which precipitated the issue. Councilperson Lyne asked if Google Apps is cloud based. It was noted that it is, and that, hence, there is a record of those communications. Mayor Ramsey suggested that Town Administrator Nicholson speak to Purcellville staff or someone else who is currently using this system. Councilperson Heston reported that the Committee's next meeting will be held on December 11, 2013 at 7:30 p.m.

6. Land Use Committee

Councilperson Botsch reported that the meeting was held on November 4th, and that another meeting was held during which the Committee members visited Lakeridge. It was noted that the Land Use Committee will discuss with the developer the proffers they hope to obtain, and then will present their findings to the Town Council. Councilperson Botsch reported that a possible park in Lakeridge "is not looking good right now." Mr. Botsch suggested that the Town give the developers a list of recommendations, but turn down the park area. Councilpersons Klipple and Prack discussed work being done there now. Mayor Ramsey stated that he would not want to give up the trail, and explained why. Councilperson Lyne asked if there is a map which shows the parcels the Town owns in that area. Discussion ensued regarding what is at that location and how a map could be obtained. Mayor Ramsey requested that Staff provide a document showing Town-owned property and proffers. Town Attorney Gilmore and Mr. Lane noted that the County GIS department could provide this map. Councilperson Botsch reported that Phase I hopes for development of Sleeter Lake Park will be discussed, now that the access issue is nearly resolved. Councilperson Botsch also asked about the Main Street Enhancement Project; Town Planner/Zoning Administrator Rhoades elaborated upon recent developments concerning this project. Mayor Ramsey noted that the Council may

want to discuss the proffer statement with the Creekside developers, in order to be proactive and inform them of what the Town would support. Mr. Ramsey stated that he would like the Land Use Committee to be in dialogue with them (Creekside). Councilperson Botsch asked if the developers are expected to make any changes to the proffers. Mayor Ramsey noted that, if the Town requests changes, the developer may be willing to make them; Mayor Ramsey stated that he feels they are amenable to our requests. Councilperson Lyne asked when the next Land Use Committee meeting will be held. Councilperson Botsch noted that they are trying to find a date when most members of the committee can attend, and that the possible dates at this point are December 9th, 10th or 12th, at 7:00 p.m. The Committee will work with Town Planner/Zoning Administrator Rhoades in scheduling the next meeting.

COUNCIL COMMENTS

Vice-Mayor Graham stated, in response to an earlier discussion, that Keith Brower is the County's Chief Fire Marshall. Mrs. Graham also asked if the Town should publicize the Sheriff's Office quarterly meetings, held at the Town Office. Councilperson Botsch felt that may be helpful; Councilperson Heston stated that she thinks it would be good to do. Vice-Mayor Graham stated that she thought the Town should ask permission to advertise, but most Council Members feel that would not be necessary. Town Administrator Nicholson will have a placard for the town sign printed with this information. Councilperson Lyne discussed a training seminar being held for new town officials, which he noted he will attend; he presented the information in case others want to attend. Councilperson Heston asked about a bills to be paid line item not budgeted for (for Stantec); Town Treasurer Welford and Town Administrator Nicholson will investigate this, and determine if charges should be referred back to the applicant. Mayor Ramsey noted that he will be out of town for approximately the next week and a half. Councilperson Heston noted that Ms. McGaha is under the weather; Town Administrator Nicholson presented an update on her condition.

IN RE: EXECUTIVE SESSION

Vice-Mayor Graham **moved that the Round Hill Town Council recess its open meeting and convene an Executive Session to discuss personnel matters and legal matters, as authorized by the Code of Virginia of 1950, as amended, Section 2.2-3711(A)(7), and Section 2.2-3711(A)(1), with Town Attorney Gilmore and Town Administrator Nicholson invited;** Councilperson Klipple seconded the motion. A voice vote was held, and the motion carried by a vote of 6-0. The vote is recorded thus:

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

Mayor Ramsey called a recess, in order to clear the room, at 11:12 p.m.

IN RE: MEETING ADJOURNMENT

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary