

**ROUND HILL TOWN COUNCIL  
PUBLIC HEARING MINUTES  
September 17, 2015**

A Public Hearing to receive comments on proposed amendments to the Round Hill Water and Sewer Ordinance, proposed amendments to the Round Hill Town Ordinances pertaining to Motor Vehicle License, and proposed increases to Land Development Fees, was held in the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, September 17, 2015, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
R. Daniel Botsch  
Frederick J. Lyne

**Council Members Absent**

Janet L. Heston  
Clarkson J. Klipple  
Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator  
Melissa Hynes, Town Planner/Zoning Administrator

**Others Present**

Betty Wolford  
Kim McGaha  
Clinton Chapman  
James Wynn  
Elizabeth Hodge  
Mike Carducci  
Terri Stocker  
Yolanda Reyes

**IN RE: CALL TO ORDER**

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

**IN RE: PLEDGE OF ALLEGIANCE**

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

**IN RE: DESCRIPTION OF PUBLIC HEARING PURPOSE TO RECEIVE COMMENTS ON THE FOLLOWING:**

- A. Proposed Amendments to the Round Hill Water and Sewer Ordinance**
- B. Proposed Amendments to the Round Hill Town Ordinances pertaining to Motor Vehicle License**
- C. Proposed increases to Land Development Fees**

Mayor Ramsey stated that two of the items noted above will go to Public Hearing this evening; one will be deferred until a later date. Mr. Ramsey further stated that, after the Public Hearing has concluded, the regular Town Council meeting will begin. Mayor Ramsey also reminded attendees that comments made during the Public Comment portion of the Hearing should be pertinent to the specific items; time will be provided during the Town Council meeting for comment on any other topic.

**IN RE: ROLL CALL AND QUORUM DETERMINATION**

Roll call was held, and it was determined that a quorum was present.

**IN RE: PUBLIC COMMENT**

Mayor Ramsey explained that Item A -- Proposed Amendments to the Round Hill Water and Sewer Ordinance will be deferred until a later date; thus, that portion of the Public Hearing is cancelled. Public Comment will be heard, during a single period, on Item B □ Proposed Amendments to the Round Hill Town Ordinances pertaining to Motor Vehicle License, and Item C □ Proposed increases to Land Development Fees. Anyone wishing to comment was asked to state his/her name and address for the record, and to state which item he/she wished to comment on. It was asked that comments be kept to less than five minutes. No Public Comment was received for either item. Mayor Ramsey then requested comment from any Council Member who wished to do so. Vice-Mayor Graham stated that she has spoken with Staff regarding the Water and Sewer Ordinance, and the consensus was that, although changes will be made, another Public Hearing will not be necessary. Mayor Ramsey stated that, if substantial changes are to be made to the Ordinance previously advertised, it should be re-advertised and another Public Hearing should be held. There were no further comments from Town Council Members.

**IN RE: CLOSE THE PUBLIC HEARING**

Hearing no further public comments, Mayor Ramsey closed the Public Hearing.

**IN RE: ADJOURNMENT OF THE PUBLIC HEARING**

Mayor Ramsey adjourned the Public Hearing at 7:33 p.m. and proceeded to the regular Town Council Meeting.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
September 17, 2015**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, September 17, 2015, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
R. Daniel Botsch  
Frederick J. Lyne

**Council Members Absent**

Janet L. Heston  
Clarkson J. Klipple  
Christopher J. Prack

**Staff Members Present**

Buster Nicholson, Town Administrator  
Melissa Hynes, Town Planner/Zoning Administrator

**Others Present**

Betty Wolford  
Kim McGaha  
Clinton Chapman  
James Wynn  
Elizabeth Hodge  
Mike Carducci  
Terri Stocker  
Yolanda Reyes

**IN RE: PUBLIC COMMENT**

Mr. Mike Carducci, 17141 Magic Mountain Drive, Round Hill, spoke to the Council regarding a recent water bill. Mr. Carducci explained the circumstances which led to an abnormally high bill, and asked if there was the possibility of any sort of adjustment. Vice-Mayor Graham asked Mr. Carducci if he had spoken to Town Staff; he replied that he had spoken to Ms. McGaha, who

contacted him when the high usage came to her attention. Ms. McGaha suggested that he come to the Council regarding this issue. Councilperson Lyne asked for the amount of the sewer portion of the bill; Mayor Ramsey and Ms. McGaha explained that the possible credit toward the sewer portion has not yet been ascertained. However, Ms. McGaha did provide the amount of the sewer portion of the bill. Vice-Mayor Graham suggested that this be deferred until the next meeting of the Council, in order to provide time for Staff to gather the needed information. Mayor Ramsey stated that, even though the exact figures are not ready the facts are not in dispute, and this may be discussed this evening, from a policy perspective. Mayor Ramsey explained the current policy for providing a credit for the sewer portion of a water bill to Mr. Carducci, and noted that, usually, the request for that credit is denied. Mayor Ramsey further explained that Round Hill's utility system works on a "break-even" basis; therefore, when Council agrees to provide a credit on one user's bill, everyone in the system bears that cost. Mr. Carducci stated that he understands that position, but that it's a 100% chance of "no" if he doesn't ask. Mayor Ramsey then opened the discussion to the Council. Councilperson Botsch asked for a break-down of the charges, which Mayor Ramsey provided. Councilperson Lyne stated his belief that Council should be sensitive in an anomalous situation such as this. Vice-Mayor Graham noted that she would like to see the statistics in this case. Mayor Ramsey noted that this usage is above a typical residential usage. The policy governing the filling of swimming pools, and the Council's less strict position on this topic, was discussed, with the possibility of a change being made to these policies, going forward. Councilperson Lyne stated his belief that the facts of each case stand on their own. Vice-Mayor Graham stated her concern with this seeming arbitrary and capricious. Councilperson Botsch stated that it is easier to waive these charges when the occurrences are rare; however, if they become more commonplace, it will be more difficult for the Council to continue doing so. Mayor Ramsey asked Ms. McGaha for the number of spike bills in a typical billing period; Ms. McGaha explained that it is seasonally dependent, with an average of fifteen to twenty spike bills during a billing period. Mayor Ramsey noted that, generally, ten to twenty users per billing cycle are surprised with an unusually high bill; Mr. Ramsey stated that Council should try to formulate a policy which would allow for equitable treatment of system users, going forward. Councilperson Botsch asked if there is a marginal cost incurred by the sewer portion of the Town's system; Mayor Ramsey noted that there is, but that the costs are minimal for clean water. Councilperson Botsch asked if this is, primarily, a fixed cost; Mayor Ramsey explained that it is. Councilperson Botsch then noted that the utility system has already earned income from the water usage. Mayor Ramsey noted that, if the Town were to stop collecting spikes usages, it would eventually upset the balance in the system. Mr. Carducci explained that the reason for the excessive usage (a continually running toilet) was corrected the day Ms. McGaha notified him of the problem, and that the water to that fixture has been turned off. Mr. Carducci also explained that his family has lived at this address since December 2002, and has always paid their bills, even when their water usage has been higher due to such things as filling a hot tub. Vice-Mayor Graham voiced her concern regarding problems this may cause for Staff. Councilpersons Botsch and Lyne expressed their support for waiving the sewer portion of Mr. Carducci's bill; Vice-Mayor Graham noted that she

is not in favor of doing so. Mayor Ramsey then called for a formal motion. Councilperson Lyne moved **that the Council waive the Carducci's sewer fee over the average of the last two years;** Councilperson Botsch seconded the motion. Mr. Carducci proposed using the figure of their highest usage in the past two years as a benchmark; the motion was amended to reflect this change. A vote was then held on the amended motion; the motion was approved 2-1, with Vice-Mayor Graham voting no, and Councilpersons Heston, Klipple and Prack absent for the vote. The vote is recorded as follows:

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

Mayor Ramsey explained to Ms. McGaha and Town Administrator Nicholson how this should be handled. Mayor Ramsey asked Vice-Mayor Graham if she would take up this policy issue with the Utility Committee; Ms. Graham noted that she will. Mr. Carducci thanked the Council. There was no further Public Comment.

#### **IN RE: APPROVAL OR AMENDMENT OF AGENDA**

Vice-Mayor Graham moved **that the Agenda be approved with the following changes: delete the Girl Scout Presentation, with Town Administrator Nicholson noting that the Volunteers of America will make a presentation instead; deleting the discussion of Sleeter Lake (both of these items are included in the Business Items portion of the meeting); changing the Executive Session from discussion of legal matters to discussion of personnel matters, with the citation to read §(A)(1) rather than (A)(7).** Councilperson Botsch suggested that discussion of Retirement Healthcare Benefits, listed under Action Items, be deferred until next month, so that Councilperson Heston may be present for the discussion; Vice-Mayor Graham agreed with this amendment. Councilperson Lyne asked to clarify that no action needs to be taken this month on Sleeter Lake; it was noted that that is correct. A vote was then held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

## **IN RE: BUSINESS ITEMS**

### **1. Volunteers of America**

Mr. James Wynn, representing Volunteers of America, Chesapeake, introduced himself. Mr. Wynn explained that Volunteers of America is a national organization which serves approximately 2.5 million people across the country in a number of human service areas. Mr. Wynn stated that the Chesapeake region serves approximately 7,000 people in the Washington, D.C., Maryland and Virginia area. The organization provides health and human services assistance, primarily in the areas of homelessness, corrections, veterans, mental health, and intellectual disabilities. Mr. Wynn then introduced Ms. Elizabeth Hodge, Program Director for the homeless shelter in Loudoun County. Ms. Hodge thanked the Council for hosting them at this evening's meeting. Ms. Hodge then provided information on the Loudoun County homeless shelter, which is located in Leesburg; the shelter provides a 44-bed emergency shelter, a cold-weather shelter which begins operation in November and goes through April 1st, a permanent supportive housing program for chronically homeless individuals, a rapid re-housing program, and a drop-in shelter. Ms. Hodge reported that the Department of Housing and Urban Development mandates a yearly count of homeless persons, which is usually held the last Wednesday in January; last year in Loudoun County 168 individuals, including some families, were homeless. Of those 168, 71% who were in families were employed. Ms. Hodge noted that the majority of people seen at the shelter work, want to work, and are invested in working and moving on. The Loudoun County shelter served slightly under 400 people last year, unduplicated; the shelter serves approximately fifteen to sixteen people per night during cold weather, many of these people are physically and/or mentally ill. The goal is to engage these people in order to stop the cycle of homelessness. Ms. Hodge stated that they are committed to ending homelessness in Loudoun, and they know they can be successful in that endeavor. The providers involved will look at which programs work, stop those which do not, and invest resources in those programs which are successful. Councilperson Lyne asked if the shelter receives financial support from the County; Ms. Hodge stated that they do, and Mr. Wynn noted that that funding does not fill the gap – in order to break even, over \$151,000.00 needs to be raised. Mr. Wynn explained that paid staff members at the shelter

often must live with other family members, they are not able to live on what they earn there. Mr. Wynn stated that they need funding in order to help those who are helping the most vulnerable. Further, Mr. Wynn discussed the drain homelessness places on social welfare systems; for example, one night's stay in an emergency room may cost from \$1,500.00 to \$2,500.00, and many who are homeless will go to an emergency room to escape the cold; one night's stay at a shelter costs \$50.00. Mr. Wynn noted that a one-time donation of \$50.00, or a payroll deduction of \$2.00 every two weeks, could house that person for that night. Ms. Hodge explained that many jurisdictions are now requiring that these non-profits tap in to local partnerships. Ms. Hodge also noted that homelessness is not as visible in Loudoun County. Councilperson Lyne clarified that the organization needs financial support and volunteers; Ms. Hodge stated that that is correct, and explained that many faith-based organizations in the County help with providing meals. Mr. Wynn discussed a fraternity which partners with them, and told of a run the fraternity holds yearly to help assist the shelter; this year the run will be held on November 7<sup>th</sup> at Stone Bridge High School, and the goal is to raise \$10,000.00. Mr. Wynn noted that they will leave business cards and information about the shelter, if anyone would like to volunteer. Additionally, workshops are held for volunteers. In closing, Mr. Wynn spoke to the effects of homelessness, particularly on the children, and stated that mentors are needed. Ms. Hodge noted that the shelter is open for visits and/or tours; additionally, she provided information about a breakfast to be held in Arlington, during which many of the programs offered will be highlighted. Council thanked Ms. Hodge and Mr. Wynn for their presentation; Ms. Hodge and Mr. Wynn thanked Council for their attention.

## **2. Town Easements – Hamlets**

Vice-Mayor Graham presented this item, explaining that, in June of this year, she and Town Attorney Gilmore discussed the procedure going forward with this. At that time, no comments had been received. As the easements had not been signed they could not be recorded. Mr. Steve Chen, of Woford and Chen, was contacted; his firm produced the original surveys. Mr. Chen suggested that another surveyor place his stamp on the easements; Ms. Graham explained that it was uncertain if that surveyor would be required to re-survey the parcels. Mr. Chen provided a quote of \$3,500.00 for this work. Vice-Mayor Graham noted that she would like to conclude this issue at this evening's meeting. Mayor Ramsey asked if the stamp simply gives the Town survey documents, but permission must still be obtained in order to register the easements. Vice-Mayor Graham explained that, by the landowners not replying to the letters, the implication is that there is no problem with obtaining the easements. Mayor Ramsey asked if the letters were sent via certified mail; Ms. Graham noted that they were not, but that, subsequent to that, a reply



was received from one landowner who had no objection. Mayor Ramsey clarified that the Town does have the easements; the reason for this is to ensure that they are “neat and clean.” Vice-Mayor Graham explained that the question before the Council this evening is whether to spend the \$3,500.00 to ensure everything is done correctly, or leave things as they stand. Mayor Ramsey stated that he feels a little uncomfortable not knowing if this is the end of the process; Vice-Mayor Graham explained that they must be recorded at the Clerk’s Office. Mayor Ramsey asked for the number of lots involved; Ms. Graham explained that sixteen lots are involved. Councilperson Lyne asked for clarification of the \$3,500.00 cost, which Vice-Mayor Graham and Mayor Ramsey provided. Mr. Lyne also asked when the surveys were done; it was noted that they were done in 2009. It was further explained that the person who originally did the surveys has since passed away, and Mr. Chen is uncomfortable placing his stamp on work he did not do. Councilperson Botsch asked if the cost, then, covers legal responsibility or the conducting of another survey; Vice-Mayor Graham noted that she is not sure. Councilperson Botsch asked if, once the stamp is received, it releases Round Hill from legal responsibility for the accuracy of the surveys; Mayor Ramsey explained that the stamp places a professional guarantee on the surveys. Mayor Ramsey explained that the easements are recorded, but in general language; this would provide clear delineation of the easements. Councilperson Lyne asked how the landowners would be notified; it was explained that each would receive a copy of the survey. Mayor Ramsey asked if Town Attorney Gilmore has advised that the documents may be recorded upon receipt of the stamp; Vice-Mayor Graham stated that she or Town Administrator Nicholson would then record the documents. Mayor Ramsey asked further if the County Clerk would accept them as presented, or if letters from each landowners would also be required; Vice-Mayor Graham noted that they should be accepted as presented. Mayor Ramsey stated his belief that it is worth the expenditure, if it would represent the end of the process. Mayor Ramsey restated his concern that the County Clerk may refuse to file the documents without the signatures of the landowners included. Town Administrator Nicholson stated that that answer could be obtained prior to spending the money. Discussion ensued regarding the need for a motion for this item, and if the expenditure is already included in the budget; Town Administrator Nicholson noted that there is no specific line-item for this. Mayor Ramsey asked Council Members their opinion on this issue. Councilperson Botsch noted that, if this will complete the process without several other steps being involved, he is in favor of moving ahead with this. Mayor Ramsey then called for a motion with a recorded voice vote. Vice-Mayor Graham made a motion **that the Town shall record these easements, at an estimated cost of \$3,500.00 plus reprobation fees**; Councilperson Botsch seconded the motion. There was no discussion of the motion. A recorded voice vote was then held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

Mayor Ramsey instructed Vice-Mayor Graham and Town Administrator Nicholson that payment be made only upon obtaining assurance that the documents will be properly recorded.

### **3. Well Fence Painting**

Vice-Mayor Graham presented this item, noting that citizens whose properties are adjacent to well sites which were recently fenced are unhappy with the appearance of the fencing, as are some Council Members. In particular, citizens want Well 21-SB re-fenced, and Council Members want Well 21-SA re-fenced. Vice-Mayor Graham reported that she informed the citizen whose property abuts Well 21-SB that discussion of that fencing would be tabled until November, in order to allow for the change in the amount of coverage provided by foliage there. Discussion ensued regarding which well site(s) the current proposal for remediation would cover; it was noted that the current proposal covers 300 feet of fencing, and lists Wells 21-SA and 21-SB as the sites to be corrected. Mayor Ramsey pointed out on a map the various well sites; it was noted that four wells were fenced. Mayor Ramsey asked Town Administrator Nicholson which wells sites were to be corrected; Mr. Nicholson stated that the proposal does state both Wells 21-SA and 21-SB, however, it seems the number of linear feet of fencing is not correct. Discussion of this issue ensued. Mr. Nicholson stated that the breakdown provided is for informational purposes, as he wanted to ensure that Council was aware of the costs involved. Mayor Ramsey noted that, in previous discussions, a figure of \$15,000.00 to correct fencing at the various well sites was put forth; it seemed Council was comfortable with that figure. Vice-Mayor Graham noted that the question then becomes whether to completely replace the fencing, or install vertical slats, as contained in Option 2 in the proposal. The consensus was to replace the fencing. Mayor Ramsey noted that there seems to be no provision in the proposal for remediation of the posts; Town Administrator Nicholson stated that he is unsure if posts will be wrapped, and that he would need to verify that. Mr. Nicholson asked Council Members their opinion on leaving the posts as-is; it was determined that the preference is to wrap or paint the posts. Vice-Mayor Graham requested that an estimate

for remediation of fencing and posts at all four wells be obtained for the next Council meeting; it was also requested that the proposal contain line-items for the various costs involved. There was also discussion of the possibility of returning the existing fencing for a credit, selling it out-right, or keeping it for future projects. Councilperson Botsch asked if the company who installed the existing fencing visited the well sites; Town Administrator Nicholson stated that they have. Mr. Botsch asked Mr. Nicholson to review any possible exclusions with the company. There was brief discussion of who will provide for keeping grass and brush growth under control at the well sites. Vice-Mayor Graham asked if additional quotes have been obtained for this work; Town Administrator Nicholson stated that they have not, as yet, but that another quote is required by statute. This will be discussed further by the Utility Committee.

#### **IN RE: ACTION ITEMS**

##### **1. Approval of Minutes: July 16, 2105 Town Council Meeting**

Councilperson Botsch clarified if, during the discussion of Zoning Enforcement at a previous meeting, discussion of Maintenance Code was to be added to the September Agenda. Mr. Botsch noted that, obviously, that item would not be addressed at this evening's meeting, but asked if this will be addressed in the future. Mayor Ramsey stated that the goal is to hold those discussions, and explained the reasons for Round Hill to adopt the County Maintenance Code. Town Planner/Zoning Administrator Hynes explained that there is language in the Town Code which has proven to be problematic to this process, and that Staff is still working on this. Mayor Ramsey asked if this will affect the Zoning Ordinance, or just the Town Code; Ms. Hynes replied that it will affect the Town Code only. It was noted that the Land Use Committee will vet this when the problems are resolved. Councilperson Lyne asked if the entire code will be addressed; Town Planner/Zoning Administrator Hynes and Councilperson Botsch stated that only the Health Code will be addressed, at this time. Discussion ensued regarding companies who provide services geared toward these updates, with it being noted that those companies codify only, but do not perform the update. Following this discussion, Vice-Mayor Graham made a motion **that the minutes be approved as submitted**; Councilperson Lyne seconded the motion. A vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

## **2. Sewer Credit Request**

Mayor Ramsey explained that the King's sent a letter, addressed to the Council, approximately three or four weeks ago, regarding this. Vice-Mayor Graham asked, before discussion of this issue began, if the homeowners is required to be present at the meeting. Mayor Ramsey noted that, in the past, Council has not been universal in that requirement. Mayor Ramsey explained that this involves the watering of new sod; it was noted that this is not a new customer. Mayor Ramsey noted that this is somewhat different than the case Mr. Carducci presented to Council earlier, as this was deliberate outdoor water use; Mr. Ramsey noted that in the past these requests have been denied. Councilperson Lyne and Mayor Ramsey briefly discussed again the subject of filling pools. Vice-Mayor Graham noted that this happened last year in Mountain Valley Estates, where owners of new homes watered grass, and were required to pay the full bills. Councilperson Lyne referenced previous discussions of winter versus summer sewer rates; it was noted that the decision was made not to pursue these rates, as, ultimately, they just shift costs around. It was also reported that few municipalities use these varying rates. Vice-Mayor Graham then made a motion **to deny forgiveness of the bill, as requested by the citizens;** Councilperson Botsch seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

### **3. Bond Reduction – Mountain Valley Phase II**

Town Administrator Nicolson reported that this is an old bond, and that the work on Mountain Valley Phase II, Kettleston Court, has been completed. The firm of Peed & Bortz has recommended that this bond be released and replaced with a 10% maintenance bond. Additionally, the Town Attorney and the Town Engineer have given their approval to the release of the original bond. Councilperson Lyne moved that **the Round Hill Town Council release Performance Bond No. 42BCSET5293, in the amount of \$95,442.00, that guaranteed construction of Mountain Valley Phase II, and also support utilities under condition of a one-year Maintenance Bond, in the amount of \$9,544.20, is received by the Town prior to release of the Performance Bond;** Vice-Mayor Graham seconded the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

### **4. Bond Reduction – Lake Ridge**

Town Planner/Zoning Administrator Hynes presented this item, explaining that there are two bond reductions before Council pertaining the Lake Ridge Estates. The first bond reduction is for the Public Improvements; this has been reviewed by the Town's civil engineering firm, Stantec. Stantec's first review noted that a chain-link fence, which had been listed as complete, was not complete; this required an amendment. Additionally, the Town noted that a trail, which had been listed a complete, was not complete. In response, KHovnanian (the developer) changed their estimate to 70% completion of this item, in order that they may address the Town's concerns regarding repairs to the trail. Therefore, the final bond reduction will be \$1,300,000.00. Vice-Mayor Graham asked if both the Town Administrator and the Town Planner/Zoning Administrator feel that 70% is adequate for completion of the trail; Ms. Hynes noted that they do, and explained that the trail will be improved so that it looks acceptable. Mr. Nicholson also stated that they feel the number is adequate to fix the issues noted. Councilperson Botsch asked to clarify the percentages noted; Town Planner/Zoning Administrator Hynes explained that the bond reduction is for 76%, and that the trail is 70% complete. In response to a question from Vice-Mayor Graham, Ms. Hynes stated that the bond number for Public Improvements is SU39976, and the bond number for Water and Sewer is SU39977. Town Planner/Zoning Administrator

Hynes reported that Peed & Bortz reviewed the Water and Sewer Bond, and found a reduction of up to 80% to be suitable. Mayor Ramsey noted his concern that many of the items noted by the Town Engineer represent “plain sloppiness.” Vice-Mayor Graham asked if no action should be taken on these reductions; Mayor Ramsey stated that Council should abide by Mr. Lane’s recommendation. Mayor Ramsey also noted that it should be ensured that KHovnanian understands that, when they represent a job as being 100% complete, and then it is found not to be, re-engineering is required. Town Planner/Zoning Administrator Hynes stated that KHovnanian will have to pay the cost of the re-engineering. In response to questions from Vice-Mayor Graham and Councilperson Lyne, Ms. Hynes explained how the percentages of the reductions were determined. Following this discussion, Vice-Mayor Graham moved **that the Round Hill Town Council approve the Public Improvement Bond Reduction, for Bond SU39976, request made by KHovnanian Homes for the Lake Ridge neighborhood, in the amount of 76%, or \$1,311,455.93**; Councilperson Botsch seconded the motion. There was no discussion of the motion. A voice vote was then held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

Councilperson Botsch then moved **that the Round Hill Town Council approve the Water and Sewer Improvement Bond Reduction, request made by KHovnanian Homes, for the Lake Ridge neighborhood, in the amount of 80%, or \$427,902.21, for Bond SU39977**; Councilperson Lyne seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

## **IN RE: REPORTS**

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

Town Administrator Nicholson stated that he will cover a couple of items, including the SCADA system. It was discovered that the problem with the SCADA system stems from the antenna, which was no longer working; Mr. Nicholson noted that this is a relatively inexpensive fix to the problem. It was noted that the purchase of new radios will not be necessary at this time; however, Mayor Ramsey noted that Council should wait to make a definite decision on this pending receipt of the SCADA report. Vice-Mayor Graham asked if the Town is now under contract with Sterling for the purchase of radios; it was noted that we are not. Town Administrator Nicholson reported that the Main Street Enhancement Project plans have been officially approved. A right-of-way issue is still being worked on, which will involve only minor paperwork. Upon completion of this step, acquisitions may begin. Councilperson Lyne noted that work is now being done in Lovettsville, which will show how Main Street will look upon completion of the project. Town Administrator Nicholson stated that he has been told acquisitions will take approximately three weeks per one to two houses. Mr. Nicholson reported that the County still needs to address comments regarding the Franklin Park Trail Project, and that VDOT's plan should be ready in the next one to two months. It was also noted that an issue may exist regarding federal requirements which disallow tree cutting from April through September, due to the Northern Long-Eared Bat. Mayor Ramsey expressed his skepticism that the County will be ready to go to bid in the spring; Town Administrator Nicholson stated that he did contact VDOT, and it seemed that everything regarding the 100% plans did match up. Mr. Ramsey noted that no one has, as yet, been signed. Councilperson Botsch asked to clarify that the County must work with VDOT before any residents are approached; it was noted that that is correct. Mr. Nicholson stated that Staff is trying to push the County along, and keep the lines of communication open. Presently twenty-four of twenty-seven plats are completed, and Mark Hoffman is working with DEQ on the purchase of nutrient credits; this is related to storm water and could affect the start date of the project. Town Administrator Nicholson reported that the Town received its refinancing award letter in August; the public comment phase ends on October 23rd. If there is no adverse public reaction, Round Hill will be given a loan for a term of twenty years, equal to 1% below the prevailing 20-Year AA Municipal Bond market rate. Mr. Nicholson noted that, if the rate did increase, it likely wouldn't increase beyond the current rate of 1.8% to 2.6%. All required paperwork for this is completed. Mayor Ramsey asked if a Public Hearing on this will be required; Town Administrator Nicholson said that he would have to check on that, but suggests waiting until after the October 23<sup>rd</sup> close of public comment. Town Administrator Nicholson reported that Round Hill applied for, and received, a grant from the Virginia Municipal League for security cameras to be placed at the waste water treatment plant. Discussion ensued regarding how these cameras will work, and how film from them will be reviewed. Mayor Ramsey asked if this grant also covers signage; it was noted that it does not. Mr.

Ramsey stated that the Town needs to be sure people know they are being recorded. Councilperson Botsch asked if the cameras record on motion; it was noted that they do. Mr. Botsch also asked how long the images are stored; Mr. Nicholson stated that he is unsure of that. Mayor Ramsey reiterated that the Town ensure it is protected with proper signs at the site. Discussion of legal issues surrounding these types of recording ensued; Town Administrator Nicholson stated that he will check with other municipalities which use these cameras, in order to help provide answers to Council Members' questions. Vice-Mayor Graham asked if the easements for the wells being transferred have been recorded and filed; Mr. Nicholson stated that he would report back to Ms. Graham regarding that issue.

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

Town Planner/Zoning Administrator Hynes noted that a written report is not available this month. Ms. Hynes reported that her three big projects are: final documents for Sleeter Lake Park, the VDOT grant (which is due November 1<sup>st</sup>), and the Comprehensive Plan update. Town Planner/Zoning Administrator Hynes reported that she attended the pre-application meeting for zoning approval for Sleeter Lake Park, and Town Administrator Nicholson attended the site plan pre-application meeting for the park. Ms. Hynes stated that she received good feedback during the meeting she attended. Ms. Hynes reported that, originally, the County did not understand that the road to be used for access to the park can handle large vehicles, and there was concern regarding fire/rescue apparatus accessing the site; County representatives seemed more at ease with access when Ms. Hynes told them that the road already handles heavy Town vehicles. It was noted that the County originally wanted a transportation study to be conducted regarding the access road, but now they are amenable to a verbal study. Town Planner/Zoning Administrator Hynes reported that she attended VDOT training in Culpeper in August, regarding funding sources provided to municipalities. Ms. Hynes also reported that VDOT is changing their method for awarding funding, favoring that large projects be broken down into smaller ones. Additionally, funding programs are being revamped, so that towns of equal or nearly-equal size are competing for resources. A temporary program allows for VDOT to assist with management of the funding. Town Planner/Zoning Administrator Hynes also reported that a new program exists which helps fund improvements made within two miles of a school; this program may help provide assistance with the next phase of the Main Street Enhancement Project. Town Planner/Zoning Administrator Hynes reported that a lot of progress has been made on the Comprehensive Plan update, although it is still in draft form as input from the Public Input Meetings has not yet been included (there is still one of those meetings to be held). Ms. Hynes reported on the various chapters to be included in the Plan, and the stage of completion for each chapter. Town Planner/Zoning Administrator



Hynes reported on the recent Public Input Meeting for the Comprehensive Plan update, which was held on September 15<sup>th</sup>. It was noted that there was a sizeable turnout, and that members of County Staff attended, as well. Ms. Hynes explained the three exercises completed at the meeting, and noted that, upon completion of a tally of results, she will report that information to the Council. The subjects which were the focus of the September meeting were the commuter lot, annexation, accessory dwelling units, downtown revitalization, and the Eastern Commercial District. Councilperson Botsch asked for the format of the October meeting; Town Planner/Zoning Administrator Hynes stated that she plans to hold a science-fair open-house type meeting, during which attendees will have an opportunity to speak. Mayor Ramsey requested that a summary report be prepared. Ms. Hynes spoke to the dynamics of the group interaction at the September meeting. Discussion ensued regarding ways to elicit feedback from attendees at these meetings. Councilperson Lyne noted that momentum is building, and that residents are “connecting the dots” in understanding that the Comprehensive Plan will help to drive any development of the Eastern Commercial District. Town Planner/Zoning Administrator Hynes presented a vision for the downtown area to be considered in the Comprehensive Plan update. Councilperson Botsch asked if Ms. Hynes is seeing any consensus; Ms. Hynes noted that consensus exists in that residents do not want Round Hill to become like Ashburn, and that residents want business, but only certain types of business. Vice-Mayor Graham asked for an explanation of the procedure for the Comprehensive Plan update, going forward; Town Planner/Zoning Administrator Hynes and Mayor Ramsey provided this information, with Ms. Hynes noting that, once the Planning Commission Public Hearing is complete, the Comprehensive Plan update is out of the Planning Commission’s hands. At that point, the Town Council will review the Plan; Mayor Ramsey provided various scenarios regarding how this may move forward once it reaches the Council. Discussion ensued regarding feedback the Land Use Committee is now providing to the Planning Commission, with it being noted that any member of the Council may provide feedback. Councilperson Lyne noted that providing feedback at this point helps to ensure that consensus exists when the document comes to the Council.

As this point, a housekeeping item was brought before the Council. Ms. McGaha noted that she will send an e-mail to Council Members on the Monday prior to each meeting, requesting that they return any items to be included on the Agenda on Thursday; this will ensure that the Agenda can be distributed on Friday. It was noted that the Agenda may still be amended the evening of the meeting. Town Administrator Nicholson stated that the goal is to avoid last-minute changes.

### **3. Mayor’s Report**

Mayor Ramsey stated that Town Planner/Zoning Administrator Hynes did a fantastic job at the September Public Input Meeting for the Comprehensive Plan update; Mr. Ramsey noted that he received positive feedback, and stated that he hoped pre-conceived notions

were addressed. It was noted that the meeting was not divisive. Mayor Ramsey reported that he went to lunch with members of Round Hill Partners, LLC, and with Mr. Joel Silver; the Town's views regarding the Eastern Commercial District were sought at the meeting. Discussion involved how the parties involved could move forward with various possible uses for the parcel. Vice-Mayor Graham reported that Town Attorney Gilmore will attend a meeting in October regarding the Eastern Commercial District; Mayor Ramsey noted that the developers need to be informed about existing proffers. Mr. Clint Chapman noted that he received great feedback from the attendees at that meeting. Mayor Ramsey suggested that the developers present their ideas in front of the public as soon as possible, during the period of the Comprehensive Plan update; additionally, the developers need to ensure that the stakeholders' views are heard. Councilperson Botsch asked if many attendees at the Comprehensive Plan Public Input Meeting were in-town residents; Mayor Ramsey noted that it was representative of the ration of in-town to out-of-town residents. It was also noted that the Eastern Commercial District impacts more out-of-town property owners. Vice-Mayor Graham noted that an inordinate amount of time was spent discussing the commuter lot; it was noted that the lot is at the entrance to those residents' neighborhood, thus the interest. Mayor Ramsey noted that if there was more discussion of boundary line adjustments/annexations, more out-of-town residents would become involved. Mayor Ramsey stated his hope that a letter will be received soon detailing all the economic principals in the proposed project.

#### **4. Utility Committee**

Vice-Mayor Graham noted that this report is before Council Members. Ms. Graham noted that Town Administrator Nicholson signed the PER for Peed & Bortz to move forward with work on the West Lake water tower. Vice-Mayor Graham noted that this process brought up the question of ownership of the property; it was noted that the Town does own Lot 22, and that the deed has been recorded. Vice-Mayor Graham reported that the Utility Committee will provide an update for the Utility section of the Comprehensive Plan; Peed & Bortz has been tasked with providing an update to Town Planner/Zoning Administrator Hynes, and Ms. Hynes and Mr. Lane will provide a draft to the Committee by the first week of October. Vice-Mayor Graham stated that she would like to hold a work session with Town Council Members and Town Administrator Nicholson, in order to review the information received. There was brief discussion of whether a separate water chapter should be included in the Plan; Mayor Ramsey stated that he considers that an organizational matter, but that a Public Facilities Map does need to be included. Councilperson Lyne asked if this is being done separately from the Planning Commission; it was noted that the Commission has reached out for input on this chapter. Vice-Mayor Graham noted that she hopes to have a document ready by early October, and that the Planning Commission feels that they do not have enough knowledge regarding utilities to properly address this. Councilperson Lyne asked about the fire department using water

without authorization, in order to water the soccer fields. Town Administrator Nicholson stated that they were not actually watering the soccer fields, but were conducting a training exercise. Mr. Nicholson further reported that he gave the fire department representative his business card, and informed them that, in the future, they need to notify the Town prior to conducting such exercises. It was noted that there are hydrants Staff prefer be used for training exercises.

#### **5. Administration, Communications & Technology Committee**

A meeting of this committee was not held.

#### **6. Land Use Committee**

Councilperson Botsch reported that much of what the committee worked on has already been discussed at this evening's meeting. Mr. Botsch reported on discussions held with the Planning Commission regarding information sharing between the two bodies; the Planning Commission will hold a work session on or about the week of October 26<sup>th</sup>, which Land Use Committee members will attend. Councilperson Botsch noted that, regarding Sleeter Lake Park, he has requested that Town Administrator Nicholson search for the letter previously received from the County, allowing for a by-right use for the boat dock, and that Mr. Nicholson review the budget numbers for this project. At this meeting, Councilperson Prack provided feedback regarding the Planning Commission's work on the Comprehensive Plan update. The next meeting of the Land Use Committee will be either October 8<sup>th</sup> or October 14<sup>th</sup>.

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

There were no Council Comments.

#### **IN RE: EXECUTIVE SESSION**

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting, and convene a closed session, to discuss personnel matters, as authorized by the Code of Virginia of 1950, as amended, §2.2-3711(A-1), Town Administrator Nicholson is invited to attend;** Councilperson Botsch seconded the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

Mayor Ramsey called for a brief recess at 10:00 p.m.

**IN RE: MEETING ADJOURNMENT**

Vice-Mayor Graham moved that **the Round Hill Town Council adjourn its closed session and reconvene its open meeting**; Councilperson Botsch seconded the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

Vice-Mayor Graham then moved: **Now, therefore, be it resolved that the Round Hill Town Council does hereby certify that, to the best of each member's knowledge, only public business matters lawfully accepted by Open Meeting Requirements and the Freedom of Information Act were discussed in the closed session to which this certification applies, and only such public business matters as were identified in the motion by which said closed session was convened were heard, discussed, or considered by the Round Hill Town Council**; Councilperson Botsch seconded the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Heston, Klipple and Prack absent. The vote is recorded as follows:

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

The meeting was adjourned at 11:03 p.m. by Mayor Ramsey.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary