

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
September 15, 2016**

A regular meeting of the Round Hill Town Council was held in the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, September 15, 2016, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Janet L. Heston
Frederick J. Lyne
Michael K. Minshall
Christopher J. Prack

Council Members Absent

Kimberly Fortunato

Staff Members Present

Melissa Hynes, Town Planner/Zoning Administrator
Kimberly McGaha, Town Clerk

Others Present

Deputy Moats, Loudoun County Sheriff's Office
Maureen Gilmore, Town Attorney
Clinton Chapman
Leonika H. Tinker
John E. Souffler
Roberto Salazar
Jason Shatarsky
Chris Olson
Frank Desbrow
Hilary Thomas
Bob Lanzer
Nate Kidder
Zachary Fanert
Leo Fanert
Kendall Fanert
Henry Kidder

Frank Knapp
Joe Kuhna
Katie McCormack
Ed McCormack
Ivan E. Clark
Frank Etro
Jenny Archer
Susan Balinger
Craig Fredericks

IN RE: CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:32 p.m.

IN RE: PLEDGE OF ALLEGIANCE

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

IN RE: ROLL CALL

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

IN RE: PUBLIC COMMENT

Mayor Ramsey opened the meeting to public comment, asking speakers to keep their comments to three minutes or less. Vice-Mayor Graham asked if Council would be taking questions during the Franklin Park Trail presentation; Mayor Ramsey stated that it would. There was no public comment.

IN RE: COMMUNITY POLICING REPORT

Deputy Moats reported that there have been no major incidents in Round Hill, and that Sheriff's Office officials have been focusing on issues which arise when students go back to school. Mayor Ramsey asked about the move to the new Sheriff's Office Western Loudoun Substation; Deputy Moats stated that they have hired a receptionist, that the infrastructure is in place, that cable is still being run, and that the Office's vehicles have been moved to the site. Deputy Moats stated that the footprint is adequate, and noted that they expect to move in fully during the fourth week of October. The Deputy explained that the office will be able to do fingerprinting, and that residents may file complaints at that location. Deputy Moats stated that the transition to this new facility has progressed in a positive way. Vice-Mayor Graham asked if a ribbon-cutting ceremony will be held; Deputy Moats stated that the ceremony has not yet been scheduled.

IN RE: APPROVAL OF MINUTES

a. July 21, 2016 Town Council Meeting

Councilperson Heston pointed out errors in dates listed on the Agenda; it was noted that these errors were corrected. Vice-Mayor Graham then moved **that the minutes of the July 21, 2016 meeting of the Round Hill Town Council be approved, as amended;** Councilperson Lyne seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0, with Councilperson Fortunato absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Kimberly Fortunato	Absent
Mary Anne Graham	Aye
Christopher J. Prack	Aye
Frederick J. Lyne	Aye

IN RE: ADOPTION OF REGULAR MEETING AGENDA (Amendments & Deletions)

Vice-Mayor Graham asked that Item #4 – Wells be added under Business Items; Councilperson Lyne asked that the Boy Scout 5K Race discussion be moved to Business Item #1. Councilperson Heston asked if an Executive Session was warranted; it was decided that it was not. Town Planner/Zoning Administrator Hynes asked that discussion of a Code of Ethics for the Town Council be added as Business Item #5. There were no further amendments. Vice-Mayor Graham then **made a motion that the Agenda be accepted with the changes noted**; Councilperson Lyne accepted the changes and seconded the motion. A vote was held; the motion was approved 5-0, with Councilperson Fortunato absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Kimberly Fortunato	Absent
Mary Anne Graham	Aye
Christopher J. Prack	Aye
Frederick J. Lyne	Aye

IN RE: APPROVAL OF THE CONSENT AGENDA

There were no Consent Agenda items.

IN RE: BUSINESS ITEMS

1. Boy Scout 5K Race

A representative of the Boy Scouts presented this item, providing information about the Troop's 5K Race, to be held on December 10, 2016, and asking if the information could be included in the Town's newsletter. Mayor Ramsey stated that the information will be included in the newsletter, and will be posted on the Town's website, as well. The Scout Master explained that the course for the race will not enter the Town's limits. The Scout leader was asked if there is any further assistance the Town could provide; he noted that there is not. Mayor Ramsey asked that the details of the event be sent to Town Administrator Nicholson via e-mail.

2. Special Presentation by Loudoun County on the Franklin Park Trail

Town Planner/Zoning Administrator Hynes introduced Mr. Joe Kuhna, representative of Loudoun County, who provided this presentation. Mr. Kuhna thanked Council for the opportunity to speak, noting that he had spoken to the Council approximately one year ago regarding this project. It was noted that the affected properties were not staked-out by the September 12 date set for completion of this step; Mr. Kuhna stated that he would find out why that did not occur. Mr. Kuhna then asked if there are any issues surrounding this project which the County has not yet addressed, and, in conjunction with this, introduced his assistants from the County who are dealing with acquisitions. The County representatives explained that letters have been sent to affected property-owners, by the Dewberry firm, and asked if those letters have been received. Some residents stated that they have received a letter, but others noted that this was the first correspondence they have received from the County regarding the project. Mr. Kuhna explained that he understands residents will have concerns. Mr. Kuhna also noted that a highlight of this project is that ongoing drainage issues will be addressed by this construction; additionally, Mr. Kuhna noted, a handicap-accessible sidewalk will be installed. Mr. Kuhna explained that the County has provided funding for the Franklin Park Trail Project, and the hope is that construction will begin in the spring of 2017. Mr. Kuhna then asked for question from residents. Mr. Frank Etro asked if the final trail or the right-of-way will be staked; Mr. Kuhna noted that it will, and that paint will be used to designate the trail. Mr. Etro asked if both temporary and permanent easements/rights-of-way will be noted; it was noted that they will. A resident asked where, exactly, the trail will run; Mr. Kuhna stated that that information will be posted on the County's website. Mr. Chris Olson asked if the trail will go through the Lakepointe subdivision; Mayor Ramsey noted that a portion of the trail will go through that area. Mr. Olson asked how security will be addressed; additionally, another resident of Lakepointe asked if lighting and pylons (for traffic control) will be installed. Discussion ensued regarding the exact location of the trail in this subdivision, with the path of the trail pointed out on a map, in order that residents there have complete information regarding any possible impact on their neighborhood. Deputy Moats helped address security issues, noting that the Sheriff's Office will address these as they arise, and noting that it is uncertain, at this time, what issues the geography of the area may engender. Deputy Moats explained that officers on both foot patrol and bike patrol may be used in the area. In response to the question raised regarding lighting and placement of pylons, Deputy Moats explained that a balance must be found between security and aesthetics. Deputy Moats stated that the Sheriff's Office will do whatever they can to address concerns, and stated that the residents there will need to provide guidance as to how they want Sheriff's Office personnel to respond. Mayor Ramsey noted that he does not want to feed the impression that trails and sidewalks bring crime into an area, noting that the goal is to ensure that this works correctly. Mr. Olson noted that the area has ongoing issues with teenagers loitering in the area, and explained, in response to a question from Councilperson Heston, that the Sheriff's Office is called regarding this issue. Deputy Moats explained that the attraction is the lake, and asked if the Homeowners' Association dues could help

to provide for security in the area. A resident of Lakepointe expressed concern regarding where the trail will connect to walkways in the neighborhood, with Mayor Ramsey stating that it will need to be determined where those points may be. A resident then discussed the animal hospital located on East Loudoun Street, and the absence of curbing in that area, which presents traffic and parking concerns. Discussion ensued regarding the history of this parcel/area, with Mr. Kuhna noting that issues in that area will need to be worked out during this process, and Mayor Ramsey stating that the tenant and VDOT will need to work with the property owner regarding the lack of a sidewalk/curbing and resultant parking/traffic issues at this parcel. An attendee asked if a schedule for easement negotiations is in place, with a County contractor stating that letters were sent in March 2016, and that this process will begin again based upon advice received from the State. This contractor also noted that they would like to complete easement negotiations in approximately forty-five days, so that a spring construction timeline may go forward. County representatives stated that they want to work with residents. Several property-owners affected by this project stated that they have not received information from the County; Mr. Kuhna asked that they provide correct contact information. Mayor Ramsey stated that a difficulty being encountered in the lead-up to this project is being able to ensure that all parties are talking with one another. Mr. Etro asked if any parameters of the project have changed during the year which has elapsed; Mr. Kuhna stated that any changes would be reflected on the newest plat, and he ensured Mr. Etro that a copy would be provided. Mr. Kuhna also advised residents with questions to contact the County's Transportation Department. Mr. Etro noted that he is not against the trail, and, in fact, has been involved in the project for the last sixteen years – noting that that is how long the planning for this project has been taking place. Mr. Etro also stated that holding a group meeting is a good step, in order that problems may be solved and the plan may be finalized. Mr. Kuhna noted that the plan has been approved by both the County and VDOT. A resident asked if the plan currently in place provides a general direction for work on the project to proceed; Mr. Kuhna stated that it will, except for some specific individual issues. A resident asked where interested parties may see a rendering of the project; Mr. Kuhna stated that that information is available through the County Department of Transportation. Town Planner/Zoning Administrator Hynes asked how many properties are affected; Mr. Kuhna provided that information. Another County representative stated that letters were sent to residents on March 31, 2016, and that they have received responses from approximately 25% of those contacted. Town Planner/Zoning Administrator Hynes discussed a current project for which the Town is contacting residents, and explained the Town Staff's process for doing so, noting that twenty of twenty-five affected property-owners have been contacted. The representative of the County dealing with acquisitions explained that they, too, have knocked on doors and distributed business cards. Mr. Kuhna stated that they attended this meeting as they want to meet with residents and work to iron-out issues surrounding the Franklin Park Trail Project. Mr. Etro suggested that, when County representatives talk to residents, they provide a copy of the plat for their review. Mayor Ramsey also suggested that County representatives not wait until the last minute to

discuss the "fine print." Vice-Mayor Graham suggested that County representatives may want to try to contact residents on a Saturday. Discussion ensued regarding the letters which have been sent by the County, with it being noted that they were sent "Return Receipt Requested;" Mayor Ramsey suggested that the County not rely on only one method of communication. Mayor Ramsey explained that this is a difficult project, from an easement perspective, and asked that residents try to be patient during this process; Mr. Ramsey also encouraged residents to call the Town Office with any questions. Mr. Ivan Clark noted that he has responded to some of the correspondence received from the County, and raised his concerns regarding grading and the final appearance at his property; Mr. Kuhna stated that he will meet with Mr. Clark and provide profile sheets for his review. Mr. Kuhna thanked Council and residents for allowing him to attend this meeting and address them regarding this project. Mr. Kuhna reiterated his request that residents ensure County representatives have the correct contact information. Mayor Ramsey asked if there were any other questions. Mr. Kuhna stated that this is a big project, and noted that they want to ensure they are doing this work correctly.

Mayor Ramsey called for a recess at 8:27 p.m., in order that residents and County officials may speak to one another and exchange pertinent information. The meeting reconvened at 8:46 p.m.

3. Time Change of Work Sessions

Town Planner/Zoning Administrator Hynes explained that a break-down of the differences between a work session and a regular meeting is included in Council Members' packets for their review. Ms. Hynes explained that the goal in the work sessions is to provide each committee one hour for discussion, with adjustments made when needed. It was also noted that items which are time-sensitive should, ideally, be handled only once. Discussion ensued regarding how to distribute time at the work sessions. Town Planner/Zoning Administrator Hynes explained that, when the Planning Commission holds a work session those sessions begin at an earlier time, and asked if Council may want to consider that option. Councilperson Heston raised the concern that Council Members may not be able to get here for an earlier start time. Further discussion ensued regarding how to structure work sessions, with Town Planner/Zoning Administrator Hynes stating that efficiency is a goal, and Councilperson Heston expressing concern that issues could be repeatedly deferred. Mayor Ramsey stated that Council will work together to ensure efficiency in the process. Councilperson Heston noted her feeling that holding these work sessions provides a good way for new Council Members to become informed of the issues before the Council. Town Planner/Zoning Administrator Hynes also explained that, in the future, the number of projects in which the Town is involved will "even out." Discussion then turned to which meeting is appropriate for discussion of contracts; additionally, the Consent Agenda was discussed, with Council Members seeking to better understand this tool. Town Attorney Gilmore and Town Planner/Zoning Administrator Hynes explained that any issues dealing with expenditures, adoption of ordinances, and land acquisitions may not be placed on the Consent Agenda, and that, if bond reductions are to be placed on the Consent Agenda, the

Town's ordinances must be changed. Mayor Ramsey provided an explanation of how, ideally, a Consent Agenda should work. Vice-Mayor Graham and Councilperson Heston asked what would occur with Consent Agenda items, if a member is not in attendance at the work session; Mayor Ramsey stated that the item would then be moved to the agenda for the regular meeting. Further discussion of a possible change in the start time of the work sessions ensued, with it being decided to keep the start time at 7:30 p.m. Vice-Mayor Graham asked if public comment will be provided for during the work sessions; Town Planner/Zoning Administrator Hynes stated that it will be allowed only for items on the agenda, and that people should be encouraged to attend the regular meetings in order to provide their comments.

4. Wells

Vice-Mayor Graham reported that the Town has received a copy of the County Zoning Amendment regarding wells. Ms. Graham further reported that this was discussed at the meeting of the County Planning Commission held on September 14, 2016, which she, Hamilton Mayor David Simpson, and Town Attorney Maureen Gilmore attended; the Vice-Mayor noted that she and Mayor Simpson both spoke regarding this proposed amendment. Vice-Mayor Graham provided background information on this amendment, explaining that it will definitely have an impact on Round Hill, as it will require a hydro study for wells. Ms. Graham also noted that this item will be on the agenda for the Board of Supervisors' October 20, 2016 meeting. It was noted that a supervisor wants to meet with Town representatives and Staff; this meeting may occur prior to the next Council work session. Councilperson Lyne asked to clarify that the amendment under consideration will impose additional requirements on municipalities; it was noted that this is correct, with Town Attorney Gilmore providing a brief history of County requirements regarding wells, specifically in relation to a situation which arose in Hamilton, and providing a more detailed explanation of the impact of this amendment. It was noted again that Supervisor Higgins wants to schedule a meeting with the Mayors of towns in the western section of the County, along with Town Staff and County representatives, to discuss this issue. Town Attorney Gilmore urged elected officials to contact their County representatives regarding this amendment. There was discussion of the possibility of County subsidies being provided to help cover the costs of this requirement to the towns, and of how, specifically, passage of this amendment could affect Round Hill. Town Attorney Gilmore explained that the PMOP provides the County with unfettered control of a town's wells. Mayor Ramsey asked what the effect may be on districts where wells are not by-right; Town Attorney Gilmore stated that she is unsure, but will look into that aspect of this issue. In response to a question from Vice-Mayor Graham, it was determined that Supervisor Buffington should be contact regarding this amendment, and should be informed specifically of the pumping requirement. Mayor Ramsey stated that he will attend the upcoming Board of Supervisors meeting, with Town Attorney Gilmore noting that there exists an opportunity to speak with the Supervisors regarding this proposed amendment.

5. Conflict of Interest/Code of Ethics

Town Clerk McGaha explained that she recently received a letter from the Virginia Municipal League regarding a Code of Ethics, and explained the forms included and the specific request made by the VML in its letter. Ms. McGaha noted that she needs comments from Council Members regarding this issue by noon tomorrow, in order to return them to the VML in a timely manner. The Town Clerk also asked if the forms in question have been filled out by Council in the past; it was noted that they have. Town Attorney Gilmore further explained that the General Assembly revised these forms, and have mandated that they be filed annually, rather than bi-annually. Mayor Ramsey asked Town Clerk McGaha to ensure that all forms required have been properly signed by the Council.

IN RE: ACTION ITEMS

1. Town Charter Update

Councilperson Heston noted that a copy of the updated Town Charter is included in Council Members' packets. Some corrections were pointed out by Ms. Heston, who asked if there are any further corrections needed. Discussion ensued regarding the "Metes and Bounds" requirements; Town Attorney Gilmore will check into if this may be eliminated in the updated Charter. Councilperson Heston provided the time-line required, in order for the Charter to be presented at the General Assembly's next legislative session, which includes approval by Council this evening and a Public Hearing to be held next month. Council Members expressed their desire to have a "track changes" document for review. Discussion ensued regarding the scheduling required for this to go before the General Assembly, with Mayor Ramsey stating that a special meeting may be held, if needed. In response to a question from Town Planner/Zoning Administrator Hynes, Councilperson Heston explained the reasons for updating the Charter, and how this created the current time limitations for completing this task. Discussion ensued regarding the scope of the update, with Mayor Ramsey stating that this should be done correctly, and that the emphasis should not necessarily be on presenting it during this session of the General Assembly. It was decided to move forward with the work already done on the update, with review by Council at its October 13th work session, and a Public Hearing held on the Council's November work session date. Mayor Ramsey stated that he will reach out to Delegate LaRock regarding his schedule (as he may present the Charter to the General Assembly). Town Attorney Gilmore asked that Council Members direct any questions they may have regarding the Charter to her. Mayor Ramsey requested a copy of a bulleted list of changes previously prepared for Councilperson Heston. Councilperson Heston asked how the Town should proceed with providing representation in Richmond, when this is presented; Mayor Ramsey stated that he would ask Delegate LaRock for guidance on this.

2. Motion to Schedule Public Hearing for Town Charter Revisions

Action on this item was not needed at this time.

IN RE: DEPARTMENTAL REPORTS

1. Town Clerk Report

Town Clerk McGaha noted that her reported is provided in written form, and is included in Council Members' packets. Ms. McGaha stated that she would be glad to answer any questions. Mayor Ramsey asked about the hand-scanning of documents being done at this time; the Town Clerk noted that, at present, all documents are being scanned in order to ensure that all necessary documents are retained. Ms. McGaha stated that she will speak with former Treasurer Wolford, and check with the University of Virginia Library, in order to determine which documents should be kept. There was brief discussion of bringing an intern in to help with this effort. Town Clerk McGaha also reported that she has been studying other municipalities' records management methods, which has been helpful. There was further discussion of stored documents, and of coordinating with information contained on-line.

2. Town Planner/Zoning Administrator Report

Town Planner/Zoning Administrator Hynes reported that the Public Hearing for the update of the Town's Comprehensive Plan has been scheduled for October 5, 2016; if no comment is provided, the Planning Commission will vote on the document that evening, if comment is received, the vote will take place on October 11, 2016. Town Planner/Zoning Administrator Hynes explained that, upon referral, the Council will have ninety days for review. Ms. Hynes suggested that Council think about the format to be used for that review, in order to keep within the ninety-day window. Ms. Hynes stated that she will provide copies of the updated Comprehensive Plan to Council Members as soon as possible. Town Planner/Zoning Administrator Hynes reported that Lake Ridge will be ready for a bond release in approximately the next two months. Mayor Ramsey asked about the off-site trail easements; Town Planner/Zoning Administrator Hynes stated that she will check on the progress being made on those.

3. Town Administrator Report

It was noted that this report is included in Council Members' packets, but that the Town Administrator is not available this evening for questions.

4. Mayor's Report

Mayor Ramsey noted that he did not have too much to report, as the Town Staff has been working well on a multitude of issues. The Mayor stated that he will reach out to both Delegate LaRock and to Supervisor Buffington regarding issues discussed this evening.

IN RE: COUNCIL COMMENTS

Vice-Mayor Graham asked that Council Members send comments regarding the Water/Sewer Ordinance final draft to her; however, she noted, she will not take comments on policy issues. Ms. Graham reported that Mr. Jamie Emery, of Emery & Garrett/EGGI, will be present at the Council's October 13th work session. Councilperson Prack asked if the Town Code will be updated; it was noted by Councilperson Heston that it will, with Mayor Ramsey stating that that issue will be discussed at the upcoming Council Retreat. Councilperson Lyne thanked everyone for the basket sent to him following his recent surgery. Mayor Ramsey reminded those present that the Bluemont Fair will be held this coming weekend. Councilperson Lyne informed those present that a band competition will be held at Woodgrove High School this coming Saturday. There were no further Council Comments via email.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 10:18 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary