

**Town of Round Hill
Joint Public Hearing
by the
Town Council and Planning Commission
and
Town Council Work Session
December 2, 2020
7:30 p.m.**

A Regular Meeting of the Round Hill Town Council and a Joint Public Hearing with the Round Hill Planning Commission were held on Wednesday, December 2, 2020 at 7:30 p.m. Due to the ongoing COVID-19 Pandemic, this meeting was conducted electronically pursuant to *Ordinance 2020-04: Providing for Continuity of Government* adopted by the Mayor and Town Council on April 28, 2020. There was no public access to the Town Office for this meeting. The Chairman and Planning Commission Members, Mayor and Town Council Members, and Staff attended this meeting electronically using Zoom. Members of the public were able to attend this meeting electronically using the link published with the Agenda.

Town Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Jesse Howe
Michael B. Hummel
Paula James

Town Council Members Absent

Donald W. Allen
Melissa Hoffmann

Planning Commission Members Present

Manuel Mirabal, Chairman
Peter Buxton
Frank Etro
Michael Hummel
Todd Tschantz

Staff Members Present

Melissa Hynes, Town Administrator/Zoning Administrator
Danielle Albright, Town Planner
Maureen Gilmore, Town Attorney
Robert Lohr, Project Specialist
Harriet West, Town Clerk

Members of the Public Present

Deputy Fornwalt, Loudoun County Sheriff's Office
Patrick Szabo, *Loudoun Now*

IN RE: CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Ramsey called the Joint Public Hearing for the Town Council and Planning Commission to order at 7:31 p.m. The Pledge of Allegiance was not recited.

Mayor Ramsey then read the following statement into the record:

*Due to the ongoing COVID-19 Pandemic the Joint Planning Commission and Town Council Public Hearing is being conducted electronically, pursuant to the **Emergency Ordinance to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster**, adopted by the mayor and Town Council on April 28, 2020. The Mayor, Town Council, Planning Commission, Staff, and public have been invited to attend this Public Hearing, and public meetings following the Public Hearing, electronically by Zoom Meetings. The Round Hill Planning Commission and Town Council are holding this Joint Public Hearing to consider public comment and input on **Zoning Ordinance Amendment 2020-01 – Proposed Text Amendments to the Landscaping and Screening Species List, in Article 14 of the Round Hill Zoning Ordinance.***

Mayor Ramsey asked Chairman Mirabal if he wished to make a statement before opening the meeting to public comment; Mr. Mirabal responded that the Planning Commission is ready for public comment.

Mayor Ramsey asked if Staff wished to make a statement prior to opening the meeting to public comment. Town Administrator/Zoning Administrator Hynes provided a point of clarification regarding the *Staff Memorandum*, explaining that several motions were provided, with the governing bodies to choose the motion which best reflects their decisions.

Mayor Ramsey sought to clarify the process to be undertaken for this evening's Public Hearing, following these steps:

- 1) Hear comments from the public.
- 2) Mayor Ramsey will then close the Joint Public Hearing.
- 3) The Planning Commission may then conduct a Special Meeting to consider its recommendation, if it wishes to do so.
- 4) Upon adjournment of the Planning Commission Special Meeting, if held, the Town Council will convene its Work Session.

Town Administrator/Zoning Administrator Hynes noted that this order of business is correct.

IN RE: PLANNING COMMISSION AND TOWN COUNCIL JOINT PUBLIC HEARING

Mayor Ramsey opened the Joint Public Hearing to public comment at 7:34 p.m.

IN RE: PUBLIC COMMENT

Vice-Mayor Graham provided comments on behalf of Mr. Thomas Graham, noting that the correct name for *Black Tupelo* is *Black Gum*, as shown on page 14-4 of the document; additionally,

Vice-Mayor Graham noted, on page 14-5, the tree *Pitch Pine* should be moved to the listing of *Evergreen Trees*. Vice-Mayor Graham noted that Mr. Graham majored in Forestry at Pennsylvania State University.

In response to a request from Chairman Mirabal, Staff ensured the Planning Commission that the corrections noted above will be included in the final document.

Mayor Ramsey asked if there were any additional public comments; there were none.

Mayor Ramsey closed the Joint Public Hearing at 7:37 p.m.

IN RE: ROLL CALL

Mayor Ramsey conducted a Roll Call for the Town Council, noting that throughout the Public Hearing the Mayor, Councilperson Michael Hummel, Vice-Mayor Mary Anne Graham, and Councilperson Paula James were present, constituting a quorum for the Town Council. It was further noted that Councilperson Jesse Howe joined the meeting while the Public Hearing was underway.

IN RE: SPECIAL MEETING OF THE ROUND HILL PLANNING COMMISSION

1. Recommendation from the Planning Commission on ZOAM-2020-01

Chairman Mirabal opened the Special Meeting of the Planning Commission at 7:38 p.m. The Planning Commission made, seconded, and approved a motion to forward **ZOAM-2020-01**, containing the changes requested during the Public Hearing, to the Town Council with a recommendation for adoption. The Special Meeting of the Planning Commission was adjourned by Chairman Mirabal at 7:43 p.m.

IN RE: CALL TO ORDER OF TOWN COUNCIL WORK SESSION

Mayor Ramsey called the Town Council Work Session of December 2, 2020 to order at 7:44 p.m. Mr. Ramsey noted that the Roll Call had been previously conducted.

IN RE: COMMUNITY POLICING REPORT

Deputy Fornwalt reported that there have been no issues in Round Hill proper, however there have been problems on the Route 7 Bypass at Williams Gap Road related to heavy traffic going to the tree farm located in that area. Deputy Fornwalt requested that citizens be notified that the traffic congestion could occur again in the weeks leading up to Christmas. Deputy Fornwalt explained that the roads are controlled by the Virginia Department of Transportation (VDOT) and were not designed to carry the amount of traffic generated by these special events and by detours related to road construction in the Hillsboro area. The Deputy noted that the Sheriff's Office can only provide assistance with traffic control with the infrastructure as it exists. Deputy Fornwalt stated that the traffic to the tree farm seen this year was unprecedented.

Deputy Fornwalt also reported that the Sheriff's Office recently responded to complaints on Yellow Schoolhouse Road, and on Woodgrove Road at Williams Gap Road. He also reported that he made an arrest here on election day, and that the case is ongoing.

Deputy Fornwalt asked if there were any questions; there were none. The Mayor and Council thanked the Deputy for his report.

IN RE: PUBLIC COMMENT

Mayor Ramsey asked if there were any public comments related to the Town Council Work Session; there were none.

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

Vice-Mayor Graham moved **that the Town Council adopt the Agenda, with the deletion of the Closed Session**; Councilperson Hummel seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 4-0-2, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Paula James	Aye
Jesse Howe	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent

IN RE: APPROVAL OF MINUTES

a. September 16, 2020

Mayor Ramsey asked if there were any corrections.

Vice-Mayor Graham asked for an update on the status of the *Water Service Supply Report* for the Stoneleigh subdivision, as noted on page three of the minutes, under the *Utility Department Update* section. Project Specialist Lohr stated that he would need to defer that update until Town Engineer Lane, who is working on those issues with Utility Supervisor Feltner, provides his assessment; Mr. Lohr noted that Mr. Lane is expected to be in Round Hill in the near future. Project Specialist Lohr explained that Town Engineer Lane's current focus, as directed by the Town Council, is on work related to Well D and the Evening Star Drive treatment plant; this has resulted in the *Water Service Supply Report* being moved down on the list of priorities.

Vice-Mayor Graham then referenced the discussion of the *Main Street Enhancement/Franklin Park Trail Project* on page four of the minutes, specifically regarding the letter sent to East Loudoun Street residents, asking if the reference is correct, as some of the letters were returned by the postal service. Town Administrator/Zoning Administrator Hynes reported that some letters were mailed and returned, but that letters were then hand-delivered to all residents affected by the work on East Loudoun Street. Vice-Mayor Graham asked if a similar letter, regarding impending work on the project on

Main Street, has been delivered to residents; Project Specialist Lohr reported that the letter is being composed, and will be delivered to residents in the near future.

Vice-Mayor Graham noted an error on page five, in the last line of paragraph seven, regarding assistance with utility bills and other similar expenses under Round Hill's CARES Act funding program; Ms. Graham asked that it be made clear the funds go to the residents' *creditors*, and not directly to the residents themselves. In response to a question from Council, Town Attorney Gilmore and Mayor Ramsey explained how disbursement of this funding is handled.

Councilperson Hummel noted a typographical error on page seven, paragraph three, in the title of *Item #7*.

Vice-Mayor Graham then moved **that the minutes be approved as corrected**; Councilperson Howe seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 4-0-2, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Jesse Howe	Aye
Paula James	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent

IN RE: BUSINESS ITEMS

1. Utility Department Update

Vice-Mayor Graham introduced this item, and reported the following:

- The Town of Purcellville provided their camera, which was used to determine the location of sewer line laterals on Main Street, from the fire department building to High Street, in preparation for Main Street Enhancement Project construction.
- A new truck, equipped with a snowplow, has been purchased.
- Staff assisted with the installation of Christmas lights at the Town Park.
- A part is needed for the snowblower; the dealer has been contacted.

Project Specialist Lohr reported on the following:

- An emergency utility line repair was undertaken on Bridge Street, where paving done by a private entity impacted a meter base. The meter was upgraded at the time the paving damage was corrected; in addition, a small leak was repaired.

- Town Engineer Lane will be in Round Hill next week to work on major projects identified at the Strategic Planning Session.
- A report from Emery and Garrett Groundwater Investigations (EGGI) is expected next week, and will be presented to the Town Council for review prior to its release to the Round Hill Owners' Association (RHOA).

Town Administrator/Zoning Administrator Hynes reported that a quote has been received for safety upgrades at the Wastewater Treatment Plant, for which additional funding may be required; the request will be brought to the Council, if additional funding is needed.

2. Franklin Park Trail/Main Street Enhancement Project Update

Project Specialist Lohr presented this item, highlighting the following:

- The two-week progress meeting will be held tomorrow morning; an updated schedule for the project will be provided to Council following this meeting.
- There has been a delay in installation of stormwater piping, due to issues with valves and connections at the installation site; it is expected that this will be resolved within the next two weeks.
- The start date for test pitting on Main Street will be provided at tomorrow's progress meeting.

Vice-Mayor Graham asked when it is expected Change Orders will be provided for the additional work brought about by these unexpected problems; Project Specialist Lohr stated that they likely will be presented soon, with a more definite timeline provided at tomorrow's meeting. Vice-Mayor Graham also asked if the same company undertaking work on these lines/valves will be doing the work on the two-inch laterals. Project Specialist Lohr responded that, if the work is done through the contract, as is preferred by all involved, Highway Safety Services, working with Heritage Construction, will perform this work.

3. Round Hill Residential Utility Assistance Update

Town Clerk West presented this item, explaining that the Town is working with Catholic Charities and Middleburg For Immediate and Sympathetic Help (FISH) on processing 14 applications from the 20141 ZIP Code area; requests for assistance total nearly \$10,000.00 to-date. Ms. West further reported that five additional inquiries arrived, and that she will follow-up on them. Town Clerk West reported that all inquiries/requests will be addressed by the end of this week, with distribution of funds to utility providers made by next week. In response to a question from Council, it was noted that two of the 14 applicants live inside the corporate limits.

Discussion ensued regarding the deadline by which the unspent funds must be returned to Round Hill by the charities, with Town Administrator/Zoning Administrator Hynes stating that the goal is to work with the facilitators for as long as possible.

4. Round Hill Coronavirus Aid, Relief, and Economic Security (CARES) Act Fund Update

Town Administrator/Zoning Administrator Hynes presented this item, noting that any unspent funds from the \$118,000.00 received are expected to be returned by December 15, 2020; Ms. Hynes plans to speak with County representatives handling this program to determine if that date is a hard deadline, or if there may be the possibility it could be extended.

Town Administrator/Zoning Administrator Hynes described purchases of equipment suggested for Staff who are able to work from home. Additionally, Ms. Hynes reported, steps will be taken to ensure safe and secure workspaces for Staff who cannot work from home; Ms. Hynes explained measures which have been taken to ensure physical distance for those employees.

Town Administrator/Zoning Administrator Hynes explained the legal fees noted in the documentation for the program. Ms. Hynes further reported that, in an effort to restrict traffic inside the Town Office, a mailbox will be installed at the rear of the building for Council Members to receive their mail; additionally, a literature rack, for use by the public, will be installed outside.

Town Administrator/Zoning Administrator Hynes reported that all receipts must be turned in to the County by December 15, 2020.

Town Administrator/Zoning Administrator Hynes reported that she and Town Clerk West will work to determine an end-date for residential assistance.

Mayor Ramsey suggested that the zone for distribution of Personal Protective Equipment (PPE) could be expanded to the service area, if extra PPE remains.

5. Round Hill Outdoors Committee Accomplishments, 2018 to 2020

Town Planner Albright presented this item, noting that this report was compiled by Staff in order to highlight the Committee's achievements from 2018 to the present, and stating that the report will be provided on a yearly basis going forward.

The following items from the report were highlighted:

- The Committee secured Round Hill's designation as an Appalachian Trail Community.
- The Committee organized the Appalachian Trail Festival, which will be an annual event; as the COVID pandemic necessitated the cancellation of the 2020 Festival, the grant funding provided for that event is still available for use for the 2021 Festival.

- The Committee has facilitated the Round Hill Art Show; two of these have been held thus far, and the Show has become a great community event. The Show will be held virtually in 2021.
- The Committee was named the Tree Board for Round Hill's application to be named a Tree City, USA community. The application for this designation will be submitted this month.
- The Committee assisted with the Zoning Ordinance Text Amendments, to assist the Town in its increased use of native plant species.
- The Committee has worked to revitalize the Community Garden.

Town Planner Albright reported that future endeavors for the Committee include work on the Appalachian Trail Festival and other Appalachian Trail programs, and work on programs to meet the Tree City, USA requirements, if Round Hill is granted that designation. Ms. Albright stated that the Committee Members have been great to work with, and are some of the most hard-working people she has ever met. Ms. Albright stated that the Committee is a great resource for the Town.

Mayor Ramsey, referencing the Utility Department Update provided earlier, asked if the water line to Sleeter Lake Park will be installed in the spring of 2021; Town Administrator/Zoning Administrator Hynes stated that it will, and that Staff is working with Town Engineer Lane on this project. Ms. Hynes noted that water and electric service is needed at the park, so that restrooms may be built. Other issues related to Sleeter Lake Park were briefly discussed. Mayor Ramsey asked if the RHOA has agreed to installation of the boat launch there; Town Administrator/Zoning Administrator Hynes stated that it has. Town Administrator/Zoning Administrator Hynes stated that it is hoped most updates at the park will be completed by May, and noted that any construction undertaken after that time will not be intrusive to users of the park.

6. Biennial Budget

Town Administrator/Zoning Administrator Hynes presented this item, beginning by explaining how the Town of Leesburg utilizes a biennial budget, with discussion and planning done for two years, but appropriation of funds conducted yearly. Mayor Ramsey asked if Staff recommends possible adoption of this model for Round Hill; Town Administrator/Zoning Administrator Hynes stated that this system would be helpful for planning purposes and may be worth trying. Ms. Hynes stated that this would allow for more in-depth discussion of new budget items, with repetitive items not requiring as much review.

Mayor Ramsey suggested that Staff begin implementation of this system during the Town's upcoming budget sessions; discussion ensued regarding the best way to implement this model.

IN RE: ACTION ITEMS

1. Proposed Amendment to Article 14 of the Zoning Ordinance – Landscaping and Screening

Mayor Ramsey noted that this item was the subject of this evening's Public Hearing, following which the Planning Commission recommended adoption of the Amendment with the changes requested.

Councilperson Hummel made a motion **that the Round Hill Town Council adopt ZOAM-2020-01, as recommended by the Round Hill Planning Commission.** Mayor Ramsey noted that these are amendments to *Zoning Ordinance Article 14 – Landscaping and Screening*. Vice-Mayor Graham seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0-2, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
Paula James	Aye
Jesse Howe	Aye
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent

Mayor Ramsey stated that the Zoning Ordinance Amendment has been adopted, and requested that Staff ensure the changes requested this evening are made in the final document.

2. Approve Draft Water and Sewer Ordinances for Public Hearing

Mayor Ramsey noted that this represents the final opportunity for Council Members to request changes to these Ordinances. Vice-Mayor Graham stated that she did not receive any further comments, and will prepare the final documents for the Public Hearing.

Vice-Mayor Graham then made a motion **that the Water and Sewer Ordinances, which have been presented to the Council, be provided for a Public Hearing to be held on January 6, 2021;** Councilperson Hummel seconded the motion. Councilperson James asked if Utility Supervisor Feltner reviewed these documents; Vice-Mayor Graham reported that the documents were sent to both Town Engineer Lane and Mr. Feltner, with no further comments received from either. Town Administrator/Zoning Administrator Hynes noted that Utility Supervisor Feltner may make comments up until the time of the Public Hearing. A voice vote was then held; the motion was approved 4-0-2, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
Paula James	Aye
Jesse Howe	Aye
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent

3. Approve 2021 Town Council Calendar

Town Administrator/Zoning Administrator Hynes noted that Budget Discussion meetings have been included on this calendar, and the reference to holding make-up meetings the day immediately following a cancelled Wednesday meeting has been removed; discussion ensued regarding the issue of how best to address make-up meetings, with Council agreeing to the removal of the reference.

Councilperson Hummel moved **to adopt Resolution 2020-16**; Councilperson Howe seconded the motion. A voice vote was held; the motion was approved 4-0-2, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
Paula James	Aye
Jesse Howe	Aye
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent

4. Planning Commission Reappointment

Councilperson Hummel made a motion **to reappoint Mr. Todd Tschantz to the Planning Commission, for a term ending on December 31, 2024**; Councilperson Howe seconded the motion. A vote was held; the motion was approved 4-0-2, with Councilpersons Allen and Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Mary Anne Graham	Aye
Paula James	Aye
Jesse Howe	Aye
Michael B. Hummel	Aye
Donald W. Allen	Absent
Melissa Hoffmann	Absent

Town Administrator/Zoning Administrator Hynes noted that a vacancy still exists on the Board of Zoning Appeals.

IN RE: REPORTS

Town Administrator/Zoning Administrator Hynes reported that the two main areas of focus for her have been the distribution of CARES Act funds and work on the Franklin Park Trail/Main Street Enhancement Project.

Vice-Mayor Graham asked if a Christmas party will be held; Town Administrator/Zoning Administrator Hynes stated that Staff will work on this event.

Councilperson James asked when the Town's tree lighting ceremony will be held; Mayor Ramsey stated that it is scheduled for December 5th, beginning at 5:00 p.m. Both Mayor Ramsey and Councilperson Hummel stated that the Town Park looks great.

IN RE: TOWN COUNCIL COMMENTS

Vice-Mayor Graham thanked Town Clerk West for her assistance with ZOOM. Vice-Mayor Graham also requested that Staff contact American Disposal Services, as the service has been less than optimal, with recycling left on the streets.

Councilperson Hummel reported that Utility Staff has notified authorities that Patriot was seen dumping wastewater from its truck into the storm sewer in the Creekside subdivision.

Councilperson James asked to be added to the notification list for Planning Commission meetings. Town Administrator/Zoning Administrator Hynes stated that she will inform all Council Members of these meetings. Councilperson James also asked about expected rental revenue for the placement of cellular equipment on the water tower; Town Administrator/Zoning Administrator Hynes stated that the expected revenue from Sprint will not occur, as the company merged with T-Mobile.

Councilperson Hummel requested that the *Voluntary Water Restrictions* signs be removed.

Mayor Ramsey reported that he has had requests made of him that the season for Sleeter Lake Park be extended, with Town Planner Albright stating that she has fielded similar requests. Town Administrator/Zoning Administrator Hynes noted that hunting on nearby parcels no longer takes place, which was the determining factor in the date to close the park in the fall. Mayor Ramsey suggested that the park be open through Thanksgiving weekend; Ms. Hynes stated that she will make that change to the schedule.

Mayor Ramsey reported that Council has been provided the final Consent Decree and Memorandum of Understanding with Brookfield Homes/Round Hill Investors, LLC; all documents have been signed, and likely have been filed. Mayor Ramsey stated his belief that many issues from the past have been resolved.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:03 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary

Date Approved: January 3, 2021