

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
February 20, 2020**

A Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, February 20, 2020, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
Donald W. Allen  
Amy E. Evers  
Melissa Hoffmann (remote attendee, arrived at 7:38 p.m.)  
Michael B. Hummel  
Paula James

**Staff Members Present**

Melissa Hynes, Town Administrator/Zoning Administrator  
Danielle Albright, Town Planner  
Maureen Gilmore, Town Attorney  
Sue Holland, Town Treasurer  
Robert Lohr, Project Specialist

**Others Present**

Deputy Fornwalt, Loudoun County Sheriff's Office  
Brian McMullen  
Kathleen Yingling  
Beth Newton  
Tim Dennis  
Michael Lannon  
Gil Paist

**IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Ramsey called the meeting to order at 7:36 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

**IN RE: ROLL CALL**

Mayor Ramsey stated that, with all Councilpersons except Councilperson Hoffmann, as well as Vice-Mayor Graham and himself, present, a quorum was established. Mr. Ramsey stated that Councilperson Hoffmann may attend the meeting remotely.

### **IN RE: COMMUNITY POLICING**

Deputy Fornwalt noted that the next Western Station Sheriff's Office quarterly meeting is scheduled for February 27, 2020. Deputy Fornwalt reported that there have been no major problems in Round Hill. Additionally, the Deputy noted that the Route 9 project is scheduled to begin in the near future, with the potential for concerns related to required closures of that highway. Mayor Ramsey opened the floor to questions for the Deputy; there were none. The Council thanked the Deputy for his report.

Mayor Ramsey stated that Councilperson Hoffmann had joined the meeting via telephone, and asked if anyone on the Council had any objections; there were none.

### **IN RE: PUBLIC COMMENT**

Mr. Brian McMullen, of 17447 Lethridge Circle, Lake Point, Round Hill, spoke in support of the proposed extension of water and sewer services to the Weona Villa property.

Ms. Kathleen Yingling, of 35752 Winslow Court, The Villages, Round Hill, spoke to voice her support for the work of the Town Council and the Planning Commission regarding the proposed water and sewer extension to the motel site.

Ms. Beth Newton, of 20634 St. Louis Road, Purcellville, voiced her support for the proposed extension of utility services, and read the following statement: *I wish to voice support for the steps already taken by the Planning Commission, and now by the Town Council, to try and address our community's unmet housing needs at the former motel site. I am in complete support of the Tree of Life Ministries concept, to provide small, affordable rental cottages, to meet the needs of both seniors and adults with disabilities. In my position at a non-profit organization, I service adults with special needs; I have not only a significant impact with this community, but they have a special place in my heart. I also work closely with the parents of these people, and they are hoping for a better life situation for their functional adults with special needs. I constantly see that there's a great unmet need for housing for this demographic group; I give my full support for what Round Hill is doing to lead the way in 2020.* Ms. Newton thanked the Council.

Ms. Jill Lannon, of 17520 Tedler Circle, Lake Point, Round Hill, spoke, explaining that she and her family have resided in Lake Point since October of 2004, and that they are a single-income family of five who take pride in the maintenance of their home, enjoy the views from their house, and have liked living there. Ms. Lannon noted that their house is adjacent to the Land Bay in question, and that she is concerned about the disruptions which would accompany a major construction project. Ms. Lannon further noted that Lake Point residents do not want to see the housing resulting from this project, which would occupy the entire seven acre property; additionally, she noted that they prefer not to see the development as they enter and exit the neighborhood, and from the rear of their house. Ms. Lannon shared personal family struggles, to rebut the notion that they are uncaring about the hardships others may face. Ms. Lannon stated that "it is obvious that Paul Smith has rallied an army of supporters, none of whom reside adjacent to this Land Bay, with the exception today of Mr. McMullen, who is associated with Tree of Life;"

Ms. Lannon noted that Mr. McMullen has not attended any of the meetings regarding this effort held during the last year. Ms. Lannon provided the following five points to consider: 1) that the goal of the development has changed, at least once per quarter, with no guarantee that the goal will not change again following approval; 2) this is a Christian organization, with its ability to serve those of other faiths as a point to question, and that the Town should consider if it wishes to find another way to meet housing needs with a neutral party; 3) should a development maintained by unlicensed volunteers, and funded by donations, be pursued, as there is no guarantee that the donations will continue; 4) that consideration should be given to the functionality of a small cottage for a resident who may require specialized equipment, such as a motorized wheelchair or a hospital bed, and the practicability of having licensed professional caretakers on-site; and, 5) that these potential residents would be completely without transportation, with no conveniences necessary for living located nearby. Ms. Lannon highlighted Mr. Smith's professional work as a developer of large, multi-tenant sites, who states that he is in support of Tree of Life, but has not stated that he is in support of the Town of Round Hill. Ms. Lannon thanked the Council.

Mr. Michael Lannon, of 17520 Tedler Circle, Lake Point, Round Hill, spoke, noting that he has attended most of the meetings held regarding the proposed Comprehensive Plan Amendment which could allow for an extension of water and sewer service. Mr. Lannon expressed his support for the Town, stating his belief that the Planning Commission and Town Council are trying to do what is right for the Town and community, and that the Planning Commission has put in a lot of hard work and effort. Mr. Lannon noted that the CPAM, as currently presented, affects only one Land Bay, with only one land-owner and one potential buyer who stand to benefit; Mr. Lannon stated that he does not see how the adoption of the amendment benefits the community at-large, or the Lake Point subdivision and Lakefield Road, both of which abut the parcel. Mr. Lannon also noted that the parcel in question is larger than it appears, with most of the property adjacent to Lake Point, and raised the concern that passage of the Comprehensive Plan Amendment could result in unforeseen consequences. Mr. Lannon asked what may happen if the parcel changes ownership in the future, after water and sewer have been extended, possibly resulting in a different use on the parcel, expressing his concern that the CPAM may not provide the Town enough control over those possible uses. Mr. Lannon raised the issue of past litigation linked to development around Round Hill, and asked if similar issues could arise again at this parcel. Mr. Lannon stated his belief that there is no pressure on the Town Council to pass this amendment today, and that the Council has time to consider if this CPAM provides the protections and control the Council may want. Mr. Lannon urged the Town to proceed cautiously, and to consider not only the best possible outcomes, but the worst possible outcomes. Mr. Lannon thanked the Council.

Mr. Gil Paist, of Purcellville, Virginia, thanked all those present for their attendance.

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

Vice-Mayor Graham moved **that the Council adopt the Agenda, with the deletion of *Business Item #2, Draft Amendments to the Water and Sewer Ordinance***; Councilperson Hummel seconded the motion. There was no discussion of the motion. A vote was held; the motion was

approved 5-0, with Councilperson Hoffmann no longer in attendance. The vote is recorded as follows:

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

### IN RE: APPROVAL OF MINUTES

#### **1. November 21, 2019 Regular Meeting**

Vice-Mayor Graham noted the following correction: on page eight, in the last section, first bullet point, the reference should be to *Apple House Contracting*, not *Carpentry*. Vice-Mayor Graham then made a motion **that the minutes be approved, as amended**; Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 4-0-1, with Councilperson Evers abstaining, and Councilperson Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Paula James	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Abstain

#### **2. December 5, 2019 Work Session**

Councilperson Hummel noted the following correction: on page seven, in the second paragraph, under *Re-Appointment and Appointment of Planning Commission Members*, Mr. Hummel should be referred to as the *Town Council Representative to the Planning Commission*, not the reverse. Vice-Mayor Graham made a motion **that the minutes be approved, as amended**; Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 4-0-1, with Councilperson Evers abstaining, and Councilperson Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Paula James	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Abstain

### **3. January 9, 2020 Work Session**

It was noted that, on page two, under *Business Items*, that *Business Item "b"* should be notated as *Business Item "a"*; additionally, the misspelling of a name in that section was noted. Councilperson Allen made a motion **that the minutes be approved, as amended;** Vice-Mayor Graham seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0, with Councilperson Hoffmann absent. The vote is recorded as follows:

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

## **IN RE: BUSINESS ITEMS**

### **1. CPAM-2019-01: Water and Sewer Extension Standards**

Town Administrator/Zoning Administrator Hynes provided corrections and updates made to the draft document following the last Town Council meeting. Mayor Ramsey provided the method for moving forward with review of the CPAM, which included discussing the draft before the Council at this meeting, and making any requested changes prior to a vote. It was noted that the desire is to "put more teeth" in the document, to provide for the protection of the Town and the eastern entryway.

Discussion ensued regarding the possibility of including a proposed density limit, with Mayor Ramsey noting that, ultimately, that will be a decision made by the County; however, Mr. Ramsey noted, the decision regarding the extension of water and sewer service still remains with the Town. Mayor Ramsey noted that language regarding density was included in the original draft of the document; Councilperson Hummel explained why the Planning Commission removed that language. There was also discussion of the capacity demand to the utility system which may occur in the future. A straw poll was then held regarding the draft before Council, which included additional language requested by a member of the Council; the draft document with the additional language included was defeated in the straw poll vote, with the suggested language to be removed.

Councilperson Hummel then made a motion **to approve CPAM-2019-01: Water and Sewer Extension Standards, as presented**; Councilperson Evers seconded the motion. Vice-Mayor Graham stated that this process has brought to light to her the work of Tree of Life, and that her "no" vote is not against the organization. There was no further discussion. A vote was held; the motion was approved 4-1-1, with Vice-Mayor Graham voting no, and Councilperson Hoffmann absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Paula James	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Absent
Mary Anne Graham	Nay
Amy E. Evers	Aye

Mayor Ramsey called for a recess at 8:18 p.m.; the meeting reconvened at 8:27 p.m.

## **2. Draft Meals Tax Ordinance and Transient Occupancy Tax Ordinance**

The *Draft Meals Tax Ordinance* was discussed first, with Mayor Ramsey introducing the topic and noting that requested changes had been made. Councilperson Hummel noted that changes he had requested had not been made; those changes were discussed and incorporated, as appropriate, into the draft document. Following this review, Vice-Mayor Graham made a motion **that changes to the Draft Meals Tax Ordinance be authorized, as necessary to enact a Meals Tax, and that the updated Ordinance be advertised**; Councilperson Allen seconded the motion. A vote was held; the motion was approved 5-0, with Councilperson Hoffmann absent. The vote is recorded as follows:

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

The *Draft Transient Occupancy Tax Ordinance* was then discussed, with various changes and/or corrections made to the document as suggested by Council Members. In its review of the *Draft Transient Occupancy Tax Ordinance*, Council decided to follow State Code in reference to the number of years records must be preserved, and further determined that the standard should be applied to both draft ordinances. Vice-Mayor Graham then moved **that changes to the Draft Transient Occupancy Tax Ordinance be authorized, and the updated Ordinance be advertised**; Councilperson James seconded the motion. There

was no discussion. A vote was held; the motion was approved 5-0, with Councilperson Hoffmann absent. The vote is recorded as follows:

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Michael B. Hummel	Aye
Paula James	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye

Mayor Ramsey directed Staff to advertise both Ordinances, with the changes discussed.

### **3. Discussion on FY2021 Fees, Taxes and Rates**

Mayor Ramsey presented this item, requesting that the Tax Rate be discussed, rather than routinely equalized, as has been done previously. Mayor Ramsey explained that tax revenue may be lost due to this equalization, and noted that he included in Council Packets information regarding the setting of tax rates. Mayor Ramsey then led a review of the information provided to Council.

Mayor Ramsey noted that, at the Boundary Line Adjustment public information sessions held thus far, residents have expressed concerns regarding their neighborhoods being brought into the Town limits due to the increased amount of real estate taxes they believe they would pay; Mr. Ramsey stated his belief that the Town undertaking a more measured approach to setting tax rates would help to allay those concerns and to promote potential boundary line adjustments.

Discussion ensued regarding the General Fund Budget surplus, with the opinion of some Council Members that a cushion should be maintained, but that the large cushion which presently exists likely is not necessary. There was also some discussion of the Utility Fund surplus. The Council then discussed the method by which real estate tax rates should be set; the suggestion was made that the rate be set so that \$100,000.00 in tax income per year be realized – resulting in a tax rate of \$.10 per \$100.00. Various rates were suggested, with Council discussing how those various rates could affect both salaries and reserves over the next five years.

Staff raised the issue of funding requests made by the Town to the County each year, and how a drastic change in real estate tax rates could affect those requests. Mayor Ramsey noted that most of the projects funded by the County are for the benefit of the greater community, not just Round Hill residents, and stated his belief that an adjustment to Round Hill's tax rate likely would not significantly impact those requests.

There was additional discussion of the various rates put forth, with Vice-Mayor Graham noting that she will vote against the FY2021 Budget if the rate is set at \$.10 per \$100.00; however, most Council Members were in favor of the \$.10 rate. Mayor Ramsey directed Staff to prepare the Budget using the \$.10 per \$100.00 Real Estate Tax Rate.

## **IN RE: ACTION ITEMS**

### **1. FY2021 Budget Final Draft (Vote to Advertise a March 19, 2020 Public Hearing)**

Project Specialist Lohr reviewed the *CIP Budget*, highlighting changes made which were reflected in the *Project Sheets*; those changes included the *New Website Design and Software*, *Town Hall Upgrades*, and *Upgrades to the Town's Financial Software Program*. Mayor Ramsey commended Project Specialist Lohr on his work on the Project Sheets, noting that they provide helpful information to all interested parties regarding work being undertaken in the Town. The Mayor thanked Staff for their work on the FY2021 Budget. There were no comments from Council regarding the CIP Budget.

Town Administrator/Zoning Administrator Hynes presented the *Operations Budget*, noting the existing uncertainty in the *Salaries* line-item due to the proposed hiring of a new Utility Operator; discussion of this line-item ensued, with it being decided to increase the amount of the line so that a Utility Operator who holds current licensure may be hired. It was noted that the *Water/Sewer Transfer* had been updated, and that the *IT* line-item had been split between General Fund and Utility Fund, with the percentage reflected in each budget provided.

The *General Fund Budget* was then discussed, with changes made to the document provided. Additional discussion of the proposed Real Estate Tax Rate ensued; it was decided to keep the rate at \$.10 per \$100.00, and the Treasurer was directed to inform the County of this rate.

Town Administrator/Zoning Administrator Hynes noted that the Public Hearing for the FY2021 Budget is scheduled for March 19, 2020; Mayor Ramsey stated that the Council vote on adoption of the Budget will follow that Public Hearing.

## **IN RE: REPORTS**

### **1. Town Planner Report**

Town Planner Albright reported that she has been working on the following items:

- Town Office upgrades/renovations.
- Determining grant funding available to the Town.
- Planning for the upcoming *Screen Free Week*.
- Meeting with the Bluemont Community Center regarding this year's *Movies in the Park* events.



- Meetings with the Hometown Festival chair, and the chairs of the various committees involved with this event; Town Planner Albright reported that permitting and licensing is ahead of schedule.
- Working with the Town Administrator/Zoning Administrator on upcoming projects to be undertaken by the Planning Commission.
- Continued professional development/ongoing training; Ms. Albright reported that she has been accepted to Shepherd University.
- Submission of the final report for the *FY2020 Creative Communities Partnership Grant* to the Virginia Commission for the Arts.
- Attendance at the pre-bid conference for the town consortium for trash/recycling collection.
- The opening of Sleeter Lake Park on March 1, 2020.
- Securing a partnership with a dermatologist, in order to procure grant funding.

Town Administrator/Zoning Administrator Hynes reported that Town Planner Albright procured a new sign for Sleeter Lake Park, which allows for changing the hours of operation, to facilitate working with County Staff on daily closure of the park.

## **2. Town Administrator Report**

Town Administrator/Zoning Administrator Hynes reported on the following:

- Ongoing work with the architect and Stantec regarding the proposed new building at the Wastewater Treatment Plant.
- A recent meeting with the representative of a company which specializes in grinder pumps, who provided useful information for use by the Town and residents at properties where those pumps are in use, and who provided suggestions for the *Town Facilities Standards Manual*.
- That the GIS company hired by Round Hill has completed its first group of digitized documents; training for staff to begin collecting data in the field is being arranged
- That, due to the work of Kim McGaha, the deficiencies in the Paymentus system have been corrected.
- That the site plans for Ms. Joan Wolford's updates to the Old Furniture Factory have been approved.
- That the Bluegrass Jam, previously held at the Old Furniture Factory building, has been moved.
- That she completed her two-year ICMA Mid-Career Manager Institute program in December.

Town Administrator/Zoning Administrator Hynes thanked Project Specialist Lohr for his work on the Budget.

Vice-Mayor Graham asked when the questionnaire to the public will be completed, with Town Administrator/Zoning Administrator Hynes replying that work will begin on this document shortly. Vice-Mayor Graham also asked for a report on the update to the *Personnel Manual*; Town Administrator/Zoning Administrator Hynes stated that the work on that will commence soon, and noted that it is a more complicated project.

### **3. Mayor's Report**

Mayor Ramsey reported on the following:

- That he attended a Coalition of Loudoun Towns (COLT) meeting, held last week; the next meeting of this organization will be held in March. Coordination between the County and the towns is a focus of the group
- That the Town of Middleburg has asked Round Hill if it is interested in participating in an "Italian car road race." Middleburg held the first race of this type last fall; it was very successful, and they would like to hold the event again this year, with the participation of other western Loudoun towns. Council agreed to Round Hill's participation in this event
- The next COLT meeting will be held March 11, 2020, and will be hosted by Round Hill. Councilperson Hummel will present a program on *cluster zoning*.

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

Councilperson Hummel noted that he will file to run for reelection. Mr. Hummel also informed those in attendance that the memorial service for Mr. Powers Thomas will be held this Saturday, beginning at noon.

Councilperson James asked if issues surrounding the "waterfall" feature on New Cut Road have been resolved; Town Administrator/Zoning Administrator Hynes reported that work continues on the issue, and it is expected that the feature will be removed.

Councilperson Allen reported that the goal for the banner to honor Woodgrove High School students is to recognize the graduating class of 2020, and to attach a list of championships won by members of the class during their school careers.

Vice-Mayor Graham reported that she was in the Lake Ridge subdivision, in regard to the grinder pumps located there, and noticed that all manhole covers are stamped "Loudoun County;" Ms. Graham noted that the subdivision is inside the Town limits, and wondered if these should be replaced. Mr. Peirce, the specialist working with the Town on the grinder pump issue, stated that the cost to replace the covers would be approximately \$400.00 each. Mayor Ramsey requested that Town Engineer Lane look for this issue in the future, specifically with the Brentwood Springs subdivision, and ensure that the issue is addressed in the Facilities Manual.

Vice-Mayor Graham also reported that she received advice from the Virginia Municipal League which stated that a municipality is allowed to change the name of its paid administrator from *Town Administrator* to *Town Manager*.

There were no further Council Comments.

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 10:44 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary