

**ROUND HILL TOWN COUNCIL  
REGULAR MEETING MINUTES  
July 15, 2020**

A Regular Meeting of the Round Hill Town Council was held on Wednesday, July 15, 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. The Mayor, Council Members, staff, and the public attended this meeting electronically using Zoom.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
Donald W. Allen  
Melissa Hoffmann  
Michael B. Hummel  
Paula James

There was one seat vacant due to the resignation of Councilperson Amy Evers.

**Staff Members Present**

Melissa Hynes, Town Administrator/Zoning Administrator  
Maureen Gilmore, Town Attorney  
Danni Albright, Town Planner  
Harriet West, Town Clerk  
Robert Lohr, Project Specialist  
Marty Feltner, Utility Supervisor

**Others Present**

Jesse Howe  
Peter Foster, Emery & Garrett Groundwater Investigations (EGGI)

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

Mayor Ramsey called the meeting to order at 7:30 p.m. Mayor Ramsey noted that, as the meeting is being held via electronic means, and an American flag is not available, the Pledge of Allegiance will not be recited.

**IN RE: ROLL CALL**

Roll Call was held; Mayor Ramsey noted that, with Vice-Mayor Graham, Councilpersons Allen, Hoffmann, Hummel, and James, and himself present, a quorum was established.

**IN RE: PUBLIC COMMENT**

There was no public comment.

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

Councilperson Hummel made a motion **to approve the Agenda as presented**; Councilperson Allen seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

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

**IN RE: APPROVAL OF MINUTES**

**a. June 3, 2020 Work Session**

Town Attorney Gilmore asked to clarify if *GoToMeeting* was used to facilitate the entire meeting of June 3, 2020, or if *ZOOM* was used following the swearing-in of recently elected Council Members. It was reported that *GoToMeeting* was used for the entire meeting. Town Attorney Gilmore requested that the minutes be corrected to reflect that fact.

Town Attorney Gilmore also noted that the introductory paragraph of each set of minutes should reflect that the meeting is being held electronically, pursuant to the Governor's Declaration of a State of Emergency; this Declaration is what allows the Town Council to meet, under the FOIA exemption. In addition, Ms. Gilmore noted that the Mayor should state that information at the beginning of each meeting, for inclusion in the record.

Councilperson Hummel asked if the reference to the Ordinance, contained in the introduction, is sufficient to meet the requirements; Town Attorney Gilmore stated that she would research that issue. It was also noted that this information is included on the Agenda for each meeting, which is part of the public record. Discussion ensued regarding the most efficient method to use, to ensure all public reporting requirements are met. Town Attorney Gilmore stated that she will work with Town Staff to ensure future minutes meet all FOIA (Freedom of Information Act) requirements.

Mayor Ramsey suggested that the minutes for June 3, 2020 be amended to correct the error regarding the vehicle used to facilitate the meeting, with prior minutes presented to Council for amendment, if deemed necessary by the Town Attorney and Town Administrator.

Vice-Mayor Graham then moved **to adopt the minutes, as amended**; Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0. The vote is recorded as follows:

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

Mayor Ramsey stated that the minutes from June 3, 2020 have been approved.

Mayor Ramsey stated, *"In March 2020, Virginia Governor Northam declared a State of Emergency and Disaster, due to the Coronavirus-19 Pandemic; by Executive Orders 51, 53 and 55, Virginia's Governor issued "Stay-at-Home" orders for Virginia residents and for all businesses and services, and urged citizens to avoid gatherings. On April 24, 2020 Governor Northam signed amendments to the Code of Virginia, Section 2.2-3708.2, which allows public bodies to conduct electronic meetings remotely to conduct statutorily required and necessary business to continue government during the health emergency disaster. The public emergency created by COVID-19 makes it unsafe and impractical for the Town Council to assemble in a single location. The purpose of this Regular Meeting is to conduct regular business of the Town Council. The Regular Meeting Schedule, which includes tonight's meeting, was adopted by the Town Council in January 2020, and was published on the Town's website. The Agenda for tonight's meeting was distributed earlier this week. This meeting is being held by electronic communication, by the use of ZOOM Meetings; members of the public were invited to participate remotely in this meeting through the use of ZOOM Meeting Client Procedures, and the following Council Members are participating in the meeting: Councilman Hummel, Vice-Mayor Graham, Councilwoman James, Councilman Allen, and Councilwoman Hoffmann, as well as myself, the Mayor. There does exist a quorum for this meeting, and a recording or transcript of the meeting shall be made available on the Town website, in accordance with the time-frames established in Virginia Code, Section 2.2-3707, and Section 2.2-3707.1, of the Code of Virginia.*

## **IN RE: BUSINESS ITEMS**

### **1. Main Street Project Update**

Project Specialist Lohr presented this item, stating that much progress has been made on this effort in the past thirty days. Mr. Lohr reported that during this thirty-day period, the County has awarded the contract, and Town Staff has walked the site with the contractor, all engineers, County staff, and the Construction Engineering and Inspection (CEI) contract staff. Project Specialist Lohr further reported that the contractor has been securing all necessary bonding, is preparing to open construction office sites, and has been meeting all paperwork and permit requirements. Mr. Lohr stated that the pre-construction meeting will

be held tomorrow (June 4, 2020); this will be conducted by County staff, the CEI consultant, and WRA (Whitman, Requardt & Associates, LLP) Lending. Mr. Lohr noted that, following this meeting, Town Staff will be able to provide updated schedules and expectations for the upcoming eighteen-month construction period. Mr. Lohr noted that this information will be provided to residents as soon as possible, with outreach to residents and businesses in the construction zone made via e-mail; additionally, notices will be placed on the Town's website and Facebook page. Notification regarding the project will also be provided to the general public.

Project Specialist Lohr reported that the contractor plans, at this point, to begin work at Franklin Park, and that subcontractors may be used at other areas in the construction zone to complete the stormwater management portion of the project.

Project Specialist Lohr turned the presentation over to Town Administrator/Zoning Administrator Hynes, who provided information regarding the "kick-off" of the project. Mr. Lohr noted that he would be happy to answer any questions following her presentation.

Town Administrator/Zoning Administrator Hynes reported that the ground-breaking ceremony for the Main Street Enhancement/Franklin Park Trail Project will be more "low-key," due to COVID restrictions. Board of Supervisors Chair Randall and Supervisor Buffington will speak, with the ceremony slated for July 28, 2020 at 4:00 p.m., to be held at the Town Park. Attendees will be encouraged to follow best practices, including observing social distancing, with the event streamed on Facebook for anyone who wishes to view the ceremony; the video will also be posted to the Town's website. Town Administrator/Zoning Administrator Hynes noted that this project has been ongoing for several years, and thanked Project Specialist Lohr for his work in bringing this to the point at which it will actually get underway.

In response to a question from Vice-Mayor Graham, Town Administrator/Zoning Administrator Hynes stated that formal invitations, and invitations delivered via e-mail, have been sent. Ms. Hynes asked that Council Members inform her of anyone they wish to invite to the ceremony.

Discussion ensued regarding the number of attendees allowed, under COVID restrictions, and regarding an individual who may be able to assist with the streaming of the event.

Mayor Ramsey asked Project Specialist Lohr if the Round Hill Owners' Association (RHOA) has been included in pre-planning meetings; Mr. Lohr responded that he has reached out to the Creekside (Brentwood Springs) HOA, and has notified the RHOA, for informational purposes. Project Specialist Lohr explained that the Creekside HOA was notified, as construction equipment will be travelling through the development. Mr. Lohr ensured Council that all pertinent information will be provided to both entities. Project Specialist Lohr also stated that the construction office site in Creekside (Brentwood

Springs) will be kept free of loose trash and will be restored to its present condition in a timely manner, when the project has been completed.

Mayor Ramsey noted that the Lake Point neighborhood will see an impact from the project, in the work to connect Franklin Park to the remaining trail system, and requested that the RHOA be provided information on that portion of the project; Project Specialist Lohr stated that he will provide the information to the group and will keep them apprised of developments.

Mayor Ramsey asked if a Public Information Session will be held; Town Administrator/Zoning Administrator Hynes stated that the most effective method for informing the public, in light of pandemic restrictions, will be to direct residents to the on-line Project Page, ensuring that the page is kept up-to-date. Ms. Hynes also noted that a sign containing financial information, a map of the project, and a phone number to call for more information, will be placed in a central location. Town Administrator/Zoning Administrator Hynes stated that Staff will explore additional methods for providing information to the public, with Project Specialist Lohr noting that recent easing of restrictions on the number of people allowed at public gatherings may allow for some type of in-person session. At the request of the Mayor and Council, Staff will provide a rendering of the sign to be posted, for input by Council. Finally, Mayor Ramsey asked to clarify that the County's website will be the primary point-of-contact; Town Administrator/Zoning Administrator Hynes noted that is correct. Mayor Ramsey reiterated that some method of keeping the public regularly informed regarding the project should be devised.

Project Specialist Lohr reported on efforts being undertaken to locate and mark utility infrastructure, as it will be the Town's responsibility to repair damage, if it occurs. In response to a question from Council, Mr. Lohr noted that all infrastructure will be documented, with the expectation being that lines of which the Town is currently unaware will be located during the project.

There was discussion of the schedule for the project, with Project Specialist Lohr reporting that work in Town, on Loudoun Street, is expected to begin in the late-winter/early-spring time frame.

## **2. Proposal for Well RND-D**

Project Specialist Lohr presented this item, noting that this project has been underway, in phases, for six years. Mr. Lohr stated that the impact of the dry summer weather, in conjunction with the COVID "Stay-at-Home" order, have made an already important project critical. Project Specialist Lohr reported that, due to the weather the area has been experiencing, the RHOA has granted the Town access to the well site via the asphalt path – this enables easier movement of equipment to the site, addresses concerns regarding

neighboring properties, and favorably affects the permitting process. Mr. Lohr also reported that a period of dry weather is the best time to conduct draw-down tests on wells.

Project Specialist Lohr reported that he received a document from the consultant EGGI containing answers to questions individual Council Members had posed; this document, which includes examples of work done in western Loudoun by EGGI, and with the costs explained, was provided to Council. Mr. Lohr asked if there were any questions.

Vice-Mayor Graham asked if the answers to those questions, provided by EGGI, were satisfactory; Mr. Lohr stated that they were. Project Specialist Lohr provided information regarding how the firm will handle security at the site, noting that a person will be on-site at any time the facility is operating.

Mayor Ramsey asked if the RHOA has informed Staff of any progress on the Access Agreement; Project Specialist Lohr stated that he has received positive feedback from the group, but does not yet have a contract. Mr. Lohr stated that he will reach out to the RHOA tomorrow with an update on the project, emphasizing the pressing need for an Agreement. Mayor Ramsey asked if there is a formal document before the leaders of the RHOA; Mr. Lohr stated that two generic agreements have been provided which would allow the Town access to the site, however, the group continues to add steps required of the Town. Mayor Ramsey recommended that a final agreement document be compiled and presented to the RHOA, with the matter referred to him if the group does not agree to sign. Project Specialist Lohr stated that he will provide a final document to them by the end of the week, and will request a meeting with all principals if they still will not sign.

In response to a question from the Council, Project Specialist Lohr provided information on the history of this effort, and on the work to be undertaken now to determine if the well will be appropriate for use by the Town. Steps to be taken, upon that determination, for the well to be acquired by the Town were also discussed.

Mayor Ramsey requested that a motion be made if the Council wishes to move forward in this process. Vice-Mayor Graham moved **that the Town Council approve the proposal for the Groundwater Exploration Program for the Town of Round Hill, for proposed Production Well RND-D, dated June 30, 2020, that it not exceed the amount of \$120,350.00, and directing Staff and the Town's Engineer to look at areas where the Town may reduce the cost by modifying the scope of the work without impacting the quality of the study.** Councilperson Hoffmann seconded the motion. Mayor Ramsey asked if there was any discussion of the motion. It was noted that EGGI is an elite company in this field.

Mayor Ramsey noted that Mr. Peter Foster, of EGGI, was in attendance, and asked if he had any comment; Mr. Foster thanked the Mayor and Council, and noted that Project Specialist Lohr's description of the work related to the testing of Well RND-D was

accurate. Mr. Foster stated that this well is one that the Town, through its collaboration with EGGI, identified and installed, and that it is "an incredible well site." Mr. Foster noted that his firm is excited about working with Round Hill, and stated that he would be happy to answer any questions. Mayor Ramsey noted that he did have some questions, which are not relevant to the contract under discussion this evening, and that he would pose those following Council action on the current motion.

There was no further discussion of the motion. Mayor Ramsey called for a voice vote; the motion was approved 5-0. The vote is recorded as follows:

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

Mayor Ramsey stated that the Town Administrator may execute the contract.

Mayor Ramsey asked Mr. Foster if the 2,000-foot radius established for monitoring the wells is a state requirement. Mr. Foster explained the two reasons his firm suggested a 2,000-foot radius: due to the location of nearby wells; and, because it is possible, for a well that produces at the rate it is believed this well may, that impacts could extend up to that distance. Mr. Foster noted that EGGI would work with the Town in an effort to notify anyone this may impact. Mr. Foster stated that he will research County and State regulations regarding this, noting his belief that a radius of at least 1,000 feet is required. Mr. Foster further noted that the 2,000-foot area around the well could be reduced, and that a further investigation of the geology of the area could allow for a reduction/redirection of the perimeter. There were no further questions. Mayor Ramsey thanked Mr. Foster for joining the meeting.

### **3. Virginia Resources Authority (VRA) Refunding Update**

Town Administrator/Zoning Administrator Hynes presented this item, beginning by thanking Town Clerk West and Town Attorney Gilmore for their assistance throughout the process. Ms. Hynes reported that the VRA representative provided the Town with an updated Preliminary Debt Service Schedule, which reflects a savings to Round Hill of approximately \$1,100,00.00, or 21.77 percent of refunded principal, an increase over the original estimate. Town Administrator/Zoning Administrator Hynes explained that this schedule will be finalized on July 22, with the final documents to be signed by Town Officers on July 27; documents must be returned by July 30, with the closing scheduled for August 5, 2020.

Mayor Ramsey suggested that an update to the Rate Study may be warranted due to this refunding, with the study completed by June 2021.

**IN RE: ACTION ITEMS**

There were no Action Items.

**IN RE: TOWN COUNCIL COMMENTS**

Councilperson Hummel noted that some Council Members have not yet signed requisite forms from the Oath of Office recently administered by County Clerk Clemens; those Council Members were asked to complete this requirement as soon as possible.

Councilperson Hummel reported that no applications have been received for vacancies on the Planning Commission and the Town Council; Mr. Hummel asked Council Members to continue to encourage anyone they know, who is eligible, to apply.

Councilperson Hummel asked if there are any additional Voluntary Water Restriction notice signs; Town Administrator/Zoning Administrator Hynes reported that more signs are being produced. Mr. Hummel stated that he has created a map of additional areas where it may be beneficial to post signs, and stated that he will work with the Town Administrator on this effort.

Vice-Mayor Graham stated that the new lapel pins for those representing Round Hill in an official capacity are available at the Town Office.

Vice-Mayor Graham stated that Utility Supervisor Feltner has reported that the Town's wells are "holding their own;" however, there is a possibility that mandatory water restrictions may be required. Ms. Graham asked if it would be possible for the Council to meet in August, if this becomes necessary, as a Town Council vote would be required. Utility Supervisor Feltner reported that preliminary monitoring of the wells has shown that the customer base has reduced its usage somewhat, and that the levels of the wells are not as problematic as they were when the request for restrictions was made, although the wells are not back to normal production.

Councilperson James asked if classes recommended by Staff for Town Council and Planning Commission Members are available on-line; Town Administrator/Zoning Administrator Hynes stated that they should be, and that she will provide the link to those who are interested.

Councilperson James asked about legal costs related to the *Round Hill Ready for Business* grant program; Town Administrator/Zoning Administrator Hynes stated that she will provide information related to this question to Council via e-mail. Town Administrator/Zoning Administrator Hynes and Town Attorney Gilmore explained that the County Economic Development Authority (EDA), which will be administering the program, has requested more robust requirements for businesses seeking grants than those Round Hill originally proposed; it is required that the funds be spent on COVID-related expenses, and the Town could be liable if it is discovered later that they were not. Town Administrator/Zoning Administrator Hynes presented



two alternative methods by which the program/funding could be administered. In response to a question from Mayor Ramsey, Town Attorney Gilmore explained that this is a request from the EDA, made in an effort to properly meet Federal requirements, so that the Town will be protected. Discussion ensued, with Mayor Ramsey suggesting that the Town move forward with the plan as devised, rather than putting the onus of producing receipts on Town businesses. It was noted that there are funding sources which Round Hill may use to cover expenses which may be disputed. Town Attorney Gilmore recommended that Town Clerk West's suggestion of including a certification on the application form be followed. Mayor Ramsey explained that he does not wish to create an onerous amount of paperwork for businesses, and he does not want to delay providing the funding.

Town Administrator/Zoning Administrator reported that Mr. Jesse Howe, who is in attendance this evening, has expressed an interest in applying for the vacant Town Council position. Mr. Howe introduced himself and noted that he will submit an application. Mr. Howe stated that he and his wife moved to Round Hill in September, and that he works in IT.

Councilperson Allen asked about landscaping which is to be done on his property in the Lake Ridge subdivision, in an area where there was recent utility work; Town Administrator/Zoning Administrator Hynes and Utility Supervisor Feltner stated that they will work with Mr. Allen on this issue.

Mayor Ramsey reported on the Coalition of Loudoun Towns (COLT) meeting held last week, during which a Comprehensive Plan Amendment, proposed by the County to allow extension of Loudoun Water utilities into the Rural Policy Area, was discussed. Mr. Ramsey noted that the exception provided for in the Comprehensive Plan Amendment is relatively narrow; however, COLT is concerned that this could set a precedent for providing additional service in the Rural Policy Area. Therefore, COLT is reaching out to the County Board of Supervisors to discuss alternative options, particularly the possible realignment of the Policy Area boundaries.

Mayor Ramsey also reported that COLT has discussed the proposal to create a County Police Department; this proposal, if implemented, would impact Round Hill.

Finally, Mayor Ramsey reported that a private utility operator, Aqua Virginia, approached the Town of Purcellville with an offer to purchase its utility system and operate it privately. The Purcellville Town Council discussed the proposal in a closed session; it is reported they will decline the offer.

#### **IN RE: CLOSED SESSION**

Mayor Ramsey explained that the Closed Session will be conducted via an audio-only call, into which Council Members and those invited will connect. At the conclusion of the Closed Session, Council will return to the on-line ZOOM format to conduct the rest of this evening's meeting.

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting and convene a Closed Session to consider the acquisition of real property to be used for public utility resource purposes, as permitted by the Virginia Freedom of Information Act, §2.2-3711(A)(3); those invited to participate in the Closed Session are all Town Council Members, Melissa Hynes, Town Administrator, and Maureen Gilmore, Town Attorney.** Councilperson Allen seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 5-0. The vote is recorded as follows:

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

Mayor Ramsey declared the meeting to be in Closed Session, and called for a brief recess at 9:11 p.m. before going into Closed Session.

The Mayor returned to the Zoom meeting at 9:38 p.m. He reported that Councilperson Allen was having computer difficulties, but he would try to rejoin the meeting. The Mayor was joined by the rest of the Council Members, the Town Administrator, and the Town Attorney. A brief discussion ensued about the August meeting schedule. It was decided that the Town Council will hold only one meeting in August, on August 5, to discuss applications to fill Town Council and Planning Commission vacancies; the meeting of August 19 will be cancelled. The September 2 meeting will include a discussion about holding future meetings using Zoom or in the Town Office.

#### **IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING**

Vice-Mayor Graham moved **that the Round Hill Town Council adjourn its Closed Session and reconvene its open meeting;** Councilperson James seconded the motion. There was no discussion. A voice vote was held; the motion was approved 4-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

Mayor Ramsey stated that the Town Council has returned to Open Session at 9:41 p.m.

#### **IN RE: CERTIFICATION OF CLOSED SESSION**

Vice-Mayor Graham moved **that the Round Hill Town Council adopt Resolution 2020-13, certifying that, while in Closed Session, the Round Hill Town Council discussed only those matters that were contained in the motion by which the Town Council convened its Closed Session, and that were lawfully exempt from open meeting requirements;** Councilperson

Hoffmann seconded the motion. There was no discussion. A voice vote was held; the motion was approved 4-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 9:43 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary

Date Approved: September 2, 2020