

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
March 19, 2020**

A Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, March 19, 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
Michael B. Hummel
Paula James

Staff Members Present

Melissa Hynes, Town Administrator/Zoning Administrator
Maureen Gilmore, Town Attorney

Others Present

Clinton Chapman

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:40 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey stated that, with all Councilpersons, Vice-Mayor Graham, and himself present, a quorum was established.

IN RE: PUBLIC HEARING

Mayor Ramsey stated that two items were advertised for this evening's Public Hearing, the *Town of Round Hill Budget, Tax Rate and Fee Schedule*, and the *Meals Tax Ordinance and Transient Occupancy Tax Ordinance*.

1. FY2021 Town of Round Hill Budget, Tax Rate and Fee Schedule

Mayor Ramsey opened the Public Hearing on the Budget, Tax Rate and Fees at 7:41 p.m., and asked if anyone from the public wished to address the Council on those items, as advertised. Mayor Ramsey requested that speakers state their name and address for the record.

There were no comments from the public.

Mayor Ramsey closed this portion of the Public Hearing at 7:42 p.m.

2. Meals Tax Ordinance and Transient Occupancy Tax Ordinance

Mayor Ramsey opened the Public Hearing on the *Meals Tax Ordinance* and *Transient Occupancy Tax Ordinance* at 7:42 p.m. and asked if anyone from the public wished to address the Council on those items, as advertised.

Mr. Clinton Chapman, of the Stoneleigh subdivision, Round Hill, spoke, noting that, at a previous meeting at which the *Meals Tax* was discussed, a question was posed regarding the billing process, and how this subject would be addressed, if Stoneleigh were to be brought into the Town limits of Round Hill. Mr. Chapman explained that the method used by Stoneleigh for billing for food is outside the thirty-day window provided for in the *Meals Tax Ordinance*. Mayor Ramsey further explained that, although the Ordinance requires that this tax be collected at the point of sale, Stoneleigh does not receive payment for meals at the point of sale, but rather bills members, resulting in a lag for receiving payment of at least forty-five days. Town Administrator/Zoning Administrator Hynes asked to clarify if membership fees are used to pay for meals; Mr. Chapman stated that they are not, and explained the billing system in use there in further detail. Councilperson Hummel asked if sales taxes collected for and disbursed to Loudoun County are being deferred by the County; Mr. Chapman stated, "apparently so." Discussion ensued, with Councilperson Allen noting that the actual date members are billed by the club is the pertinent date for collection of taxes, with Councilperson Hummel noting that the transaction does not actually occur until the bill is provided to the customer. It was noted that, upon collection of the taxes at the time of billing, the club then has twenty days to remit the funds to Round Hill. It was agreed by all that this represents a fair interpretation of the Ordinance for Staff to follow.

There were no further comments.

Mayor Ramsey closed the Public Hearing at 7:48 p.m.

Mayor Ramsey opened the floor to Public Comment on this evening's Agenda.

IN RE: PUBLIC COMMENT

There was no public comment.

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

Vice-Mayor Graham moved **that the Agenda be adopted, with the following Action Items added: as Action Item #1 – Resolution 2020-02, Resolution Approving the Declaration of Local**

Emergency, Issued by the Town Administrator on March 17, 2020; Action Item #2 – Resolution 2020-03, Authorizing the Town Administrator to Approve Measures and to Expend Funds Necessary to Respond to the State of Emergency; Action Item #3 – Resolution 2020-04, Authorizing Suspension of Utility Disconnections and Utility Account Late Fees and Interest; and, Action Item #4 – Resolution 2020-05, Authorizing the Town Administrator to Negotiate and Enter into Contracts. Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

IN RE: APPROVAL OF MINUTES

1. January 23, 2020 Council Meeting

Mayor Ramsey noted that a correction had been received in advance of this evening's meeting: on page seven, under *Mayor's Report*, the reference to Mayor Vance should read the *Town of Hillsboro*, not the *Town of Hamilton*. There were no further corrections. Councilperson Hummel moved **to approve the January 23, 2020 Council Meeting minutes, with the change noted**; Councilperson Evers seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

IN RE: BUSINESS ITEMS

1. Round Hill Pandemic Response Plan

Mayor Ramsey noted that this plan was provided, via e-mail, to Council by Town Administrator/Zoning Administrator Hynes; the Mayor then opened the floor to any questions or concerns Council Members may have. Mayor Ramsey asked if Town parks are to remain open; Town Administrator/Zoning Administrator Hynes stated that the Town will follow the lead of the County in its operation of Franklin Park, opening or closing Town parks dependent upon the status of Franklin Park. Mayor Ramsey reported that the Town of Hamilton has closed its park, due to concerns regarding disinfection of equipment;

all other towns, to date, have decided to keep their parks open. Mayor Ramsey suggested that, as a matter of policy, groups should not be allowed to use the parks during the emergency. There were no further questions or comments.

Mayor Ramsey and Council thanked Town Administrator/Zoning Administrator Hynes for her work on this plan.

2. Town Council Meeting Schedule (Amendment to the Town Code)

Town Administrator/Zoning Administrator Hynes explained that a Public Hearing is not required to amend the Town Code to allow for Town Council meetings to be held on Wednesday rather than Thursday; the amendment must, however, be advertised. Ms. Hynes also explained to Council that, in the future, the Meeting Schedule should be adopted by July 1, the beginning of the fiscal year. It was noted that a vote was previously held to adopt the schedule setting meetings, beginning in April, for Wednesday rather than Thursday, and that that schedule will be advertised.

Vice-Mayor Graham raised the issue of the possible cancellation of both April meetings; Mayor Ramsey stated that, if all necessary business, especially adoption of the FY2021 Budget, is accomplished this evening, the April meetings will be cancelled. Mayor Ramsey further noted that, if any issue arises requiring Council action, he will call a special meeting. It was noted that the Chairs of the Planning Commission and the Board of Zoning Appeals will determine their meeting schedules; however, Mayor Ramsey made the recommendation that they not meet during the emergency.

IN RE: ACTION ITEMS

1. Resolution 2020-02: Approving Declaration of Local Emergency Issued by the Town Administrator on March 17, 2020

Mayor Ramsey called for a motion to adopt this Resolution, which Vice-Mayor Graham **so moved**; Councilperson Evers seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

Mayor Ramsey stated that *Resolution 2020-02* has been approved.

2. Resolution 2020-03: Authorizing the Town Administrator to Approve Measures and Expend Funds Necessary to Respond to the State of Emergency

Mayor Ramsey called for a motion to adopt this Resolution, which Councilperson Evers **so moved**; Councilperson Allen seconded the motion. Councilperson Hummel noted that a dollar amount was not included in the motion, with Mayor Ramsey noting that the Town Administrator has the authority to approve expenditures up to \$10,000.00 without Council approval, if the expenditure is provided for in the budget. Discussion ensued regarding the proper amount to include in the Resolution, in the event a response to the emergency is required which exceeds the Town Administrator's purchasing authority; Mayor Ramsey suggested that approval be for expenditures up to a total amount of \$100,000.00, with expenditures above that amount requiring approval by the Town Council. It was noted that this relates only to situations tied directly to the State of Emergency. Vice-Mayor Graham asked to clarify that, when the emergency subsides, the Town Council will issue a Resolution retracting this authority; it was noted that, upon cancellation of the Emergency Declaration, this authority will automatically be rescinded. Mayor Ramsey noted that *Resolution 2020-03* has had the spending limit of up to \$100,000.00 included. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

Mayor Ramsey stated that *Resolution 2020-03* has been approved.

3. Resolution 2020-04: Authorizing Suspension of Utility Disconnections and Utility Account Late Fees and Interest

Mayor Ramsey called for a motion to adopt this Resolution, which Vice-Mayor Graham **so moved**; Councilperson Allen seconded the motion. Vice-Mayor Graham asked why late fees are being suspended; Mayor Ramsey explained that this action was discussed during a Coalition of Loudoun Towns (COLT) meeting, and that all municipalities, except Leesburg, agreed to suspend late fees during the emergency situation. Town Administrator/Zoning Administrator Hynes reported that both Loudoun Water and Dominion Energy have also suspended late fees for the duration. Mayor Ramsey further clarified that, when the emergency situation ends, collection of late fees will resume, with notification of this action provided to customers. Discussion ensued regarding the wording of the Resolution, so that the resumption of the collection of late fees and interest is made clear to customers. Town Attorney Gilmore informed Council that, if a definite end date for suspension of late fees is not included in the Resolution, the Town Council will be required to take action to end the suspension. It was also noted that this action will not

negate late fees and/or interest already applied to an account, but will suspend the assessment of late fees and interest charges until the end of the emergency situation. Mayor Ramsey suggested that the final paragraph of the Resolution be changed to read, *BE IT FURTHER RESOLVED that these actions shall be in effect until thirty days after the end of the Town's state of emergency*; both Vice-Mayor Graham, who made the motion, and Councilperson Allen, who seconded the motion, agreed to this change. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

Mayor Ramsey stated that *Resolution 2020-04* has been approved.

4. Resolution 2020-05: Authorizing the Town Administrator to Negotiate and Enter into Contracts

Mayor Ramsey explained that this Resolution is specific to active contract negotiations which would require the reconvening of the Town Council for approval, if negotiations are completed during the state of emergency; these include the lease with Sprint for placement of cellular equipment on the Evening Star Drive water tower, and the trash contract. Mayor Ramsey stated that the Town Administrator is requesting authority to enter into those contracts if negotiations come to fruition during the state of emergency, upon approval of the Town Attorney. The Town Administrator/Zoning Administrator sought Council guidance on how to move forward on contracts currently under negotiation/bids currently being sought for upgrades to the Town Office; this work has been included in the FY2021 CIP budget, which will allow for commencement of the work beginning July 1; however, the contracts may require signatures prior to that date. Discussion ensued, with the question being raised of the necessity of this precaution into or through July; Mayor Ramsey noted that the Town Council may still meet during the state of emergency, and that it is up to Council Members to decide how comfortable or uncomfortable they may be meeting during the current circumstances. Mayor Ramsey stated his belief that the two contract negotiations cited, the lease for cellular equipment on the water tower and the trash contract, may move forward, but suggested that, if any other contract negotiation occurs which involves an amount over the current spending authority provided to the Town Administrator, a Town Council meeting should be held. Vice-Mayor Graham asked that Council be notified when these contracts are signed.

Vice-Mayor Graham then made a motion **that the Town Council approve Resolution 2020-05: Authorizing the Town Administrator to Negotiate and Enter into**

Contracts; Councilperson Hummel seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

Mayor Ramsey stated that *Resolution 2020-05* has been approved.

5. FY2021 Budget, Tax Rate and Fee Schedule

Mayor Ramsey noted that a copy of this Ordinance, *Ordinance 2020-02*, has been included in Council Members' packets; this Ordinance will allow for adoption of the FY2021 Budget, Tax Rate and Fee Schedule. The Mayor explained that a super-majority vote is required to approve the Budget. Mayor Ramsey called for a motion to approve *Ordinance 2020-02*, which Councilperson Allen **so moved**. Mayor Ramsey stated that Councilperson Allen moved to adopt the *FY2021 Budget, Tax Rates, Motor Vehicle License Fees, Business License Tax Fees, Cigarette Tax, Land Development Fees, Zoning Fees and Utility Rates and Fees, as advertised*. Vice-Mayor Graham seconded the motion. Mayor Ramsey called for discussion of the motion; Vice-Mayor Graham stated that she will vote no, as she felt the Real Estate Tax rate should not have been decreased to \$.10 per \$100.00, but that a more conservative rate should have been included. There was no further discussion. A voice vote was held; the motion was approved 5-1, with Vice-Mayor Graham voting no. The vote is recorded as follows:

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

Mayor Ramsey stated that the Budget carried, with a five-to-one vote, and that the Budget, Tax Rates and Fee Schedule have been adopted.

Town Administrator Hynes thanked the Council for its hard work on the Budget.

6. Ordinance 2020-03: Intent to Amend Town Code, Chapter 21, Adding Article IV, Meals Tax Ordinance and Article V, Transient Occupancy Tax Ordinance

Mayor Ramsey stated that these amendments to the Town Code have been advertised, and clarified that, at present, a rate has not been set in the Schedule just adopted, so both Ordinances will go on the books reflecting a zero percent tax rate. Mayor Ramsey noted that a potential rate will be discussed during the next budget cycle. Councilperson Allen then made a motion **that the Town Council approve Ordinance 2020-03: Intent to Amend Town Code, Chapter 21, by adding Article IV, Meals Tax, and Article V, Transient Occupancy Tax, said amendments to become effective fourteen days after adoption of this Ordinance;** Vice-Mayor Graham seconded the motion. Discussion ensued regarding possible notification of businesses of the adoption of this Ordinance, with it being noted that the provision is being adopted with a zero percent rate, thus no business will be impacted by its adoption during the upcoming fiscal year. There was no further discussion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

Mayor Ramsey stated that the *Meals and Transient Occupancy Tax Ordinance* has been approved.

7. Emergency Valve Installation at Two Locations

Town Administrator/Zoning Administrator Hynes noted that information regarding this project was provided to Council Members prior to this evening's meeting, and asked if there were any questions; there were none. Vice-Mayor Graham moved **that the Town Council approve the installation of two valves, at the Stoneleigh water tank and at the large reservoir, at a cost not to exceed \$32,000.00, to be transferred from the Well Maintenance Budget to the Water Line Repairs Budget;** Councilperson Hummel seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

8. Modification #1 to the Memorandum of Understanding for Cost Participation and Cooperative Procurement between the County of Loudoun and the Town of Round Hill for the Franklin Park Trail and the Round Hill Main Street Project

Vice-Mayor Graham moved **that the Town Council approve Modification number one to the MOU for Cost Participation and Cooperative Procurement between the County of Loudoun and the Town of Round Hill for the Franklin Park Trail and the Round Hill Main Street Project, included under Attachment #3**; Councilperson Allen seconded the motion. Mayor Ramsey explained that adoption of this measure will allow bills for this project to go directly to, and be handled by, Loudoun County. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

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

Mayor Ramsey stated that the modification to the MOU has been approved.

IN RE: REPORTS

1. Town Administrator Report

Town Administrator/Zoning Administrator Hynes reported that many of her efforts during the health emergency currently existing has been to ensure the wellbeing of Staff. Ms. Hynes also reported that work continues on the hiring of personnel for vacant positions.

2. Mayor's Report

Mayor Ramsey reported on the following:

- That there was a conference call, yesterday, of the Coalition of Loudoun Towns (COLT) members, at which common actions to be undertaken in regard to the health emergency were discussed; these included the suspension of utility shut-offs, the suspension of assessment of late fees, the declaration of local emergency, and

that use of necessary town facilities to be made available to the County. A press release regarding these actions will be published soon.

- That he attended the regular meeting of COLT, held on March 11, at which Councilperson Hummel provided a presentation regarding conservation easements and cluster ordinances in Loudoun County. Mayor Ramsey noted that COLT will continue to meet via conference call during the state of emergency.
- That the Hometown Festival committee has decided to postpone the event, with a target date of October 10, Columbus Day weekend, set to hold the Festival. Council concurred with this change of date for the Hometown Festival.

IN RE: COUNCIL COMMENTS

There was discussion of the upcoming municipal elections, currently set for May 5, 2020; it was noted that the date could change, dependent upon action by the Governor and/or the General Assembly. Mayor Ramsey reported that the Registrar has begun a promotion to encourage citizens to vote via absentee ballot.

Vice-Mayor Graham reported that the Town lapel pins have been ordered.

Councilperson Evers thanked Town Administrator/Zoning Administrator Hynes for her hard work in setting up this evening's meeting to comply with current health recommendations.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 8:46 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary