

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

A Regular Meeting of the Round Hill Town Council was held on Wednesday, May 20, 2020, at 7:30 p.m. Due to the ongoing COVID-19 Pandemic, this meeting was 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, Council Members, staff, and public attended this meeting electronically using Zoom.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Amy E. Evers
Melissa Hoffmann
Michael B. Hummel
Paula James

Council Members Absent

Donald W. Allen

Staff Members Present

Melissa Hynes, Town Administrator/Zoning Administrator
Maureen Gilmore, Town Attorney
Robert Lohr, Project Specialist
Harriet West, Town Clerk and FOIA Officer

Others Present

Patrick Szabo, *Loudoun Now*

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:49 p.m. As this meeting was held by electronic means, the Pledge of Allegiance was not recited.

IN RE: ROLL CALL

Mayor Ramsey stated that, with all Councilpersons except Councilperson Allen, as well as Vice-Mayor Graham and himself, present, a quorum was established.

IN RE: PUBLIC COMMENT

Town Administrator/Zoning Administrator Hynes reported that no public comment has been received via e-mail, and that no one from the public is currently in attendance via electronic means.

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

Vice-Mayor Graham moved **that the Agenda be approved, with the following change: that *BPOL Relief* be the first item discussed**; Councilperson Hummel seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

IN RE: BUSINESS ITEMS

1. BPOL Relief

Vice-Mayor Graham introduced this item, noting that she forwarded her suggestions regarding possible relief for Round Hill businesses during the current emergency to Council; Ms. Graham noted that additional information was also provided to Council Members. Vice-Mayor Graham stated her belief that consideration of reimbursement of the total paid by businesses in BPOL taxes would not be appropriate, and asked Council Members for their suggestions as to an appropriate way to handle this matter. Mayor Ramsey stated that staff conducted additional research on this topic, and asked Ms. West to summarize her findings, as outlined in the Staff memorandum. Mayor Ramsey explained that Council will consider the following: 1) if it wishes to provide relief to Round Hill's businesses; and, if it does, 2) the form of relief and the amount to be considered. Ms. West then provided her summary, reporting that she researched actions being taken to provide relief to businesses in Lovettsville, Middleburg, and Purcellville. Ms. West explained that Lovettsville is working to develop a plan based upon Loudoun County's Business Interruption Fund, which is a grant program; Middleburg has devised a voucher program and a retail program in which businesses may offer discounts of up to thirty percent to customers, to be reimbursed to the businesses by the town; and that Purcellville has devised a voucher program for its restaurants. Ms. West reported that Loudoun County is considering providing CARES Act funding to the towns, with a proposal voted upon last evening by the Board of Supervisors; however, information regarding this has not yet been provided to the towns. Ms. West also reported that Lovettsville has postponed its due date for payment of BPOL taxes and has approved a small marketing campaign to promote its businesses.

Mayor Ramsey noted the need for considering the scale of any initiatives considered, based upon the number of businesses in the Town and the financial contribution to the Town of each. Mr. Ramsey noted that all other municipalities in western Loudoun have BPOL totals greater than those in Round Hill.

Mayor Ramsey asked if Council wishes to consider providing any type of relief to the Town's businesses, noting that most are still operating, but have seen negative impacts from the emergency orders. Council Members indicated their agreement with undertaking a relief program. Mayor Ramsey provided funding amounts which could be dedicated to this initiative.

Discussion ensued regarding the number of businesses in Round Hill which may qualify for assistance, with it being determined that approximately twenty would qualify. There was also discussion of sources of funding for this initiative, such as BPOL tax revenue and funding from the CARES Act. Town Attorney Gilmore provided information on how CARES Act funding may be used, noting that the federal government imposed specific standards, which will be provided in writing to the towns by the County. Town Attorney Gilmore explained that this funding may not be used in regard to lost revenue, and recommended that CARES Act funding not be used in conjunction with relief of BPOL taxes. Ms. Gilmore explained that the federally provided funding may only be used for expenses incurred in direct response to the COVID pandemic, such as provision of protective gear, to cover additional costs for sanitation, and to cover administrative costs for COVID-related items.

Mayor Ramsey asked if it would be permissible to establish a business interruption fund, not tied to BPOL, using CARES Act funding; Town Attorney Gilmore stated that it would. Mayor Ramsey stated his belief that the amount of any grant provided should be proportional to the contribution made by the business to the Town. Town Attorney Gilmore suggested that business owners be asked to quantify the amount of decline, and/or articulate the effects, the emergency orders have brought upon their businesses.

Mayor Ramsey asked Council Members if they prefer to initiate a tax relief program, which would not be refundable by CARES Act funding, or if they prefer to institute a grant program which would be reimbursable by federal funding. Council Members indicated that, whatever type of program is instituted, they want the application process to be as simple as possible, and the disbursement of funds to businesses to be done as quickly as possible. Discussion ensued regarding the method by which an award under a Business Interruption Grant program would be quantified, with Town Attorney Gilmore suggesting that gross receipts, as indicated on each business license, could be used to gauge the amount of grant funding provided. It was the consensus of the Council that grant funding be provided as soon as possible, with reimbursement made to the Town by CARES Act funding, when it becomes available. Mayor Ramsey suggested that a base amount for an award be determined, to be provided to each eligible business, with additional funding provided based upon the gross receipts of each business. Mayor Ramsey also noted that additional awards could be made to Town businesses, if the need exists.

Specific criteria for eligibility were discussed; criteria include: holding a Round Hill business license, that the license be in good standing, that the business have a minimum of

at least three employees, and that the additional amount of award provided be determined by the amount of gross receipts. Mayor Ramsey requested that an application form, and a formula for determining award amounts, be developed by Staff for presentation at the next Town Council meeting; a vote will be held on approval and implementation of the program at that meeting. It was noted that, in order to properly meet requirements contained in the State Code, Council will set the parameters for the program, with development and management of the program to be handled by Town Staff. It was determined that, if the program is approved at the next Town Council meeting, funds should be ready for distribution by June 15.

The amount of CARES Act funding expected to be received, and the expenditures made, or expected to be made, in the Town's response to the COVID-19 emergency were discussed; it was noted by Mayor Ramsey that the remainder of monies received from the CARES Act, after payment of the Town's expenses, could be maintained in a contingency fund, or could be used for the Business Interruption Grant program. Council decided to use \$15,000.00 of the monies received from the CARES Act to fund the grant program.

IN RE: APPROVAL OF MINUTES

1. January 23, 2020 Regular Meeting

Councilperson Hummel referenced the discussion of the *Pedestrian Tunnel*, on page four, and asked if the phrase *...it was recently discovered that Round Hill is responsible for the tunnel* is correct, or if the wording should be refined; it was determined that Round Hill is responsible for the *maintenance* of the tunnel, and that the phrase should be worded *...it was recently discovered that Round Hill is responsible for maintenance of the tunnel*. Councilperson Hummel then referenced discussion of the *Utility System GIS*, also located on page four, requesting that the phrase *...and subsequent storage of all water and sewer mains* be reworded to read *...and subsequent storage of location information of all water and sewer mains*; it was felt that this will provide needed clarity. Finally, on page eight, Councilperson Hummel noted that Mayor Vance is *Mayor of Hillsboro*, not *Mayor of Hamilton*, as written; Mr. Hummel requested that that reference be corrected. There were no further corrections. Councilperson Hummel then moved **to approve the minutes, with the changes noted**; Vice-Mayor Graham seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

2. February 6, 2020 Work Session

Vice-Mayor Graham moved **that the minutes be approved**; Councilperson Hoffmann seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

IN RE: BUSINESS ITEMS

2. Financing for Elevated Water Tank

Project Specialist Lohr presented this item, explaining that a parameter included in the loan application made by the Town last week requires submission of certification that the Town Council is aware of, and acknowledges, that the Town submitted the loan. Mr. Lohr noted that, technically and formally, this acknowledgement was accomplished by the Council's approval of the Task under the CIP; however, to ensure that all application process parameters are fully met, this additional certification is being requested. Project Specialist Lohr explained that providing this certification does not commit the Town to undertaking the loan, but simply authorizes the Town to pursue the loan through the Virginia Department of Health, Office of Water Programs.

Mayor Ramsey asked if there were other avenues through which funding may be sought; Project Specialist Lohr stated that this program is likely one of the best, and provides a low interest rate over the twenty-year life of the loan. Mr. Lohr noted that other loan options probably would not provide terms which are as favorable, and that federal sources of funding come with many layers of regulation. Project Specialist Lohr also noted that pursuing this option does not preclude the Town from filing applications with other entities. Mr. Lohr explained that the loan program under discussion this evening has only one application date per year; other possible sources of funding do not have specific application deadlines.

Vice-Mayor Graham then moved **that the Town Council formally authorize the Town Administrator to make a loan application to the DWSRF, in an amount not to exceed three million dollars, to fund the water storage tank for the Southern Zone**; Councilperson Hummel seconded the motion. There was no discussion. A vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

3. BLA Update

Mayor Ramsey introduced this item, asking Councilperson Hummel to report on a recent conversation he had with a member of the Board of Directors of the Homeowners' Association of the Brentwood Springs neighborhood. Mr. Hummel reported that the board member he spoke with asked for an update on the Boundary Line Adjustment process, and indicated that there is interest among residents for the subdivision to be brought into the Town limits. Councilperson Hummel suggested that, when the current health emergency subsides, the BLA effort with the Brentwood Springs neighborhood be taken up again. Discussion ensued regarding the possibility of holding an additional public information session with Brentwood Springs residents, either electronically, or in person when circumstances permit. Mayor Ramsey also indicated that he will again take up his outreach to residents regarding the BLA process, likely beginning these discussions after the Memorial Day holiday.

IN RE: ACTION ITEMS

1. Resolution Appointing Town Clerk and FOIA Officer

Town Administrator/Zoning Administrator Hynes introduced this item, noting that Harriet West, who has agreed to serve as the Town Clerk and FOIA Officer, previously worked as the Town Clerk for the Town of Lovettsville, serving in that position for eight years. Ms. Hynes noted that Ms. West is very qualified for the position here. Ms. West stated that she is very happy to be working for the Town of Round Hill.

Vice-Mayor Graham made a motion **that the Town Council adopt Resolution 2020-06, Appointment of Town Clerk and Freedom of Information Officer.** Vice-Mayor Graham read the following into the record:

NOW, THEREFORE, be it resolved that the Town Council of the Town of Round Hill hereby appoints Harriet West as the Town Clerk and Freedom of Information Act Officer for the Town of Round Hill, effective May 21, 2020.

Councilperson Evers seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

Mayor Ramsey and the Council congratulated Town Clerk West, and welcomed her to the Town of Round Hill. Ms. West thanked the Council.

2. Resolution Authorizing Execution of Virginia Water and Wastewater Agency Response Network Mutual Aid Agreement

Town Administrator/Zoning Administrator Hynes provided background information on this item, explaining that her research on best practices during an emergency situation for water and sewer providers led her to this resource. Ms. Hynes reported that Utility Supervisor Feltner has utilized information provided by this network; additionally, Ms. Hynes noted, the network may also be called upon to provide staffing and/or equipment, if needed. Town Administrator/Zoning Administrator Hynes explained that there is no cost associated with membership. Town Administrator/Zoning Administrator Hynes and Utility Supervisor Feltner recommend that the Town Council pass the resolution before it this evening, so that Round Hill may be officially recognized as a member of the network. Mayor Ramsey asked if any nearby utility providers are also members of the network; Ms. Hynes stated that she is not sure, but will determine if any are and return to him with this information.

Vice-Mayor Graham then moved **that the Town Council approve Resolution 2020-07, Authorizing Execution of the Virginia Water and Wastewater Agency Response Network Mutual Aid Agreement.** Vice-Mayor Graham read the following into the record:

NOW, THEREFORE, be it Resolved by the Mayor and Members of the Town Council of the Town of Round Hill, that the Town Administrator is hereby authorized to execute the Virginia Water and Wastewater Agency Response Network Mutual Aid Agreement, which is hereby approved.

Councilperson Hoffmann seconded the motion. It was reaffirmed, in response to a question from Council, that there is no cost associated with membership in this network. A vote was then held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

IN RE: COUNCIL COMMENTS

Vice-Mayor Graham asked the Town Administrator if the Water and Sewer Ordinances will be presented to Council in the near future, for approval and subsequent scheduling of a Public Hearing; Town Administrator/Zoning Administrator Hynes stated that they will, tentatively for the second Town Council meeting in June. Vice-Mayor Graham asked for an update on submission of disclosures required of owners of short-term rental properties in Round Hill; Town Administrator/Zoning Administrator Hynes explained that the deadline for submission of these disclosures has been moved to January, due to the pandemic. In response to a question from Council, background information on this effort was provided by Town Administrator/Zoning Administrator Hynes and Mayor Ramsey.

Councilperson Hoffmann reported on information placed on social media, of which she was made aware, stating that there was trash/debris at Sleeter Lake Park; Ms. Hoffmann asked if there has been an interruption in trash service due to the current emergency, resulting in this situation. Town Administrator/Zoning Administrator Hynes explained that trash is still being collected by the County; however, the pandemic has negatively impacted the ability of volunteers, who usually pick up trash at the park, to do so. Ms. Hynes stated that she will check this issue further.

Councilperson Hummel requested that Council be provided with the Water and Sewer Ordinance documents one week prior to the meeting at which they will be discussed. Mr. Hummel asked if the Planning Commission meeting will be held as scheduled for June 2; Town Administrator/Zoning Administrator Hynes stated that she will check with Chairman Mirabal and inform Commission Members of any decision made about the meeting. Finally, Councilperson Hummel noted that the annual Hometown Festival would have been held this coming Saturday, and noted his sadness at the necessity of postponing the event this year.

There was brief discussion of the milling and paving of streets currently ongoing in Round Hill; there was also discussion of the "waterfall" feature on New Cut Road, which is in violation of the Zoning Ordinance.

Mayor Ramsey also noted the postponement of the Hometown Festival, and spoke to the wreath-laying ceremony, which is normally part of this event. Mayor Ramsey explained that the ceremony will be held on Monday, May 25, at 11:00 a.m. and that he and Vice-Mayor Graham will attend as representatives of the Town. Mayor Ramsey explained that a limited number of attendees are

allowed, in keeping with emergency orders, and provided the roster of those who will attend; additionally, Mayor Ramsey reported that the event will be recorded and posted to Facebook.

Mayor Ramsey reported that a caravan to honor 2020 graduates of Woodgrove High School, to be held in Round Hill on June 6, is in the planning stage. Additionally, Woodgrove High School will hold a virtual graduation ceremony for the class on June 12.

Finally, Mayor Ramsey reported that all mayors in the County participate in a weekly conference call with Board of Supervisors Chair Randall and County staff regarding the COVID pandemic. Mayor Ramsey reported that the area is currently in Phase 0 of the statewide pandemic plan, with little additional information available. Mayor Ramsey stated that he will inform Council Members, via e-mail, of any updates as he learns of them. The Mayor reported that the County's health system is doing well, with enough personal protective equipment available; personal protective equipment will be provided to the towns for the upcoming municipal election.

IN RE: CLOSED SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss performance and compensation for a Town employee as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(1), with Members of the Town Council invited to attend;** Councilperson Hummel seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

Mayor Ramsey declared that the Town Council is now in Closed Session, and called for a recess at 9:19 p.m.

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 Hummel seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Mary Anne Graham	Aye

Paula James	Aye
Amy E. Evers	Aye
Melissa Hoffmann	Aye
Donald W. Allen	Absent

Mayor Ramsey stated that the Town Council is now in Open Session

IN RE: CERTIFICATION OF CLOSED SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council adopt Resolution 2020-08, to certify 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 Hummel seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0-1, with Councilperson Allen absent. The vote is recorded as follows:

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

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:45 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary

Date Approved: July 1, 2020