

**MINUTES
HAMILTON TOWN COUNCIL
REGULAR MEETING
MAY 14, 2012**

The regular meeting of the Hamilton Town Council was convened at 7:00 PM with the following attendance:

PRESENT: Greg K. Wilmoth, Mayor
Kenneth C. Wine, Vice Mayor
James Thomas Rollins, Jr., Council member
John Unger, Council member – Late in at 7:30PM
David R. Simpson, Council member

ABSENT: Dimitri Kesari, Council member
Michael Snyder, Council member

STAFF: Lori Jones, Treasurer
David Beniamino, Zoning Administrator
Maureen Gilmore, Town Attorney
Jennifer Helbert, Recorder

CALL TO ORDER:

Mayor Wilmoth called the Town Council meeting to order at 7:00 PM.

GUESTS:

None

PUBLIC COMMENT:

Kathleen Robinson with Young People of Safe Haven came forward to speak. Ms. Robinson stated that their program is a faith based program for teens ages 13 to 17 and it is to enter more resources to this age group. The County in this area does not have a program for this age group. She stated that this is going to be a three tiered approach for the kids, there will be summer camps and community service, in the fall there will be tutoring and lastly there will be peer groups for teens to teach other teens special skills and talents.

Jonathan Whitby of 80 South Rogers Street came forward to speak. Mr. Whitby stated that he lives just outside of Town but he would like to talk with the Council about what their position is on the ever increasing low flying helicopter traffic that has been going on. He stated that while he supports and believes everyone else is in support of the military, he did not move here to be in

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the middle of the Mt. Weather Training Facility. He stated that it is his understanding that the helicopters are flying out of the Mt. Weather Facility for military training and are practicing landing at the Hamilton Safety Center and he does not believe that the heliport was ever intended to be used for this type of activity. Mr. Whitby showed a video to the Town Council of the helicopter circling his yard for over 90 minutes with a spotlight beginning at about 8:40PM and ending at 10:30PM. These passes are easily at a level of 400 feet or lower.

Mr. Whitby asked what the Town Council's position is on this and if they could try to work with FEMA to change the times of these flight patterns, especially the length of time and the time of day.

Mayor Wilmoth stated that he spoke with someone within the last three weeks that is involved in this training because he has heard numerous complaints on this issue. Mayor Wilmoth asked if there is a time that would be acceptable to the residents, they were thinking before 8PM. He stated that Council has spoken about this in the past but this seems to be a issue is bigger than the Town.

Council member Simpson stated that he has a contact at Mt. Weather and with the Mayor's permission would make contact with this person and see what he can do.

Mr. Beniamino recommended that the Town contact the County to see if certain conditions were set forth for the use of the helipad, he stated that it may be that it cannot be used for military training. However, Mrs. Gilmore noted that the federal government uses would take precedence over county regulations.

APPROVAL OF MINUTES:

Vice Mayor Wine made a motion to approve the Town Council meeting minutes of March 12, 2012 with minor changes.

Motion: Vice Mayor Wine
Second: Council member Simpson
Carried: 4-0-3 with Kesari, Snyder
and Unger absent

MAYOR'S REPORT:

Outstanding Items List – Mayor Wilmoth shared this list with the Council and indicated that he would be handing this out each month to keep the Council apprised of the projects he is working on.

Loudoun County Community Block Grant Cooperation Agreement Automatic Renewal – Mayor Wilmoth stated this was for the Council’s information.

WATER AND SEWER COMMITTEE:

Line Flushing – Mayor Wilmoth stated that they did some line flushing last week and are trying to do a little each week for the month of May. He stated that what they flushed last week was in pretty good shape and they are trying to put the dead end water lines on a regular schedule of every other month for flushing to keep the line clear.

Rogers Street Tower & Reservoir Inspections – Mayor Wilmoth stated that the week after the last Council meeting the Tower and Reservoir were inspected by Liquid Engineering Corporation. He stated that a diver went in and vacuumed the tanks. He stated that the company recommends that the Town inspect the Tower with a diver again in three years. He stated that he is waiting for a formal report that addresses their concerns. He stated that he has video for the inspection and cleaning if anyone would like to view those.

Mayor Wilmoth stated that next year he believes the Town Council needs to look at including in the budget some funding to work on the ground storage tank to some restoration work on it.

Wells 1 & 4 Filters – Mayor Wilmoth stated that the filters were done today. Mayor Wilmoth stated that the Town will begin to backwash with Town water and believes it will be a big improvement to the system.

PARKS AND RECREATION COMMITTEE:

Hamilton Day – June 2, 2012– Mayor Wilmoth stated that everything seems to be on track for this event

Town Park – Vice Mayor Wine stated that he went by and cleaned the park and made some repairs to the swing set otherwise the park seemed to be in good shape.

TREASURER’S REPORT:

Monthly Treasurer’s Report – Ms. Jones issued a report to the Council and answered any questions that they had about the report.

Vice Mayor Wine made a motion to accept the Treasurer's Report as submitted.

Motion: Vice Mayor Wine
Second: Council member Rollins
Carried: 4-0-3 with Kesari, Snyder
and Unger absent

FINANCE COMMITTEE:

Town Council Budget Workshop was held April 16, 2012

FY2012 Budget Draft – Ms. Jones stated that the draft budget is attached and right now she does not expect any changes between now and the public hearing in June. She stated that the surpluses will go into the CIP fund so that they will not have to pull as much from reserves.

Virginia Retirement System Contribution Resolutions – Ms. Jones gave the Town Council the options available to the Town for this item and what has been drafted is for the Town Council to move forward with the entire 5% out of the FY12/13 budget. The Town Council discussed several different options and decided to move forward with 1% per year over the course of five years.

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

None Scheduled.

PERSONNEL COMMITTEE:

None Scheduled.

PLANNING COMMISSION:

Chairman McCann stated that the Planning Commission has a meeting scheduled on Wednesday and they will be working on Section 4. He also stated that the public hearing has been postponed at this time to give staff more time to review all of those changes and put them in order and they hope to hold that public hearing in June.

Mr. Beniamino gave a brief update to the Town Council about where the Planning Commission is in the process for updated the Zoning Ordinance.

OLD BUSINESS:

Leak Adjustment – 14 Sydnor Street – The Council decided not to issue an adjustment for this address.

NEW BUSINESS:

Planning Commission Vacancy – Unexpired Term from July 1, 2012 through July 1, 2014 – The Town Council requested staff to advertise the vacancy and make the appointment in June.

Inova Loudoun Hospital's 100 Year Anniversary Proclamation – Vice Mayor Wine made a motion to accept the Proclamation.

Motion: Council member Unger
Second: Vice Mayor Wine
Carried: 5-0-2 with Kesari and Snyder
absent

Budget Public Hearing Authorization – Vice Mayor Wine made a motion that the Hamilton Town Council authorize a public hearing for the FY2012-2013 budget prior to the June 11, 2012 Town Council meeting at 7:00PM.

Swearing In Ceremony – Ms. Jones stated that the Swearing In Ceremony would be at 6:30PM on June 11, 2012 prior to the Council meeting.

CLOSED SESSION: Council member Unger made a motion that the Hamilton Town Council recess its open meeting and convene a closed session. The exception is provided in Code of Virginia Section 2.2-3711(A)(7), as amended. The purpose of the closed meeting is to discuss the following:

- 1) Consultation with Legal Counsel Employed or Retained by the Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel. The Purpose of the Closed Meeting is regarding threatened litigation for failure to pay sewer availability fees and threatened litigation for failure to comply with a state maintained roads agreement and pending litigation as well as to discuss personnel performance and compensation. The exception is provided in Code of Virginia Section 2.2-3711(A)(1), as amended.

Motion: Vice Mayor Wine
Second: Council member Rollins

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Carried: 5-0-2 with Kesari and
Snyder absent

Vice Mayor Wine made a motion that the Hamilton Town Council adjourn the closed session and reconvene the open meeting.

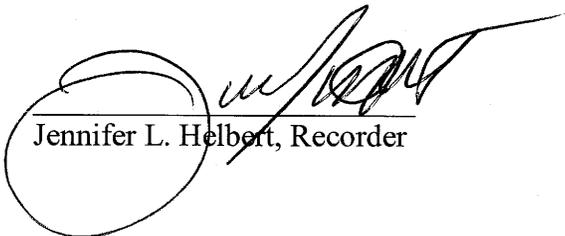
Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 5-0-2 with Kesari and
Snyder absent

Council member Unger made a motion that the Hamilton Town Council certify that while in closed session, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

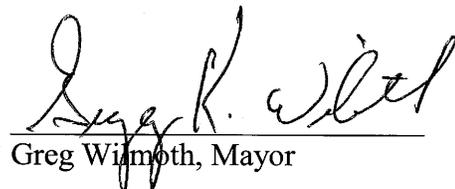
Motion: Vice Mayor Wine
Second: Council member Rollins
Carried: 5-0-2 with Kesari and
Snyder absent

ADJOURNMENT:

There being no further business the meeting adjourned at 8:45 PM.



Jennifer L. Helbert, Recorder



Greg Wilmoth, Mayor