

**AGENDA**  
**TOWN COUNCIL MEETING**  
**HAMILTON, VA**  
Monday, September 14, 2015  
7:00pm

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**DETERMINATION OF QUORUM**

**PUBLIC COMMENT**

**GUESTS**

- James Wynn – Volunteers of America

**MINUTES – Discussion and Approval**

- Town Council Meeting – August 10, 2015 (Pgs. 3-8)

**MAYOR’S REPORT**

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**WATER & SEWER COMMITTEE (Kesari, Simpson, Snyder, Wine)**

- Committee Meeting was held August 17, 2015

**PARKS & RECREATION COMMITTEE (Clark, Simpson, Unger, Wine)**

- Committee Meeting – Thursday, September 24, 2015 8:00am @ Hamilton Park

**TREASURER’S REPORT (Jones)**

- August Treasurer’s Report (Pgs. 9-14)

**FINANCE COMMITTEE (Snyder, Simpson, Unger, Wine)**

- Finance Committee Meeting – Wednesday, September 16, 2015 10:00am in the Hamilton Town Office

**PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE** (Green, Kesari, Simpson, Wine)

**PERSONNEL COMMITTEE** (Simpson, Green, Wine)

**PLANNING COMMISSION** (McCann, Clark)

- Planning Commission Meeting – Wednesday, September 16, 2015

**OLD BUSINESS**

- Proposed Snow Removal Ordinance – Resolution 2015-14 to Schedule Public Hearing (Pgs. 15-16)

**NEW BUSINESS**

- Proposed Zoning Ordinance Amendments – Resolution 2015-15 for Referral to Planning Commission (Pg. 17)
- Proposed Water & Sewer Ordinance Amendments – Resolution 2015-16 to Schedule Public Hearing (Pgs. 18-19)

**CLOSED SESSION (Pg. 20)**

The Hamilton Town Council will convene a closed session to discuss the following:

1. Consideration of the acquisition of real property for a public purpose, as authorized by Code of Virginia of 1950, as amended, § 2.2-3711 (A)(3);
2. Consultation with the Town Attorney pertaining to the lawsuit, Town Council of the Town of Hamilton v. Board of Supervisors of Loudoun County, Loudoun County Circuit Court, Law No: 63974; and
3. Consultation with the Town Attorney regarding utility matters requiring the provision of legal advice.

**NEW BUSINESS (Cont.)**

- Resolution 2015-17 to Certify The Closed Session (Pg. 21)

**ADJOURNMENT**

**MINUTES  
HAMILTON TOWN COUNCIL  
REGULAR MEETING  
AUGUST 10, 2015**

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**TOWN COUNCIL**

PRESENT: David R. Simpson, Mayor  
Kenneth C. Wine, Vice Mayor  
Matthew Clark, Council member  
John Unger, Council member  
Craig Green, Council member  
Dimitri Kesari, Council member  
Michael Snyder, Council member

STAFF: Lori Jones, Treasurer  
Daniel Galindo, Zoning Administrator  
Maureen Gilmore, Town Attorney  
Jennifer Noel, Recorder

**CALL TO ORDER THE REGULAR MEETING:**

Mayor Simpson called to order the regular meeting of the Hamilton Town Council at 7:00PM.

**PUBLIC COMMENT:**

**Matt Everly and Nan Flock**, Realtors came forward to speak. Mr. Everly stated that both he and Ms. Flock are real estate brokers and are working with the executors of the Terry Bell estate which is on West Colonial Highway. He stated that there are four deeded parcels to that estate and they are here tonight because one of the parcels, Lot 61 has a deed restriction on it and that lot adjoins the Town Well and the restriction indicates that a residence cannot be built on it while Lot 2 which has the Town Well on is being utilized as a water source by the Town. He stated that he does not know why the restriction was put in place but he believes it was put into place because when Hamilton Acres was subdivided there was no Town Water and Sewer available, everyone was on well and septic now it is available and they are here to try to get that restriction lifted.

Mayor Simpson stated that the Town would research the restriction and get back with them and let them know where the Town stands.

**GUESTS:**

None

**MINUTES:** Council member Snyder made a motion to approve the July 13, 2015 minutes as amended.

Motion: Council member Snyder  
Second: Council member Kesari  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

**MAYOR'S REPORT:**

- a) Payment for Sewer Tax District– Mayor Simpson stated that the Town received the funds from the County for the Sewer Tax District.
- b) Oversized Signs – Mayor Simpson indicated that there were several oversized signs throughout Town that have now been removed.

**WATER & SEWER COMMITTEE:**

- a) Schedule Water & Sewer Committee Meeting – The Committee decided to meet on Monday, August 17, 2015 at 7:00 PM.
- b) Sewer Connection at 33 S. Hughes Street – Vice Mayor Wine explained that the owners would like to connect to the Town's sewer system.

Greg Wilmoth came forward to discuss this issue with the Council, he indicated that the lateral was put in in 2000 when the extension was put in specifically to connect to this lot.

Council directed the Town Attorney to prepare an easement for the entire lateral.

**PARKS & RECREATION:**

None

**TREASURER'S REPORT:**

**Monthly Treasurer's Report** – Ms. Jones presented her report to the Town Council and entertained any question the members may have.

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

Motion: Vice Mayor Wine  
Second: Council member Kesari  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

**FINANCE COMMITTEE:**

FY2015 CAFR – Finance Committee Meeting to be Scheduled with Mitchell & Co. – Council scheduled a Finance Committee meeting for Wednesday, September 16, 2015 at 10AM to go over the audit.

**PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:**

Mr. Galindo went over the size of political signs with the Council as there was some question about the allowable size of political signs.

**PERSONNEL COMMITTEE:**

None

**PLANNING COMMISSION:** Chairman McCann stated that the BZA still has one vacancy and potentially a second vacancy may be coming up in the next month.

**OLD BUSINESS:**

- a) **Municode** – Ms. Gilmore stated that she and staff would like to find out what direction Council would like to take regarding the Code. She indicated that there were a number of changes to the proof and they are trying to come up with a schedule for adoption of the document. Ms. Gilmore's recommendation is to have the public hearing prior to the final draft being approved. She asked what the Town Council's expectation is for holding the public hearing. Council agreed that they would like to have the public hearing January 2016.

- b) **Hamilton Park Parking Lot Expansion** – Mayor Simpson recommended that the Parks and Recreation Committee get together to prepare a plan for the Parking Lot Expansion as the rezoning has now been approved. The Committee decided that they would meet on this issue on August 24, 2015 at 8AM.

**NEW BUSINESS:**

- a) **Town Council FY2016 Meeting Schedule** – Council member Unger made a motion to approve the Town Council FY2016 Meeting Schedule as submitted.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

- b) **Snow Removal on Sidewalks** – Vice Mayor Wine asked that reminders start going out in the water bills reminding people that it is their responsibility to clear the sidewalks in front of their homes. Mayor Simpson stated that he would like a letter to go out to each resident with a copy of the new Ordinance enclosed.

**CLOSED SESSION:**

Vice Mayor Wine made a motion that the Hamilton Town Council recess its regular meeting and convene a closed session to discuss the acquisition of real property for a public purpose, and the discussion of a public official as authorized by Code of Virginia 2.2-3711(A)(1) and 2.2-3711(A)(3) as amended.

The following individuals are invited to attend the closed session:

All Town Council Members  
Maureen K. Gilmore, Town Attorney  
Lori M. Jones, Treasurer  
Jennifer Noel, Recorder

Town Council  
Regular Meeting Minutes  
August 10, 2015

Motion: Vice Mayor Wine  
Second: Council member Snyder  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

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

Motion: Vice Mayor Wine  
Second: Council member Snyder  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

Vice Mayor Wine made a motion that the Hamilton Town Council adopt Resolution 2015-13 to certify that while in closed session the participants discussed only those matters for which the closed session was convened.

Motion: Vice Mayor Wine  
Second: Council member Snyder  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

Town Council  
Regular Meeting Minutes  
August 10, 2015

Council member Snyder made a motion that the Town authorize the Mayor to get an appraisal on the property that was discussed in Closed Session.

Motion: Council member Snyder  
Second: Council member Unger  
Carried: 7-0

Simpson - Aye  
Unger - Aye  
Kesari - Aye  
Green - Aye  
Snyder - Aye  
Wine - Aye  
Clark - Aye

**ADJOURNMENT:**

There being no further business the meeting adjourned at 8:01 PM.

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David Simpson, Mayor

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Jennifer L. Noel, Recorder

**Treasurer's Report  
as of August 31, 2015 - All Funds Summary**

<b>Investment Summary</b>	<b>8/31/2015</b>	<b>7/31/2015</b>	<b>6/30/2015</b>	<b>5/31/2015</b>
BB&T Checking General	\$ 139,084.51	\$ 134,379.35	\$ 140,068.03	\$ 114,351.01
Water	146,415.30	125,480.53	120,929.24	109,142.65
Sewer	802,116.15	699,456.72	705,180.99	723,249.97
Total BB&T Checking	<u>\$ 1,087,615.96</u>	<u>\$ 959,316.60</u>	<u>\$ 966,178.26</u>	<u>\$ 946,743.63</u>
BB&T CDs	674,861.80	674,861.80	674,861.80	674,861.80
Wells Fargo Money Market	339,098.24	339,070.10	339,041.30	339,039.42
Cardinal Bank Money Market & CDs	829,196.03	828,947.98	828,700.02	828,570.05
LGIP	308,432.36	308,432.36	308,393.29	308,360.20
<b>Total All Funds</b>	<u><u>\$ 3,239,204.39</u></u>	<u><u>\$ 3,110,628.84</u></u>	<u><u>\$ 3,117,174.67</u></u>	<u><u>\$ 3,097,575.10</u></u>

**OPERATING BUDGET TO ACTUALS thru 8/31/2015**

Budgeted Revenue	\$ 201,848.17
Actual Revenue	<u>292,850.28</u>
<b>Revenue Over (Under) Budget</b>	<u><u>\$ 91,002.11</u></u>
Budgeted Expenses	\$ 200,990.17
Actual Expenses	<u>147,231.99</u>
<b>Expenses Under (Over) Budget</b>	<u><u>\$ 53,758.18</u></u>

**Community Park & Fire Department Funds**

<b>Town General Fund Park Maintenance Accounts</b>	
BB&T Money Market Account	\$ 6,485.20
BB&T CD	<u>9,003.96</u>
Total Town GF Park Maintenance Accounts	<u><u>\$ 15,489.16</u></u>
<b>Park Committee Donations</b>	
Cardinal Bank Checking Account	<u><u>\$ 1,790.72</u></u>
<b>Fire Department Fund</b>	
BB&T Money Market Account	<u><u>\$ 2,748.86</u></u>

**Water & Sewer Activity - August 2015**

760	Regular Cycle Water/Sewer Bills
	Regular Delinquent Bills
	Water turn-offs Due to Non Payment
8	New Accounts Created
	Adjustments (leak or misread)
4	Adjustments (pool fills)
	New Water Connections
	New Sewer Connections

**Accounts Payable & Payroll Activity - August 2015**

32 # Accounts Payable Checks	
\$ 49,188.07	Accounts Payable Checks (List attached)
7 # Employees	
\$ 23,166.14	Payroll Expense
\$ 3,468.51	Retirement Expense

**Treasurer's Report**  
**as of August 31, 2015 - General Fund**

**FY TO DATE BUDGET ANALYSIS**

	<b>FY2016</b>	<b>2 Months</b>	<b>ACTUAL</b>	<b>(UNDER) OVER</b>
	<b>BUDGET</b>	<b>BUDGET</b>	<b>8/31/2015</b>	<b>BUDGET</b>
<b>EXPENDITURES</b>				
Wages & Payroll Taxes	\$ 107,163	\$ 17,861	\$ 12,069.41	\$ (5,791.09)
Retirement Contribution	6,927	1,155	1,267.39	112.89
Health Insurance	23,643	3,941	3,959.60	19.10
Membership Dues	838	140	225.00	85.33
General Office Expense	40,995	6,833	21,220.34	14,387.84
Legal Services/Codification	43,000	7,167	4,710.00	(2,456.67)
Engineering Services	5,000	833	0.00	(833.33)
Audit	13,500	2,250	2,500.00	250.00
Trash/Recycling	45,000	7,500	7,537.03	37.03
Mowing	12,000	2,000	5,295.00	3,295.00
Street Lights	6,000	1,000	1,028.58	28.58
Insurance & Workman's Comp	15,325	2,554	0.00	(2,554.17)
Donations	2,000	333	0.00	(333.33)
Planning Commission & Services	5,925	988	685.65	(301.85)
Recreation & Activity	2,500	417	349.96	(66.71)
Transfers Out - CIP & Fire Dept	84,847	14,141	0.00	(14,141.17)
Contingencies	3,849	642	541.41	(100.09)
<b>TOTAL EXPENDITURES</b>	<b>\$ 418,512</b>	<b>\$ 69,752</b>	<b>\$ 61,389.37</b>	<b>\$ (8,362.63)</b>
<b>REVENUE</b>				
Real Estate Taxes	\$ 194,275	\$ 32,379	\$ 0.00	\$ (32,379.17)
Personal Property Taxes	38,496	6,416	23,495.67	17,079.67
Prior Year Taxes	2,758	460	1,923.00	1,463.33
Penalty/Interest on Taxes	700	117	135.58	18.91
Automobile Decals	10,000	1,667	70.50	(1,596.17)
Zoning Fees	2,000	333	675.00	341.67
Interest	1,140	190	282.55	92.55
Sales Taxes	42,000	7,000	8,357.03	1,357.03
Utility Taxes	28,000	4,667	4,931.33	264.66
BPOL Taxes	10,000	1,667	150.00	(1,516.67)
Fire Programs Grant	9,000	1,500	0.00	(1,500.00)
Park Reservation Fees	700	117	450.00	333.33
Prior Year Surplus	76,843	12,807	0.00	(12,807.17)
Litter Grant/Misc Income	2,600	433	20,050.00	19,616.67
<b>TOTAL REVENUE</b>	<b>\$ 418,512</b>	<b>\$ 69,752</b>	<b>\$ 60,520.66</b>	<b>\$ (9,231.34)</b>
		<b>Surplus (Deficit)</b>	<b>\$ (868.71)</b>	

**Treasurer's Report  
as of August 31, 2015 - Water Fund**

**FY TO DATE BUDGET ANALYSIS**

	<b>FY2016 BUDGET</b>	<b>2 Months BUDGET</b>	<b>ACTUAL 8/31/2015</b>	<b>(UNDER) OVER BUDGET</b>
<b>EXPENDITURES</b>				
Wages & Payroll Taxes	\$ 127,087	\$ 21,181	\$ 19,638.66	\$ (1,542.51)
Retirement Contribution	12,380	2,063	1,897.92	(165.41)
Health Insurance	30,289	5,048	5,048.01	(0.16)
General Office Expense	5,060	843	501.59	(341.74)
Workman's Comp/Liability	8,140	1,357	0.00	(1,356.67)
System Consultant	10,000	1,667	0.00	(1,666.67)
Electricity	33,000	5,500	2,882.20	(2,617.80)
Truck Supplies & Repair	7,500	1,250	308.03	(941.97)
Chemicals & Water Testing	9,500	1,583	1,105.64	(477.69)
Water Intgration	31,860	5,310	7,965.00	2,655.00
Repairs - Plant & Equipment	25,980	4,330	4,371.69	41.69
Repairs - Lines & Hydrants	15,000	2,500	0.00	(2,500.00)
Repairs Bldg/Grounds	2,000	333	294.23	(39.10)
Safety Supplies	1,000	167	678.50	511.83
Cross Connection Program	200	33	0.00	(33.33)
2002 VRA Bond Debt Pmt	113,747	18,958	0.00	(18,957.83)
Training, Licenses & Dues	1,500	250	300.00	50.00
Contingencies	5,225	871	2,145.19	1,274.36
Transfer to CIP	70,900	11,817	0.00	(11,816.67)
<b>TOTAL EXPENDITURES</b>	<b>\$ 510,368</b>	<b>\$ 85,061</b>	<b>\$ 47,136.66</b>	<b>\$ (37,924.67)</b>

**REVENUE**

Water Service Charges	\$ 278,565	\$ 46,428	\$ 48,305.87	\$ 1,878.37
Connection Fees	3,400	567	0.00	(566.67)
VRA Bond Surcharge	78,000	13,000	13,053.00	53.00
Cell Towner Antenna Lease	78,900	13,150	17,204.42	4,054.42
Interest	603	101	117.97	17.47
Transfers In / PY Surplus	70,900	11,817	0.00	(11,816.67)
<b>TOTAL REVENUE</b>	<b>\$ 510,368</b>	<b>\$ 85,061</b>	<b>\$ 78,681.26</b>	<b>\$ (6,380.07)</b>

**Surplus (Deficit) \$ 31,544.60**

**Treasurer's Report  
as of August 31, 2015 - Sewer Fund**

**FY TO DATE BUDGET ANALYSIS**

	<b>FY2016 BUDGET</b>	<b>2 Months BUDGET</b>	<b>ACTUAL 8/31/2015</b>	<b>(UNDER) OVER BUDGET</b>
<b>EXPENDITURES</b>				
<b>Operating</b>				
Wages & Payroll Taxes	\$ 109,437	\$ 18,240	\$ 16,412.49	\$ (1,827.01)
Retirement Contribution	11,070	1,845	2,014.61	169.61
Health Insurance	27,560	4,593	4,593.30	(0.03)
Workers Comp/Liability	6,499	1,083	-	(1,083.17)
System Consultant	10,000	1,667	-	(1,666.67)
General Office Expense	7,801	1,300	922.05	(378.12)
Sewer Operations	18,000	3,000	650.14	(2,349.86)
Electricity	32,000	5,333	3,939.22	(1,394.11)
Truck & Generator	7,000	1,167	308.05	(858.62)
Chemicals & Lab Testing	60,000	10,000	5,708.00	(4,292.00)
Repairs - Plant & Equipment	12,500	2,083	196.98	(1,886.35)
Repairs - Sewer Lines	6,000	1,000	-	(1,000.00)
Reparis Bldg/Grounds	2,500	417	163.67	(253.00)
Safety Supplies	1,000	167	678.49	511.82
Training & Licenses	1,350	225	-	(225.00)
2010 Water Bond Debt	12,638	2,106	-	(2,106.33)
1999 VRA Sewer Loan Pmt	79,314	13,219	3,021.05	(10,197.95)
Grinder Pumps/Maintenance	24,274	4,046	-	(4,045.67)
Contingencies	3,865	644	97.91	(546.26)
Transfer to CIP	57,600	9,600	-	(9,600.00)
<b>TOTAL EXPENDITURES</b>	<b>\$ 490,408</b>	<b>\$ 81,735</b>	<b>\$ 38,705.96</b>	<b>\$ (43,028.71)</b>

**REVENUE**

Sewer Service Charges	\$ 303,800	\$ 50,633	\$ 53,994.73	\$ 3,361.40
Connection Fees	5,000	833	-	(833.33)
Interest	836	139	191.50	52.17
Surcharge for Sewer Loan	53,000	8,833	7,585.50	(1,247.83)
County Contribution Loan	0	0	88,000.00	88,000.00
Prior Year Surplus	60,456	10,076	-	(10,076.00)
Sewer Tax District Loan	67,316	11,219	3,876.63	(7,342.70)
	<b>\$ 490,408</b>	<b>\$ 81,735</b>	<b>\$ 153,648.36</b>	<b>\$ 71,913.69</b>

**Surplus (Deficit) \$ 114,942.40**

**Treasurer's Report  
as of August 31, 2015 - CIP**

**FY2016 DATA**

<b>GENERAL FUND CIP</b>	<b>BUDGET</b>	<b>Actual 8/31/2015</b>	<b>(UNDER) OVER BUDGET</b>
<b>Expenditures</b>			
Park Parking Lot Expansion	\$ 5,000	\$ 0.00	\$ (5,000.00)
Streets & Sidewalks	\$ 270,508	\$ 0.00	\$ (270,508.00)
<b>Total Expenditures</b>	<b>\$ 270,508</b>	<b>\$ 0.00</b>	<b>\$ (270,508.00)</b>
<b>Revenue</b>			
Grant Revenue	216,408	0.00	\$ (216,408.00)
Transfer In from General Fund	\$ 59,100	0.00	\$ (59,100.00)
<b>Total Revenue</b>	<b>\$ 275,508</b>	<b>\$ 0.00</b>	<b>\$ -275,508.00</b>

**WATER FUND CIP**

<b>Expenditures</b>			
Cap & Grout Wells	8,000	0.00	0.00
Other Improvements	75,000	3,583.73	(71,416.27)
Water Meter Replacement	2,000	0.00	(2,000.00)
Hydrant Replacement	4,000	0.00	(4,000.00)
<b>Total Expenditures</b>	<b>\$ 89,000</b>	<b>\$ 3,583.73</b>	<b>\$ (77,416.27)</b>
<b>Revenue</b>			
Transfer In From Water Fund	\$ 70,900	\$ 0.00	\$ (70,900.00)
Availability Fees	18,100	0.00	(18,100.00)
<b>Total Revenue</b>	<b>\$ 89,000</b>	<b>\$ 0.00</b>	<b>\$ (89,000.00)</b>

**SEWER FUND CIP**

<b>Expenditures</b>			
I & I Program	\$ 50,000	\$ 0.00	(50,000.00)
Sewer Improvement Fund	20,000	0.00	(20,000.00)
<b>Total Expenditures</b>	<b>\$ 70,000</b>	<b>\$ 0.00</b>	<b>\$ (70,000.00)</b>
<b>Revenue</b>			
Transfer In From Sewer Fund	\$ 57,600	\$ 0.00	(57,600.00)
Availabilty Fees	12,400	0.00	(12,400.00)
<b>Total Revenue</b>	<b>\$ 70,000</b>	<b>\$ 0.00</b>	<b>\$ (70,000.00)</b>

**Treasurer's Report - September 14, 2015 Council Meeting**  
**Check Listing August 2015**

<b>CHECK#</b>	<b>PAYEE</b>	<b>PURPOSE</b>	<b>AMOUNT</b>
20021	Blacka Jan	Website Consulting	282.75
20022	BROY & SON PUMP SERVICE, INC.	Well 6 Connection to Well 14 Raw Line	3,583.73
20023	C&M Communication Cabling, Inc.	Office Desktop PCs	2,433.00
20024	DE LAGE LANDEN	Copier Lease	135.00
20025	DOMINION VIRGINIA POWER	Electricity	4,449.27
20026	FIVE STAR SEPTIC, INC.	Park Portable Rental	140.00
20027	GILMORE MAUREEN K.	July Legal Services	3,090.00
20028	INSTRULOGIC CORPORATION	Monthly SCADA - August	2,655.00
20029	LOGICS LLC	Utility Billing Software Programming	760.00
20030	LOUDOUN COUNTY CENTRAL GARAGE	Vehicle Fuel	214.50
20031	LOUDOUN LUMBER CO INC	Misc Supplies	15.96
20032	MATTHEW BENDER & CO	Legal Publications	72.93
20033	NICHOLS HARDWARE	Misc Supplies	53.59
20034	SHENANDOAH VALLEY WATER COMPANY	Office Water Cooler	18.75
20035	SOUTHERN STATES	Hydrated Lime	122.40
20036	UNIVAR USA INC	Chemicals	2,296.97
20037	VERIZON	Telephone	663.98
20038	VUPS	Miss Utilities	36.75
20040	Advance Auto Parts	Misc Supplies	32.26
20041	AMERICAN DISPOSAL SERVICES INC	Trash & Recycling	3,768.91
20042	American Express	Postage Paid Envelopes	302.65
20043	ANTHEM BLUE CROSS BLUE SHIELD	Health Insurance	6,829.00
20044	BB&T BANKCARD CORPORATION	Comcast (August), Office Supplies	407.51
20045	C&M Communication Cabling, Inc.	Office Server	5,025.00
20046	INSTRULOGIC CORPORATION	Monthly SCADA - July/September	5,310.00
20047	JOINER MICRO LABORATORIES, INC	Testing	2,258.75
20048	NOEL JENNIFER	Recorder Services - July	210.00
20049	RYDIN DECAL	Vehicle Decals	780.25
20050	TREE FROG LAWN CARE, LLC	Mowing	2,400.00
20051	USA Septic Services LLC	Pump & Haul	600.00
20052	VAMAC LEESBURG	Misc Supplies	14.98
20053	VERIZON WIRELESS	Cell Phones	224.18
		<b>TOTAL</b>	<b>49,188.07</b>

**TOWN OF HAMILTON  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION:** 2015-14

**PRESENTED:** September 14, 2015

**ADOPTED:** \_\_\_\_\_

**A RESOLUTION: TO AUTHORIZE A PUBLIC HEARING ON PROPOSED AMENDMENT TO CODIFIED ORDINANCES OF THE TOWN OF HAMILTON, TO CREATE A SNOW AND ICE REMOVAL ORDINANCE.**

**WHEREAS,** Code of Virginia of 1950, as amended, §§ 15.2-1115 and -2025 authorize a local governing body to adopt an ordinance requiring the removal of snow and ice from sidewalks and to charge for the removal costs if the owner fails to do so; and

**WHEREAS,** the Town Council has determined that it is in the interest of the public health, safety and welfare of the Town residents and the general public to ensure that snow and ice are removed from sidewalks; and

**WHEREAS,** the Town Council intends to hold a public hearing to receive public comment and take action upon a proposed amendment to require the removal of snow and ice from sidewalks.

**NOW THEREFORE,** be it resolved that the Hamilton Town Council hereby authorizes an October 19, 2015, public hearing to receive comment and possible adoption of an ordinance for the Removal of Snow and Ice From Sidewalks, as set forth on the attached document which is incorporated into this Resolution.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2015.**

\_\_\_\_\_  
*David R. Simpson, Mayor*

**Recorded Vote:**

***Motion by:***

***Seconded by:***

***Yeas:***

***Nays:***

***Abstentions:***

***Absent for Vote:***

**ATTEST:**

\_\_\_\_\_  
Jennifer Noel, Recorder

Codified Ordinances of Town of Hamilton, Virginia  
Removal of Snow and Ice From Sidewalks

- a. It shall be the duty of every occupant or owner of property to remove snow, sleet, ice or other substances from the public sidewalk(s) abutting the property owned or occupied, within 24 hours after the snow, sleet or ice has ceased to fall. In the event that snow, sleet or ice cannot be removed without injury to the sidewalk or footway, it shall be covered within 24 hours with sand, ashes or other substance that will make the surfaces safe for travel. These requirements shall not apply when the occupant or owner is unable to remove snow, sleet or ice because of a physical disability.
  
- b. Failure to remove or cover snow, sleet, ice or other substances as described in section 1 shall be unlawful. Upon notice from the Town, a property owner shall within 24 hours of receipt of said notice, remove the snow, sleet or ice, or the Town through its agents or employees may elect to remove the snow, sleet or ice, bill the owner or occupant of the property for the costs, in which event the cost or expenses may be collected as taxes are collected.
  
- c. Every charge authorized by this section in excess of \$200.00 with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Code of Virginia, title 58.1, ch. 39, arts. 3 and 4 (Code of Virginia, §§ 58.1-3940 et seq., 58.1-3965 et seq.) The Town may waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

**State law reference**— Authority for above section, Code of Virginia, §§ 15.2-1115, 15.2-901.

**TOWN OF HAMILTON  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 2015-15**

**PRESENTED: September 14, 2015**

**ADOPTED: \_\_\_\_\_**

**A RESOLUTION: REFERRING PROPOSED ZONING ORDINANCE  
AMENDMENTS TO THE HAMILTON PLANNING  
COMMISSION**

**WHEREAS,** a review of the Town of Hamilton Zoning Ordinance revealed that certain ordinance sections omitted the amendments previously adopted by the Town Council and several ordinance sections were in conflict; and

**WHEREAS,** the public necessity, convenience, general welfare and good zoning practice require that the Town of Hamilton Zoning Ordinance should be amended to address these matters; and

**WHEREAS,** the Town of Hamilton Planning Commission is the proper body to initially review proposed Zoning Ordinance amendments and to consider and make a recommendation to the Town Council.

**NOW THEREFORE,** the Hamilton Town Council hereby directs the Hamilton Planning Commission to review and receive public comment and make recommendations regarding amendments to the Town of Hamilton Zoning Ordinance, pursuant to Code of Virginia of 1950, as amended §15.2-2285.

\_\_\_\_\_  
*David R. Simpson, Mayor*

**Recorded Vote:**

***Motion by:***

***Seconded by:***

***Yeas:***

***Nays:***

***Abstentions:***

***Absent for Vote:***

ATTEST:

\_\_\_\_\_  
Jennifer Noel, Recorder

**TOWN OF HAMILTON  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION:** 2015-16

**PRESENTED:** September 14, 2015

**ADOPTED:** \_\_\_\_\_

**A RESOLUTION: AUTHORIZING A PUBLIC HEARING TO RECEIVE COMMENTS AND TAKE ACTION ON PROPOSED AMENDMENTS TO TOWN WATER ORDINANCE ARTICLE III, WATERWORKS USE AND SERVICE CHARGES, SECTION 3-5 (a), (b) and (c) SWIMMING POOLS, AND TOWN SEWER ORDINANCE ARTICLE IV, EXTENSION OF PUBLIC SEWER, SECTION 19-20(d).**

**WHEREAS,** Code of Virginia of 1950, as amended, §§ 15.2-2111, -2119, and -2143 authorize a governing body to adopt ordinances for municipal water and sewer system fees and charges and Code of Virginia of 1950 § 15.2-107 requires a public hearing prior to the adoption of such fees and charges; and

**WHEREAS,** the Hamilton Town Council, on the recommendation of Town Utility Staff and the Town Water and Sewer Committee, wishes to consider amendments that would provide a \$50 credit for the filling of swimming pools and the elimination of meter reading before and after the filling of swimming pools; and

**WHEREAS,** the Hamilton Town Council, on the recommendation of Town Utility Staff and the Town Water and Sewer Committee, wishes to clarify the owner's responsibility for sewer lateral maintenance and repair, and

**WHEREAS,** the Hamilton Town Council intends to hold an October 19, 2015 public hearing to receive comment and consider the adoption of ordinance amendments.

**NOW THEREFORE,** be it resolved that the Hamilton Town Council authorizes an October 19, 2015 public hearing to receive comment and consider the adoption of amendments to Town Water Ordinance Article III, Section 3-5 (a), (b) and (c), as set forth on the Attachment which is incorporated into this Resolution.

**ADOPTED THIS** \_\_\_ **DAY OF** \_\_\_\_\_.

**Recorded Vote:**

***Motion by:***

***Seconded by:***

\_\_\_\_\_  
*David R. Simpson, Mayor*

***Yeas:***

***Nays:***

***Abstentions:***

***Absent for Vote:***

ATTEST:

\_\_\_\_\_  
*Jennifer Noel, Town Recorder*

**PROPOSED AMENDMENTS TO TOWN WATER ORDINANCE ARTICLE III,  
WATERWORKS USE AND SERVICE CHARGES, SECTION 3-5 (b) and (c) SWIMMING  
POOLS**

**Sec. 3-5. Swimming pools.**

Any ~~citizen~~ user who is connected to the town water and sewer system ~~who~~ and wishes to use public water to fill a private swimming pool shall be charged the prevailing rate for water ~~consumption only and shall not be charged for~~ and sewer usage.

A user who fills their pool (hot tubs excluded) with town water is eligible for one annual credit of \$50.00. The user must request the credit from the Town Office, annually, before July 15<sup>th</sup>. The credit will appear on the user's next regular utility bill.

The following requirements shall govern the filling of swimming pools:

- ~~\_\_\_\_\_ (a) \_\_\_\_\_ The citizen must contact the town office at least twenty-four (24) hours in advance of the time the pool is to be filled.~~
- ~~\_\_\_\_\_ (b) \_\_\_\_\_ The citizen shall pay to the town a service charge of ten dollars (\$10.00). The town will read the water meter before and after the filling of the pool to determine the number of gallons of water used.~~
- ~~\_\_\_\_\_ (c) \_\_\_\_\_ A total of six (6) gallons per each hour the pool is being filled shall be deducted from the water meter reading to allow for normal household usage. The remainder shall constitute the number of gallons used to fill the pool and the citizen shall be billed on the normal billing date for this water.~~

**PROPOSED AMENDMENTS TO TOWN SEWER ORDINANCE ARTICLE IV, EXTENSION OF  
PUBLIC SEWER, SECTION 19-20(d)**

Sec. 19-20(d) The Property owner shall be responsible for the repair and maintenance and all costs of same, of any and all sewer lines and appurtenances that extend from the lines owned by the Town unless the lines and appurtenances are within a recorded easement wherein the Town has agreed to maintain and repair the lines and appurtenances or the Town has accepted the lines and appurtenances into the municipal system.

~~If there is a structural defect in the sewer lateral within a public right-of-way, then upon evidence from the property owner that establishes the defect in the public right-of-way, the Town shall repair that portion within the public right-of-way. In the event of any discrepancy, the Town's determination shall be controlling.~~

**MOTION TO RECESS THE REGULAR MEETING AND GO INTO CLOSED SESSION:**

“I move that the Hamilton Town Council recess its regular meeting and convene a closed meeting. The purposes of the closed meeting are as follows:

1. Consideration of the acquisition of real property for a public purpose, as authorized by Code of Virginia of 1950, as amended, § 2.2-3711 (A)(3);
2. Consultation with the Town Attorney pertaining to the lawsuit, Town Council of the Town of Hamilton v. Board of Supervisors of Loudoun County, Loudoun County Circuit Court, Law No: 63974; and
3. Consultation with the Town Attorney regarding utility matters requiring the provision of legal advice.

The following individuals, if present, are requested to attend the closed meeting:

- 1) All Town Council
- 2) Maureen Gilmore, Town Attorney

The Motion must be made and seconded and each Town Council member’s vote must be recorded.

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**MOTION BY TOWN COUNCIL TO ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING:**

“I move that the closed meeting be adjourned and that the Hamilton Town Council reconvene its public meeting and that the minutes of the public meeting reflect that no formal action was taken in closed session.”

The Motion must be made and seconded and each Town Council member’s vote must be recorded.

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**MOTION THAT RESOLUTION CERTIFYING THE CLOSED SESSION BE ADOPTED AND REFLECTED IN THE MINUTES OF THE PUBLIC MEETING:**

“I move that the Hamilton Town Council adopt Resolution 2015-17 certifying the closed meeting of September 14, 2015 and that a copy of the Resolution be included in the minutes of the Town Council meeting.”

The Motion must be made and seconded and each Town Council member’s vote must be recorded.

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**TOWN OF HAMILTON  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 2015-17**

**PRESENTED:  
ADOPTED:**

**September 14, 2015**  
\_\_\_\_\_

**A RESOLUTION: CERTIFYING THE CLOSED SESSION ON  
SEPTEMBER 14, 2015**

**WHEREAS,** the Hamilton Town Council, has this day convened a closed session in accordance with an affirmative-recorded vote of the Hamilton Town Council and in accordance with the provisions of the Virginia Freedom of Information Act.

**NOW, THEREFORE, BE IT RESOLVED** that the Hamilton Town Council does hereby certify that to the best of each member's knowledge, 1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and 2) only such public business matters as were identified in the Motion by which the said closed session was convened were heard, discussed or considered by the Hamilton Town Council.

**PASSED THIS \_\_\_ DAY OF \_\_\_\_\_ 2015.**

\_\_\_\_\_  
David R. Simpson, Mayor  
Town of Hamilton

**ATTEST:**

\_\_\_\_\_  
Jennifer Noel, Town Recorder