

**AGENDA**  
**TOWN COUNCIL MEETING**  
Monday, December 11, 2017  
7:00pm

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**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**  
**DETERMINATION OF QUORUM**

**PUBLIC COMMENT**

**GUESTS**

**MINUTES – Discussion and Approval**

... Town Council Meeting – November 13, 2017 (Pgs. 3-9)

**MAYOR’S REPORT**

... Parking Lot Update

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

... Report from Staff

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

**TREASURER’S REPORT (Jones)**

... December Treasurer’s Report – As of November 30, 2017 (Pgs. 10-15)

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

**PUBLIC SAFETY**

**& ZONING ENFORCEMENT COMMITTEE (Jones, Snyder, Simpson, Wine)**

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

**PLANNING COMMISSION (McCann, Clark)**

**OLD BUSINESS**

... Christmas Luminaria – Sunday, December 24, 2017

... Cooperative Agreement for Data Exchange with Loudoun County (Pgs. 16-21)

**NEW BUSINESS**

... Hamilton To Be Used for Possible Test Site for Speed Cameras

**CLOSED SESSION MOTION (Pg. 22)**

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

... Compensation of employees of the Town of Hamilton as authorized by Code of Virginia Section 2.2-3711(A)(1).

**NEW BUSINESS (CONT.)**

... Resolution 2017-17 to Certify the Closed Session (Pg.23)

**ADJOURNMENT**

**MINUTES  
HAMILTON TOWN COUNCIL  
PUBLIC HEARING AND REGULAR MEETING  
NOVEMBER 13, 2017  
7:00 PM**

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**TOWN COUNCIL**

PRESENT: David R. Simpson, Mayor  
Kenneth C. Wine, Vice Mayor  
John Unger, Council member  
Matthew Clark, Council member  
Craig Green, Council member - Late  
Michael Snyder, Council member  
Rebecca Jones, Council member

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

**CALL TO ORDER THE PUBLIC HEARING:**

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

**PUBLIC HEARING ITEM:**

- FY 2018 BUDGET AMENDMENT

**PUBLIC COMMENT:**

Mr. Bill Ober of 31 South Woodlawn came forward to speak. Mr. Ober questioned the need for the Town to spend money on replacing the playground equipment currently at the park. Mayor Simpson indicated that the current equipment does not currently meet mandatory safety codes. Mayor Simpson offered to speak with Mr. Ober at a later time if he would like to discuss the issues with the equipment at the park.

There being no further public comment, the public hearing was closed at 7:02PM.

**CALL TO ORDER THE REGULAR MEETING:**

Mayor Simpson called to order the Regular Meeting of the Hamilton Town Council at 7:03PM.

**GUESTS:**

Sgt. Lopreto came forward to give an update to the Hamilton Town Council. He reminded the Town Council to notify their residents to lock up their vehicles and their homes as there has been a rash of break ins throughout the County.

**PUBLIC COMMENT:** None

**MINUTES:** Council member Snyder made a motion to approve the October 17, 2017 Town Council minutes as amended.

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

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

**WATER & SEWER COMMITTEE - Report from Staff**

Mayor Simpson stated that Mr. Wilmoth could not be here tonight. He stated that the Town is moving ahead with the well site study recommendations made by Tri-Tek to perform desktop studies at the park and Well 12. . . Mayor Simpson stated that he has also signed the permits to test drill on the eight acres on the property on Peachtree Court. We are also moving forward with the CMOM (Capacity, Management, Operation & Maintenance) requirements.

**PARKS & RECREATION COMMITTEE:**

Mayor Simpson stated that he has presented the Town Council with an overview of the park and pictures of the equipment and swings that will be installed. He stated that the original price of the equipment was \$105,000 but after negotiations the price is approximately \$85,000, plus an additional \$8,500 for the swings. Mayor Simpson stated that the contractor will remove the current equipment for \$3,000. He stated that the company will also come in and grade the park

to make sure that everything is level and safe. He stated that under the slides will be a rubber pad at the landing for safety. He stated that the Town will pick a date in January to close the Park, it will need to be closed for two weeks.

**TREASURER’S REPORT:**

**Monthly Treasurer’s Report** – Ms. Jones gave the Treasurer’s report for November to the Town Council and was open for any questions that the Town Council may have.

Council member Unger made a motion to approve the Treasurer’s Report for October as submitted.

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

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

**FINANCE COMMITTEE:**

Nothing new to report

**PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:**

Nothing new to report.

**PERSONNEL COMMITTEE:**

Nothing new to report.

**PLANNING COMMISSION:**

Chairman McCann reported that the next Planning Commission will be on Wednesday, November 14, 2017

**OLD BUSINESS:**

**Resolution 2017-15 – Resolution to Amend the FY2018 Budget**

Council member Snyder made a motion that the Town Council adopt Resolution 2017-15 presented November 13, 2017, Resolution to Amend the Town of Hamilton FY2018 Budget in the amount of \$75,000.

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

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

**Proposed Cellular Lease Terms for Existing Sprint Installation**

Ms. Gilmore stated that she has received a letter back from the representative for Sprint. She stated that there is the opportunity to negotiate and she wanted some feedback from the Council. She stated that originally they had requested five five-year automatic renewals and they are now only requesting one five-year renewal. They have increased the rent to \$4,866 per month and they have also suggesting a 4% escalator per year. Ms. Gilmore stated that she will be looking at some of the other jurisdictions and what agreements they have. She stated that this agreement would not go into effect until the end of 2018. She stated that she did contact Verizon but has not heard back from them to date.

**NEW BUSINESS:**

**- Holiday Tree Lighting – Sunday, December 3, 2017 at 6:00PM**

The Town Council decided to get a real potted tree to use as the tree lighting and after the Christmas Season the Town will plant the tree.

**- Chrstmas Luminaria – Sunday, December 24, 2017**

- Mrs. Jones stated that Carri Michon has not yet found a scout to organize the luminaria display and will continue to work to find one.
  
- **Re-appoint Robert McCann to the BZA for a five year term, beginning November 19, 2017**

Vice Mayor Wine made a motion to re-appoint Robert McCann to the BZA for a five-year term beginning November 19, 2017.

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

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

- **2017 November-December Holiday Schedule (Loudoun County is as follows):**
  - o **Thanksgiving – ½ Day Wednesday, November 22, 2017**  
**All Day Thursday & Friday, November 23 & 24, 2017**
  - o **Christmas – ½ Day Friday, December 22, 2017**  
**All Day Monday & Tuesday, December 25 & 26, 2017**
  - o **New Year’s – All Day Monday & Tuesday, January 1 & 2, 2017**

Council member Snyder made a motion to approve the Holiday Schedule as presented.

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

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

**CLOSED SESSION:**

Vice Mayor Wine made a motion to convene a closed session to discuss the following:

- Consultation with legal counsel pertaining to the discussion of prepaid sewer availability and connection fees as authorized by Code of Virginia of 1950, as amended, Section 2.2-3711(A)(7), as amended.

Motion: Vice Mayor Wine  
Second: Council member Jones

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

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

Vice Mayor Wine made a motion to adopt Resolution 2017-16 to certify that while in closed session the participants discussed only those matters for which the closed session was convened



and that all Town Council members, including Maureen Gilmore, Town Attorney and Lori Jones, Town Treasurer were in attendance.

Motion: Council member Snyder  
Second: Council member Clark

Simpson -	Aye
Unger -	Aye
Green -	Absent
Snyder -	Aye
Wine -	Aye
Clark -	Aye
Jones -	Aye

**ADJOURNMENT:**

There being no further business the meeting adjourned at 7:54 PM.

To certify that while in closed session the participants discussed only those matters for which the closed session was convened and that all Town Council members, Maureen Gilmore, Town Attorney and Lori Jones, Town Treasurer were in attendance.

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David Simpson, Mayor

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Jennifer L. Noel, Recorder

## Treasurer's Report as of November 30, 2017 - All Funds Summary

<b>Investment Summary</b>	<b>11/30/2017</b>	<b>10/31/2017</b>	<b>9/30/2017</b>	<b>8/31/2017</b>
BB&T Checking General	\$ (19,901.44)	\$ 512,661.92	\$ (55,466.47)	\$ 4,373.45
Water	645,377.38	69,760.03	56,127.63	181,324.88
Sewer	382,218.38	376,895.64	361,355.86	383,469.64
Total BB&T Checking	<u>\$ 1,007,694.32</u>	<u>\$ 959,317.59</u>	<u>\$ 362,017.02</u>	<u>\$ 569,167.97</u>
BB&T CDs	513,755.45	513,755.45	513,755.45	513,755.45
Wells Fargo Money Market	339,327.42	339,319.05	339,310.41	339,293.39
United Bank Money Market & CDs	838,679.40	838,121.05	838,024.38	836,836.50
Middleburg Bank CDs	162,409.09	162,409.09	161,241.40	161,241.40
LGIP	313,292.44	312,976.09	312,652.89	312,039.42
<b>Total All Funds</b>	<u><u>\$ 3,175,158.12</u></u>	<u><u>\$ 3,125,898.32</u></u>	<u><u>\$ 2,527,001.55</u></u>	<u><u>\$ 2,732,334.13</u></u>

### **Outstanding Debt - November 30, 2017**

2010 General Obligation Water Bond	\$ 371,735.00
General Fund Due To Water & Sewer Funds	320,000.00

### **Community Park & Fire Department Funds**

<b>Town General Fund Park Maintenance Accounts</b>	
BB&T Money Market Account	\$ 15,499.79
BB&T CD	0.00
Total Town GF Park Maintenance Accounts	<u>\$ 15,499.79</u>
<b>Park Committee Donations</b>	
United Bank Checking Account	<u>\$ 1,790.72</u>
<b>Fire Department Fund</b>	
BB&T Money Market Account	<u>\$ 1,012.48</u>

### **Water & Sewer Activity - November 2017**

	Regular Cycle Water/Sewer Bills
143	Regular Delinquent Bills
	Water turn-offs Due to Non Payment
5	New Accounts Created
1	Adjustments (leak or misread)
	Adjustments (pool credits)
	New Water Connections
	New Sewer Connections

### **Accounts Payable & Payroll Activity - November 2017**

	42 # Accounts Payable Checks + Wire Transfers
\$ 93,465.22	Accounts Payable Checks (List attached)
	6 # Employees & Town Council
\$ 25,218.93	Payroll Expense
\$ 3,857.89	Retirement Expense

**Treasurer's Report**  
**as of November 30, 2017 - General Fund**

**FY TO DATE BUDGET ANALYSIS**

	<b>FY2018</b>	<b>ACTUAL</b>	<b>\$ BUDGET</b>	<b>%</b>
	<b>BUDGET</b>	<b>11/30/0217</b>	<b>REMAINING</b>	<b>BUDGET</b>
<b>EXPENDITURES</b>				
Wages & Payroll Taxes	\$ 148,868	\$ 54,319.27	\$ 94,548.73	36%
Retirement Contribution	10,157	2,952.43	7,204.57	29%
Health Insurance	38,806	19,282.20	19,523.80	50%
Membership Dues	613	160.00	453.00	26%
General Office Expense	38,240	13,808.12	24,431.88	36%
Legal Services/Codification	58,000	18,135.00	39,865.00	31%
Engineering Services	5,000	0.00	5,000.00	0%
Audit	15,000	16,000.00	(1,000.00)	107%
Trash/Recycling	46,572	19,558.15	27,013.85	42%
Mowing	14,000	7,835.00	6,165.00	56%
Street Lights	8,000	2,581.34	5,418.66	32%
Insurance & Workman's Comp	20,158	-48.00	20,206.00	0%
Donations	2,000	0.00	2,000.00	0%
Planning Commission & Services	5,725	1,226.45	4,498.55	21%
Recreation & Activity	3,000	1,217.63	1,782.37	41%
Contingencies	10,486	1,366.07	9,119.93	13%
<b>TOTAL EXPENDITURES</b>	<b>\$ 424,625</b>	<b>\$ 158,393.66</b>	<b>\$ 266,231.34</b>	

**REVENUE**

Real Estate Taxes	\$ 217,749	\$ 105,710.54	\$ 112,038.46	49%
Personal Property Taxes	41,496	39,872.95	1,623.05	96%
Prior Year Taxes	1,250	23.46	1,226.54	2%
Penalty/Interest on Taxes	750	948.51	(198.51)	126%
Automobile Decals	10,500	12,765.50	(2,265.50)	122%
Zoning Fees	2,000	2,525.00	(525.00)	126%
Interest	2,480	1,525.78	954.22	62%
Sales Taxes	46,000	19,750.06	26,249.94	43%
Utility Taxes	30,000	9,243.96	20,756.04	31%
BPOL Taxes	12,000	695.93	11,304.07	6%
Fire Programs Grant	10,000	0.00	10,000.00	0%
Park Reservation Fees	1,000	1,100.00	(100.00)	110%
Real Estate Rental Income	46,800	12,000.00	34,800.00	26%
Litter Grant/Misc Income	2,600	1,580.60	1,019.40	61%
<b>TOTAL REVENUE</b>	<b>\$ 424,625</b>	<b>\$ 207,742.29</b>	<b>\$ 216,882.71</b>	

**NET** **\$ 49,348.63**

**Treasurer's Report**  
**as of November 30, 2017 - Water Fund**

**FY TO DATE BUDGET ANALYSIS**

	<b>FY2018</b>	<b>ACTUAL</b>	<b>\$ BUDGET</b>	<b>%</b>
	<b>BUDGET</b>	<b>11/30/0217</b>	<b>REMAINING</b>	<b>BUDGET</b>
<b>EXPENDITURES</b>				
Wages & Payroll Taxes	\$ 123,074	\$ 49,977.18	\$ 73,096.82	41%
Retirement Contribution	10,995	3,199.94	7,795.06	29%
Health Insurance	39,661	19,830.60	19,830.40	50%
General Office Expense	6,100	1,648.81	4,451.19	27%
Workman's Comp/Liability	6,943	629.00	6,314.00	9%
System Consultant	19,500	0.00	19,500.00	0%
Electricity	30,000	8,244.24	21,755.76	27%
Truck Supplies & Repair	4,000	633.44	3,366.56	16%
Chemicals & Water Testing	8,000	2,800.66	5,199.34	35%
Water Integration	31,860	13,275.00	18,585.00	42%
Repairs - Plant & Equipment	26,792	23,505.47	3,286.53	88%
Repairs - Lines & Hydrants	19,000	4,274.37	14,725.63	22%
Repairs Bldg/Grounds	2,000	177.53	1,822.47	9%
Safety Supplies	1,500	527.97	972.03	35%
Cross Connection Program	200	0.00	200.00	0%
2002 VRA Bond Debt Pmt	114,996	105,976.13	9,019.87	92%
Training, Licenses & Dues	1,800	300.00	1,500.00	17%
Contingencies	6,158	347.30	5,810.70	6%
<b>TOTAL EXPENDITURES</b>	<b>\$ 452,579</b>	<b>\$ 235,347.64</b>	<b>\$ 217,231.36</b>	
<b>REVENUE</b>				
Water Service Charges	\$ 275,800	\$ 97,704.75	\$ 178,095.25	35%
Connection Fees	3,400	0.00	3,400.00	0%
VRA Bond Surcharge	78,000	26,267.00	51,733.00	34%
Cell Towner Antenna Lease	94,364	38,925.15	55,438.85	41%
Interest	1,015	350.11	664.89	34%
<b>TOTAL REVENUE</b>	<b>\$ 452,579</b>	<b>\$ 163,247.01</b>	<b>\$ 289,331.99</b>	
<b>NET</b>		<b>(72,100.63)</b>		

**Treasurer's Report**  
**as of November 30, 2017 - Sewer Fund**

**FY TO DATE BUDGET ANALYSIS**

	<b>FY2018</b>	<b>ACTUAL</b>	<b>\$ BUDGET</b>	<b>%</b>
	<b>BUDGET</b>	<b>11/30/0217</b>	<b>REMAINING</b>	<b>BUDGET</b>
<b>EXPENDITURES</b>				
<b>Operating</b>				
Wages & Payroll Taxes	\$ 112,796	\$ 47,004.85	\$ 65,791.15	42%
Retirement Contribution	10,286	2,993.13	7,292.87	29%
Health Insurance	35,003	17,501.40	17,501.60	50%
Workers Comp/Liability	6,086	(435.00)	6,521.00	-7%
System Consultant	10,000	6,523.67	3,476.33	65%
General Office Expense	8,000	2,625.08	5,374.92	33%
Sewer Operations	18,000	6,460.00	11,540.00	36%
Electricity	30,000	9,892.77	20,107.23	33%
Truck & Generator	4,000	630.49	3,369.51	16%
Chemicals & Lab Testing	60,000	17,621.72	42,378.28	29%
Repairs - Plant & Equipment	10,000	3,356.07	6,643.93	34%
Repairs - Sewer Lines	6,000	-	6,000.00	0%
Repairs Bldg/Grounds	5,000	250.91	4,749.09	5%
Safety Supplies	1,500	345.03	1,154.97	23%
Training & Licenses	1,300	225.00	1,075.00	17%
2010 Water Bond Debt	12,777	11,775.12	1,001.88	92%
Grinder Pumps/Maintenance	30,000	-	30,000.00	0%
Contingencies	6,822	2,949.94	3,872.06	43%
<b>TOTAL EXPENDITURES</b>	<b>\$ 367,570</b>	<b>\$ 129,720.18</b>	<b>\$ 237,849.82</b>	
<b>REVENUE</b>				
Sewer Service Charges	\$ 310,800	\$ 112,648.15	\$ 198,151.85	36%
Connection Fees	5,000	-	5,000.00	0%
Interest	4,397	3,341.93	1,055.07	76%
Surcharge for Sewer Loan	46,410	15,450.50	30,959.50	33%
Sewer Tax District Loan	963	-	963.00	0%
<b>TOTAL REVENUE</b>	<b>\$ 367,570</b>	<b>\$ 131,440.58</b>	<b>\$ 236,129.42</b>	
<b>NET</b>		<b>1,720.40</b>		

**Treasurer's Report  
as of November 30, 2017 - CIP**

**FY TO DATE BUDGET ANALYSIS**

<b>GENERAL FUND CIP</b>	<b>FY2018 BUDGET</b>	<b>ACTUAL 11/30/2017</b>	<b>\$ BUDGET REMAINING</b>	<b>% BUDGET</b>
<b>Expenditures</b>				
41 E Colonial Parking/Repairs	\$ 35,000	\$ 9,936.00	\$ 25,064.00	28%
VDOT FY2016 Grant	243,359	6,840.00	236,519.00	3%
VDOT FY2018 Grant	100,000	0.00	100,000.00	0%
WF & SF Loan Payback	40,000	0.00	40,000.00	0%
Park Equipment Improvements	100,000	46,787.00	53,213.00	47%
LC Transportation CIP Request	541,414	\$ 24,180.00	517,234.00	4%
<b>Total Expenditures</b>	<b>\$ 1,059,773</b>	<b>\$ 87,743.00</b>	<b>\$ 972,030.00</b>	
<b>Revenue</b>				
VDOT Grant Revenue	274,687	0.00	\$ 274,687.00	0%
LC CIP Revenue	541,414	566,414.00	(25,000.00)	105%
Transfer In from General Fund	243,672	63,563.00	180,109.00	26%
<b>Total Revenue</b>	<b>\$ 1,059,773</b>	<b>\$ 629,977.00</b>	<b>\$ 429,796.00</b>	
 <b>WATER FUND CIP</b>				
<b>Expenditures</b>				
Water Meter Replacement	6,000	0.00	6,000.00	0%
Well 1&4 Improvements	150,000	28,287.61	121,712.39	19%
Decommission Wells 7-10	10,000	0.00	10,000.00	0%
Rt 7 Waterline Replacement	50,000	0.00	50,000.00	0%
Hydrant Replacement	4,000	0.00	4,000.00	0%
<b>Total Expenditures</b>	<b>\$ 220,000</b>	<b>\$ 28,287.61</b>	<b>\$ 191,712.39</b>	
<b>Revenue</b>				
Transfer in from PY Surplus	\$ 181,900	\$ 5,200.00	\$ 176,700.00	3%
Loan from General Fund	20,000	0.00	20,000.00	0%
Availability Fees	18,100	0.00	18,100.00	0%
<b>Total Revenue</b>	<b>\$ 220,000</b>	<b>\$ 5,200.00</b>	<b>\$ 214,800.00</b>	
 <b>SEWER FUND CIP</b>				
<b>Expenditures</b>				
I & I Program/CMOM	\$ 100,000	\$ 0.00	100,000.00	0%
<b>Total Expenditures</b>	<b>\$ 100,000</b>	<b>\$ 0.00</b>	<b>\$ 100,000.00</b>	
<b>Revenue</b>				
Transfer in from PY Surplus	\$ 67,600	\$ 0.00	\$ 67,600.00	0%
Loan from General Fund	20,000	0.00	20,000.00	0%
Availability Fees	12,400	0.00	12,400.00	0%
<b>Total Revenue</b>	<b>\$ 100,000</b>	<b>\$ 0.00</b>	<b>\$ 100,000.00</b>	

**Treasurer's Report**  
**Check Listing November 2017**

CHECK#	PAYEE	PURPOSE	AMOUNT
20991	Crystal Springs	Office Water Cooler	\$49.29
20992	DOMINION VIRGINIA POWER	Electricity	\$4,555.03
20993	FIVE STAR SEPTIC, INC.	Monthly Park Portable Rent	\$140.00
20994	Hamilton Elementary PTA	FY2018 Donation	\$1,500.00
20995	InstruLogic LLC	Monthly SCADA	\$2,655.00
20996	Matthew Moore	Personal Property Tax Refund	\$10.00
20997	NICHOLS HARDWARE	Misc Supplies	\$79.89
20998	NORTON EMBROIDERY INC	Town Apparell	\$193.00
20999	SOUTHERN STATES	Hydrated Lime	\$113.88
21000	TREE FROG LAWN CARE, LLC	Mowing	\$2,315.00
21001	USA BLUEBOOK	Water & Waste Water Supplies	\$1,166.43
21002	USA Septic Services LLC	Pump & Haul	\$1,140.00
21003	VUPS	Miss Utilities	\$36.75
21004	Playground Specialists Inc	Park Playground Deposit	\$46,787.00
21005	Advance Auto Parts	Misc Supplies	\$82.96
21006	AMERICAN DISPOSAL SERVICES INC	Trash & Recycling	\$3,922.47
21007	ANTHEM BLUE CROSS BLUE SHIELD	Health Insurance	\$9,496.00
21008	BB&T BANKCARD CORPORATION	WTP Lights/Comcast/WWTP & Office Supplies	\$4,388.43
21009	Coyne Chemical	Chemicals	\$3,187.63
21010	Daniel Gorman	Planning Commission	\$50.00
21011	DE LAGE LANDEN	Copier Lease	\$135.00
21012	Delia Vargas	Utility Account Refund	\$102.63
21013	Eugene Simpson	Utility Account Refund	\$15.36
21014	IMAGISTX of Virginia	Copier Maintenance	\$290.05
21015	Jaqueline Whalen	Decal Refund	\$50.00
21016	JOINER MICRO LABORATORIES, INC	Water Testing	\$2,395.00
21017	LESLIE F. CARLSON	Planning Commission	\$50.00
21018	LOUDOUN COUNTY CENTRAL GARAGE	Vehicle Fuel	\$166.79
21019	POSTMASTER HAMILTON	Utility Bill Postage	\$348.36
21020	PROGRESSIVE AUTOMOTIVE	Vehicle Inspection	\$16.00
21021	Tri-Tek Engineering	CMOM & WTP Concept Planning	\$1,785.00
21022	VA GOVT FINANCE OFFICERS' ASSOC	FY2018 Treasurer Dues	\$45.00
21023	VAMAC Leesburg	Misc Supplies	\$12.21
21024	VERIZON	Telephone	\$713.49
21025	VERIZON WIRELESS	Cell Phones	\$210.57
20170232	Catherine Salter	Planning Commission	\$50.00
20170233	GREG K. WILMOTH	Planning Commission	\$50.00
20170234	Matthew Clark	Planning Commission	\$50.00
20170235	ROBERT E. MCCANN	Planning Commission	\$75.00
20170236	RUSSELL BEAL	Planning Commission	\$50.00
20170237	JENNIFER NOEL	November Recorder Services	\$216.00
20170238	MAUREEN GILMORE	November Legal Services	\$4,770.00
<b>TOTAL</b>			<b>\$93,465.22</b>

**COOPERATIVE AGREEMENT BETWEEN  
THE COMMISSIONER OF THE REVENUE OF LOUDOUN COUNTY  
AND THE INCORPORATED TOWN OF \_\_\_\_\_**

**ARTICLE I – EFFECTIVE DATE**

This Cooperative Agreement, effective on the date last signed below, is between the Commissioner of the Revenue of Loudoun County and the incorporated town of \_\_\_\_\_ in the County of Loudoun. This agreement runs concurrently with the term of the Commissioner of the Revenue which ends on December 31, 2019.

**ARTICLE II – PURPOSE**

The parties voluntarily wish to enter into this agreement to delineate their responsibilities regarding the mutually beneficial exchange of information for purposes of budget preparation, and local tax assessment and collection. This agreement is intended to establish a uniform methodology and timetable for the exchange of necessary, thorough, accurate, timely and up-to-date information between the parties.

**ARTICLE III – SCOPE OF AGREEMENT**

This Agreement extends to all employees and deputies of the Commissioner of the Revenue and employees of the respective Town responsible for local tax assessment or collection to whom information is to be or has been provided.

**ARTICLE IV – CONFIDENTIALITY**

Information will be solely used for tax assessment and collections purposes and will be protected as confidential tax information under Virginia Code §58.1-3. This means that the confidential tax information is strictly guarded and cannot be disclosed to anyone but the taxpayer, except in accordance with a proper judicial order or as otherwise provided by law. Individuals are entitled to view confidential tax records in the course of business ONLY IF THERE IS AN OFFICIAL NEED TO KNOW. If there is not an official need to know in the conduct of employment responsibilities, employees may not examine anyone's confidential records, including their own.

For the purpose of this agreement, confidential tax information is any local, state or federal tax information maintained or made available by the Commissioner of the Revenue that is not legally known by, or available to, the general public, and includes taxpayer specific demographic, return, or account information. Confidential tax information may include motor vehicle rental tax, sales and use tax, and other sensitive tax data that the Commissioner determines would be beneficial for the employees, representatives or officials of the Town of \_\_\_\_\_ in carrying out official responsibilities. References to locality employees shall include all authorized individuals, including employees, contractors, and other third parties to whom the Town has given access to confidential tax information to assist with tax administration duties.

Confidential tax information provided by the Commissioner of the Revenue shall be used only for administering taxes imposed by the Town and verifying the accuracy of tax and assessment information established, maintained, collected or provided by the Commissioner of the Revenue and distributed to the Town. In all cases, access to, and inspection of, confidential taxpayer information must be in compliance with state and federal laws.

The Commissioner of the Revenue agrees to provide access to confidential tax information through channels determined by the Commissioner of the Revenue, to the Town, provided that each individual has provided adequate information for identity verification and authentication and signed the *Acknowledgement of Intent to Comply with §58.1-3 of the Code of Virginia* prior to such employee be given access to any confidential tax information. When it is discovered or suspected that a disclosure incident or security breach has occurred, the Town shall immediately notify the Office of the Commissioner of the Revenue. Any paper or electronic document containing Confidential Tax Information shall be destroyed securely (deleted, shredded using a cross-cut shredder, etc.) when no longer needed.



**COOPERATIVE AGREEMENT BETWEEN  
THE COMMISSIONER OF THE REVENUE OF LOUDOUN COUNTY  
AND THE INCORPORATED TOWN OF \_\_\_\_\_**

Confidential tax information and other information provided by the Office of the Commissioner of the Revenue for local tax administration and budget purposes shall not be subsequently disclosed, redistributed or made available to any other person or entity that is not authorized to receive confidential tax information unless authorized or required by law. Confidential tax information (electronic files, reports, hard-copy documents, print outs, etc.) cannot be shared with any governmental agency or local official (e.g., law enforcement, the local governing body, city/county/town managers, budget officer, economic development officials, etc.) unless specifically authorized by law. The Town should direct any questions regarding authorization requirements to the Office of the Commissioner of the Revenue at [cor@loudoun.gov](mailto:cor@loudoun.gov).

Documents containing confidential tax information shall never be left unattended on desks or in areas with public access or where the confidential tax information could be accessed, viewed or copied by an unauthorized individual, including an unauthorized co-worker. Any notes or letters with confidential tax information shall be considered confidential tax information. Any documents printed or created that contain confidential tax information shall be closely monitored to ensure that only authorized personnel have access to them. Any documents printed or created that contain confidential tax information shall be stored in locked cabinets when not in use.

The Town understands that any confidential tax information covered by this agreement is confidential tax information subject to the penalties provided under *Va. Code* § 58.1-3 for unauthorized disclosure. Confidential tax information may be used only for the purpose for which the use is authorized. Unauthorized disclosure of confidential tax information is a Class 1 misdemeanor. In addition, unauthorized access or use of any federal confidential tax information may be a violation of Title 18, U.S. Code, Section 1030, and may subject the individual to criminal and civil penalties pursuant to Title 26, U.S. Code, sections 6103, 7213, 7213A (Taxpayer Browsing Protection Act), and 7431.

The Town agrees to limit access to confidential tax information to as few employees as possible or necessary and that only those employees with a "need to know" considering their specific employment responsibilities shall be allowed access to confidential tax information.

The Town agrees to maintain a file with all acknowledgement forms regarding safeguarding and securing of confidential tax information by each employee or other individual for which the Town has requested access to confidential tax information. The Town also shall maintain at all times an updated list of all employees and other individuals ~~for whom~~<sup>which</sup> the Town has requested access to confidential tax information. Such list shall include the individual's name, position, and beginning date for which access was granted by the Commissioner of the Revenue and, if applicable, the date access was terminated. It is recognized that some employees who still need access will not have a termination date on such list. The Town shall review this list at least once every six months to verify those employees with access to confidential tax information is up to date and accurate. The Town shall provide a current copy of the list to the Commissioner of the Revenue upon the Commissioner's request.

**ARTICLE V - CONTACT INFORMATION – NOTICE UNDER THIS AGREEMENT**

**COOPERATIVE AGREEMENT BETWEEN  
THE COMMISSIONER OF THE REVENUE OF LOUDOUN COUNTY  
AND THE INCORPORATED TOWN OF \_\_\_\_\_**

Towns will provide the Commissioner of the Revenue with notice under this agreement at option of sender in order of precedence by:

- 1) email to: [cor@loudoun.gov](mailto:cor@loudoun.gov)
- 2) fax to: 703 777-0263
- 3) U.S. Mail to: PO Box 8000, Leesburg, VA 20177-9804 .
- 4) Hand delivery/Courier/FedEx/UPS to Commissioner of the Revenue or designated representative  
Physical office location: 1 Harrison St, SE MSC 32, Leesburg, VA 20175

The Office of the Commissioner of the Revenue will provide notice to the Town at option of sender in order of precedence by:

- 1) email to: \_\_\_\_\_
- 2) fax to: \_\_\_\_\_
- 3) U.S. Mail to: \_\_\_\_\_
- 4) Hand delivery/Courier/FedEx/UPS to Town Manager or designated representative

Changes to this contact information will be provided by either party within 60 calendar days of any change in mailing or email address or fax number.

The Office of the Commissioner of the Revenue will provide to the Town 6 months prior written notice of a change in dates for deliverables under this agreement, data or file format for information to be provided to the Town. If 6 months' notice is not feasible, such notice will be made as soon as known or practicable. The Town shall have 14 calendar days from receipt of such change to notify the Office of the Commissioner of the Revenue in writing of any concern or issue with the new or modified date or data.

The Town will provide to the Office of the Commissioner of the Revenue 6 months prior written notice of a change in requirements. The Office of the Commissioner of the Revenue shall have 14 calendar days from receipt of such change to notify the Town in writing of any concern or issue with the new or modified date or data.

The Office of the Commissioner of the Revenue and the Town will work diligently to resolve any concern or issue resulting from a change in date or data to minimize the impact, if any, on their respective operations or constituents. Any modification affecting the calendar or file format will be mutually resolved and memorialized as an addendum to this agreement within 30 days of agreement by both parties or as soon as is reasonable.

Email notice for corrections or updates. Should Town employees believe that there is incorrect information provided concerning a taxable item, person or entity, or the need for the County to update its records based on a change in taxable status, an email will be sent to [cor@loudoun.gov](mailto:cor@loudoun.gov) to provide the County the opportunity to correct, update or clarify the information. The Town's email shall contain as much detail as possible to permit efficient research and resolution. The email will contain, preferably, taxpayer name, address, item description, county account number, VIN or parcel number, the date a vehicle moved into or out of the Town, an explanation of the problem and a desired resolution. The County will monitor this email address and provide a response as soon as practicable. The County will provide the Town similar information by email to: \_\_\_\_\_. Such emails shall not contain tax identification and social security numbers unless encrypted and/or password protected.

**COOPERATIVE AGREEMENT BETWEEN  
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AND THE INCORPORATED TOWN OF \_\_\_\_\_**

**ARTICLE VI – CALENDAR / SCHEDULE**

The schedule for the various files to be provided by the respective party are included as **Exhibit A** and are incorporated herein.

**ARTICLE VII – FILE FORMAT**

The formats for the various files to be provided to the Town are included as **Exhibit B** and are incorporated herein.

**ARTICLE VIII – GOVERNANCE OF LAW**

This Agreement shall be governed in all respects, whether as to validity, construction, capacity or performance, by the laws of the Commonwealth of Virginia. Nothing contained herein shall act to supersede any provision of the Code of Virginia. The following Virginia Code sections are relevant as of the date of this agreement:

- a) [§ 58.1-3015](#). To whom property generally shall be taxed and by whom listed. If property is owned by a person sui juris, it shall be taxed to him. If property is owned by a minor, it shall be listed by and taxed to his guardian or trustee, if any he has; if he has no guardian or trustee, it shall be listed by and taxed to the person in possession. If the property is the estate of a deceased person, it shall be listed by the personal representative or person in possession and taxed to the estate of such deceased person. If the property is owned by an incapacitated person as that term is defined in [§ 64.2-2000](#), it shall be listed by and taxed to his conservator or guardian, if any; if none has been appointed, then such property shall be listed by and taxed to the person in possession. If the property is held in trust for the benefit of another, it shall be listed by and taxed to the trustee, if there is any in this Commonwealth, and if there is no trustee in this Commonwealth, it shall be listed by and taxed to the beneficiary. If the property belongs to a corporation or firm, it shall be listed by and taxed to the corporation or firm.
- b) [§ 58.1-3017](#). Disclosure of social security account numbers for local tax administration purposes. Notwithstanding any other provision of law, a tax official of any county, city or town may require disclosure of the social security account number of a taxpayer for any purpose relating to local taxes administered by such official, including verification of the identity of any individual. Such numbers shall be regarded as confidential tax information.
- c) [§ 58.1-3109](#) 8. [The Commissioner of Revenue shall \[u\]p](#)on written request of any town treasurer or director of finance or other officer who performs the duties of a treasurer and whose locality is located within such commissioner's jurisdiction, provide the name, address and social security number of any taxpayer who has filed a personal property tax return with such commissioner of the revenue, as long as such town treasurer or director of finance or other officer who performs the duties of a treasurer shall certify that such information is sought in the performance of official duties. Any town official to whom information is furnished pursuant to this provision shall be bound by the provisions and penalties of [§ 58.1-3](#);
- d) [§ 58.1-3115](#) In making out assessment books, the commissioner of the revenue shall arrange them alphabetically to show the persons chargeable with taxes. When there are two or more persons of the same name, he shall use some distinguishing sign by which the taxpayer may be identified. The address of each taxpayer shall be given. All taxable tangible personal property and all other subjects of taxation not required by law to be assessed on some other book or form shall be entered in the personal property book.
- e) [§ 58.1-3122.2](#). Remote access to nonconfidential public records maintained by commissioner. The commissioner of the revenue may provide remote access, including access through the Internet, to all nonconfidential public records maintained by his office, subject to such limitations as may be imposed by applicable law. Any system of remote access created or maintained pursuant to this section shall include

**COOPERATIVE AGREEMENT BETWEEN  
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security measures that preclude remote access users from (i) obtaining any data that is required to be maintained as confidential pursuant to § 58.1-3, the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia Public Records Act (§ 42.1-76 et seq.), or other applicable law, and (ii) modifying or destroying any record or data in any manner.

f) [§ 58.1-3301](#). Form of land book.

A. The land books may be produced in one of the following forms: (i) paper; (ii) microfilm, microfiche, or any other microphotographic process; or (iii) electronic process. Such microfilm and microphotographic processes shall meet state archival microfilm standards and state electronic records guidelines pursuant to § 42.1-82. The Department of Taxation shall prescribe the form of the land book to be used by the commissioner of the revenue and shall furnish each commissioner of the revenue with four copies of blank land books prepared in the form so prescribed. The land books may be produced in the form of microfilm, microfiche, or any other similar microphotographic process and shall be distributed as provided in § 58.1-3310 in the form of such process so long as such process complies with standards adopted pursuant to regulations issued under § 42.1-82 for microfilm, microfiche, or such other microphotographic process and is acceptable to and meets the requirement of the recipients of copies of the land book as designated by § 58.1-3310.

B. Tracts of lands in counties shall be entered in the land book by magisterial or school districts and town lots shall be entered upon sheets provided in the land book for that purpose. The governing body of any county having sanitary districts may provide by resolution that land books, personal property books and other tax assessment records be entered and arranged alphabetically to show the persons chargeable with taxes in each such district. The sanitary district in which the property is located shall be designated by an appropriate coding which shall provide for the means of recapitulation by sanitary districts, setting forth the total assessment and tax levy for each such district.

C. Nothing in this section shall be construed to prohibit any commissioner of the revenue of any city from using a land book in the form prescribed and furnished by or under the authority of the council of his city and at the cost of his city, provided that whether the land book is furnished by the city or the Tax Commissioner, it shall contain the name and street address of every owner of real property in the local jurisdiction. In cases where real property is owned by more than one person, the land book shall contain the name and street address of at least one of the owners.

D. In the event real estate is assessed at use value as provided in Article 4 (§ 58.1-3229 et seq.) of Chapter 32 of this title, the land book shall show both the use value and the fair market value.

g) [§ 58.1-3302](#). What the table of town or city lots to contain.

In the table of town or city lots the commissioner of the revenue shall enter separately each lot and shall set forth in as many separate columns as may be necessary the name of the person, his residence and estate, as in the table of tracts of land. The commissioner shall set forth in other columns the number of each lot in the town or city, with the name of the town or city, if not previously placed in the caption or heading of the table, a description, when the person does not own the whole lot, of the part which he owns, the value of the buildings on the lot, the value of the lot including buildings, the amount of tax at the legal rate and like notice of the source of title and explanation of alteration as in the table of tracts of land. The commissioner of revenue of Pulaski County, however, when assessing or listing for taxation the town lots in the town of Pulaski for such county, shall in addition set forth in other columns the number of each lot in the town and the number of the section or block in which it is located.

**ARTICLE IX – AMENDMENT, TERMINATION OR SUSPENSION**

**COOPERATIVE AGREEMENT BETWEEN  
THE COMMISSIONER OF THE REVENUE OF LOUDOUN COUNTY  
AND THE INCORPORATED TOWN OF \_\_\_\_\_**

Amendments. Amendments of, or modification to, this agreement, may be made only through the mutual [written](#) agreement of the parties.

Termination. This Agreement may be terminated by either party by providing 60 calendar days written notice to the other.

In the event of a breach by either party to this Agreement, the non-breaching party may give written notice to the party allegedly in breach, specifying the manner in which the Agreement has been breached. If such notice of breach is given, the party sending the notice may suspend performance of any or all of its corresponding obligations under this Agreement, and if the party receiving the notice has not substantially corrected the breach within 30 calendar days of the receipt of the written notice, the party sending the notice shall have the right to terminate this Agreement.

This Agreement may be suspended, after consultation between the ~~Town's~~[Town Manager](#) or designated representative and the Commissioner of the Revenue, in the event the County of Loudoun or the Town fails to appropriate or allocate funds necessary to carry out an obligation under this Agreement. [Such suspension may become effective one hundred eighty \(180\) days after receipt of written notice that such funds have not been allocated.](#)

**ARTICLE X – SECURE MAINTENANCE OF DATA**

The County through its Department of Information Technology or its vendors maintains computerized land records and computerized tax assessment systems for the use of the Commissioner of the Revenue, among others. Data in such systems shall be maintained at all times in accordance with the confidentiality provisions of Virginia Code § 58.1-3, as amended. No confidential data or records maintained by the Commissioner of the Revenue shall be accessed, used or released without the express approval of the Commissioner of the Revenue or his deputies, except as provided by law.

\_\_\_\_\_  
Signature of Commissioner of the Revenue  
Robert S. Wertz, Jr.

\_\_\_\_\_  
Signature of ~~Representative~~[Town Manager](#)

\_\_\_\_\_  
Town of

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**DECEMBER 11, 2017 TOWN COUNCIL MEETING CLOSED SESSION MOTION**

I move that the Hamilton Town Council recess its regular meeting and convene a closed session to discuss:

Compensation of employees of the Town of Hamilton as authorized by Code of Virginia Section 2.2-3711(A)(1).

The following individuals are invited to attend the closed session:

All Town Council Members  
Maureen K. Gilmore, Town Attorney

Second and Recorded Voice Vote required.

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I move that the Hamilton Town Council adjourn its closed session and reconvene its regular meeting.

Second and Recorded Voice Vote required.

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I move that the Hamilton Town Council adopt Resolution No: 2017-17, to certify that while in closed session, the participants discussed only those matters for which the closed session was convened.

Second and Recorded Voice Vote required.

**TOWN OF HAMILTON  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 2017-17**

**PRESENTED: December 11, 2017**  
**ADOPTED: \_\_\_\_\_**

**A RESOLUTION: CERTIFYING THE CLOSED SESSION ON  
DECEMBER 11, 2017**

**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 \_\_\_\_\_ 2017.**

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

**ATTEST:**

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