



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, July 8, 2021**



**PENDING APPROVAL**

**PRESENT:** Mayor Trowbridge M. Littleton  
Vice Mayor Philip M. Miller  
Councilmember Chris W. Bernard  
Councilmember J. Kevin Daly  
Councilmember Morris “Bud” Jacobs  
Councilmember Darlene Kirk  
Councilmember Peter Leonard-Morgan  
Councilmember Cindy C. Pearson

**STAFF:** Danny Davis, Town Manager  
Martin Crim, Town Attorney  
Rhonda S. North, MMC, Town Clerk  
William M. Moore, Deputy Town Manager  
Estee LaClare, Planning & Project Associate  
A.J. Panebianco, Chief of Police

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, July 8, 2021 in the Town Hall Council Chambers located at 10 West Marshall Street. Mayor For The Day Keagan Killinger led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

**Resolution of Appreciation** – Deb Cadenas

Mayor Littleton noted that Ms. Cadenas had been a key member of the Middleburg Arts Council. He advised that she was a true light and one of the most talents artists he had ever met. Mr. Littleton read the resolution aloud and presented a signed copy to her, along with a Middleburg paperweight.

*Councilmember Pearson moved, seconded by Councilmember Daly, that Council adopt a resolution extending its appreciation to Deb Cadenas for her service on the Middleburg Arts Council from December 8, 2016 through May 19, 2021.*

Council thanked Ms. Cadenas and noted that whenever they gave her an idea for some artwork, she executed it beautifully. They advised that they would miss her infectious enthusiasm.

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson  
No – N/A  
Abstain: N/A  
Absent: N/A  
(Mayor Littleton only votes in the case of a tie.)

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**Public Comment**

Patti Thomas, 201 Chestnut Street, opined that during the June 10<sup>th</sup> meeting, the Council tasked the Town staff with speaking to representatives from Salamander regarding the topics that were raised that evening and with updating the 2015 traffic study. She asked that the updates be posted to the Town’s website. Ms. Thomas noted that a citizens meeting was held later that week, which was attended by the Mayor and a representative from Salamander, during which the issues of life safety and emergency services were discussed; however, they were not resolved. She opined that Salamander was

fine building Chestnut and Reed Streets as pedestrian accesses only and suggested they be constructed using pavers and grass. Ms. Thomas opined that it made sense to make them private roads, as VDOT was not good stewards when it came to road maintenance. She questioned the Town’s reason for holding up the decision that the extensions of Reed and Chestnut Streets should be used for emergency and pedestrian access only. Ms. Thomas presented a revised petition regarding this matter to the Town Clerk.

Ramsey Metcalf, 5 Reed Street, advised that the more people talked about what was proposed by Salamander, the more concerns were raised about changes to the town. She opined that the most threatening was that the roads in and out of Salamander would change the town into a thoroughfare to the residences. Ms. Metcalf suggested that short-term rentals would be the focus of the new homes and opined that the occupants would not care about the environment as much as a resident. She advised that the residents needed to feel supported and that their concerns were being put at the forefront of decisions.

Pam Curran, 800 Blue Ridge Avenue, expressed hope that everyone would come to the table with an open mind to find a solution to the issue of connection of the roads.

Roxene Hill, 205 Chestnut Street, advised Council that she was also representing Hugh McWilliams and Lizanne White. She thanked the Council for looking at this issue and opined that it was about the whole town and preserving its legacy. Ms. Hill suggested the need to separate the “town” from the Salamander development so it would have its own identity.

**Public Hearing**

**Special Use Permit 21-01 – Front Yard Greater Than 30 Feet – Town Hall Project – Town of Middleburg**

Town Manager Davis reported that the Planning Commission recommended approval of this request. He reminded Council that the existing Town Office building would be demolished and the property on which it was located would become a public park; therefore, the front yard setback would be greater than thirty feet. Mr. Davis reported that the staff was recommending approval of the request.

No one spoke and the public hearing was closed.

Councilmember Jacobs thanked the members of Council who spoke during the Planning Commission’s public hearing and advised that they appreciated their input.

*Vice Mayor Miller moved, seconded by Councilmember Daly, that Council approve Special Use Permit 21-01 because the request is consistent with the Comprehensive Plan and with the criteria for granting a special use permit. Vice Mayor Miller further moved, seconded by Councilmember Daly, that the approval is subject to general conformance with the exhibit titled “Middleburg Town Hall Site Layout & Geometric Plan” by Timmons Group dated February 8, 2021.*

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

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**Discussion Item**

**Cancellation of August Meeting**

Following some discussion, the Council agreed to cancel the first meeting in August.

**Staff Reports**

Town Clerk North reported that with the departure of the Accounting/Administrative Assistant, she had once again assumed responsibility for the front desk operations. She further reported that she, the Town Manager and Town Attorney met last week with representatives from InvoiceCloud to resolve some issues with the draft contract. Ms. North reminded Council of the Virginia Municipal League conference scheduled for October 3-5 and asked that members let her know if they wished to attend so she could register them. She advised Council that she would be on vacation from July 12-23; although, she would be present for the Town Hall Public Outreach Session.

Chief Panebianco announced that National Night Out would be held on August 3<sup>rd</sup> and noted that Town Manager Davis would be the first person in the Dunk Tank. He advised that he would also be in it. Chief Panebianco reported that the Fourth of July Celebration was a huge success. He reported that there were no injuries as a result of the recent storm. Chief Panebianco recognized Officer Jason Davis, who responded to a number of calls for downed trees that evening, as well as Corporal Putnam.

**Consent Agenda**

A. Council Approval – June 24, 2021 Regular Meeting Minutes

*Councilmember Bernard moved, seconded by Vice Mayor Miller, that Council approve the consent agenda as proposed.*

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

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**Town Hall Project Report**

Town Clerk North noted that since her last report, the HDRC held a public hearing on the demolition of the existing Town Office and the construction of the new Town Hall and approved the issuance of a Certificate of Appropriateness for the project. She further noted that the Planning Commission held a public hearing on the special use permit application, which the Council approved earlier in the meeting. Ms. North reported that the architect submitted the erosion and stormwater management permit application and the BSMP permit application to the County. She noted that those permits would initially be issued in the name of the Town and would be transferred to the contractor’s name once one was selected. Ms. North reported that the staff submitted comments on the site plan to the project engineer. She noted that the staff and construction management firm were continuing work on the RFP for the prequalification of general contractors and advised that it would be issued soon. Ms. North announced that the second public outreach session would be held on July 12<sup>th</sup> beginning at 6:00 p.m. in the Town Hall Council Chambers. In response to inquiry from the Council, Town Clerk North reported that groundbreaking was scheduled to occur in late January or early February. She noted that the schedule called for the Council to award the contract to a general contractor the end of December.

In response to an inquiry from the Council, Town Manager Davis reported that he would distribute the draft slide presentation for the public outreach session to the Council on July 9<sup>th</sup> for their review and comment.

**Action Items**

Council Approval – Grant Request – Family Reunion Event – Visit Loudoun

Town Manager Davis reported that Visit Loudoun was sponsoring a multi-day Family Reunion Event at the Salamander Resort for individuals in the hospitality profession, with an emphasis on nurturing, developing, and celebrating racial and ethnic diversity within the next generation of hospitality professionals. He advised that the Power of Diversity Day would

be an educational day focused on the importance of diversity, equality and inclusion in the hospitality industry and explained that the Town was being asked to provide a grant and co-sponsor this day. Mr. Davis reported that the Cultural & Community Events Committee recommended approval of a \$5,000 grant. In response to an inquiry from the Council, he advised that the grant request was from Visit Loudoun and explained that the Town could only award grants to non-profit organizations. He reported that the Salamander Resort was also a sponsor of the event.

In response to an inquiry from the Council, Town Manager Davis confirmed the event would be open to the public; however, portions of it would be fee-based ticketed events. He reported that the monies raised from the event would be used to support the charitable partners and to raise money for a scholarship to send a needy individual to the Culinary Institute of America.

The Council advised that the event for which the Town grant money would be used must be open to the public until the attendance cap was reached.

*Councilmember Leonard-Morgan moved, seconded by Councilmember Pearson, that Council approve the recommendation of the Cultural & Community Events Committee to provide a grant to Visit Loudoun to co-sponsor the Power of Diversity Day at the Family Reunion Event at the Salamander Resort on August 19, 2021, in the amount of \$5,000.*

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

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#### Council Approval – Hunt Country Music Festival Grant Request – Middleburg Concert Series

Town Manager Davis reported that following the distribution of the agenda, the applicant asked that the Town postpone consideration of this request so they could have collaborative discussions with the Middleburg Arts Council, as the proposal was for the music festival to coincide with Spring Art in the Burg.

#### Council Approval – Social Media Contract – RedThinking, LLC

Town Manager Davis reminded Council that marketing and visitor attraction was one of their key strategic initiatives. He noted that it was also one of the key items in the Town’s economic development strategy. Mr. Davis reported that a Request For Proposals was issued for the management of the Town’s social media, with nineteen proposals being received. He reviewed the process that was used to evaluate them and reported that the staff and review panel recommended a contract be awarded to Red Thinking, LLC - the same firm that handled the creation of the Town’s marketing logo. He opined that this contract was a good way to support the businesses and community. Mr. Davis reported that the total cost of the contract was expected to be \$75,000-85,000 in FY ‘22, depending on the amount of paid advertising. He noted that the budget contained \$125,000 for this contract.

In response to a suggestion that the Town delay the contract until a new Business Development Director was hired, Town Manager Davis expressed concern that this would impact the Town’s Fall and Winter strategy, which must be implemented by September 1st. He noted that this was a key month for attracting visitors.

Vice Mayor Miller noted that it took time to develop paid social media opportunities, as well as for them to get out and be seen. He suggested the need to begin promoting Oktoberfest.

In response to inquiries from the Council, Town Manager Davis confirmed this would be a one-year contract, with a built-in renewal clause, and that the amount would be capped, with the total depending on the Town's desire for paid advertising. He confirmed the Town would cross promote the Middleburg Business & Professional Association's events and that the two entities would collaborate to ensure similar messaging. Mr. Davis reiterated that the estimated cost would include paid social media. He noted that the contract would cross fiscal years.

Council asked that, in the future, the staff also provide the total cost of the contract over a one-year period.

In response to inquiries from the Council, Town Manager Davis reported that the current contractor did not submit a proposal. He confirmed the cost of the proposed contract would be more than the Town was currently paying. Mr. Davis advised that he would flush out the key deliverables as a part of the marketing strategy to ensure the Town was targeting its key markets. He noted that some of the cost would be driven by the areas that were targeted.

Council expressed a desire to see the strategy once it was developed. They noted that while professional marketing was important, it was also important to ensure the town was not overwhelmed by visitors. They suggested the need for a deliberative, thoughtful, careful strategy that also identified what would be too much. They expressed a desire that Middleburg not be considered a "night" town. It was suggested that Middleburg did not need help promoting itself on the weekends, nor did it want to be "slammed" constantly during the weekdays. It was noted that some residents were starting to feel overwhelmed. The Council suggested the need to drive traffic smartly and to seek visitors with more disposable income, not necessarily a greater volume of visitors. They noted the need to pull back on the promotion of Christmas in Middleburg.

*Vice Mayor Miller moved, seconded by Councilmember Jacobs, that Council authorize the Town Manager to enter into a contract with RedThinking, LLC for social media services, in a form approved by the Town Attorney and Town Manager.*

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

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Mayor Littleton called for a brief recess at 7:00 p.m. He recognized Keagan Killinger in his role as Mayor for the Day. Mr. Littleton called the meeting back to order at 7:12 p.m.

#### Council Approval – Employee Handbook Amendments

Town Manager Davis reported that there were two things associated with this item – one that would require action and one that was for discussion only. He explained that as a result of recent State Code changes, the Employee Handbook needed to be amended to eliminate compensatory time. Mr. Davis noted that this only affected two employees, who would now be full salaried employees that were exempt from overtime.

Town Manager Davis advised Council that Loudoun County recently completed a review of their benefits and leave offerings and suggested the Town should do the same. He noted that he spoke with Vice Mayor Miller and Councilmember Kirk about some ideas that would allow Middleburg to remain competitive and asked the Council to review the list of items. Mr. Davis noted that he would be happy to meet with the members individually.

Mayor Littleton noted that he spoke with the staff last week about the issue of how much leave could be banked and why this was needed. He opined that there was more work to be done than the staff could handle, which was why some members had four hundred hours of vacation time that they could not use. Mr. Littleton suggested this was not healthy. He reminded Council that the staff was constantly prioritizing what could be done. Mr. Littleton suggested the Council think about the big picture and discuss this in August. He opined that the Town may have a human resource problem.

Council expressed concern about those members of the staff who must work late for meetings who were no longer receiving compensatory time as compensation. Town Manager Davis advised that the idea was to give exempt employees some personal days. He noted that this would not capture all the extra hours they worked; however, it would recognize the time.

Mayor Littleton suggested the need to look at the proposed changes holistically. Town Manager Davis advised that this item would return during the August 26<sup>th</sup> meeting for further discussion.

*Vice Mayor Miller moved, seconded by Councilmember Daly, that Council adopt changes to the Employee Handbook effective July 1, 2021, regarding compensatory time, and direct staff to bring further revisions of the Employee Handbook related to leave and benefits back to the August 26, 2021 Town Council meeting for further consideration.*

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

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Council Approval – Revisions to Terms of Salamander Property Acquisition – Town Hall Project

Town Manager Davis reviewed the history of the property acquisition from Salamander Middleburg MUV related to the Town Hall Project. He reminded Council that the letter of intent was signed in August of 2020 and the purchase sales agreement was signed in March of this year. Mr. Davis reported that there continued to be some discussions related to the deeds and easements, with some changes being proposed. He advised that the staff felt it was appropriate to bring the documents back to the Council due to those changes. Mr. Davis noted that they involved two large items, the first of which was that in the Limited Public Access Easement for the Village Green, the definition of “Salamander Parties” was expanded to include heirs and legal representatives. He reminded Council that the Town and its contractors would be required to indemnify and insure the Salamander Parties. Mr. Davis advised that the schedule called for the closing on the property to occur on July 12<sup>th</sup>.

Town Attorney Crim explained that Salamander raised the issue of the indemnification clause as they did not want to expend money to defend themselves for actions for which the Town should be responsible, such as the construction of the new Town Hall and the use of the Village Green. He advised that the other changes were technical in nature, such as clarifying that the Town was responsible for managing and maintaining the stormwater management system.

The Council held some discussion as to who would control the use of the Village Green. It was noted that there was a list of activities the Town could hold on the property without the need for Salamander's advanced approval, as well as a list that would require their advanced approval. It was further noted that the property would also be open to the public for use as a passive public park.

The Council held some discussion as to who would be liable in the event a person was injured while on the property. Town Attorney Crim advised that if someone was hurt on private property, the first issue that would be examined was whether the property owner failed to warn the person of a danger that was not open and obvious or whether they concealed some kind of danger. He cited the example of a trip and fall. Mr. Crim explained that Salamander was concerned about defense costs, which was a legitimate concern. He noted that the Town had insurance to cover such items.

In response to an inquiry from the Council, Town Attorney Crim confirmed that Salamander could reserve the right to use the Village Green when it did not conflict with the Town's rights. Town Manager Davis noted that the access easement provided for the use of the Village Green as a passive park. He opined that Salamander would not have the right to close the property to the public or to restrict its public use.

*Councilmember Jacobs moved, seconded by Councilmember Daly, that Council authorize the Mayor to sign the Amendment to the Purchase and Sale Agreement with Salamander Middleburg MUV, LLC, as dated.*

Vote: Yes – Councilmembers Miller, Bernard, Daly, Jacobs, Kirk, Leonard-Morgan and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.)

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## **Discussion Items**

### **Vehicular Access to The Residences at Salamander**

Deputy Town Manager Moore reminded Council that during their June 10<sup>th</sup> meeting, they expressed a desire for more information regarding the potential traffic impacts if some of the access roads were eliminated. He reported that based on the 2015 analysis, if the Chestnut and Reed Street accesses were eliminated, the Town's street network had the capacity to handle the site traffic; however, in the future when the Salamander property was built out, the traffic would stress Pendleton Street to the point it would drop to a Level of Service (LOS) E. Mr. Moore noted that he had no reason to believe anything had changed since 2015; however, he reached out to the Town's on-call engineers for a cost estimate to conduct some further analysis.

Deputy Town Manager Moore advised that there were also other impacts that needed to be considered if both access points were eliminated, including that the streets would not be eligible for acceptance by the Virginia Department of Transportation (VDOT), meaning they would have to be private streets. He noted that he was unsure whether this would be the case if only one was eliminated. Mr. Moore advised that life safety access was crucial and opined that both access points could not be eliminated without there being at least one that would be open to emergency vehicles. He further opined that from a good planning practice perspective, it was almost always better to have connected neighborhoods, as well as multiple access points, if the Town wanted the residents in the neighborhood to be integrated into the community.

Deputy Town Manager Moore advised that having one access point resulted in inefficient traffic patterns for the residents. He further advised that it was important that the streets be public ones. Mr. Moore reminded Council that when the then Council approved the 2015 proffer amendments, it would not accept the proposal for private streets, and it stressed the ideology of the integration of the Salamander neighborhood into the community. He advised that the early 2000's vision also stressed the importance of extending the street grid. Mr. Moore questioned whether these were still important.

Deputy Town Manager Moore reiterated that if the streets were private, VDOT would not accept them. He noted that sometimes homeowners' associations did not follow through on their maintenance responsibilities, which resulted in property owners coming to the Town asking it to perform the maintenance. Mr. Moore advised that the Town would not be able to accept and maintain the streets either.

Deputy Town Manager Moore noted an additional stressor that would be created on the existing portion of Chestnut Street was visitor and resort employees' use of the street to access the resort. He opined that there were ways to mitigate this, such as the use of a gate on the private street connecting the residences to Pendleton Street, which would allow for residential use of the street but not allow use by cut-through traffic. Mr. Moore recommended the street extensions remain as planned as vehicular connections.

Council agreed the Town should spend a few thousand dollars to have its on-call engineer perform an analysis of the 2015 traffic data. They noted that traffic from the new Town Hall would also have an impact on Pendleton Street. The Council suggested the need to look at what would happen if the streets fell to a LOS E. It was noted that VDOT would not allow the intersection of Route 50 and Pendleton Street to become unsafe, which raised the question of what the Town would do if VDOT required the construction of a traffic light or a four-way stop configuration.

In response to an inquiry from the Council, Deputy Town Manager Moore clarified that there were only three public street connections to The Residences at Salamander – Pendleton Street, Chestnut Street and Reed Street. He advised that Foxcroft Road did not connect to it.

The Council expressed concern about the impacts to the Route 50/Pendleton Street intersection. Deputy Town Manager Moore advised that absent a traffic impact analysis that indicated the intersection would reach a LOS F in the future, VDOT would not put any measures in place. He noted that they typically did so when it reached an LOS E, which was what the Town was being told the intersection would reach, as the desire was to maintain a LOS C rating. Mr. Moore noted the lack of right-of-way at this location that would make the construction of turn lanes impossible. He advised that this intersection would be barely passable in future conditions and opined that it was crucial to avoid additional traffic loading that would be created with the elimination of the access roads. Mr. Moore explained that this was the reason for the staff's recommendation.

Town Manager Davis noted that the staff's comments were based on a traffic analysis, which could be drastically different in the real world. He advised that VDOT could put measures in place to address the traffic. Mr. Davis noted that what measures would be used was an unknown as there were limited options. He opined that regardless of what they were, they would be impactful to the community and, in particular, to the downtown area.

Deputy Town Manager Moore advised Council that he and the Town Manager met with representatives from VDOT to ask that they re-consider the Town's request for a four-way stop at the intersection of Pendleton/Marshall Streets, as well as look at other safety improvement measures that could be implemented. He suggested that if this was not possible, the Town may be able to seek temporary approval for a four-way stop during construction.



The Council held some discussion as to Salamander's position on the issue of access points. Mayor Littleton reported that he spoke with Mr. Devadas who indicated Salamander would consider any requests from the Town; however, they reserved the right to do what was in their best interests and to make an independent decision.

Councilmember Kirk suggested the Town make a request of Salamander to eliminate the access roads. She expressed concern about the impacts of the changes on the oldest development in town and suggested the need to protect the long-time residents.

The remainder of Council noted the need to look at the issue holistically, as the changes would impact the entire community. They expressed concern about how VDOT could mitigate future issues. It was suggested that Council needed to determine how it felt about private roads; how it felt about Salamander being a gated community if there were no other access points; and, what that meant long-term for the character of the entire town. They noted that the original vision and the Comprehensive Plan were based on Salamander's residential development being integrated into the community, which meant the roads could not be private. The Council questioned whether the vision had changed as a result of the proposal that the houses be used as short-term rentals and, if so, whether this changed the need for the roads to be public.

In response to an inquiry from the Council, Police Chief Panebianco advised that if the roads were private, the Police Department could not work traffic control or respond to accidents.

Mayor Littleton reported that Mr. Devadas indicated their plans were that no more than fifty percent of the units would be used as short-term rentals; therefore, the remainder would be resident occupied. He suggested this could change in the future, with the houses being used as residences when people retired. Mr. Littleton noted the need to consider the future.

Council noted that the Salamander development had evolved since the concept was originally introduced. They further noted that safety was an issue, including the need for fire trucks to access the homes. The Council acknowledged the owners would be new neighbors, who would want the same level of care for Middleburg as the existing residents. They noted that some of the road issues were created as a result of people who extended their driveways or planted bushes in the public rights-of-way. The Council opined that it would be a nightmare to have all the traffic on Pendleton Street.

The Council held some discussion of why the previous Council was adamant that the streets should be public ones. It was noted that the reasons were: the value of having a connected community; the long-term viability of the streets; and, that the majority of the homes would be occupied by residents, who would expect Town services in exchange for the taxes they paid. It was noted that these were the recommendations of the Planning Commission, to which the Council agreed.

After some discussion, the majority of Council expressed a desire that the streets be public ones and that there should be multiple access points. They agreed, however, with the need for additional information from the study before making a final decision. They expressed appreciation to the audience for their engagement on this item. The Council noted that they cared about what happened and advised that it was their responsibility to make decisions that would bring about the best result for managing the change that was occurring.

Town Manager Davis noted that it was the staff's job to give the Council its best professional recommendations and to present them with information in conformance with their strategic initiatives and goals, as well as with the Comprehensive Plan. He advised that while the staff's recommendations may not be desirable to everyone, they did their best to represent that. Mr. Davis expressed his appreciation to the staff for the tireless hours they put into this item. He also thanked the Council for their support.

On behalf of the Council, Mayor Littleton advised that the Town staff was amazing and noted that their objective was to do what was in the best interests of Middleburg. He further noted that they treated others as family. Mr. Littleton opined that the staff presented the facts the best they could and advised that he would stack Middleburg's staff against any others in terms of excellence in their job, dedication to the town, and their care of the community. He further advised that he could not thank them enough.

Mayor Littleton advised the audience that this issue would be discussed again on July 22<sup>nd</sup> or August 26<sup>th</sup>, once the information was available. He encouraged the members of Council to talk with the Town Manager or Deputy Town Manager if needed.

### Oktoberfest

Town Manager Davis reported that Oktoberfest would be held on September 18th. He advised that based on the lessons learned in 2019, it was being proposed that the event be spread out further. Mr. Davis noted that spreading it onto Federal Street would be a challenge; therefore, the proposal was to also use the north end of Madison Street. He advised that this would require the placement of pedestrian barricades at Route 50, with the police managing traffic so pedestrians could cross the street. Mr. Davis noted that he confirmed this would not interfere with any activities at the Red Fox Inn. He suggested the Town allow for the expansion this year and evaluate it at the conclusion.

Town Manager Davis reminded Council that the Request For Proposals (RFP) for an events manager was being advertised, with proposals being due July 16<sup>th</sup>. He noted that the goal was for that firm to help with this event. Mr. Davis reminded Council that Mary Ann Burns, of the Old Ox Brewery, was currently doing most of the work. He advised that a special meeting may be needed in August to approve the contract.

Town Manager Davis advised that the extension of the location would allow for the use of the Pink Box property for disbursing beer and food, which would provide for two locations.

Mayor Littleton suggested the Pink Box lawn be tented for use as a beer garden and that the gazebo be used for the band.

### Closed Session

Given the latest of the hour, the Council agreed to delay the discussion of the closed session items to their next meeting.

### Information Items

Mayor Littleton advised the staff that the triangle at the intersection of Madison and Marshall Streets needed some maintenance. He opined that the benches were hazardous.

Mayor Littleton reported that he received a call from Bob Ball, of the Middleburg Millwork, who expressed concern about the need to repair the Town fence beside his property. He advised that it was unsafe and asked that the staff take care of it.

Mayor Littleton reported that the Loudoun County Board of Supervisors voted to sell the County owned property in Aldie to Guy Gerachis. He suggested the Council sent a letter of thanks to the Board. Mr. Littleton thanked the Council for their hard work on this item.

There being no further business, Mayor Littleton declared the meeting adjourned at 9:12 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

\_\_\_\_\_  
Rhonda S. North, MMC, Town Clerk

## July 8, 2021 Middleburg Town Council Meeting

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting that is on the Town's website – [www.middleburgva.gov](http://www.middleburgva.gov))

**Bridge Littleton:** So OK, with that, if you want to go ahead and gavel us in.

**Keagan Killinger:** I call the meeting to order.

**Bridge Littleton:** All right, we're good.

**Keagan Killinger:** The first part we will be saying the Pledge of Allegiance.

**Bridge Littleton:** OK.

**Everyone:** I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands one nation under God, indivisible, with liberty and justice for all.

**Keagan Killinger:** And our second order will be to do roll call. [off mic]

**Bridge Littleton:** Move this over a little bit [off mic]. And all you want to do [off mic] when you speak you turn it on so there's the green light and when you're not speaking you turn it off. OK, great. Yeah.

**Chris Bernard:** Chris Bernard.

**Bud Jacobs:** Bud Jacobs.

**Philip Miller:** Philip Miller.

**Darlene Kirk:** Darlene Kirk.

**Keagan Killinger:** Keagan Killinger.

**Bridge Littleton:** Bridge Littleton.

**Peter Leonard-Morgan:** Peter Leonard-Morgan.

**Cindy Pearson:** Cindy Pearson.

**J. Kevin Daly:** John Kevin Daly.

**Rhonda North:** Rhonda North, Town Clerk.

**Martin Crim:** Martin Crim, Town Attorney.

**Danny Davis:** Danny Davis, Town Manager.

**Bridge Littleton:** Next item. [off mic] You have to turn the mic on.

**Keagan Killinger:** [laughter] [off mic]. Our third part, we will do a special recognition by the mayor and council.

**Bridge Littleton:** And this is a Special Recognition for Deb Cadenas. Deb, if you'd like to come up and join us.

**Deb Cadenas:** Thank you so much.

**Bridge Littleton:** Absolutely. So everybody knows Deb very, very well. Her art is in and about every corner of this town. And Deb has been a key part and a key member of the Middleburg Art Council for 73 years. [laughter] And I bet it felt like it. We greatly appreciate. [off mic] Yeah, well, it's actually kind of interesting since she's only 39.

**Deb Cadenas:** Yes, that's right.

**Bridge Littleton:** So, no, but, you know, Deb is moving on to other things from MAC. But we wanted to recognize all of her hard work and dedication to the town and all that she's done for Middleburg Arts Council, Art in the Burg, Foxes on the Fence, just everything you've done. It's been absolutely, utterly amazing. And you are a true light and a true spark and one of the most talented artists I've ever seen.

**Deb Cadenas:** Oh, my gosh.

**Bridge Littleton:** And, you know, it's people like you which makes Middleburg a great community. And the most amazing thing is you've done it out of the pure generosity of your heart and the love of the people here and the love of the town. So we can't say thank you enough for all that you've done. And the recognition tonight is, you know, is what we do. But it can't speak volumes enough for everything you've done for us.

**Deb Cadenas:** Oh, my pleasure. Thank you, Bridge. Oh, my goodness. I love this town so much.

**J. Kevin Daly:** Just one question. I don't remember voting to let her go. [laughter]

**Bridge Littleton:** I don't know how it's a loophole in the town regs. We've got to fix that.

**Deb Cadenas:** Oh, my goodness. Well, you guys are wonderful. Thank you so much. I feel so loved. And I love this town so much. And it's just a piece of my heart is always going to be here. And thank you for that. That's really kind. And I'm just honored. Thank you.

**Bridge Littleton:** So. [multiple speakers] Yeah, exactly. Yeah. Yeah.

**J. Kevin Daly:** But wait, there's more.

**Bridge Littleton:** Yeah. So Deb, with that we have a resolution of appreciation which our mayor will read and then he'll call for the council to vote on it. OK, hang on. Darlene you can help. [off mic] Yeah, yeah. So we'll do it together. So what it says is Resolution of Appreciation service on Middleburg Arts Council Deb Cadenas. Whereas Deb Cadenas was appointed to serve on the Middleburg Arts Council on December 8th, 2016. And whereas during her tenure, Ms. Cadenas served as chair of the committee from 2017 to 2019. And whereas Ms. Cadenas was instrumental in introducing and organizing Foxes on the Fence; organizing and supporting Art in the Burg, and in raising funds for and supporting the Bronze Fox project that resulted in the fox sculpture located at the Middleburg Community Center. And whereas Ms. Cadenas came to the town's aid on many occasions, providing pieces of original artwork to present to officials amazing artwork who had provided many years of service to the town, developing a logo for the Middleburg Community Farmer's Market, and organizing a children's table at the Farmer's Market. And whereas Ms. Cadenas resigned her seat on the Middleburg Arts Council, effective May 19, 2021. And whereas the Middleburg Town Council deem it appropriate to express its gratitude to Ms. Cadenas for her personal dedication and exceptional service to our community over the past five years. Now, therefore be it resolved that the Mayor and Members of the Town Council of Middleburg, Virginia, recognize and express our sincere appreciation for the exemplary services of Deb Cadenas as a member of the Middleburg Arts Council from December 8, 2016 through May 19, 2021, and express our profound thanks to her and hope for her continued success in life. [applause].

**Deb Cadenas:** Thank you. Thank you so much.

**Bridge Littleton:** Absolutely. Now, before we can actually give this to you. Keagan, we need to call for a motion to vote on the resolution.

**Cindy Pearson:** I'll make the motion.

**Bridge Littleton:** Yep.

**Cindy Pearson:** I move that council, adopt a resolution extending its appreciation to Deb Cadenas for her service on the Middleburg Arts Council from December 8th, 2016 through May 19, 2021.

**J. Kevin Daly:** Second. [multiple speakers]

**J. Kevin Daly:** This is all rehearsed.

**Darlene Kirk:** Oh, we love you so much.

**Keagan Killinger:** Is there any further discussion?

**J. Kevin Daly:** We don't want to let her go. [laughter]

**Cindy Pearson:** And I'd like to thank Deb because her you just throw an idea at her and it comes back in the work of art and there's not many people that can do that. So we've got your phone number and email address.

**Deb Cadenas:** Yes.

**Cindy Pearson:** So you're not going completely.

**Deb Cadenas:** No, no, no. It's not.

**Cindy Pearson:** Thank you.

**Deb Cadenas:** Yes. Yes.

**Bridge Littleton:** And by the way, one of those pieces of artwork is sitting right over there.

**Philip Miller:** I think we'll all miss your infectious enthusiasm whenever you came to talk to us about anything.

**Deb Cadenas:** Aww thank you. Oh, my goodness. Thank you. I love you guys and I love this town. And you just you bring out the best in everyone. You really do. You make everyone feel loved, appreciated, needed, and supported in every way. So I'm sure it'll be infectious for people after me because we've built a really great team on the Arts Council and I think we're going to go and do great, great things, you know. So thank you very much. I'm honored and I'm just I'm never going to forget you. Thank you.

**Bridge Littleton:** Yeah. And.

**Keagan Killinger:** All those in favor say, aye.

**Everyone:** Aye.

**Bridge Littleton:** Motion carries unanimously. OK, Keagan now we have to get up and give her the presentation. You take this.

**Keagan Killinger:** OK.

**Bridge Littleton:** I'll take this and put it around that way.

**J. Kevin Daly:** This is known as the photo op.

[Multiple Speakers].

**Deb Cadenas:** Oh, dear. Where do I go. [multiple speakers]. Oh, in front.

**AJ Panebianco:** I can't get a picture of the back of your head. [multiple speakers].

**Bridge Littleton:** Deb you stand in the middle right there.

**Deb Cadenas:** Sorry, I got a tissue in my hand. [laughter].

**AJ Panebianco:** OK, everybody say cheese.

**Deb Cadenas:** Cheese.

**AJ Panebianco:** Say cool, Chief.

**Danny Davis:** Cool chief? [laughter]. [off mic].

**Bridge Littleton:** Yeah, absolutely.

**Deb Cadenas:** Thank you so much. Aww, it's good to hug again, isn't it?

**Bridge Littleton:** Yeah, don't forget this. [applause]. Good job.

**Bridge Littleton:** All right. So the next item is public comment, so I'll take this one. OK, so the public comment session is, well, now we're going to open it up. As a reminder, public comment session lasts, any member of the public who wishes to address the town council on any matter can do so. Each member of the public will have three minutes. And just as a reminder, as is the case everywhere, a public comment is only the town council is prohibited from engaging in back-and-forth discussion. But it is three minutes for a member of the community to address the council on any topic they choose. So we will now open, and we actually have gotten a little timer. And Rhonda, I'm not going to know how to run this thing. Yeah, you know what? That's perfect. I forgot to get the instructions.



**Rhonda North:** It's high tech.

**Bridge Littleton:** It's very high tech.

**Bridge Littleton:** Yeah, right. Yeah. [laughter] As we should have. [off mic] Yeah. Careful then you know what's going to show up. Right. So would any member of the public or the community wish to address the town council.

**Patti Thomas:** Is it only on a topic that's not on the discussion items?

**Bridge Littleton:** Well discussion items there's no ability for the community to engage the town council with discussion items. So if there's any matter, no matter what it is that you want to address the town council on, this is the time to do it.

**Patti Thomas:** Okay, then I would like to speak.

**Bridge Littleton:** Yep, please. Absolutely.

**Patti Thomas:** Do you want me to come up?

**Bridge Littleton:** Yes. Yes. That way we can catch it on microphone. And remember, state your name address and then Rhonda will start the clock.

**Patti Thomas:** I'm Patti Thomas and address is 201 Chestnut Street. I'm remembering back to the June 10th meeting. At the conclusion of that meeting, I recall that council tasked staff to one speak with the Salamander applicant developer about the topics that were discussed that night and two to update a traffic study, a traffic study from 2015. The traffic study of 2015. I have it's 352 pages. I printed it and I read it, but I didn't see an update. So if there is an appendix to that, I would just ask that that be posted on the public website because the document is only through 2015. I didn't see any amendments and that was one of the things the council had asked staff to do. I believe there was also a group meeting at a citizen's office which the mayor was kind enough to attend. And there was also a discussion about amendments to the traffic study. I wasn't there or participated by phone, so I didn't see what if anything, was circulated. But I think there's no amendment to that. I'd like to see it. Also at that private citizens meeting that the mayor was a part of and Salamander also had its representative there and I again was on the phone, as others were, who couldn't attend in person. The issue of life safety and emergency services for the resort crossing, especially Chestnut Street, was discussed, but it wasn't resolved. I believe now after reading the 2015 traffic study that the issue of life safety and fire trucks access, which is completely acceptable to all the citizens that you've encountered who wish to speak on this topic is perfectly fine.

**Patti Thomas:** And Salamander also would be perfectly fine in building that impervious surface emergency access, that kind of road. Concrete pavers with grass can also be used for pedestrian access, which is what the citizens and salamander want. They want those two connections, chestnut and read to be limited to pedestrian. The 2015 traffic study when read in connection with the 2015 proffers and the request at that time by the Salamander to have their streets made private makes complete sense. The private standard of maintenance is much better for a high-class resort like that, as those of us who've lived in Ridgeview and Fox Hill subdivisions know, VDOT is a very poor steward of the streets. It was 35 years before we got milling and paving, which happened summer of 2020; 35 years they'd done nothing to the streets. So you can understand why Salamander would want to do their own street maintenance. And so I would like to know in view of that, what is the town's reason or hold up for deciding with the citizens and with Salamander that the way to go is to use Chestnut and Reed for pedestrian and emergency access only. Thank you. I also wanted to give Rhonda the latest petition because after the last meeting, I realize [multiple speakers].

**Bridge Littleton:** Time's up.

**Patti Thomas:** Yeah, some people don't feel comfortable talking and that's evidence of their involvement.

**Bridge Littleton:** Would anybody else wish to address Council? Ramsey.

**Ramsey Metcalf:** My name is Ramsey Metcalf and I reside at number five Reed Street. And in the last multiple weeks, I, too have spent many hours, certainly not anywhere near as much as all of you have so far, but many hours getting up to date on all this data and all these opinions and all this history that's been existing and proposed so far as changes to Middleburg in accordance with the plans that Salamander Resorts and their residences are proposing. And I'm a firm believer that communication is the opportunity to change conflict into an empathetic resolution. And I will add to that that as a resident here, the more people I talk to, the more concerns that I hear with regards to the changes in what is perceived to be a working, comfortable town with a special living opportunity for so many people is being threatened by the proposed large scale changes, which are at this time being mostly focused on with regards to the roadways in and out, Chestnut and Reed Street, obviously. And what I'm concerned about, mostly and what seems like everybody agrees with, is that the town, as it exists is starting to be almost looked at as a thoroughfare to these residents, a way in a way to service. And yet with short term rentals being a very large focus now of the long-term plan with those residences, there is absolutely no way that anybody can ever care about the environment that they're in as much as a resident compared to a visitor, short term visitor, long term renter, whatever you want to call it, in terms of the people who will be coming and going. And we need to feel as residents that we are supported and needed as part of the fabric of this town and that our concerns are not just heard but are put at the forefront of decisions going forward. And I know you've been trying to do that, but it seems like there is even more momentum asking for even more. Thank you.

**Bridge Littleton:** Would anybody else like to speak? Pam.

**Pam Curan:** I am Pam Curan and I live at 800 Blue Ridge Avenue, and I too want to thank everyone for their time, and I want to thank the mayor for his willingness and constantly being available to talk to the residents. And we all really appreciate it. And I want to thank my neighbors, too, as well for their commitment to following the process and trying to maintain the quality of life. So what I wanted to say is that, you know, I'm just really hopeful, given the situation that we find ourselves in now. We're talking about, you know, the connection in the roads is that we are able to come to the table and respect the concerns of government. But at the end, at the same time, look at the solutions maybe with fact based and an open mind so that we're a little bit more flexible based on some of the willingness of the developer and the concerns of the residents. And we develop almost a playbook that becomes the model for the future where we actually, because of the process, become stronger instead of divided. So I do want to thank you and I want to thank my neighbors. And I look forward to what might be. Thank you.

**Bridge Littleton:** Thank you, Pam.

**Bridge Littleton:** Anybody else was to address council? Roxene. [off mic]

**Roxene Hill:** Hello and thank you very much. I'm Roxene Hill, I live at 205 Chestnut Street, and I'm really also at this microphone on behalf of several people in our area who couldn't come tonight. Hugh McWilliams, because his father passed away this weekend and also Lizanne White. And I'm sure she's spoken here before. And because of work that she did on Ground Zero, she has an illness, a breathing, and to participate in any talk in this building causes her to have lung problems. So she's not here. But I know she wanted to be here. She wanted to thank everyone for looking at what we're doing. And I hope that the council will re-look understanding that this is not just about Chestnut Street, it's not just about Reed Street. It's about the whole town. And it's preserving, in my mind what will be a legacy in that we have managed to separate the town from the development from Salamander. Salamander has been a great addition to the town. I know, in fact, I was there for a luncheon with my bookkeeper and accountant on Thursday, I think it was. So I appreciate the fact that I can go there. But I also realize that the town itself should have another identity. And I think it's important that we keep the entrances where they are now. I'm not a great speaker now. I found at 75 I can't find the words anymore, so I hope you'll understand. So it's hard for me to speak. And as Patti said, some people don't like to speak. That's me. But I want to thank you.

**Darlene Kirk:** Thank you.

**Bridge Littleton:** Thanks. Anybody else wishing to address council? OK, we will close the public comment session. [off mic] OK. Back to you [off mic]. So the next item here is going to be the public hearing so [off mic].

**Keagan Killinger:** Danny, could you give us an overview of the public hearing? [off mic] [laughter] Please keep it short. [laughter]

**Danny Davis:** Well done. Well done.

**Bridge Littleton:** You know, we've got that timer now. Hey hey.

**Chris Bernard:** [off mic] If you can make that happen you can be the real Mayor. [laughter]

**Danny Davis:** Thank you, Mr. Mayor and council members and Honorary Mayor Littleton and the public hearing before you today is for a special use permit for the town hall project. And Mr. Moore is here to answer any questions you might have. This was heard at the Planning Commission on June 28th, I'm sorry, June 27th. And was recommended for approval by the Planning Commission. The request before you is because the building itself will be greater. The front yard will be greater than 30 feet from the street on West Marshall, where we are currently. This is to serve the town hall project, this building as it currently stands, once the new building is built, this building will be torn down and this will become a pocket park. So it will be a public accessible area for the public to use and also the entryway into our town hall building. With that, you have the memo and the information before you, but staff recommends approval, and we'd ask for your support.

**Keagan Killinger:** Does any member of council have questions?

**Bridge Littleton:** OK, I'll take the public hearing part, we'll now open the public hearing if anybody wishes to address the council on the matter of the special use permit for the creation of the public park or the pocket park in front the new town hall, you know, please come, and speak. OK, we will close the public hearing on the agenda item. And next, does any member of council have any other questions? OK, Bud, I'm sorry.

**Bud Jacobs:** Mr. Mayor, it's not a question, it's just a comment. I want to thank those members of the council who came to our planning commission meeting on this subject and spoke eloquently and looking at you, Philip. I think members of the Planning Commission appreciated the inputs. [laughter] They appreciated you taking the time to come forward. We didn't get a unanimous vote of approval for it, but we got an approval vote and that's certainly sufficient. So thank you all very much.

**Keagan Killinger:** Rhonda, can we have a roll call vote?

**Philip Miller:** Did we have a motion?

**Bridge Littleton:** Oh, that's right.

**Philip Miller:** I moved that council approves special use permit 21-01, because the request is consistent with the comprehensive plan and with the criteria for granting a special use permit. This approval is subject to general conformance with the exhibit titled Middleburg Town Hall Site Layout and Geometric Plan by Timmons Group dated 2-8-21.

**J. Kevin Daly:** Second. [multiple speakers]

**Keagan Killinger:** Now, Rhonda, can you do a roll call vote?

**Rhonda North:** Vice Mayor Miller?

**Philip Miller:** Yes.

**Rhonda North:** Council Member Bernard.

**Chris Bernard:** Aye.

**Rhonda North:** Council Member Daly.

**J. Kevin Daly:** Aye.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Aye.

**Rhonda North:** Council Member Kirk.

**Darlene Kirk:** Aye.

**Rhonda North:** Council Member Leonard-Morgan.

**Peter Leonard-Morgan:** Aye.

**Rhonda North:** Council Member Pearson.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Excellent. All right, what's next? Oh, there you go. [off mic] Discussion item.

**Keagan Killinger:** Next, we'll discuss the cancellation of the August meeting. All of them. [laughter] One of the two. [multiple speakers].

**Darlene Kirk:** What are the dates of the two Rhonda?

**Keagan Killinger:** Which one does everyone prefer? [off mic]

**Darlene Kirk:** So you want us to see me at the end of the month?

**Rhonda North:** So traditionally you all have mostly canceled the second meeting in August. More recently, you've been canceling the first meeting in August. So the staff would just appreciate some input as to which you would like to cancel so we can set the calendar accordingly. [off mic]

**Peter Leonard-Morgan:** Well, selfishly, I propose the 12th. [off mic] I might be away. [multiple speakers]

**Darlene Kirk:** Does anybody [off mic] planned for one or the other? [off mic]

**Bridge Littleton:** If you I will say it this way, if you have a vacation planned for the 12th raise your hand. If you have one planned for the 26th raise your hand. [laughter] Well Peter is not going to be [off mic] matter anymore.

**Philip Miller:** Anyone for the 19th, anyone.

**Bridge Littleton:** OK, so [off mic] one of those to the other. [off mic].

**Peter Leonard-Morgan:** [off mic] importance. So there you go. [multiple speakers].

**Bridge Littleton:** So, yeah, which one do we want to cancel?

**Darlene Kirk:** I say, both of them. [laughter]. [off mic]

**Bridge Littleton:** Cancel the 12th keep the 26th.

**Danny Davis:** And what I might suggest, if I may, is that if something urgent comes up that we do need approval for, we can call a special meeting when we can get a quorum here. That's great.

**Bridge Littleton:** [off mic] So you don't need a motion for a vote, do you?

**Rhonda North:** No, sir. Consent from the council is fine.

**Bridge Littleton:** OK.

**Bud Jacobs:** So 12th is canceled?

**Bridge Littleton:** Yes. [off mic] No so like [off mic] We'll move on the staff reports. Rhonda, if you want to deliver your staff report.

**Rhonda North:** Yes, sir. So with the departure of Ms. Anderson [off mic] handling the front desk operations taking a little bit of my time. I'll talk about the town hall project here shortly when we get to that item. The town manager, town attorney and I had a meeting with representatives from Invoice Cloud. So we are working to get that contract put together so we can begin implementation of our new third-party payment vendor system. And just a reminder to council, the VML conference is scheduled for October the 3rd through the 5th. I've heard from a few folks who have asked me to register them. If you are interested, please let me know. I have a feeling based on the email I received from VML today that probably the host hotel is now booked. And then lastly, I will be on vacation the 12th through the 23rd. I will be here the night of the 12th for the public outreach session then otherwise will be away.

**Bridge Littleton:** Oh in July. Yes, I was like, well we did that one just right.

**Rhonda North:** No July. [laughter].

**Bridge Littleton:** Any questions for Rhonda?

**Peter Leonard-Morgan:** Just a quick question Rhonda. So the reservations are not necessarily just for the hotel, but for the event.

**Rhonda North:** For the event itself. Yes, we need to reserve you for the event itself and pay for the registration fees.

**Peter Leonard-Morgan:** And we just ask you about that?

**Rhonda North:** Just let me know so we can get it taken care of [multiple speakers].

**Peter Leonard-Morgan:** Will do. [off mic]

**Bridge Littleton:** Any other questions for Rhonda? OK, next one is Police. AJ.

**AJ Panebianco:** Sorry I was getting her a copy of the agenda. [laughter]

**Bridge Littleton:** Are there any questions? Any questions for AJ on this report?

**J. Kevin Daly:** Great job.

**AJ Panebianco:** Thank you. I got great staff. That's what makes it easy so.

**Darlene Kirk:** Looking forward to National Night Out [off mic].

**AJ Panebianco:** Yes.

**Bridge Littleton:** When is that?

**AJ Panebianco:** August the 3rd. Danny will be the first person in the dunk tank.

**Philip Miller:** It'll be cleaned. [laughter]

**AJ Panebianco:** And so he thinks [multiple speakers]. And then I will be in the dunk tank after that. So if you think you can dunk me, I will talk smack. [multiple speakers] Peter does that in whatever they do in cricket or whatever.

**Peter Leonard-Morgan:** [off mic] The other way.

**AJ Panebianco:** Whatever. Yeah. Whatever. Yeah. So but no it's coming up. We're excited about that. Fourth of July was a huge success, so it went very well, and it was a great crowd. So we were very happy with how it turned out.

**J. Kevin Daly:** Also so we want it known that for the smaller members of the community who may not have as strong of an arm, I'll be out there to help them relay it up. [multiple speakers].

**AJ Panebianco:** We'll let you move to the front line.

**J. Kevin Daly:** Don't think I don't appreciate it.

**Bridge Littleton:** Any other questions for Chief?

**Peter Leonard-Morgan:** Just a quick question Chief. Were there any injuries in the storm? I saw the photographs of the truck.

**AJ Panebianco:** We were very lucky that the gentleman in the tree and the vehicle on the tree hit right where it didn't crush the driver side or the passenger side. Right dead center, so that person should play the lottery because he's already a winner. [laughter] Yeah, no injuries. Very lucky with that. Kudos to Jason and kudos to Mark. Mark Putnam our Corporal started the process with the wind damage and following that Jason did the bulk of the work because he came in at midnight and he probably answered probably 30 calls on trees down and consulted with VDOT and power companies and everything in between. So really, really great staff did what they needed to do, knew what they needed to do, very happy with what they did.

**Darlene Kirk:** Great job.



**Peter Leonard-Morgan:** Thank you very much. Please pass our appreciation.

**Bridge Littleton:** Martin.

**Martin Crim:** Thank you. You have my report stand ready to answer any questions.

**Bridge Littleton:** Any questions for Martin?

**Danny Davis:** And to be fair, the report may have disappeared from iLegislate. We were trying to generate a packet, but it was pretty straightforward report.

**Bridge Littleton:** Yeah, OK. Next item is consent agenda.

**Keagan Killinger:** Does anyone have something to remove from the consent agenda? Is there a motion to the consent agenda?

**Chris Bernard:** I move that we adopt the consent agenda as proposed.

**Peter Leonard-Morgan:** Second. [multiple speakers]

**Keagan Killinger:** All in favor, say aye.

**Everyone:** Aye.

**Keagan Killinger:** Opposed.

**Bridge Littleton:** Okay motion carries. We'll go back one. [off mic] forgot Rhonda. Town Hall Project.

**J. Kevin Daly:** It was on the next page. [off mic].

**Rhonda North:** Thank you Mr. Mayor. So since your last meeting, a number of items have occurred. The HDRC, held their public hearing on the demolition of the existing town office building and on the construction of the new building, and they did approve the certificate of appropriateness. In addition, Planning Commission held their public hearing on the special use permit, which you just held, your public hearing on it. And now that has been approved. The engineers have submitted the erosion and stormwater management permit applications and the BSMP permit applications to Loudoun County. Those will initially be put in the town's name and transferred over to the GC's name once we know who that will be. The staff comments on the site plan have been submitted to the town engineer. And so that's moving forward. And the town attorney just completed his review of the RFP for the pre-qualification of the general contractors we will be sending that out soon. And lastly, and probably most importantly, is on this coming Monday, July the 12th at 6:00 p.m. here in

this room, we'll be holding our second public outreach session where we will publicly unveil the design development plans and the exterior elevations that have been approved. And unless anyone has any questions.

**Keagan Killinger:** Does anyone have any questions?

**Darlene Kirk:** So when do you think we'll start breaking ground just so everybody here can kind of know?

**Rhonda North:** In the end of January, beginning of February.

**Bridge Littleton:** [multiple speakers] So end of December?

**Rhonda North:** End of December, the plan is for you all to award the contract.

**Bridge Littleton:** I had one question for the public outreach session on Monday what's the status of the final draft deck?

**Danny Davis:** I got a draft to Ms. North today and we'll probably send it out to council mid-morning tomorrow.

**Bridge Littleton:** OK, so everybody knows which sections they have. I would say any updates, questions or changes you think are needed? If you can look at this, you know, don't just worry about your side of it, your parts of it. Going to try to get them back to Rhonda and staff by three. Hopefully there's not much that needs to be changed. Just give it a good once over, make sure everything's there, you're comfortable, typos, whatever. And that way they can get it to them. And if you guys need to make any last-minute touch ups. And to get it back whenever.

**Danny Davis:** And I'll be available over the weekend as well. So if it needs to be over the weekend, we can make those changes and get those out too.

**Bridge Littleton:** What time is it on Monday?

**Danny Davis:** Six o'clock. OK.

**Bridge Littleton:** 6:00 Okay alright. [off mic] Be there or be square. OK. Any other questions on the town hall project? Keagan you got any questions? [off mic] You sure?

**Keagan Killinger:** Yes.

**Bridge Littleton:** You know, the mayor doesn't get an office in the new town hall, no fun. [laughter] [off mic] Exactly. Got to use the hallway. All right.

**Darlene Kirk:** There is a bathroom you can use.

**Bridge Littleton:** There is a bathroom. [multiple speakers] [off mic] nonpublic hearing items. [off mic] Call it out. [off mic]

**Keagan Killinger:** Family Reunion at Salamander, Power of Diversity Day grant request. Danny Davis, can you give us an overview?

**Danny Davis:** Yes, sir. Thank you very much, Mr. Mayor and council members, we received an application for a town grant from Visit Loudoun. It's a partnership of Visit Loudoun and Salamander Resort. Salamander is putting on a multi-day family reunion event, which is celebrating diversity in the hospitality industry and an emphasis on nurturing, developing, and celebrating the racial and ethnic diversity within the next generation of hospitality professionals. They have some incredible talent coming in. Some chefs that have been world famous and probably the top African American chef in the country coming as part of this event. It's absolutely fantastic event they're putting on. One of the days is being called the Power of Diversity Day, and it's a joint educational seminar day sponsored by Visit Loudoun and also Salamander in talking about the importance of diversity, equity, and inclusion in the hospitality industry. And so the request came through. If the town would provide a grant through the grant process to support this event and be a co-sponsor, if you will, of it. And so this was reviewed by the town's Cultural and Community Events Committee on Tuesday evening. They discussed the event and voted to support it and made a recommendation excuse me, to the council to support their request for five thousand dollars to co-sponsor the Power of Diversity Day during this event. So the request before you would be to approve that motion. Happy to answer any questions you might have.

**Peter Leonard-Morgan:** Thanks very much Danny. I see that Mr. Cooper at Salamander is the primary contact, but it's a Visit Loudoun request, isn't it?

**Danny Davis:** So the request directly is Visit Loudoun because of the charitable contributions, have to go through a not-for-profit organization, and they are also a sponsor of that day. So we are sponsoring Visit Loudoun, part of the Visit Loudoun sponsorship of the day, if you will. And to be fully clear, Ms. Erickson with Visit Loudoun fully supports and endorses, you know, the request from the town.

**Peter Leonard-Morgan:** Thank you. Looks amazing event.

**Bridge Littleton:** Well I have a question. Is this event going to be open to the public?

**Danny Davis:** There are parts of it open to the public. Yes, the whole thing's open to the public. Certain of them or I guess everything I would say is ticketed. But this particular event, I think, has more capacity than some of the other specific events. Salamander's website has a lot of details about the particular day.

**Bridge Littleton:** Is the ticketing a fee ticket?

**Danny Davis:** Yes.

**Bridge Littleton:** So you have to pay to go?

**Danny Davis:** Yes.

**Bridge Littleton:** OK.

**Darlene Kirk:** Explain.

**Danny Davis:** I'm sorry. It is a ticketed event.

**Darlene Kirk:** Yeah, I know. But the money is being donated to the Middleburg Community Center?

**Danny Davis:** To Visit Loudoun. I'm sorry. Oh, I'm sorry. [multiple speakers] So the overall events has and again, just kind of pulling out there's the particular day we're talking about for the Town sponsorship, but then there's the rest of the entire event that has charitable partners, that includes No Child Hungry, as well as other, I think, food security type programs and charitable entities. The event will also raise money to go towards a scholarship for a minority or under privileged student to attend the Culinary Institute of America. So the overall event has their own charitable efforts going along with it too.

**Bridge Littleton:** You know, my only question was, whatever part we're giving our money for, anybody is open to an event, we're not excluding people.

**Danny Davis:** Sure. But there's a limit [multiple speakers]

**Bridge Littleton:** I get there's a cap. [multiple speakers] but until that cap is reached, anybody can sign up and go.

**Danny Davis:** Anybody can sign up and go.

**Bridge Littleton:** Good. OK. cool. [off mic] Go ahead.

**Darlene Kirk:** But Reggie also said that, you know, people could contact him directly if they were having problems getting tickets.

**Bridge Littleton:** Great. Any further questions?

**Keagan Killinger:** Is there any motion?

**Peter Leonard-Morgan:** I'll make a motion. I move that the town council approve the recommendation of the Cultural and Community Events Committee to provide a grant to visit Loudoun to co-sponsor the Power of Diversity Day at the family reunion event at Salamander Resort on August the 19th, 2021, in the amount of five thousand dollars.

**Cindy Pearson:** Second.

**Keagan Killinger:** All in favor, say aye.

**Everyone:** Aye.

**Bridge Littleton:** All right. [off mic] I got it. Next one is. [off mic] Correct. [off mic].

**Keagan Killinger:** Middleburg Concert Series Country Music Festival, Danny Davis.

**Danny Davis:** Thank you, if I may, Mr. Mayor. Subsequent to publishing the packet, I had communications with the requestee Linda Taylor from the Middleburg Concert Series, as well as with Mary Ann Burns from the Middleburg Arts Council, requesting that we actually postpone this to the next meeting, July 22nd. The purpose of that postponement is just so that they can have more collaborative discussions together. The proposal for the Hunt Country Music Festival is that it would occur over the Art in the Burg date in May of 2022. And I think in general, everyone feels that there's synergies that come along with that and the ability to collaborate. But the request was to have some more further conversation before Ms. Burns gave complete support for, she didn't want to speak for the Arts Council to be fair, and I think that's appropriate. So if you're OK with it, Mr. Mayor, we'll postpone this to the next meeting.

**Bridge Littleton:** Is that okay?

**Keagan Killinger:** Yes.

**Danny Davis:** Thank you.

**Bridge Littleton:** All right.

**Darlene Kirk:** [off mic] have jugglers as well. [off mic]

**Danny Davis:** They had troubadours, they had people going around playing music, and I'm not sure, I'm not sure jugglers, but maybe.

**Bridge Littleton:** OK. [off mic]

**Keagan Killinger:** Award of Social Media Contract to RedThinking, LLC, Danny Davis.

**Danny Davis:** Thank you again. Thank you very much. Mr. Mayor and council members, as noted here, marketing and attraction of visitors is a really key strategic initiative of the town council. It's also one of the key items listed in our economic development strategy and also one of the top three things focused on by the Economic Development Advisory Committee. So as such, the town issued a request for proposals for the strategic management of our social media, various assets. We received 19 proposals. Some of us reviewed them all, and we narrowed it down to two firms that we interviewed for more detail and then followed up with each of those firms for additional details on their success measures. As a result of this process. And part of this process for the final review included Vice Mayor Miller and Sean Martin from Boxwood Winery, who is the marketing liaison for EDAC. After review of these proposals and further negotiations, the town staff and the review panel is recommending moving forward with a contract with RedThinking LLC. If you recall that name, they're also the firm that worked on our town marketing logo and branding project. And so we are recommending we move forward with them. They demonstrated great capabilities in the social media field, great success with their other clients, and obviously the ability to work with us on gathering all the local photography and events and coordination of all those things, as well as providing great metrics for our review. We have continued those conversations and believe we have a very competitive proposal from them that gives us the ability both for organic social media, which is just general posts that attract people, but also paid social media where you spend dollars to sponsor posts to get in front of a certain group or sector of people to get your message out even further. And we believe the town's dollars will be very well spent in this way and continuing to boost and support our businesses and by supporting our businesses, supports the overall community. As noted in here, depending on the total amount of social media paid spend that we end up approving as we go through this, the total cost of the contract for fiscal year 22 could range from seventy-five to eighty-five thousand dollars. Again, depending on how much we choose to spend on the marketing or the paid side of it. We have budgeted one hundred and twenty-five thousand in our budget, so this falls fully within our budgeted amounts. And with that, Mr. Mayor, I'm happy to answer any questions.

**Keagan Killinger:** Any questions?

**Darlene Kirk:** I have one. Oh, thanks Philip. Shouldn't we wait until the economic development head is hired before we do this? I mean, I would think he would want to he or she would want to have some input and just, I think, easier.

**Danny Davis:** So it was a topic that we had, had a conversation about at this point, that process is something where we probably won't have that person on board until I would say maybe mid-August. And so I'm concerned that if we delay this any further, it will set us back for the fall and the winter in terms of being able to get our social media strategy developed. They anticipate that taking about a month for the strategy and then

that if approved tonight, that would allow us to then move into implementation by the 1st of September, which is key month to continue attracting visitors.

**Darlene Kirk:** When do you expect. I keep making you work. When do you expect to have someone in that position, Economic development?

**Danny Davis:** I'm hopeful that we will have a decision made by late this month, probably the end of this month, to be honest. And then depending on where they are, they may have to give notice or something like that.

**Bridge Littleton:** Yeah.

**Darlene Kirk:** All right. Thank you.

**Philip Miller:** With our fall events opening back up, it was, I think, smart of us to continue to move forward on this process, because if especially with paid social media it takes time for those things to catch up. So you have to go through a process called prospecting. Where you actually go out and you put out your advertisements to a particular group, but then you have to get them to actually see them multiple times and then you actually have to get them to click on them. So if we've got something like, you know, Oktoberfest. Let's just say is probably maybe the first thing we'll start pushing out there. It's good to start as soon as possible.

**Chris Bernard:** [off mic] One year contract?

**Danny Davis:** At this point, it's a one-year contract, but we'll have built in there renewal clauses.

**Chris Bernard:** Do we want to put a cap on the paid spent?

**Danny Davis:** Yes. So the amount of spend is determined by us. So we are anticipating no more than two to three thousand on average per month. Now, there may be certain months where we don't do as much in a January to early February. In other months, we might wish to boost it, but I don't expect it to be more than that.

**Chris Bernard:** Okay. And then the last thing so I think when we last met for EDAC I guess it was you two Philip, you and Danny and Sean, I know at the last meeting not to put him on the spot, I don't think Sean was completely blown away by RedThinking. I'm assuming that's changed.

**Danny Davis:** So. Right. So I did have a follow up with with Mr. Martin. I think one of the biggest concerns we immediately had at that time was the management fee for the paid social side was extremely high in our opinion. And so that was part of our ongoing negotiations over the last few weeks of what that should look like. And I did talk with [multiple speakers]

**Philip Miller:** That's been reduced drastically.

**Danny Davis:** Yeah yeah. And I communicate with Sean yesterday and explained where we were with this. And he said he fully supports it.

**Chris Bernard:** Cool. Thanks.

**Cindy Pearson:** I see that the part where you say they will ensure the town's social media activities support and boost the efforts of MBPA and Visit Middleburg. Will they still have their own social media person, and this is just boosting their?

**Danny Davis:** Continuing to cross promote their efforts, their events. So MBPA, of course, when they do sidewalk sales, if it's a particular event they run or certain things that they're pushing, there will be a key collaboration there. And that's part of what we wanted to ensure. Part of what I think they spoke to at the last meeting when they came, but also that we want to continue making sure that messaging is similar. We might have a different tact or approach in some ways, but that we do definitely show our support and continue boosting that for MBPA.

**Cindy Pearson:** Thank you.

**Bud Jacobs:** Just to be clear, Danny, the cost estimate that you provide the 75 to eighty-five thousand dollars per year includes whatever we may end up spending for paid social media?

**Danny Davis:** Yes sir.

**Bud Jacobs:** Okay. [off mic] 25, something like that. And so it's 55 plus 25 roughly. Is that what we're getting at? [off mic]

**Chris Bernard:** [off mic] And then somewhere between 50 and 25 whatever.

**Danny Davis:** Yes. Correct. Yes. Sorry. And there is a little the numbers don't perfectly match up because the fiscal impact showing fiscal year, which ends June 30, whereas an annualized amount obviously is going to be a little bit higher.

**Bridge Littleton:** I would say, for in the future [off mic]

**Danny Davis:** Clarify that just to.

**Bridge Littleton:** [off mic] show them separately.



**Danny Davis:** Sure.

**Bridge Littleton:** What's the total cost of contract? One year contract. It doesn't matter when it starts. [off mic] because that's, you know, going over fiscal years you sort of lose the big picture picture.

**Danny Davis:** Sure. [off mic]

**Peter Leonard-Morgan:** Thanks very much. A couple of things. Well, it was actually one of my question. Thank you very much, because I'm a little confused about 55 and four thousand a month and then 75 to 85. So I think that clears that up. This obviously replaces actually the previous contract holder. Where they involved in the RFP? Did they apply?

**Danny Davis:** So we did reach out to them and suggested that they did submit, but they chose not to reply to the RFP process. Correct.

**Peter Leonard-Morgan:** Interesting. And this is multiples of what we used to pay. Or is it about? Is it?

**Danny Davis:** Yeah, not multiples, I guess depends on your multiplication factor. We currently pay around seventeen to eighteen hundred a month for social [multiple speakers] and that's without any or I would say very minimal paid activities and the paid activities are pretty even when we do them there may be a twenty-five dollar or two hundred dollar spend. There are few and far between and very minimal. [off mic]

**Peter Leonard-Morgan:** Yeah, well that was my next question really. I mean I'm a fan of boosting, but I do it for 10 bucks, you know, here and there. And so this is a lot of money so.

**Danny Davis:** And there's if I may, part of that will be fleshed out in the strategy, which is key deliverable number one of this contract. And so that will identify those key markets that we'd reach out to we've identified essentially New York to Richmond kind of being a really, really broad catchment area, but then tailoring that down, maybe it's Philly to Charlottesville or something like that. But each of those individual areas, you know, carries a cost as you're starting to target an individual specific market. So, again, that will be borne out as they develop the strategy and then that will guide how we do both organic and paid into the future.

**Philip Miller:** Also includes a fair bit of content creation.

**Danny Davis:** Yes. Yes.

**Philip Miller:** Which is something that was not necessarily included in other contracts.

**Bud Jacobs:** I'd be very curious to see what the strategy looks like when they put it together.

**Danny Davis:** Oh, absolutely. Happy to share it. Yes.

**Bridge Littleton:** I had a couple of questions, so and you and I talked about this a lot in the last couple of months. I think this is important stuff to do. You know, you want to professionalize the way in which you brand and market the town. I do want to make sure that we also always keep in focus and in mind the fact that endless visitors is actually not what we're seeking. There's a balance. Right. So the balance is, you know, we want our businesses to be successful. We want the town to be successful, but we don't want the town to be overwhelmed. And there's a time at which it creates a negative, you know, repercussion. Right? If every time you try to go to the oyster bar it's a two hour wait, you actually start getting of reputation of I'm not going anymore. I can't get into, you know, and even residences and, you know, so I think we need to be very diligent, and we need to be very thoughtful, and we need to be very careful about when it's actually too much. And that when we hit and I don't know how you define too much, but there is a point at which there is too much. And so I think in the strategy, we want to make sure we have some idea of how we're going to look at that and measure that. And, you know, some of it may just be, I don't know. Right. I will say personally, one of the things I like about town is that generally when you get to 6:30 or seven o'clock at night, the town goes back to the town. And it's not a nightlife town of 10:30 to 11 where we're still thronged with visitors. You know, I'm just speaking as a resident, I'm not speaking as a business owner. Right. But as a resident that's something that I actually. Who was I with last it was with you? Yeah, we left Red Horse at like 9:30, and it was like it was nice and quiet. It was peaceful and it was like, OK, this is great. It was a quiet street. Right, exactly. So as an example, if what comes out of strategy is we want to make Middleburg an 11 p.m. town, I you know, I'm just saying we need to be thoughtful about that. Right. And we need to be thoughtful about, you know, [multiple speakers] there's a point in which, you know, we don't want to drive anymore. And maybe how do you and I think the strategy has to have how we can measure and monitor that. Yeah.

**Danny Davis:** Yeah. It just very briefly, one of Sean Martin's comments at EDAC has been we don't need I mean, I shouldn't say need, but we don't need much help in promoting Saturday visitors. Saturday is great for businesses. We need to promote the Thursdays, the Mondays. So make it a long weekend, the Tuesday and Wednesday, and again with the understanding that we don't want the town to be slammed every single night of the week so that residents feel like they're shut out.

**Bridge Littleton:** Or every day of the week. I don't want. [multiple speakers] I say I don't want, but I would not like to see Tuesdays be a 50 percent Saturday.

**Danny Davis:** But the whole point is there's room in those days.

**Bridge Littleton:** Sure. I'm not saying there's not. I'm not saying there's not. And, you know, it's like, with any business strategy. Right. You sell, you know, new things to existing customers or existing things to new customers. Right. Or you figure out a way to take the volume we have that if the volumes right. But we want to have those people who come have a little bit more disposable income. No, not bigger volume better. So they all spend instead of one hundred eighty dollars, they spend 210 dollars. Right. Again, I'm not saying I know the

balance. I'm not saying I know what's right or wrong. But what I'm saying is, is that I certainly have input from people that who live in the town, and we have a first and foremost responsibility there and to the businesses and all that stuff that it's feeling overwhelming. So, you know, we're doing this great marketing and branding to drive more traffic. We have to drive more traffic smartly. OK, and respect that balance.

**Danny Davis:** Yeah, absolutely. Fair enough.

**Cindy Pearson:** Answer the Christmas in Middleburg. Right. [multiple speakers] That's one thing you don't want to promote more that, you know, we had tried to pull it back in a little bit because it was gotten out of hand. So that has to be taken care of carefully.

**Danny Davis:** Absolutely.

**Bridge Littleton:** No, and I think that's a great example. Right? Christmas in Middleburg was one thing for a long time and then it was, wow, that's really drive this to make it big and special. And it was, you know, victim of your own success it was massively successful. And all of a sudden, Wham-mo and it actually had the negative impact. So now, you know, and I think Jim and the team have done a great job of bringing it back inside the box the right way. Okay.

**Darlene Kirk:** Well, it should help too once we get our new economic development person on board, they'll be able to couch how that works out best. But also to work with MBPA. Because they'll know what's working and what's not.

**Bridge Littleton:** OK, was there any other input?

**Keagan Killinger:** Is there any motions?

**Philip Miller:** I move that town council, authorize town manager to enter into a contract with RedThinking LLC for social media services in a form approved by the town attorney and town manager.

**Bud Jacobs:** Second.

**Keagan Killinger:** All, in favor, say, Aye.

**Everyone:** Aye.

**Bridge Littleton:** Okay motion carries. All right. OK, perfect. And that brings us to Seven O'clock [off mic]. We'll take a short recess. [off mic] Keagan, please give Keagan a round of applause. Careful this job, might be yours pretty soon.

**Cindy Pearson:** Before we get up let Danny get a picture.

**Bridge Littleton:** Yeah, Oh, yeah. No, I was going to. Okay. Yep.

**Danny Davis:** Three two one. And one, two, three. Hold on I'm going to zoom in.

**Danny Davis:** Keagan I can't tell if you're smiling or not. [laughter]

**Rhonda North:** He is.

**J. Kevin Daly:** It's all in the eyes. All in the eyes.

**Bridge Littleton:** Well, Keagan listen thanks for doing this. We really appreciate you coming in and helping run the town a little better than anybody else could. But any time you want to come back, you're more than welcome. And just like Deb, we can't let you go without presenting you with [multiple speakers] paperweight. So [multiple speakers] town seal behind you. Rhonda we're you able [off mic].

**AJ Panebianco:** He got something cooler he got a [off mic] coin.

**Bridge Littleton:** A what? [multiple speakers]

**Rhonda North:** [off mic] I was going to say I'll see if I can find one when you recess. [multiple speakers]

**Bridge Littleton:** Yeah, I got a town paperclip.

**Rhonda North:** I'll see if I can find one at recess. [multiple speakers] Here. Here you go. [off mic]

**Bridge Littleton:** Perfect. There you go. [off mic] I don't think so.

**Danny Davis:** I'll go check.

**Bridge Littleton:** [off mic] stay right there. [off mic] Yes. We are going to take a quick [off mic] minute recess and then we'll come back and cover the other discussion [off mic].

**Philip Miller:** All right, amendments to.

**Bridge Littleton:** We'll call the meeting back to order. All right. Next item on the action items is amendments to the employee handbook, Danny.

**Danny Davis:** Mr. Mayor, there are kind of two distinct items right now just for your consideration. One is for action and the other is just for information and can be further discussion. So no action needed on that tonight. The first relates to state code changes that were approved by the General Assembly that essentially, we would in most parts of an already be in compliance with. But it eliminates the use or the terminology essentially of compensatory time or comp time, as we call it. And so the request before you today specifically for action is just our amendments in the employee handbook to eliminate the use or the accrual and use of comp time for the two employees who were eligible for it. And they now will just be fully salaried exempt employees. And so that's kind of piece one for this evening. The other is, as we looked at the paid family leave discussion back in March, we also identified that Loudoun County at the same time was looking holistically at all of their benefits and leave not just at the paid family leave portion. And so I met with Council Member Kirk and Vice Mayor Miller as our personnel kind of liaisons to discuss some potential consideration of changes. And we had discussions through a few of these. As listed in here you'll see just some suggested ideas or thoughts for consideration, not saying that any of them must be approved, but their ideas that will allow us to continue to remain competitive in the marketplace, both with those near near us. And that would be also vying for some of the same employees, whether they're current employees or future employees. I'm happy to walk through, but I know we have a long agenda tonight. So maybe if desired, it could just be I'd ask council to review some of the items. I'm happy to meet with you individually or have further discussions again now or over the next few weeks and months.

**Bridge Littleton:** OK, so this agenda item, I think that when we get into the nuts and bolts of this, it's a good discussion. And I talked to Danny and the staff about it was that last week.

**Danny Davis:** Yes. A month ago. [laughter]

**Bridge Littleton:** Yeah, exactly. It feels like it. And so, you know, this issue is about how much, I guess, leave people would be allowed to accrue into a bank, you know, how many hours. And so on one level, it's a question. And I think of, you know, how much does other people allow and all that kind of stuff. But in my discussion with Danny, and we had this other company I worked at, that's why it's a sensitive issue for me. It was is it really is the question and thing that we're trying to address is it really about how much people leave, how much leave people can can, you know, put into a bank versus why is there the need to have a big bank of so many hours? Right. And typically what that is, is because there's more work than staff time to be able to get it done. And people aren't being able to take vacations. And so while we want to have a competitive employee and, you know, a compensation program like other stuff, too, we also have to look and say, well, if somebody has 400 hours of leave time, which is 10 weeks, you know, stocked up, I mean, when I was at ITT we literally had people who, you know, would be that much. Why is it that person hasn't been able to take a vacation in four years? You know, [multiple speakers] and what's that?

**Darlene Kirk:** It's not that they just haven't wanted to in some instances.

**Bridge Littleton:** Well, it's it's here's the point or here's the question. That's what we have to ask.

**Darlene Kirk:** Yeah.

**Bridge Littleton:** So I think it's a big, big discussion. Big question. It is about being competitive, but it also is that is it because people can't take their vacations and it's banking up, which means that's actually what's not competitive. You know, if you can't take your vacation that you're earning, that's not fair. [off mic] And is there too much to be done? It's not healthy. Is there too much to be done that people can't take two weeks off? You know, they're three weeks they earn and it's banking up.

**Chris Bernard:** And is compelling them to take it good for their mental health? And the overall [multiple speakers] can't save it. So please.

**Bridge Littleton:** [multiple speakers]. Go on vacation. But we don't want to impede the ability of the town to function, operate and get done, the things we need to get done, so these things are these two issues are connected. And I mean, Danny, you've said multiple times as we've talked about stuff, we don't have the time to do the things you guys need us to do. So you need to tell us what need to be prioritized. And other things are not going to be done because we don't have the staff to do it. And that comes up all the time. So and again, I think Danny's right. We got a long agenda tonight. I think we should put this to the next meeting or the meeting in August but.

**J. Kevin Daly:** Which one the 12th or the 26th?

**Bridge Littleton:** Yes.

**Danny Davis:** The one we canceled.

**Bridge Littleton:** But the reason I mention this is because and maybe talk to Danny about it, whatever. But I think we have to think about those two things in a big picture perspective. And maybe we do allow people to bank whatever we want to bank. But then we also got to solve the resource problem because, you know, the fact that staff has hundreds of hours of PTO that they literally can't take because its important things don't get done. That's a problem. That's a real problem. And I don't want to hire staff just to hire staff, but we need to look at it. Yeah.

**Darlene Kirk:** My bigger concern is I don't want people to stay late and then not get compensated for it because Rhonda is here all the time. And she managed to work in a vacation. So I don't want people to not get paid for their hours.

**Bridge Littleton:** Well, their employees. [off mic] So they don't get paid hourly.

**Darlene Kirk:** I know that. But I know that they were getting comp time, which I think is wrong.

**Bridge Littleton:** Oh I see what you are saying.

**Danny Davis:** Yeah. And totally understood. And that obviously is why we had a comp time system recognizing that. One of the proposals again for discussion down the road is the idea that many places for their exempt employees that don't earn comp time will, in addition to other leave, banks will also earn a certain number of personal days. And that basically says, we understand that you are going to put in more than 40 hours a week. It still doesn't usually capture how many hours you do work, but it's a little bit of a recognition for that extra time for that particular tier of employee that would be exempt and not earning overtime. So that is a consideration as we go further down the road. And I think is a fair one for us to look at.

**Bridge Littleton:** So, I mean, I think the thing is, you know, Loudoun's looking at this stuff holistically. I think it's fair that we look at it holistically as well. So and it's a lot there. So I would you know, again, I think, you know, we'll bring this back either at the next meeting or the one after. [multiple speakers] August probably makes more sense in terms of.

**Danny Davis:** [multiple speakers] give us time to talk [multiple speakers].

**Bridge Littleton:** And gives everybody else time to think about it.

**Darlene Kirk:** [off mic] August 26th meeting?

**Bridge Littleton:** Yes, we're going to have the meeting on the 26th. Correct.

**Darlene Kirk:** Those two [off mic]

**Peter Leonard-Morgan:** [off mic] No. [off mic]

**Bridge Littleton:** You said you were not going to be here the 26th.

**Peter Leonard-Morgan:** 12th.

**Bridge Littleton:** You are going to be here the twenty sixth of August. OK, great, we're all here [multiple speakers]. Even better. Problem solved.

**Philip Miller:** So what needs to be moved on tonight to clean things? [multiple speakers]

**Danny Davis:** I do have a motion at the bottom of the report. It's on the third page of the memo. And that's related to the compensatory time changes.

**Philip Miller:** [off mic] I move that town council, adopt changes to the employee handbook effective July 1, 2021, regarding compensatory time and direct staff to bring further revisions of the employee handbook related to leave and benefits back to the August 26th 2021 town council meeting for further consideration.

**Bud Jacobs:** Second. [multiple speakers]

**Philip Miller:** Danny, how'd you know we weren't going to cancel that meeting?

**Danny Davis:** You know. [laughter]

**Bridge Littleton:** Which is best because Rhonda had the other date in the memo. [multiple speakers] Yeah. Yeah, exactly. OK, any further discussion? All in favor say Aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed? Abstentions? OK. Motion carries. All right. Next item here is revisions, approval of revisions to terms of property acquisition with Salamander MUV LLC.

**Danny Davis:** Mr. Mayor and council members, this was literally distributed to you probably at 5:15, 5:30. So it should be in iLegislate for you. I tried to generate the packet [multiple speakers] didn't get it, apologize. And I can email you the memo if needed. And in short, as you all know, we've been in many months and ongoing discussions with Salamander for the acquisition of Land for the Town Hall Project. It officially kind of began in March of 2020. We had an LOI with them in August of 2020 and the purchase and sale agreement was approved in March of this year. Since that time, there have been ongoing back and forth with their representatives in terms of making sure that the deeds and easements as part of the acquisition process are in order. Recently and as part of the final changes to those documents that happened within the last few days, there were a few changes that I would say I believe the mayor, the town attorney and I felt that was appropriate to bring back to you just to get a confirmation vote from the council on these various documents, just to indicate that this is fully supported by the town council. As noted in here, they're kind of two big ones. But really the biggest one is the last bullet point, which talks about in the deed of limited public access easement over the Village Green, that a salamander party also includes the terms any successors assigns heirs and legal representatives that term heirs and legal representatives had not been in the LOI or the PSA and was requested just very recently. It expands the breadth of people that the town would potentially indemnify. Subcontractors would have to indemnify or contractors, and also that would be covered essentially under our insurance. At the end of the day, it's acceptable, but it does expand the number of people covered by that clause in the deed. So I don't want to pretend to be an attorney, so I'll let Mr. Crim cover any other additional items as necessary. But we did just want to bring this back to you for a final approval so that we can close. And our goal is to close on Monday.



**Martin Crim:** Right. So Mayor and members of council, the issue that Salamander has raised repeatedly with regard to the indemnification clauses, which are similar in all the various deeds, is that they don't want to have the expense of defending themselves or have their employees have their expense of defending themselves for actions that the town really ought to be responsible for. So, for example, for construction of the new town hall, for activities that are defined as town activities, which means the use of the town, the Village Green, and that sort of thing, that the town is primarily liable because the town is the party that is actively organizing and running those activities. And so we had some dispute about the language. This is the compromise, we had a conversation yesterday with two of their attorneys and Prem and Dale and the mayor to try to hammer that out. And this was the language that came out of that. Obviously, there's some level of frustration that the county I mean, that Salamander went through so many late drafts of this. But in the end, you know, we have an ongoing relationship with them, and we want to make sure that it's mutual. The other language changes are primarily technical. For example, they wanted to have provisions for in the storm water management easement indicating that who was responsible and what the standard of care was. So we agreed on language that the town will maintain the storm water management facility, which will be on the Village Green underground, that we will maintain that in good working order and subject to any county standards. That's the sort of thing that we're talking about in these amendments.

**Bridge Littleton:** Anybody and I think right now we are at full final, ready to go to print, sign and close on Monday with what was submitted this afternoon. So does anybody have any questions.

**Darlene Kirk:** I do.

**Bridge Littleton:** Yeah.

**Darlene Kirk:** First of all, this is basically just for the town hall and the green, just OK. But basically it seems like everybody and their brother that's ever been at Salamander, we're going to make sure they don't get hurt. We're going to cover them. I mean, that's a lot of people and they're going to be the ones booking it. The Village Green, not us.

**Bridge Littleton:** No, no, no, no. We control the Village Green. They simply [multiple speakers]

**Danny Davis:** Well if I may. So, there's a list of approved activities that the town can host on the Village Green without further approval needed by Salamander. And that would be our general things. The Farmer's Market, Oktoberfest, potentially, Mille Miglia, you know, holiday celebration events, things like that. There's a separate list that we can go and request if we have a new event that we never anticipated and we'd can say we'd like to do this on the Village Green and there to give us approval without being unreasonably withheld, delayed, or conditioned. And then the third tier of that is the passive use, which is the ability just for any resident visitor or guest of the resort to use the green in a passive manner. So those [multiple speakers] and those are the parts that we don't have any, I would argue, liability for, because those persons using it in that manner are not town

parties. We are, you know, it's when we have either a contractor working on site or an event that we actually manage.

**Darlene Kirk:** So like if someone is staying at Salamander and wants to come down to the Village Green and gets hurt. Is it our liability?

**Martin Crim:** So the liability, you know, of course I'm a lawyer. The answer to any liability question is it depends. But if somebody is hurt on on private property, then typically you look to the issue of whether the property owner failed to warn the injured person about a danger that was not open and obvious or concealed some kind of danger. And so that's, you know, a trip and fall is usually what you're talking about. If somebody trips and falls on a clean, dry floor, there's no liability for the property owner. That's just something that the person was unfortunate and slipped and fell. So in this situation where somebody slips and falls, just to take that example on the Village Green and they sue the town and salamander and the county because who knows, whoever they sue the town is going to come in and defend that with its insurance. And then presumably all the parties are going to be dismissed because if there's no negligence, then there's no liability. What Salamander was particularly concerned with was the defense costs, because if you get sued and you don't have insurance to cover it, you're paying those defense costs out of pocket. So that's a legitimate concern.

**Darlene Kirk:** But it's still going to cost the town and we're not going to get that money back.

**Martin Crim:** We have insurance for that. I mean, we will have to pay [multiple speakers]

**Bridge Littleton:** [off mic] we have insurance.

**Darlene Kirk:** We end up pay more insurance then. Yeah, but we end up paying more insurance then.

**Martin Crim:** If claims are granted but for claims that are denied, then there's not going to be an impact on our insurance [multiple speakers].

**Bridge Littleton:** Yeah. I mean, I think think of it this way. The town. So there's three levels. If we're running an event and we do something that event, and somebody gets hurt because we did a bad job. It's on us. The next level is and there's events that are we can just do them like, [multiple speakers] farmer's market. Then there's a next level of events where we have to go ask for permission. If they say, yes, we can do it. Then it's the same thing if we run that event and we screw it up and somebody gets hurt, it's on us. Then there's the third piece of this where when it's not being used for anything, it's an open park that anybody can use, and it won't matter whether it's a guest of Salamander or a Middleburg town resident who's on that open park. If they slip and fall and hurt themselves, if there was a hazard on there that we knew of and we didn't do something to fix it, we can be held liable. But if they just slipped and fell on an open park, it's on them.

**Bridge Littleton:** Yeah, but it just. [off mic] [multiple speakers]

**Bridge Littleton:** No, it has nothing to do with whether a resort guest or not. And I want to make sure because you asked this a second ago, when they do their own bookings. Salamander has no right at all to use that for any of their own events unless they came to us, right?

**Martin Crim:** No, they actually reserve the right to use the property for anything that's not conflicting with with our rights. So they could theoretically.

**Darlene Kirk:** Have a wedding there.

**Martin Crim:** Well if it didn't conflict with one of our events, you know,

**Danny Davis:** And we'd need to go back through the limited public access [inaudible]. But there is an easement over the property. So, you know, it grants this limited access to those folks that we just described.

**Bridge Littleton:** So well, I guess the way to say it is.

**Darlene Kirk:** It needs to work both ways and it's not. They need to let us know if they are [off mic] something there. We need to let them know. But we also need to know [off mic] if they turned down something of ours what repercussion [off mic] go back and say well we're going to do it anyway because [off mic] whatever.

**Bridge Littleton:** No because we don't own the land.

**Martin Crim:** Right.

**Darlene Kirk:** I know. But I mean.

**Bridge Littleton:** We don't own the land.

**Darlene Kirk:** I know that [off mic].

**Bridge Littleton:** You know, there's certain things that we are guaranteed to be able to do.

**Darlene Kirk:** But would you like to say if we had the whole [off mic] town building and then they decided to have a wedding out there on the town Green on tonight? The whole parking lot would be full, and they could do that right any time they want they could book it.

**Chris Bernard:** [off mic] the parking lot?

**Martin Crim:** No. The town owns the parking lot, will own the parking lot.

**J. Kevin Daly:** [off mic] They cut the grass.

**Bridge Littleton:** Yeah, they own the maintenance.

**Darlene Kirk:** I just I think it needs to be clear that needs to be clearer. They need to let us know [off mic] too.

**Bridge Littleton:** Well I mean, I guess my question, Danny, then, is this a good point.

**Bridge Littleton:** If there's a public access, yeah.

**Danny Davis:** If I may and again, I'll caveat this first by saying I don't think we can resolve that issue by Monday.

**Bridge Littleton:** No, I know we can't [multiple speakers].

**Danny Davis:** However, I would make the argument and I am happy to have this conversation with the Salamander representatives that they're excuse me, looking at the terminology right here, the access easement, the nonexclusive right, liberty, privilege, and easement to use the Village Green for a passive park use an open space for recreational activities. I see nothing in this document that gives them the right [multiple speakers] to close that to the public and grants them the right to restrict it to public use. So.

**Darlene Kirk:** [off mic] know that.

**Bridge Littleton:** Well, yeah. It's a Martin question.

**Danny Davis:** I mean, it's always one of those where.

**Chris Bernard:** [off mic] they could have a way [off mic] keep us from [off mic]

**Martin Crim:** Yeah. It would be like, yeah, we'd be like having a wedding anywhere else that was a public park. You know, you're going to run into the fact that people are going to be walking their dogs.

**Bridge Littleton:** Okay great. All right. No, that's exactly right. Right. So if you're in Fairfax County Park, what's that one park that's like massive. It's 300 acres. And the picnic tables everywhere.

**Danny Davis:** Bunch of them.

**Bridge Littleton:** Yeah, [off mic] which one? [off mic] Yeah with the big lake. Yeah. Somebody wants to go out there and bring 50 people and have a wedding at one the picnic tables. [multiple speakers] They can do it, but

they are going to have kids and dogs running around and that's the nature of a public park. [multiple speakers]  
They can't rent it out and they can't close it off.

**Darlene Kirk:** And Salamander knows they can't rent it out.

**Bridge Littleton:** It's in there. [off mic] It's not theirs to rent. It's a public space. So but no, Darlene, it's a great question. [multiple speakers] I mean, it's good to clarify that.

**Martin Crim:** Yes.

**Bridge Littleton:** OK, any other questions or any concerns? [off mic] No, it's a good one. I mean it's, the devil's in the details.

**Darlene Kirk:** Yeah. [off mic].

**Bridge Littleton:** OK, unless there's any questions. Is there a motion? [off mic]

**Bud Jacobs:** I move that the town council authorized the mayor to sign the amendment to the purchase and sale agreement with Salamander Middleburg MUV LLC dated July 8, 2021.

**J. Kevin Daly:** Second. [multiple speakers]

**Danny Davis:** And if I may, it may have actually had a date of yesterday.

**Martin Crim:** Whatever the date is.

**Bridge Littleton:** As dated.

**Danny Davis:** As dated how about that. Amendment to the motion, as dated.

**Bud Jacobs:** As dated.

**Danny Davis:** Thank you sir.

**Danny Davis:** I apologize.

**Darlene Kirk:** Okay. Now everybody knows [off mic] that my concern is correct.

**Bridge Littleton:** What do you mean? [off mic]

**Danny Davis:** I'll have a follow up.

**Bridge Littleton:** Darlene, here's the thing so could you.

**Darlene Kirk:** So could I what?

**Bridge Littleton:** You could go there and have your own public wedding if you wanted. [laughter] [off mic]  
That's not the point. [off mic]

**Bridge Littleton:** The point is anybody. But the point is, it's not about Salamander could go there. The point is anybody can go there.

**Darlene Kirk:** I just want to be sure that Salamander knows that. [multiple speakers]

**Bridge Littleton:** Well, no, no. I understand that we will clarify that with them. But if they want to show up and have 10 people out there, it's open to the public. [off mic] What did you say?

**Darlene Kirk:** I'm bringing a dog. [multiple speakers]

**J. Kevin Daly:** Danny regarding dogs? You are going to have doggie pickup bags?

**Danny Davis:** Yes. And our intent is to have doggie water fountains on either side of the town hall.

**Darlene Kirk:** What about people fountains?

**Danny Davis:** Yes, of course it would be.

**Bridge Littleton:** No no, people are irrelevant around here.

**J. Kevin Daly:** Well, you've got to get down on all fours to drink. [laughter]

**Bridge Littleton:** OK. All right. All right. OK, sorry. We're gonna bring it back in. All right. All those in favor.  
[multiple speakers] Aye.

**Bridge Littleton:** Opposed?

**Darlene Kirk:** Aye or no whatever I'm supposed to say.

**Bridge Littleton:** OK, abstentions? OK. Motion carries. Thank you. [off mic]

**Bridge Littleton:** So next item is OK, discussion items, vehicular access to the residences at Salamander. Danny, you have your memo or Will. [multiple speakers] Sorry, Will Moore, apologize. [multiple speakers] Did not mean to demote you.

**Will Moore:** We are both listed as authors of the memo.

**Bridge Littleton:** But you're listed first.

**Will Moore:** I am. [off mic] So thank you, Mr. Mayor, members of council, as Mrs. Thomas referenced earlier, there was discussion at the June 10th meeting of your desire to have some more information as to potential traffic impacts if roadways that are currently planned for access into the residences development were to be eliminated. Staff did not take that as a directive to employ or engage to have a new traffic impact analysis done. What it was, was you were asking for information and that information already exists in the 2015 traffic impact analysis.

**Cindy Pearson:** We can't hear you.

**Will Moore:** So there is a very specific section in that TIA from 2015 that studies what the impact would be if both Chestnut and Reed Street were eliminated from access, which would leave Pendleton Street as the only public access point into the development. In short, it was noted that, and I'll quote from the TIA, that the Street network has the capacity to adequately handle site traffic regardless of the decision to open or close site vehicular access via Reed and Chestnut Street extensions. So said another way. If you take away Reed Street, you take away Chestnut Street there is adequate capacity on Pendleton Street to handle the traffic from the development. Now, there are some caveats to go along with that. So specifically Pendleton Street in future conditions, that is when the residences are built out and then whatever happens to be built out on the MUV parcel, future conditions are going to stress Pendleton Street in its capacity and it's going to stress it to what's referred to as a level of service E, as I note in the memo, think of level of service, basically like your typical school grading system, A through F they insert an E in between the D and E. But E is I would say equivalent to a D minus. Right. You get a minus, you pass barely. Nobody's happy about it. But that's essentially what the level of service on Pendleton Street would be in future conditions with the build out. What the analysis found was if you eliminate Reed and Chestnut Street, Pendleton Street is still going to be a level of service E. So eliminating those two street connections would not move that needle from E to F, but it would put additional trips on. So that is what was found in the traffic impact analysis. We have no reason to believe that that has changed between 2015 and 2021. Mrs. Thomas also referenced a presentation that the mayor gave to some citizens at a private meeting. I put together some slides for that. So what I did in that presentation was I extrapolated the information basically that was in the TIA and put that up and said, here, would be your numbers if you eliminated both of those street connections. We did at a staff level without engaging an outside consultant some speculative analysis that said, well, what if you took away one, but not the other? So if you took away Chestnut left Reed, how those trips would be distributed if you took away Reed but not Chestnut how those streets would be distributed. So that analysis was done. We have reached out to one of our on-call

consultants to get a cost estimate of what it would take to do some additional analysis on our behalf, but not to perform a complete new traffic impact analysis, which would be multiples of tens of thousands of dollars. The other thing to consider is not only capacity, but what impacts otherwise could come if you took away street connections. And in particular, because what I understand is essentially the request of some citizens to look at is to take away both of those street connections as vehicular access open and close, but potentially keep one for emergency vehicles only. So the first thing that I would point out to that is a decision needs to be made whether or not there is value in still insisting that the streets within the development be put through the secondary street acceptance program to be accepted for maintenance by VDOT for these to be public streets. If you took away those two vehicular connections, these streets within the residential development could not be accepted by VDOT for maintenance. They would have to become private streets. So that is something for the council to consider as you deliberate over whether or not you would want to consider potential revisions to the access.

**Philip Miller:** Is that true with either or both?

**Will Moore:** It is definitely true if both were to be removed, we don't know, because that is an analysis that VDOT would do as a request came in. But we know for certain that if both went away as being open to traffic, that it could not be accepted.

**Philip Miller:** Thank you.

**Will Moore:** Yes sir.

**Darlene Kirk:** Has Salamander said to you [off mic].

**Bridge Littleton:** Let's let him finish. [off mic]

**Will Moore:** The life safety access is crucial. So, again, with that, you could not eliminate both streets without there being one that was open to emergency vehicles at least. Some of the suggestions about possibly using pervious pavers, trying to mask it as not being a street would likely not work because of some of the topography in the area, because of some of the utilities in the area. It would likely have to be built out essentially as it's being planned now. But again, we don't have the exact answers on that. Absent a plan to present to engineers, to present to the fire marshal, but it would be possible to convert it to an emergency only access. Again, though, they would have to be privately maintained streets. Referenced a good planning practices in here these are just best practices in the profession. It's almost always better to have connected neighborhoods rather than isolated ones rather than ones that are only accessible by one or maybe two access points. It works better if you want the residents in the neighborhood to be integrated into the community to have those multiple access points. It's just something for you to consider. Eliminating both of those for vehicular access, putting everything off of one public entrance off of Pendleton Street. It results in inefficient travel patterns for the residents. These are just best practices in the planning profession. That doesn't mean



streets or neighborhoods have to be built that way, but these are things to consider. What we would suggest to you is there may be well, there are a number of concerns and there are a number of things that council needs to make some ideological decisions on. Is their importance in these streets being public streets versus private streets? During the 2015 proffer amendment that relocated one of the entrance points from the community center property to Reed Street; that proffer amendment request at first the applicant was requesting for the streets within to be allowed to be private, and that was resoundingly not accepted by council at that time. There was a lot of stress put on the ideology of these being public streets, knowing that it was part of the community again, knowing that it wasn't a separate entity set aside. Viewed as that development was integrated, there was still reference back to the visioning process in the early to mid-2000s, where it was always seen during that time frame as being important to have this development be an extension of the town's street grid. So questions for this council are those premises still important to this council having this development be an extension of the town's street grid, having it integrated rather than isolated via only one public access point? These are things to consider. The mayor and I had a discussion earlier about maintenance aspects. And there are again, when Mrs. Thomas was speaking, she spoke to the ability of private streets often times to be maintained at a greater level than maybe VDOT will maintain streets and she is right on point. Certainly in the beginning. Sometimes property associations do not prosper. They do not follow through on maintenance. And what you will oftentimes see in those situations where associations may become stressed in the future is that they turn around and they come back to you and they say, can you take over maintenance of this? And if this is not built in such a way that they are public streets accepted by VDOT in the beginning, the town doesn't have the benefit of being able to accept them and maintain them ourselves, obviously. That's not something the town does. So, again, these are things to consider. We have a number of bullets in the recommendation section, if you would, to consider. I will throw out one thing additional, one of the additional stressors that would occur on Chestnut and Reed Street, but in particular Chestnut Street, according to the traffic impact analysis, is the likelihood that visitors or employees of the resort would use Chestnut Street to cut through to access the resort. It was estimated that of those people visiting the resort from the west, 60 percent or more would use Chestnut Street to access the resort, rather than coming down to Pendleton Street. There are ways to avoid that, there are ways to mitigate that without potentially closing off residential access from Chestnut Street. There is a private street connection from within the residences to Pendleton Street that gives that access to the resort. Those could be gated. And that's a conversation we can certainly have with the folks at Salamander depending on the end result of these discussions. So it would still potentially allow for the residents in the neighborhood to access via our existing residential street grid, but not have that cut through traffic. So these are all things to consider happy to discuss any of the points here within. Danny, I don't know if you had anything you want to add. [off mic]

**Bridge Littleton:** So, no, Will. I appreciate it. You know, there's a lot here. We want to make sure we're thoughtful and diligent in doing going through everything. One thing I'd like from you guys at the end of the day, giving what you know, I mean, it's in your memo. But I think it's important for the public to hear it. What is staff's recommendation on how that council should proceed?

**Will Moore:** Yeah, staff's recommendation is that both the Chestnut Street and Reed Street extensions should remain as planned as vehicular connections.

**Bridge Littleton:** OK, thanks. OK, so and we're going to have I mean, I know this is going to be a lengthy discussion and I will just say right now there's not going to be a resolution tonight. I know there can't be because whatever the next steps are, we have to figure out how to plan those. I know you guys have reached out to J2 to ask them to take the 2015 study, take a look at it further, do some potential analysis. You're going to get a cost estimate for that. But if I understand right, Jim was on vacation this week.

**Will Moore:** Correct.

**Bridge Littleton:** Yeah. OK, so that'll help. You know, that's something I you know, again, I don't think we should come to any final conclusion until Jim's able to look at the data from 15 and consider, you know, the things we're asking to analyze and the way we're asking to analyze it. I think the other important thing, too, is we've got a new town hall that's going to be on Pendleton. And that was not part of the 2015 study, which will have, you know, a traffic impact or, you know, whatever you want to call it. So, yeah.

**Danny Davis:** Just to wrap that piece of it up that you just stated about the kind of reviewed and or additional analysis, if I may, is there a general consensus from council that there's support to spend a few thousand dollars on this process to review this and provide that analysis? That was one of my concerns, just make sure that we have that general consensus and then we can proceed forward.

**Philip Miller:** Yes, well, to be honest with you, I wish that Salamander was paying, not us, but it seems like this is the only path forward so.

**J. Kevin Daly:** Due diligence on [off mic] part.

**Danny Davis:** OK, that's all I need thank you.

**Bridge Littleton:** Hold on a second. [off mic] So I think the two things we have to sort of look at tonight and well, there's a lot here, but the two main bucket things. And one thing, Will and Danny, that you guys discussed with me earlier in the week that you didn't cover tonight, which I think it'd be helpful, is the impact of this service level E you know, getting close to an F, what that does about the potential requirement for four way stops or a stoplight having to be installed on at Pendleton and Route 50, because I think that, you know, VDOT won't allow something to become too unsafe. So they will put in mitigation measures to resolve the safety. But then, OK, what does that mean? [inaudible]. And as I understand it from you guys, the sort of core thing is if everything goes down Pendleton, it brings us very close to the point where VDOT will have to make that consideration. So if you guys could just cover that. Well, they haven't. I mean, this is.

**Darlene Kirk:** Let me just say one other thing you're not mentioning Foxcroft. Foxcroft is also an entry way into this.

**Bridge Littleton:** It was all considered.

**Darlene Kirk:** No, I'm just telling him he never said anything about Foxcroft. Most of [off mic] in through Foxcroft.

**Bridge Littleton:** Well, that's part of the traffic study.

**Darlene Kirk:** I know but that's what I'm trying to say he never mentioned it. He was just talking about the three but there are four. He forgot Foxcroft.

**Will Moore:** So there are three public street connections directly into the residential development. Foxcroft does not connect directly into the residential development. [multiple speakers] Yes, ma'am.

**Bridge Littleton:** But we're not talking about the MUV we're talking with The Residences. [off mic] OK, got it. OK, we got it. Yeah. No, no. So if you guys could please give the because that was the new part to me this week was the Pendleton and Route 50 and what that could potentially mean.

**Will Moore:** Right. So absent a traffic impact analysis that would point to the level of service reaching an F, VDOT will not step in and put in any measures at that intersection. Typically measures would be implemented actually at a level E which is what we're being told this will reach. But because of the limited rights of way that we have and so mitigation efforts at a level E to get it up to a C, which is generally where you want to be a C or better or at least a solid D, not not an E, they would put in mitigation efforts. Those might be turn lanes so that somebody approaching Pendleton who was coming from the resort and wants to turn left onto Route 50 and it's a crowded time of day. That's a hard place to turn left at. And so they would put in they would widen the roadway you'd have right and left turns, which is not possible. [multiple speakers].

**Bridge Littleton:** Let's [off mic] things that are [off mic] possible.

**Will Moore:** Well, but I think it's important to note that this is a barely passable intersection in future conditions. Typically, mitigation efforts would be put in. And I think that's one reason why it's crucial to avoid any additional loading on there. And if you were to remove both Reed and Chestnut Street as open points for vehicular access, even though the TIA says it doesn't quite move the needle to the F at that point in time, you still are putting additional loading on the street. If you were to take away both of those street connections. So that's one of the reasons why the staff recommendation was what it was.

**Danny Davis:** And in addition, you know, that's the TIA is a future looking document based on projected trips, trip generation by new development or changing development. At the same time, there's also the potential that

should the situation on the ground seem drastically different than what was projected or has changed in such a way that traffic is negatively impacted or impeded. Traffic studies can also be done in a real-world manner to say what is it today in terms of if we get huge, long queue lines, just as Mr. Moore was mentioning at Pendleton, trying to turn onto 50, there can be studies that say, you know, the average wait for a vehicle or the average length of a queue has grown to X, Y, Z, or is now impacting Marshall Street. That also is a potential where then VDOT may come in. And again, we don't maintain the roads here, whether it's through community input an elected council input at the time or otherwise, may come in and say this is an untenable situation and measures need to be put into place to try to address this. Exactly what those measures would be at the time, just as Mr. Moore mentioned, remain to be seen because it's a very tight intersection with limited options before you. But I think we would all agree that any of those potential measures, whether traffic signal four way stop turn lanes, are impactful one way or another to the community and to the overall efforts of our downtown core. So I think to reiterate his final conclusion was any additional loading of traffic onto Pendleton Street that otherwise would have been dispersed to other areas, will further impact the levels of service, or further impact the challenges at that intersection.

**Bridge Littleton:** OK, that was helpful. Thanks. OK, Darlene. [off mic]

**Darlene Kirk:** VDOT has never stepped in yet. We've begged them about this entrance out here. The other day when I left here, I was almost T-boned nothing has happened. And I'm sorry but what you're saying about their come in and do this. That's BS I think because they've never done anything really. We've begged them about this intersection here, how horrible it is, nothing happens.

**Will Moore:** So the town manager I met on site on July 1st with Farid Bigdeli, who is a high level in Northern Virginia, VDOT, as well as Kim McCool, one of their engineers. And we have a follow up request that we've put into them to examine yet again the potential for four way stop, as well as to have them to request their professionals, do other evaluation of that intersection to see if there are other things that could be done to improve the safety. We know for a fact that the stop sign on the northbound approach to Marshall Street is not mounted at a height that meets their minimum height requirements. And so when you get cars parked in that bank next to Safeway, that sometimes can obscure, especially if it's a large truck obscure, that stop sign. So we're asking them to bring it up to at least their minimum standards, but to also investigate sightlines and to seriously consider a four way stop. And we talked about this before. It's the warrants when it comes to crashes or injuries the last thing you want to do is say, well, we had three crashes here, which we did in a recent 14-month period. Well, the standard warrant that could implement a four-way stop is you have to have five within a 12-month period. [multiple speakers] So and it's not palatable to staff and it certainly shouldn't be palatable to you as elected officials if you say, oh, well, we've got to have two more crashes in two months, fewer month span in order to get serious consideration. So we felt encouraged I think Danny and I by that meeting, we will see what comes from it. I did send a follow up email just making that request and making some other requests that if we couldn't get immediate approval for a permanent four way stop condition, can we get a temporary approval during construction, those kind of things? [off mic] We have. [off mic] Yes.

**Darlene Kirk:** Another thing. Have you all really talked to Salamander because Prem is telling everybody they don't want these two access roads? And earlier, you will remember, Will, they wanted their road. To be private. They take care of the roads on the resort. They wanted these to be private as well. And if that's what Salamander's saying, then why are we even bothering with this?

**Bridge Littleton:** So I talked to Prem today and tonight. And this is exactly what Prem has said. And we'll have it in writing tomorrow.

**Darlene Kirk:** We'd better.

**Bridge Littleton:** That Salamander will consider a request from the town if one is made, but they will reserve the right to do what they feel is in there also within their best interest. So what that means is we may request one thing.

**Darlene Kirk:** And they're going to do what they want.

**Bridge Littleton:** No, Darlene.

**Darlene Kirk:** I'm just saying.

**Bridge Littleton:** Don't put words in people's mouths.

**Darlene Kirk:** I'm not.

**Bridge Littleton:** What he said was if we request one thing, but Salamander, in its determination, decides that they would not want to proceed with whatever we might request, then they reserve the right to make that independent decision. That's what Prem has said to me tonight. And that is what he will provide to the town in writing tomorrow. So that'll be the official sort of, you know, public statement of it.

**Darlene Kirk:** OK, well, I would like for us to make a request of them.

**Bridge Littleton:** So I think it's OK. So I understand. But we need to hear from everybody, because I don't think there's unanimous agreement with that, with what we do.

**Darlene Kirk:** I understand that, but I want to say one other thing. Cindy has [off mic] [inaudible] knows [inaudible] roads. It's totally different up there. [off mic] and you all are a little bit protected. But Cindy you see a lot of traffic from Salamander. People going to work flying by there, and that's [off mic] be on these roads. And that's what you don't want [off mic] people walking around with kids and [off mic] stuff like that. And you guys even walk down here. So I think we need to think about that because it's going to change. It's going to change one of our oldest and major developments and it is going to hurt because you're going to have trucks. That's

one of the problems you had before [off mic] Salamander was taking big trucks through. And you seem to have all over [off mic] trying to get a shortcut to get into there. [off mic] sorry [off mic].

**Bridge Littleton:** So, OK,

**Darlene Kirk:** What we need to protect our long-time citizens, and that's I think instead of just voting for what the resort was, we have to protect our citizens. [applause]

**Bridge Littleton:** Well what I would say is what the resort wants is to not do them, and if there's members of council who want to build them, I think we're actually doing what the resort doesn't want. Right I mean if I want [multiple speakers]. Hold on this council discussion, I'm sorry. So there's many items here that we have to look at holistically about the entire town, Chestnut and Ridgeview included. But equally, what the impact is to everyone, not just Ridgeview. Sorry.

**Darlene Kirk:** [off mic] It's not going to impact everyone. It's not going to impact [off mic] and this end of town it's going to impact the residential area of [off mic]. That's what's going to be impacted. And I don't want to argue with you [off mic] [multiple speakers].

**Bridge Littleton:** No, no, no. It's fine. I mean, but so we need to go around the room now. [off mic] Philip.

**Philip Miller:** I mean, I would say it will impact everybody. Just think about go to Safeway tomorrow at 4:30 in the afternoon and imagine twice as much car traffic going through Pendleton. Of course, it's going to affect things. And I'm sure that, you know, I have concerns that VDOT would come in and mitigate that would even make it worse. The way I see it is we have two philosophical things we need to talk about and decide on what's best, which is how do we feel about private roads in town and how do we feel about that essentially being a gated community in town if there are no other access points? And I think those two philosophical things that we need to answer, and we need to understand what that really means for the long-term impact of the character of the town. So above and beyond, health and safety measures and increased traffic and what the effect of, you know, the grading of the road is, I think those are two important things that we should consider.

**Bridge Littleton:** Well, so [off mic] that one first, private roads, you know, in a private community versus public roads [off mic]. Start with you and go around the room. And then we'll address the other [off mic]

**Philip Miller:** I think that.

**Darlene Kirk:** [off mic] [multiple speakers]

**Philip Miller:** I think for a residential neighborhood, I think it's.

**Bud Jacobs:** Could I jump in here. [multiple speakers]

**Philip Miller:** Go for it.

**Bud Jacobs:** Well, this is to add a little bit to the point Philip was making. One of the values that the staff has added to our discussion with your memo and your excellent summary, Will, is to ask what Will called the ideological question and the original vision, the visioning exercise, the comprehensive plan all operated, I think, on the understanding that what we were going to see in Salamander as it developed was a community of residents. That premise seems to have changed rather dramatically in the past six months. We're now being made aware that Salamander's marketing is focusing on short term rentals as part of the attraction for buying in the I guess, in the residences piece. But I assume it would be also in the MUV down the road. And the question we have to answer is if that is what the resort is going to be, that is a resort and not a community that we had hoped to [applause] integrate into the town. Then do we need to change how we're thinking about this? And I offer that comment specifically with respect to the private roads. Obviously, if we want Salamander to be integrated into the town, then we don't want private roads and we want as many points of access to the property as are feasible. However, if what we're talking about is a resort with a bunch of short-term rentals which whose occupants are never really going to be part of the town, they're here to party and have vacation. Well, does that mean then that perhaps private roads and Salamander would not be such a bad thing, nor would it be a bad thing to exceed to what is obviously Prem's desire and not force the two access points on Reed and Chestnut. Now, I have to say, I don't know myself what I think about all that, but it seems to me that might be a useful way as we get into the nits and the noids, that might be a useful framework to put the discussion in.

**Philip Miller:** And if I can just add onto that in what you're saying about the private roads, because I see a particular police chief in the back shaking his head a little bit. I wonder what the policing situation is with private roads if they're not connected to town. And especially if we're talking about short term rentals and as you put it, parties and all that kind of stuff.

**AJ Panebianco:** I'll make it as quick as I can. Private roads are like a parking lot you can't work crashes on. And if we do, we're very limited on what we can charge people with. We can't work speed. So if you say people are speeding, it's not that we don't care. We can't do it. It's a private community I can't work traffic in Salamander. I can't work a crash in Salamander. We won't give you if you get hit when you're going to the Salamander resort, your insurance is going to fight it out. Because we can't do a crash report. [off mic].

**Darlene Kirk:** You can do it now on the road into Salamander [off mic]

**AJ Panebianco:** We can't do it from the gate forward. If somebody crashes, we say yeah you crashed.

**Bud Jacobs:** Who does that in those [multiple speakers]?

**Bridge Littleton:** No one.

**Bud Jacobs:** State police doesn't come?

**AJ Panebianco:** No can't do it. [multiple speakers]. Security, information report. But that's it. We can't do a crash report. [multiple speakers]

**Bridge Littleton:** Think about it this way. You crash into somebody in a hotel parking lot. Yeah, same thing.

**AJ Panebianco:** Yeah. So that's essentially what it would be. [multiple speakers]

**Bridge Littleton:** So, Bud a few data points for you as to consider that because you bring up a great point. Right. So I've talked to Prem directly about the short-term rental thing. They have no plans to allow any more than 50 percent of those residences to be in a short-term rental program. So I know they're marketing [multiple speakers] What's that?

**Chris Bernard:** 25 [off mic] zero

**Bridge Littleton:** Well, no, my point is half of those residences are going to be people who live here and are in town. And we also have to think about the fact that just because short term rental, blah, blah, blah, is caché today, 15 years from now, it may not. I mean, those people who buy today who are 40 and it's their weekend home 15 years from now, it could be their retirement home. I mean, the nature and character of neighborhoods change over time. So the question we have to ask is, so what if it becomes that? And to Will's point earlier, your ability if those residences want to come into the town, you've made it near impossible for it to happen. So, I mean, I just you know, again, I'm not saying that's right. I'm not saying it's wrong. It could be it could never change. But I'm saying we have to think about today. We also have to all think about the future. So anyway. OK [off mic]

**Darlene Kirk:** One thing, because when this originally started, [off mic].

**Bridge Littleton:** 24 what?

**Darlene Kirk:** 24 rooms. [off mic] One of the reasons that we went up to 168 because that they could [off mic] and when we talked to them about the residences [inaudible] short term rentals. They had 168 rooms. And that was enough [off mic] But that's what the original and I know this is not the same council [off mic] felt, that 168 rooms was more than enough. And I know several times they managed to have one hundred and [inaudible] rooms. [off mic]

**Bridge Littleton:** OK, Bud was that yours or do you have.

**Bud Jacobs:** Yeah. That's it yeah.



**Bridge Littleton:** We are just going to cover the public private road part first and then we will come back about the loading. Chris.

**Chris Bernard:** Yeah. I mean as the nature of the development seems to evolve, like Bud said, it does kind of change your perspective on it. And the policing and safety aspect is also kind of interesting. So I don't know. It's hard to say. I don't know exactly where I stand on that, because you also have to factor in. [noise] [laughter]

**Bridge Littleton:** We all needed that. [off mic]

**Bud Jacobs:** Bye Estee.

**Chris Bernard:** And it's not directly tied to the private thing. But I am very concerned about loading up all the traffic on two points and what the implications are of that. What I'm not worried about, though, and I know we talked about a little earlier, is, you know, I think the cost of maintaining the roads doesn't weigh in as heavily for me. I think having terribly maintained roads would be a worse look for Salamander than it would be for us. And I don't think they would let that happen. It would hurt their brand too much. So I take that off the table, but I don't know, it keeps changing. So I don't know.

**Bridge Littleton:** Kevin.

**J. Kevin Daly:** I keep thinking of the safety issue I'm talking about. All right. This is something stupid that goes through my mind. What's the ground pressure of a hook and ladder fire truck?

**Will Moore:** You are asking the wrong person?

**J. Kevin Daly:** OK, because the question is, you know I would like the TIA to do the option. Chestnut turns into a emergency road only. Now if Salamander is going to build that. That road has to be built specifically to support the weight of hook and ladder trucks.

**Will Moore:** Absolutely.

**J. Kevin Daly:** The fire trucks, the larger emergency trucks that are going to have to go rolling by there. It's not going to be well; we're just going to put out some paving stones and have nice grass growing out. It's not going to support those trucks and that's not going to support the community. I like to think of all right there's Salamander Resort, but I may be getting forty-nine new families that I'm going to be calling neighbors. And I would like to think that those people are going to want to have the same care for the town of Middleburg as we have. I don't know who's going to be moving out there. No one does right now. I walk by their sales shop and I'm going holy for holies for one point two million this house, this little mansion out there is going to add their own pool. It just boggles the imagination that someone's going to spend that much money and not actually live

there, but if that's how they want to spend their money. But at the same token, I don't want to have some slipshod road put up for that's not going to support emergency equipment. And so I would like that as part of the TIA study. If Prem wants to put in, they are in for business so build it cheap and charge it deep.

**Will Moore:** Well, so and if I may there are ways to do emergency only access and if that was the way that this project eventually went, there are ways to do that. It goes through all the analyzes with all the appropriate people. So I simply offered that statement earlier because an attorney there has been in contact with us that states he is representing some residents here. Basically said it could be done with, you know, some paver blocks that have the grass growing through, it probably couldn't be done in that way, but there are ways to do emergency only access and then to control that. So I don't want anybody to think that's not a possibility. It's just what would it actually end up looking like? So.

**Cindy Pearson:** My brain's just going like this, and I'm going to say, you're damned if you do and you're damned if you don't with whatever we do with this.

**Bridge Littleton:** Only bad options.

**Cindy Pearson:** There's only bad options. You know you remember when North Pendleton, when they were building it into the resort, when we had to take away the parking spot there in front of the bakery, what kind of havoc that caused? We had people lined up and down the street and around town. I don't think I'm going to say this with all due respect, because I lived on Chestnut Street. That's where the first place I was born and raised on. People have extended their driveways and extended their yards out into Chestnut more and more. There's big boulders in certain spots. So you're not you know, you're supposed to have X amount of space from the middle of the street over that VDOT owns. If that were legitimately there all the way up and down Chestnut and all the way up and down Reed Street, you'd have a much wider street. We wouldn't be having these discussions as bad. I know your homes look good. You've done a great job with them. Your driveways are out there nicely, but part of them are on VDOT's property. And it's like the bush on Reed Street across from where this lady lives where Hill School owns that one house, it's just out in the road. If VDOT came along and cut that back, they'd butcher it. You know, they have done that before to properties on Chestnut. They butcher [multiple speakers]. Yeah. So there's just so many things to think about with this. Putting all that traffic on Pendleton is going to be a nightmare. I think, you know, the Safeway as anybody said, trying to go to the Safeway at 4:30 in the afternoon with people going into the resort to check in at 4:00 or whatever. It's going to be horrible. So there has to be other access into this. Like I said, I don't think anything's the right answer on this. You know, somehow, we're going to have to come to a consensus with Salamander, but I just I don't have a good answer.

**Bridge Littleton:** Peter.

**Peter Leonard-Morgan:** Thanks very much. I'm a big proponent of precedent and I'm very interested to discuss that Council rejected the proposal of private streets and was adamant the streets should be developed

and should be in public streets. None of us except I believe Darlene was on the council in 2015. I'd really love to know a bit more about how that discussion went because some things have changed, but a lot has not. [off mic]

**Darlene Kirk:** [off mic] normal houses.

**Bridge Littleton:** In 15, this was already [off mic]

**Darlene Kirk:** [off mic] houses because they looked more stable [off mic].

**Bridge Littleton:** So real quickly I was on planning commission and saw this first before council. [off mic] I know these lot sizes and these lot and these house sizes that what they're doing is almost [off mic] exactly what [off mic]

**Will Moore:** It's almost exactly. The big difference was each neighborhood had a one-way loop road in it as opposed to a single 2 [multiple speakers]

**Bridge Littleton:** [off mic] And the house sizes were [off mic].

**Darlene Kirk:** [off mic] didn't want them to overshadow the ones on the back street. [off mic] about that initially and later on that people are living there already and if you build this humongous house behind it.

**Peter Leonard-Morgan:** I think what I'm really asking more is why was the council so adamant about public streets at that time? Because I really, I respect the decision the previous council made unless there was a big mistake that went on and.

**Darlene Kirk:** [off mic] Part of our community. And that's why we didn't want them to be able [off mic] rooms. We don't need another forty-nine hotel rooms to fill up. [off mic] houses and people living there, even if they lived only there for part time. We thought it was going to be all people we didn't think [off mic] Because we told them no that we did not want that.

**Peter Leonard-Morgan:** And how much do we know about it being rentals now? So [multiple speakers] because I have not seen anything.

**Bridge Littleton:** And so let me okay it's a good question. So at the time that this went to council, it came to the planning commission first. And I was on the planning commission, and I remember these discussions distinctly and the Planning Commission as well, unanimously, did not want these to be private streets, and there was a lot of discussion as to why. Part of it is the value of having a connected community. Right. And at the time, they actually wanted swing gates. So if you didn't have if you weren't a special person with a special key, you couldn't come in. And that just was so antithetical to what the definition of the word community is that

the planning commission was like, no, that's not who we are. And that. Hold on, hold on. Hold on. And the other thing was this. At the time, the whole short term Airbnb rental stuff was going on and it was discussed, and it was as much as everybody else likes to talk about preserving property rights and all that kind of stuff. That's a property right an owner has period. So whether Salamander is booking the reservation, it's actually the landowner who makes the application to be able to do short term rentals or not. Just like every homeowner in Middleburg has the right to apply for that or not apply for that. And that's not going to change. So what we fundamentally decided on at the time was this. Number one was about a connected community and that was the biggest thing that sparked it off was these swing gates or, you know, these boom arms that if you didn't have a keypad pad. The second thing was the long-term viability and sustainment of the actual streets, because the way everybody looked at it on planning commission was this, like it or not, they're the majority of the people who live there more or less. More of the time or less of the time. Who knows? They are property owners and residents of Middleburg, and they pay taxes, and they expect a level of service. And we have a moral obligation to provide that to them. And not that anybody thought tomorrow Salamander wouldn't do a good job. But in 30 years after Salamander's been sold three times to another company who actually doesn't really care about maintenance and I'm not trying to say this is a comparison. But you look what happened in Florida and the residents there in the HOA didn't want to pay. And this is not the same thing, right. [off mic] This is not the same thing, but it's what [multiple speakers] can happen, right? You say, hey, look, we need to replace 30 years from now those town homeowners or those resident owners whether they are short term rental or not, are going to be responsible for repaving full depth reconstruction, repaving that entire road. They're going to be responsible for it if it's a private road or whatever it is. So what happens if they don't want to do it? And the roads deteriorate. What happens when the sidewalks deteriorate? Those are citizens of Middleburg. What happens when the trees aren't appropriately trimmed? What happens when they don't pay the snowplow guy to plow the roads? I mean, what they'll do is they'll call the town. And I'm not saying that I don't feel bad and say I'd love to do something for you, but the response is [multiple speakers]

**Peter Leonard-Morgan:** We've actually had that issue in a small way recently in town.

**Bridge Littleton:** The issue is going to be, I'm sorry, we can't do any of that maintenance for you. You're on your own. And that was the discussion, not a council, but at planning commission at the time. [off mic] And that was what we recommended to council. We made the recommendation to council that council unanimously agreed with as to why we didn't want them to be private roads.

**Bridge Littleton:** So that's [off mic].

**Peter Leonard-Morgan:** Yeah, I appreciate that. That's helpful. I appreciate the history of that.

**Darlene Kirk:** Another thing they wanted those gates, they said to keep the Salamander employees from cutting through there because they knew they would they were having a hard time with Salamander employees cutting through anywhere they could. So that's another reason that they wanted those gates that there are people that live there could get through, but employees and staff could not.

**Bridge Littleton:** Yeah, I mean.

**Darlene Kirk:** That's a major thing and.

**Bridge Littleton:** Well, but in fairness, when Prem was here and Steve [inaudible] was here discussing it with us, it was because they actually wanted it to be the chicness of a private community. That's what the swing gates were about.

**Darlene Kirk:** That was part of it, too. But they admitted that they have a problem with their employees, and they can't control where they go.

**Bridge Littleton:** Okay.

**Darlene Kirk:** And that is a problem and.

**Bridge Littleton:** So hold on it's still Peter's turn.

**Darlene Kirk:** I know. Peter, go ahead.

**Peter Leonard-Morgan:** No, no, that that to me helps me a lot because like I say, the president and the decision maker must have gone into that six years ago. We can't just throw out the table just because, you know, we think it wasn't a good idea or we prefer private roads. I do think that the mayor's point is very valid, that if in 10, 20 years there's a special assessment of, you know, tens of thousands of dollars per household for new roads and people don't pay it and can't pay it, then what's it going to look like? And it is the town of Middleburg and they do pay taxes. So I have a real problem with changing it from public streets to private for that. We've had the recent experience in the last year or two. I think it's part of Chinn Court. And I think there's another little piece of street that another little part of [multiple speakers] Pinckney. And we've had to swallow it. And that's tens of thousand dollars for a small strip of road.

**Bridge Littleton:** That were private. That we're now trying [multiple speakers] public.

**Peter Leonard-Morgan:** Right. So that's a lesson, I think, that we need to think about and bear in mind. So right now, my feeling is that they should be public. I certainly feel that we need access points that are going to make it safe and accessible to people who have homes there. I don't think we can assume they are all going to be renting them out. I mean, I'm in the real estate world and those are going to be nice homes. And they're going to a lot of them probably are going to be owned by people who want them as second homes. They don't want other people to rent them. So let's not assume that there are going to be a lot of Airbnb's there. [off mic]

**Cindy Pearson:** I just want to quickly say that I didn't address that with the public private roads when I was going on my little rant a few minutes ago, and I do really believe they should be public roads with the same, you know, that they won't get taken care of over time, which is what you know, I do agree with what you just said.

**Bridge Littleton:** Yeah. And so I appreciate that. And we'll go round for a second time about the traffic loading and Pendleton and safety, and all that stuff. So, yeah. I mean, so when we went through this at at the Planning Commission at the time, everybody, you know, there's what you hope to happen, but then there's what can happen. And, you know, the town has a fundamental responsibility to I mean, not the unicorn worst case, asteroids are coming down and blowing everything up, but reasonably, you know, what are the things that can go wrong? And are we making sure that we to the best ability that we can properly mitigate that? And so for me on this on the public versus private roads, I think fundamentally my concerns are maintenance. Right. Just because Salamander's going to build them today, the moment those things are all sold, that's an HOA. I know plenty of HOA's who do not keep up the maintenance of many things they're supposed to. And the town has no recourse. We can't force them to do anything. And I'm sure all of us have been to, you know, nice hotels and resorts over our lives and gone back 25 years later and going, oh, my God, how did this thing fall apart? You know, I'm not saying it's going to happen to Salamander, but it's [inaudible]. I mean, what in the last ten years, the Four Seasons closed, you know, 11 resorts or something. I mean, it happens, and I don't want it to happen. But OK, what who's you know, how do we account for that? And so again, on the public private road thing and then the last piece about AJ, you know, policing, appropriately being able to police accidents and wrecks. I mean, and it's not like this is going to be a hundred- and fifty-yard-long strip with a couple of parking spots off of it. This is a long access road, right? I mean, I don't know how long it is, Will. It's like probably what, how long is it in total? Oh, half a mile.

**Will Moore:** It's several thousand feet in one direction. So yeah.

**Bridge Littleton:** Yeah. So it's long. I mean. Yeah. So then again, I know we're not coming to a decision tonight, but that's something I think you know some of the reasons why I am in agreement that trying to have these public roads is in the overall best interest of the town overall and the fact that these are also going to be future members of our community. So anyway, again, not that that's.

**Darlene Kirk:** I wanted to say something.

**Bridge Littleton:** Yeah.

**Philip Miller:** I wanted to ask a question. If they were private, would we have any recourse to keep them from putting up a key card gate.

**Will Moore:** So the proffers as they currently stand now because of some of the discussions that the mayor and others mentioned in the 2015 amendment process, the proffers actually include a proffer that any

connections from Stonewall Avenue into the development. So at Reed and Stonewall at Chestnut and Stonewall will not be gated.

**Philip Miller:** But if it was only off Pendleton?

**Will Moore:** Say again.

**Philip Miller:** But if it was only off Pendleton. Was

**Will Moore:** Was only off Pendleton. No. There's nothing. No, there's absolutely nothing. [multiple speakers]

**Philip Miller:** I mean, it just further bifurcates town [inaudible] a resort. I would say this and then you load up that road with all the extra traffic and potential mitigation from VDOT and it just further exacerbates the issues that we have culturally of the town versus the resort.

**Bridge Littleton:** Yeah. Darlene go ahead.

**Darlene Kirk:** First of all. It's on. I got just you all need to go up through that area and just go there, go up to Chestnut, go down Reed during the day, see what's going on. It's going to drastically change that neighborhood and it's going to hurt people there. And is the resort more important than the people who live here in town now? It shouldn't be. Are the people who buy future homes maybe? Are they more important than our citizens that we have now? I don't think so. And I think we need to look after our citizens first and put them first instead of the resort. We've given the resort a lot and granted the resort has given us a lot. I worked there for a while and I was one of the ones that helped integrate the resort into the town because I want to make sure that our businesses in town, we're getting people from the resort because the resort was trying to sell them everything. No, go to the Fun Shop and look for a bathing suit. No, you should go eat over here. And I've tried really hard to do that and we want to do that. But we've got to think about our own citizens first. And that's not happening here.

**Bridge Littleton:** So Darlene, I'm just going to make a couple of statements.

**Darlene Kirk:** And you're supposed to be more in the middle.

**Bridge Littleton:** Well, this is really important.

**Darlene Kirk:** Yeah.

**Bridge Littleton:** And I want to ask a question. I think our job is to look at all the facts and do what we feel is in the best interest of the town through and through. The resort is a part of our town.

**Darlene Kirk:** It is.

**Bridge Littleton:** They're in the town limits. All the businesses in town are part of our town. Everybody who's on Pendleton, all the businesses are on Pendleton, all of the residences and citizens and schoolchildren who are from one end of the town. We owe and potential future residences, citizens. We owe them all equal due consideration. And I think they would expect that of us. And I don't think we want to pit one against the other. I don't think we want to pit us against the resort because at the end of the day, there'll be a decision and some people will be happy with it and some people won't. And the resort may be happy. The resort may be furious. Some citizens may be happy. Some citizens may be upset. But we need to do what we feel is best. And I think.

**Darlene Kirk:** Everyone.

**Bridge Littleton:** Right, but not because we've given the one person so much now. We shouldn't give anything anymore.

**Darlene Kirk:** No and I agree with that.

**Bridge Littleton:** OK? Because that's what it felt like was.

**Darlene Kirk:** Well, I am kind of saying that we need to protect one of our older neighborhoods because it doesn't seem like we're protecting it here.

**Peter Leonard-Morgan:** So Darlene may ask on that subject what happened in 2015 that allowed the decision to go forward for Reed and Chestnut and Pendleton? What's changed now? And I mean that sincerely because I was not on. [multiple speakers]

**Darlene Kirk:** The whole mentality of Salamander changed a good bit. They were more about being inclusive and making houses that were going to be more inclusive and sort of match what we had, sort of and even at one-point Prem set an extension of Ridgeview basically, that's not what it was becoming now. It's becoming this little rich area. And I don't mean anything against the rich, but it's what it's becoming they're going to sell these [multiple speakers].

**Bridge Littleton:** Do you like that?

**Darlene Kirk:** Do I like what?

**Bridge Littleton:** Do you like that?

**Darlene Kirk:** The rich houses?



**Bridge Littleton:** No that mentality coming to fruition.

**Darlene Kirk:** I would have rather the other one where we were all together in one big, you know, community. But they're the ones changing it, not us.

**Bridge Littleton:** OK, so then [multiple speakers]

**Darlene Kirk:** I think one thing we need to do is we need to talk to Salamander and be serious about it. And I'm not saying anything, Will, but this is a small town. We want to stay a small town. I don't see that mentality with you, and I don't. And I do see it more with you, Danny, but I think we need to talk to Salamander and ask Prem point blank, make a decision.

**Bridge Littleton:** Darlene. I'm sorry, Darlene. I'm sorry. We're not going to insult town staff.

**Darlene Kirk:** No, I'm not meaning to.

**Bridge Littleton:** [off mic] You just did. No, stop. You just did it's inappropriate.

**Darlene Kirk:** Well, I'm sorry, that's what I think.

**Bridge Littleton:** Well, then, please, you need to keep it to yourself.

**Darlene Kirk:** Well, I'm sorry.

**J. Kevin Daly:** And we talk about changes. Nobody likes change, but change happens all the time. Rain, shine, snow. That's change. We talk about the prices of the homes that they're selling over on Salamander. I just saw a home being sold in my neighborhood, which was 1984 it was sold at auction for 150,000. It sold for 699 thousand. A home, a small cottage, no backyard on Chinn Lane just sold for one point three, one point three million. So hey, things are changing.

**Darlene Kirk:** I know and that's okay.

**J. Kevin Daly:** We're seeing you call it the gentrification, but we have new members, community neighbors who have moved into Chestnut and on Reed Street and built new homes where small Cape Cods or shotgun homes are built. So change is occurring.

**Darlene Kirk:** And that's okay.

**J. Kevin Daly:** And it's not just. So homes shouldn't be built in that open space that Salamander has.

**Darlene Kirk:** I'm not saying homes should not be built there. But the concept of the original concept of that was going to be more inclusive. And I feel like now what they're doing by building what they're going to build and by making them short term rentals like they are, that it changes the whole flavor of what they're doing and the people that are near it on the back street or wherever, they're the ones that are going to feel it.

**Philip Miller:** Can I just ask isn't this making it all accessed and public? Isn't that forcing the inclusion that you're actually asking for.

**Bridge Littleton:** And against what Salamander wants?

**Darlene Kirk:** That's not what Salamander keeps saying.

**Bridge Littleton:** No, no you're saying that Salamander doesn't want to build these?

**Darlene Kirk:** No. They want to build these houses.

**Bridge Littleton:** No, no the connection streets. You've said that Salamander doesn't want to build these connection streets.

**Darlene Kirk:** That's what Prem has told these people.

**Bridge Littleton:** So then if we do that, we're giving them what they want, which is what you said you don't want to have happen.

**Darlene Kirk:** I didn't want to. No that's not what I said. What I don't want to have happen. I did want the houses up there to be so not I wanted them to work together with the town, you know, I wanted them to be a part of Ridgeview not a whole separate. I wanted to be like family, not like you know, an exclusive separate thing.

**Cindy Pearson:** Darlene, and I think you're kind of you need to stop because I had other communities built here down where Bud Lives where Peter lives. And, you know, people have said the same thing at first and look what they have brought to the town. Wonderful people, people who fill our committees. And you just need to take a breath, step back and let other people talk. Now, you've made your points. [multiple speakers] You've done a good job. It's time to let other people speak.

**Bridge Littleton:** So all right. Here's what we're gonna do. Here, is what we're going to do. This is tough stuff. And I know it gets emotional. And this is one of those inflection points in any community where it's a big, hard change. You know, I mean, these homes have been coming for 15 years. We now actually have to do it.

**Cindy Pearson:** Harriman's when that property was.

**Darlene Kirk:** Stop you told me to stop.

**Bridge Littleton:** So [multiple speakers] here's what we're going to do. We're going to give each person we're going to talk about the connection point on Pendleton and Route 50 in the E classification, all that kind of stuff. And we're going to give each person two minutes and we're not going to have back and forth. Everybody gets two minutes and there's going to be no interjections. There's going to be no whatever and keep it germane to the you know, the point that Will brought up, that the amount of traffic could, you know, potentially put us in a point down the road where something might have to be built or whatever. And then I think hold on. And then. I think we have to do after that is Jim Bishoff and his guys are going to come back with some additional information to help emphasize what you know, what it all might mean, and maybe it gives more clarity, maybe it doesn't. And then we'll revisit it after Jim, you know, provides that to us. But it's clear everybody feels very strongly and passionately about this. And there's, you know, I think and tell me if you guys agree. I think there's a lot that's come out and we all want to think deeply about it and consider all the input. And I'm imagining Jim won't have it at the next meeting. But in the August meeting, if Jim can get it done by the next meeting, we'll get it at the next meeting. But if not, we'll take it down to the next one. OK, so my handy dandy clock. Let me pause and set for two minutes. So Darlene, on the issue about.

**Darlene Kirk:** Don't start with me.

**Bridge Littleton:** OK, Philip, I'll let you go first on the item about the loading for traffic and Pendleton 50 and all that stuff.

**Philip Miller:** I think it's a huge concern. I think that traffic there, we've already got issues with that intersection of Marshall and Pendleton. It can get dicey and hairy, especially times when the Safeway is packed. And, you know, that happens to be right when you've got kids getting out of school and going into the bakery and grabbing ice cream or cookies and people double-parked. I think loading that up is a concern. And I think that it would be interesting to see what Jim comes back with about the potential mitigations of 50 and Pendleton, because we already know we have an issue with 50 being backed up at our busiest times all the way down to the water treatment plant. You know, it's a concern. So I think we need to get more information about it and understand how the different options of what can be done mitigates that without having to have VDOT put a light put in for, you know, worst case scenario. But I think putting all of the traffic on that is a very, very big concern.

**Bridge Littleton:** Bud.

**Bud Jacobs:** Over the next 20, 25 years or so, the population of the Washington metropolitan area is going to grow by one million more people. We lie about 40 miles away from that epicenter. Anyone who thinks that we are going to retain Middleburg as we know it and love it is smoking dope. It's well, it is legal now. So I suppose I need another metaphor. [laughter]

**Bridge Littleton:** What's wrong with that.

**Bud Jacobs:** Yeah. Well, what's wrong with that. [off mic]

**Bud Jacobs:** And that's we're not having any interjections right now.

**Darlene Kirk:** I'm sorry.

**Bud Jacobs:** If we were I would mention the inappropriateness of attacking town staff in a public meeting.  
[multiple speakers]

**Bridge Littleton:** All right. Sorry Bud go ahead.

**Bud Jacobs:** But we're not. The reason I mention this is because this is a great example, as somebody has put it, of us facing a menu of decisions that are basically all bad. We have no good options here. One of the things that we have been able to do, fortunately, so far is be civil and try to manage the best of complex situations. And I think based on the good work that staff has done and particularly this analysis that Will has presented in his memo, we're well on the way to doing that. And I think we just need to keep on slogging and make hard decisions and make them in the best light that we can possibly make them as we each see the facts and the reality on the ground.

**Chris Bernard:** Yeah, I think all of us are going to come at this differently. Right. We all have different life perspectives and different perspectives based on where we live in town. I've lived in Ridgeview, and I live on the other side of town now, so I get it both. And I drive through town every day and I drive through Ridgeview a lot because sometimes I just like to drive through the neighborhood, and I'm concerned about putting too much traffic in Ridgeview also very concerned about putting too much traffic on Pendleton. And I think it will be good to see what J2 has to say or Jim. And I am concerned that letting Pendleton overload, we won't be able to choose how VDOT gets to mitigate that they're going to choose, and that makes me a little nervous as well. So, you know, I think, like Bud said, I think we need to be collaborative. We need to look at all the stakeholders. This is going to be just like we look at this in different ways. This is going to affect everyone in a different way, and it may affect people more than others in there, you know, where they live directly in their house, but it might affect other people's businesses differently and it might affect other people's commutes differently, their school differently. So I think, like Bud said, it's we all need to look at the facts. We need to get all the information we can get. The more information, the better, and then make the decision that we think is best. And while there are no perfect solutions, I don't know that they're all bad. I think we need to make the most of of whichever one we arrive at. So hopefully I stayed in two minutes. [off mic]

**J. Kevin Daly:** This is very personal and for all of us and for the folks out there, so I'm going to give you a little background of my personal history. I've been shot, stabbed, blown up and bitten by a rabid dog. The dog died.

30 years in the military during a recovery phase when I came home in 2003 after getting blown up out of a tank, I discovered Middleburg driving down it. And the sign I saw was the fox curled up and said, Relax, you're in the village. And I saw this beautiful town where I was able just to walk everywhere. I mean, it's nothing. I'm doing 10, 20 K steps a day. On average, I tried to do a little bit more. I've walked everywhere here. Now I bought a home in 2003. I have seen changes in the town since then. There was Mosby's Tavern when I was a single parent. My daughters were off to college. I said I could go to Mosby's Tavern, walk there, sow my Wild Oats on weekdays, crawl back home and then on Sunday walk to the Emmanuel Episcopal Church and pray for crop failures. This town means a lot to me. I never grew up in a hometown I traveled every three years I was picked up and moved. Now, in that time I've seen Mosby's Tavern close. There was a hardware store on the main street that's closed. There was the what was the diner? It's closed. [off mic]. Coat Stop Sam Huff used to regale us all with his football stories. I also remember walking down Reed Street, Chestnut Street, the other streets down there, and I have seen Cape Cod's disappear and McMansions put in to zero lot space where you see this huge behemoth. And right next to it are two small Cape Cod's. Changes come it's come already. I don't want to see choke points. In the military I hate choke points and I see that happening at Pendleton and that's going to be more dangerous in the long run for pedestrians. I prefer public. I want to greet potential neighbors as potential neighbors and give them the benefit of the doubt that they're not going to turn this to squat. And one last thing. I spent 30 years trying to make the world safe for democracy. And I can tell you now, I probably failed. I don't want to have that happen to my efforts here as a council member in Middleburg. Thank you.

**Bridge Littleton:** Well said.

**Cindy Pearson:** So I don't think. Well, I should say, I think that if we just have one road in on Pendleton, that's a huge problem. And I know it's hard to use Chestnut and Reed Street as connections street. There's no other magic wand that we can put one somewhere else at this point. But I do not, I hope not to see it all put on Pendleton. I don't think it can handle it.

**Peter Leonard-Morgan:** Thank you very much. Yes, I think the way I've read it, I've read everything over and over again about the history of this. You know, I wasn't on the council obviously back when this was done. A lot of thought from some very smart people is going into this over the years to work out what is the best route forward to make it safe and accessible and community. And I just can't get my head around one road access there. And that's even forgetting the idea that if that did happen, there might be a traffic light there or there might be changes to Pendleton Street to VDOT to accommodate that. I am concerned also that if we let it go private, that it could be a real problem in the future. So I [inaudible] maintain roads for safety for all the issues that we discussed here tonight. So, you know, it's a horrible decision to make. But if I had to make it tonight, I would say we would have to have all of those access points, unfortunately. That would be my way forward.

**Bridge Littleton:** OK, [inaudible] golly Darlene, [off mic] I'm sorry, go ahead.

**Darlene Kirk:** So first of all, Will let me apologize. [off mic] To you [off mic] Seems like [off mic]. One of the things we've always been. This is a small town. And you even said something to the effect of [off mic] change because [off mic] And I want to keep the flavor of Middleburg. The same small-town feel [off mic] we all want. I'm just afraid that we're going to lose that [off mic] don't want to lose our neighborhoods. I don't want to lose our small-town feel [off mic] problem [off mic] telling me to stop. And I think we should [off mic] No one should tell the other person to stop it, even if they're wrong. And I was maybe [off mic].

**Cindy Pearson:** And I just want to apologize. I do apologize for telling you to stop, but I think at some points we all get so and emotional about what we're saying. We don't know when to stop. I didn't mean for you to stop what you believe in and what you're saying. And I know you wouldn't. I don't mean that. I just meant that we need to take a breath [off mic] [laughter].

**Bridge Littleton:** OK, so I'll put two minutes on myself. [off mic] Don't worry. I got it. Oh, yeah. Trust me. Trust me. It's good to know. So here's the comment I'm going to make. And I don't even want to get into the Route 50 versus Pendleton, because, I mean, the one thing I'll say is I am concerned about VDOT taking that future when they want to do it. And we created an irreversible situation, they say, hey, sorry, you put that much traffic on there. So guess what? Stoplights are coming. And you know, that might not be for 15 years, but I think we have to be very careful about that. So but in the big picture. This is really hard stuff. I greatly appreciate the community at large engaging on this. And the only reason the people in the community are engaging on this is because they care. And the only reason we're here at this dais for 10,000 dollars a week in pay is because we care as well. And this is not a us versus them, us versus salamander, Chestnut versus east versus west. It's about what we want to see is the best result for the best way to manage the change that hits us. And that's the fact change will always be hitting us. Right. I cannot imagine what was in your all's wheelhouse when you had to make the fundamental change about Salamander or not Salamander, but you had to do was in the. If Middleburg had ten million dollars in the bank you would have told Salamander to hitch it. But you know what you did, and you took a very painful decision that fundamentally changed Middleburg forever. But you did it because it was in the best interests of everybody here and it was harmful in a lot of ways, but the benefits outweighed the harm. And that's what we're trying to do here. We're trying to figure out.

**Darlene Kirk:** Oh your time's up.

**Bridge Littleton:** I know. We're just we're just trying to figure out the optimal balance that we can get in doing this. [off mic] So, yeah.

**Chris Bernard:** 10 seconds. So after the decision is made [off mic] important is after that decision was made, to bring Salamander in. [multiple speakers] Everyone worked together to make it as best as possible. And that's what I was trying to say earlier. These aren't all bad decisions. They're all decisions. None of them are perfect. But once we make whatever that decision is, I think it's all it's very important that all of us come together and make the best of them and make them at the best we possibly can. And it's you know, we're adding [off mic] how do we make them the least harmful [off mic] I mean, that's the important part about.

**Danny Davis:** Can I have two minutes? [multiple speakers]

**Bridge Littleton:** All right go ahead.

**Danny Davis:** I just want to say that our job as staff is to give you our best professional recommendations, to present to you information in conformance with your strategic initiatives and goals and the communities adopted strategic plan, which is the comprehensive plan. And so while certain things we might recommend to you may not be desirable by all members, we do our very best to represent that. And publicly, I'll just say I appreciate obviously all of you. I appreciate all of our staff because they put in tireless hours towards this. So I just want to thank you for the support, but also the ability to bring these to you, because it's our way of trying to make the community meet what has been stated in the community goals. Thank you.

**Darlene Kirk:** Can I just say real quick [off mic] Now you made me forget it.

**Bridge Littleton:** I didn't make you forget anything.

**Darlene Kirk:** [off mic] One thing it'd be nice and Will, you're always a very positive and very well spoken person, but give us the good and the bad. [off mic] sometimes we only see the one way and if you explain how the other way is so bad or bad [off mic]

**Bridge Littleton:** So okay [off mic] that's fine. So yeah. So you know, Danny, I appreciate you saying that. And I think I'm going to I think I will take and say on the behalf of myself, and I know everybody here, you guys are amazing, and you tirelessly work objectively to try to do what's in the best interest of the town, the best interests of the community. I've never seen a group of government employees want to be treated, but more importantly, want to treat others as a family, and that's what you guys do through and through with the community here whenever they come in for anything they need. And there's going to be times at which you guys, you know there's a lot of times there's hard pill to swallow. Right. But you try to give us the facts and the data and the information as best you can. And sometimes it's not perfect. I mean, most times it's not. There's no such thing as perfect information. And you guys do it thoughtfully, diligently, thoroughly and to the best of your ability. And I would stack you all, every single one of you, against anybody in the Commonwealth in terms of excellence in your job, dedication to the town, but most importantly, thoughtful care of the community. And we can never say thank you enough. [multiple speakers] OK, so you guys will give us an update when Jim can get his information and do that analysis or do the look at it in the way we're asking with those different scenarios. If he can get it to us by next meeting. Great. If not understood, he was on vacation, but we will plan to have it on the agenda for as soon as he's got it. I would also say I would encourage any member of council if you want to sit down with Danny and or Will and really, because I've probably spent 10 to 20 hours in the last two to three weeks with them getting into the deep weeds of this stuff, it's hard. I mean, that report is 500 pages long, right? Please schedule some time. Sit down ping them with a million questions and, you know, to

be as comfortable as possible with everything you need. OK, onto a lighter topic, Oktoberfest. Can we have it right now? [off mic] Oh, perfect.

**Danny Davis:** Is it really. [multiple speakers] Exactly. Exactly.

**Bridge Littleton:** All right. So Danny, you wanted to.

**Danny Davis:** Yeah, I will just very briefly update you on a couple of items related to Oktoberfest. We are planning it for September 18th. That is the third Saturday of September and it's the traditional kickoff of Oktoberfest.

**J. Kevin Daly:** September is [off mic].

**Bridge Littleton:** It's the traditional kick off of Oktoberfest.

**Danny Davis:** It's typically the kickoff in Munich, which accordingly, they are actually not having it in Munich this year. So I say we take the moniker of the global kickoff.

**Chris Bernard:** The official in October.

**Bridge Littleton:** Look at AJ. No.

**AJ Panebianco:** Not no but heck no.

**Danny Davis:** That being said, [multiple speakers] [laughter]

**Danny Davis:** So we obviously learned some lessons from 2019. And one of those was how to better spread out the event to make sure that was not so crammed as it was just in that block of South Madison. Initially we had thought about turning it west on federal, but there are a lot of challenges with that one being the hill two being the fact that it's less visible and you create some kind of segregation of the actual activities. The recommendation or suggestion from Mary Ann Burns was what if we tried to go north on Madison Street? So we have both South Madison and North Madison. A couple of complications that we've identified here in the memo. But just for the public in the record, Route 50 would remain free flowing, and it would be on likely a yellow flashing signal. So Route 50 can continue. We would have pedestrian barricades at either end of Madison. So that pedestrian like Christmas, so that pedestrian traffic would be controlled at one access point north and one south. And when the police felt it was necessary and safe and appropriate, they could stop traffic on 50, let the pedestrians cross, and then close the road for the barriers back again. So we think that's a great way to manage the traffic in and across in a safe manner. I was able finally to speak to Matilda from Red Fox and miracle of miracles it is the only Saturday in September or October that they do not have a wedding. It is actually on Friday evening, the day before.



**Bridge Littleton:** Really so I go cancel the fake appointment I scheduled?

**Danny Davis:** Yes. So that is great news. So she had no immediate significant concerns or issues with that. We will have to talk about 2022 at another time because they actually already have a wedding planned for that third Saturday. But we have some ways to evaluate this year, see how this year goes and then look at opportunities for 2022. [off mic]

**Danny Davis:** At Oktoberfest [off mic] Buchanan.

**Darlene Kirk:** Hey, guys.

**Danny Davis:** So the last thing real quick is we do have an RFP out on the street for event planning management and execution services, and those are due to meet next Friday. And so the goal would be to get that person or that firm on board to continue on. I will have to give one hundred thousand kudos to Mary Ann because, you know, she is just running off with it and she is getting, you know, things lined up and in order. And so it wouldn't come together in 2019 if it weren't for them. And again, it wouldn't this year just with our short staffed situation. So getting this firm on board is crucial. This may be one reason why we need to call a special meeting early in August. If we have a contract ready to approve, we may need to be able to move forward with that. If I don't have it ready by the 22nd.

**Darlene Kirk:** Danny [off mic] my only concern. [off mic] I was afraid that I [off mic]

**Danny Davis:** I think so. I think because we'd be planning it to extend all the way to the Pink Box until you have the garden and the gazebo area as well. Part of it, too, is the idea of having two separate areas to get beer, one on south one on the north. And that was a lot of that crush was the food and the drink and everything else, all in one spot. And so if we can have dispersion of that and then we can have vendors at various locations that just relieves some of that pressure. [off mic] It's worth a try. We don't know for certain, but I think it will work out.

**Darlene Kirk:** [off mic] She's was talking about a lot of artists. [off mic]

**Danny Davis:** Right, yeah. [off mic] I mean, that's kind of the idea. I don't know if [off mic] Yeah, yeah. It's so [off mic] Yeah. So they were talking about having a separate band on the gazebo, so you'll have the big stage on South Madison and then you could have a smaller band or just do that or whatever in the gazebo. I don't know if they would tent it per say because you have all the trees there. [off mic] I know for the Millie Miglia.

**Bridge Littleton:** We [off mic] the big box [off mic] big one hundred percent [off mic].

**Danny Davis:** Yeah. So that is a potential. [multiple speakers]

**J. Kevin Daly:** Just think when we have the brand-new town hall completed, we'll have that huge [off mic] tent.

**Danny Davis:** But yeah, that's an idea. Yeah, definitely. OK, so that's our plan. I just wanted to make sure that we fully shared with the rest of council. So everyone I mean four or five of you already knew this, but I wanted to make sure everyone's on the same page. And thankfully we got confirmation from Red Fox. So we're moving forward.

**Peter Leonard-Morgan:** [off mic] letter anymore. [off mic]

**Danny Davis:** I cannot answer that question.

**Bridge Littleton:** Start running. [multiple speakers] Yeah. [multiple speakers] jealous [laughter]. [off mic] [multiple speakers] All right. Yeah. So we had nothing else on the agenda. We don't have anything on closed session. Right.

**Danny Davis:** We were going to give some briefings, but I don't know if it's necessary at this time.

**Bridge Littleton:** All right. Let's move forward from that. Two quick things. And this is probably for Will too. Number one, Philip, and I were out by the triangle the other night. That stuff's got to be fixed. All those I mean, the benches, you can literally pull them off. I mean, they're totally rotted apart. Nails are coming out of them. And if somebody sits on that they are going to have a rusted nail in their rear. And I'm putting us on notice that we have a hazardous whatever. So we're now liable.

**Philip Miller:** Yeah. I mean, or somebody who's a little bit less stable, you know, trying to get up you could push it off [multiple speakers]

**Bridge Littleton:** Want to push it off. It will. Yeah. One side unbolts and the other side isn't the two benches on the triangle.

**Cindy Pearson:** My eyes [off mic] this big.

**Bridge Littleton:** The second thing was Bob Ball mentioned to me today about the fence between his property and our property. It's been three years. It's literally falling over. It needs to be fixed.

**Danny Davis:** Does he own it. I just didn't know.

**Bridge Littleton:** But Bob said to me today was basically, look, if you guys are going to do it, I've been asking for three years and we've said we're going to do it, then I'll do it. But, you know, it's our fence. So and it's a

chain link. It's totally rusted and fallen over. So hire a contractor, get it done. That's standard maintenance. We have an unsafe condition Martin, just putting you on notice. [off mic] [laughter]

**Danny Davis:** We have a grounds and maintenance budget.

**Bridge Littleton:** [multiple speakers]. Got it in the budget process and got spend it.

**Bridge Littleton:** Exactly. The last thing here is I don't know if everybody saw it or not, but the county voted to award the Aldie assemblage contract to Guy [inaudible]. Not to Mo Jacks, so if everybody is OK with this, I would like for us to draft a letter of thank you to the board.

**Darlene Kirk:** Yes.

**Bridge Littleton:** Everybody good with that. OK, we'll put something together and send off to the Board of Supervisors. But, I mean, that was, and I thought the funny thing was it was voted eight zero and one because [inaudible] was away he was working. But no, that's huge. I mean, so and thank you guys all for all the hard work you did in, you know, sending emails and we didn't do a resolution. What did we do?

**Danny Davis:** You did a letter?

**Bridge Littleton:** We did like two letters or whatever. It made a difference. And so that's that's exciting for Aldie. That's it. [off mic] Bob Ball. Oh, yeah, I talked about that I'll follow up Danny. OK, Okay anyone have anything else? Going once, going twice, last call. Meeting adjourned.