



MIDDLEBURG TOWN COUNCIL
Special Meeting Minutes
Tuesday, August 17, 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
Rhonda S. North, MMC, Town Clerk

The Town Council of the Town of Middleburg, Virginia held a special meeting, beginning at 6:00 p.m. on Thursday, August 17, 2021 in the Town Hall Council Chambers, located at 10 West Marshall Street, to consider two contracts that were time sensitive. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

Action Items

Council Approval – Award of Contract – Events Management Services – Brotman, Winter & Fried, LLC

Town Manager Davis reminded Council that the budget included funding for an events management firm to manage Town sponsored events, as well as to provide some assistance with Christmas in Middleburg. He reported that eight proposals were received, and two firms were interviewed. Mr. Davis further reported that the review team unanimously recommended the award of the contract to BWF, LLC. He noted that they were working to clarify some items related to flexibility, so the Town would not be liable for paying them should an event not be held. In response to inquiries from the Council, Mr. Davis advised that the maximum contract amount for the first year would be \$55,000, which would include planning and event management, as well as event support. He noted that it also included a small amount for a partnership with another firm to assist with sponsorship development for Oktoberfest, the Millie Miglia and Art in the Burg. Mr. Davis advised that that firm would be paid a combination of a retainer and a percentage of the sponsorships they secured. He noted that the contract amount would increase to \$70,000/year once the Millie Miglia returned to Middleburg. Mr. Davis reported that BWF was based in McLean, Virginia and had over thirty years of event management experience. He advised that their references highly recommended them. Mr. Davis opined that they would bring additional creativity to the Town's events and could help identify additional events that could be held. He advised that the firm included three principals and twelve to fourteen staff members in the local office, plus an additional fifteen to twenty in the corporate office. Mr. Davis further advised that Vicki Bendure and Len Shapiro would have a role in the contract by providing insight into Middleburg. He noted that there was no extra cost for those services. Mr. Davis advised that while he did not know whether BWF was a SWAM certified company, their partner was.

The Council held considerable discussion as to what would occur if an event was cancelled at the last minute due to COVID. They acknowledged that the Town should be responsible for paying the planning costs; however, they questioned whether it would be responsible for the event manpower that was not used. They noted the need for the contract to also include an act of God clause.

Town Manager Davis advised that he was building flexibility into the contract, such as what would happen if events were added. He opined that the Town would not be charged for manhours that were not used if an event was cancelled; however, he advised that he would clarify the threshold for cancelling an event with the firm. Mr. Davis opined that the contract would be ready for execution by the end of the week.

The Council suggested the Mayor be authorized to sign the contract if he was comfortable with the final terms and conditions. They asked that they be provided with the changes that were made to it.

Councilmember Jacobs moved, seconded by Councilmember Daly, that Council authorize the Town Manager to enter into a contract with Sage-BWF, LLC for event planning and management services, in a form approved by the Town Attorney and Town Manager.

Councilmember Leonard-Morgan offered a friendly amendment to the motion that the agreement be edited according to the discussions Council held this evening and signed by the Mayor. Councilmembers Jacobs and Daly accepted the friendly amendment.

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.) (On motion as amended)

Council Approval – Parking Lot Lease Agreement – Middleburg United Methodist Church

Town Manager Davis reported that the terms of the lease agreement had been finalized with the Chair of the Board of Trustees for the Middleburg United Methodist Church. He reviewed the terms of the proposed lease, which included a base rent of \$8,000/year; a 3% rent increase per year; a five-year lease term; and, that the Town pay the upfront cost of the current repairs, which would be \$6,680 based on the proposal from Racey Paving, with one-fifth of the cost to be deducted from the rent payment each year for the term of the lease.

In response to inquiries from the Council, Town Manager Davis advised that under the terms of the lease, the Town would be responsible for minor repairs, mowing the grass, and snow removal. He further advised that the lease clearly stated the Town would have no obligation for any other significant repair. Mr. Davis noted that if the parking lot were to become unusable, the lease required the Town to meet with the Church to determine an agreement for how it would be addressed; and, if the Town’s concerns were not addressed to its satisfaction, the contract could be terminated immediately, with no further obligations on the part of the Town and with the Town being reimbursed pro-rata for any dollars it had outlaid. He advised that it was not currently unusable; however, it was not ideal. Mr. Davis noted that he did not envision it would become unusable in five years. He advised Council that the Church’s representative made it very clear that in the next lease, he would be looking for a net lease where the Town would be responsible for any and all repairs in the future.

In response to an inquiry from the Council, Town Manager Davis confirmed the lease did not specifically require the Church to do major maintenance and repairs on the parking lot; however, he reiterated that the Town could terminate the lease if the repairs were not made to its satisfaction.

In response to inquiries from the Council, Town Manager Davis reported that the Town’s budget included \$4,200 for the rent and reminded them that it was previously \$5,000 annually. He noted that it had hovered in this range for many years. Mr. Davis reported that the Town paid the Middleburg Bank a nominal fee of \$10 to rent their parking lot.

The Council noted that in two years, the Town would have its own forty space parking lot.

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council approve the Deed of Lease, Parking Lot at Middleburg United Methodist Church, dated August 17, 2021 and effective July 1, 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.)

Discussion Item

2021 Oktoberfest

Mayor Littleton noted that the Town of Lovettsville recently cancelled their Oktoberfest, as they were concerned that the event would not generate enough revenue to cover the expenses due to COVID. He suggested the need for the Council to have a conversation about Middleburg’s event and noted that the participants would be located in a small area where they would not be able to spread out. Mr. Littleton questioned whether the Town should require the attendance to be capped; should ask for proof of vaccination; or should mandate masks for those individuals who had not been vaccinated. He suggested the Town look at what other localities were doing with their outdoor events so it could work out the details of how to address any changes that may be forthcoming.

The Council held some discussion of the event. They noted the need to assure social distancing, such as for the beer line. They questioned who would be responsible for cleaning the tables between customers and ensuring social distancing at the tables. They suggested the need for hand washing/sanitization stations. The Council noted that it would look bad if the event caused an outbreak. They suggested the new events management firm provide guidance on how to address these issues. The Council noted that the mandating of masks has become politicized, which when combined with the consumption of alcohol, could result in difficult situations. They suggested the need to include the Chief of Police in these discussions.

The Council noted that the last event was a family friendly one and included things like face painting. They questioned whether the brushes would be disinfected between each child and suggested activities such as that not be offered.

The Council suggested the need to identify a trigger for when the event would be cancelled. They stressed the need to determine how to safely hold the event if it was held. The Council noted that whatever procedures were put in place should apply to all Town sponsored special events.

The Council noted that if ultimately the number of attendees was capped, it needed to be a number that made economic sense for the vendors and the Town. They advised that 5,000 individuals attended the last event throughout the day and suggested that number was not tenable under the current circumstances.

The Council asked the Town Manager to schedule a meeting with the new events management firm to discuss how the Town should plan for the event, including the need for social distancing; hand sanitizing; and, the regulation of pedestrian traffic. They stressed the need to ensure a level of safety for everyone involved. The Council asked that this item be added to their August 26th agenda so they could be briefed on the recommendations from the events management firm. They suggested that if possible, they would like for the firm to be present during the meeting, even if they attended remotely.

There being no further business, Mayor Littleton declared the meeting adjourned at 6:39 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

August 17, 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)

Bridge Littleton: Oh, well, let's start the meeting. Calling this special meeting to order. First item is Pledge of Allegiance. [Pledge of Allegiance] Okay, next item is the roll call Chris.

Chris Bernard: Chris Bernard,

Bud Jacobs: Bud Jacobs.

Philip Miller: Philip Miller.

Darlene Kirk: Darlene Kirk.

Bridge Littleton: Bridge Littleton.

Peter Leonard-Morgan: Peter Leonard-Morgan,

Cindy Pearson: Cindy Pearson,

Kevin Daly: John Kevin Daly.

Rhonda North: Rhonda North, Town Clerk.

Danny Davis: Danny Davis, town manager.

Bridge Littleton: Ok, next item is council approval. What's the first one here? Event management, events management firm, Mr. Davis.

Danny Davis: Thank you, Mr. Mayor. And Council Members Council has approved in the budget line item for event management for various events throughout the year. This would be for Oktoberfest, the car rally/Mille Miglia, support for Christmas in Middleburg and overall Christmas activities, though not direct management of the event and then also support to Art in the Burg. So we did an RFP process for this. We interviewed two firms out of the eight that we received proposals and the review panel, which was made up of Mary Ann Burns, who organizes Oktoberfest and is chair of the Arts Council. Suzi Molak, who's chair of the Cultural and Community Events Committee and me. We unanimously recommend BWF LLC for our event management firm. We've had their proposal here. There are some clarifications that we've gotten in email and they're putting in a formal clarification letter essentially related to flexibility around if we don't have a certain event, such as the Mille Miglia, that we're not going to be required to pay the hours for that event because it's not happening. With that being said, I'm confident with the general terms that we've agreed to and with a proposal before us, and we're looking forward to getting them on board so that we can finalize the planning for Oktoberfest, which happens in 32 days.

Bridge Littleton: Any questions for Danny or actually Cindy and Darlene, you guys were on that committee right for the events committee didn't it come to you guys?

Danny Davis: So we used Suzi as the chair of the committee to provide.

Bridge Littleton: Oh, Got it OK, OK.

Danny Davis: But we didn't actually go to the actual direct committee.

Bridge Littleton: OK. All right. Yes, sir.

Peter Leonard-Morgan: So can you just summarize what the maximum would be without Mille Miglia and with. I think I read it here, but I just want to.

Danny Davis: Sure thing. Absolutely. So for the first year, which is this, this current fiscal year, the maximum for this contract is fifty five thousand dollars. And that includes, again, regular monthly planning hours and regular hours and support to the town specific hours for each individual event, including people day of event to manage all the aspects of the event during that day. It also includes a partnership with a subcontractor, essentially who does sponsorship development on behalf of our events. And so there's a small annual retainer for that, but then also a percentage based incentive for them to bring in additional sponsorships for Oktoberfest and Mille Miglia and Art in the Burg. At this point would not be specifically engaged in sponsorship crossover with Christmas. But I think that's a conversation we'll continue to have with the organizers of Christmas in Middleburg into the future, not for this year. So that was a long winded answer, 55000 for current year, for next year, assuming Mille Miglia does occur, that essentially is about 100 hours of time at their rate. So it would be a total of seventy thousand dollars.

Peter Leonard-Morgan: Thanks very much.

Bridge Littleton: Bud.

Bud Jacobs: Can you tell us a little bit about this company? Who are they? Where are they located? How big are they? What have they done?

Danny Davis: Absolutely.

Bud Jacobs: All that.

Danny Davis: Yes, sir. So they they are based out of the McLean Tysons area. It's two gentlemen have been with the firm for 30, 35 years, something like that. They were eventually either bought or merged in with Sage Communications. Sage is a larger kind of advertising marketing PR type firm. They're an arm of that. So they have some of that crossover support, but they really are their own kind of event management, event promotion type entity, if you will. They've done events anywhere from city of Manassas, Herndon, Vienna to D.C. [inaudible] coordination, you know, small aspects or organizing. Spoke with Events DC today and highly, highly recommend. So they're great. All the details covered and they will they will do the work to get it done. So we were very impressed. And we think they'll bring a level of additional, maybe creativity, if you will, to some of our events and even the ability in the appropriate manner to look at are there other community focused events that we could come up with that are appropriate and beneficial in working with the Cultural and Community Events Committee.

Bud Jacobs: So they have its two gentlemen you said.

Danny Davis: There were three primarily that we met with that I think are the kind of the key principles, if you will. And then they have I can't remember the total number 12 or 14, I want to say, in their firm. But then they have their partner firm, the rest of Sage, that they can pull an additional 15, 20 people from them, and then, of course, recruiting additional workers and volunteers

Bud Jacobs: So they'll have a necessary staff for whatever task.

Danny Davis: Yeah, absolutely.

Bud Jacobs: Thank you.

Danny Davis: Yes, sir.

Bridge Littleton: Cindy.

Cindy Pearson: It says there's a second set of teaming partners is Len and Vicky. [inaudible] and Vicky. I'm not quite getting what their I mean, glad to have them, but what their role is.

Danny Davis: Yeah, it wasn't actually fully clear to me. I think it's more about being able to help provide additional insight into the history of things that have happened here in Middleburg of whether it's connections in the community or other type, things like that. There's there's no real, if you will, fee built into their fee that that we see directly for that particular piece of it. But, yeah, it's.

Bridge Littleton: Bud again.

Bud Jacobs: I'm sorry, I did have one more question. Do we know any chance that they or Sage are an ADA or a veteran owned business, minority owned business?

Danny Davis: I don't believe so. From what I know and it did not, from what I read, did not come across in their materials that they are their partner. I'm just saying this right now, Bullpen Strategies, that does the sponsorships, they are a SWAM certified agency. But I don't know if that's just because they're a small agency.

Bud Jacobs: I think if they were, they would have put it in their proposal.

Bridge Littleton: Yeah, Kevin sorry.

Kevin Daly: Off the wall question, given the current new normal, if up to a week of planning for an event, the event ends up being canceled because covid went up to Red Level. Are we obligated to pay for up to but not including the the day of the event?

Danny Davis: What I've built into here is in the language that we're going to agree to is flexibility. We obviously would be responsible for any regular hours or planning hours that they had already put into it. If we cancel a week out, I'm fairly confident they would not charge us for day of hours because of that requirement or mandate that may be upon us.

Bridge Littleton: Well, OK. So a lot of times you're and I didn't see this part, but a lot of times, you know, if you're planning to use your staff for something and then all of a sudden we call two days before and say, no, we're not going to do it. Now, those people aren't assigned and they may have given up other jobs that they that maybe wouldn't have been canceled. So what happens in that circumstance?

Danny Davis: I'm happy to provide more clarity in our final clarification letter regarding that. We didn't address something to the effect of canceling it a week out. We're addressing as of April 1st, I give them clarity of here are our four events in the upcoming year or July 1st, you know, whatever it might be. So, for instance, where we knew as of July one Mille Miglia was not happening this year, we should know by July one of next year if Mille Miglia is happening or not. [off mic] If we don't, then I'm going to tell them we're not having the event. And then if we need to add it on, we'll add it on later if possible.

Bridge Littleton: No my concern isn't the adding on, it's the taking off.

Danny Davis: So then I'd tell them if it's not guaranteed it's happening by July one, then I tell them it's not happening.

Bridge Littleton: No, no, no, no. You told them July one it's happening and then something happens and we take it off.

Danny Davis: I understand. Well, there are parts of it we have to pay for. I mean, there is ongoing planning that goes into it. And so that's incumbent upon us as a town to make a good decision.

Bridge Littleton: Oh, I'm not worried about I'm actually on board for them paying for the work they do. But what about the work they plan to do that we're now pulling out from underneath them.

Danny Davis: I'll make sure that's clarified.

Bridge Littleton: What's our position going to be?

Danny Davis: My position is that we should I want to see what they believe is fair for their operational necessities because it's not fair to walk in two days ahead of time and say we're not having an event. But we also could build in flexibility related to is it pandemic? [multiple speakers]

Bridge Littleton: [multiple speakers] flexibility doesn't mean you're going to get it.

Danny Davis: I understand that.

Bridge Littleton: OK, what also happens if we're mandated to close?

Danny Davis: That's that's part of the.

Bridge Littleton: Is it in there?

Danny Davis: Not currently. I will have it in there.

Bridge Littleton: Ok, so I don't feel comfortable signing this until those things are all hammered out.

Danny Davis: So what I'm asking you to do is approve the structure of it and we're finalizing that clarification letter. Right. And that will be in there for signature by you when it's done or if you authorize me to sign it.

Bridge Littleton: What if they say no? What if they come back, so you're negotiating terms and conditions right now? Right. So we don't have final terms and conditions. Is that is that a correct statement?

Danny Davis: In a letter signed by them, no, I have emails that have agreed to the comments that I've made so far to you, and I can read it to you if you'd like.

Bridge Littleton: So these items we've just brought up, have those been clarified

Danny Davis: All except for the canceling, you know, what's the threshold? Is that a week? Is that a month? Is it six months?

Chris Bernard: What happens if it's a week? Is it laid out?

Danny Davis: No, we have not built out. We have not built out every single scenario that's on the table.

Bridge Littleton: Well, but this isn't this is this is like a big one because of everything going on with covid up and down now. [off mic] Well, I mean, usually these kinds of contracts like, you know, act of God and weather typically act of God. But I mean, I don't think we can claim that the pandemic is an act of God because we're all living through it right now.

Danny Davis: So the language, if I can, that that we had tentatively agreed to says this, BWF agrees that hourly agency investment can be downscaled in situations where planned events do not occur, potentially resulting in a corresponding reduction in the level of compensation based on the blended agency billing rate agreed here in with such instances and

their resulting adjustments made on a case by case basis. Now, it doesn't talk to again what that threshold is. If I cancel a week out and I'll get that clarity and I'll negotiate that we should have flexibility and I think we should have maximum flexibility. But there are also obligations, I understand the businesses take where they're obligating their own staff to commit to time. And so there has to be a fair, you know, compromise.

Peter Leonard-Morgan: There's a certain amount of risk involved at the moment for us. Yeah. And we have to accept that. We have to understand that. And just I think what we just need to know is, you know, what the approach is going to be. We certainly don't want to pull the rug out from under them. Right. You know, they're going to be paying people. People aren't going to be working. I think we just need to know what their. What their answer to that is.

Bridge Littleton: Yeah, good, Chris.

Chris Bernard: Well, I was going to say I think maybe it's as simple as having a table where it's, hey, if we cancel it a month out, we'll pay you whatever you've done, you know, and then maybe it's a very small amount on top of that. But if it's the week of maybe it's, and there's a number there. But I think to your point of you get to July, you say, OK, we're only having three events. And then a month before you go, oh, we do want to add that fourth, I would have something in there because if I'm them, I say, OK, but I'm going to charge you more. I would have it built in.

Danny Davis: So they've also said and now, again, this wasn't we didn't have a time factor built in, but the second part of this was, alternatively, should the town agree to integrate new events and activities that require additional BWF hourly support the town agrees to additional hourly compensation at the prevailing blended agency rate, which is in the contract per this agreement. So they've agreed to say, hey, if we want to add you come and give us 50 hours of time towards X, Y, Z, they'll do it at the rate of their in their proposal. B

Bridge Littleton: They're committing to do it no matter what or when we ask for it,

Danny Davis: They've currently agreed to.

Bridge Littleton: Ok, so the other question I've gotten is, what about the reason for the cancellation like if the state mandates closure. That was not me. It was a state law ordering it. And what if there are events like, you know, the government's going to compensate the business for the loss? Right. Right. I shouldn't pay them right. If they're going to get reimbursed. I mean, and I know these are like three years ago, we've all been like, oh, these are the unicorn examples. No, these are today the real world examples of what's happening every single day [off mic] Yeah. I mean, so

Danny Davis: I mean, it's a covid clause. I can have and it's a declaration by the governor requirements and you know, any other thing, anything. Yeah. We, we,

Bridge Littleton: Well it's same as the emergency thing because like if somebody mandates something that says you don't have to cancel something but you have to do X, Y and Z and it makes the event literally unfeasible. Yeah. You know, it's effectively being forced on us, you know, even though you said, oh, you can have it with three people, you know,

Chris Bernard: And I think it's ok if we compensate them for some of that, there's going to be people that get put out, you know, but we should have we should know exactly what that is.

Danny Davis: We developed some language with one of the vendors or contractors for Oktoberfest. It's not perfect, but it's a it's a similar thing. We'll integrate into it.

Bridge Littleton: Ok, well, I think this needs a lot of work and there's a lot there's very important elements that are going to be living through for the next 18 months, which are critical to make sure we get it, get it right. So, I mean, my recommendation would be. You know, I think we all agree. I think we all understand what needs to be there if council's comfortable with me signing once all these get done so we don't have to come back, that's fine. But, you know, and I don't know how fast you can go back and forth in the negotiation.

Danny Davis: We'll have it done by Friday. I mean, they're going to come tomorrow anyway. They're starting tomorrow. They they know that the details will be worked out. And I have no hesitation that we will have all this hashed out to come to an agreeable position for both parties. They've been very, very flexible and easy to work with. And they understand they will understand where we are on this and we'll be able to come up with something and we'll have something formally ready by Friday. But they're they're jumping all in both feet.

Peter Leonard-Morgan: I have no problem if the Mayor signs that. Maybe we could just see it the changes.

Danny Davis: Yeah, of course.

Peter Leonard-Morgan: In a formal email.

Bridge Littleton: Yeah, [off mic] Exactly. Yeah. So does anybody have any concern with that as our. Ah ok. OK. Was there anything else. I think you need a motion on this one. Bud.

Bud Jacobs: I move that the town council authorize the town manager to enter into a contract with Sage BWF, LLC for event planning and management services in a form approved by the town attorney and town manager.

Kevin Daly: Second.

Bridge Littleton: Hold on friendly amendment.

Bud Jacobs: Friendly amendment.

Peter Leonard-Morgan: I'd like to make a friendly amendment.

Bud Jacobs: I would entertain friendly amendments from local celebrity Peter Leonard-Morgan.

Peter Leonard-Morgan: Oh, thank you so much. I'd like to recommend that in the form approved by the town attorney and town manager and edited according to the discussions we've had this evening and signed by the mayor.

Bud Jacobs: Good. Yeah.

Bridge Littleton: So accepted?

Bud Jacobs: I said, sure.

Bridge Littleton: Ok, all right, all those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed. Abstentions. OK, next item. The contract for the church.

Danny Davis: Mr. Mayor and council, we've discussed previously with you the proposed lease for the parking lot at the Methodist Church. And I have finalized all the last remaining questions and issues with Mr. Johnson, who's the chair of their board of trustees. The terms are the same as last discussed with you in closed session, which is a base amount of eight thousand dollars per year, three percent increase per year and a five year term of the lease. The town will pay the upfront costs of the current repairs, which, based on a proposal from Racey Paving should not exceed six thousand six hundred and eighty dollars. A fifth of that will be deducted from the lease payment each year for the length of the term of the lease. So with that being said, I believe it's in order. The lease is included in the packet and I'm happy to answer any questions. [off mic] His last name is Racey. R A C E Y. [off mic]

Bridge Littleton: Cindy.

Cindy Pearson: So the repairs we're doing this time and they'll be deducted over the next five years, as you said, what happens to three years from now they're big old hole comes back because it seems to be in a spot that it does reappear. Who's responsible for that?

Danny Davis: Currently, under this current lease, they are responsible for anything other than minor repairs. So we take care of snowplowing. We'll take care of cutting the grass. We've even done some small cold patching of little spots. But we clearly state here that we have no other obligations for any major or significant maintenance or if the parking lot becomes in an unusable or unsafe condition, it requires us to meet with the property owner and come up with some agreement for how that's going to be addressed. And if it's not addressed to our satisfaction, then we can terminate the lease immediately and be obligated for no more dollars and get reimbursed pro-rata for any dollars we've outlaid.

Cindy Pearson: That's I was wondering if you can get out of a contract or whatever the word is you used if they don't.

Danny Davis: Yeah, they don't. Yeah. I mean, even the way it is right now, it's not ideal. I wouldn't call it unusable. It's just really not ideal. I don't envision in five years it becoming an unusable unless there's a sinkhole none of us knew about. But there is a whole section on major damage here because and I will just go ahead and be fully up front with you. Mr. Johnson has made his assertions very clear that the next round of lease after this five year term, he would look at some kind of net lease where we are responsible for any and all maintenance and repairs. I said we'll discuss that when we get to it, because that's we'll begin that discussion four years from now. But I just wanted.

Bridge Littleton: I had one question. So is, does the lease obligate them to do major maintenance and repair?

Danny Davis: So what it what it does say is that if.

Bridge Littleton: Hold on I get it. If they don't do it, we can leave. Right. That's not the same as they're required to repair it. So we're doing this one time repair, as you say, in three years, a big hole comes back in the middle. Are they required to fix it?

Danny Davis: It does not require them to currently. [off mic]

Bridge Littleton: We can just terminate the lease and [off mic]

Peter Leonard-Morgan: Can you remind me, Danny, what we're paying right now is the budgeted amount that you mentioned?

Danny Davis: No, sir. So our current budget is 4200 dollars per year for the parking lot. It had been previously five thousand dollars. Prior to that, it had been four thousand dollars. So I think it's hovered in that four to five thousand range for a significant amount of time. Their argument is that, you know, it's not really increased over many, many years. And I think the number, as in the current lease, I think is reasonable for the value that it brings to the town. [off mic] 22 spaces. 26.

Bridge Littleton: Bud, sorry.

Bud Jacobs: Just for the record, what are we paying for the bank parking lease?

Danny Davis: Effectively zero.

Bridge Littleton: Way higher.

Danny Davis: It was ten dollars. But that's a nominal figure.

Bridge Littleton: [off mic] and in two years, we have our own parking lot with 40 spaces, so. OK, any other questions? All right, is there any motion to be had,

Peter Leonard-Morgan: I'll make a motion, I move the town council approve the deed of lease parking lot at Middleburg United Methodist Church dated August 17, 2021, and effective July 1st, 2021.

Kevin Daly: Second.

Bridge Littleton: Any other discussion? All those in favor, say aye.

Everyone: Aye.

Bridge Littleton: Opposed, abstentions.

Cindy Pearson: Should I abstain since I'm a member of the church?

Rhonda North: You're not going to benefit financially. No. [off mic] [laughter]

Bridge Littleton: You're clean. [off mic] OK, motion passes. OK, last thing to cover real quickly. And you saw my e-mail earlier today. This is not not we have we don't have to make a decision or anything like that. The question is around Oktoberfest. So and I do want to be just sort of. You know, Lovettsville canceled theirs. Not really because of covid, but because of all the financial you know, they are a town of an annual budget \$500,000, and Oktoberfest costs them 500 thousand. So if they don't get the tickets.

Peter Leonard-Morgan: Sorry to interrupt you. I was reading the article and I thought they said it's because of covid and the risk of the financial.

Bridge Littleton: Not having enough money to cover the cost. Right. [multiple speakers]

Chris Bernard: About not enough people coming to make it worth it.

Bridge Littleton: And then bankrupting the town. Yeah, yeah, yeah. It is covid, but it's that it would be tons of people don't come and then they're left holding a five hundred thousand dollar bill that they can't pay. Right. Exactly. So but that being said, it's not a bad idea for us, just to I thought to have a conversation real quickly about, you know, CDC's got current guidelines. The outdoor guidelines are if you're not vaccinated, you know, stay with whatever it is. Right. Which honestly, we didn't do at National Night out. But here nor there, this is going to be a little bit different. This we a lot more people in town. It's going to be a cordoned off area. So if you're at the Oktoberfest, not like you can bleed out throughout all. Well, I guess you could, but you can't sort of go everywhere. You're going to be in a pen. So, you know, do we want to think about having a cap on the number of people? Do we want to think about? And again, don't need answers, but it's do we want to go research this stuff? Do we want to think of about asking people for vaccinations right proof of vaccination. And you know what? And it doesn't mean if you're not vaccinated, you can't come in. But what it means is if you're vaccinated, you get a green bracelet. And you don't have to wear a mask, and if you're not vaccinated, you get an orange one, which means you better be wearing a mask the whole time. Again, I don't know the answer I don't know the solutions. What's that? [off mic] Well, everyone is going have to show their I.D. to get in. [off mic] and get a bracelet. Throughout the day. [off mic] You're asked to leave or put your mask on. That's the way to do it. OK, yeah, we figure this out. Like I said, we don't we're not trying a solution at all today. My question is, I mean, they're doing it at Wal-Mart. They're doing it at airports. They're doing it in government buildings. So there is a way to do it and maybe it's not worth it. And maybe the guidelines change a month or in the next couple of weeks, whatever. My only question is, do we want to look at how. If other places are, you know, around Loudoun and or around Virginia or other places with events, are they doing anything? What are they doing? You know, outdoor events and should we be cognizant of that? And I just again, maybe the answer is it's going to be, you know, nobody's doing anything and that's fine. But I thought it was worthy of just asking the question first. So and you're right, I mean, Philip, at the end of the day, there may be a great idea, but logistically it's impossible to implement. OK, so but it's not because we didn't think about it.

Philip Miller: I mean, I think we have to think about these things. And I think we have to think about think about the beer line last time and how crowded people were. And we need to have dots on the ground that say stand here, stand here, because we have to we have to follow CDC guidelines and at least attempt to organize this in a way that, you know, you're walking this way. There's a six foot wide path and then there's a taped off six foot wide path for people going this way so that, you know, we have all of our ducks in a row so that we have a flow for everything. And I mean, how are we who's going to clean the tables after one group gets up and leaves? How do we make sure that people sit with the people they came with? You know, there are a whole host of issues that come along with this. And I'm the more I've thought about it today since your note, I think it's very risky. And I think it could potentially if we did have an outbreak, it would look very, very bad.

Cindy Pearson: Yeah, but I do think there's precautions and especially now having this events group that they could have people there to make sure those tables are cleaned every time somebody gets up.

Bridge Littleton: Or even give us guidance of how they're doing other events right now.

Cindy Pearson: Exactly. And I.

Philip Miller: Work with the health department.

Cindy Pearson: Yeah. Yeah. And I do think with everything probably going on. You know, masks are going to be and I think somehow it's going to be worded, wear a mask. You know, I know you're not going to have it on when you're drinking, and I know you're not going to have it on when you're eating, but at least it would help to a point. So I think it should be part of the the day.

Chris Bernard: [off mic]

Bridge Littleton: Well, I mean, like I will tell you, when I was on the plane, there was I mean, one part got ridiculous. It was like, put your mask on and off between every bite that is unmanageable. I mean, that is literally unmanageable. But I get it. People were cheating. They were lining up 100 m&ms and taking two hours to eat one by one, you know, so a lot.

Philip Miller: Guy on my recent plane brought in like a huge family sized bag of chips and ate one chip at a time.

Bridge Littleton: Yeah. I mean, it's like. Yeah, yeah. Oh, and on one level there is personal responsibility,[off mic] right? Yeah. Yeah. There's personal responsibility at one level. Right. I mean, so to your point, we should have the dots that are six feet apart. Right.

Cindy Pearson: And there should be the hand washing.

Bridge Littleton: Exactly. Hand washing station, good point.

Bud Jacobs: But well I'm grateful you brought this up, Mr. Mayor, because I at least I hadn't thought about any of this stuff. And we need to. It's very important. We don't need a headline that says, you know, Middleburg hosts super spreader event or anything of the sort. [off mic] Exactly. The problem I see is that one, although we haven't seen much of it here, masks have been politicized to a ridiculous extent. And we're going to be serving beer. And it's not outside the realm of possibility that we're going to end up with some belligerent attendee who is going to is going to cause difficulties. And I'm not entirely comfortable with the enforcement mechanism we have in place, whatever that is. Should that eventuality occur, I think we probably need to bring the chief into these conversations.

Philip Miller: I actually spoke to him about it today.

Bud Jacobs: Did you? Right. OK, good. I don't know what the answers are. Obviously, there's a lot of work to do. And oh, by the way, it's August 17th, so we got to we got to get cracking.

Philip Miller: And I'm not against asking for proof of vaccination with the official CDC certificate I am concerned about it was a very family friendly event last time. I mean, for instance, we had face painting and the woman was amazing at it. But you had 14 kids in line waiting for it at all times. And then what's she going to do? Clean the brushes with what? We're going to give her some [inaudible]? I mean, these kinds of things, we need to think about so that we. [off mic] so that we make sure that we're out ahead of it. So if there are certain activities that we just can't have like that, then that's something we need to take into consideration.

Bridge Littleton: Kevin.

Kevin Daly: With that concern, my recommendation is there's going to be no face painting and I think we should also have a cut off as we watch the trend or even outside of our county. All right. I think Loudoun County, we're at Orange and I.

Danny Davis: We're in high transmission or substantial whichever.

Kevin Daly: Ok, well, then at what point do we say high, high transmission? We cancel. At what point do is the cut off for the if an outbreak starts multiplying faster.

Bridge Littleton: Well, no government agencies are recommending cancellation of events. State, local or federal. So, I mean, you know, but my point where I'm going is, they are saying if you're going to have an event, do these things to be safe, that's what they're saying. Right. So, yeah, because I was on the CDC website today and they were saying, if you're going to have an event, this is the smart way to do it, to have an acceptable level of risk instead of the way it was a year ago where it was just do nothing because we don't know what the hell to do. Right. So, Darlene, I'm sorry.

Darlene Kirk: [off mic]

Bridge Littleton: Oh, I mean, this is this needs to be this this needs to be a standing thought for every single event we're going to the town's going to sponsor. Right. And maybe it's like a check. Maybe the quickest way to make sure you do things. Start with a checklist.

Cindy Pearson: And I would once again say with hiring this firm that they're going to be the ones that are responsible. I'm sure they've already lived through this in the last year and a half. So they know what to do, hopefully.

Philip Miller: And if we're going to look at capping the number of attendees, then we also need to make sure that that number of people makes economic sense for the investment and for all the businesses and all the vendors that are going to be there. But I also think we do need to make sure that we're not overcrowded. You know, we had the 5000 people throughout the day last time. I don't think that that's tenable under these conditions from the CDC by any means.

Cindy Pearson: But they are spreading it out more this year, too. Right.

Philip Miller: But even still, I mean and I don't know if anybody saw the UVAs Bio Complexity Institute put out a report on Friday that basically showed the trend line curve for Virginia. And it's basically yeah, it's a strike. I mean, it's just completely straight up. [off mic] Yeah, OK. [off mic]

Chris Bernard: [off mic]

Bridge Littleton: And the people coming from I mean, I would say a lot of people last time came from, you know, Fairfax and from Arlington, Alexandria. And they're actually much more sensitive to wearing masks and being smart and cleaning their hands and stuff like that. [off mic] OK, so I think the action coming out of this is Danny probably set up a call with the events people. And just put on the table for them, you know, what the concerns are and how do we appropriately plan this event taking into consideration things like dots on the floor? I mean, it's a great idea, right? Dots on the thing. Yeah, I think. But you mentioned having hand sanitizer to have a couple of hand sanitizing stations. Great idea.

Right. And it's going to cost a bit more money [off mic] traffic flow, right. Exactly. Good ideas. Right. How do we just make sure we we're as prudent as possible? Not perfectly, because, you know, we can't live in a plastic plastic bubble. But one of those a couple of things we could do to add the level of safety, to make sure that that we, you know, mitigated it as appropriately and I'll say cost effectively as we can. And so probably something to get done quicker rather than later. So what everybody be after you speak to them and see what their ideas are on and maybe ask Beth Erickson if they're if they've seen people doing anything or Reggie. Just put a list together and send it out the council.

Danny Davis: So we have our we have our kickoff formal kickoff meeting with the firm next Tuesday from one to five. So if you can give me till Tuesday, I think I can get to a lot better information. Yeah. Once we've had that conversation,

Bridge Littleton: They're going to come in with things that they've been doing every other than, well, we've got to make sure to ask them if we haven't asked them. Yeah, yeah, [off mic] yeah. Well we can review that [inaudible]. So Danny is that alright? We'll next Thursday's meeting.

Danny Davis: Sure.

Bud Jacobs: Any value in asking them to come in and brief us?

Bridge Littleton: I'd leave that up to Danny.

Bud Jacobs: Don't want to get in the way. But this is pretty important.

Danny Davis: No, sure. I'll approach it with them, see if they're free.

Bridge Littleton: And they can we can have them call in. Right. Just make it easy. Don't charge us for the hour driving in and driving out. [off mic]

Danny Davis: We're paying for the hours regardless. [off mic]

Bridge Littleton: OK. Got it.

Peter Leonard-Morgan: We were just saying we do see some value I think in maybe meeting the team if it doesn't pose a problem. [off mic]

Danny Davis: They did during their interview last week. it was on the first day we implemented the policy. They wore it the whole time.

Bridge Littleton: How many bids did you have in total for that?

Danny Davis: Eight.

Bridge Littleton: OK, cool. OK, was there anything else? Going once, going twice. OK. Was there anything else you need out of us? All right. Meeting adjourned.