



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, August 26, 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  
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, August 26, 2021 in the Town Hall Council Chambers located at 10 West Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

**Public Comment**

Tim Clites, Chair of the Historic District Review Committee, thanked the staff for their hard work in developing the new Historic District Guidelines. He advised that the HDRC felt it was a huge improvement and was excited to use them.

Mayor Littleton thanked the HDRC for their hard work and in meeting the grant deadline.

**Public Presentation**

**Christmas in Middleburg**

Jim Herbert, of the Christmas in Middleburg Committee, advised that they were optimistic about this year’s event. He reported that thus far, they had seven Angel sponsors, plus another four who had verbally committed, compared to twelve for 2019. Mr. Herbert noted that this was in addition to the Town’s partnership. He advised that they were planning for a reduced number of attendees and expressed hope it would not exceed 6,500. Mr. Herbert noted that there was approximately 7,500 people at the 2019 event. He opined that he would have a better idea of the attendance estimate in November once he knew how many parking passes were sold. Mr. Herbert reminded Council that attendance was weather dependent and opined that COVID was still a factor.

In response to an inquiry from the Council, Chief Panebianco opined that the attendance would surpass that for 2019.

In response to a suggestion from the Council, Mr. Herbert confirmed they would publicize best practices for unregulated events and encourage people to respect other’s wishes on their website.

In response to an inquiry from the Council as to what would cause a cancellation, Mr. Herbert opined that this would be up to the Governor. He advised that they would cooperate with the Town, who stayed on top of the State’s rules. Mr. Herbert suggested that if the State said there should be no outdoor events with more than fifty people, Christmas in Middleburg would be cancelled.

The Council asked what the plans were to ensure there were not too many people present. They noted the need to social distance six feet apart to avoid spreading COVID and suggested this would not be possible if the street was too crowded.

Mr. Herbert advised that the only way to limit attendance was to limit the amount of parking passes that were sold. He noted, however, that people would still seek out free parking on the streets. Mr. Herbert suggested that if it appeared there would be a problem with too many attendees, he would work with the Town to reduce the number of parking passes sold. He opined that 7,000-10,000 people was a light attendance; however, he acknowledged that this would not allow people to social distance.

After some concerns were expressed by the Council, Mr. Herbert agreed to identify a maximum number of attendees based on space calculations and to convert that into the number of parking passes that could be sold. Council noted the need to also consider bus capacities. They suggested the need to also have a conversation with organizations, such as the Baptist Church, who offered fee-based parking for the event and to include their numbers in the maximum event capacity. The Council advised that the Town would manage the on-street parking to prevent it.

Chief Panebianco volunteered to calculate the maximum number of attendees, based on the formula of one person per ten square feet, to provide for a light crowd.

### **Action Items**

#### **Pilot Food Composting Program** – Middleburg Sustainability Committee

Lynne Kaye, of the Middleburg Sustainability Committee, reported that several years ago, the Committee discussed composting with Ayrshire Farm, who was happy to do so as they have a commercial compost facility; however, the Committee had no way of collecting or getting the composting materials to them. She advised that composting was becoming more common and reported that the Committee felt it was important to offer a program. Ms. Kaye discussed the benefits of composting and advised that the Committee proposed a pilot program be initiated in Middleburg. She explained that citizens would be able to opt into the program for weekly or bi-weekly collections at a cost of \$20/month or \$14/month respectively. Ms. Kaye displayed an example of the compost bucket, which included wood chips to control odors. She reported that a minimum of twenty-five participants, either residents or businesses, would be needed for a pilot program. Ms. Kaye advised that the Committee was recommending Apex Organix be the vendor, as they already offered service in this area. She noted that if a business wished to participate, Apex would determine the price based on their needs. In response to inquiries from the Council, Ms. Kaye advised that the contract would be completely between the company and the customer. She further advised that the Committee had not identified a period for evaluating the pilot program; however, she opined that they would review it at the six month and one year marks to determine its success.

In response to an inquiry from the Council as to what was needed from the Town, Councilmember Leonard-Morgan advised that the Committee was looking for the Council's approval to allow Apex to initiate a pilot program and for the Town to advertise it in its newsletters.

Town Manager Davis advised that they only needed to grant approval to promote the pilot program and noted that no formal action was needed by the Council to initiate the pilot program.

Council noted the need to emphasize that the lids needed to be kept on the buckets to keep animals from getting into them.

Councilmember Leonard-Morgan noted that clean buckets would be left when a bucket was collected.

Ms. Kaye expressed hope that the buckets would be kept indoors until they were collected. She noted that there were a number of items that could be composted.

The Council agreed to promote the pilot composting program.

## **Staff Reports**

Town Clerk North reported that the Town signed the contract with InvoiceCloud and that the implementation meeting was scheduled for next week to begin work on the online utility payment system. She noted that a second meeting would be held to discuss the schedule for implementing the remaining three phases.

Town Clerk North reminded Council of the retirement party for Sheila Whetzel scheduled for September 1<sup>st</sup> at the Middleburg Library. She also reminded them of the Virginia Municipal League Conference scheduled for October 3-5 and asked that the members let her know if they wished to be registered.

Mayor Littleton asked that the Town Clerk send out a meeting invite for the VML Conference to the Council.

In response to an inquiry from the Council regarding the Citizen's Academy, Town Clerk North reported that she was concentrating on organizing the Annual Volunteer Reception and would move her focus to the Citizen's Academy once those plans were finalized.

Town Treasurer Staples reviewed the format of her monthly report and advised that she was open to any changes the Council may desire. She reported that, with the removal of the American Rescue Plan funding, the revenues were 117% higher than for this same period last year. In response to an inquiry from the Council, Ms. Staples advised that the Town elected to pay its insurance in one annual payment, as opposed to quarterly, which was why the Utility Fund line item was high. She noted that the costs should come in underbudget; however, the insurance company would audit the Town later in the year, which could require another payment.

Mayor Littleton asked that the report include the actuals-to-plan-to-budget information that the Council was previously receiving.

Town Manager Davis reported that the meals tax collections for July was \$113,000, which represented a 22% increase over the same period in 2019. He advised that the staff was continuing to be conservative in its revenue estimates.

Council noted that local residents appeared to be doing more take-out dining than they did pre-COVID. They opined that it would be interesting to see whether this changed in a post-COVID environment.

In response to an inquiry from the Council, Deputy Town Manager Moore reported that Planning & Project Associate LaClare was home and doing well.

In response to an inquiry from the Council, Deputy Town Manager Moore advised that the Facilities Maintenance Supervisor was working to resolve issues associated with recycling collections.

In response to an inquiry from the Council, Deputy Town Manager Moore reported that he could not issue the final zoning occupancy permit for Old Ox Brewery until all the County building and development permits were finalized. He noted that this had now occurred.

Chief Panebianco noted a recent Facebook post regarding the Do Not Enter signs at the intersection of Route 50 and Zulla Road. He opined that they helped someone avoid a collision and were worth the effort to have them installed. Chief Panebianco recognized DeeDee Hubbard for helping to resolve this issue.

Councilmember Daly commended Chief Panebianco on his recent election as the 95th President of the Virginia Police Chief's Association.

Chief Panebianco opined that Middleburg was the smallest town to have the honor of having a Police Chief serve in this capacity.

In response to an inquiry from Council, Chief Panebianco reported that a bill had been proposed by Delegate Mullin that would grant access to police department personnel files. He advised that he met with Delegate Mullin to discuss it and noted that while he did not think it would pass, he was watching it. Chief Panebianco advised that a bill that passed last year mandated police departments to share their personnel files with another department who was hiring an officer from them and mandated the hiring department to go look at the files.

Mayor Littleton commended the Police Department, and in particular Corporal Putnam, on doing a great job again this year with National Night Out.

Mayor Littleton reported that he had been contacted by residents regarding motorists who were speeding and making U-turns. He questioned how the department was addressing these issues.

Chief Panebianco reported that the officers worked radar on a daily basis and advised that the data collected by the speed signs did not support that Middleburg had a speeding problem. He noted that they occasionally caught someone making an illegal U-turn and noted that this move could not be done mid-block. Chief Panebianco advised that it was a matter of trying to educate motorists. He noted the locations where U-turns were an issue.

Council noted that motorists were also parking facing the wrong direction. Chief Panebianco confirmed the officers were ticketing violators.

Mayor Littleton advised that he had also received complaints from businesses that the Police Department had increased ticketing after having not done so for a while.

Chief Panebianco confirmed the Department was easing back into writing tickets. He noted that the majority of the tickets written have been for safety violations, not overtime parking ones. Chief Panebianco opined that the three-hour parking limit was the right one, as motorists tended to move within three hours.

Mayor Littleton suggested that in the future, the Department not change its posture on enforcement activities and that it talk to the Council before initiating any such changes due to a calamity such as COVID.

## **Discussion Items**

### **2021 Oktoberfest**

Town Manager Davis advised Council that there were considerations that needed to be had related to holding a public event during this stage of the pandemic; although, he noted that there were currently no formal limitations on them. He reported that during a meeting with BFW, the Town's events management firm, a discussion was held regarding whether there were opportunities to limit the crowd size, require tickets/registration and/or require attendees to be vaccinated. Mr. Davis further reported that because the event was only three weeks away and due to the logistics of it, it was not possible to implement such measures. He advised that if the Council wished to impose these limitations, the staff and BFW's recommendation was to cancel the event. Mr. Davis noted that the plan was to hold a free-flowing event, with multiple access points; therefore, there was no way to force attendees to enter through a check-in station nor was there time to create this within the remaining time frame. He advised that even if the Town could limit the number of attendees, it could not control where the individuals would stand. Mr. Davis opined that a vaccine mandate would create a traffic flow problem.

The Council held considerable discussion of possible solutions, as well as the risks associated with holding the event. They reluctantly agreed that for the sake of public safety, Oktoberfest should be cancelled for 2021. The Council expressed their gratitude to Mary Ann Burns for all her hard work in organizing it and expressed hope that the planning that had been done to date could carry over to the 2022 event. They agreed to reimburse anyone for any expenses they had incurred that they could not get out of or that could not be used in subsequent years.

Town Manager Davis advised Council that he would give them a report on the amount of the reimbursements. He recognized Ms. Burns for all the work she did in organizing the event. Mr. Davis confirmed the Town would refund the sponsors' money.

Ms. Burns thanked the Council and advised that she supported their decision.

Mayor Littleton thanked Ms. Burns for being such a special member of the community and for her leadership of Oktoberfest.

**Staff Reports** (continued)

**Town Hall Project**

Town Clerk North reported that the 50% construction plans had been received and were under review by the Project Review Team. She reported that the Town's comments were due to the architect next week.

Town Clerk North reported that the Town received fifteen proposals for its RFP to Prequalify General Contractors; and, noted that those were being investigated by Downey & Scott. She advised that she anticipated receiving their report in three weeks, at which time the Project Review Team would identify which contractors would be pre-qualified to bid on the project.

Town Clerk North reported that Downey & Scott was in the process of developing the construction schedule and expressed hope that it would be available next week.

**Consent Agenda**

- (A) Council Approval – July 8, 2021 Regular Meeting Minutes; July 22, 2021 Regular Meeting Minutes, August 17, 2021 Special Meeting Minutes
- (B) Council Approval – Re-Establishment of Property Committee as an Ad-Hoc Committee

*Councilmember Bernard moved, seconded by Councilmember Kirk, 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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**Action Items** (continued)

**Council Approval** – Historic District Guidelines Update

Deputy Town Manager Moore reported that during its meeting held August 5<sup>th</sup>, the HDRC voted to recommend the Council adopt the Historic District Guidelines update. He recognized the Committee, Planning & Project Associate LaClare and Frazier & Associates for their hard work and opined that the document was a great product.

Councilmember Jacobs thanked Deputy Town Manager Moore for giving the Planning Commission the opportunity to review the document and reported that they had no comments to offer.

Mayor Littleton opined that the HDRC did a fantastic job in developing the document.

*Councilmember Pearson moved, seconded by Councilmember Kirk, that Council adopt the August 2021 version of the Historic District Design Guidelines as an update to the existing Guidelines.*

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** – Acceptance of Performance Bonds – The Residences at Salamander

Deputy Town Manager Moore reported that the final performance bonds had been prepared and that the developer would bond a little over \$8 million for the improvements. He reminded Council that the Town would take over ownership of the water and sewer infrastructure, VDOT would accept the other public improvements and the homeowners’ association would accept the private improvements; therefore, the improvements were covered by three separate performance agreements. Mr. Moore advised that the staff was satisfied with what was proposed. In response to an inquiry from the Council, Mr. Moore advised that the Town used the form provided by Loudoun Water as they already had a form and stayed up to date on unit pricing. He noted that the same applied to the other two forms.

*Councilmember Daly moved, seconded by Councilmember Pearson, that Council approve performance agreements with Middleburg Residential, LLC for construction of private improvements, water and sewer improvements, and other public improvements associated with The Residences at Salamander subdivision, said approval is subject to the applicant posting surety in the amounts identified in the agreements in a form acceptable to the Town Attorney.*

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** (continued)

**Proposed Construction of Cell Tower at Mickey Gordon Park**

Mayor Littleton reported that two balloon flyovers were held for both proposed sites for the cell tower. He noted that the first site was located at the end of the parking lot and the second one was located further in the woods. Mr. Littleton reported that the applicant agreed to reduce the height of the tower by thirty feet and to paint it a brown color up to the tree line and a blue gray color at the top so it would blend with the sky. He opined that the applicant would get approval of his request and suggested the Council send the County a letter asking that the height be reduced to 130 feet, the tower be painted a blue-gray and the northern most site be selected. The Council agreed to send a letter.

**Vaccination Mandate to Enter Town Owned Facilities**

In response to an inquiry from the Council, Town Attorney Crim advised that there were two questions that needed to be considered – whether the Town would be successful if it was sued and could they convict someone for a violation. He opined that the Town would probably win a lawsuit, as Town owned facilities were public property and the Council could make rules for public entry; however, he noted that it would attract negative attention. Mr. Crim noted that there was also the question of how this would be enforced. He confirmed such a rule could be enforced; however, he opined that it was not the best policy choice.

Town Manager Davis noted that there were concerns by himself, as well as the members of the staff who dealt with the public. He advised that they were already encountering resistance to the mask mandate, with some members of the public refusing to put one on. Mr. Davis expressed operational concerns associated with asking people for proof of vaccination. He advised that if the pandemic was a concern, the staff would prefer to close public access to the Town's facilities. Mr. Davis opined that the Town had not reached this point yet; however, he suggested that closing the facilities was a safer option. He advised that the staff was researching a mailbox that could be placed outside the Town Office door for the public to drop off their utility payments.

After some discussion, the Council opined that enforcement of a vaccination mandate would be a nightmare to enforce. They suggested that if needed, this could be a discussion related to employees and contractors who spent time in the Town Office. They agreed that, if necessary, access to the building could be closed to the public.

Town Manager Davis advised the Council that he would notify them if this became necessary.

### Proposed Amendments to Employee Handbook

Town Manager Davis reminded Council that in July, they discussed changing the policy to allow employees to cash out a certain amount of their annual leave without a reason. He further reminded them that the Mayor raised concerns that the Town had a resource issue if employees could not take their leave. Mr. Davis acknowledged that this was a conversation worth having; however, he noted that there was no room in the current building for additional staff. He recommended he and the Deputy Town Manager undertake an organizational assessment when the new building was ready. Mr. Davis noted that the proposed suggestions were not required and advised that they were offered to help keep the Town's benefits competitive.

In response to a comment from the Council regarding the proposed volunteer leave, Town Manager Davis advised that he would like to close the Town Office for a day so the employees could work on a project together. He noted that this promoted team building. Mr. Davis advised that he was also recommending granting personal days for exempt employees and reminded Council that a couple of them recently lost the ability to earn compensatory time after the General Assembly eliminated it. He noted that the General Assembly recently reinstated it; however, he would rather leave the policy as it currently was. Mr. Davis advised that personal days would recognize those employees who worked more than forty hours/week.

In response to a comment from the Council regarding the other items on the list, Town Manager Davis advised that while the leave changes were the focus of the Council's discussion in July, there were some other items on the list, such as closing a loophole in the retiree health benefits to require that an individual work for the Town for five years before being eligible for the retiree health insurance benefits. He advised that he was also proposing a payout of sick leave upon termination of employment, with the amount being based on the number of years of service up to a cap.

The Council agreed they liked the proposed changes; however, they did not want to lose sight of the need to examine the amount of time that staff worked. They suggested the use of consultants if necessary so the staff would not have to work as much.

Town Manager Davis noted that the staff was using a consultant for some planning/zoning work. He opined that this could morph into a staff position.

Council asked that the actual Employee Handbook amendments be brought to their next meeting for approval.

### Closed Session

*Councilmember Leonard-Morgan moved, seconded by Councilmember Jacobs, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for the discussion or consideration of (1) briefings by staff members pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body related to a requested boundary line adjustment as allowed under*

*Subsection (A)(7); (2) the disposition of publicly held property related to the Asbury Church as allowed under Subsection (A)(3); (3) appointments to the Middleburg Arts Council and the Economic Development Advisory Committee, (4) the compensation of a certain Town employee and (5) the evaluation of the Town Manager, all three as allowed under Subsection (A)(1). Councilmember Leonard-Morgan further moved, seconded by Councilmember Jacobs, that the Council thereafter reconvene in open session for action as appropriate.*

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 asked that the Council certify that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting, which each member so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

Mayor Littleton directed the staff to move forward with the employee matter as discussed.

**Appointments to EDAC and MAC**

*Vice Mayor Miller moved, seconded by Councilmember Daly, that Council appoint Mike Kilian to the Economic Development Advisory Committee to fill an unexpired term, said term to expire December 31, 2021. Vice Mayor Miller further moved, seconded by Councilmember Daly, that Council appoint Laura Fulton to the Middleburg Arts Council to fill an unexpired term, said term to expire June 14, 2022.*

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** (continued)

**Zoning Ordinance Amendments Related to Infill Development**

Deputy Town Manager Moore advised Council that due to his workload, he was unable to dive into the zoning ordinance amendments related to infill development and the character of the R-2 District. He reported that he held a meeting with The Berkley Group to talk about the scope of work to have them assist with this. Mr. Moore advised that he expected to receive a proposal from them within the next week to assist the Planning Commission with the development of the ordinance revisions.

Council noted the need to move quickly as homes were being sold in the Ridgeview area and torn down so larger homes could be built in their place.



Loudoun Laurels

Mayor Littleton noted that Punkin Lee would be inducted into the Loudoun Laurels Foundation. He suggested the Town purchase a table of ten for their banquet on September 25<sup>th</sup>. The Council noted that Ms. Lee served on many Town committees and agreed to purchase a table.

There being no further business, Mayor Littleton declared the meeting adjourned at 9:05 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk

## August 26, 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:** All right, we will call the August meeting to order. Yeah, first item, Pledge of Allegiance.

**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.

**Bridge Littleton:** OK, next item is the roll call.

**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.

**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:** Ok, next item is public comment. If anybody would like to address the town council on any matter they so choose, now is the time to do so. Mr. Clites.

**Cindy Pearson:** Hi Tim.

**Tim Clites:** Hi. Tim Clites. Keep it brief and unfortunately can't stay for when you get to the historic district reviews packet. And you can describe it. But I wanted to just stop by quick and say, thanks to the staff who worked really hard to get that together for us. I hope you all have had a chance to look at it and review it. We think it's a huge improvement. We're really excited at the HDRC. And hopefully you don't have any questions. If you do I'm sure staff can answer them for you. But it's a big improvement. We're really excited to start to use it and have the community, have it available.

**Bridge Littleton:** Well Tim I want to say too is thanks to you guys in the committee for working as hard as you have to pull it together, especially within the deadline. And we really appreciate all the effort. Although you did misspell Middleburg. No I'm kidding. [laughter]

**Tim Clites:** I wouldn't be surprised.

**Bridge Littleton:** It's always the little things. Yeah.

**Danny Davis:** Thanks, Tim.

**Bridge Littleton:** Ok, next item we're going to go to is you need to yet.

**Peter Leonard-Morgan:** We're still waiting for that.

**Bridge Littleton:** OK. Is public presentation on Christmas in Middleburg. Mr. Herbert.

**Jim Herbert:** Greetings everyone. [multiple speakers] Sorry to be alone here. The Myers were unable to join us at the last minute. Very briefly, I have to say I'm cautiously optimistic about Christmas in Middleburg this year. In the past 2019 being the last one, we have had 12 angel sponsors and the town of Middleburg as a partner. This year to date we have seven angel sponsors and the town of Middleburg as a partner with four angel sponsors having verbally committed but not having asked for an invoice yet. And they're actually discussing enhanced participation. Right now in 2019 at this time end of August we had roughly thirty one thousand booked from sponsors and pending cash flow. Right now we're at thirty seven thousand. So we're ahead from a financial standpoint from where we were in 2019. And moving forward, we're planning on a reduced size event organically. In 2019, we had roughly seventy five hundred. It wasn't the best weather day, I think, with the gap, the lack of continuity. We were best to plan for sixty five hundred this year. We'll know better as we begin to sell parking, because that's the biggest tell tale of how many people are coming. So we'll compare this year's parking to the previous year's parking and then later into November we'll be able to give a better estimate of the overall numbers that we anticipate of people coming and then that still has to rely on the weather at the end of the day. So that's all the optimism part. And the caution part is we haven't seen the pandemic go away. We have been seeing spikes in various places. We have seen some jurisdictions react to those in proscriptions against large gathering events. And there's nothing we can do about that. But that's the part we're cautious about. Questions from anyone.

**Bridge Littleton:** Anyone have any questions? Darlene.

**Darlene Kirk:** AJ I saw your head, you think 6500 [off mic]?

**AJ Panebianco:** I don't have any data to back it up, but I would think that based on other things we've had that if this goes on, we're going to have more interest than we had last year.

**Darlene Kirk:** Well we didn't have any last year.

**AJ Panebianco:** Or the last time.

**Cindy Pearson:** So, Jim, you'll have on the website some practices that people can use, you know, to protect themselves against Covid and everyone else. Is there a plan?

**Jim Herbert:** We'll put forward whatever best practices for unregulated events we can find. And we can tell people that they need to respect everybody's individual wishes. In a crowd of any size, there will be some people who will resent having to take any precautions. Our message to them all is going to be respect everybody who comes. Respect a store who insist that people wear a mask inside the store. It's going to be winter it's going to be recirculating air. There's going to be people that we don't see an improvement in the pandemic who are going to want to see masks in the store. As we begin to build not just the marketing campaign, but here you are, you're coming. Here's what you need to be prepared for, we'll augment every best practice that we can find.

**Bridge Littleton:** Kevin.

**J. Kevin Daly:** I'm going to be cautiously pessimistic. What is the trip wire? At what point or what event or Governor's actions will cause cancellation?

**Jim Herbert:** It will have to be from the governor. We, of course, cooperate with the town of Middleburg. The town of Middleburg because it has so many events, is very much on top of what's going on from the standpoint of the Commonwealth of Virginia as statewide rules and guidelines. Danny will tell us, Bridge will tell us, any of you individually will tell us if there's something that has become an edict that we need to observe. If the government says no outdoor events of more than 50 people, we will not be able to have an event. So the trigger, the tripwire is an edict from the Commonwealth of Virginia. Any other questions?

**Bridge Littleton:** So Jim, I got a quick question. So it's all related back to Covid. Right. So how do we ensure that we don't get too many people here to where it's actually creating an environment which is really bad for spread? Masks or no masks the number one, you know, way to ensure, especially outdoors, is distance. Right. I mean, you go to the CDC website, it says even if you're outdoors, even if you're wearing a mask, they recommend six feet of separation between folks. Now, that's kind of impossible, but you still have to have the ability to get six feet away. And if there's a huge crowd and everybody's jammed in, you don't necessarily have that ease of ability to do that. So how do you make sure 10,000, 12,000 don't show up?

**Jim Herbert:** We have the ability to limit parking tickets that are sold. That is the only ticketing mechanism that we have. If people prefer to drive their own car in and inundate every free parking spot or ad hoc make up parking spots without paying us for a parking ticket. We don't know that they're coming or that they're here, except for when we all see them on the sidewalk. So we can limit parking. I'm estimating that we get six or eight thousand people easily out of our paid car parking, usually a little bit more. And so if we say that we're running into a problem, if we see this heightened level of concern unabated, then we can work with Danny, we can work with the town council, and we can lower the number of parking tickets that are available to sale. Somebody hits that number the next person ends up seeing a screen that says all parking tickets are sold out. We're at maximum capacity plan on next year.

**Bridge Littleton:** Ok. I would throw this out as a recommendation for the committee to examine. Let's figure out what that number is now. Let's not wait till we get to November and see things going too fast, because I think what it's important to understand is what is too much. If you don't know what too much is you don't know where to put the upper limit. Right. I don't know if eight thousand is too many people or is it 6,000 or 3,000. I don't know. And you certainly don't want to be arbitrary about it. You want to [multiple speakers].

**Jim Herbert:** There's no reason to be arbitrary. You've asked the question that needs looking into.

**Bridge Littleton:** Yeah.

**Jim Herbert:** That doesn't demand an answer right here.

**Bridge Littleton:** Correct.

**Jim Herbert:** We have generally felt that 7 or 8 to 10,000 people. Was a light Christmas in Middleburg attendance. We have all agreed without question that 24,000 was too many. Where's the sweet spot between 12 and 15 is generally what has a good logistical flow, but a good logistical flow that is physically comfortable without a pandemic isn't six feet apart. And when somebody lines up on the parade route and unless you spend the time putting in the dots and telling people where to put their feet six feet apart and then expect them to actually do that, I'm not sure, other than reducing the parking, how we would keep people, frankly, away.

**Bridge Littleton:** Yeah, no, I agree. I think it's the parking right and the town can take the responsibility for managing the streets. Right. And we can put that out in advance, you know, with you guys. Hey, don't think you're driving in the town of Middleburg and parking like in years past we will tell. You know, you will get a parking pass or you will be towed if you well whatever. I mean, I'm not that can be worked. I think what would be helpful to understand from a public health safety perspective is, okay, it's really about the parade. When the parade happens, that's when everybody gets on one street and they lean in to see. Right. What number of people potentially puts that and there's ways to calculate it. Right. What number of people potentially puts that 45 minutes to an hour long period in a state at which it makes it very difficult for

somebody who wants to separate to be able to separate? I think that's my I'm not saying put dots on the ground because there'll be people it's like in any situation, there'll be people who act responsibly and they'll be people who won't. But if we make it difficult for those who want to act responsibly, to be able to act responsibly because it's overcrowded, that's where you know what we've got to be. So and again, I don't know how you manage this. Right. Do you take a 100 foot swath of pavement and say, OK, in here, what feels right or what looks right if you put dots or whatever, is 50 people? OK, we've got from one end to the other, we've got this much space that means this many people. So that's where we should cap it at.

**Jim Herbert:** So that's an approach. That is indeed a calculus.

**Bridge Littleton:** Yeah.

**Jim Herbert:** So on one end of the spectrum. On the other end of the spectrum, I'm not recommending this, but it is something else that has been done. Events have said if you're worried about it, don't come.

**Bridge Littleton:** Sure.

**Jim Herbert:** [inaudible] Sturgis, I mean, they had 300, and 400,000 people. And they said, if you're worried about Covid, don't even come.

**Bridge Littleton:** And they took a different attitude about it because the Sturgis. [multiple speakers]

**Jim Herbert:** I'm not suggesting it but there's a spectrum.

**Bridge Littleton:** Yeah. Yeah. I mean, I just think, you know, and Sturgis isn't run by a government. You know, this is supported by the town, and supported by government. I think we have to be prudent. So and I don't think it hurts to try to come up with a metric or whatever it is, like you said, a way to calculate it and say.

**Jim Herbert:** We're happy to work [multiple speakers].

**Bridge Littleton:** Yeah, I think that'd be great. If we could do that, I think that'd be great.

**Jim Herbert:** And the thing about the space calculus, then we can sit down when you have a satisfactory space calculus, we can convert that into a parking metric that allows us to cut off parking sales at the desired point.

**Bridge Littleton:** Totally agree.

**Philip Miller:** Can I also suggest that you in your calculus also reflect the crowding of individuals on the buses to and from the parking area? I don't know if that's every other row. If that's half capacity, but that needs to be a consideration.

**Jim Herbert:** Of course.

**Bridge Littleton:** So, you know, so, yeah, that would be great and, you know, whatever we can do to help, you know, that's what we're here for. So all right, that was my only thought or input. Anybody else have any other questions, Chris? [off mic] Yeah.

**Cindy Pearson:** Yeah, just when we were talking about parking. Remember, you know, the Baptist Church tries to jump in on that day and make some funds. So they'd have to be [multiple speakers]. Exactly. So they'd have to be addressed at some point or somehow.

**Jim Herbert:** Well, we could simply assume their maximum capacity, allow that for them here. You know, I do think that Christmas in Middleburg is a rising tide that floats all ships. So if we figure the maximum number of cars and then take their maximum capacity out of the gross number and then we limit the balance, we can manage that.

**Bridge Littleton:** Yep.

**Cindy Pearson:** Charter school [off mic].

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

**Darlene Kirk:** You might want to also talk to those people that do that sooner rather than later. Like the Baptist Church and the other ones that allow people to park there just so that they know that we're going to be restricting this because of Covid and we're trying to keep people safe and we'd like their help.

**Bridge Littleton:** Perfect.

**Jim Herbert:** So a period at the end of the sentence for my clarification. This ideal number coming up with it, you want me to do that for the town or those town staff and the chief of police do that.

**AJ Panebianco:** I can [off mic]

**Bridge Littleton:** AJ can do that. [off mic] Yeah, so we'll take that and then get back to you with what the calculus is.

**Jim Herbert:** I look forward to that.

**Philip Miller:** Will you do that for the whole town, and will you account for where we have wider sidewalks and narrower sidewalks?

**AJ Panebianco:** It's a square footage [off mic]. Ok, so we'll take the square footage of the path and we'll [multiple speakers]

**Bridge Littleton:** It's the parade path. [off mic] Yep.

**AJ Panebianco:** And it's about on a [off mic] about 10 square feet per person [off mic].

**Bridge Littleton:** Perfect. Okay, perfect. [off mic] Yeah. [laughter] Yeah. Did they ever tell you that method's never right. [laughter] [multiple speakers]

**Jim Herbert:** So next year you can get the license fee off them [laughter]

**Cindy Pearson:** And then give it back to Christmas in Middleburg.

**Bridge Littleton:** Exactly.

**Jim Herbert:** The intellectual property you got to protect that.

**Bridge Littleton:** Yeah. Okay, Jim, thanks a lot. We really appreciate it.

**Jim Herbert:** All right. You know, we're available at any time. The situation is fluid and we want to stay in touch.

**Everyone:** Thank you.

**Jim Herbert:** Thank you all.

**Bridge Littleton:** Yep [multiple speakers]. Hold on. So this is the compost project.

**Peter Leonard-Morgan:** Yes.

**Bridge Littleton:** Yes. And so we're going to move this around real quickly and go to the request for the Food Scrap Compost Project Pilot, Project from the Middleburg Go. I mean, sustainability committee. But Go Green just flowed so nicely off the top.

**Chris Bernard:** I miss it, I say we change it back. Yeah.

**J. Kevin Daly:** Are you giving away free samples of [multiple speakers]

**Bridge Littleton:** It's like Prince, formerly known as. [multiple speakers]

**Peter Leonard-Morgan:** I'd just like to introduce Lynne Kaye, who is my colleague on the Go Green. I mean, the Middleburg Sustainability Committee. [laughter] Lynne, together with Pam Jones, has been really pushing forward with the idea of composting. Unfortunately, Pam isn't here. So. Lynne, thank you for coming. Alfred Pollard is also here just to observe. He's also on our committee. So thank you very much, Lynne.

**Cindy Pearson:** But we're going to use [multiple speakers].

**Bridge Littleton:** Go Green.

**Cindy Pearson:** That stuff that they [multiple speakers] Compost. [laughter] [multiple speakers] It's the English version.

**Lynne Kaye:** So you guys got documents. And thank you very much, Peter. Have you read them? Would you like me to go over this? What sort of.

**Peter Leonard-Morgan:** Well, what I'm suggesting it'll sort of a brief summary. Sure. And then if any of the council members have got any questions, perhaps you can break out an answer them.

**Lynne Kaye:** Sure. I'm happy to do that. So as background back when we were Go Green, we talked to Ayrshire Farm probably three or four years ago about doing food scrap composting. They have a commercial compost facility. And at the time, they were interested. But there was no way for us to do it because they didn't pick it up. They were happy to compost things if we got them to them, but they didn't have a service for composting. Around the country food scrap composting has been becoming more and more common. Arlington County is about to have a program. Prince William has a program. A number of other jurisdictions, Montgomery County and Maryland has one. And on places like the West Coast and New England, they're very, very common. Obviously, we don't have one. But we thought that it was important that we do because of a number of items that I outlined in the documents that you got. Because there are a lot of bad things that happen when you send food scraps to landfill, which many people don't realize, but they produce nothing. That's probably the worst thing. You lose the value of all the nutrients that are actually in the food, which means you've got to use a lot of fertilizer. And people like Pam, who I wish was here, does farming and grows vegetables, which she sells in the community. And so she wants compost and there isn't enough. So there's actually a compost shortage. So a great thing is that we could help solve the compost shortage that's out there and substitute compost for some of the commercial fertilizer, which also has a tendency to run off and end up in our waterways and cause things like the green ponds that you see when you drive around our area, as well as dead zones where things don't grow in places like Chesapeake Bay, the Gulf of Mexico and the oceans. So there are a lot of benefits to composting our food scraps, and 40 percent of all food actually goes to waste. So there's a huge amount of food scraps out there that we could do something much better with. And that's the background to why we started looking into foods for [inaudible] composting. And we are proposing we talked with some of the folks on the town administration and figured out that the best thing to do is to propose a pilot. So that's what we are here to propose, which is a pilot that citizens would opt into, citizens meaning both residents and businesses, where their food scraps would be collected. And I did bring this is the bucket. This is what it looks like, that you stick your food scraps into. You can do an intermediate thing where you collect them. So we compost but I live on a farm, not in town. So we have a little silver bucket that's about this big that sits next to our sink. We put all our food scraps in there and then we dump them in our compost [inaudible]. For this program you dump them in here and

then it would get collected either once a week or every other week, depending on what you signed up for as a program as your own option? It's twenty dollars a month for a weekly collection and fourteen dollars a month for every other week collection. And you can stick the bucket next to your front door, next to your garage or at the corner, or rather the street corner. And it will get picked up.

**Peter Leonard-Morgan:** And Lynne it does have a lid on it, I think, doesn't it? Oh, yeah.

**Lynne Kaye:** Yes. [laughter] And it has let me see if I can get in here hopefully you gave them to me. It has wood chips inside to help control odors. I don't know if you guys can see that. I'm happy to pass this around if you guys want to actually see it. And we need twenty five people to start. So we hope that if you approve this, that you will also sign up and compost your food scraps. And there is as I said, there's residential service I just described that. We're also looking for businesses that are interested in participating and the business is based on the needs of that business. So Apex Organix is the proposed vendor. And we talked to a number of different people, and they were the ones that came out here and had real service out here. So we selected them as the vendor because they were really the best. And so they will price the business service based on the needs of each business. And if you're outside of the town limits and you'd like the service, if you're on a route that Apex Organix can serve, they're happy to do so based on your needs they will price that. What did I forget, Peter?

**Peter Leonard-Morgan:** I was going to mention a couple of things. It's a veteran owned company.

**Lynne Kaye:** Yes.

**Peter Leonard-Morgan:** I believe. And also this is completely between the end user and Apex Organix.

**Lynne Kaye:** Yes. That's correct.

**Peter Leonard-Morgan:** So while obviously this is a pilot program that we like to talk to the council to hopefully approve. It's not between the town of Middleburg and the clients.

**Lynne Kaye:** Correct.

**Peter Leonard-Morgan:** But I think that's a great summary. Thank you. And I think if we got any questions, please feel free.

**Bridge Littleton:** Anyone have any questions for Lynne. Yeah Cindy.

**Cindy Pearson:** Just a quick one. I don't remember reading it. How long is the pilot plan going to be?

**Lynne Kaye:** We don't have a specific time. Hopefully it will be so successful that there won't be [off mic]. Yes. Obviously, if it turns out we don't get enough people to sign up to start or at some point it's obvious that we're dwindling down to small numbers. That would be the key thing. After six months in a year. We'll definitely look and report back to you guys on how we're doing. But hopefully, even though it's called a pilot, it's not going to suddenly end.

**Bridge Littleton:** Mr. Jacobs.

**Bud Jacobs:** Peter, what do you need from us?

**Peter Leonard-Morgan:** I think what we're looking for is really approval from the council to allow us to allow Apex Organix to go ahead and initiate this pilot program. And I think one of the things we wanted to try and do was also to get it into the next or continually into the weekly newsletter and perhaps in the bills, the utility bills. So the folks will actually know what it's all about.



**Lynne Kaye:** Yes. And we'd also like to have a community event at some point, and they would be one of the vendors that can come to the event.

**Bud Jacobs:** And I didn't see a draft motion Peter, you want to. [off mic]

**Bridge Littleton:** There's actually no town action, right?

**Bud Jacobs:** [multiple speakers] No town action [multiple speakers] What are we approving?

**Bridge Littleton:** I don't see any on.

**Peter Leonard-Morgan:** It's really, just. Is it the go ahead Rhonda? Would you say?

**Danny Davis:** I think the reason of bringing it to council is partially for awareness and also partially just tacit approval that we will promote this as a town. I think it's a great and positive thing, and we'd love to promote it. But agreed we don't need any formal action by council. [off mic]

**Bud Jacobs:** I'm all for it. [multiple speakers]

**Cindy Pearson:** Yeah. Just want to make sure to maybe that you emphasize with people to make sure they keep the lids on, because we do have little critters here in town that would love that and would love to spread it. So somehow educate them on how to do it and keep it safe.

**Peter Leonard-Morgan:** And I think the other thing to mention is that the buckets are replaced on the weekly or by-weekly.

**Lynne Kaye:** Oh yes. [multiple speakers]

**Peter Leonard-Morgan:** And they're clean they are clean buckets, right?

**Lynne Kaye:** Yes.

**Chris Bernard:** Yeah. So they take [inaudible] empty.

**Lynne Kaye:** Yes.

**Philip Miller:** That's a great.

**Bridge Littleton:** Yeah, that was the only thing I was going to mention was if it's so you know, trash gets smelly enough on its own when it's picked up once a week. But they're in the big toters. It's, you know, with a big lid to your point exactly. Small little buckets, little things can get in them really quickly and easily if those lids aren't on top. [multiple speakers] And especially if it's sitting around for two weeks.

**Lynne Kaye:** Yes. Well, we want them to be closed. We want to close them anyway. And hopefully people will keep them inside until they put them outside. But we can make sure that they talk about that. And one of the other benefits I didn't talk about, and you have included here is the list of all the different things that you can compost, which is much bigger than a backyard composter. And also because you can compost food items like certified compostable clamshells and things, your take out stuff. We're hoping that we can get enough people signed up, that eventually the restaurants can opt out of some of the other things that aren't recyclable, reusable, re-whatever-able, especially Styrofoam.

**Peter Leonard-Morgan:** And I learned that pizza boxes, which you can't recycle. Ironically, are great for composting.

**Lynne Kaye:** Yes. Yeah.

**Peter Leonard-Morgan:** Composting. [laughter]

**Lynne Kaye:** You can say it anyway; it's fine.

**Cindy Pearson:** We know where you're from. [laughter]

**Lynne Kaye:** So does anybody have any other?

**Bridge Littleton:** Any other questions?

**Darlene Kirk:** Can we just do a straw poll or?

**Bridge Littleton:** I mean is everybody on board?

**Darlene Kirk:** Yeah.

**Bridge Littleton:** OK, great.

**J. Kevin Daly:** Go for it.

**Peter Leonard-Morgan:** Great thank you very much.

**Bridge Littleton:** Good luck.

**Peter Leonard-Morgan:** Thanks, Lynne.

**Lynne Kaye:** Thank you please sign up.

**Bridge Littleton:** Thanks.

**Peter Leonard-Morgan:** I will number one. [laughter] [multiple speakers]

**Bridge Littleton:** Ok, next item we're going to is [off mic] [inaudible] reports. Staff reports. Excuse me. Mr. Stuart.

**Stuart Will:** Bridge. Good evening.

**Darlene Kirk:** [off mic]. We missed you.

**Stuart Will:** I've missed all of you. [laughter].

**Cindy Pearson:** That's a good [multiple speakers] got that.

**Bridge Littleton:** Why did you say that in such a pained manner? [laughter]

**Stuart Will:** No, I've missed coming to the meetings. [laughter]

**Bridge Littleton:** Anything you want to highlight?

**Stuart Will:** No, we're moving right along so.

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

**Chris Bernard:** No.

**Bridge Littleton:** Going once. Going twice. Sold.

**Cindy Pearson:** Good to see you.

**Bridge Littleton:** Stuart thanks a lot. Good seeing you. [multiple speakers] Rhonda.

**Rhonda North:** Thank you, Mr. Mayor. We did sign the contract with Invoice Cloud, and we will be meeting with them next week to have our implementation meeting. So we'll be working on phase one, which will be the utility payments online. And at the same time, we're going to have a meeting with MCCI and Invoice Cloud to talk about phases two through four and how we're going to lay those out. Just wanted to remind council of the retirement party for Sheila Whetzel at the Middleburg Library next week, September the 1st. It's at 4:00 p.m. The mayor will be presenting her with a [inaudible] proclamation. So hopefully folks can attend that. And then finally, I wanted to remind you of The VML conference, October the 3rd through the 5th. If you're not registered and you'd like for me to register you, please let me know as soon as possible.

**Bridge Littleton:** Rhonda, do me a favor on that. Just so everybody has it. If you could send a meeting invite for the whole period. That would be great. Now, if you're going, it's on your calendar, if not just decline.

**Rhonda North:** Will do.

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

**Peter Leonard-Morgan:** Just one.

**Bridge Littleton:** Yes, sir.

**Peter Leonard-Morgan:** Rhonda, The Citizens Academy, which is postponed to [inaudible]. What do you think about that right now in the current circumstances?

**Rhonda North:** I'll be honest with you. I haven't concentrated on that. Right now. I'm concentrating on the volunteer reception that's going to be held in October knock on wood. If all goes well, once I get that situated, then I'll start looking at the Citizens Academy.

**Peter Leonard-Morgan:** Great. Thank you. Perfect.

**Bridge Littleton:** All right, Tina.

**Tina Staples:** Hi everyone I'm back. [multiple speakers] Thank you. So I tried a little brief overview of the reports, I know they look different than what you are accustomed to. And I just wanted to talk through them very briefly, because I know I don't need to read. I kind of went through each fund and the current status of it, which I'll do with each report. And then your front page, this page, are your cash and revenue coming in for the month. So July is always kind of a weird month because half of it gets moved back into the prior fiscal year. So the numbers will look a little weird. But in August, everything kind of straightens out. So these are your major revenue funds. And then under that are your current cash balances. Everything is compared year to date for July, for this year versus year to date last year at the same time. So that's why you see one column it's July '21 and the other one is July 2020. And then the chart on the next page over is just a replica of those funds that were on the front page. And I did do just for general information purposes. If I took out the rescue plan grant, they just came in you would still be at one hundred and seventeen percent higher than this time last year. So that's still really good growth even without the rescue plan. And then past that, I did budget to actuals for your different funds just so that you can kind of see the status of the budget. I also gave you some in the written portion information on how many [inaudible] went out the amounts. Also, ACH [off mic]. But I'm open to anything else you would like to see in the reports, if you want to see more detail with the expenditure lines, I can do that. So. [off mic]

**Bridge Littleton:** Thank you. Any questions for Tina.

**Peter Leonard-Morgan:** One question.

**Bridge Littleton:** Yeah.

**Peter Leonard-Morgan:** Just a minor thing, really Tina. The insurance and utility fund expenditure current period, eight thousand six hundred and eighteen with a total budget of 11 three. Is that a 50 percent? And then we're going to be over budget or I'm just curious or is that?

**Tina Staples:** So the insurance normally we pay it out every quarter, but this year you decided to pay it all at once. So that line should actually.

**Peter Leonard-Morgan:** Be under budget then?

**Tina Staples:** Right.

**Peter Leonard-Morgan:** Okay, great. All right.

**Tina Staples:** Thank you. They usually will do an audit later on in the year and they make you make up any differences. But that's usually not a big audit.

**Peter Leonard-Morgan:** Thank you.

**Bridge Littleton:** One thing. And Danny can give it to you. One of the things that we had gotten to the report was a time graph showing actuals to plan and to budget so if we could pull that back in. That'd be great.

**Tina Staples:** Ok.

**Danny Davis:** Mr. Mayor, if I may, just to be clear, you want us to track that each month on the chart graph. Excuse me.

**Bridge Littleton:** Just like we've been doing.

**Tina Staples:** [multiple speakers] the budget to actuals graph. You don't need to see the details.

**Danny Davis:** We can get [multiple speakers] in the table behind it. [multiple speakers]. OK. We'll work on that. Very good. Yeah. We weren't sure how much of that you wanted to keep after. I mean, I know we're still in Covid, but we're happy to make that part of the monthly report as well.

**Bridge Littleton:** Yep.

**Tina Staples:** Yeah. The budget to actuals detail listing well that can feed right into that graph.

**Bridge Littleton:** Well, and we had worked it out, actually. [multiple speakers]

**Danny Davis:** Yeah. Yeah. [multiple speakers]

**Tina Staples:** It came out of the system.

**Danny Davis:** Yeah. Well, yeah. We'll talk offline. [multiple speakers] If I may, Mr. Mayor. Oh, Go ahead. [off mic] I don't want to steal Tina's thunder, but meals taxes were due on Friday. And so we have received meals taxes for receipts from the month of July. And the total receipts are around one hundred and thirteen thousand. Compared to 2019,

obviously comparing to 2020 doesn't work too well. Compared to 2019 that's a 22 percent increase in meals tax. Now, again, we're in a very, you know, good season of time and we don't know what's coming down the future. So we continue to be very conservative and circumspect in that. But from a broad scale, that's a very positive number at this time.

**Bridge Littleton:** I mean that personally this is just anecdotally, I think a lot of it's driven, but well, number one, people are coming out here and using the restaurants and they can go to full capacity. So that's benefiting it. But that you know, that capacity is capacity, right. I think where a lot of that's driven is locals also doing a lot of takeout. Prior to Covid I mean, who did I mean, most don't even do takeout. Right. And it's going to be years to see how this evolves. But once Covid is actually gone, does that take out sort of a paradigm stay.

**Danny Davis:** Right.

**Bridge Littleton:** You know, it'll be interesting to see so anyway. Okay.

**Cindy Pearson:** Yeah. I think things have changed and that will be the new normal.

**Bridge Littleton:** Yeah, it very well could be totally. Yeah. And especially for I mean, the cities, everybody in the state [off mic] you know, rural towns, that's kind of an anomaly. But now it's like you said, the new norm.

**Darlene Kirk:** I think the vouchers we gave out also made people start thinking [multiple speakers]. Yes.

**Bridge Littleton:** Yeah. Yeah. OK. Mr. Moore.

**Tina Staples:** Thanks.

**Bridge Littleton:** Thank you.

**Darlene Kirk:** Thanks Tina.

**Will Moore:** Thank you Mr. Mayor, Members of Council. You have my report, I have nothing to highlight in it and happy to answer any questions.

**Bridge Littleton:** Any questions for Mr. Moore? Yes, ma'am.

**Darlene Kirk:** How's Estee [off mic] Heard from her?

**Will Moore:** We have. Rhonda has been in closest contact with her. She's had two procedures. She is back home and she's resting. But, you know, she's been through a lot [off mic].

**Darlene Kirk:** Well give her our best. [off mic]

**Will Moore:** Absolutely.

**Bridge Littleton:** Go ahead.

**Peter Leonard-Morgan:** Will, I was just wondering, I've got this problem with recycling. [laughter] I mean, yeah, the [inaudible] I just wondered if anyone else is having that issue with they didn't take it and they took one but they left the other.

**Will Moore:** We've not heard of it, but we are all over members of the company right now, and we're kind of escalating some of those concerns.

**Peter Leonard-Morgan:** Appreciate that I didn't know if they were picking on the British guy.

**Bridge Littleton:** Yes.

**Peter Leonard-Morgan:** Because I pronounce it wrong.

**Philip Miller:** I've also seen them take recycling out and throw it in the trash. Quite a bit.

**Will Moore:** Yes, we've had [multiple speakers] that seems to have been alleviated. And Tim has been monitoring them very closely the last few weeks as a result. So that seems to have been eliminated. But now some recycling is being left behind. So we'll give [multiple speakers].

**Peter Leonard-Morgan:** Because I kept the lid on it, you know, in the blue bucket. And [inaudible] way. Thank you very much. [off mic]

**Bridge Littleton:** Will, I have one quick question.

**Will Moore:** Yes Sir.

**Bridge Littleton:** Old Ox Brewery tasting room, final occupancy.

**Will Moore:** Yes.

**Bridge Littleton:** After how many years?

**Will Moore:** They are finally legally allowed to serve beer. [laughter]

**Bridge Littleton:** Better late than never. Wait. So I should go get a refund? Since they were illegally selling me. OK, great. I've got my receipts.

**Will Moore:** They have been legally selling and occupying. However, the final occupancy. I can't issue the final zoning occupancy until all building and development permits have been finalized out. And there were just a number of things that were hanging out there with minor issues that didn't affect us granting that occupancy. But this was the final final for [laughter].

**Bridge Littleton:** Got it. OK, thank you. AJ.

**AJ Panebianco:** You have the report I'll highlight something that's not on it. Facebook. There was a positive post on Facebook.

**Bridge Littleton:** Fake news.

**AJ Panebianco:** No it's real news. Referencing the light. Do not enter signs that we put up at [multiple speakers].

**Bridge Littleton:** Oh, yeah. Yeah.

**AJ Panebianco:** And Joey Snyder witnessed a individual turn see them get off the road and then avoid a head on collision. So if government has ever worked and worked well and made a positive impact, [off mic] that was one that we can vouch for. We've seen and we have a witness to. So it was worth the effort is really what I'm trying to say. You know, I know that it was a fight and so many people were involved. But kudos to you guys for keeping it [multiple speakers].

**Bridge Littleton:** Well, I mean, you know, and Scott and you know a lot. [multiple speakers].

**AJ Panebianco:** I mean, so many people, it was so many people.

**Bridge Littleton:** You know, I will honestly say if the nearby, you know, resident had ever lifted a finger to help, it probably would have gone a lot faster. [laughter] [multiple speakers]

**AJ Panebianco:** Now, I will say that DeeDee did a great service by bringing that to everybody's attention. So thank you DeeDee.

**Bridge Littleton:** And keeping it in everybody's attention.

**AJ Panebianco:** Yeah. She was persistent, which was good.

**Bridge Littleton:** Yep.

**AJ Panebianco:** Aside from that, are there any questions, any.

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

**J. Kevin Daly:** No. But I think we should pass kudos to Mr. President.

**Darlene Kirk:** Congratulations.

**AJ Panebianco:** Thank you. It's quite an honor. And I'm humbled that they have the confidence in me to serve as the 95th President of the Virginia Chiefs Association. And I'm pretty certain that no department of our town size has ever had that honor. And it's very good. It's good for the town. It's good for us. It's all around just a good thing. So but thank you, guys, because without your support it wouldn't happen. [applause] [off mic] And I have my own gavel. [multiple speakers].

**Danny Davis:** I'll say he's been president for two days. I'm not sure it's eligible for an evaluation as of yet.

**Bridge Littleton:** I'm sure it hasn't gone to his head yet. [laughter].

**AJ Panebianco:** And it won't but I will have my own gavel.

**Peter Leonard-Morgan:** Chief I got one question.

**AJ Panebianco:** Yes Sir.

**Peter Leonard-Morgan:** Delegate Mullin, regarding his proposed FOIA bill. What was that?

**AJ Panebianco:** There is a bill out there that Delegate Mullin authored that is talking about getting access to personnel files. And we have met with him on multiple occasions on the FOIA council. And then I was able to have a Zoom meeting with him and we discussed the bill. I am not certain that it has enough teeth to go forward, but we're keeping an eye on it and we're just trying to make sure that the employees have a right to privacy.

**Peter Leonard-Morgan:** Is that any general employees or police department?

**AJ Panebianco:** It's police department.

**Peter Leonard-Morgan:** Okay. And thank you.

**Danny Davis:** And slightly different than the topic where that was passed in the last General Assembly session, where departments are to share records when an employee or an officer applies at a different locality. Am I correct with that?

**AJ Panebianco:** Correct. There's now a mandate. We've always done it. And most professional police departments, they won't hire you if they can't see your file. But there were some agencies that did not share those files. And, you know, I just don't hire them if I can't see their file. And it's up to the person to get his file released. But now it's a mandate from the state. If we go to hire somebody that the sheriff, the chief, whoever it happens to be, has to share their personnel file with you and you have to go look for it. You actually have to go see it. So it's going to help hopefully get rid of some of the issues that bounced from one department to another department because nobody's doing their due diligence. [off mic] But yes, exactly.

**Bridge Littleton:** So two things, [inaudible] number one, great job on national night out.

**AJ Panebianco:** Thank you.

**Bridge Littleton:** Putnam did a great job as always, you know, pulling it together. And you guys did a wonderful job, you know, having a great event. Second thing here. So I had a couple of folks reach out to me about two things in town. Well, three things speeding. People doing illegal moves in the middle of the street like U-turns and different stuff like that. [multiple speakers] And then the third one, well, let's cover those two first. So how are we going to start to address that? Because I will say, you know.

**AJ Panebianco:** Not, starting to address it. We address it every day.

**Bridge Littleton:** OK.

**AJ Panebianco:** We work radar every single day. And I had a gentleman stop me down towards the Exxon said I live in that area. They're speeding every day. And the fact is, they're not.

**Bridge Littleton:** Yeah.

**AJ Panebianco:** We have a sign that collects that data and the data doesn't support that. Now, we do work it and we get to see when the speeders come, but we tend to work it in a marked vehicle, and that causes people to hit the brakes and they speed less when they see us. The U-turns are pretty much the same thing. We occasionally catch one, but more often than not, if they see us, they don't do it. And they do look in their mirrors before they do it, thankfully. They can't do one technically in an intersection. They can't do it in the middle of the block. The overwhelming majority that we get complaints about or that we see when we're on foot patrol, when they're two blocks up or while they're in the middle of a block, they're not doing it the way they're supposed to. And the real thing is we're trying to educate people, you know, a right two lefts, and you're back where you need to be. And it's not a big town. They can get where they need to be with a couple of turns and they'll be back where they need to be. But we are concentrating on those. We are looking we work radar every single day in various spaces. And, you know, a lot of the areas, especially on the back streets, vehicles appear to be going faster because there's no curves and there's no curbing. And then there's also a narrower road. We had the same thing a few years back. We did a speed study. And I think the overwhelming majority of cars were going under the speed limit as opposed to over the speed limit. But people were still saying they were speeding. [multiple speakers] So we do work it, but we can't create something that's really not there when we're there. And we have I forget the number of vehicles that come through in a day, so we can't catch them all, but we're there and we're trying to slow people down.

**Bridge Littleton:** Okay, Darlene.

**Darlene Kirk:** I'm just going to say a lot of the turnarounds that I see the U-turns that I see. And I see them every couple of days I see one or two.

**AJ Panebianco:** I see one when I'm on foot, almost always. [multiple speakers] But I'm not I can't run out there and catch them. [multiple speakers].

**Darlene Kirk:** Yeah you can run. A lot of them are at the bank. I notice that people all of a sudden just think they can just wheel around there because the road looks so wide and it's really not but.



**AJ Panebianco:** We get them. I wish they were all at the bank. At least it's wide enough.

**Darlene Kirk:** Yeah, well, I see [multiple speakers]

**AJ Panebianco:** We get them in front of the coffee shops more often than not and the post office that seems to be the two areas. And when we sit there, they don't do it.

**Darlene Kirk:** Yeah.

**AJ Panebianco:** And when we're on foot and we see them doing a half a block up and go the other way, we're like, well I can't go do anything about that? Because I can catch them while I'm on foot. But they're sadly no set time. So they do it whenever they see a parking spot on the other side or they leave a parking spot, and they're going the other direction.

**Darlene Kirk:** And how about all the. I've seen a lot of cars and vans recently parking the wrong way on the street.

**AJ Panebianco:** Yeah, we've been ticketing those.

**Darlene Kirk:** Good ticket them heavily.

**AJ Panebianco:** And that's what we're doing. You know, we Facebook has a use too. We.

**Darlene Kirk:** Yeah.

**AJ Panebianco:** They tag us in them and say, hey, they're parked in the wrong direction and we go take care of it. More often than not, it's because there was a parking spot and that's where they wanted to park and they pay the ticket.

**Chris Bernard:** [multiple speakers] They didn't want to do an illegal U-turn.

**AJ Panebianco:** Yeah, they didn't want to do an illegal U-turn. So they drive on the wrong side of the road to park. Oh.

**Bridge Littleton:** OK. Last item.

**AJ Panebianco:** Yes.

**Bridge Littleton:** Ticketing. So had some complaints from businesses that we were not really ticketing people for a while. And now all of a sudden we're ticketing heavy again and they're getting complaints so.

**AJ Panebianco:** We're not ticketing heavy.

**Bridge Littleton:** Or let me put it this way. We're now actually enforcing it.

**AJ Panebianco:** Yes.

**Bridge Littleton:** Ok.

**AJ Panebianco:** And we had eased into that over the past several months. We have been a couple of days a week, three days a week, four days a week building up. We didn't want to go from pre Covid to where we were, where we work it every single day and write them every three hours. We eased into that. It's just those people that have gotten tickets recently likely have not gotten a ticket before. Just by happenstance or they moved their vehicle. They don't have to move it far. We tell everybody that, but they don't have to move it far because we map their valve stems and that's how we chalk tires, because you're no longer allowed to touch a vehicle when you chalk it. But, yes, we are actively marking tires. We are actively being seen doing so. And we are starting to see compliance again. The overwhelming majority of tickets that

go out of that ticket writing system are for safety violations, not over time parking. We write a very small number of overtime parking because three hours seems to be the right number. People tend to move their car. People tend to shops don't open to really, around 10 o'clock. So we start marking around 10:00 or 10:30. We go back three, three and a half hours later and vehicles tend to be moved. And then if we have time, we mark them again and, you know, do another round. And again, people tend to move in three hours. When we did that study to look at the effectiveness of two hours versus three hours versus four hours, three seemed to be the magic number. And it still is. And I can get you the exact number of tickets that we've written. But I will tell you that the overwhelming majority of those are safety violations, like they're parked in the wrong direction. They're three feet from the curve and they're blocking the lane or they don't have any tags at all or stuff like that. So the overwhelming majority of tickets our safety violations.

**Bridge Littleton:** Ok, so here's the complaint from businesses that we need to address. We were not ticketing for parking for a while. And so businesses were telling customers, don't worry about it you won't get a ticket.

**Darlene Kirk:** Yeah.

**Bridge Littleton:** And then we started to increase enforcement, which is our right.

**AJ Panebianco:** And we also went by and told every business that we could get into that was open, that we were doing so.

**Bridge Littleton:** OK, so there was a lot who said they never heard from anybody?

**AJ Panebianco:** I can tell you that [multiple speakers].

**Bridge Littleton:** So don't need that. So this is my question. And this is more for council. Let's just enforce parking.

**AJ Panebianco:** That's what we're doing.

**Bridge Littleton:** No, I mean, not easing in. We're just enforcing parking.

**Darlene Kirk:** Every day.

**Bridge Littleton:** And we're not easing off. You know, and if there's going to be some reason, like a calamity like Covid or whatever, that before we decide to change our posture on enforcement, we all discuss it and have, you know, sort of a mindset on it, because what it does, you know, this, right? It creates behaviors. So people get used to those behaviors because of the way in which we choose to do something or not do something. And then all of a sudden we change that. I mean, we're just enforcing the law.

**AJ Panebianco:** Right.

**Bridge Littleton:** But, you know, let them know that, you know, and again, so that way then I don't get these phone calls.

**AJ Panebianco:** No. And that's perfectly fine.

**Darlene Kirk:** [multiple speakers]. Don't answer your phone.

**Bridge Littleton:** Well, no, it wasn't a phone call.[multiple speakers]

**AJ Panebianco:** [multiple speakers] got a single phone call from anybody because we spoke to most of them.

**Bridge Littleton:** Yeah.

**AJ Panebianco:** They know that when they call and say, you didn't talk to us and I was the one who talked to them.

**Bridge Littleton:** Yeah.

**AJ Panebianco:** So they know that we've made it as as clear as we can, and we are doing it every single day now. [multiple speakers] Well, unless it's pouring down rain.

**Bridge Littleton:** I mean through the parking time, right? I mean. Yeah, exactly. So 7 to 7 or whatever it is, or 10 to 7 you know. OK.

**AJ Panebianco:** Yeah, we're doing it consistently. So exactly right.

**Bridge Littleton:** Yeah. OK.

**AJ Panebianco:** Anything else?

**Bridge Littleton:** Oh, not for me. Anybody else?

**Darlene Kirk:** Thanks AJ.

**Bridge Littleton:** OK, great, thanks.

**AJ Panebianco:** [multiple speakers] method.

**Bud Jacobs:** You get kick back on that then right? [multiple speakers].

**Bridge Littleton:** All right. We're going to move something around here real quick. I forgot Mary Ann was here. And we're going to discuss Oktoberfest.

**Danny Davis:** Thank you, Mr. Mayor, and on the telephone, we have at least one. We have at least.

**Melanie Lyons:** I'm here Danny it's Melanie [inaudible] Lyons.

**Danny Davis:** Hey, Melanie, how are you? Great. Yeah, we have one of our reps from BWF, the event management firm that we brought on board, and of course, Mary Ann from Old Ox. So we have provided to you a brief memo to discuss our planning at this point for Oktoberfest and want to briefly talk through that and then allow you to have a conversation. We'll be happy to answer any questions. Clearly, as was discussed with Christmas in Middleburg, there are a number of considerations to be had as it relates to a public event at this stage of the pandemic. Currently, there are no formal limitations on hosting an event, although there continue to be best practices and guidelines to follow. As stated in here, and I think it's important to state up front. In our kickoff meeting with BWF on Tuesday, the initial question was, should there be? Are there opportunities to limit crowd size, require tickets, require registration, require vaccination or proof of vaccination or anything of that measure? And where we stand today, three weeks out from the event and with the current logistics of the plan in place for the event, that's not possible. And so the answer is, if there is a desire by council to limit crowd size, require ticketing, require proof of vaccination for the Oktoberfest event, that is not possible to accomplish in the next three weeks. And the recommendation of staff and of the event management firm is to cancel the event. And it's flat out that we're not going to spend and able to create an event effectively in the next three weeks with any of those aspects in place. So we can stop and talk about that right now, if you like, or I can talk about other aspects of it. But I take the input and the advice of the event management firm seriously because they do this, and that's why we brought them on board. We have a plan where this event is free flowing. It is access from about five different or more public access points into the event. There is no way to force a certain number of people on one side of the street versus another side of the street, and there's no way to force people to go through currently through a check in to say, here's my vaccination card, let me in. So I'm laying it on the table there. If that's the desire of council, then we just cancel the event. Now, there are other considerations we take into effect if we do hold the event and we can talk through those. But it seems like right now I'm getting some looks that we need to talk through this first.

**Bridge Littleton:** Absolutely. Because, I mean, it's [off mic] It's basically feels like an ultimatum.

**Danny Davis:** Well, it is. I need an answer from council tonight and.

**Bridge Littleton:** Okay, first question then. Let's deep dive into this immediately. Explain to me why it is not possible to limit the crowd size.

**Danny Davis:** Ok, so again.

**Bridge Littleton:** Not doing anything else, limit the crowd size.

**Danny Davis:** Our event is fully open to one, two, three, four, five, six, seven, eight sidewalks without barriers and without limitations and without entry gates. This is a community free flowing event. So if I'm walking from Cuppa Giddy Up to Scruffy's when I walk along Washington Street when I hit the corner at Red Fox at Madison, I am in the event. The way we are putting the barricades is to the Washington Street side of the intersection so that people can flow along the sidewalk without interruption. If they choose to walk up Madison Street, they're parked there further into the event. There's a registration area to get your ID check, to get your beer tickets to then visit vendors. But I have no gate to limit people from the public sidewalk here and the public sidewalk here. And I don't have the capacity or ability to create that with staffing, volunteers and other logistics in the time frame we have to put this event on. That's replicated on the South Side and it's replicated on either side of the event at Marshall and at Federal, it's intended to be free flowing now. There will be people at those locations and make sure someone doesn't walk out with alcohol. Right. That's a standard ABC requirement. But it's not a show me a ticket. Show me this. Show me that. So that's one piece of it logistically. Second piece, is you can tell. We could say we're on limit to a thousand people every two hours. Well, I can't limit where those people stand because, you know, they might be here. They might be there. I can't. Are we saying we clear out the whole thing at two o'clock and let a whole new gaggle in at three and then we have queuing lines? It just physically does not work and logistically does not work again because of the way that we have this event structured, coordinated in the physical space of it all. We can talk about mandating vaccinations. You've heard my conversation on this. I think it for an event like this in a public setting. Number one, it again creates a problem with free flowing people. And how do I get from this side of the event to that side of the event? And am I holding up the vaccination card the whole time? But there are greater considerations even with that.

**Bridge Littleton:** Let's just keep it on crowd control, because that was my only question. That's the number one way in which we can create a safe event. You know, I get to understand, I'm not worried about asking people for their vaccination card. I understand that creates a huge logistical nightmare, it's like going to the airport. Show me your passport. But I'm at a loss to understand why we can't we're just telling Jim that we want Christmas in Middleburg managed in a way in which it's not so many people that it creates an event which can give a high likelihood of spread for his event, which is run by a third party organization. But for our event, we're not going to live by that rule. I think it's hypocritical. And I think I'm.

**Cindy Pearson:** Can I.

**Bridge Littleton:** Yeah.

**Cindy Pearson:** In saying it's hypocritical, I'll have to argue with that a little bit, because there is a way for Jim to do that. We don't have a pay parking spot for these people to come to an park at. This is a growing event.

**Chris Bernard:** Their scale is much larger already.

**Cindy Pearson:** It's different.

**Bridge Littleton:** Again, last time we had, what, 5000 at this event in the middle of the day, it was jammed.

**Cindy Pearson:** Yeah. No, no. I get it.

**Chris Bernard:** But you [multiple speakers] restrict the outside parking because it doesn't rely on outside parking. Right?

**Bridge Littleton:** No, no. But it does have to be, if I remember correctly, with ABC rules, it does have to be roped off.

**Cindy Pearson:** The drinking area?

**Bridge Littleton:** The drinking area has to be roped off.

**Danny Davis:** Mary Ann can correct me if I'm wrong. I don't believe it requires a rope it requires signage and a.

**Bridge Littleton:** Some type of separation.

**Cindy Pearson:** Specific Area.

**Danny Davis:** And a monitoring of it. But there's [multiple speakers]

**Mary Ann Burns:** Some people, you know, not that we don't have to put up fences, but there's natural barriers that will keep people in the ABC space.

**Bridge Littleton:** So the ABC space has to be in some way, [multiple speakers] whether it's like with a tent that's got a side or a rope or it has to have some type of physical barrier, that and it doesn't to be a whatever you're calling it. It has to be it has to be delineated right? [multiple speakers]. You can drink inside here, but you can't drink outside there, right?

**Mary Ann Burns:** That's correct.

**Bridge Littleton:** OK.

**Mary Ann Burns:** But we're using monitors at places. [off mic] We have no alcohol behind us [off mic] every business is open and we have monitors at the 8 access points where people could walk out with a beer.

**Bridge Littleton:** OK. OK.

**Cindy Pearson:** Has the event company dealt with this kind of event and the way that this is entered with Covid restrictions in the last year and a half?

**Danny Davis:** So I can turn it over to Melanie. When we spoke with them on Tuesday, we talked through. They are doing certain events at locations where certain specific things might be required. Whether it's, again, proof of vaccination or other type things. But those are typically ones that are already ticketed type events. Mel.

**Melanie Lyons:** And Danny, thank you for that. And good evening, everyone. This is Melanie White Lyons. I'm with BFW the event company. Yes, we have been working on events like this recently. We are working on Jazz Fest in [inaudible] which is coming up. The main thing is we will only have one entrance gate. And I think what Danny is talking about here and Mary Ann these are multiple entry points with this event and it's a non-ticketed event.

**Danny Davis:** And as a different from two years ago, you know, we purposely for space purposes and to spread the crowd out, expanded to North Madison. So we have created additional space for ourselves. And as you were talking with Mr. Herbert about Christmas, I did a very crude and rough calculation of the space that we're talking about. We're talking approximately 20,000 square feet. And so using the Jacobs method, that's two thousand people at any given time in that one per 10 square feet.

**Bridge Littleton:** [off mic] space is taken up by pavilions or stage space or I mean [multiple speakers] 30 percent is taken up by the event. Well, that's not 2000 people that's now 1600 people.

**Danny Davis:** Understood. And again, my point was going to be in 2019, we did not have 5000 people at one time, and we don't have it like we do with the Christmas parade. That is 4000 people show up for a 20 minute parade and leave or four thousand people show up for a 45 minute parade and then leave or go do their thing. This is a free flowing, self-selecting. I show up and people choose when they want to come. And I again, I'm just presenting to you where we currently are, the challenges of our current situation and why it's very, very difficult, again, at this stage of the game for us to create that. And with the recommendation of BWF to say that that's not feasible to effectively achieve in this time frame.

**Bridge Littleton:** Kevin.

**J. Kevin Daly:** One other thing you mentioned people leaving. This is a drinking party. People don't necessarily leave. You were mentioning there's going to be tents and other impedimenta in the area, which means people are going to be closer. They're not going to be socially distancing. I'm looking at the map of red, of the case rate here in Virginia. My recommendation would be to err on the side of caution, public safety and cancel.

**Bridge Littleton:** Darlene.

**Darlene Kirk:** I just want to ask Mary Ann what is your opinion on all of this [off mic] been a driving force [off mic].

**Mary Ann Burns:** I'm sorry, I didn't hear that.

**Bridge Littleton:** What would you think?

**Martin Crim:** Can we get you to come up to the microphone?

**Bridge Littleton:** Yeah. Thanks, Mary Ann. How do you feel about it all?

**Mary Ann Burns:** Well, we've had quite a few discussions at the brewery where we're very concerned about a possible spike with school getting back in session. We feel that even though we need a go ahead tonight one way or the other, it doesn't really matter, because the council will do what's right at any time during the next three weeks if something untoward happens, if you decide to go ahead. Besides the way Danny described the access problems, we've got businesses on both sides of Madison Street. So, you know, we'd almost have to close them down if we closed access to the event. So it just doesn't seem to work. So we are in the absence of the state of Virginia saying anything, then we could probably proceed. We, you know, encourage mask wearing and we have stopped short of requiring it because the state hasn't required it. I see other states requiring that maybe by then they would require that. But it's a tough decision. I really we're kind of on the fence.

**Bridge Littleton:** Martin, let me ask you a question from a legal perspective. So this is a town event that we are owning and running as the town of Middleburg.

**Martin Crim:** Right.

**Bridge Littleton:** Can't we require masks?

**Martin Crim:** Yes. You could require masks as [multiple speakers].

**Bridge Littleton:** Unless you're seated and drinking or eating.

**Martin Crim:** Right.

**Bridge Littleton:** You must wear a mask.

**Martin Crim:** That would be the policy. And then the question is, how do you enforce that?

**Bridge Littleton:** No, I get the enforcement part. But, you know, you got to have the policy first and you know, I get it. You got to figure out how to enforce it.

**Martin Crim:** Right.

**Bridge Littleton:** And that would come down to AJ.

**Martin Crim:** Well, since you just mentioned, AJ. A.J., what are your thoughts?

**AJ Panebianco:** [off mic] I'm going to leave everything Covid related to you guys, I mean, realistically, I think I would have to get at least the Commonwealth attorney to say that we can require masks on the public street if we're going to enforce it. It's a public street, it's a public sidewalk. We have open businesses. So how do we say you can't go into that open business on a public sidewalk and not wear a mask. They're not requiring it from the state. So how do I how do I [off mic] but how do I enforce that if they're saying they're going into business [inaudible]. They can get that beer bracelet and then stand on the sidewalk and go into a business. I don't know that I can enforce that. I don't think it is legal for me to enforce a rule. I enforce laws not rules. I think there's a problem with that. And I think [inaudible] would have to say she would prosecute it first. And I'm not so certain that we shouldn't ask for A.G. to give us a ruling on that. I'm concerned at the liability that it puts on our staff and our officers to take somebody who's drinking ends up there's a fair number of people who drink and get belligerent. I've done this for a long time and then say we are requiring you to hold them to wear a mask. And they say, where's the law [inaudible] says we're going to charge them it it. We're not going to charge them with trespassing they are on a public street. I've done that. I've seen that done in other jurisdictions and it's gotten kicked out. And we have one [inaudible] a public spot that was marked No Trespassing and the person that charged and the judge said no these are generally publicly accessible, you can't say it's no trespassing. So I have a real, real concern of any [inaudible] for enforcement, because, you know, if I can't charge them with trespassing on a public street. Can't charge them with trespassing on a public sidewalk. So what do we charge them with? There's no charge for not wearing a mask. And even if it is it doesn't fall under us, it falls under the health department.

**Martin Crim:** Mayor, what we will would do, would be to temporarily close the street to public access and only have it for event access and have one of the event rules be a mask wearing requirement. Then if you're on it, then if you're in the space that is covered by the event, you have to follow the event rules. It's, you know, whether the commonwealth attorney will prosecute or whether a judge will convict is always a good question. You know, there's always somebody who's going to come up with an argument. But at least that's a basis. [off mic] Yeah.

**AJ Panebianco:** And I think he's wrong.

**Danny Davis:** Well, let me if I may, real quick. We do have a permit from VDOT for us to use the street and to close the street. Now, again, the point the Mr. Crim is making is there's a there's a fine line between where that public sidewalk is that we're leaving open and where you actually enter without a gate into the event. But we can clearly mark and sign that point of where you're entering into the event part of the street. But we have authority from VDOT to use and close the street for a it's a public event, but for a non-vehicular purpose, if you will. So I do want to make that clear that we have that.

**Chris Bernard:** Question then, that if it's not a public street that day, it's closed for an event then, are the police then, OK, then, to go in and enforce whatever rules, since it's not a public area, or does it become like a private parking lot?

**AJ Panebianco:** I think we need an answer to that [inaudible]. I will tell you my experiences is no.

**Chris Bernard:** Well, that was kind of my thought is like, OK, if it's public, you can go in there. Right. And you can [inaudible]. But then the rule doesn't make sense. But if you flip it.

**AJ Panebianco:** The rule is that, you know, if you if you mark off this table and say this is the street and in the street, you have to have your mask. The only charge then is trespassing because there's no mask charge. There's no not wearing a mask.

**Bridge Littleton:** No, you ask to leave. IF they refuse to leave then it's trespassing.

**AJ Panebianco:** Then it's trespassing, but trespassing on a public street. And I think I know there's been issues with that in other places because we lived [inaudible].

**Bridge Littleton:** So that's a legal question that we were call whoever and figure out.

**AJ Panebianco:** It needs to be somebody [multiple speakers].

**Bridge Littleton:** OK, I'm sorry. Bud.

**Bud Jacobs:** Whatever the legal [inaudible] and noise of this may be Chief, it occurs to me that this is an enforcement nightmare for you guys.

**AJ Panebianco:** That's that's an understatement.

**Bud Jacobs:** OK. I mean, I think that for me at least, is the compelling factor here. It may well be that you're wrong. And Martin is right. Martin is usually right. [laughter] However, however, I just I would not wish this on you. It's moot.

**AJ Panebianco:** And, you know, generally when people drink there's always going to be one or two people, that get what we call liquid courage. You know, they don't want to follow the rules and you got a certain number of people [inaudible] in this atmosphere that are very much I am not going to follow the rule for a mask. I'm not going to follow the rule for a vaccination and I'm not going to show you any cards. It would be it would be a big ask of our staff.

**Darlene Kirk:** [off mic]

**AJ Panebianco:** We don't. And we have to cross the streets, we have to you have to get them across the streets. There are other public safety issues we have to worry about during the event as well.

**Bridge Littleton:** [off mic]

**Kevin Daly:** Also to enforce if you have to arrest somebody for trespassing, where do you take them?

**AJ Panebianco:** Leesburg.

**Kevin Daly:** So we lose an officer taking an individual. So that leaves you with how many officers are left to enforce.

**AJ Panebianco:** And if you have more than one, then you have an issue. And like I say, I'm just asking that whatever we do, we do it with the knowledge that we have an answer to that question. And that answer needs to probably come, at least from [inaudible], and her office, because she has to prosecute.

**Philip Miller:** Beyond the enforcement nightmare and the complications therein, I think that this plan just has too many holes in it, too. I mean, even we're saying we're going to encourage people to keep three feet distance in the lines for beer, but the CDC guidelines are still six feet. I mean.

**Bridge Littleton:** We certainly can't recommend something that's contrary to.

**Philip Miller:** Best practices. Yeah. And I mean, I think that the traffic flow or the crowd flow is it would just be a disaster. I think even in a non-Covid year, it sounds overly complicated and too easy, frankly, to get in and out of the



event. I realize that that's an ideal, you know, situation. But I do think that we need more checkpoints where, you know, we have the ABC managers managing a smaller area of flow for this traffic, especially if you're going to end up having 5000 people or something, which I don't think would be smart. And having just spoken to a friend of mine who is a doctor in New Orleans, what's going on down there. I won't be anywhere near this thing. And I realize that our infection rates are completely different. But I think it just invites too much risk, especially as planned. So.

**Bridge Littleton:** Peter, what are your thoughts?

**Peter Leonard-Morgan:** I've thought long and hard about this as well, and it's a wonderful event, but I really have a lot of concerns, unfortunately, with everything that's going on nationwide and now with seeing these numbers, the metrics which we got the case rates all in the red in Virginia. And in another week or two, it could be I don't know how it could get higher than higher, actually, but it could be very bad. And with this Delta variant, I regret to say I'm in Kevin's camp here, but I think the only solution is to cancel it, which I hate to say.

**Bridge Littleton:** Let me ask everybody a question. Would everybody feel comfortable or whatever? For me, the comfort level is if we can ensure that at any given time inside the area, there is an acceptable amount of people where those who want to be stupid will be stupid, but those who want to act responsibly will have the ability and the space to act responsibly. I mean, some you know, part of this is on us, but part of it is also on people. And people to act responsibly and behave responsibly and respect others and all that kind of stuff. So, you know, making sure we have an environment where everybody can do that, you know, is I think what's important is to create the environment for that as a first key step. Where I get nervous is we have the and you know, the thing is, it's not going to be like at two o'clock and. And I will say it this way. What is raised, my concern is to see the amount of people that are coming to Middleburg on the weekends every weekend. It is busier than it was, and there's more people than it was before Covid. Rightly so. You know, we've done a good job. People want to get out and about, and they've been so cooped up. Events are few and far between. And, you know, when one is happening, they're going to go to it. If there is some way in which we could ensure, you know, ensures a bad word. [off mic] right. I mean, you know, and if there's not a way, then there's not a way. Then I got it. But that's where I would feel comfortable. It's like, you know, do the math, do the whatever the [inaudible] what's it called, the Jacobs method, and say, OK, look, it's an area and there's X amount of people in that area. And as they walk in, they walk out like a parking deck. Right now, a little counter you count in, count out. It's not that you turn it over every three hours. It's no until three people come out. It's like waiting at a restaurant, you know, until a table frees, you can't go in. If we could do that, I would be more I would be inclined. But if not, I just I worry at two o'clock in the afternoon, two extra thousand people we just didn't expect to show up. And what are you going to do? Tell them no. Then you will have a fight on your hands.

**Philip Miller:** But Bridge doesn't sound like we're being offered that as an option.

**Bridge Littleton:** No, I mean, I get that. What I'm saying is, is that that's the challenge, right. Is that challenge [inaudible] in some way?

**Philip Miller:** It sounds like from the memo and from what people have said, that we don't have the resources or the time to do that. [off mic]

**Bridge Littleton:** Chris.

**Chris Bernard:** Real quick, question for you guys and the people on the phone. Is it possible to scale back to the same area that we did in 2019 so that creates fewer access points. I know it's less area. Right. But if you can keep it, you know, now you're down to maybe three, two or three access points and people aren't flowing across the street. Is that is that cutting it back too much? Are we losing all the momentum and all the fun? Or could it be something that is that the meeting ground between cancel it or go to some insane extreme or just let it go?

**Danny Davis:** So I'll pitch in first and let Mary Ann fill in where I've missed. I believe a challenge with doing that would require us, to your point, to go back to just South Madison Street with a portion of Federal Street. And I and really it would be everything's crammed into South Madison, which I actually think creates a bigger problem because because of

the size of all the vendors who are bringing in all the artists that we've already worked with, we can deal with, you know, the extra musicians, but we have an extra beer truck and how that coordinates. I don't believe the number of vendors that we have and artists and everything else, that that would actually be a better solution, even though you could control the traffic, it creates a more dense and everyone actually crowding in one location, which is more challenging and difficult.

**Mary Ann Burns:** And we do have another beer garden at the Pink Box. So to help relieve the traffic at the main stage. It would be tough.

**Chris Bernard:** What I would say to me, it doesn't seem possible to do it with that many access points, it's just not feasible. So if we can't shrink it down and choke off to two or three access points, then I kind of agree. I think it's probably not wise to go forward.

**Bridge Littleton:** Bud, what do you think?

**Bud Jacobs:** Well, I've been tossing and turning about this for a couple, three days now, and one of the principles, at least in my experience of risk management, is identifying and figuring out ways to control the variables. And in this instance, there are too many variables. And in addition to that, there are probably variables we haven't even identified. So I'm unlike you, Mr. Mayor. I'm just I don't have a warm, comfortable place anywhere associated with this. I'm sorry to say.

**Bridge Littleton:** Oh, God.

**Philip Miller:** Yeah, I mean, I just don't see this in any way happening. And again, it doesn't sound like we're being offered an option to make these changes. So the answer is clear. Cancel the event.

**Bridge Littleton:** Cindy, how about you?

**Cindy Pearson:** Oh, I have to start with this breaks my heart to have to say this, because I know how much work Mary Ann's put into this from this time last year or even before then. She's been working her buns off. And, you know, I did attend that event at Salamander last week, but that was different. They did have check in points. There were things you had to show that day to get in the event, which I understand, you know, and I've got grandchildren in school and the football team that my son in law coaches at, two weeks of practice Covid was going around. So it is horrible that we have to go through this again. But I don't see any way to keep the town and the people attending this safe because of all the crazy things people won't do. They won't wear a mask. They don't, you know, and especially when you're drinking, you know, people get in your face to talk.

**Bridge Littleton:** Maybe just you.

**Cindy Pearson:** No. So as much as I hate to say it, I hope Mary Ann kept really good notes. And I hope you're willing to try this again when this mess has gone away for next year. [off mic]

**Bridge Littleton:** So let me. Yeah, here, let me. No, it's not a bad idea. I mean, let me ask a question. So to your point, Danny, about controlling access points. Right? That is a resource issue. It's not a legal issue, it's not any of that kind of stuff. Right. You can put up rope lines and you can we can hire people. And I know they have these, you know, things that can manage people coming in and out. And you just check one and check one out. Right. And we can hire people to stand there all day. And that's their job. Right. One, make sure you don't take a drink out. But I mean, maybe you have two people. I don't care. And if that's an extra ten thousand dollars, so be it, because the business community has put so much heart, sweat, blood and tears into try to make this happen. You know, to your point, Bud, what creates the variable of transmission is too many people too close together. Right. And if you can. And that's not the only variable, don't get me wrong. But if you can control that variable well enough, you know. Does it make it reasonable? We say safe and there's no such thing as safe, right. There's reasonable amount of risk. That's the way to look at it. And so and if there's not a reasonable amount of risk, then then it's not. And that's what it is. So my question is, is that something. Well, number one, is that something that council is willing to entertain if it can be figured out and it's maybe not even the event company. Right. It's something else. And do we want to examine that? Darlene.

**Darlene Kirk:** It seems to me that the will of council so far has been to cancel. I mean, it seems the majority.

**Bridge Littleton:** No, no, I know, because we felt like there was no choice, right? There was no change of the event. So given an all or nothing situation, it was going to be nothing. So I'm trying to figure out there's something some way to structure it. So like Cindy said. Right. They just had an event. There were tons of people, but they restricted it. Only certain amount of people could come in. I think the event management company are saying they're doing that for clients. Right. And they're doing it through ticketing.

**Melanie Lyons:** Exactly. Yeah. Yeah.

**Bridge Littleton:** So is that something you guys can facilitate?

**Melanie Lyons:** It is, yes. We would have we would have to, you know, work with Danny to look at where, you know, how we would mark things off and where we would need barricades and, you know, bring it down to one or two entry points. And that's when you can do, you know, the three in and three out without without ticketing, which we don't have time to do at this point. Sure. We can it we can explore that.

**Cindy Pearson:** Ok. Would it be possible to even take temperatures at that entry point?

**Melanie Lyons:** Absolutely, yes. [off mic]

**Bridge Littleton:** I think the challenge would be, does that create the lines. Where everybody is standing two centimeters from one another waiting in line to get their temperature taken.

**Darlene Kirk:** But I was going to say lot of people have not tested. You know, they have covid or they're carrying it, but they don't have temperature. So it's just.

**Kevin Daly:** There's too many risk factors. Yes, you can limit it. You can have a head count three people in at a time. The vendors can be standing there. I'm sorry. I rather air on the side of caution. Avoid the risk. We're talking one more year. This will go hopefully go away by next year or this may become the new normal. But I think it's too great a risk with too many things to try to control. And we only have X number of officers and X number of town staff and X number of council members who would be out there standing and working this. And a lot of people who are going to be drinking, not even members living in Middleburg that are just going to be coming in and you're going to have a crush of a mob. Yeah, I strongly recommend cancellation.

**Bud Jacobs:** Mary Ann, what do you you presumably have a drop dead date here. Is that tonight? I mean, do we have to decide this evening?

**Mary Ann Burns:** It's pretty close, I think. You know, Danny has been good about getting Covid into some contracts we've signed for musicians and things like that. We'd notify them if it's changes because of Covid concerns. The only thing I worry about is it's dependent on the state of Virginia doing something that would cause us to cancel the event and not just us deciding not to do it. So there are some contracts that have been signed, but for all the acts in the next couple of weeks, we're going to be ordering all the food, the tickets, the wristbands, the T-shirts, the you know, all of those things. And some of them can be saved for a year.

**Bridge Littleton:** [off mic] tied up, that's not fair to you guys.

**Kevin Daly:** Don't put a date on the t-shirt. [inaudible] [off mic]

**Bridge Littleton:** No. And I mean, no matter what, if we do decide to cancel it, we anybody that we have inconvenienced, we as a town government need to make them whole. I mean, that's our responsibility because we're making the decision. Cause Mary Ann has has a very good point. The state isn't shutting down any events. So it's not like

it's a third party saying, you know, oh, I'm sorry, you spent twelve hundred dollars. You're out on your own. But no we, you know. Yeah. Philip, I'm sorry.

**Philip Miller:** Of course, we are very thankful for all the hard work that you all have done. We all want to go to this event. That's the hardest part of it. OK. But I think that we've done a really good job of managing Covid in Middleburg with our policies and our being responsible. And I you know, this is the fourth quarter of the big game. Are we going to really lob a Hail Mary and hope that, you know, it hits and or are we going to fumble? You know, that's kind of the way of looking at it right now.

**Peter Leonard-Morgan:** Looking back, we had a an event planned a Go Green event back in March of last year. And I remember when we made that decision, it seemed like are we overreacting, you know, and ironically, you know, we did make the decision to cancel it and then everything hit the fan and and it would have been cancelled anyway. So, I mean, I have this horrible suspicion that we're going to actually see this playing out in a few weeks anyway. Unless there is a big change of heart by a lot of folks.

**Darlene Kirk:** I know the town's in good shape right now financially, but I have a problem of saying go ahead and do it. And then if there's a problem, we'll pay you back, because I don't think we should do that. I think we should just cancel rather than do that.

**Bridge Littleton:** I'm not saying that, I'm just saying, you know, people have already spent money of their own and we're pulling the rug out. We owe it to them to do the right thing, to make them whole. And, you know.

**Darlene Kirk:** We could quite easily go into a bit of debt.

**Bridge Littleton:** I don't think we're talking about a lot of money here.

**Darlene Kirk:** I just don't want us to go pay a lot of money.

**Peter Leonard-Morgan:** I think what you're saying is that a week or two away, if it suddenly happens that we make that decision, it's a bigger, much bigger problem.

**Bridge Littleton:** Well it's more expensive.

**Peter Leonard-Morgan:** Yeah, expensive.

**Bridge Littleton:** Even if we decide tonight that we're not going to do it. Whatever Old Ox has spent, we need to reimburse them for that. [off mic] No, no, no. I got you. I got you. Let's take a quick take, a quick straw poll, if it's possible, and working with the event management company to. Yeah.

**Danny Davis:** If I can just throw one wrench in that plan. And I appreciate the creativity. And we'll still talk with them about opportunities for something like that of, you know, clocking in who comes in and who comes out. But at the end of the day, if they're in the event, we still can't control where they stand and we still can't control because all but all these people, where are they going is to the ice cream truck. They're going to the beer place. They're going to stand and listen to music or sit at the tables. And while we can spread and try to separate and encourage the physical distancing, and while having five hundred people on the side of the street instead of 1500 people on the side street, definitely is a less dense crowd. I can't control where those 500 people go. And so.

**Bridge Littleton:** We're not saying that.

**Danny Davis:** No, but it engenders the same issue that I'm hearing from the rest of council, which is keeping people distanced. And so I have a concern personally that I'm hearing council say I'm very concerned about the amount of people in close proximity and the potential that this has. And we could face that same situation even if we control how many people are coming in and out.

**Bridge Littleton:** So I did OK. I don't think that's the way I was trying to express it. What I was trying to say is if you're in a closed environment and you have so many people in there that even if I want to be separate, I can't. That is a limitation we have forced on them because of the crowd we allow in.

**Chris Bernard:** It's giving people the opportunity to be socially distanced with in the environment.

**Bridge Littleton:** And if, then. But now, in the second instance, what you're talking about is if we have enough open space, but someone wants to be personally irresponsible, they're going to be personally irresponsible. But the other person has the ability to get away from them and be socially distant. That's all I'm saying.

**Danny Davis:** That's all. I understand that and to your first point, the choice that patron has is to not come to the event that at the end of the day, if it is to full and they feel uncomfortable, you don't come to the event. That's just the same as limiting the crowd then. [multiple speakers]

**Bridge Littleton:** Assuring until this entire pandemic is beaten, we will have no more town events, period. And that's what we're saying. If we take that, if we go with that, take it all, take, you know, take it or leave it view, then that's that's the policy path we're setting. So just be careful. So I'm sorry, Kevin, go ahead.

**Kevin Daly:** That may be the safer approach. I think the question should not start with if, ands or buts. The question should be, do we or do we not have this event? And that's the question. Not if we can control this. If this can be done. If pigs can fly, yes or no, do we have the event or not? Just keep it simple at that. And I would say air on the side of public safety and cancel.

**Darlene Kirk:** [off mic]

**Bridge Littleton:** Yeah. No, but it's going to be the same fundamental issue. Is it too many people. It'll be the same fundamental issue.

**Chris Bernard:** The landscape can change by then.

**Bridge Littleton:** Yeah, well, that's true. [off mic]. All right, last one.

**Cindy Pearson:** OK, A.J., how many people attended the Fourth of July this year estimate?

**AJ Panebianco:** I didn't do the math, but just my gut feeling [off mic]

**Cindy Pearson:** And that was a safe event and they had alcohol.

**Philip Miller:** But we didn't have this problem with the variant.

**Bridge Littleton:** The Delta variant.

**Philip Miller:** And we were actually like in around July 4th, we were at a super low transmission.

**Bridge Littleton:** Below one percent transmission rate. If anything's changed in the last month, it's the transmission rate and the rampant spread of the Delta or that the Delta variant.

**Bud Jacobs:** Ok. I think that's right. You're going to call for a straw poll.

**Bridge Littleton:** Yeah. So, Danny, any input?

**Danny Davis:** No, sir.

**Bridge Littleton:** God, I hate this. OK, so is there any desire to want to try to see if we can limit it or do we just want to make a decision tonight? Yes or no?

**Bud Jacobs:** Decision tonight.

**Bridge Littleton:** Ok. All right. So who would like to cancel the event, Chris?

**Chris Bernard:** I mean, it doesn't seem like we can limit it. So if it's full bore or cancel it, we cancel it.

**Bridge Littleton:** Ok, Bud.

**Bud Jacobs:** Cancel.

**Philip Miller:** Cancel.

**Darlene Kirk:** I don't want to cancel it, but I think we need to cancel it for safety's sake.

**Bridge Littleton:** Peter.

**Peter Leonard-Morgan:** Sadly, unfortunately, cancel.

**Bridge Littleton:** Cindy.

**Cindy Pearson:** Painfully so, cancel.

**Kevin Daly:** Regrettably, cancel.

**Bridge Littleton:** Second question. Everybody who's worked on this from the from businesses and whoever else, is there agreement that we should they should be made whole for anything they've spent up to this point or anything that we've committed to that we can't get out of, we're going to pay for that, too. But that, you know, even people who were, you know, did whatever, and Danny you'll have to figure out how to make sure it's validated or whatever. But everybody on board that we reimburse folks for that?

**Chris Bernard:** For stuff that can't be used in subsequent years or like I mean.

**Bridge Littleton:** It's a true loss. Yeah, OK. Ok, Darlene.

**Darlene Kirk:** And I would like to get a as you can start getting numbers in from people. Just let us know.

**Danny Davis:** We can do a reporting next in a month or whenever, just of the expenses outlaid. That's fine.

**Bridge Littleton:** OK, Mary Ann. It is heartbreaking. And the worst part is like I emailed like seven people this morning and like, oh, don't forget about the event and here's the link, you know. Oh god.

**Danny Davis:** If I may. Yeah, you all know this and I'm saying things you already know. But Mary Ann, is the driving force behind this. And yeah, I wish I could pay her for the time that she's put in for this, because it did start two years ago on September 22nd, the day after, and has been incessant. And she has pushed me to get her answers so that she can keep things moving forward. And probably the hardest thing is we have some really killer volunteer t shirts that were going to be fantastic, and we were all super excited to wear them. So we'll just have to wait for another year. But the work that she has done in this has been so wonderful, and it will serve to prepare us for the next one.

**Peter Leonard-Morgan:** And I think also.

**Melanie Lyons:** And Mr. Mayor, if I could just chime in here, Melanie, with BWF. I want to echo. I think that was Danny. But thank you, Mary Ann, for your hard work on this. You know, we do a lot of these events and and you've been a truly remarkable partner, and we appreciate all the time and effort and the same for you, Danny. So thank you.

**Peter Leonard-Morgan:** Sorry, I was just saying that we've also got a lot of sponsors that we have to.

**Danny Davis:** Yeah, we'll return. Yeah, we'll take care and we'll smooth those. Yeah.

**Mary Ann Burns:** I want to say thank you to the council. This is a really tough decision. And I we support that decision. It's not it's not easy. Nobody knows what's going to happen in the next three weeks.

**Chris Bernard:** So better to do it now than.

**Bridge Littleton:** Well, and I you know, I mean, the worst part is, you know, a month ago, I think everybody was very comfortable. You know, I shouldn't say very. Everyone had concerns. But, you know, but, you know, as this thing is going is going bananas and we've been fortunate. But, you know, I think the one thing that really sort of drove if for me was the last, you know, two, you know, couple weekends in town. I mean, it's packed. [multiple speakers] Which would've been great. And and, you know, scary on two different levels. And I think, you know, Lovettsville not having theirs. I mean, I was seeing a lot of people saying, well, we're not, you know, forget them, we're coming to you all from now on. I was like, oh, that's great. [laughter]

**Mary Ann Burns:** A final thank you to Danny and Rhonda, they've just been great help in this. It's just been amazing.

**Bridge Littleton:** So Mary Ann. [off mic] No, no. Exactly. Exactly. And the other thing I was going to say, too, is if there's anything at all that we can do to make, you know, your guys lives easier, as you know, and the event team to, you know, move this to next year, you know, you tell us. I mean I want us to take all the workload off of you guys, because, you know, calling people doing whatever, because I know it's so hard. And the last thing I want to say is you personally are such a special member of this community, the way you have, you know, brought this all together and your collaboration and your leadership and just your wonderful personality, wanting to make this something special for all the businesses, but really for the community just exemplifies how you guys are just the best partners in town. So this is disaster this feels awful. But, you know, we just we love working with you and just can't thank you enough for all your hard effort.

**Mary Ann Burns:** This community is so special and just we're glad to be part of it.

**Kevin Daly:** We love you so much. We're going to have Peter work for you for free tomorrow night from 5 to 7. [laughter]

**Bridge Littleton:** Oh, that's hysterical. All right, Mary Ann, thank you so much.

**Danny Davis:** Thank you, Melanie. I appreciate you being on the phone with us.

**Melanie Lyons:** Thank you. All right, guys. Thank you. [off mic]

**Bridge Littleton:** That could change tomorrow. OK, so yeah.

**Danny Davis:** Is there anyone else online? [off mic]

**Bridge Littleton:** That was quick. All right, real quickly. Town hall project update actually now back on track.

**Rhonda North:** [off mic] We have received the 50 percent construction plans. The project review team will be reviewing those tomorrow. [off mic] I'm very pleased to report that we received 15 proposals to our [inaudible] general contractors

[inaudible] is in the process of checking references, past project histories, [off mic] have a report to us in about three weeks. And the project review team from there will identify who exactly will be pre-qualified to actually bid on the project. And then the last thing I have is that Downey and Scott is working now to develop the construction schedule. And I'm hoping to have available next week.

**Bridge Littleton:** Any questions for Rhonda? Ok. The next item, HDRC guidelines. Oh wait, excuse me. What I'm keeping you guessing. Let's do the consent agenda. Does anybody have anything they want removed from the consent agenda? Is there a motion?

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

**Darlene Kirk:** Second.

**Bridge Littleton:** Any discussion. All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions. All right. Next item. Oh, wait. Adoption of the HDRC guidelines. William.

**Will Moore:** Thank you, Mr. Mayor. I won't belabor this. We gave you a report last month. The final edits were made to the guidelines and the August 5th HDRC meeting. They forwarded these to you with a recommendation that you adopt the guidelines as an update to your existing guidelines. I can't speak highly enough of the HDRC's work, of Estee's work, the work of the consultant on this project. I think it's a great product that we've produced here.

**Bridge Littleton:** Well, real quick, anybody have any questions for Will? Bud.

**Bud Jacobs:** No questions, but I want to thank you, Will for giving the planning commission the opportunity to review the guidelines. [off mic] No, in fact, if I'm correct, we had no comments or were there any comments?

**Will Moore:** Only good ones. [multiple speakers]

**Bud Jacobs:** No, no, no. I'm talking about the Middleburg Planning Commission. [laughter]

**Will Moore:** [off mic]

**Bud Jacobs:** Terrific. Well, thanks for doing that. That's great.

**Bridge Littleton:** No, we said earlier. But when Tim was here, the work you guys put into this, you and Estee especially, but also the whole committee, I think it's a fantastic job. And I will tell you, several members of the HDRC committee have said to me that they are really excited about it. So, I mean, you guys did a fantastic job.

**Cindy Pearson:** The company we worked with they were very easy to work with. That was a big part of it, too.

**Bridge Littleton:** Cindy do you want to make a motion?

**Cindy Pearson:** I do. I move that council, adopt the August 2021 version of the historic district design guidelines as an update to the existing guidelines.

**Darlene Kirk:** Second.

**Bridge Littleton:** Any further discussion? All those in favor say aye.

**Everyone:** Aye.



**Bridge Littleton:** Opposed abstention. All right. It carries. We've done composting, residencies at Salamander. William.

**Will Moore:** Yes. Thank you again, Mr. Mayor. The town attorney has been working alongside staff and with the developer to finalize the forms of these performance agreements. So these are executed in combination with the posting of bonding for the project, as you see in the memo the developer will be bonding a little more than eight million dollars in improvements for the project. We did agree to split typically, we've had one performance agreement for a project, but because there were various entities that will be taking over the improvements. So specifically, we will be taking over water and sewer mains for ownership and maintenance. VDOT will be taking over all other public improvements for maintenance, and then the owners association will be taking over certain private improvements. So Martin was comfortable after discussions with splitting this into the three performance agreements, as you see here. And so they're slightly different, differently tailored for each of those. But we are satisfied with these. One request I do have a draft motion for approval, if you are so inclined, in that draft motion toward the end, I use the phrase irrevocable letters of credit. I would ask you to replace that with simply the word surety. At the time of drafting this, it was indicated that they intended to post a letter of credit, but that may become now a corporate surety bonds. And just the word surety would be fine, if you wouldn't mind making that provision.

**Bridge Littleton:** [off mic] Anybody have any questions for Will? Yes, sir.

**Peter Leonard-Morgan:** Will, I just had one question and it was more. Why is the estimate of construction costs by Loudoun Water, or is that just because they're a contractor in this case?

**Will Moore:** No, it's simply a form that we use because they are they stay up to date one good unit pricing. So even though they're not involved, we use their form for developing that [inaudible]. And the same for the other two forms, which are Loudoun County forms, still, Loudoun County is not an approval authority, but again, we just rely on them because they have good forms and good up to date pricing.

**Bridge Littleton:** You steal their IP, essentially. Yeah. Gotcha. Okay, good. [multiple speakers] Yeah, right. Yeah. All right. Any other the questions for Will. All right. Mr. Daly. Is there a motion?

**Darlene Kirk:** He wasn't paying that much attention.

**Bridge Littleton:** Exactly. When I said you got that Kevin?

**Kevin Daly:** I move that council approved performance agreements with Middleburg Residential LLC for construction of private improvements, water and sewer improvements and other public improvements associated with the Residences at Salamander subdivision. Said approval is subject to the applicant posting surety in the amounts identified in the agreements in a form acceptable to the town attorney.

**Cindy Pearson:** Second.

**Bridge Littleton:** Any further discussion? All in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions. Okay. Thanks, Will. Next item, discussion items. Real quickly, just an update for everybody. Did anybody attend the call last night with Milestone about the Tower and Mickey Gordon? We couldn't see who was on it. So I mean, I was OK. Long story short, they did a balloon fly last weekend and they did one or two weekends ago, the balloon fly on Thursday. There's two proposed sites, one like right at the end of the parking lot and then one which is further back in the woods. They've agreed to take the height down by 30 feet. The one that's further back in the woods, it's way less visible than the one that was closer, although it's still visible from certain spots. On Wednesday night at the meeting they've agreed to paint it. So it'll be, you know, like brown up to like the tree line level. Then above that, it'll be, you know, blue, gray or something like that to match the clouds. And they're going to go back

and look at taking it down, maybe another 10 to 20 feet potentially. But it definitely cannot be any lower than 120, because then it just doesn't get to the range it needs. It's currently at 150, but it's down from 185. A lot of folks were on the phone call asking questions. I think there's a general sentiment in the public. Do we have to have it at all? But I mean, you know, in talking with the county and talking with Milestone and and all that, you know, it's most likely going to get approved. So the question is, how can we influence it the most to have it be as least impactful as possible? I think we're a Milestone has come to is is they've gone a long way, which is great. I think they can go a little bit further, you know, get the height down, maybe 10 more feet and painting. It would be great. So I would like to recommend that when this gets to the county, we as a council send them a letter, you know, basically stating that we'd like to see it. You know, let's say, you know, 130 would be ideal or, you know, 130 feet would be ideal. And to paint it and to site it at the northernmost point, you know, and weigh in with the county, because the county does still have to approve it. The board still has to approve it. So that's kind of where that stands. Yeah. Thank you very much

**Darlene Kirk:** Thank you for following up on that and pushing so hard.

**Bridge Littleton:** Yeah, yeah, yeah. No, no problem. And it was funny when the guy was when Milestone was doing their thing, I was like, well, wait a minute. This the property goes into this big point up at the north, put it all in the core of the point, all the way, oh we can't do that. Like, well, why not? Oh, it's probably a marsh up there. I think. What? Do you know if it's a marsh? And they're like, well, well, there's a creek nearby. And I'm like, just you know, they went out and sited it and were like, actually it's firm ground. We could totally put it up there. OK. You know, it's funny. you don't know if you don't ask. OK, next item is discussion around vaccine mandate for entering town owned facilities. So to clear the hard part up first. Mr. Town Attorney. Legally, we can do that right?

**Martin Crim:** So we had some just, you know, [off mic] right. So there's two different questions there. One is, would you be successfully sued for adopting such a policy? And the other is, can you actually make it stick and in and have somebody convicted for violating it? Those are two different questions. This is similar to what we were just discussing with the mask mandate for Oktoberfest. The answer to the first question is you would probably win in any lawsuit challenging that because it is public property and you're making the decision as public custodians as to the proper rules for entry. Just as you would in any other kind of contagious disease situation. [off mic] correct? Yeah. Or right. You know, if anybody has you know, if you have smallpox pustules on your face, you're not going to be, well smallpox is gone, but you know, it is gone because we had effective public health dealing with smallpox and mandatory vaccinations. But so the answer to your first question is, yeah, you could probably adopt that policy. You're going to be on the front page of The Washington Post if you do that, and you're going to attract a lot of negative attention, at least the metro section, and you're going to attract a lot of negative attention. And then to get to AJ's point which is, you know, what are you going to do if somebody barges in and they refuse to show you the vaccine and you ask them to leave and they won't. [off mic]It's. It's very, very tempting. Well, you laugh, but there was a conspiracy theory that there was actually people in Los Angeles going around forcing the vaccine on somebody. It was started as a parody website story, and then somebody doesn't have a sense of humor and thought that was actually happening. So the correct. Yeah, something like The Onion. I don't know if it was actually The Onion, but it was similar website. So the, that roundabout answer is you could do that, but I don't know that that's the best policy choice for you. [off mic]

**Bridge Littleton:** Okay. Yes, Danny.

**Danny Davis:** If I may, just very briefly, you never get to say that word. There there are legitimate concerns from myself and staff members who deal with the public on a minute by minute or hourly basis that to Council Member Bernard's point, we are requiring masks currently and that even in of itself is meeting with challenges and resistance and blatant disregard refusals to put on masks or the people who, you know, will do the open the door, pass the bill across the desk and then walk out. Never mask up. I get it. They're here for five seconds. And so I'm not being militant about that. I have personally operational concerns for myself and our staff of having to get into the practice of asking for proof of vaccination. I would recommend that if if that became an issue or if there were any public safety concerns about our staff and our operations, I would much prefer we just close and lock the door. Now, I'm not saying we should. I don't think we're at that point right now. But if those were the two options before us, that that would be, for me, the safer and better option for us in dealing with the public.

**Chris Bernard:** Or put a Dropbox outside.

**Bridge Littleton:** You know, it's like we did the beginning.

**Danny Davis:** And we're actually talking about getting a little a little mailbox or something and put in the bushes there. We can set it on the stand. I mean, it'll work.

**Darlene Kirk:** [off mic]

**Danny Davis:** Well, we only use the door for overnight. [off mic] Yeah, exactly. So thank you for letting me share that.

**Bridge Littleton:** Yeah, no absolutely. So, again, this is just a thoughts, questions for folks. You know, it's starting to happen. I'm not saying it's happening in government, but you know well it is actually happening in some governments. But.

**Chris Bernard:** All right, I'll start. OK, so it sounds like the staff doesn't really want to do it and they're not concerned about it. Is anyone from the public clamoring for us to do this?

**Danny Davis:** I've heard no requests for it.

**Chris Bernard:** Then why are we talking about it? Who wants it? [off mic]

**Bridge Littleton:** Well, no one was clamoring for us to cancel Oktoberfest.

**Chris Bernard:** I mean, if staff doesn't think it's effective and no one. [multiple speakers]

**Bridge Littleton:** They didn't they didn't think it was effective. What they said was it would be difficult to manage. Yeah. That's two different reasons. Right. One is resource. The other one is I don't agree with the idea.

**Chris Bernard:** We have an effective way to work around it. Just having to drop the system, we had in the beginning.

**Darlene Kirk:** But if we have if we have to fight with people who don't want to put on masks. Imagine if you have to ask them to show the cards.

**Bridge Littleton:** I like I said, it is it is a conversation that's now going on. And I thought it was responsible for us to at least talk about it. Bud.

**Bud Jacobs:** Martin had me at bad policy. [laughter]

**Darlene Kirk:** [off mic]

**Bridge Littleton:** Police blotter. Police beat. [off mic] Oh, gotcha gotcha. Philip.

**Philip Miller:** I think it would be an enforcement nightmare, I think perhaps what we should be discussing is not any person who comes in, but employees and contractors and the like, people who are actually going to spend a significant portion of time in the building or our facilities.

**Bridge Littleton:** Right. Well, I think Danny's idea, too, is we could always just go if we really want to, with it starts to become as it becomes a bigger problem, we can always pull the trigger of exactly what we did when Covid first started. No one comes in. We'll service you through the door. You can call us, we'll do a zoom call or whatever, but OK. Darlene. You good?

**Darlene Kirk:** I'm always good.

**Peter Leonard-Morgan:** I'm in agreement with my colleagues here.

**Kevin Daly:** Yeah. Safety of our personnel is first and foremost. And I have seen confrontations where you get some big six foot eight guy screaming unmasked into somebody's face. We don't need that here. And Danny absolutely shut the door and put out a box and they can be serviced between the doors.

**Bridge Littleton:** OK,

**Danny Davis:** We'll definitely be in touch with you should circumstances around concerns grow where we feel that's necessary. I would not just make that unilaterally. And you walk in and the doors are locked. We would we would have a clear conversation about that. So thank you.

**Bridge Littleton:** Ok, next item.

**Danny Davis:** Thank you, Mr. Mayor and council members. This is an item about an employee leave benefits. We discussed this briefly in early July. There was a lot going on at the time related to the Salamander Project and discussion. So we we covered it briefly and then put it off for a few weeks just to think about it more. As stated here, some of the conversations during that meeting and after that time centered around whether we should consider allowing employees essentially without any reason needed to cash out a certain amount of unused annual leave each year, which some jurisdictions across the Commonwealth do. Heard from probably four or five as not maybe typical or prevalent, but it's an option. The other conversation was the mayor brought up. If if employees cannot use all of their annual leave that they're given each year. Is that indicative of a resourcing issue and a conversation around proper resourcing to accomplish the tasks that are routine tasks. Our council guided and strategic initiatives, as well as our state mandated tasks that hit us each year as well. So that is a conversation I think is worth having. Clearly in this building, we'd have a hard time fitting another person beyond where we are. But as we look towards the new building, I think maybe a bit of an organizational assessment of our activities, our requirements and our opportunities would be advisable. And I think that's something that will and I can work on over the coming six months, nine months or so in preparation for moving into our new building. With that being said, the policy said before, you are suggestions, ideas, thoughts. They're not anything that is necessarily required by any means. But it was a conversation to consider keeping our benefits competitive with some of our competitors. Now, again, primarily I'm using Loudoun County as a competitor, but I also know that if they can pay better and provide better benefits, then it can sometimes be harder to attract and or retain employees. With that, Mr. Mayor, I'm happy to answer questions about the suggestions. Happy to talk through details. Or if we want to again push this to another meeting for further consideration. I'm happy to do that to.

**Bridge Littleton:** Anybody have any initial thoughts? Peter.

**Peter Leonard-Morgan:** I like the volunteer leave. I mean, I like a lot of all of this, but that for me is a big positive. It's really shows, you know, the attitude of the town and the employees to community service really.

**Danny Davis:** Thank you. And that is one thing where I think it'd be great for us to be able to spend, you know, a day or two days a year, you know, serving, whether it's for a full day or whatever it might be. [off mic] Oh, right. Yes. Does that count? I actually would love it. You know, and this is a topic for another day. Another conversation actually close the office a day and allow us all to go work together. You know, whether it's on a habitat build or some other thing, because there's sometimes no better way to build teamwork than working alongside each other. Again, I realize that that's a policy decision that we can save for another day because we need to be here and open for the public too.

**Peter Leonard-Morgan:** It was so impressive when we had the town cleaned up and Salamander, a lot of people turned out to volunteer. But Salamander actually had a lot of employees who, you know, they were paid to volunteer, but they wanted to volunteer. They were passionate about it and it stuck with a lot of people.

**Danny Davis:** Absolutely. The other one I would point out in this list is the discussion of personal days, as we're called. This part of the reason this came up was for some employees, the elimination of comp time, which is where you bank time

when you work hours more than 40. That was nullified by the General Assembly for the extent of three months, and then it was denullified. Theoretically, we could reinstate comp time. At this point, I'd rather just leave it the way it is with our exempt employees and our nonexempt employees. But personally, recognizes employees that definitely put in more than 40 hours a week with a few extra days of what's considered personal leave. If you don't cash those out, you don't. Well, it rolls, but essentially it's just an extra recognition of the hours put in. But with that, I'm happy to talk through anything else.

**Bridge Littleton:** Any other questions? So, Danny, so when we started this conversation, it was limited to, you know, treating hours over certain limits or whatever. There's a lot more things on this than just that. So why the change? We have in hear tuition assistance volunteer leave.

**Danny Davis:** Yeah, this was all presented in July. So nothing's changed since then.

**Bridge Littleton:** No, I know. But I mean, the discussion was that we were trying to wrap your head around the leave component.

**Danny Davis:** So that was the focus of it. But it was in a broad sense of leave in terms of, you know, annual leave, sick leave, personal leave, volunteer leave. The the one essentially in here is tuition assistance is and then retirement health. That's actually a cleanup issue that say a loophole that the chief has identified. Essentially, someone could come join the town for three months, retire under VRS and receive our health benefits. [off mic] 31 days.

**Bridge Littleton:** You actually retire. Don't you have to have a certain number of years in service?

**AJ Panebianco:** If they have the number of years when they come here and work one pay cycle, they retire under us with that benefit.

**Bridge Littleton:** Oh under us, I got you.

**Danny Davis:** Ok, so that's that's really a clean-up one.

**Bridge Littleton:** Got it. Understood.

**AJ Panebianco:** [off mic]

**Bridge Littleton:** Yep. Yep. No, I got you. I got you.

**Danny Davis:** You are correct. The focus of our last conversation was on excess leave, annual leave, carry over. But but these are other clean up things that either feel like or appropriate to to clean up or again, to perhaps match. The sick leave pay out actually is partially to protect ourselves. Putting a cap on the sick leave payout. Currently, it's 25 percent and it's only if you retire while here at the town. This would allow you to cash out sick leave if you have certain years of tenure. But it would put a cap on that. So there is a limit to the liability of the town on that payout amount.

**Bridge Littleton:** Ms. Personnel? What do you think? What do you guys think?

**Darlene Kirk:** [off mic]

**Bud Jacobs:** Thanks for doing this, Danny. I also like Darlene, I like all of these proposed changes, but I want to not lose sight of the point that the mayor made about sort of a fundamental reexamination of our staff time. Everybody knows how hard you guys work, but I'm pretty sure if we did an outside consultant desk audit of you individually, we'd be quite horrified at the at the amount of work that we make you do. So I'd like to keep that on our agenda, Mr. Mayor, and hope that we can hope that we can address that problem.

**Bridge Littleton:** And you know, one thing you just said that comes to my mind, you know, [inaudible] we don't have to wait for a new building to address this issue. There's things called consultants. Right. And there's other ways to provide resources that you guys can go home in a reasonable hour and you guys can actually take your vacation. So I don't want to wait two years for new building. Sure. So, you know, and then maybe that evolves into a staff position. But, you know.

**Danny Davis:** Agreed and thank you for that. We are as shared with you, I think earlier today. We are approaching that for some of the current zoning and planning big picture topics. So we'll have those discussions with you in the coming weeks and so we'll continue to keep that as options as well. And then, like you said, that could morph into an actual staff position. Okay.

**Bridge Littleton:** Any other inputs? Is there any action we need to take today?

**Danny Davis:** I leave it up to council. I did not include a motion. You could choose to adopt these as amendments to our handbook, or I can bring it back to the next meeting with the actual amendments in the text.

**Bridge Littleton:** Let's do that.

**Danny Davis:** That's fine.

**Bridge Littleton:** Yep. So we can see it next to everything. And then if there's a motion to put that on there, too. OK, next item is. Yes, it is. Haven't had one of these for a while. [off mic] Take your time. [off mic] All right. Who wants to read the motion. Peter you got it.

**Peter Leonard-Morgan:** I move that council, go to closed session as authorized under section 2.2-311 of the code of Virginia for the discussion or consideration of 1) briefings by staff members pertaining to actual or probable litigation, where such consultation and open meeting would adversely affect the negotiating or litigating posture of the public body related to a requested boundary line adjustment as allowed under subsection A 7. 2) the disposition of publicly held property related to the Asbury Church as allowed under subsection A3. 3) Appointments to the Middleburg Arts Council and the Economic Development Advisory Committee. 4) the compensation of a certain town employee. And 5) the evaluation of the town manager. All three as allowed under subsection A1. I further move that the town council thereafter reconvene in open session for action as appropriate.

**Bud Jacobs:** Well done.

**Bridge Littleton:** Is there a second?

**Bud Jacobs:** Second

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions, OK. Closed session we are in. OK. I ask that council certify to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and to only such public business matters as were identified in the motion by which the closed meeting were convened were heard, discussed or considered in the closed meeting. I would like to remind those present for the closed session that any discussion that occurred within it should be treated as confidential. Chris.

**Chris Bernard:** Yes.

**Bud Jacobs:** Yes.

**Philip Miller:** Yes.

**Darlene Kirk:** Yes.

**Bridge Littleton:** Yes.

**Peter Leonard-Morgan:** Yes.

**Cindy Pearson:** Yes.

**Kevin Daly:** Yes.

**Bridge Littleton:** Great. Remind Danny and staff to move with the employee matter, as was discussed. Now, is there any motion for appointments to any committees?

**Philip Miller:** I move the council, appoint Mike Killian to the Economic Development Advisory Committee to fill an unexpired term said term to expire December 31st, 2021. I further move that council appoint Laura Fulton to the Middleburg Arts Council to fill an unexpired term said term to expire June 14th, 2022.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions. Motion passes. Will real quick in one minute, can you just give the update on. Could you give the update on the zoning stuff for R-2 that we talked about?

**Will Moore:** Certainly. Thank you, Mr. Mayor. So after discussions with the mayor, the town manager, due to a kind of workload that we have in particular with wrapping up approvals for the Residences at Salamander, new subdivision on Washington Street, et cetera, we've been unable to, from a staff level, dive further into some of the potential R-2 amendments to address some of your concerns about the character of infill and redevelopment in R-2 zoning Ridgeview in particular. But we have had some discussions with the Berkeley Group consulting firm, the firm that was the lead on helping us with our comp plan rewrite. Just this past Friday, I had a meeting with one of the principals and their senior planner to discuss scoping for potential assistance with this endeavor. And they're more than happy to to assist us. They've been given all the background. So I'm expecting sometime within the next week or two to get an actual proposal from them for their assistance. And they're prepared immediately thereafter, if we're satisfied with that, to to jump right in with assisting the commission in developing some more more potential revisions for you to consider.

**Bridge Littleton:** Awesome. That's great. Yeah, Darlene.

**Darlene Kirk:** And we do need to move quickly on this. As you know, there's so many being turned over right now and being sold.

**Bridge Littleton:** Will that's great. Really, really appreciate it. As you know, it's a big priority. Okay. Anything else for anybody?

**Danny Davis:** Yes. So I might add he was on vacation, by the way, when he had that meeting with them. Loudoun Laurel's Foundation. Oh, right.

**Bridge Littleton:** The gala for Punkin who got, who is going to be this year's inductee. It's twenty five hundred dollars a table for.

**Danny Davis:** Yeah, for ten people.

**Bridge Littleton:** Ten people.

**Danny Davis:** Oh goodness. I'm sorry.

**Bridge Littleton:** Twenty fifth.

**Danny Davis:** Sounds right.

**Bridge Littleton:** September 25th. So I think we should do it, especially since Punkin is you know. Punkin. She's on every town committee. Yeah. So is everybody good with moving forward with getting a table? [off mic], Philip. Yes, you can. Sure All right. Cool, Danny. So we'll get one table.

**Danny Davis:** One table.

**Bridge Littleton:** Anything else?

**AJ Panebianco:** So the 25th of September.

**Danny Davis:** I will double check that.

**Bridge Littleton:** Bud I've got it on my calendar I'll send it to you. Anything else? All right. Meeting adjourned.