



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, October 14, 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 (arrived late)
Councilmember Peter Leonard-Morgan
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Manager
Olaun Simmons, Assistant Town Attorney
Rhonda S. North, MMC, Town Clerk
William M. Moore, Deputy Town Manager
A.J. Panebianco, Chief of Police
Ali MacIntyre, Director of Business Development & Community Partnerships

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, October 14, 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 6:06 p.m. Vice Mayor Miller announced that he was participating in the meeting remotely from his home due to medical reasons.

Public Presentation

Lieutenant Shaun Jones and the members of the Middleburg Police Department appeared before the Council. Lt. Jones thanked the Council, staff, and community for their support during his illness and advised that he planned to bounce back.

Lt. Jones reminded Council that October was Breast Cancer Awareness Month and opined that everyone had a family member who had been affected by it, including Chief Panebianco and Officer Jason Davis who lost their wife and mother respectively due to breast cancer. He announced that the Police Department was going “pink” for the month and displayed pink police badges, which were pinned on the Chief and each of the officers. Lt. Jones then presented Chief Panebianco with a shadow box containing a badge, Police Department patch and Town seal in memory of his wife, Amy.

Chief Panebianco thanked Lt. Jones and the police officers for their recognition.

Staff Reports

September 2021

Stuart Will, of IES, announced that they completed the hydrant flushing the first week of October.

Town Clerk North advised Council that InvoiceCloud was on track to launch Phase 1 of the Town’s new third-party online payment system on October 29th. She reminded Council that they were required to complete Conflicts of Interest Act (COIA) training by December 31, 2021. Ms. North further reminded Council of the plan to present the members of the Town’s boards, committees, and commissions with appreciation gift bags during their meetings in November. She advised that she would send the members invitations to those meetings.

Council asked that the Town Clerk also resend the link to the State online COIA training.

Town Treasurer Staples advised Council that the staff would promote the new InvoiceCloud payment system to the residents. She reported that the Strategic Finance Committee met last week to hear the audit report from Mitchell & Company and noted that the Council would hear it during their next meeting. In response to an inquiry from the Council, Ms. Staples confirmed the Utility Fund revenues were at 9% because there had only been one billing thus far this fiscal year. She reviewed the major revenue summary chart, which identified the budget, projected revenues, and actual revenues.

Business & Community Partnership Director McIntyre reported that she was continuing to visit the businesses. She advised that she and the Town's marketing firm just completed their first Content Day for two businesses, which included photography and videography. Ms. McIntyre advised that she was taking the feedback she was receiving from EDAC to create a 30/60/90-day plan, which she planned to deliver next month. Ms. McIntyre reported that Christmas in Middleburg had sold two hundred parking passes thus far. She advised that she was working with the Town's marketing firm to create graphics for the Town, MBPA and Christmas in Middleburg websites to notify visitors that there would be limited parking available for the event.

Vice Mayor Miller asked that Ms. McIntyre send him a copy of the content plan.

In response to an inquiry from the Mayor as to when the Town would begin coordinating marketing efforts with the business community, Ms. McIntyre advised that she was working on a social media submission page and would do outreach to the businesses once it was ready.

Town Manager Davis reminded Council that the plan was to coordinate with the Town's partners, such as Visit Middleburg, and was not to directly coordinate messaging with the individual businesses. He advised that the Town would, however, take requests from businesses to share their posts on a specific event on the Town's social media.

Council asked that the staff develop a page to explain to businesses exactly what the Town's contract with Red Thinking involved, including their relationships with the Town and businesses. They suggested the need for guidelines on how the communication stream would work, which would allow the businesses would know what the Town was messaging and when so they could coordinate with it. They suggested the staff touch base with Visit Loudoun to see how they were handling their messaging.

In response to an inquiry from the Council regarding the Virginia Marathon, Ms. McIntyre reported that this race would start and end at The Hill School. She advised that it consisted of a number of races and would be an all-day event. Ms. McIntyre opined that it would be good for the business community to know of it so they could be prepared for the visitors it would bring.

Lt. Jones recognized Officer Bill Nugent, who has stepped up to help with staffing needs. He also recognized Officer Jason Davis who recently spoke during the Friends of Loudoun County Mental Health Walk for Hope. Lt. Jones advised that Officer Davis also recently completed the second part of the FBI Trilogy Program and had only one more phase of this leadership training to complete. He recognized Colleen Bryan for assisting with extra duties not only at the Police Department, but also for filling in at the Town Office as needed.

(Councilmember Kirk arrived at the meeting.)

Lt. Jones advised Council that he received the Unsung Hero Award for some of the initiatives he had done throughout the community during the recent NAACP Awards Ceremony.

Lt. Jones reported that the Police Department ordered new signs to help eliminate parking on Route 50 during Christmas in Middleburg.

Assistant Town Attorney Simmons noted that the Council had the Town Attorney's report and advised that if they had any questions, he would be happy to pass them along to Mr. Crim.

Town Hall Project

Town Clerk North reported that the Streetscape Committee approved the landscape plans and that the site plan would be considered by the Planning Commission during their meeting later this month. She further reported that Downey & Scott had forwarded the Town's and their comments on the 100% construction plans to the architect. Ms. North advised that work had begun on developing the Invitation For Bids (IFB), which would be issued on November 3rd to those general contractors who were pre-qualified. She reported that hazmat testing would be performed on the existing Town Office building next week.

Deputy Town Manager Moore reported that he was meeting one-on-one with the members of the Planning Commission to review the site plan with them in preparation for their meeting. He noted that it was nearing the point of being in an approvable form, with there being only a few minor comments to be addressed. Mr. Moore reported that the Town Engineer, storm water management and VDOT comments had all been resolved. In response to an inquiry from the Council, Mr. Moore reported that a request from Salamander would require a minor change to the stormwater management plans; however, it would not affect the infrastructure. He explained that their request was to flatten the grade.

Mayor Littleton asked that the Town Clerk post the project schedule on the Council Chambers bulletin board.

Update on Holiday and Christmas in Middleburg Activities

Town Manager Davis reported that he was coordinating with the Christmas in Middleburg organizers and the Town's event management firm. He further reported that approximately two hundred to two hundred fifty parking passes had been sold thus far. Mr. Davis reported that all parties would continue their messaging, which would be consistent. He advised that the Christmas in Middleburg organizers were working to get clarity on the bus needs, so they could determine whether any of the Town's funds that had been allocated for this purpose would be needed. Mr. Davis opined that everything was moving forward and that there were no hurdles.

Town Manager Davis reported that the Town staff was working with the Middleburg Business & Professional Association (MBPA) on the remainder of the month's activities, including identifying roles, responsibilities, and a timeline.

In response to an inquiry from the Council, Town Manager Davis reported that the COVID positivity numbers were improving and advised that Loudoun County was now in the substantial transmission category. He opined that the numbers would not get worse.

Mayor Littleton noted that Loudoun County's positivity rate was currently at 8%. He further noted that 70% of the residents were vaccinated, which likely put it at the herd immunity level.

The Council noted that while Loudoun County's numbers may be great, the attendees of Christmas in Middleburg would come from elsewhere. They suggested the staff gather data from last year's visitors to gain an understanding of the positivity rates for their areas by zip code.

Mayor Littleton reminded Council that he conducted an analysis of the Christmas in Middleburg attendees a few years ago. He reported that 94% were from Virginia and Maryland. Mr. Littleton advised that he had the information, broken out by county for those from Virginia, which could be used.

Project Status Update

Town Manager Davis reminded Council that he would be reporting on projects on which the Town staff was working that fell outside of the strategic plan. He reported that staff received an updated cost on the Pinkney Street improvements. Mr. Davis advised that VDOT indicated that a full road improvement project would be needed before they would accept it into their maintenance system. He noted that this meant the Town had two options, the first of which was to overlay the existing street, with the Town continuing to maintain it; and, the second of which was to engineer, design and build a new

street. Mr. Davis advised that the engineering cost would be up to \$20,000 and the improvements cost were estimated at \$400,000. He noted that a simple overlay would only cost \$15,000. Mr. Davis suggested that regardless of the option selected, the Town should look at the road's substructure to determine its condition by doing borings.

Deputy Town Manager Moore explained that doing borings and a strength test would give the Town information that it could use to determine the next steps. He advised that this would cost \$3,200. Mr. Moore suggested that once this was done, the staff could return with a recommendation. The Council agreed with the need to do the borings.

Town Manager Davis asked the Council to think about whether they had a comfort level for a less expensive improvement, with the Town then continuing to maintain the street.

The Council noted the need to look at this from a long-term perspective and noted that at some point, a full reconstruction may be necessary.

Town Manager Davis reported that the Town received a quote of \$30,000 to pave Chinn Court. He advised that the road was not in bad shape; however, VDOT would not accept it for maintenance without this improvement. Mr. Davis reminded Council that they previously approved the overlay. He advised that it would be done either this or next paving season.

Deputy Town Manager Moore reminded Council that VDOT already told the Town what needed to be done in order for them to accept the street into their maintenance system. He further reminded them that the Town obtained a quote two years ago; however, the company was not able to perform the work after all.

Town Manager Davis reminded Council that they agreed to pause the maintenance building project until after the Town Hall Project was complete, at which time its need would be re-evaluated.

Town Manager Davis reported that the Town would issue the IFB for wayfinding signage later this week. He noted that Planning & Project Associate LaClare worked with VDOT to secure the necessary approvals. Mr. Davis reminded Council that this project was a three-part one, which included gateway signs, wayfinding signs and street signs. He noted that the consolidation of the street signs with traffic and other signs would allow for a reduction in the number of sign poles in town. Mr. Davis advised that the goal was for the Council to award a contract in December, with installations scheduled for early spring. He explained that the bid would be broken into pieces so the Council could decide what to do in the event the costs were higher than expected.

Council thanked the staff for securing the four-way stop at the intersection of Pendleton and Marshall Streets. It was noted that VDOT had since painted stop bars on the pavement.

Town Manager Davis thanked Deputy Town Manager Moore, Chief Panebianco and Officer Tharpe for their work in addressing this surprise installation. He noted that the intersection became more dangerous after VDOT installed the signage without notice of the change. Mr. Davis advised that it was a team effort to make them more visible.

Council held some discussion of ways to make the stop signs in town more visible, including lit signs. Town Manager Davis advised that lit signs were an aesthetic issue and noted that VDOT had not yet approved their use. He reported that the staff was continuing to look at options to make the signs more visible.

In response to an inquiry from Council regarding Safeway's replacement of their parking lot lights, Deputy Town Manager Moore confirmed the new lights were not compliant with the lighting ordinance. He advised that he issued Notices of Violation to the property owner, which was not Safeway. Mr. Moore noted that he was also trying to follow up with Safeway's corporate headquarters; however, he was not having much success.

In response to an inquiry from Council regarding the imposition of fines, Deputy Town Manager Moore advised that he would look into that. He noted that it was rare that someone would not address a notice of violation and advised that when it occurred, it usually involved an absentee property owner who was often shielded by a corporate entity.

In response to an inquiry from the Mayor, Deputy Town Manager Moore reported that The Berkley Group would be in Middleburg on September 25th to meet with the Planning Commission to discuss amendments to the Town's zoning ordinance. He advised that he would try to schedule a meeting between the consultant and the Mayor for earlier that day.

Consent Agenda

(A) Council Approval – September 23, 2021 Regular Meeting Minutes

Councilmember Bernard moved, seconded by Vice Mayor Miller, that the 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.)

Action Items

Council Approval – Contract for Well Drawdown Recharge Study - TetraTech

Town Manager Davis reminded Council that the Town received a Virginia Department of Health grant for this study. He noted that JilAnn Brunett, of the former Wellhead Protection Advisory Committee, reviewed the proposal and thought it was a good one. Mr. Davis opined that the results could help the Town analyze the potential impacts to the Town's source water. He recommended the award of the contract to TetraTech.

The Council asked that the staff send Ms. Brunett a letter thanking her for her assistance.

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council authorize the Town Manager to enter into a contract with TetraTech for a groundwater recharge study, in the amount of \$40,000.

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

No – N/A

Abstain: N/A

Absent: N/A

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

Discussion Items

Staff Recommendations – Short-Term Rentals

Deputy Town Manager Moore advised that if it was the consensus of the Council, he would present the Planning Commission with a request for a Comprehensive Plan amendment to establish a policy for evaluating special use permit (SUP) applications for short-term rentals. He noted that while he had no answer as to what the policy should contain, the Council had discussed the issue of saturation. Mr. Moore advised that he had received no comfort level from the Town Attorney as to what that should entail. He noted that the agenda packet contained a graph of the properties that may potentially qualify for consideration of the use; however, he advised that a full examination had not been undertaken to determine whether those properties met all the requirements necessary for consideration of a SUP. Mr. Moore advised that ninety-two properties may qualify, not counting any new development. In response to an inquiry from the Council, Mr. Moore opined that all the properties within The Residences at Salamander would be eligible to apply, as they all met the minimum lot size requirement; however, he noted the need to see the as-built drawings before he could say for sure.

The Council expressed concern about having a large amount of saturation in one location. They advised that they did not want to create “rental neighborhoods”. In response to an inquiry from the Council, Mr. Moore advised that he had not received a response from the Town Attorney as to whether the Town could cap the number of special use permits issued for this use. Assistant Town Attorney Simmons advised Council that he would take the question to Town Attorney Crim.

The Council held some discussion about setting limits on the number of permits issued. Deputy Town Attorney Moore advised Council that the Town Attorney’s office would be involved in the Planning Commission discussions as the Comprehensive Plan amendment moved forward. In response to an inquiry from the Council, he advised that the goal was for the Council to receive the Planning Commission’s recommendation on an amendment during their February meeting.

November & December Meeting Calendar; Holiday Luncheon; Gift Certificates

Town Clerk North reminded Council that they traditionally cancelled the second meetings in November and December as they conflicted with the holidays. She noted that this year, because Veterans Day fell on the second Thursday of the month, the first meeting in November would automatically move to the third Thursday as required under Council’s Rules of Procedure. Ms. North further noted that a special meeting would be needed in December so the Council could consider the award of a contract for the Town Hall Project. The Council agreed to cancel the second meetings in November and December.

Town Clerk North reminded Council that they have traditionally given gift certificates to the Town employees in the amount of \$100 and to regulatory committee members in the amount of \$50 in December of each year. She noted that the Town now had the option of giving Yiftee gift certificates under the MBPA’s new program if desired by the Council. After some discussion, the Council agreed to give the gift certificates again this year. They further agreed to give the Town’s gift certificates.

Town Clerk North reminded Council that they cancelled the annual holiday luncheon last year due to the inability to social distance in the Council Chambers. She questioned whether they wished to schedule the luncheon this year and, if so, for which day.

After some discussion, the Council agreed they wished to hold the holiday luncheon; however, they suggested the need to explore a different venue and to determine how the luncheon could be safely held. They noted that the venue would dictate the date. Councilmember Bernard volunteered to organize this year’s event. Councilmembers Pearson and Daly agreed to assist.

Information Items

2021 Virginia Municipal League Conference Report

Mayor Littleton reported that the conference was a good one. He opined that the Host Night was great, and that Loudoun County represented itself well. Mr. Littleton reminded Council that Leesburg was technically the conference host; however, they embraced the seven-town theme in Loudoun County and made the conference about all of them.

Councilmember Jacobs opined that Middleburg’s host table was nice.

Vice Mayor Miller thanked those who attended and represented Middleburg.

Upcoming Events

Councilmember Leonard-Morgan announced that the Fall Clean-Up would be held on October 30th and advised that Yuck Old Paint and Apex Organics would participate. He reminded Council that battery recycling collections would also occur. Mr. Leonard-Morgan noted that the Sustainability Committee was looking for volunteers to assist with the event.

In response to an inquiry from the Council, Chief Panebianco reported that the MBPA would hold the Halloween Parade again this year, using the same route as in the past. He further reported that the Middleburg Community Center would also hold Hotdog It's Halloween; however, it would be held outdoors. In response to an inquiry from the Council, Chief Panebianco noted that Punkin Lee was handling the messaging for the parade.

Mayor Littleton announced that he would hold his State of the Town Address on October 27th at 6:00 p.m. in the Middleburg Community Center. In response to an inquiry from the Council, he confirmed the seating would be limited and available on a first-come-first-serve basis. Mr. Littleton advised that the event would be live streamed.

There being no further business, Mayor Littleton declared the meeting adjourned at 7:33 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

October 14, 2021 Middleburg Town Council Meeting

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

Bridge Littleton: Oh, great, thank you. We'll call the meeting to order. First item is Pledge of Allegiance. [Pledge of Allegiance] All right, next item is Roll Call.

Chris Bernard: Chris Bernard.

Bud Jacobs: Bud Jacobs

Bridge Littleton: Bridge Littleton,

Peter Leonard-Morgan: Peter Leonard-Morgan.

Cindy Pearson: Cindy Pearson.

J. Kevin Daly: John Kevin Daly.

Philip Miller: Philip Miller and I am calling in remotely from my home for medical reasons.

Danny Davis: Danny Davis, Town Manager.

Rhonda North: Rhonda North, Town Clerk.

Bridge Littleton: Is anybody else? Was Martin supposed to be here? Olaun. I'm sorry. I didn't even pay attention. Apologize. Good to see you again. Ok. Next item is public comment. Is there any member of the public who would wish to address the town council? If so, please step forward. We will close the public comment session and now move on to public presentations. Shaun, I believe you have a presentation you'd like to make. [multiple speakers] [off mic]

J. Kevin Daly: Shaun. Need to line them up in the front [inaudible].

Shaun Jones: All right. First of all, before I even begin this, I'd like to take the opportunity to thank the town council and mayor staff, the whole entire Middleburg community for supporting me during my [inaudible]. It's been a few tough couple of weeks, but I'm planning on bouncing back and coming back and being Middleburg strong. So just bear with me, but I'm going to for it and I appreciate everybody's support. Thank you. Today, here's something a little different. Probably fired when I leave here today, but it's kind of hard to get this thing done. Something like this and keeping everybody having it a secret and trying to get everybody here at one time. As you know, October is Breast Cancer Awareness Month and one of the things that we do for breast cancer awareness month, we all have family members who have fought the fight, continue to fight the fight or have lost the fight. Everybody has been affected by breast cancer. October is Breast Cancer Awareness Month. So without further ado, Middleburg PD we'll be going pink for the month of October to honor those that are, for supporting the fighters, admiring the survivors, honoring the [inaudible] and never, ever giving up hope. That's the purpose of what we are here today. So speaking with this, we all know Chief lost his wife, Amy, to breast cancer. And this is one of the first conversations we had when I applied here when we were sitting outside and we were talking. And I think it's the right time and the right moment to honor the chief and his wife and her sacrifices. But we also have all had family members. Officer Jason Davis contacted me when he found out we were going pink badges. He was excited because he lost his mother to breast cancer. What I found about Middleburg is Middleburg is a sense of family. No matter if you're town council, the PD, town staff. It's a family oriented community proud to be, proud

to be part of the community, and we are Middleburg strong. So at this time, I'm going to save you for last chief, hand out the badges and if you guys can pin your partner next to you. I would greatly appreciate it.

J. Kevin Daly: This doesn't mean you're going steady. [laughter]

Bridge Littleton: How do you know?

Chris Bernard: It doesn't mean they can't.

Bridge Littleton: It's not prohibited. [multiple speakers]

Shaun Jones: Again, we should not forget our administrative secretary, Colleen as well.

J. Kevin Daly: Stand up and come forward. Those are Day-Glo.

Rhonda North: Can't miss those match Cindy's mask.

Bridge Littleton: John, don't mind if you. Don't worry if you stick him. A little prick is not that bad of a thing.

J. Kevin Daly: [off mic]

Shaun Jones: And before we go, to add to your collection chief, we would like to present you with the shadow box, fake badge, town logo, our patch in honor of Amy Panebianco, a wife, mother and [off mic][applause][off mic] We are officially pink.

AJ Panebianco: Thank you, guys. Thank you, Shaun. Thank you guys for keeping the secret, at least I know they can keep secrets. He was avoiding me all day, so [inaudible]. But thank you, guys. It means a lot. Amy was a great wife, a great mother and a great nurse, and you guys were part of it. We got the pictures with everybody with their tongues out and just. Middleburg when I tell stories about how you can't buy what you get in Middleburg anywhere else. This is one of the stories I start with is how you guys reacted when Amy had [inaudible]. So thank you, guys. Thank you all so much. It means so much. [applause]

J. Kevin Daly: Let's get out there and keep the streets safe. [off mic] Take care guys. Stay safe out there.

Bridge Littleton: Moving on with staff reports. Good to see you.

Stuart Will: [inaudible] Oh, I have my hair somewhat tidy now [inaudible].

J. Kevin Daly: I like the way you're letting your hair down now.

Stuart Will: Anyone have any questions?

Bridge Littleton: Any questions for Stuart?

Stuart Will: We did flushing. [off mic] My wife, actually. My wife. We were married not a year, and we bought a pair of the Clippers. And she's just been buzzing my head periodically ever since. And I'd hate to think how much money I've saved.

Bridge Littleton: You were going to say something. The flushing?

Stuart Will: Yeah, we did. Flushing our first week of the month. Anybody notice anything positive or negative other than you?

J. Kevin Daly: Everything came out clear.

Stuart Will: Ok good.

Bridge Littleton: Well, brown water mile area. Oh yeah. But it was gone pretty quick. [off mic] Any other questions for Stuart? Stuart, thanks. [off mic] Rhonda? Anybody have any questions for Rhonda on her report?

Rhonda North: Mr. Mayor, just to let you know that as of now, we are on track to launch Invoice Cloud, at least the utility payment phase on October the 29th. I did want to remind council that they are required to take COIA training this year need to do so by December the 31st and let me know. So for anyone who has not taken it yet this year, you know, just a reminder. And next week we'll be putting together the gift bags to present to the volunteers on the Town's board commissions and committees to distribute next month during their meetings. So if anyone's available to attend that and I'll send you invitations for those to present it and thank the members for their service, we would appreciate it.

Bridge Littleton: Any other questions for Rhonda?

J. Kevin Daly: Did you send us a link to COIA?

Rhonda North: I can resend the link to COIA. And maybe

Chris Bernard: And maybe remind us if we've done it or not. I have no idea if I did it or not. [off mic]

Bridge Littleton: Send them the link anyway. [laughter] He wants to do it again he had so much fun.

J. Kevin Daly: It's scintillating, especially when they put the view graphs on. It makes me feel like a superhero. [off mic].

Rhonda North: I think Bud's taken it twice, actually. I think he took it online and then took it during the VML conference. [off mic]

Bridge Littleton: He didn't feel conflicted. [off mic] Ok. Treasurer's report

Tina Staples: Thank you. Well, Rhonda already talked about Invoice Cloud, which she said that we are getting that up and running at the end of the month, so we'll be working on promoting that for the residents and putting out some marketing information for that. We met with the Finance Committee yesterday and went through the audit and everything is in great shape and Sandy will be here at the next council meeting to present it. Are there any questions?

Bridge Littleton: Any questions for Tina?

Peter Leonard-Morgan: Just one, really. I think I know the answer, but I just wanted to check again it's the utility fund is nine percent of budget, and that's just a timing thing, isn't it, because they go up every two months. And so really, even though we're, you know, twenty five percent of the budget year, we've only sent out one bill, right?

Tina Staples: That's correct.

Peter Leonard-Morgan: Still waiting for funds to come in.

Tina Staples: Yeah, right. The charts that are in the back can be helpful as far as projecting some of the revenues. But when they come in because they definitely do not evenly throughout the year. So yeah, you'll see big jumps up when the bills go out and then the month that they don't, you'll see a [inaudible] Yeah.

Peter Leonard-Morgan: And I just one other thing I was going to ask. In the page eight budgeted revenue. It's a major revenue funds, so budgeted revenue and then budgeted revenue. But they're different, right? The blue line is budgeted revenue.

Tina Staples: The blue line, yes, the blue line is your budget and how we plan out the budget throughout the year for the revenue side. The red is your projections for the year. And then the green is you're actuals? Yeah. So but it's all dealing with your revenue funds. Yeah, I was just really thinking about that one line where.

Danny Davis: So the top line budget revenue that is the monthly total and then the blue is the cumulative. Yes, sir.

Bridge Littleton: Any other questions for Tina?

Tina Staples: Peter, if you have any other questions about I'm happy to. [off mic]

Bridge Littleton: All right. Thanks, Tina. [off mic] Not for you. People who took COIA don't get it. And that's all there were. Ali.

Ali MacIntyre: [off mic] I just wanted to go over the highlights so I have been here a little over a month now, so far so good. I've been visiting businesses, just going around, introducing myself and popping in. Some are scheduled, some are not. I've had some calls and some Zooms as well. I've been working with our marketing firm. We actually just completed our first content day to day with two of the Middleburg businesses and went really well. And we did photography, videography and it is great. We're in constant communication via Slack and e-mail, and the relationship so far has been going very well. Let's see. Additionally, I've been taking some of the feedback that I received from EDAC to create a 30/60/90 day plan and I'm working with [inaudible] to deliver next month. And then for Christmas in Middleburg, I did hear from the organizers today and they've sold two hundred out of the thousand parking passes. Yeah. And I'm currently working with our marketing firm to create a graphic that will pop up on our town website, MBPA's and then the Christmas in Middleburg site to just alert the visitors that there is limited parking just so they, you know, just trying to get the message out.

Bridge Littleton: Philip, did you have something?

Philip Miller: Yeah, I'd like to see that content plan when you have a chance, if you could just send it over to me.

Bridge Littleton: Anyone have any questions for Ali. so I have a couple real quickly. So and this is all just to come up in the last two days. So Red Thinking, if I recall this correctly, part of their contract and you tell me if I'm wrong is to, you know, it's to have that outreach with the businesses and try to. Coordinate as best as possible with them, how they do what they do and how we're going to do what we're going to do. Now if a business doesn't want to play, you can't force them. But because I had two business owners ask, Hey, I thought that was going to be happening. When is that going to get started? Because we really want to be in sync and all that kind of stuff. So where is that?

Ali MacIntyre: [off mic]

Bridge Littleton: Yeah. So like, you know, retail store XYZ wants to align what they do and how they do it with what Red Thinking is going to be doing on the town's behalf so that they wouldn't send out a post to the same building that we send that one three hours later, you know what I mean? Like that kind of stuff. So anyway, and I know we had talked about that would be part of their contract. And, you know, because we had problems in the past where you'd have Visit Middleburg would have a post and then Middleburg Town would have a post three hours later was the exact same thing. So it's like, you know, cross message, you know, muddling the message. So the question was, you know, I know Red Think is just getting started, but you know, when's that more coordinated action with them and participating business is going to start to happen?

Ali MacIntyre: So we are currently working on I believe it is live we have a social media submission page. So they can send in their material to be put out so it is still in progress, we haven't really gotten too far yet in that. But we do put in an outreach into the businesses both directly and through the newsletter and then obviously just through word of mouth [off mic].

Bridge Littleton: Ok. I think part of it though, was that not them sending in us stuff, but part of it was and again, correct me if I'm wrong. And Philip, you may know this better than anybody. But I thought part of it was that for businesses who participate with Red Thinking and us, it was going to be coordinated back and forth.

Danny Davis: So not quite. The coordination was more specifically with our direct partners, which would be Visit Middleburg primarily. But there was never an intention. I'll put it that way for us to directly coordinate posting with every single other business in town or those that wanted to participate. We have a schedule of what we post, and as Ali mentioned, we will take requests for posts from businesses if they have a specific event or subject matter that they would like to get posted on our social. But to try to coordinate all the social events.

Bridge Littleton: I get it, I get it. [multiple speakers] So then I think what the maybe like it's a one pager that you take to every business, what is the actual nature of the relationship between Red Thinking and the town and the businesses? Because it was interesting two separate, totally disconnected business owners were like and one was actually just over at Salamander was like, you know, oh, I thought we were to start coordinating stuff back and forth. How do we do that? I'm really excited. I was like, OK. So just them understanding what the real real is is going to be important

Chris Bernard: [inaudible] what are they going to be doing? What can you do as a business to maximize what they're doing. [off mic]

Bridge Littleton: Yeah. And what we're not going to do. Right? Yeah. Yeah. Ok, then.

Philip Miller: And guidelines for how that communication stream happens. So when we put out our general content calendar doesn't necessarily have to be filled in with the actual individual pieces of content, but then they know what we're messaging when so that they can plan accordingly. And if there are things that sync up with their marketing programs, they can put them in when it works, you know, to maximize the messaging.

Bridge Littleton: The only other thing I was going to say, I'm going to be very delicate about this. So I was talking to Beth Erickson and given the nature of some of the, controversy going on in the county as they're doing their economic development posting they are they were getting like, just know, hi, this is Middleburg Loudoun or this is, you know, [inaudible] country Virginia. And then it would go into all this stuff that was just so they're managing it in a different way. I don't want to go through what it is. You and I can talk about it later, but I don't know if we've had any of that on our stuff, I doubt it. But it would be good just to touch base with her and let just so she can. Because I said tonight, you know, can we have Ali call you because she said it was getting like massively out of control and we just need to be prepared if there's a spill over. [off mic] Yeah, I mean, it was like there was one post that somebody did and said something it's got like three point eight million impressions in two days on a Visit Loudoun post. [off mic] Yep. And you know, there's a ton of stuff going on. [off mic] And yeah, so Visit Loudoun was just having this, just getting inundated with this stuff, you know, like it's the pumpkin patch day. And you know, so anyway, yeah, just touch base with Beth in case it happens, OK, that was all I had. Thanks.

Peter Leonard-Morgan: What is the Virginia Marathon? Is it a race around here?

Ali MacIntyre: So yes, it actually starts and ends up The Hill School. I saw the timing on the site. I can't remember the exact putting it on, but it's going from 5:30 to 6:30pm. So they have a 5K, 10k, a half and a full. [off mic] So it's an all-day event, so I thought it would be a good for businesses to know about just so they can prepare themselves. People will probably be hungry and thirsty and want to shop. [off mic]

Bridge Littleton: AJ. Shaun. Estee. Oh, you're letting him do it. What a nice guy.

Shaun Jones: All right. How's everyone doing? All right. Well, good evening. I just want to update you with some of the things that the police department has been doing. First of all, we like to recognize Officer Bill Nugent. He's one of our part time officers. He's whenever you call Bill, he's there to step up if someone were to need it. Since I've been out sick and we had some other illnesses Bill has stepped up and been a tremendous part of our team here at Middleburg PD. Also Jason Davis. He represented the town. We was a guest speaker at the Friends of Loudoun County Mental Health Walk for

Hope. Jason did a wonderful job there and the chief received a text from Sheriff Chapman confirming how well Jason did at the event. So we're very proud of him for that. Jason has also just completed his second part of the FBI trilogy program. It's a leadership program that is three parts. So he has one more part to complete and then he will get his [inaudible] trilogy award. We definitely would like to commend and thank our administrative assistant, Colleen Bryan. She has stepped up to take care of extra duties at the police department, and whenever the town hall needs help or assistance, she gladly goes and goes in and comes up as best as she can last week. Last Saturday night [inaudible] chapter of the NAACP had a Zoom award ceremony, and I was lucky enough. They nominated me and I received the Unsung Hero Award for some of the initiatives that I've done throughout the community. Our team is planning for Christmas in Middleburg. It is going very well. But we've also ordered some new signage to help kind of eliminate some of the parking spots on Route 50, about a hundred and fifty park spots there. And [inaudible] for our police department.

Bridge Littleton: Thank you, Shaun. Anybody have any questions for Shaun? Well Going once, going twice.

Shaun Jones: And once again, I appreciate all the support. Thank you, everyone for everything. And like I said, I'm fighting and ready to come back to work, so I'm here for the call. Thank you, guys.

Bridge Littleton: All right. Olaun.

Olaun Simmons: [off mic]

Bridge Littleton: Any questions? Ok, thank you. Well, you got lucky. All right, next. Town Hall Project Ms. North.

Rhonda North: Thank you, Mr. Mayor. So the the streetscape committee met this morning and approved the landscape plan. So the site plan will now be going to the planning commission the end of this month for their consideration and hopefully adoption. The town and Downey and Scott have submitted their comments to the 100 percent construction plans to the architect. So we have now begun work on preparing the IFB, which is on track to be issued to the 11 general contractors who have been pre-qualified to bid on November the 3rd. And in conjunction with that, we need to do some hazmat testing on this building to so we can identify in the in the IFB any hazmat materials that need to be removed. That testing will occur the middle of next week. So you may see little pieces cut out here and there as they they test some of the materials for this building. But project is continuing to move along nicely.

Bridge Littleton: Any questions for Rhonda?

Bud Jacobs: Rhonda, Are we, is the planning commission, do you know, getting set to review the site plan for town hall?

Rhonda North: Yes. [off mic] Yes. Yes, the VDOT stuff is done. Will can report on what the VDOT results were.

Will Moore: So Mr. Jacobs knows the plans. The site plan has been distributed to the planning commission. I made offers to meet with commissioners on a one on one basis between now and the meeting on the 25th to go over any concerns or just walk them through the plan because not all commissioners are used to seeing a full blown site plan [off mic]. So in terms of its status, it's nearing an approval-able form. There are only some minor comments [inaudible] that need to be worked out. But the bulk of the review by [inaudible] consulting engineer [inaudible] which is a major hurdle by VDOT [off mic].

Bridge Littleton: Hey Will, real quickly, is everything done with Salamander?

Will Moore: It is not. It is not. Town Manager and I have been working with them. There are some minor changes that we're going to propose to the grading of the village green. However, working with our engineer, it does not appear, although it will require another review by [inaudible]. Essentially, the revised grading is not going to affect our storm infrastructure, so there will be very minimal, if any, impact on that additional review. But we're going to try to flatten it out a little bit so that there's less grade differential between when and if a [inaudible]. So we've been working with those folks to try to come up with what I think will end up being a better design overall. We're working through this [inaudible].

Danny Davis: Our engineer provided a plan and we're just waiting to hear back. We'll probably hear from Salamander early next week.

Bridge Littleton: Thanks, Will. I appreciate the schedule. This is great. So let's just flip it, horizontally and put this in the cork board. That'd be great. Ok, any other questions for Rhonda on the town hall? All right, next item is review of plans for Christmas in Middleburg. [off mic] Oh, OK. well we can do Christmas in Middleburg first, I'll go back. Danny.

Danny Davis: Thank you, Mr. Mayor and council members, we've been continuing to coordinate with the organizers of the Christmas parades and our event management firm. And we meet weekly currently at this time. As mentioned, they've sold somewhere around 200 250 parking passes already and that that all happened pretty quickly. And we're continuing to get that message forward and create consistent messaging across all three organizations. We'll also continue working on the items listed out here and as they continue looking at the need for bussing, they'll get clarity on what that looks like and if any or all of the funds allocated by the Town Council are needed to support them in that effort. So all is go right now and again, we're working forward and don't see any hurdles or major roadblocks as it relates to the other activities throughout the month. We're working with MBPA now that the fall races are over focusing on that a little harder and we're setting up some meetings on that, I believe next week to get more specificity about roles, responsibilities and timelines and working to make that happen so it's a month long celebration.

Bridge Littleton: Very cool. Anybody have any questions on Christmas in Middleburg?

Peter Leonard-Morgan: Yeah, really, it's just a question about an update us on what you understand about the situation with COVID. So I believe it's improving.

Danny Davis: It is improving a bit now. I did not look today. I looked a day or two ago. We actually Loudoun county itself had dropped into the substantial transmission instead of high transmission just based on cases over a seven day period of time. So it's trending in the right way. Again, that's all dependent upon cases that are reported and testing. So. But that being said, we do not see it getting worse. I'll put it that way.

Bridge Littleton: We were I was on a call earlier this morning with the county, and I think the latest number is we're at eight percent, which is substantially better. And the question came up of has Loudoun county essentially achieved herd immunity? So about 70 percent of the county is vaccinated. And then there's the percentage of people who actually got COVID. And so that counts in the whole herd immunity thing. And the answer was the jury's still out, but it's very likely.

Chris Bernard: [off mic]

Bridge Littleton: Yeah, they have a whole formula that they, you know, do all that stuff with. So but yeah, so Chair Randall and said that Dr. Goodfriend was working with the guys in Richmond to sort of figure out, you know, what that dynamic looks like and have we hit that sort of precipice where, you know, it will continue to decrease because the vast majority of people are either vaccinated or already had it and so have a natural immunity, and so the spread will start to go away.

Peter Leonard-Morgan: Cautiously optimistic.

Bridge Littleton: I think that's a fair way to say it.

J. Kevin Daly: Also, it brings up the question if Loudoun County is doing great, we're also surrounded by other counties and on Christmas in Middleburg other counties also have people coming in. In some cases, other states come in. We are now listed as one of the top 10 best small towns to come and visit.

Bridge Littleton: Well, I rate it number one, but you know, who am I?

Philip Miller: Yeah, well, I think, Kevin, I think Kevin's got a great point. If Jim has any data from past years, sales of parking passes. Maybe we can overlay and get a just an understanding of the transmission rates in those zip codes.

Bridge Littleton: Well, I think that would be really difficult, but I don't know how we get zip code data in Maryland or Pennsylvania, but I will say I actually did get the data. I did a, you know, not infographic. I did an analysis for Jim in 2019. So he sent me his spreadsheet that had the zip code of everybody who had bought a parking pass. And it was something like ninety four percent of the people were from Virginia or Maryland. And so six percent was like, you know, Maryland, West Virginia, Pennsylvania. Not really many from the. Some people from Delaware. And then there was like, you know, was interesting. One was like Germany and one, you know, couple from California flew out here. But so Philip, I have that. I actually have the breakout percentage by state. So we could probably just use that to, you know, as a sort of a thumbnail where it is. But in Virginia, I actually also broke it out by county that the person came from. So you could see I mean, I mean, Arlington, Fairfax, it was huge, you know, as you would imagine and Loudoun. So let me find that I'll send it to you. Yeah Bud.

Bud Jacobs: I think to answer your question. Arlington County and Fairfax County are in real good shape. Just as Loudoun is, I think once a question is what the rest of the state looks like because that's going to be one of the data points the governor uses should he decide to take any precipitous action, shall we say, and I know down in the southwestern part of the state, it's not good at all.

Bridge Littleton: Yeah, I think he's even start to get towards Clark County. It's not as good. Project status update.

Danny Davis: Thank you, Mr. Mayor. And have Will as well here to go through some of these. We did want to start recurring the the updates for you for projects that are kind of outside of your strategic plan. And these are ones we've been working on either for a number of months or a number of years. Happy to walk through each of these specifically and briefly on the Pinckney Street improvements. We do have some updated figures related to these potential here, and I think maybe it'd be better to start if I can just take a minute to give a big picture. Look at Pinckney. Will has been working with J2 our engineers, and if you recall, pre-COVID we were trying to work with VDOT and then even during COVID with a transition of leadership in VDOT, tried to make inroads to say this road, Pinckney should have been accepted at some point. We're not sure why. What happened would you take it in its current status if we just did a mill and overlay or some kind of, you know, pavement of it. The VDOT essentially came back and said, No, you're going to need to fully design it and get it approved to standards and then do that work to get it up to those standards for it to be accepted by VDOT into the system. So that's kind of, you know, marker number one is saying, no, we won't just take it as is or even just with a new coat of asphalt. So then from there, we have essentially kind of some divergent potential options in front of you. One is to simply take the pavement that's there. Do an overlay of it. Basically a big patch job, if you will. It's just a straight overlay, and the town maintained the road and continue to maintain it. It's traveled. It's not one of our most heavily traveled. VDOT sometimes maintains it anyway in terms of plowing and all that, but that wouldn't be a guarantee if we maintained ownership of it. An alternative is for us to go through the engineering and design process to actually figure out what type of improvements would be necessary for VDOT to accept it. We estimate and again updated figures from what we have in the report here from J2, they say probably between 15 and 20 thousand to do that study, probably on the higher side, it's probably close to twenty thousand to do that study. That will then get us an idea of perhaps. A couple different alternatives one might be to do improvements at a certain base level that still may be more substantive than just paving over top of it, but maybe not to the acceptance of VDOT, but would be a more structurally involved improvement or the big option would be an actual whatever it would take to get VDOT to accept the road. And we do estimate that that could be a significant sum of dollars if a full depth re construction were required without any other potential stormwater or other improvements. The estimate there was pushing \$400000 to to simply to simply overlay with two inches of asphalt over what's there and do a little cleanup on the edges would cost around \$15000. So we're looking at some various orders of magnitude as we look at this. We have a suggestion for forward for your consideration and then we'll take any questions or ideas for any of these scenarios. J2 recommends and Mr. Moore fully supports the recommendation to do borings. Borings is where you go six inches deep, eight inches anyway, you go deep and you literally get a picture of the substructure of the roadway. the paving company that gave me the estimate for for simply just paving on top. Doing an overlay is he was not quite sure if there was actually any substructure to that roadway in terms of underneath the current pavement because it in areas is pretty thin and very weak.

Will Moore: So the risk of doing that we could pay fifteen thousand dollars to overlay it and it could turn out just like South Madison and South Pendleton right after VDOT did their mill and overlay on the south side of town, where it

immediately began to [inaudible] again because of inadequate substructure. So the borings and the associated strength testing that would go on with that would give us an idea of regardless whether we pursue an avenue where we would maintain it or we would pursue VDOT [inaudible] acceptance, it would give us the information we would need to take that next step. And that's about a 32 hundred dollar process to do the boring and the strength study. So that would be a recommendation based on what we get there, we can then come back to you and better flesh out those kind of divergent options of whether we would seek, continue to seek VDOT acceptance or whether you would want us to continue to maintain it.

Bridge Littleton: So I mean, I think clearly we need we need to to the sampling to know what we got, and that's going to then tell us what we have to do going forward. I mean, anybody.

Peter Leonard-Morgan: I agree. I just wanted clarification. Did you say \$400,000 potentially?

Danny Davis: And that's for.

Will Moore: And that's a rough estimate and that would be full depth reconstructions. Essentially everything VDOT did [inaudible] project on the north side of Route 50, where they take [inaudible] and top coat [inaudible] and they actually get into the substructure and remove it and reconstruct the substructure. [inaudible] It's below dirt, actually, it's removing dirt and replaying the substructure [inaudible].

Bridge Littleton: So if I read it right, what you guys are saying is we need to do this boring to understand that. Got it. That's about three thousand five hundred dollars. Good. From there, it'll give us a picture of do we have a ten or fifteen thousand dollar issue? Do we have a thirty or forty thousand dollar issue? Or is it one hundred to four hundred thousand there after that.

Will Moore: Just one clarification. Danny mentioned J2 doing a study of [inaudible] that would actually be the design if we decided to go forward with seeking VDOT acceptance and it would require some sort of reconstruction, whether it's the 120 or 300, [inaudible] that 20000 would actually cover the design of this, the study really is the boring and then a couple of meetings with J2, which will be very low cost.

Bridge Littleton: Got it. So, I mean, I guess do the boring see what it tells us?

Danny Davis: And then I would ask council to just be thinking through, you know, philosophically as well, you know, whether there's comfort level with the town, if it appears reasonable to to do some sort of less expensive improvement to that roadway for the town just to continue maintaining and owning that road. But again, we'll have that information for you to make a full determination.

Bridge Littleton: Is it fair to say that at some point in the future, 20 years from now, 30 years from now, the full depth reconstruction will have to be done.

Will Moore: I can't really answer that [inaudible].

Bridge Littleton: I mean, eventually you do, right, I mean, you will you eventually get to a point where I'm asking, right?

Will Moore: Not necessarily. [inaudible] Chances are it wasn't done right. Just you know that was VDOT's evaluation essentially that everything [inaudible] that they already maintain it. I have no reason [inaudible].

Danny Davis: The level of traffic, I think is partly what determines the lifespan of a road like that.

Bridge Littleton: I got it, I got it. I just like, you know, I'm just trying to think long term in my mind, you know, is this is this just cost pushing it down the road that we're going to eventually have to eat it, even if it's 20 years from now? I'm just trying to think about that.

Will Moore: It might be, I will say, once a road is constructed correctly, full depth reconstruction is not inevitable. I mean, the road could last hundreds of years as far as the substructure.

Bridge Littleton: Okay, that's helpful. Ok. Any other questions on that one before we go to the next one?

Danny Davis: Ok, next one I know we've been talking about for a while. As well as getting Chinn Court the small little cul de sac off Chinn Lane accepted into VDOT. I also had the same paving company. Give a quote for doing that project. And lo and behold, it actually came in lower than what we've shown here in the item, somewhere in the range of \$30000. Maybe a few extra dollars for the VDOT tie in permit, but this is one where again should have been accepted by at some point was not. The road itself is not really in terrible shape, but they have said without any effort to work with us, that they will not accept this road unless we do x y z improvements so we can get that done for about thirty thousand. I believe council has given us prior approval to do that, so we will intend to move forward with that unless there's concern from council. It may be able to get done this season if they have openings in their schedule. If not, it would not be until the paving season opens, which is essentially late May or early June of next year.

Will Moore: And the difference with Chinn Court as opposed to [inaudible] is VDOT has already told us this is what we have to have [inaudible] this much material from the top and reconstruct it in a certain way. So we already know what that specification is and there's no additional planning [off mic].

Bridge Littleton: I mean, I thought we approved this like two years ago.

Danny Davis: We were, we were. Yes, you did. We were waiting on some.

Will Moore: We were unable to get the original paving company that had given us the estimate to actually perform the work and we farmed it out [off mic].

Bridge Littleton: Ok, next one town maintenance building.

Danny Davis: This discussion, last time we discussed with council, we suggested and I think at the time it was, I hope, agreed upon by council that we would put this on pause until we get through the town hall project and just see really what our operational needs are at that time. I'm getting nods of heads. That's generally good.

Bridge Littleton: All right. Wayfinding.

Danny Davis: Wayfinding. We intend to issue an invitation for bids, I believe, tomorrow. So it took again a number of months more to get VDOT approval out of this. But kudos to Estee for tracking through that and for getting that through both the design team, which was a combination of some council members as well as HDRC and another member. Yeah, streetscape. Anyway, so we have the gateway signs and this is a kind of three part project. We have the gateway signs, which are the entrance signs. We have the wayfinding signs which are wayfinding to limited locations throughout the town, along with a directory that will go at our at our parking lot. Or is that secondary?

Will Moore: [off mic]

Danny Davis: And then the third phase or third part, I should say of this is the consolidated street signs program that I know you guys have also been very much paying attention to. That's replacing the the old, potentially broken, rusted signs with the names of the streets and consolidating those street names onto stop signs or other signage to limit the number of poles all throughout the town. [off mic] So our goal there is issue that IFB, have that for your for council to award a contract in early December and then work with them for installation in the early spring. And at this point, we have honestly, I will be fully honest. I have no anticipation or expectation of what the costs may come from this invitation for bids. And so we are asking them to break it out into different pieces so that we can when we bring that back to you. If the cost is something that you're not comfortable with, we can say we'd prefer to do this piece of the project or that piece of the project, and the rest of it could wait for a second phase or another time.

Bridge Littleton: Any questions?

Peter Leonard-Morgan: Just an observation. Thanks so much for the surprise four way stop. [laughter]

Will Moore: Nice improvement. They have since put in stop bars, stop bars on Marshall Street. I think those went in sometime yesterday. [inaudible]

Danny Davis: And I will say thank you to Will during VML, to Will and Chief and Officer Tharp that jumped on it right away because it was actually more dangerous having them without any notice than not having them. [off mic] Yes. So it was a team effort to get it, you know, visible. And the message out there

J. Kevin Daly: In regards to stop bars intersection of North Jay and Marshall Street do not have stop bars on the street.

Will Moore: The majority of our intersections do not have stop bars [off mic].

Darlene Kirk: I think the question is, have you seen they have stop signs now that are literally lit all the way around it? Can we get something like that maybe, you know, to put on at night so people see it to and are aware.

Danny Davis: So we've we've discussed that there are some challenges with that. Some some visual aesthetic, some also. I'm not so certain that VDOT has actually approved those in any locations. The places I've seen them have been in places where VDOT doesn't maintain the roads, but it's a city maintained or or otherwise. We'll continue looking at options to make them more visible.

Bridge Littleton: You just made me think of something. Oh, Safeway, replace their lights. Or some of their light fixtures on the back side of the building. What's that. Well, I mean, like in the last couple of months, the ones in the back here.

Danny Davis: It's probably a year ago.

Bridge Littleton: Are those compliant?

Will Moore: They're not. I have issued a couple of violation notices. The problem is that [inaudible] which is unresponsive entity. I'm trying to follow up with previous contacts that I've had with the corporate structure to try to get it to be addressed. But have not had success.

Bridge Littleton: So one thing we talked about about a week ago was fines and penalties for people not being in compliance and stuff like that, right? I mean, we don't want to be onerous. It's not about making money, but it is actually about making, you know, I mean, people respond to positive and negative reinforcement behaviors change with positive and negative reinforcement, so we're not going to pay them to take the lights down. So how do we have an enforcement mechanism other than sending letters and being nasty that is meaningful. And then ultimately, like, hey, you've now racked up whatever three thousand dollars' worth of fines. We'll put a lien on the property.

Will Moore: It's something that we can look further into, these occasions are rare but occasionally and it almost without fail has to do with a property owner who is not present and oftentimes is shielded by a corporate entity, an LLC, something like that and tracking them down is next to [inaudible]. I don't know what the answer is at this point. [off mic].

Will Moore: Got you, Darlene.

Darlene Kirk: [off mic]

Will Moore: [off mic] [multiple speakers]

Bridge Littleton: How do you know when it was?

Darlene Kirk: Because I've been in my house for a month and a half.

Bridge Littleton: [off mic] Right before you went to hiding. Ok, we'll circle back. I've got a couple ideas. Last question real quickly. I should have asked it when Rhonda had it. You had sent me an email about Berkeley being here next week.

Will Moore: The twenty fifth.

Bridge Littleton: Or the twenty fifth? Do me a favor, I don't think. Hold on. I'll tell you right now.

Will Moore: I have asked them what time [inaudible]

Bridge Littleton: The 25th works, that's fine. I just want to make sure I, you know, because I didn't see a confirmation come back and I just wanted to make sure I didn't miss it.

Will Moore: As soon as I get a confirmation from from them as far as what time of day might work best, I'll shoot you [inaudible].

Bridge Littleton: Ok, perfect. Thanks. All right. Next is the consent agenda. Anybody want to remove the one item from the consent agenda? All right. Is there a motion?

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

Philip Miller: Second.

Bridge Littleton: All those in favor say aye.

Everyone: Aye.

Philip Miller: I said aye.

Bridge Littleton: Opposed, abstentions. Ok, consent agenda is approved. Next item is the award of well draw down recharge study.

Danny Davis: Mr. Mayor, the short answer here is we've received a grant from VDH to conduct this. This is something that the council has been anxious to get done, and so we have a firm that responded to our RFP. They are the experts in this area to do this kind of work, and it falls within the amount of funding that we have from VDH to conduct this work. I had Jilann review this from her expertise and her history, and she thinks it's a very good proposal and a very good first step. There may be potential additional steps after this if necessary, but this is the information we've been looking to gather and is the a very good report that will help us analyze impacts potential impacts to our source water. So we're recommending approval of the contract to TetraTech.

Bridge Littleton: Any questions for Danny?

Bud Jacobs: No questions from me, but I want to throw some kudos to Jilann's way for staying on top of this. This is an item that was featured in the source Water Protection Committee's strategy and in those discussions, as I recall, now what four years ago, three years ago, Jilann was the one who led the charge on getting this particular study done. So I'm so delighted that the utility committee and Danny stayed on top of this. I think Ms. North may have had a hand in drafting the grant proposal?

Rhonda North: No, not this time.

Bud Jacobs: Oh, who did it? You did it. Well done. Almost as good as Rhonda.

Danny Davis: Almost as good. I'm learning from the I learned from the best.

Bridge Littleton: We still got it. We must have been the only submitter.

Bud Jacobs: Anyway, thanks to all this is, it's so arcane, but it's so important. So I'm glad it's being done.

Bridge Littleton: If we could, it'd be great if you guys send a thank you note to Jilann. Ok. Would anybody like to make a motion? Peter?

Peter Leonard-Morgan: I move that the town council authorized the town manager to enter into a contract with TetraTech for a groundwater recharge study in the amount of \$40000.

J. Kevin Daly: Second.

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

Everyone: Aye.

Bridge Littleton: Opposed abstentions. Ok, passes. Next item is staff recommendation on short term rentals. Mr. Moore.

Will Moore: So you have my memo. It's not a lot of new information here. Basically, if we have the consensus of counsel, what we would do is go to the planning commission and pass on the desire to pursue a comprehensive plan amendment that would establish some policies which would surround the way in which you would evaluate potential special use permit applications that would come in regarding this. We don't at this point have any. Absolute answers as to what those policies might be. You know, we've talked about different ways to possibly address concerns around saturation of the number of these, whether it be town wide or in any individual neighborhood. I don't think we've we've reached a level of comfort for Martin as to what those answers might be yet whether it's a separation requirements or percentage requirements, those kind of things. But the one thing we did prepare for you just to accompany the report is is a graphic kind of a map representation of existing properties in town. So with that, the different colors or the three different zoning districts in which the use can be considered and then within those where you see the green dots, those are just again. It's just a cursory analysis using some some of the basic pre qualifiers that gives you an idea of where these could potentially be eligible. It's not a full examination, so we don't necessarily know that all of these would be able to meet off street parking requirements to accommodate the uses. But this rough guess gives you approximately ninety two properties existing already in town without any new development that could potentially be eligible to apply for special use permit. [multiple speakers] [off mic]

Bridge Littleton: And that's also townhouses, which don't. [off mic] Yep, yep. Hey, Will, let me ask a quick question. I'm assuming that at the Residences at Salamander, all of those would qualify.

Will Moore: It appears. So I can't answer that until I actually get zoning permits and actually see as builds of the construction, but they had on their construction plans potential house sightings. I will say they all meet the minimum lot area requirements and they intentionally designed these so that, it's my interpretation that they intentionally designed the siting so that all would be eligible. There's maybe one situation where two properties might be coming really close to that 25 foot separation, but it appears that all 49 would likely be eligible.

Bridge Littleton: I thought one of the things we wanted to be careful of was you know, being thoughtful of that. So that's a lot of saturation, all in one spot. And the whole idea is that we don't create rental neighborhoods. So, OK, any other questions for Will? Bud.

Bud Jacobs: Did we ever get a sense, at least from Martin, about whether a cap on special use permits would be all right? Does anyone remember that conversation? [off mic]

Will Moore: Yeah. I don't recall getting a firm answer for him on any of those items yet. [off mic]

Bud Jacobs: Well, I'm not really asking because I think we don't know enough to ask it, but I was just curious if he had an initial gut reaction to it.

Bridge Littleton: But it would be good. It'd be like, you know, Hey, we're going to allow one hundred special use permits of this type of thing. And that's it. I mean, I know in other states they do that. I don't know about Virginia.

Bud Jacobs: [off mic]

Bridge Littleton: We can start a bidding war or whatever. Right, exactly. I mean. Well, hey, Will, let me ask you a question. So the new marijuana dispensary law or whatever, and they're going to allow like a hundred dispensaries in the state or something like that. That's not zoning, though, right? That's probably a use. You know? I think that's business license.

Will Moore: That's the way it's enabled by the state of the state has already [off mic]

Bridge Littleton: So I'm saying I'm using it as an example. Yeah, it's not the same. Ok. Right? All right. [off mic] I was just curious because it was a thing where I mean, as an example of where the law has limited the number of something in its state, right.

Chris Bernard: [off mic]

Bridge Littleton: Wait, Philip's got a question. Oh, sorry, Chris. Go ahead Philip.

Philip Miller: So what about our idea to cap them in different areas of town or capped based on distance from certain other entities? Have we made any progress on that or cap them from distance from each other, so you can only have one that's a thousand feet away from another one?

Will Moore: Yes, again, those are items that we've not reached the level of comfort in our conversations with Martin to this point as to whether they are able to be considered or not. But those are some things that we're going to continue to discuss as this moves forward. We plan on the town attorney's office being very much involved in those discussions with the Planning Commission as we move forward with this comprehensive plan amendment.

Philip Miller: Ok, and then just as a realistic timeline, how long do we think until we would have some firm agreed upon recommendations?

Will Moore: The goal that I state in the staff report is to report back to council with a recommendation by February.

Danny Davis: Would that be after a public hearing?

Will Moore: Correct. So the intent is to develop an amendment, hold a public hearing to get a recommendation on an amendment from the commission and have that back to council in February. [multiple speakers]

Bridge Littleton: I mean, Will always said that the signs will be done by the fall. [multiple speakers] Oh God.

Philip Miller: [inaudible]

Bridge Littleton: Any other questions for Will in regard to short term rentals? Will, that's great. Thanks. I appreciate it. Ok. Last item here is well not last time. Second to last item a memo on the holiday luncheon.

Rhonda North: So thank you, Mr. Mayor. As a reminder, traditionally the council has canceled the second meetings in November and December as they conflict with the holidays. This year, we do have a little bit of an unusual situation in that the November meeting falls on Veterans Day. So under the council's rules of procedure, that meeting will

automatically move to the third Thursday of the month. So you will have a council meeting on November the 18th in November of this year. As far as December. At some point, we we do anticipate asking for a special meeting sometime later that month to award the Hopefully award the contract on the Town Hall project. But we are asking for permission to advertise those two meetings as being canceled. You know, just so I can get the calendars out. So if council is OK with that, then then we'll do that with the with the knowledge that we'll be asking you for a special meeting, at least in December.

Bridge Littleton: So let me ask a quick question is I mean. Is it safe to assume that you guys would not be ready to seek that permission to award the contract until the week between Christmas and Thanksgiving or Christmas and New Year's?

Rhonda North: So my hope is that we might even be able to do it before Christmas. What we're hearing from Bill Downey is that some contractors are not willing to hold their price for more than two weeks because of everything that's going on with the COVID environment. And if that is the case, we are definitely going to be rushing to get that to you all before, you know, before any offers would expire. So, so we could be doing it before Christmas.

Bridge Littleton: Ok. All right. Quick show of hands. Is anybody here planning on being away the week between Christmas and New Year's? Ok. All right. I just wanted to, you guys have a sense of if we weren't going to have a quorum because that's like one week a lot people travel on. So OK.

Rhonda North: Yep. Ok, so we're OK. Then then we'll go ahead and set the calendars accordingly. I'll take the probably easier one next gift certificates. You all have traditionally given \$100 gift certificates to the employees and \$50 gift certificates to the boards and commissions in December in recognition of their service to the town. The question is do you wish to do that again this year? And if you do, the staff would note that we do have a new option this year in that the Yiftee gift cards that the MBPA has put together. You know, we could use that as an option over the the gift certificates the town creates itself. So just whatever your pleasure is.

Cindy Pearson: I haven't used the gift cards yet. Do you lose any money on them at all or is it?

Danny Davis: So. I think it might. After 12 months you could, but we typically ask people to use them within 12 months anyway or six months.

Philip Miller: I think I think the ones we've been issuing ourselves are generally more accepted and more used. I think that's probably the way to continue it. And it also gives us the most leeway in terms of enforcement of, OK, well, you know, we realize you got it in January, but you're using it in June. So I think from my opinion, I'd stick with what we've been doing because I certainly know from my perspective at my shop that we've been getting some in June and July. That's my two cents.

Bridge Littleton: I think it makes sense to one that is most used by most businesses in town is, you know, gives the most flexibility to people. So I think that makes sense. The way we've been doing it.

Rhonda North: Ok, we'll continue the way we've been doing it then and then the last item is the holiday luncheon. Of course, we did cancel that in December of last year because of COVID, because we could not socially distance everyone here in this room. We would have the same issue again this year. The question is, you know, do you all want to schedule the luncheon? If so, which day? And if not, then we'll just take it off the calendar.

Bridge Littleton: Any thoughts?

Cindy Pearson: [off mic]

Bridge Littleton: And we're just talking to the town staff lunch? [off mic]

Cindy Pearson: [off mic] but it's a lovely area but you don't feel like you're right on top of each other.

J. Kevin Daly: Yeah, we're using it. You just keep the doors open and windows up [inaudible].

Bridge Littleton: I mean, I'm all on board for it. No, I mean, my only recommendation. The thing I would say is if you're a staff member and you haven't been vaccinated, you know, get vaccinated or strongly suggest you don't come. But I mean, what do you guys, how do you feel? [off mic] [multiple speakers]

Danny Davis: Yeah, I think I think we can talk logistics about how, how to do the food in a little bit. I think in terms of the question mentioned, if council is comfortable with it, we could close the office from 12 to 2 put a sign on the door with my cell phone on it. And you know, the on duty cell phone for the police and leave a message on our answering machine that we'll be back at two o'clock. I mean, it's logistically if council is comfortable with us, quote unquote closing the doors for two hours, we can get that done.

Bridge Littleton: Kevin.

J. Kevin Daly: On your point regarding vaccination, I believe don't misquote me, but everybody is vaccinated.

Bridge Littleton: All right, so everybody is comfortable having the lunch and figuring out the logistics in terms of like use the parish house, all that kind of stuff?

Cindy Pearson: [off mic]

Bridge Littleton: Whose year is it? [off mic]

Philip Miller: Do you know whose year it is? It's either Daly or Chris.

J. Kevin Daly: I'll call the parish house. Chris [inaudible]

Bridge Littleton: In other words, what Kevin just did was, what Kevin just did was I'll be the vice chair, you be the chair.

Philip Miller: [inaudible] [off mic]

Rhonda North: So, that would be the next question. December 10th is that the date you want to shoot for?

Bridge Littleton: You guys figure it out and tell us. [multiple speakers]

Philip Miller: My next meeting can we decide to have some dates and options for venues and you know how we could make this work? Yeah, I think we all want to do it if we're all vaccinated, even if it's, you know, outside it's under a tent, I don't care.

Bridge Littleton: Ok, you guys got it. Ok? Any other anything else, Rhonda on that?

Rhonda North: That's all I have, Mr. Mayor.

Bridge Littleton: Ok. Last item. VML. I thought was a good conference. I think it went very well. I thought the conference to pull off a good did a really good job and all in all, it was nice seeing a lot of folks and and some of the talks are pretty good. Some of them were, well, like anything, right? Any conference, there's ups and downs, Bud I think had the best one, which was what is it, local government mud wrestling?

Bud Jacobs: Yeah, I went to the disruptions in public meetings session which I foolishly thought was going to offer strategies for dealing with disruptions. And there was a little bit of that.

Philip Miller: Well, you are the king of those.

Bud Jacobs: I have to say when representatives of other jurisdictions around the Commonwealth stood up and began to relate their experiences. I mean, I was.

Philip Miller: Bud I'm so sorry that you when you signed up, it looked like a workshop.

Bud Jacobs: Well, it was billed as a workshop, actually I mean, the stuff that goes on in, I guess, mostly small towns around Virginia and and in some cases, some larger towns will curl your hair. There was one individual there who is a mayor of town south of us who got involved? The council got involved in a dispute with some developers, and the vitriol rose so high that his own chief of police or sheriff went to him and said, you need to arm yourself if you can believe it. And as it happens, a woman next to me was from that same jurisdiction and she confirmed it, she said it's just terrifying. When she asked how our meetings go. [laughter]

Bridge Littleton: Bud said, you ain't seen nothing yet.

Bud Jacobs: Well, she didn't believe it, actually. So I guess the message for all of us is count our blessings that we're in a community that's not so riven with both local and and larger politics, so that was it was worth doing, I thought. And I liked our table. I thought the table was pretty cool,

Philip Miller: Although I do think we're seeing some creep from that national. More so, especially this year coming into our local elections, and that concerns me. I think that we got to defend that here in Middleburg because it's not the same.

Bridge Littleton: Yeah, I had one woman who had been elected mayor is interesting. She had never been in local government before. The mayor who has been there, has been mayor for 20 years, really in deep with the town manager and in deep with the chief of police, very dysfunctional council. And so but the town, the citizenry are just we're just sick of him and sick of him running it like a little fiefdom. So everybody begged this woman to run and she said, OK. She ran as a write in. And this is like a, you know. I want to say 1800 person towns. It's a good sized town. She won as a write in. But now it's the town manager still keeps working with the deposed former Mayor and sends the former mayor the the meeting agenda. And also, I mean, and she's just like beside herself. What do I do? What do I do? And I said, You know, Danny, you know nothing to you. I said I would get with your council. And if you're just, what do I do with the town manager who's doing that? And I said, gone. I mean G O N E. And. So anyway, yeah, we're I think, yeah, we're extremely lucky. So. But I thought the host city night at the George Marshall House was great. Yeah, that came off pretty well. So yeah, all in all, I thought it was.

Peter Leonard-Morgan: [off mic]

Bridge Littleton: But no, I think Loudoun represented itself well. And I think and I honestly will say Leesburg was the host. But Kelly and Leesburg is a town really embrace the whole seven towns of Loudoun COLT theme for the whole conference, and it was great. And so I think we owe them a thank you for that because they could have just like every other VML conference made it only about them. But they really wanted to make it about all seven rural towns, and that was that was really special.

J. Kevin Daly: So the only thing I found extremely distressing was the constant dishing of the VDOT that was going on out there. It was just horrible.

Chris Bernard: [off mic]

Bridge Littleton: Oh, OK. I don't think.

Philip Miller: From my perspective, I just I did want to just thank all of you who went. Obviously, I've made a decision not to go to a whole lot of indoor meetings without masks and stuff given that my child has not been vaccinated and I'm being extra cautious and I just I appreciate that you will carry the torch and continue to represent Middleburg so well.

J. Kevin Daly: Peter did eat extra dessert in your honor because you were absent.

Philip Miller: He had me fill out his place card.

Bridge Littleton: I will say that though the meal was fantastic. I mean, that main banquet night that was that steak was awesome. It was really good. So I don't think we have anything else unless anybody has any other inputs or. [inaudible]

Peter Leonard-Morgan: The fall clean-up is on October 30th, which is Saturday, October 30th, from eight a.m. to 10 a.m. [off mic] Well,

Philip Miller: that is exactly my thought. That is exactly my thought.

Peter Leonard-Morgan: Other companies that we had to involve, and it was the only day we could do it. So we've got Yuck Old Paint coming to take back old house paint. Five bucks, which is great. We've got the composting folks from Apex Organics who, composting folks from Apex Organics. [inaudible]. So any volunteers please consider we'll be sending out some information shortly. And then the other thing I wanted to just ask Danny the Friday email will that be starting again soon?

Danny Davis: We are working on that, researching that and getting, yes, getting that back up and going. And I would love to get the details of the cleanup day for.

Peter Leonard-Morgan: Even if we could do just a special.

Danny Davis: Yeah, for our social media.

Peter Leonard-Morgan: Thank you to Ali for putting that on here as I failed to mention it to you. So thank you for that. Yeah.

Philip Miller: Danny from the [inaudible] the other night, the [inaudible] meeting at the pink box, I heard that they are planning to do a Halloween parade. Haven't heard or seen anything about that yet. What's are we reviving the kids parade?

Danny Davis: That's my understanding, is that the parade is back again this year, and Chief is here for.

AJ Panebianco: It will follow the same route the sidewalks to the light, cross at the light and then back up the sidewalks to other side and back to the community center and will be 5:15 start time. And the community center it is my understanding is moving their Hotdog, It's Halloween will end right there where they're serving dogs and hot dogs and the kids will have a good time.

Philip Miller: Great. How are we messaging this to the Hill School and Charter School and Banneker. That's that's a question for the organizers. I don't know if you're in charge or obviously somebody else must be running the logistics of that nature. So I'd love to just find out and make sure that we're really coordinating because we've had it in years where we've had really good coordination and a big turnout. We've had years where we've had low turnout,

AJ Panebianco: If I'm not mistaken, it's Punkin, because that's who I've been dealing with.

Philip Miller: Okay. Thanks, chief.

Bridge Littleton: Any other items?

Danny Davis: Do you want to mention state of the town?

Bridge Littleton: Oh yeah. So what day did we pick?

Danny Davis: The 27th. Wednesday, the 27th.

Bridge Littleton: Right. We're going to do the state of the town Wednesday, the 27th six o'clock at the Community Center. And we will put it out on social media and all that fun jazz. Anything else, Danny?

Philip Miller: Are we going? Are we going to ticket it presale, pre reserve? Just curious. Vaccination status or anything.

Bridge Littleton: [multiple speakers]. Well, I think we just say is it's going to be a limited number of seating, its first come, first serve. Once it's full, it's full. You get turned away. And we will live stream it and all that stuff. So, you know, we'll make sure the seats are far enough apart, and if it's if it fills and you get there. Yeah, you're out. Or go home. Anything else?

Philip Miller: [inaudible]

Bridge Littleton: Oh yeah. Yeah. Going once, going twice. All right. Meeting adjourned. Everyone have a good night. Thank you.