



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, January 13, 2022**



**PENDING APPROVAL**

**PRESENT:** Mayor Trowbridge M. Littleton  
 Councilmember J. Kevin Daly  
 Councilmember Morris E. “Bud” Jacobs  
 Councilmember C. Darlene Kirk (left early)  
 Councilmember Peter A. Leonard-Morgan  
 Councilmember Philip M. Miller  
 Councilmember Cindy C. Pearson

**STAFF:** Danny Davis, Town Manager  
 Martin Crim, Town Attorney  
 Rhonda S. North, MMC, Town Clerk  
 A.J. Panebianco, Chief of Police  
 Ali MacIntyre, Director of Business Development & Community Partnerships  
 Tina Staples, Town Treasurer/Finance Director

**ABSENT:** Councilmember Chris W. Bernard

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, January 13, 2022 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. Councilmember Pearson announced that she was participating remotely from home as she was recovering from surgery.

**Special Recognitions**

**Resolution of Commendation** – The Fun Shop – 65<sup>th</sup> Anniversary

Mayor Littleton read the resolution aloud. He advised that The Fun Shop was a cornerstone of the community and opined that Middleburg would not be what it was today without it. Mr. Littleton acknowledged Mrs. Allen, who started The Fun Shop, and her daughters, Betsy Allen Davis and Paige Allen, who continued to operate the store.

*Councilmember Kirk moved, seconded by Councilmember Daly, that Council adopt a resolution commending The Fun Shop on reaching their 65<sup>th</sup> anniversary milestone and applauding the Allen Family and their employees for their service to the community.*

Mrs. Davis advised that this was an honor, and that the operation of The Fun Shop was a labor of love. She advised that they had had almost two hundred wonderful employees over the years, for which they were very appreciative.

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

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Mayor Littleton presented a signed copy of the resolution to Mrs. Davis and Ms. Allen.

Resolution of Appreciation – Antwan Montford

Mayor Littleton advised that Mr. Montford had a major impact on the community during his short tenure at the Middleburg Post Office and had been a great member of the community. He noted that while he was sad to see him leave, he was happy that Mr. Montford and his wife had the opportunity that was before them in Florida. Mr. Littleton read the resolution of appreciation aloud.

Mr. Montford advised that he would miss everyone, as he had been treated like family. He noted that it was hard for him to leave.

*Councilmember Daly moved, seconded by Councilmember Leonard-Morgan, that Council adopt a resolution extending its appreciation to Antwan Montford for his service to his country, as well as his service to our community through his employment at the Middleburg Post Office.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

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Mayor Littleton presented a signed copy of the resolution to Mr. Montford.

**Public Comment**

Carter Wiley, 10 North Pendleton Street, advised Council that he was taken aback by the amount of money the Town was spending on the Town Hall Project without first holding a referendum. He suggested the money would be better spent on water system improvements or sidewalk maintenance. Mr. Wiley further suggested it be returned to the taxpayers.

**Public Presentation**

Attainable Housing Input – Foxcroft School

Cathy McGehee, of Foxcroft School, noted that she recently had a conversation with the Mayor about the need for attainable housing in Middleburg, as this was an issue for the schools. She reviewed the list of schools in the area, as well as the employee count for each. Ms. McGehee noted the national shortage of teachers. She advised that both Foxcroft School and The Hill School provide teacher housing and opined that if not, they would have another issue.

In response to an inquiry as to whether they had taken on that burden due to the lack of affordable housing, Ms. McGehee explained that as a boarding school, they needed to have employees on campus to care for the students. She advised that of the one hundred fifty-five employees of Foxcroft School and The Hill School who did not live in school-provided housing, seventy-two lived outside of the Middleburg area. Ms. McGehee opined that many of The Hill School’s teachers were long-time employees whose salaries were higher, which allowed them to live in Middleburg. She advised that if the Foxcroft School did not provide housing, the number of teachers who lived out of the area would be higher and noted that it was not unusual for those who lived away from the area to live in West Virginia.

Ms. McGehee advised that the average school employees’ salary was \$57,000/year, whereas the median home price in Middleburg was \$985,000. She opined that there was no housing for middle income individuals. Ms. McGehee advised that the Foxcroft School hired more new teachers; however, there was a low number of low-income rental property to support them. She expressed hope that the Mayor and Council were looking into this. Ms. McGehee noted that across the country, people were buying and tearing down small homes to replace them with larger ones, which reduced the availability of affordable housing. She advised that she would like for her teachers to be members of the community.

Mayor Littleton thanked Ms. McGehee for appearing before Council and noted that attainable housing was something the Council was concerned about. He advised that an individual making \$57,000 a year could afford a \$280,000 house.

In response to an inquiry from the Council, Town Manager Davis advised that the County's assessed value was \$690,000 for a townhouse and \$630,000 for a single-family dwelling in Middleburg.

Ms. McGehee advised that millennials were being challenged due to the incredible amount of school debt they held. She noted that housing was a factor when they decided where they wanted to raise their families. Ms. McGehee advised that she wanted to hire quality teachers. She expressed hope that the Town would control zoning issues that affected the availability of affordable housing.

Councilmember Jacobs advised Ms. McGehee that the Town was taking steps to address the absorption of small houses to make room for mansions. He opined, however, that her median home price was not accurate and suggested it was important that it be. Mr. Jacobs advised Ms. McGehee that he would like for her to make this presentation to the Planning Commission.

Ms. McGehee advised that when she made a job offer and people Goggled the median home price in Middleburg, this was the number that came up. She reiterated that it was difficult for them to find affordable housing that was close by.

Councilmember Leonard-Morgan noted that he was a realtor. He offered to assist Ms. McGehee in identifying the proper number and noted that the value of the estates surrounding Middleburg impacted it. Mr. Leonard-Morgan advised that the housing located within Middleburg proper was different.

Mayor Littleton suggested the County's assessment values also be added to her presentation.

Ms. McGehee advised Council that of the six Afghan refugee students in Virginia who were a part of the SOLA Program, the Foxcroft School was hosting two. She advised that they would be here for three years and noted that they had nothing.

Mayor Littleton asked Ms. McGehee to let the Town know of their needs and advised that it would assist if possible.

### **Action Items**

#### **Council Approval** – Request for Grant – American Legion Post 295

Town Manager Davis reported that the American Legion applied for a grant to supplement their kitchen renovation project and noted that they made their facilities available for use by the community. He reported that EDAC recommended approval of the request in the amount of \$5,000.

*Councilmember Daly moved, seconded by Councilmember Kirk, that Council approve the recommendation of the Economic Development Advisory Committee to provide a grant to the American Legion Post 295 in the amount of \$5,000, in support of their kitchen renovation project that will provide services to the Middleburg community.*

Councilmember Leonard-Morgan thanked Commander Moliere for allowing the Town to use their facility in the past.

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

Commander John Moliere thanked the Council. He opined that the American Legion had been in business longer than any other business in Middleburg and advised that they would celebrate their seventy-fifth anniversary in March. Mr. Moliere noted that of the two hundred eight American Legion posts in Virginia, Middleburg's ranked number one in nine award categories this past year. He acknowledged those who served before him and advised that he was proud of what they did.

## **Staff Reports**

### December 2021

In response to an inquiry from the Council, Stuart Will, of IES, reported that Krystal Lucas had been hired as the new trainee assigned to Middleburg. He advised that she wanted to learn and asked the right questions. Mr. Will expressed hope that she would secure her operator's license in the future.

In response to an inquiry from the Council, Mr. Will reported that he recently tracked down an individual who stole water from a fire hydrant. He advised that the individual's company was going to pay for the water, as well as the \$500 fine. Mr. Will noted that the theft of water was one of the reasons the Town experienced brown water.

In response to an inquiry from the Council, Mr. Will reported that Broy & Sons would be in town soon to address some manhole issues and to look at Ms. Mack's leaking sewer lateral.

Mr. Will reported that Well P was back on line, with four hundred eighty feet of pipe having been replaced. Town Manager Davis noted that it was replaced with stainless steel pipe, which should last for many years.

In response to an inquiry from the Council, Town Attorney Crim advised that he polled other local government attorneys who concurred that individuals who stole water could be charged criminally. He noted that the Town could fine them for taking water under the Town Code; however, they could also be charged with larceny, or grand larceny if the value of the water was over \$1,000. Mr. Crim confirmed they could be arrested. He advised that he would share the various statutes that would apply with the Town Manager.

Town Clerk North reported that she and the Town Treasurer recently attended a kick-off meeting with MCCI for the online meals tax collections system. She expressed hope that it would be operational within two months. She further reported that she was meeting with representatives from MCCI in February to talk about the Town's overall records management system.

Business Development & Community Partnerships Director MacIntyre reported that the DMV Connect van that was in Middleburg in December was a success and advised that she was trying to schedule quarterly visits. She further reported that the National Sporting Library & Museum would host Visit Loudoun's Certified Tourism Ambassador Program training session for frontline employees of local businesses. Ms. MacIntyre advised that with regard to social media, the Town's engagement rate increased by 17.3% last month, its Instagram audience increased by 4.3%, and its Facebook audience increased by 14.9%.

Councilmember Leonard-Morgan expressed appreciation to Ms. MacIntyre for arranging for employee parking during Christmas in Middleburg. He opined that both the Christmas in Middleburg and Have a Dickens of a Christmas events went well.

Mayor Littleton asked that, in the future, Ms. MacIntyre provide social media benchmarks so the Council would understand what the metrics meant.

Business Development & Community Partnerships Director MacIntyre reported that the staff would review the proposed Visit Loudoun MOU next week and that Beth Erickson would attend the January 27<sup>th</sup> meeting to present it to the Council.

Town Treasurer Staples reported that almost all the new utility customers were signing up for e-billing and advised that the staff would soon do outreach to the existing customers. She noted that she was working on the FY '23 budget. Ms. Staples reminded Council that the Town was halfway through the current fiscal year and expressed hope to have a better picture of the budget after some taxes were received next week. She noted that the business license renewal forms would also be distributed next week. Ms. Staples opined that the Town's budget was in a good place.

Town Manager Davis reported on behalf of Deputy Town Manager Moore, who was on leave. He advised that the final plat for the Banbury Cross Reserves subdivision was received and would be presented to the Planning Commission during their January or February meeting. Mr. Davis noted that a public hearing was not required and advised that the Commission would proceed with their consideration of it regardless of any court action that may be underway.

Town Manager Davis reported that the Residences at Salamander intended to break ground next month. He advised that the subdivided lots have been platted and recorded in the land records.

Town Manager Davis reported that he met with representatives from Salamander and the Community Center to discuss the Fourth of July Celebration. He advised that Tony Cooper, of Salamander, worked with the Fire Marshall to identify a location on Salamander's property from which the fireworks could still be launched; although, this would require that they be smaller in size. Mr. Davis noted that this location could be used until Salamander developed the Mixed-Use Village area. He advised that once the Town Hall Project was complete, people would be able to watch the fireworks from the Community Center, new Town Hall, or Village Green.

Town Manager Davis reported that he followed-up with VDOT multiple times regarding the stormwater management issues at the cemetery and was told that the sample right-of-entry letter he drafted was still under review. He advised that VDOT had ordered the materials to complete the work.

Mayor Littleton asked that the staff let Viviane Warren know the materials were on order.

Town Manager Davis reminded Council of Terry Milton's stormwater drainage issues and advised that she was building a solid wall on her property that would, hopefully, resolve them. He noted that the Mayor worked with the Community Center to secure a right-of-entry so the wall could be constructed.

Mayor Littleton noted that the developer whose projects helped create the stormwater issues was going to help fund the wall.

Councilmember Jacobs noted that he recently read that the Virginia Department of Environmental Quality set up a fund to help homeowners replace deteriorated septic systems. He asked that staff investigate whether any funding was available to help people connect their properties to public sewer to eliminate their septic systems.

Town Manager Davis advised that the County alerted him to a program that was available to help make it more affordable for property owners to abandon their septic systems and connect to a public sewer system.

Councilmember Kirk reported that work had commenced at 204 Sycamore Street. Town Manager Davis reported that he recently received an inquiry about it and advised that construction work could begin starting at 7:00 a.m.

### Town Hall Project Report

Town Clerk North reported that the contract with Cooper Building Services had been signed and that the construction management team was working to schedule the pre-construction meeting. She expressed hope that the County would issue the building permit for the project next week and noted that it had been delayed due to the holidays and bad weather. Ms. North reported that the furniture plan was final, and that the Town was going to be able to secure it using a cooperative procurement contract, which would result in a sixty percent cost savings. She announced that a groundbreaking ceremony would be held on January 24<sup>th</sup>, beginning at 4:00 p.m.

Town Clerk North noted that once the project began, the Town Hall parking lot would no longer be available. She advised that she and the Town Manager were working to identify alternative parking for the Town staff. Ms. North further advised that the signage would be changed for the two parking spaces in front of the Town Office to make them ten-minute drop-off spaces and to list the Town Office telephone number so guests could call for assistance if needed. She reported that a recommendation for financing the project shortfall would be presented to the Council during their January 27<sup>th</sup> meeting.

Town Manager Davis reported that the Strategic Finance Committee concurred with the staff and Davenport's recommendation to seek up to a \$2.5 million loan, in order to give the Town maximum flexibility with its cash. He noted that the Town would have the ability to buy down its debt in the future. Mr. Davis reported that the Council would receive more details on this during its next meeting.

In response to inquiries from the Council, Town Clerk North explained that the building envelop was the shell of the building. She reported that Cooper felt they would be able to maintain the project schedule, which called for the new Town Hall building to be ready for the staff to move into the week after Christmas, so it could open in January of 2023.

#### Intern

Town Manager Davis introduced Cody Sweet, who would be interning with the Town for the next two months. He noted that Mr. Sweet was pursuing a master's degree in Public Administration.

#### Reports of Town Committees/Council Liaisons

Councilmember Leonard-Morgan advised Council that the Middleburg Sustainability Committee would like to adopt a two mile stretch of Route 50, from Parsons Lane to Windy Hill, through VDOT's Adopt-A-Highway Program. He noted that they would be required to complete two clean-ups a year for three years. Mr. Leonard-Morgan advised that unless there was an objection from the Council, he would file an application with VDOT. No objections were raised.

#### Consent Agenda

Mayor Littleton asked that Council remove the contract for the automated water meter reading system from the consent agenda.

- (A) Council Approval – December 9, 2021 Regular Meeting Minutes and December 16, 2021 Special Meeting Minutes
- (B) Council Approval – DCJS Grant – Toughbooks for Police Department

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

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

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Council Approval – Contract for Water Meter Automated Reading System – Core & Main

Mayor Littleton noted that the proposed system would cost \$230,000; however, the Town would only spend \$35,000 if it kept the existing system. He advised that he was struggling with the operational value of spending an additional \$190,000.

Town Treasurer Staples advised Council that the additional cost would be \$62,000 over a ten-year period to keep the existing system in place. She noted that the replacement program could be funded with ARPA money. Ms. Staples reminded Council that the Town had been working on a way to reduce the percentage of lost water that was not being billed and advised that this required the replacement of the existing water meters. She noted that two hundred of them did not provide real time reads, which meant the Town must wait for up to two months to find leaks.

Mayor Littleton acknowledged that having new meters that provided real time data would allow the Town to know when there was a substantial leak or increased usage. He inquired as to whether the staff had a sense of how much money would be saved.

In response to a comment from the Council, Town Treasurer Staples confirmed the new system would eliminate the need to pay someone to do the meter reading, as the laptop could be placed in the police officers' or Facilities & Maintenance Supervisor's vehicle and would take the readings as they drove around town.

Town Manager Davis advised that approximately eighty percent of the meters would be able to be read from the Town Hall. He suggested that Stuart Will could catch the remainder on a daily basis as he drove around town, at no additional cost. Mr. Davis explained that the new system would allow the Town to receive data on a daily basis, without the need to go to each house, and to warn the customer immediately if there appeared to be an issue. He advised that this would help the customer save money as well. In response to a comment from the Council, Mr. Davis estimated that the Town would spend \$130,000 over a twenty-year period for meter readings if the new system was not implemented, which was not included in the cost of ownership.

Councilmember Pearson reminded Council of the frustration on the part of the staff in preparing utility bills when the meters did not read properly. She advised that the customers also got upset when they received a large bill. Ms. Pearson opined that any system improvements would be great. She reminded Council that meters would always fail and noted that the new system would help to quickly identify when this occurred.

In response to an inquiry from the Council, Town Treasurer Staples advised that two hundred, of the existing four hundred forty meters, were not currently equipped to pull data and needed to be replaced immediately. Town Manager Davis explained that a radio transmitter would need to be installed on all the meters and would cost \$70,000. He confirmed this was included in the cost presented to the Council.

In response to an inquiry from the Council, Town Manager Davis estimated that twenty-five to thirty-five thousand gallons of water was lost due to the recent water leak on Chinn Lane. He advised that it was difficult to estimate how much water was lost annually due to leaks; however, he noted that the Town was not billing twenty to twenty-five percent of the water produced, which equated to about ten million gallons of water annually.

In response to an inquiry from the Council, Town Treasurer Staples advised that the value would be twenty-five percent of the \$200,000 in bi-monthly billings.

In response to a comment and inquiry from the Council, Town Manager Davis explained that the existing meters were capturing usage; however, they did not store the historical usage (per hour). He advised that it was likely they were also moving slow; therefore, they did not accurately record usage. He advised that if the ARPA money was not used for this purpose, it would be used for other water, sewer or stormwater projects that were COVID recovery related or to replace lost revenue. Mr. Davis noted that the Town had until 2024 to appropriate the ARPA funds and until 2026 to spend them. He confirmed the ARPA funds would not be lost if they were not used for this project.

Council urged the staff to be cautious and opined that the radio transmitters could be sensitive. They noted the need to ensure the system worked properly and that the Town would have technical support.

Town Manager Davis advised that the radio transmitters had a fifteen-year warranty, and the meters had a twenty-year one. He advised that Core & Main would serve as the project manager, as well as the advocate between the Town and the vendor, and that Inboden Environmental Services would provide the labor.

In response to an inquiry from the Council, Town Manager Davis confirmed there would be an annual subscription cost that would cover software upgrades. Town Treasurer Staples advised that the Town already paid an annual subscription cost of \$1,700, which would increase to \$2,500.

In response to a comment from the Council about the need to ensure the radio frequency was encrypted, Town Manager Davis advised that the transmitters did not control the meters and would only transmit information. He confirmed the meters could also be read physically if needed.

Town Treasurer Staples advised that the data could also be downloaded and explained that the meters would be capable of storing (hourly) data for thirty days regarding water usage. In response to a comment from the Council regarding security, she noted that since 911, utility vendors have become very serious about protecting their products. In response to an inquiry from the Council, Ms. Staples advised that on average the Town waived \$2,000-\$3,000 annually due to water leaks; however, this amount could be as much as \$5,000-6,000 in a bad year. She noted that the customer still had to pay the sewer portion of the bill, which could run in the thousands of dollars.

*Councilmember Jacobs moved, seconded by Councilmember Daly, that Council approve the “Middleburg Drive-By Package” for automated meter reading through a sole source contract with Core & Main, with installation by Inboden Environmental Services, in the estimated amount of \$160,000.*

Mayor Littleton asked that the staff ensure the transmission signal was secure.

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

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**Action Items** (continued)

**Election of Vice Mayor**

*Councilmember Jacobs nominated Peter Leonard-Morgan as Vice Mayor for the Town of Middleburg for a two-year period beginning January 1, 2022. Councilmember Leonard-Morgan agreed to accept the position if elected.*

*Councilmember Kirk nominated Philip Miller as Vice Mayor for the Town of Middleburg for a two-year period beginning January 1, 2022. Councilmember Miller agreed to accept the position if elected.*

In response to inquiries from the Council, Town Clerk North explained that a second was not necessary and that the Council would vote on the nominations in the order in which they were presented. Town Attorney Crim explained that the entire Council would vote on the first nomination and if it were not successful, would then vote on the second one.

Vote: Yes – Councilmembers Jacobs, Leonard-Morgan, and Pearson

No – Councilmembers Daly and Kirk

Abstain: Councilmember Miller

Absent: Councilmember Bernard

(Mayor Littleton only votes in the case of a tie.) (On nomination of Peter Leonard-Morgan)

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Council Committee Assignments

Mayor Littleton questioned whether anyone wished to change their committee assignments. He advised that, if not, he was re-appointing the members of Council to the committees to which they were already assigned. No objections were raised.

Council Approval – Agreement for EV Charging Infrastructure – Blink

Town Manager Davis thanked Vice Mayor Leonard-Morgan and Sustainability Committee Member Lynn Kaye for their research into electric vehicle (EV) charging stations. He advised Council that there were grants available to help offset the costs of the infrastructure.

Vice Mayor Leonard-Morgan advised Council that thanks to Virginia Clean Cities and the Mid-Atlantic Electrification Partnership, there were two manufacturers who were offering to provide, install and support EV charging stations for free in Middleburg. He further advised that they would pay for the electricity associated with the systems and would share the revenue 50/50 with the Town. Mr. Leonard-Morgan reported that the Sustainability Committee was recommending the award of a contract to Blink, as they offered better terms and a Level 3 DC fast charging station for the Town Hall Parking Lot. He advised that they would also install two dual port Level 2 charging stations in the Liberty Street Parking Lot, as well as one on Washington Street, hopefully near the Community Center. Mr. Leonard-Morgan explained that the Level 2 charging stations would have the ability to provide up to a 19kw charge, as long as the vehicle had the technology to accept it, and the Level 3 charging stations would have the ability to provide between a 60-150 kw charge.

In response to an inquiry from the Council, Town Manager Davis explained that the proposed motion was to accept the contract subject to the final approval of the Town Attorney.

In response to an inquiry as to what would happen if no power was available near the Community Center, Town Manager Davis advised that the second possible location was on West Federal Street, near the public parking lot, and the third was on North Pendleton Street, by the Safeway. He explained that the desire was to not take prime parking off Washington Street for the charging stations, but to have them still be within walking distance.

Mayor Littleton advised that he did not want the charging stations to be located in the commercial district.

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Miller, that Council authorize the Town Manager to enter into an Exclusive Electric Vehicle Charging Station Agreement with Blink Network, LLC, in a form agreed to by the Town Attorney.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

Information Items

Mayor Littleton reported that the members of the Coalition of Loudoun Towns (COLT) met with Chair Randall earlier in the day to review the proposed redistricting maps. He opined that they had a good conversation and that she understood the need for there to be dual representation for the towns in Western Loudoun. Mr. Littleton encouraged the Council and the public to go to the County’s website to comment on the proposed maps, as any public comments would be taken into consideration by the County Board. He opined that some of the maps were bad and did not achieve the goals. (Councilmember Kirk left the meeting at 8:03 p.m.) Mr. Littleton explained that COLT’s proposed map would put Brambleton in its own district. He further explained that each district needed to have approximately 54,000 people in it and advised that COLT tried to keep areas together with those that had like interests in their proposed map.

Mayor Littleton reminded Council of the short-term rental legislation that was being introduced to the General Assembly that would include a definition of intermediary rental agencies and would require transient occupancy taxes (TOT) to be sent to the State, who would then distribute it to localities by zip code. He opined that this would be disastrous for Middleburg, as its TOT revenues would then be divided with Loudoun and Fauquier Counties, meaning the Town would only get one-third of the revenue. Mr. Littleton suggested the need to hire a lobbyist to help the municipalities fight this legislation and advised that the cost would be \$40,000. He further suggested the Town contact other towns in the area, as well as the County, to see if they would be willing go together to hire one. The Council agreed the Town should pursue hiring a lobbyist to fight this legislation.

Town Attorney Crim suggested there may be other bills for which the Town should consider hiring a lobbyist to represent its interests. He advised that legislation was being proposed that would limit the TOT rates and that would require anything above two cents to be used for tourism. Council agreed to add these items to the lobbyist's list.

In response to an inquiry from the Council, Vice Mayor Leonard-Morgan reminded Council that he spoke before the Loudoun County Board of Supervisors in December regarding the implementation of a plastic bag tax. He advised that this matter would be on their January 18<sup>th</sup> agenda so the Supervisors could decide whether to implement the five percent tax on single use plastic bags.

Mayor Littleton reminded Council that they sent a letter supporting the tax and asked that Vice Mayor Leonard-Morgan reiterated the Council's desire for it during the upcoming Board of Supervisors' meeting.

### **Closed Session**

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, 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) appointments to public bodies related to the Middleburg Sustainability Committee and BZA as allowed under Subsection (A)(1); (2) 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 two requested boundary line adjustments as allowed under Subsection (A)(7); and, (3) for consultation with legal counsel employed by the public body regarding specific legal matters requiring the provision of legal advice by such counsel related to the Middleburg Charitable Foundation. Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Daly, that the Council thereafter reconvene in open session for action as appropriate.*

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

No – N/A

Abstain: N/A

Absent: Councilmembers Bernard and Kirk

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

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Mayor Littleton asked that 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.

### **Appointments to Board of Zoning Appeals and Middleburg Sustainability Committee**

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council appoint Falita Liles to the Middleburg Sustainability Committee to fill an unexpired term, said term to expire May 12, 2023. Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Daly, that Council recommend to the Judges of the Loudoun*

*County Circuit Court that Eric Combs be re-appointed to the Middleburg Board of Zoning Appeals for a five-year period, said term to expire December 31, 2026.*

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

No – N/A

Abstain: N/A

Absent: Councilmembers Bernard and Kirk

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

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There being no further business, Mayor Littleton declared the meeting adjourned at 8:33 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk

## January 13, 2022 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:** [off mic]. All right, we will call the January meeting to order. First item is Pledge of Allegiance.

**Everyone:** [Pledge of Allegiance]

**Bridge Littleton:** Ok. Next item is the roll call.

**Bud Jacobs:** Bud Jacobs.

**Philip Miller:** Philip Miller.

**Darlene Kirk:** Darlene Kirk.

**Bridge Littleton:** Bridge Littleton,

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

**Bridge Littleton:** Cindy.

**Cindy Pearson:** Cindy Pearson. Cindy Pearson, I'm attending from home, recovering from surgery.

**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:** All right. We almost got that done with no hiccups. Okay, first item we have two special recognitions and resolutions for two items. The first item is a resolution of commendation for the Fun Shop. So, if anybody in this room doesn't know anything about the Fun Shop, you've got a real problem. But no, so the Fun Shop is reached it's, if I want to get this right, I can't believe it's possible 65th year in operation in the town as well, one of the cultural and focal points of our business community and our daily lives. But I mean, honestly, Betsy and Page, I don't understand how it can be in 65 years of operation when, you know, at 37 and 34 [laughter] doesn't make much sense to me, but I don't do math. So anyway. First and foremost, what we want to do is we want to read the resolution of commendation and then I'm sure some folks from the community would like to say a few words. So let me start here. So it's resolution of commendation for the Fun Shop, whereas in 1955, Howard and Nancy Allen moved to the town of Middleburg and whereas in 1956, after experiencing frustration because there was nowhere in town to buy children's clothing and toys, Mrs. Allen opened the Fun Shop, which today specializes in hunt country gifts, home décor, kitchen, bath and stationery items, clothing, toys and a variety of products to meet the needs of local customers and visitors alike. And whereas the Fun Shop continues to operate as a family owned business with Mrs. Allen's daughters, Page Allen and Betsy Allen Davis serving as the Manager, Buyer and Office Manager, respectively. And whereas the Fun Shop continues to this day to honor Mrs. Allen's legacy and values by serving as a customer oriented specialty department store that provides exceptional personal customer service, including free gift wrapping, special ordering and special shopping services. And

whereas, in addition, the Fun Shop provides economic benefit to the town, provides employment for not only three generations of the Allen family members, but also for local citizens, and has provided decades of community service and local government, as well as civic and public safety organizations. And whereas the Fun Shop exemplifies the charm and friendliness that draws visitors from near and far to our historic village. And whereas the Fun Shop recently celebrated its 65th year in business. Now, therefore, be it resolved that the mayor and members of the Town Council of the Town of Middleburg applaud the Allen family and the dedicated employees of the Fun Shop for their faithful support to the community, as well as their longstanding service to our visitors and citizens. Be it further resolved that we congratulate the Fun Shop on reaching this 65th anniversary milestone and express hope for many more to come. [off mic] [applause]

**Bridge Littleton:** What's that?

**Darlene Kirk:** Can we make a motion now?

**Bridge Littleton:** We will in just a second, there's one thing I want to say. There is not enough time in the night or in a week to express what the Fun Shop means to the Town of Middleburg. You know, from all the economic, you know, benefit that it brings, but also just to the character and spirit of what you all continue to live from your parents start to what you continue to do today. It is an absolute cornerstone of our community, and what it does for the residents and the citizens here. It is truly remarkable. We I think it is fair to say that Middleburg would not be the town it is today without what your mom and dad started and what you guys continue to live and exemplify every day for all of us. So it is with absolute the most, absolutely the most heartfelt thanks and gratitude for what you all have done and what you continue to do and what you'll do in the future. And you know you, you are Middleburg. So thank you guys so much. [multiple speakers] And let's well, let's do the, and if anybody else wants to add anything, we'll do that during the motion. So is there a motion?

**Darlene Kirk:** I move the council adopt a resolution commending the Fun Shop on reaching their 65th anniversary milestone and applauding the Allen family and their employees for their service to the community.

**J. Kevin Daly:** Second.

**Bridge Littleton:** Any other discussion? [laughter]

**Darlene Kirk:** No, sir.

**Bridge Littleton:** Anybody else want to say anything?

**Darlene Kirk:** Not right now.

**Bridge Littleton:** Okay.

**J. Kevin Daly:** I always have fun going up there, especially my grandkids. And just whenever they come to visit, that's the first stop they want to make.

**Bridge Littleton:** All right. All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed? Abstentions? Okay, the resolution passes. Betsy, Page do you all want to come up and say something?

**Bridge Littleton:** And then you got to do the, you know, there's the obligatory photograph. [multiple speakers]

**Philip Miller:** Bridge you're going to have to walk Betsy through it. It's been a while. [laughter]

**Bridge Littleton:** The next step in this process is. [off mic] Please come on up. So, you know, we have to capture the microphone now.

**Betsy Davis:** Oh Gosh. Okay. No, you know, this is an honor. We appreciate it. And it's just been a labor of love, mostly. [laughter] As we get older, Page and I, you know, back and forth go, we're getting too old for this. So I mean, we love it. But you know, it is a lot of work and any of you that are in business understand that. And but we appreciate the support we get not only from the town, from the council, from the residents, visitors, it just it means the world to us. And that's what keeps us going. And as you said, our wonderful employees who, you know, if it wasn't for them, we wouldn't be open. And you know, it was funny when you said about through the years, we've employed Terry Bell, who's one of our oldest or is our oldest employee, time wise and age, maybe.

**Page Allen:** And she retired and is back again. [laughter] Yeah, she's like a bad [multiple speakers].

**Betsy Davis:** She kept a list of employees she started doing, and I think she got to close to two hundred.

**Darlene Kirk:** Wow.

**Betsy Davis:** And we, you know, I'm sure there's some.

**Darlene Kirk:** Over the years. Yeah.

**Betsy Davis:** Anyway, we, you know, we love it. They've all been wonderful and we're very appreciative.

**Bridge Littleton:** That's amazing. Well, again, thank you guys for everything that you do and you know the dream that your mom started, you know. Anyway, I won't go down memory lane. [laughter].

**Betsy Davis:** Yeah.

**Bridge Littleton:** So if you all want to turn around so Ali can get a good picture? [off mic]

**Betsy Davis:** Oh, well pictures. Why don't you get in the middle.

**Bridge Littleton:** No, no, no, no. Oh God. All right. [laughter].

**Len Schapiro:** Masks off for one second. Oh, please.

**Bridge Littleton:** Hold on I'll actually take it off.

**Len Schapiro:** That's enough. [off mic]

**Bridge Littleton:** Hold on. One thing one second. All right. All right. Page, Betsy, thank you guys so much. We really appreciate it. Congratulations.

**Darlene Kirk:** Thank you all very much. We appreciate it. [applause]

**Bridge Littleton:** Drinks later at the Red Horse on Betsy and Page. [laughter] [Off mic] Exactly. All right. The next item we have is one other resolution of appreciation. And this one is for Antwan. So everybody knows Antwan from the post office. He hasn't been here as long as 65 years, although being here, it may have felt like he's been here 65 years. [laughter] But he has made an incredible impact on our community in the short time that he's been here. And you know, he is heading to Florida with an opportunity for his wife to take her career in new heights and new directions, and we're very excited for them. But we're also, you know, deeply sad to see them leave. So I remember Antwan told me several months ago that he was leaving, and I immediately said, Well, that's been canceled. You know, that's not happening. [laughter] But you know, truly, Antwan, you have been just such a great light and a great member of this community in

the two plus years that you've been here and we are deeply sad to see you go. But we are also very happy for the opportunity for you and for your wife and for, you know, the next step you guys are taking.

**Antwan Montford:** Thank you.

**Bridge Littleton:** You are always going to be a member of this community. You are a part of the fabric of Middleburg and you're always welcome back. And when you hit that next milestone in your government career and they send you back to the D.C. area, y'all are coming back here. So we really, really do wish the best for you. And so we wanted to do this resolution of appreciation just to express, you know, our thanks for what you've meant to all the people here. So let me take and read this real quickly as my eyes are getting. As it's so poorly lit here, I have to sort of hold it further away. [off mic] [laughter] Exactly, exactly. All right. So resolution of appreciation service to the town of Middleburg, whereas Antwan Montford served his country for 12 years while in the U.S. Army and whereas following an injury during his military service approximately four years ago, Mr. Montford retired from the army and joined the United States Postal Service, originally working in Chantilly Virginia. And whereas almost two years ago, Mr. Montford transferred to the Middleburg Post Office. And whereas Mr. Montford quickly adapted to his new role working the front counter of the post office and rapidly learning everyone's names and post office boxes. And whereas Mr. Montford provided the residents, business owners, and visitors with exceptional customer service that was reflective of the community spirit of Middleburg and exemplified that of a true public servant. And whereas Mr. Montford's service to the community was recently recognized by the Middleburg Business and Professional Association when he was named Service Line or Front Line Employee of the Year for 2021. And whereas Mr. Montford is leaving the Middleburg post office as his wife was transferred to a new job in Tampa, Florida. Now, therefore, be it resolved that the Mayor and Members of the Town Council of Middleburg, Virginia, recognize and express our sincere appreciation for the exemplary services of Antwan Montford, first in serving our country for 12 years through his service in the U.S. Army and then as a dedicated employee of the Middleburg Post Office for almost two years. Be it further resolved that we express our profound thanks to him and hope for his continued success in life. [applause] So before we vote on this, Antwan, if you'd like to say anything, you're more than welcome, you don't have to, but.

**Antwan Montford:** I just want to tell everybody I'm really going to miss you. I'm sorry if I start crying. [laughter] You know, I'm sorry. You know, honestly, in my two years here, you guys are really treated me like family, especially Darlene, Bridge, and you know, Kevin. And you know, it's the reason why it's so hard for me to leave is because you guys are the reason why I got up every morning to come to work. You know, my buddy, [off mic] over there. You know, they honestly treated me like a son, you know, [off mic] cursed me out every day when I called [off mic] Mr. [inaudible]. [laughter] But, [off mic] would always you know stop throughout his busy day talk to me, you know, sports and everything and all of you guys, honestly from the bottom of my heart. I love you guys. I'm going to miss you Punkin, Jeanne, you know, and all. Is really going to be hard for me to walk away from you guys. But honestly, if I ever do come back, I promise to to come and visit you guys. And again, thank you for everything.

**Darlene Kirk:** You can come back and be our Post Master. [laughter]

**Bridge Littleton:** And Antwan, I'll say this as it's cold as hell up here and you're going to a much warmer place, we're all coming down and stay with you. [laughter] [off mic]

**Bridge Littleton:** Ok, so is yes. Is there a motion?

**J. Kevin Daly:** Yes, I would like to make it.

**Bridge Littleton:** Please.

**J. Kevin Daly:** With a comment. It's been mentioned and your family, your double family, you and I, you served in the military and that is a family, it's a band of brothers and a band of sisters, and you never leave it. There's a shared experience there. So you're a member of that family and you are a member of our family of Middleburg. Never forget that. You always have a home here. [off mic] And with that, I move that council adopt a resolution extending its

appreciation to Antwan Montford for his service to his country, as well as his service to our community through his employment at the Middleburg Post Office.

**Peter Leonard-Morgan:** Second.

**Bridge Littleton:** [off mic] I know. Any discussion? All's in favor, say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed? Abstentions? All right, the resolution passes. Antwan, if you want to come up here real quick. Always got to have the photo [off mic]. Instagram is waiting. [laughter] So we'll do that. [off mic] Oh, yeah, absolutely.

**Darlene Kirk:** It's all about family. [off mic]

**Ali MacIntyre:** Oh, beautiful. Thank you.

**Antwan Montford:** Thank you.

**Bridge Littleton:** Antwan. Thank you. Good luck. [applause]

**Bridge Littleton:** Okay. The next item on the agenda is public comment. So if anybody here would like to address the Town Council on any matter. Any person would get three minutes, simply come to the table, state your name, address and provide any public comment. So, Mr. Wiley,

**Carter Wiley:** Yes, my name is Carter Wiley. I'm the owner of 10 North Pendleton Street an office building here in Middleburg. We've owned it for about seven years. And I'm a little taken by the fact that the Town Council will consider building such an expensive office project without a referendum on the taxpayer, getting them to have a say here. If y'all want to spend money, why don't you fix the water, that my building is stained and it smells and no one will drink. I'd like for you to take care of your own sidewalks. If y'all want to spend your money, spend your money on the people here. If the money you've got is that much to be able to spend \$12 million plus on an office building why don't you give the money back to the people that give you the money to begin with. That's all I got to say. Thank you.

**Bridge Littleton:** Thank you. Anybody else in the public wish to address Town Council? Okay, we will close the public comment session. I don't think we have any public hearing items. The next item is Attainable Housing in Middleburg. This is a public presentation from Cathy from Foxcroft and a discussion around Attainable Housing. [laughter]

**Cathy McGehee:** Thank you.

**Bridge Littleton:** Absolutely. Just please sit right here at the table.

**Cathy McGehee:** That's fine for the microphone.

**Bridge Littleton:** Yep.

**Cathy McGehee:** And then I don't know, we sent you. There you go.

**Bridge Littleton:** Yep, we've got it.

**Cathy McGehee:** Ok, thank you. [laughter] It is an honor and I claim to be no expert on housing. I just want to be clear, I understand education, but Bridge and I have been in some conversations and I challenged him. I asked a question at his state of the town address about attainable housing, and this is something that is important to me as an educator and a leader at Foxcroft School, but it is also an issue for the five schools that make up the schools within the Middleburg. Not



all of us are in town proper, but we're in the area and those schools are. I don't have a, [off mic] someone, would you forward it for me? It's a wonderful, you know, this town is wonderful to us because it really does have some great schools and you will see them in just a second. But Banneker Elementary School, you may have to scroll it. Is it done as a [off mic]. Here we go. Banneker Elementary School, Robert Carter is a very capable principal there. They have 35 employees. Foxcroft, yours truly. In my eighth year, I'm still the new head; 99 employees. The Hill School that is led by Treavor Lord, has 57 employees. Middleburg Charter School has 27 employees. And at the opposite end of Foxcroft is Middleburg Montessori School, led by BethAnn Slater. Sorry, wrong way Middleburg Charter is BethAnn Slater, and I think I have these flip flopped. I'm sorry. I think I have the middle. No, I do. I'm sorry. [multiple speakers] Yes, it's my notes in this one. Middleburg Charter is Stephen Robinson and they are the ones that have 27 employees. And BethAnn Slater at Middleburg Montessori School; 11 employees. This conversation is something that has brought us all together to talk, especially in light of what we're facing as a national shortage of teachers, which is coming on the horizon as well. So if you don't mind advancing. I pulled together and I need to again, the numbers will tell an interesting story, but altogether we have 220 total employees, 118 of which are classified as teachers. Everyone teaches in a school no matter what role they have. Hill School and Foxcroft have a unique circumstance because we can house our employees on our campuses, so I have to remove those numbers from this. But I think they're important to see that if we didn't offer housing, we would have another issue. I have 59 employees that live on campus, and Hill School has 15 employees that live on campus. The majority of my employees are teachers, but it does not include all of my teachers. We have also essential employees that are there for safety, for the barn, for operations.

**Bridge Littleton:** Hey Cathy, can I ask you a quick question?

**Cathy McGehee:** Yes.

**Bridge Littleton:** So it's an interesting point that you make that you guys provide housing for a lot of your employees, and so does Hill School. I wonder if that is symptomatic of the issue that because affordable housing isn't there. That's something they actually have to take the burden of.

**Cathy McGehee:** I think that's [multiple speakers].

**Bridge Littleton:** I wonder.

**Cathy McGehee:** Yes. Well, [multiple speakers] I think it's our identities and our mission, we are a boarding school, so we must have employees on campus to care for our students. But I'm going to come to that if we didn't, and I have examples of when we can't house all of our employees what happens. Both Hill and Foxcroft also have a fair amount of property associated with them, so we also have to maintain that property. But of then, if you subtract those numbers, one hundred and fifty five of our employees, 83 of them live in Middleburg or Loudoun county and the highest, there are two schools that have the highest number of employees that live within Middleburg Town proper or Loudoun county, and that is the Hill School. I have not been able to absolutely confirm this with Treavor and none of us. I said none of us are going to have to put this in front of our auditors. But I do believe that Treavor's employees have been at the school a longer time and their salary range may be a little higher because they've been at the school longer. In addition, I suspect and I didn't get the numbers from him, that there are many of the teachers are women and may be second income earners in their household because he has the highest number of employees that live within the town proper. And then the other school that has a significant number of employees that it's not about living in Middleburg, but they live in Loudoun county, and that's Banneker. But he has a high number of teachers who have their master's degrees, and that is an automatic bump in pay for employees. Seventy two of our employees live elsewhere, and that's where I go back to say, if we didn't provide housing, how much larger would that number be and our employees drive from far to get to their workplaces. I think I have the farthest. I have a teacher who lives with his newlywed wife in her parents' house. And so that in Alexandria, and he makes a drive in every day to teach. A very, very talented math teacher. But it's not unusual for us to have our employees driving in from West Virginia. And that is both time and money for them. And that's not just our staff members. That is also some of our teaching faculty. If you'll go to the next and I, you know, I think you all probably understand this, but I did, the auditors probably wouldn't put a stamp on this, but we did ask for average employee wages among schools, and it's fifty seven thousand. And I'm probably telling you what you already know. But the median home price in Middleburg is 985,000 dollars, and there's not a lot of the, you know, I won't call it affordable,

but housing for sort of middle class that middle class income. The other thing that I think it's worth noting, and this is where it impacts me because I probably hire more young teachers that come in and I can't always house them all on campus. There's a very low inventory of rental properties that are affordable in Middleburg. And the average when I went on to just Google, that was the average price for a one bedroom apartment in Middleburg. And yet [laughter] I started scrolling through the options they were saying Sterling, Virginia and all these locations, they were not in Middleburg proper. So I don't have a solution for you, but I do want to stress that this is something that I would hope that in your leadership, you would look at in terms of like other areas in the country, people are buying smaller homes, knocking them down and building mansions that are going to continue to drive up and then put the people that teach the children in this area out of the neighborhood, so to speak. And I think it's worth really looking at. We love being here and we love working with the students in this area and we'd love to see them be members of the community as well as teachers in our schools. So that's really what I wanted to highlight to you and also say thank you because this project helped the five of us get together and we certainly are planning to look at ways we can support one another and help one another more.

**Bridge Littleton:** Well Cathy, well, first of all, let me just say on behalf of the whole town council and the town, thank you very much. This is very, very helpful. You know, for a, you know, we like to call it attainable housing, you know, because affordable [multiple speakers]

**Cathy McGehee:** It's a different connotation.

**Bridge Littleton:** Different kind of definitions into it so. But you know, it's also workforce housing is kind of the thing. But you know, getting your hands around or us trying to get our hands around the issue and the concern, the problem is one dimensional and you bring an entirely different dimension to it, so it helps us see it from a different angle. When I saw your deck earlier today, I actually took and threw in. Ok, if I was earning fifty seven thousand, how much house can I afford on all the average other expenses? It's two hundred and eighty thousand. That's the house I could afford. Now maybe some of these people have two incomes, right?

**Cathy McGehee:** Right.

**Bridge Littleton:** So OK, fine. Take it up by 50 percent. That's four hundred to four twenty five. You know, I know Danny got some initial assessment numbers from the county this morning. Now this is county assessment value, not necessarily median home price, but it's a benchmark. The what is it for townhomes?

**Danny Davis:** The average at this point, preliminary numbers for townhouses for 2022 is six hundred and ninety thousand dollars, which is about 10 percent higher than the single family homes, which are about six hundred and thirty thousand, six hundred, and forty thousand which still [multiple speakers].

**Bridge Littleton:** Those are the [multiple speakers] themselves are 50 percent above the 50 percent number add I just gave on top of that so.

**Cathy McGehee:** Well, and then in the generation, then I'm sure I'm talking to people who lead businesses and know this about the millennial workforce. But they're coming into into the workforce with an incredible, many of them, incredible amount of debt for college and graduate school. So this makes this layer even more challenging for them if they're going to think about how they want, where they want to raise a family, and what quality of life they want to have. And I want to bring the best teachers, educators to Middleburg, and I know my colleagues do as well. So thank you for your time.

**Bridge Littleton:** No, absolutely. So anybody on council got questions? Bud.

**Bud Jacobs:** I'm very grateful to you for bringing in this presentation and deeply disappointed that you haven't also brought us some solutions, but. [laughter]

**Cathy McGehee:** Well, I mean, I mentioned one, I don't know what control you have over zoning. When people, you know, what can you do?

**Bud Jacobs:** Well, as it happens, we have a lot of control over zoning.

**Cathy McGehee:** Right, right, right. But I mean, you know.

**Bud Jacobs:** And we've taken some steps to at least begin to deal with the problem that you mentioned about the McMansion issue and the way it absorbs alternative affordable housing, if I can use that term. I would ask you to take another look at your Middleburg median home price number. I'm not sure that's the number. Not sure how you arrived at it. And the reason I ask you this is, I think it's important that this presentation be absolutely accurate or as accurate as it can be. One of the reasons I would like that, like you to do that, is I would like to invite you back to give this same presentation to the planning commission. No, I'm speaking a little bit out of turn because our planner is not here this evening. He's on vacation, but I'm sure he would welcome it if you could.

**Cathy McGehee:** Sure, and I'd be happy to, you know, bring my colleagues along. I was looking to see if any of them had, I invited them to join me. [laughter]

**Bud Jacobs:** But this hasn't been so bad, has it?

**Cathy McGehee:** No, not at all. Not at all.

**Bud Jacobs:** The Planning Commission is the front line for dealing with some of these issues, and both in the Planning Commission and in council we talk about attainable housing a lot.

**Cathy McGehee:** I would be delighted to come back.

**Bud Jacobs:** And this is very helpful and I'm glad you've memorialized it and put it on the record for us, but I would ask you to take a look.

**Cathy McGehee:** And I will.

**Bud Jacobs:** At the median home price.

**Cathy McGehee:** And I will ask my assistant who was helping me with some of the research, even if this was and it's not the maybe the best way to Google something and find the answer. But if that's what our when we offer a job to someone and they go to the website and Google and this is the number that comes up, that right there can be an obstacle.

**Bud Jacobs:** Oh yeah. [multiple speakers]

**Cathy McGehee:** To thinking about, well, where would I live? And I can tell you every time I hire someone whom I can't house and I can't house everyone. I fortunately have wonderful connections with realtors who do their darndest to try to get them close in. But it's hard and the numbers are high. So and sometimes I lose people because they can't imagine the life quality of having to spend so much time in a car when, as schools, you know, we asked them to work well beyond an eight hour a day.

**Bud Jacobs:** Sure.

**Cathy McGehee:** And to coach and to come back for Parent-Teacher meetings and all the things that are part of it so.

**Bud Jacobs:** Well we'd like to envision a world where not only our teachers, but our police officers, our firefighters and other similar kinds of employees would have the option, at least of living within the jurisdiction that they serve. Well, thanks a lot. Thanks a lot.

**Cathy McGehee:** Thank you all.

**Bridge Littleton:** Cathy not yet. Sorry. [laughter] Did anybody else have any questions or feedback? We do these, it's sort of like, you know, see if anybody's got questions.

**Cathy McGehee:** Sure. I'm just conscious of your time. [multiple speakers]

**Bridge Littleton:** Oh, no, no, it's fine. We got all night.

**Peter Leonard-Morgan:** Talking about the median price. I wonder, because I'm in that business, whether it's actually these 20117 zip code of Middleburg. [off mic] And then you really are pulling in some bigger estate prices. And if you want, I'd be very happy to help you with that. [multiple speakers]

**Cathy McGehee:** I would appreciate the additional research that would be great.

**Peter Leonard-Morgan:** Absolutely. We can talk afterwards.

**Cathy McGehee:** Well, and Loudoun itself is also a very expensive county.

**Peter Leonard-Morgan:** Absolutely. But the Town of Middleburg itself is this little enclave on its own, and it just takes a bit of pulling of those numbers. [inaudible]

**Bridge Littleton:** And I think what you do is you actually add in the county current assessment. I mean that's the county appraisal for the town of Middleburg. You know, there's no, you know, you could have multiple numbers, right. Hey, you pulled the going market rate median rate is this. The county assessment is this. Everything's between six and seven hundred thousand. That, in of itself is a shocking number.

**Peter Leonard-Morgan:** Yeah, you're right.

**Bridge Littleton:** Does anybody else have any other questions for Cathy? Cathy, again, thank you very much.

**Cathy McGehee:** Thank you.

**Bridge Littleton:** It's been very helpful to see this side of the issue.

**Cathy McGehee:** I don't know the proper procedure, but I would love to just share a bit of exciting news from my own school that I think would. [off mic] And some of you, you're here. We are very proud that and excited to have two Afghan refugee students have joined us at our school and we are they are doing very well. They came right after Thanksgiving. They are part of and want to protect their identities because their families are still in Afghanistan and they will not be going home to visit them. But they are part of SOLA, the School of Leadership Afghanistan. And you may have seen their incredible head of school talk about getting 92 students girls out of Afghanistan through Qatar to Qatar to Rwanda, and then placing them mostly in independent girls boarding schools in the U.S., there are six Afghan students in the state of Virginia we are hosting two of them. They are here for three years and they have nothing. So, you know, we have made a big commitment, the community is stepping forward, but I want you to know, and I hope you all will welcome them as you see them. They actually only one of them wears any and only part time, I think they got to America kind of abandoned some of their. But any rate, I wanted to share that with you all. [multiple speakers]

**Bridge Littleton:** Well, if there's ever any help that we can be for things that they need, no guarantee we can do it but tell us and we'll do whatever we can.

**Cathy McGehee:** Yes, thank you very much.

**Philip Miller:** Thank you for that.

**Bridge Littleton:** Thank you Cathy. Ok, I'm going to shift the agenda around a little bit because we got some folks here in the room waiting. So the next item we're going to go to is council approval for request for Grant. The American Legion Post 295. [off mic] Well, we usually routinely reject when received, but I think this one slipped through.

**Danny Davis:** We had a new employee that let this one [off mic]. [laughter] [off mic]

**Bridge Littleton:** Well they're gone. [off mic]

**Danny Davis:** All right. Mr. Mayor and council members, you have the memo before you. The American Legion has made a request for a grant donation to support their kitchen renovation project, which is a key part of their efforts to get their American Legion Hall available for continued use by the community and the public. And these types of requests for infrastructure go through the EDAC. EDAC reviewed the request and felt that it was a very good request and worthy of recommending for approval, which they did. The request is for \$5000 dollars, and there is the budget to support this request. Happy to answer any questions from our side. Obviously, the Legion is here as well.

**Bridge Littleton:** Yeah, Darlene.

**Darlene Kirk:** I was just going to say you can't hear me on that, but they also are getting support from the town because they're getting part of the kitchen provided. So I think this is a great thing for us to do.

**Bridge Littleton:** Mr. Daly.

**J. Kevin Daly:** Yeah, I would like to propose a motion.

**Darlene Kirk:** Please motion away.

**J. Kevin Daly:** I move that the Town Council approve the recommendation of the Economic Development Advisory Committee to provide a grant to the American Legion Post 295 in the amount of five thousand dollars in support of their kitchen renovation project that will provide services to the Middleburg community.

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

**Bridge Littleton:** That doesn't triple the value of the grant. [laughter] Ok, any other discussion. Yes, sir.

**Peter Leonard-Morgan:** I just like to thank the American Legion for letting us use the American Legion for some of our meetings. [laughter] We really appreciated it. It was very helpful in some of our efforts with the presentation of the town hall. Thank you.

**Bridge Littleton:** Ok. All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed. Abstentions. Oh, Cindy, God blessed. I keep forgetting.

**Cindy Pearson:** That's all right.

**Bridge Littleton:** Were you a yes?

**Cindy Pearson:** Aye. Yes.

**Bridge Littleton:** Ok. Awesome. All right. The request is approved. [applause] Mr. Moliere.

**John Moliere:** First of all, thank you very much. Second of all, I'd like you to understand that we found this week the American Legion has been in business longer than any business in the town of Middleburg as a single entity. We'd also like to share with you some of the concepts that came through in the proclamation that Bridge presented to the Legion at our Christmas party and our awards banquet. We have been in business for 75 years. This is our Diamond Jubilee and we're going to have a big [inaudible] deal in March as soon as we get the kitchen worked out and everybody in town is going to be invited. We'll have polkas and we'll have a food and stuff. But one of the things I wanted to express was after seventy five years and this past year of 208 other legions in the Commonwealth of Virginia, we were number one in nine categories. [multiple speakers] We are so proud of that. But I can't rest on the laurels of the current people. But I also have to acknowledge those that went before us, like Senator John Warner, like Howard Allen, like George Martell, like Curtis Prince and Mickey Gordon and and my dear friend [inaudible] Chief [inaudible]. So many it's hard to recall them all. But what we do, we're very proud of. The other thing is, when Bridge asked me I don't know it was either Bridge or Danny called me and said, Can we use the hall for the DMV? And I said, Why not? So we got in touch with the Buffington's office and we set it up for December 20th, 21st and 22nd or 19th, 20th and 21st, whatever the three days. And Bridge was there taking care of some business. And the people from the DMV said, All right, well, what kind of donation would it take to use your facility? I said, Well, I don't know, not much. We have certainly water and utilities and heat and so on and so forth that we have to pay for maybe a hundred bucks. And they came back and said, We don't have that. And I was thinking to myself, cheap [expletive], but I was telling this to Bridge. So our and I was also suggested that maybe we could up this five grand to five thousand ten dollars or something like that you know. But anyway, the last time I came here asking for three, I got 10. [laughter] And people are wonderful. You are totally wonderful, really. And when you're construction is going on or when you have a big deal coming about and you need a larger facility, the American Legion is always open. Thank you.

**Bridge Littleton:** Thank you, John. We really appreciate it.

**J. Kevin Daly:** John, before you go, I couldn't help but notice the tag on your shirt. There's just one thing I want to say. Go Army, Beat Navy. [laughter]

**John Moliere:** In your dreams.

**J. Kevin Daly:** He talks good for a navy guy doesn't he. [laughter] Every other word wasn't a curse word. [multiple speakers].

**Darlene Kirk:** Thank you. Thank you all very much.

**Bridge Littleton:** Take care. [off mic] All right. Next up on the agenda is staff reports. Stuart, you're the man.

**Stuart Will:** Good evening. Any questions?

**Bridge Littleton:** Anyone got anything for Stuart? Darlene.

**Darlene Kirk:** I forgot the name of [off mic].

**Stuart Will:** Crystal. Crystal Lucas, she's a new trainee and I'm super stoked to have her because she is very. She wants to learn and she's young and wanting to learn is great. But it's particularly good when you don't already know it all.

**Darlene Kirk:** Yeah.

**Stuart Will:** And she is blissfully ignorant of most all things. And she's asking the correct questions and I'm stoked to have a trainee that's hopefully going to end up as a licensed operator at some point in the future.

**Bridge Littleton:** That's great.

**Stuart Will:** So, yes.

**Bridge Littleton:** Bud I can, hold on. I can see a pithy comment.

**Bud Jacobs:** No, I wanted to ask Stuart to tell council about your recent experience with water rustlers.

**Stuart Will:** Yes, we are.

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

**Stuart Will:** Yeah, I ran down a water rustler.

**Bridge Littleton:** Really?

**Stuart Will:** Yes. A gentlemen from an address on North Jay called Chief and told chief, There's a guy down here getting water. Chief calls me, he says should they be on North Jay getting water? And I was like, No. So I headed for North Jay. I met the gentleman with the truck and trailer as he was coming out of North Jay immediately got a photograph. Went around the block and I noticed as I was making my turn, he was turning into Exxon. And I think he just did that because the curbing is difficult with the trailer. And in any case, he took off East on 50 and I followed him and I followed him to a job site over in Aldie and the cop on duty, Jason, rolled in minute or two after he got to the job site and we got the guy. And they're going to pay for their water, which is great. And then they are also going to pay an additional fine, which hopefully will motivate them to train their employees a little better about, you know, making sure you know where you're getting water and you know you're paying for it, et cetera. [off mic] But I know, well, the 500 bucks, they won't do it here anymore, hopefully. So in any case, though, yeah. This instances just like that could be the reason you are occasionally and you were occasionally seeing stirred up water in your neighborhood. And the more, you know, the more random this is, is the more I'm beginning to suspect that we're just having people swiping water.

**Peter Leonard-Morgan:** So can you educate me? So that's basically someone's taking it a pipe from the hydrant?

**Stuart Will:** Yes.

**Peter Leonard-Morgan:** And put it into a big tank.

**Stuart Will:** Yes, he had a proper setup for a horizontal drilling rig, so one of the rigs that sets up and shoots the pipe down into the ground and they typically require water. And when they set those up, they're set up with a flexible pipe to go to your hydrant and then a hard pipe going up and into your tank with a proper air gap. It's, you know, public safety. But yeah.

**Bridge Littleton:** Where was the job site in Aldie?

**Stuart Will:** It was behind the church as you're going out of town on your left. Actually, Loudoun Water operates the wastewater treatment facility for Aldie, and I believe it's the lane going back to the wastewater treatment plant.

**Danny Davis:** It's a contractor. I mean, it's not Loudoun Water directly. But it does sound funny. [off mic]

**Bridge Littleton:** Right? Sure.

**Darlene Kirk:** Yeah, I sort of imagined when he said rustling.

**Bridge Littleton:** Yeah. [multiple speakers]

**Darlene Kirk:** A lasso. [laughter]

**Peter Leonard-Morgan:** It was a digital lasso?

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

**Philip Miller:** Thank you for that.

**Bridge Littleton:** Well done, Stuart. One quick question. Just wanted to see how things have gone with providing those options to Mrs. Mack?

**Stuart Will:** We're on that. I anticipate having Brad Broy in town in a day or two to both look at her job and then to look at our manholes on Chinn Lane in front of Cindy's place and then also over in front over by the library.

**Bridge Littleton:** And there's also one by, there's a small one by the dry cleaner on Liberty and.

**Stuart Will:** Okay. Federal. Yeah, I'll look at that one. [off mic]

**Bridge Littleton:** Right next to the parking lot. And then honestly, there's one or two small ones Madison and Federal.

**Stuart Will:** Madison and Federal. I will have to.

**Bridge Littleton:** Cindy, yeah.

**Cindy Pearson:** I want to thank Stuart for getting that looked at, because at 5:15 that day, it snowed with that plow, hitting it brought you right up out of bed.

**Stuart Will:** Yeah, [laughter]. [multiple speakers]

**Cindy Pearson:** But a big bang, not a clang.

**Stuart Will:** Yeah.

**Bridge Littleton:** Ok. Yes.

**Danny Davis:** Did we get Well P installed yet?

**Stuart Will:** We did. And I brought it back online today. So what does Stonewall Avenue treatment plants back 100 percent.

**Danny Davis:** And how deep was that pipe again? Just.

**Stuart Will:** 480 feet.

**Danny Davis:** Four hundred and eighty feet. We replaced it just like we did for Well L with stainless steel pipe this time that should last, hopefully [multiple speakers]

**Stuart Will:** A hundred years.

**Danny Davis:** Yeah, this was at [multiple speakers]

**Bridge Littleton:** Stuart, we're holding you to that. [laughter]

**Stuart Will:** Yes, sir.



**Bridge Littleton:** In 100 Years, if it didn't, you got a lot to answer for.

**Stuart Will:** You're going to have to find me one way or another in 100 years. [laughter]

**Bridge Littleton:** So Danny, did you ask Martin about my legal, my criminal question?

**Danny Davis:** I did.

**Bridge Littleton:** Martin, could you please opine?

**Martin Crim:** I can. I crowdsourced this issue.

**Bridge Littleton:** Oh boy.

**Martin Crim:** To the local government attorneys, because I figured that was probably the most efficient and quick way to do it. It turns out that you can charge people under a variety of criminal statutes for taking water.

**Bridge Littleton:** Hold on, let me back up real quick. The question I had for Danny and for Martin was this. So taking water, it's against our ordinance. So it's like a civil penalty and stuff like that. But the question I had or it's a fine, right? The question I had was wait a minute. It's also a crime. Is it a crime that we could actually arrest people for if we wanted to? So Martin.

**Martin Crim:** [multiple speakers] So larceny, as you'll recall from law school, is the taking and carrying away of personal property of another person unlawfully with the intent to permanently deprive. [inaudible], got that right. Did I remember that from law school? Okay. Because I never used that. [off mic] Well, so if you take away water that you haven't paid for and you don't have authority to take it and you're not using it for fire suppression, then that can be larceny. And if it's over \$1000 dollars it's grand larceny.

**Bridge Littleton:** So theoretically, in the future, if this happens, it is something that AJ and his his team could arrest the person for.

**Martin Crim:** Absolutely.

**Bridge Littleton:** Okay.

**Stuart Will:** The officer on duty that day indicated that he would need to prove. I don't, I can't say malicious intent. That was not the words that he used.

**Martin Crim:** Yeah.

**Stuart Will:** But prove that the employee of the contractor was deliberately knowing he was, you know.

**Martin Crim:** You do have to prove intent. [multiple speakers]. And you definitely have to prove intent.

**Stuart Will:** Yeah.

**Martin Crim:** And there's another statute dealing with just tapping into a fire hydrant maliciously.

**Stuart Will:** Yeah.

**Martin Crim:** That would not require this. Would not apply here, necessarily. You could just use the general statute on larceny.

**Stuart Will:** Yeah.

**Martin Crim:** But yeah, there's a variety of statutes. I sent them over to Danny. He can share them with you.

**Stuart Will:** Very good.

**Peter Leonard-Morgan:** Presumably, there's a public safety issue as well. If they damage the hydrant and then there's a fire and they can't actually open it.

**Martin Crim:** Right. Yeah, right. And in fact, there's quite a lot of water theft out West, where they're having a very serious drought, mostly to supply illegal marijuana farms. So anyway, it's not as big of a problem around here, but it does happen from time to time. And my colleagues around the state have prosecuted or at least threatened to prosecute people.

**Bridge Littleton:** [inaudible]. Well, the good thing is discussing it now that, hey, do it again and you could be arrested. It helps, but ok.

**Martin Crim:** Ok.

**Bridge Littleton:** Martin, thank you very much. Any other questions for Stuart? Stuart, Thank you.

**Stuart Will:** Have a good evening. Have a good night. [off mic]

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

**Rhonda North:** Thank you, Mr. Mayor. The vast majority of my time these days are being taken up by the Town Hall project, and I'll give that report here shortly. But Tina and I did have a kickoff meeting with MCCI to talk about the online meals tax system, so hopefully we'll have that in operation within a couple of months. And then early next month, I will be meeting with representatives of MCCI just to talk about our general electronic records system and what we can do to improve that.

**Bridge Littleton:** And that's it. Any questions for Rhonda All right, Ali.

**Ali MacIntyre:** Very good evening. This won't be as long as last time, I promise. So just a few things to review. As Mr. Moliere mentioned the DMV Connect to bring their services to the town of Middleburg, which was a success based on the feedback that I heard. We are in process of scheduling quarterly visits as soon as the end of February. Just because we've had such good feedback, so we'd like to bring them back in three day increments, but that's pending conversation with the DMV. So excited about that. In addition, the National Sporting Library Museum will be hosting Visit Loudoun Certified Tourism Ambassador Program on Wednesday, February 2nd, from nine a.m. to one p.m.. For those that don't know, this program serves to increase tourism by inspiring our frontline employees and volunteers to turn every visitor encounter into a positive experience. So excited about that. And then for social media, I just wanted to share these numbers. These actually weren't in my report. It's nobody's surprise, December was a big success. Our engagement rate increased by 17.3 Percent. Our audience on Instagram grew by 4.3 Percent, and our audience on Facebook grew by 14.9 Percent. So just wanted to share those with everybody. Were there any other questions about my report?

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

**Peter Leonard-Morgan:** Christmas and Middleburg, I think, went really well, and I really appreciated the business employees parking because I think that helped a lot. That's the first time we've done it right. I think it really was a great help to folks working in businesses. Thanks for that. And the Dickens of a Christmas was wonderful. I mean, what a fantastic event.

**J. Kevin Daly:** You had a lot of characters dressed up.

**Ali MacIntyre:** Yes. The MBPA did a really good job. Thank you.

**Bridge Littleton:** So, Ali, I think one thing in when you're going through your metrics, right? I so it would be helpful to have a benchmark, right? So as an example, four percent increase. Well, that is a benchmark could actually be terrible. I don't know. So it would be helpful to, you know, what does that mean relative to either other towns or general or whatever? Right? So I just have to have something to scale it by. So I think that'd be helpful when you when you know, in the next meeting.

**Ali MacIntyre:** Ok. All right.

**Bud Jacobs:** But Ali, I know it's in your report somewhere. I can't find it. You want to give us a quick cut at where you are and Visit Loudoun MOU.

**Ali MacIntyre:** Yes. Yes. So Danny and I are going to be reviewing what Beth has already sent us over next week, and then Beth will actually be here to present then the second council meeting in January. I can't remember the date right now. I think it's the twenty seven. Yes. Yes. Thanks. Anybody else?

**Bridge Littleton:** Anybody else? Anything? Ok, Ali, thank you.

**Ali MacIntyre:** Thank you.

**Bridge Littleton:** Tina, sorry, go ahead. Yeah. I lost track of something on my computer.

**Tina Staples:** I can assume, you know, he might want to switch things around again. Just kidding. Ok. Sorry. All right. So I highlighted a couple of things in my memo in front of my report. Again, we're continuing to work on trying to get more customers onto the eBill platform for Invoice Cloud. So we're, I think, making great progress with it. Every almost every new account signs up for the eBill. So I think we just have to do a little bit more work or outreach with some of the existing accounts that have been around for a while. So. So we're continuing to work on that and we're going to we started working on the budget already. We're about we're halfway through the fiscal year, so we don't have necessarily all of the first half numbers in yet because we still have some taxes that will come in here in the next week or so. And that will give us a better picture of where we stand as far as planning, budgeting and revenue and expense for next year. And business license renewals will be going out in the next week or so. So anyone owns businesses to please keep a look out for that. And outside of that, I think the budget's in a really good place overall, you're going to have some fluctuations with what months maybe your revenues are coming in under your expenses. But as we've talked about in the past, that's to be expected with the way that the way the timing works with your funds throughout the year. Are there any questions?

**Bridge Littleton:** Any questions for Tina? Ok. All right. Thanks, Tina. All right. Next is Police. A.J., well done.

**Danny Davis:** If I apologize, chief is out ill today and Lieutenant Jones is at the PELS conference. And so just letting you know. Thank you.

**Bridge Littleton:** Martin.

**Martin Crim:** Yes, sir. You have my report stand ready to answer any questions.

**Bridge Littleton:** Anything for Martin? Ok, was there. Did Will not have one?

**Danny Davis:** He did not have his in, but I can give you just one quick update from our area. He is, I believe, received final Plats revisions for Banbury Cross Reserve, which is likely going to the Planning Commission this month. It might be next month, but likely. That's not a public hearing requirement, I believe, but it does require approval. So stay tuned there and we can keep you updated. And at this point, we're proceeding with processing that just as is, regardless of any court action related to that. We also obviously are moving forward with our town hall project. The Middleburg residences at Salamander intend to break ground next month. They did formally plat their properties, so if you look on

the land records of Loudoun County, you will now see the subdivided property in land records as well. Just another brief update, a little bit more in my field than in Will's field. We are. We did have a meeting yesterday with Salamander and the Community Center about fireworks for July 4th because of the impact of construction. And I think that and thanks to Tony Cooper from Salamander, who worked closely with the fire marshal's office to identify how it can still be accommodated on Salamander property, it'll have to be set a little bit further back towards the barns and a little bit smaller firework size, but it will allow it to be continue this year and actually in that location will be able to continue until they develop, develop the MUV property. So our town hall and our village green will actually be outside the Fallout area so those can be prime spots for watching fireworks while still able to be viewed from the community center where they can have their large events. So I think actually one of the outcomes of this is we're increasing the number of places you can watch fireworks with a great view

**Bridge Littleton:** [off mic]

**Danny Davis:** No, until MUV is built out. This this will not touch the residences. Yeah. So this could be for many, many years to come.

**Darlene Kirk:** They aren't concerned about the horses or anything with them being close?

**Danny Davis:** It's it's obviously closer, but also they are smaller mortar sizes. So I think they take their precautions as necessary or move them further away during the event.

**Philip Miller:** Woods buffering there that I mean, it's not moving that much closer.

**Danny Davis:** Yeah, and it's in it's no greater impact on the residents of North Madison either. They're still, you know, had to be drawn carefully not to impact the houses. It would allow the North Pendleton Street to remain open the entire time because it would not be within the fallout area. It would impact the back Salamander lane service entrance. But anyway, just want to let you know we're working through those. You did ask us, Mr. Mayor, for an update from VDOT on the work at the cemetery. I have followed up with them multiple multiple times since that meeting with them. Even drafted a sample right of entry letter and apparently it's still being reviewed and I'm just still waiting for a response. They do have the materials on order, the piping that would be required, but we don't have a date at this time.

**Bridge Littleton:** But so all right, that's important piece. So they've ordered the materials. They intend to do it.

**Danny Davis:** They intend to do it. They will do it.

**Bridge Littleton:** All right. Good because the work people told Vivian something totally different so.

**Danny Davis:** I have no expectation that.

**Bridge Littleton:** No, that's great. If somebody can reach out to Gene or Vivian and just let them know that the material and the pipe to actually do what they said has been ordered, that should put the kibosh on the rumor.

**Danny Davis:** All right, I'll be in touch with them. As well if you recall, Ms. Terry Milton on Stonewall did approach the council as well about two issues one septic system and the other being the drainage issue. The drainage issue is we hopefully permanently, but at least significantly being addressed by Ms. Milton herself actually building a wall. She was thinking of doing this anyway, but taking her fence down and putting a solid wall in its place. The mayor worked with the community center to ensure that her contractors had a right of entry over the community center property and could even dig the footings a little bit. You know, dig into the property to pour the footings and then we'll restore it back. And he was able to get a positive response from the community center in that effort. So thank you for that. But that does hopefully for this point, resolve a few of those issues.

**Bridge Littleton:** Well, I was, you know, talking to the developer that create some of the water flow issues. He's actually they're going to contribute money towards her wall too to help out. I mean, Terri is a retired schoolteacher. It's not like there's buckets of, you know of money sitting there, so every little bit helps.

**Bud Jacobs:** But this is a little bit off topic, Danny. But I read recently that the Virginia Department of Environmental Quality has a fund to help homeowners upgrade or replace deteriorating septic systems. And the thought occurs that if the state has money to do that, whether the state might also be willing to consider helping homeowners who want to get rid of their septic systems entirely and hook up to a main sewer. And so I'd like to ask if you don't mind in your vast spare time. Could you blow into that a little bit and see what the story is and if there's an issue, maybe we could even get our delegate to raise a question or two?

**Danny Davis:** Absolutely.

**Bud Jacobs:** It seems to me sort of counterintuitive that if they're willing to replace aging septic systems, that there might be some interest in funding available to do hookups to sewers.

**Danny Davis:** Thank you. Will do. And the county did let us know of a program maybe similar, maybe separate of maybe from some of the ARPA dollars that is intended also to help connect folks from septic system to public systems. I think it was state money, but the county became aware of because we had asked them for some support. So either way, we'll research into that and see how we can really, from my perspective, pair as many pots of dollars together to make it as affordable as possible, both for the town and for the residents. Thank you.

**Bridge Littleton:** Oh sorry, Darlene, go ahead.

**Darlene Kirk:** I just wanted to tell you they have been working [off mic]

**Danny Davis:** [inaudible] Yes, I did. I did receive a question. I did receive. Receive a question about construction hours and they can begin at seven a.m. They can mobilize as long as they're quiet before 7:00, but they cannot start until 7:00.

**Bridge Littleton:** The other thing I was going to say is what's important about Bud's input is that. As I understand it, with Terry's property, she can't get another septic system because the property does not meet the requirements for having a septic system. So that's a limiting factor, right? It's like, hey, if she could put a new one in use the program all day long, but she can't because the lot's not large enough under the new requirements. Yeah. Exactly. So, OK, any other questions for Danny on Will's stuff that he didn't do and wasn't here for? Ok, Rhonda Town Hall.

**Rhonda North:** Yes, Mr. Mayor, thank you very much. So very pleased to report that the contract has now been signed with Cooper Building Services for the Town Hall project. The next step is we are working to schedule a pre-construction meeting and get together all the certificates of insurance and all of that good stuff. We anticipate the county will be issuing the building permit next week that got a little delayed between holidays and bad weather. So hopefully we'll have that in hand very soon. Even without it, they Cooper can start the grading work that's necessary. We have achieved a final furniture plan and we are going to be able to purchase that from a cooperative contract that will result in a savings of about 60 percent over normal prices. You should have received your invitation to the groundbreaking ceremony that's scheduled for January the 24th. We will start here behind the town hall off of the Pendleton Street entrance. There is limited parking, so we do ask that folks either park here in the town office lot or on street and walk in to that and then we'll move from there to the community center for for a small reception and a little warming up while they do speeches. [off mic] So with the start of that project, just remind folks that the parking here at the town hall will go away during that project. Danny and I have been contacting property owners in the immediate area, trying to find some replacement parking for the town staff. We are going to have some signage installed for the two spaces out front to make that town office, 10 minute drop off parking only and to identify the telephone number to call in here if people need assistance so that we can go outside to help them. But just a reminder to folks that there won't be any town hall parking. Once the project commences and last item is that the financing recommendation for the for the \$2 million shortfall will be coming to council during your meeting on January the 27th. Finance Committee did hear a report and you all will get a report during your next meeting.

**Danny Davis:** Would you like a brief synopsis of that at this point, or is that are you good for now?

**Bridge Littleton:** Definition of who's brief.

**Danny Davis:** 30 seconds. Strategic Finance Committee concurred with the staff and Davenport recommendations that we do pursue additional financing at the current interest rates for the Town Hall project. In fact, they recommended that we seek up to two and a half million dollars. That gives us maximum flexibility with our cash. And then as we continue to see rates stabilize and get the building open in a couple of years, we look at potentially buying down that debt or paying down that debt as appropriate. But we'll come back to you with more details of that at the next meeting. But the Finance Committee fully supported that recommendation.

**Bridge Littleton:** I think the. Yeah, see,

**Danny Davis:** Twenty five is what you said?

**Bridge Littleton:** Fifty five, More than double what you were allotted. So and I think the the reason they felt comfortable doing that is because the eight million dollar debt we've already taken out allows us to prepay without any penalties. So, you know, their whole their whole view was, Hey, let this go down the road and we can take advantage of it if we need to. No sense sucking the cash out today, which may made perfect sense. Ok, any other questions for Danny or Rhonda on the town hall? Yes, sir.

**Bud Jacobs:** Rhonda, on your schedule May 7, July 1st, 2022. What is building envelope mean?

**Rhonda North:** So that means they anticipate the building envelope to be completed.

**Bud Jacobs:** What is the building envelope?

**Rhonda North:** The exterior? Your walls?

**Bud Jacobs:** Oh, really?

**Rhonda North:** The shell. [off mic] Yes. Yes, yes. So so they I mean, I spoke with the folks from Cooper just yesterday, and they they are still saying that our proposed schedule of moving into the building the last week of December of this year is doable.

**Bridge Littleton:** No, no, it's what they're going to deliver. Our contract does not say, doable.

**Rhonda North:** Yeah, well, I mean, they do qualify it with. [multiple speakers] We run into, you know, a nuclear dump site. Yes, all bets are off. Yeah, assuming everything goes on schedule, they will deliver by the end of December.

**Rhonda North:** For the building to be open. And then they'll move to phase two.

**Bridge Littleton:** Yep, yep. Written in blood. All right. Any other questions? Yeah, you don't get questions.

**Danny Davis:** I did like to make a quick statement a bit unrelated to that, and I should have said this earlier, but could I briefly introduce our intern to the council while we're here?

**Bridge Littleton:** Sure.

**Danny Davis:** So we're excited to have Cody Sweet spending about two months with us. Cody lives in Aldie across from the general store and he grew up in this area. He went off to college, was playing soccer, got recruited and went to Germany for a little bit, but is now doing his master's degree actually at university in Germany. But because of COVID,

he's doing it remotely. And so as part of his master's in public administration, he needs some internship credits and he is getting the royal Danny treatment of a lot of information in a fire hose manner. And we're excited to have him on the team and going to start tasking him with some research projects and some tasks. So we're glad to have him with us and he'll be sitting kind of at this desk most of the time, but happy to introduce him to you. If you have any questions or projects or research efforts, we're happy to put him on.

**J. Kevin Daly:** Just a quick question. I understand your you're studying and in Germany. So as part of your education, you are learning the German drinking songs.

**Cody Sweet:** Yeah, we take classes at the tavern.

**J. Kevin Daly:** Ok, well. And is this your first council meeting? [off mic] Did you know the rules and tradition of a you're going to have to buy around a beer and sing a German beer drinking song this evening.

**Bridge Littleton:** At Kevin's house.

**J. Kevin Daly:** Hey I didn't make the rules. I didn't write these. Welcome aboard.

**Cody Sweet:** So maybe I can give you guys some hard cider.

**J. Kevin Daly:** Cody, we're glad you're on board.

**Bridge Littleton:** Well, welcome aboard. Where in Germany?

**Cody Sweet:** [off mic] miles from like the Netherlands border.

**Bridge Littleton:** Very cool. Nice area. All right. Anything else from anybody except Danny? Yeah. Sorry, someone's calling me. All right. So next we've got is the consent agenda. Would anybody like anything removed from the consent agenda? Yeah, right. But those are done. Oh, committees, I'm sorry. Any reports from town committee?

**Peter Leonard Morgan:** I just like to say the sustainability committee would like to adopt a highway, namely a two mile stretch of Route 50 from Parsons Lane, east of town to Windy Hill. That's just before the western boundary of Middleburg, and in order to be eligible and Adopt A Highway group must commit to two documented clean ups a year for three years, which is, of course, what the committee's been doing already. Unless there are any objections, we'd like to file an application with VDOT for that. [off mic] Well, it's just. I think we're going the start a small, just do two miles with Washington Street.

**Bridge Littleton:** Any objections? No. All right. It can't say that Peter Leonard Morgan Highway. [off mic] Exactly. Ok. Any other reports from committees? All right, consent agenda, would anybody like anything removed from the consent agenda, I would. I'd like to remove the contract for the water meter automated read system. All right, we'll get to it. Ok, so that leaves two items on the consent agenda. Is there a motion?

**Philip Miller:** I move we approve the consent agenda as proposed.

**J. Kevin Daly:** Second.

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

**Everyone:** Aye.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Opposed, abstentions. All right. So, Tina, I had a question about and this may have not been totally clear for me when we talked about last week on the total cost of ownership. So as I'm reading this, what? Tell me if I'm catching this right, this system for the period identified here will cost us about \$200,000. It means 190, so about two hundred grand. Ok. To replace the other 200 meters and the handheld system that we currently use, it's an additional thirty five thousand.

**Tina Staples:** Yes, just for the replacement, but if we were talking about the 10 years, is that is that kind of where you're.

**Bridge Littleton:** Well that's the total cost of ownership, right? What's the total cost of one versus the total cost of the other? Ok, so what I'm. Yeah. So what? I'm looking here, what I'm looking at here is if we stay with what we're currently doing, we've got to spend about \$35,000 to replace these other meters. Ok. So that's thirty five thousand to get that to where it needs to be to get the data that we need. This other system is about \$190,000 for it. So I'm having struggle understanding what's the value proposition to spend an additional one hundred and forty thousand dollars?

**Tina Staples:** Well, I will say just on the numbers first and if Danny wants to talk about the specifics about the meter system, but if we're looking at just keeping the existing as we were talking about and how that would expense out for 10 years, you're actually looking at about sixty two thousand.

**Bridge Littleton:** Ok. Sixty two thousand.

**Tina Staples:** Ok. Well, I just wanted to give you the information you wanted. Yeah. So and if we are. The nice thing about the replacement piece is we are funding it with the ARPA funds for the initial purchase of the.

**Bridge Littleton:** Which is irrelevant. [multiple speakers] No I got, I got, I got it because you could use that for these meters too. So that source of funds is irrelevant. The question is why is it in our best interest to spend an additional \$120,000 for this system? Hold on, I'm asking Tina.

**Tina Staples:** Ok sure no, of course, I think that part of the things that we have tried to work on even from before when I was here, but continuing now is to try to figure out where all the water's going and why we are not capturing it all in the billing. And some of that's flushing or other various things that people taking water or whatnot that happen. But generally, we do have some big discrepancies in the amount of water we're billing for in the amount of water that's actually being pumped out of the wells. So part of that is to do this. First of all, we have to get all of the meters to a newer meter level so we can download the data off them because we talked about that before right now two hundred meters or I think we can't get anything off of them. All we can do is tell you if it's spinning, you know, that's it, which isn't very helpful. So there's that. And then with the radio read, you could actually get real time reads from those any time. So we don't have to wait for two months for Gary to go out with the handheld and walk around town and get us all the reads and bring them back in. The only other time we get called out is if someone notices my water smells funny or concerned to have a leak. I've got really low water pressure or something could be going on. So without the resident seeing something for us to investigate, then we have no idea. So sometimes when these reads come in, it's been two months and now you have lost two hundred thousand gallons of water from a toilet that sat in a vacant house running for a week. You know, it's.

**Bridge Littleton:** So, so OK. So let me. So it sounds like there's two things there. Let me unpack both of these. The first one is we have two hundred meters we're not getting any data off of who the hell knows. But if we spend \$35,000 and put two hundred new meters in, that problem is now solved, right? That's the whole point of the additional 200 meters. So we will no longer be losing that unmetered water, right, that issue will be solved.

**Tina Staples:** Yeah, we would have more information to track it down, but we wouldn't have the information about the water loss immediately.

**Bridge Littleton:** That's a separate issue. Separate issue, separate issue. First issue is there's two hundred meters that don't work right and we're not getting any. We're not billing anything. That doesn't matter, that's not about a leak, that's just we don't know what those people are using, so we're not getting the money for it, so we got to have a new meter. So



assume no leaks in town. We got to spend thirty five thousand dollars to get those new meters. And so then we'll be able to bill those customers and know where the unbilled water is. Second issue is leaks. Ok, I get it. So this system delivers to us real time data that there's a leak. Well, a substantial leak because a little drip, you won't see. A substantial leak. Then we'll know where it is. Or let's put this way, not necessarily it's a leak. Someone's usage has gone up substantially. Might be a totally legitimate reason. They bought a pool and they're filling it up. But you'll be able to detect that. Ok. Do we have a sense of how much that costs us?

**Peter Leonard Morgan:** [off mic]

**Bridge Littleton:** What's that?

**Peter Leonard Morgan:** I believe I'm right in saying that efficiency of going around to all the meters and taking the meter readings is no longer you know, driving down all the streets, [[multiple speakers] getting out of cars,

**Bridge Littleton:** OK? That needs to be in the total cost of ownership calculation. Also, the man hours and the time to go into manage the system or drive around, get the meter readings and you can estimate it right. It takes four hours every month and whatever.

**Tina Staples:** We would eliminate Gary's time and to get the readings, it's actually would be ongoing all the time. Somebody driving around one of the cops has this in their trunk. They're picking up the readings as they're driving around town or, we put it, in Tim's truck or whatever the case may be. But yeah, so that's always constantly giving us information back.

**Bridge Littleton:** So, so somebody does have to drive by it to get the data.

**Peter Leonard Morgan:** I thought this radio was on a tank somewhere.

**Danny Davis:** So there are two options. There's the fixed based system, which would be on the water towers, and that was about triple the cost of this project. So we went with the. So we went with the drive by radio. Now, the benefit is we won't really know until we establish it. We believe that because we're such a compact town, we might hit 70 80 percent of our meters from this location, just de facto because of, you know, they're within a half mile of the town office. To Tina's point, it's it's basically a little laptop in a bag you throw in and you hit a button. And as you're just driving through town on your regular routes or Stuart has it in his truck as he's driving through town, it catches all those on a regular read. And so that's that's just a daily thing that happens without any additional effort or staff time required.

**Bridge Littleton:** But in fairness, it won't be actually real time data.

**Danny Davis:** We're intending it to be daily data.

**Bridge Littleton:** That box has got to drive by every residence every day.

**Danny Davis:** Well, what we will find out is basically how we capture those with you know, five minute drive through town. Correct?

**Bridge Littleton:** Sure. No, I get it, I get it.

**Danny Davis:** [inaudible] proximity will capture these. You don't have to literally go to each one. Right. But we will capture that and the intent is it gives you immediately warning flags of, hey, this meter looks off. It's either leaking. It's not reading correctly or there's something else going on. Which allows us to either proactively reach out to that customer and say, we think you have an issue, you need to check it and or drive by and say, is there water leaking out in the yard, which keeps us from losing water, which is an efficiency and also allows us to help the customer because even though we do have some generous bill adjustment policies, sometimes people either use their leak adjustment or still have to pay

the sewer amount, and they can be thousands of dollars of bills that our customers are paying for a leak that now we can catch within a day.

**Bridge Littleton:** So I mean, I understand all that I just want to make. I just I just want to make sure that we're making this one hundred twenty five thousand dollars net investment and it's actually going to be something that is net positive to the town, right?

**Danny Davis:** Can I throw one additional number to you? We do estimate just from regular reads that we have to send Stuart out to do. And then Gary's bi monthly read on average, somewhere around one hundred and thirty hours a year that we spend doing this. If we take that for 20 years and multiply, let's say an hourly rate of \$50, that's one hundred and thirty thousand dollars over a 20 year term. I did not include that as a negative on this total cost of ownership, but that's a cost savings of staff time that we don't have.

**Bridge Littleton:** It's cost avoidance, right? But but on the flip side, you also are going to have guys have someone's going to have to doubt someone from town drives to Virginia Lane every day. Someone will need to drive over to Virginia Lane every day. So it isn't. It's not. Trust me, I get it. It's not a one for one. You know, it's maybe a 20 for one or a 10 for one or whatever. So yeah, I'm sorry, Cindy. Anyway, I'm just like, We're real quickly. I'm just trying to understand what the net equal is because it's two totally different systems with two totally different sets of costs. And are we and are we really going to come out in the benefit for it? So that's what I'm trying to figure out. Cindy, sorry, go ahead.

**Cindy Pearson:** That's okay. And yes, I think you would we will come out in the benefit on just the frustration level that Tina has to deal with to even do the water bills every other month because she has these problems with those meters can't be read. And you know, the complaints from the people, there's just such a huge amount of information that you know, you guys don't have any idea of what she has to put up with every month, every other month and through the month, too. So I think anything to improve this. And if you've got the meters for the thirty five thousand, they're still going to not work right, you know, they're still going to get stuck. You know, there's something that's going to break in them. So she will you will continue to have that problem, whereas hopefully with the other ones, you know, it's a newer system or whatever you'd like to call it, that you're not going to have those old problems anymore. That's my thought.

**Bud Jacobs:** I thought I pretty much understood this until Bridge started asking questions. I realize I don't. How many meters are we talking about replacing if under both proposals, two hundred for thirty five thousand? That's correct. How many meters get replaced with the other money?

**Tina Staples:** Well, this is actually all the meters that we need to replace for the regular residential meters, we do have some larger meters that we're replacing. Those are for separate reasons just because there are about 20 years old and they're due, they're not working anymore. But yeah, so these were all the the residential [off mic] meters. These are the only meters that are not equipped to pull that off of yet because they're too old.

**Bud Jacobs:** All the other ones are equipped to pull the data off. Another dumb question I'm sorry. We have 478 water accounts in town. Utility accounts. Serviced by how many meters? A ballpark give or take.

**Tina Staples:** I believe we are at four hundred and forty bills. I think.

**Danny Davis:** I think we're at 480. I think each account has its own individual meter.

**Tina Staples:** Not necessarily some of the business ones and some of the older buildings. You've got three different units on one meter. [multiple speakers] Yeah. So that's why you don't have the same number as we've got four hundred and seventy eight accounts or meters. But when the bills are actually pulled, a lot of these end up consolidated, so you end up only with.

**Bud Jacobs:** So we have to replace about half the meters in order to be able to use the new system successfully.

**Danny Davis:** Yes, that is correct. It's about half the meters. And to be clear, and I think we're not I haven't been clear in my terminology. We have the meter, which itself is needed to be upgraded. In addition to that, actually the primary expense of this is the radio transmitter that has to be installed in the meter crock. And we have to do that for all four hundred and eighty meters, whether new or old. Because while the newer meters will hold data for 30 days, they don't have a radio built in to transmit that data. So there's a seventy thousand line item in the one of the attachments that's for the radio transmitter that actually connects to the meter and just pings that signal out constantly to us. And that seventy thousand has to or that transmitter has to go in every single meter throughout town, so we have to touch all round numbers, five hundred meters in town to get this installation done.

**Bridge Littleton:** There's another there's another cost of ownership because that's going to mean physical labor to go out there and do that. And how many hours is that.

**Danny Davis:** We've already calculated that. That's part of the proposal is the cost to install the meters and install the radios.

**Bridge Littleton:** The 160 includes all that.

**Danny Davis:** Yes, yes, I've built all that into the price.

**Bridge Littleton:** All right. [inaudible]

**Darlene Kirk:** [off mic]

**Danny Davis:** I think the estimate was between 10 and 12000 thousand a day, and it was for two and a half days give or take. So we're talking 25, 30000 gallons.

**Darlene Kirk:** [off mic]

**Danny Davis:** It's possible it got worse as the day went on to Sunday into Monday. But Stuart, just based on his estimates, that's what he said. I don't think we had any way of actually calculating that out.

**J. Kevin Daly:** What is the cost of the lost water?

**Danny Davis:** So sometimes that's an incalculable. I can't speak tonight. That's that's a cost that we can't necessarily put an exact dollar figure on. We do know that we do not bill somewhere in the 20 to 25 percent range of the water that we produce, which means we're spending money to produce water that we're not getting back in fees. Some of those may be related to adjustments. Some of that may be to lost water in the system that we never see.

**Bridge Littleton:** Was your question about the two day leak or in general.

**J. Kevin Daly:** Overall.

**Bridge Littleton:** OK, OK, OK,

**J. Kevin Daly:** If we're coming up with a system that's going to solve that problem. You know, I mean looking at cost efficiency, you know what amount of money is lost and how much money does that mean we're going to be? That means money saved.

**Philip Miller:** What what is twenty five percent under billing? How many gallons is that?

**Danny Davis:** I have it's about nine million, nine, 10 million gallons a year.

**Tina Staples:** I can give you an average bill amount by monthly total, it's about two hundred thousand. So twenty five percent.

**Bridge Littleton:** So but I think, Kevin, the question I was asking Tina. So we've got if we didn't have this new, this new system, right, no matter what, we've got to put in two hundred new meters because they're not even recording. That's probably where the twenty five percent is. So we would capture it either way. This system is going to allow them to more quickly identify if somebody's got a small leak in their thing, you know, but that's probably some of the unbilled. But the vast majority unbilled is going to be the fact that we have 200 meters, which aren't recording anything.

**Danny Davis:** Well if I may. I don't want to set you with the wrong impression. Those meters, 90 percent of those are working fine. They're recording usage. They don't store the historic data. So we can't go back and say, what did someone what was someone's meter usage yesterday? Now I will say some of these, even though they're recording usage, they definitely have slowed down and they're likely not up to par. And so I do think we will see it's not 9 million gallons, that's for sure. That's a lot of that's underground somewhere, which is part of our [inaudible].

**Bridge Littleton:** But I mean, you know, I think everybody forgets to, you know, we're we get shocked by numbers, right? We go thirty thousand gallons. Oh, my God. And it's like, Yeah, well, the average house uses 300000 every two months. That's I mean, it sounds like a lot of water, but relative to how much you know, is used every day, I mean, it's not insignificant, but it's not the shock of, Oh my god, it's like we lost \$10 million, right? I mean, it's thirty thousand gallons is probably like 20 bucks worth of water.

**Peter Leonard Morgan:** Danny, I was the eight hundred and sixty five thousand from the rescue plan. If we don't use that, I mean, is there a portion of that that's we use it or lose it? Or can we use all of that for other things?

**Danny Davis:** Yes, sir. We could use that for anything related to water sewer infrastructure, even stormwater infrastructure if we had any as well, not sidewalks, but but other potential projects related to COVID recovery or go back to lost revenue if necessary, which we tried to avoid just for those calculations.

**Peter Leonard Morgan:** So 865 is not a risk of us not [multiple speakers]

**Danny Davis:** That's correct. And we have until 2024 to appropriate the dollars and we have until 2026 to spend the dollars. So there is flexibility there.

**Bridge Littleton:** We could use it all for lost revenue.

**Danny Davis:** I did not run the calculations on that. There definitely was some money. We probably could be close, but we we felt and we can't.

**Bridge Littleton:** Peter's point is if we didn't do this, we're not going to lose the money.

**Danny Davis:** No, we have other projects to do or other ways to use that money. Absolutely.

**Bridge Littleton:** Ok. Bud.

**Bud Jacobs:** I support doing this, Danny, but I have to offer you a note of caution and ask you a question. If U.S. government agencies experience deploying sensors is any guide, and they would operate on similar principles to these meter transmitters. Those systems can be buggy as hell. Have we or have you built into the contract a requirement for the vendor to not only install this thing, but over time, make sure the bloody thing works and deal with those inevitable technical problems that are going to occur in their multitudes, I'm going to predict. This thing's not going to be easy to get running adequately very quickly.

**Danny Davis:** Understood. So the vendor, the vendor sells the product to us. They are our advocate, you know, between us and the manufacturer. The radios have a 15 year warranty on them. So any failure, buggy ness, what have you? They

can be replaced in that time period. The meters have a 20 year. I'm sorry. I think they both have a 20 year warranty. The meters have a full 15 year warranty and then in the final five years, the replacement cost is prorated. The vendor Core & Main is essentially our our project manager, our advocate. So if they are there to make sure the system gets set up and is accurately working, that we know how to press the button and understand what a red dot and a yellow dot and a green dot, and make sure that all 480 of them actually register. So yes. And then in Bowden is our labor, if you will, and under our existing contract with them, we use them for installation of this. But just as we would use them for replacing meters today, we can call them out should there be any other kind of issue or Stuart can. So we have partners and teams on this to be our, it's not going to be up to Tina and me figuring out this project.

**Philip Miller:** And so what's covered under the annual subscription?

**Danny Davis:** So that is the software cost that is updates to their software, that is the continual licensing fee for their software.

**Bridge Littleton:** How about the service agreements for maintenance?

**Danny Davis:** What's that? I'm sorry.

**Bridge Littleton:** How about the service agreement for the maintenance of the hardware. S

**Danny Davis:** We have that as the warranty from the manufacturer. Yeah, absolutely.

**Tina Staples:** And there is a cost we're already paying for the existing meters that is seventeen hundred a month and then that has also the three percent annual increase. So we're going from seventeen to twenty five hundred.

**Bridge Littleton:** Let me last question, Bud just made me think of this. I don't think it's going to be a big issue for us. But you know, security and privacy are very important. Are these radio frequencies encrypted?

**Danny Davis:** I can't answer that off the top of my head. I can get you that answer right away. What I can tell you is these radios do not control the meters. They simply send information.

**Bridge Littleton:** No, no, I got it. But so what somebody can do is transmit on that same frequency at a higher power and send you false data, or it can be interfered with. What happens in that respect? What happens? I mean.

**Danny Davis:** You pop the meter and you read the number and you...

**Bridge Littleton:** So there's a physical way to go do it.

**Danny Davis:** Oh absolutely. There's an LCD on it.

**Bridge Littleton:** I mean, I'm just thinking jamming happens.

**Tina Staples:** You can also download the data off the meter and we can see exactly the history for the 30 days. So we could tell if there was a discrepancy.

**Bridge Littleton:** Yeah, no. I'm just saying that, you know, there's things like like air conditioners throw off electromagnetic spillage that can actually screw up. So your little handheld thing won't work. I mean, you know, that type of stuff happens. So I mean, I'm with Bud. I'm fine doing this. Well, it's you guys voting. [off mic] But I mean. Well, you know, that's a great point, right? I mean, so I mean, I we need to make sure that whatever they're doing, the signal is a secure signal. I'm not saying it has to be like AES 120 bit encryption or something, but you know, it needs to be something that somebody can't tamper with.

**Tina Staples:** I will say, I think that they do. Ever since September 11th, they're much more serious about water and sewer infrastructure and about possible attacks using that to damage water systems and things. So they're very careful about the materials and how they put the electronics out. We didn't talk. We did not ask them specifically.

**Bridge Littleton:** I'm not worried about that. I'm worried about the wireless signal because what other people do is they will cheat your system. So somebody who uses water will have it send out a fake signal that says, we didn't use that much. So that's what I'm that's where I'm going with. I mean, I get it the hardware, the components, you don't want that be from China and I get all that. But I mean, that's what you have is you have people who fake the stuff so that you guys will get a bad read. But if it's a secure signal, you can't do that. Ok, we beat this to death. Thank you, guys.

**Philip Miller:** So I asked Danny what on an average year he forgave in terms of leak costs of that nature.

**Danny Davis:** I think it can be in the thousands of dollars.

**Tina Staples:** And just taking a guess, you know, probably two to three thousand on a bad year. You might get up to five or six if you've had someone with a really bad leak. But like the people forget with toilet leaks, you have to pay for the sewer because of the leak adjustment policy, and that could be thousands of dollars for a toilet that's running for a couple of days,

**Bridge Littleton:** Ok, unless there's any other questions is does anybody want to make a a motion? Bud.

**Bud Jacobs:** I move that the Town Council approve the Middleburg drive by package for automated meter reading through a sole source contract with Core & Main, with installation by Inboden Environmental Services and the estimated amount of \$160000.

**J. Kevin Daly:** Second.

**Bridge Littleton:** Any other discussion. And Danny, the only thing I would add is definitely find out if that signal is secure and if it's not, then yeah, I'm sure it's a feature. So I think that would be an important feature.

**Danny Davis:** I'm looking at the spec sheet, but I don't want to try [inaudible].

**Bridge Littleton:** Yeah, I got you. No, that's fine. That's fine. Ok. All those in favor say aye.

**Everyone:** Aye.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Opposed. Abstentions. Ok. It is approved. All right. Next is election of vice mayor also. [expletive] Sorry. Committee assignments. God sorry. My brain is just it's been a long, long week. Ok? I guess that's right. Because our election moved. Yeah, that's yeah. I will say I talked to a member of the House of Delegates today and asked him. I said, Hey, any chance that with a new governor and whatever we can get, that May allowed back. And he said, Yeah, no way. [laughter] I said, don't force anybody, but if we want to go back, but it was a no. So anyway, there it is. What's that?

**J. Kevin Daly:** No sweat off their brow.

**Bridge Littleton:** So, OK. So I guess the question is, are there any nominations for vice mayor or anybody would like to speak in advance? I guess I'll say that. Bud.

**Bud Jacobs:** In the spirit of democratic governance, I'd like to nominate the honorable Peter Leonard Morgan for vice mayor for a two year term beginning whenever that begins. And I want to add that this is not a reflection on the inestimable qualities of our current vice mayor, but rather an interest that I think we all share in broadening the effect and

impact of our democracy. In other words, we're not the Soviet Politburo with unanimous votes and our party cards held high. We actually are a practicing civil democracy.

**J. Kevin Daly:** Second. [laughter] [off mic]

**Peter Leonard Morgan:** It's my duty to accept if I'm nominated and I'm voted, of course. Oh, and thank you very much.

**Bridge Littleton:** Ok, now so real quickly. Rhonda, does a nomination have to be seconded or just nominated?

**Rhonda North:** No, they just be nominated and then you vote in order of the nominations.

**Bridge Littleton:** Voting in order of the nominations. Ok. All right. The only one here is not Chris. So we have. [off mic]. We have enough. It is a six, right? We have six? What's that?

**Martin Crim:** It's just a majority of those voting.

**Bridge Littleton:** Right. No, I got you. I got you. I'm just trying to understand. Ok. So Rhonda, how do we do this? Do we vote for? [off mic] So yeah, no, no. I mean. Ok, wait a minute. What's that, do you have to accept the nomination? We do this so frequently.

**Rhonda North:** Yeah. Yes, you have to. You have to know that they accept. And that they're willing to do

**Philip Miller:** I accept and I'm willing to do it. I'd actually really like to finish out the full extent of the term that I was originally elected to do since we cut it short.

**Bridge Littleton:** Oh yeah. You mean since the state legislature cut it short.

**Philip Miller:** Because they moved our elections?

**Bridge Littleton:** We all got shorted by six months or more. Ok, so Rhonda, explain to me the procedure here. So we asked for who wants to vote for Peter? And then we ask who wants to vote for Philip?

**Martin Crim:** It's a yes or up or down vote your honor. It's so it's the ayes and the nays for Mr. Leonard Morgan first and then for Mr. Miller.

**Bridge Littleton:** Oh, got it! Ok. And then whoever has the most votes.

**Martin Crim:** No. If Mr. Leonard Morgan gets a majority of the votes, aye. He is elected vice mayor and we don't vote [off mic].

**Peter Leonard Morgan:** Ok. And a quick question, how do the nominees vote?

**Martin Crim:** Just like anybody else.

**Bridge Littleton:** So you do vote. That's right. Ok. Got it. Thank you.

**J. Kevin Daly:** Oh boy. Yes, sir. Can we hear some campaign promises?

**Peter Leonard Morgan:** I promise to do my best.

**Bridge Littleton:** That's an empty cup. No kidding. Just kidding. Ok. If everybody is ready to vote, I guess we'll do that now unless anybody would like to say anything else or any of the feedback or input.

**J. Kevin Daly:** Yeah, I was going to nominate myself. I think that's enough.

**Bridge Littleton:** I nominate Will. I think he'd be great no? Ok, so let me. What's that? No way. [off mic] Yeah. Right, exactly. You know, I didn't actually know that was true. Yeah, that's shocking, right? Unbelievable. Ok, so all those in favor. Should we just do this by hand or by roll call?

**Martin Crim:** I think a roll call would be simpler.

**Bridge Littleton:** And clear. Ok. Cindy, did you have anything you want to add? I keep forgetting to look up.

**Cindy Pearson:** No I'm good. I'm listening.

**Bridge Littleton:** Ok, so if we'll do a roll call vote for Mr. Peter Leonard Morgan, Rhonda, if you want to call the roll.

**Rhonda North:** Ok, Council Member Miller.

**Philip Miller:** Abstain.

**Rhonda North:** Council Member Daly.

**J. Kevin Daly:** Who are we voted for in this?

**Bridge Littleton:** This is a yes or no [multiple speakers]

**Rhonda North:** Council Member Jacobs.

**J. Kevin Daly:** Aye.

**Rhonda North:** Council Member Kirk.

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

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

**Peter Leonard Morgan:** Aye.

**Rhonda North:** Council Member Pearson

**Cindy Pearson:** Aye.

**Rhonda North:** Ok, that's three yeses, two no's, one abstain. That's a majority.

**Bud Jacobs:** Ok. The majority of people present and voting, and the mayor doesn't vote. .

**Rhonda North:** Only in the case of a tie. [off mic]

**J. Kevin Daly:** [off mic] How much is this going to cost us to change vice mayor and get new name tags?

**Rhonda North:** New name tags, new letterhead. New everything. [multiple speakers]

**Bridge Littleton:** Ok, we've done the American Legion. Ok, EV charging infrastructure.



**Danny Davis:** Thank you, Mr. Mayor. Thank you, Mr. Mayor and council members. As you're aware, and I really would prefer to turn this over to the new Vice Mayor Leonard Morgan to talk through these issues.

**Bridge Littleton:** Yes, sorry. Before we move on. Anybody have any committee that they want to change? Or move to or anything like that, I meant to email everybody, but I totally forgot about it. Or does everybody want to stay on committees as currently assigned? Cindy. Ok. Anybody want to get off a committee, and since Chris isn't here, he's stuck with it. Everyone's raising their hand. Ok, cool. All right. Sorry, Danny, go ahead.

**Danny Davis:** Absolutely. So as you know, the town as well as the sustainability committee have been looking into electric vehicle charging options for several years. And thank you to Mr. Leonard Morgan and Lynne Kaye from the Sustainability Committee for their continuous efforts in this area. And so lately, there have been a number of state and federal grants coming through that offset the costs of EV charging infrastructure. And so we have been in discussions with a number of firms, and I think what I'll do is I'll turn it over to Mr. Leonard Morgan to discuss some of that if that's OK, and then we can walk through the specifics of this proposal.

**Peter Leonard Morgan:** Wonderful. Thank you very much, Danny. As everyone may recall, the sustainability committee, which was previously go green, had been pursuing electric vehicle or EV charging station initiative for the town of Middleburg for several years. Previous hurdles included cost technology limitations and the pursuit of a fast charging option, which unfortunately did not materialize at the time. But now, thanks to the Virginia Clean Cities, are nonprofit. The committee was introduced to two EV charging station manufacturers, which, thanks to substantial funding from the mid-Atlantic Electrification Partnership, which is a Department of Energy program, is offering approved municipalities and organizations free charging stations, including free installation, site preparation and ongoing support. Furthermore, these two companies pay for all electricity used and enter into a revenue sharing agreement with the receiving entity, in this case, Middleburg. Both companies have proposed several level two dual port systems, but the committee identified a company called Blink as the preferred partner. Because Blink has agreed to remove a requirement for multiple five year terms, which is in its standard contract and is the only company which has a Level three DC fast charging solution, which we can adopt, potentially at the town, the new town hall parking lot. The town manager, together with myself and committee member Lynne Kaye has had meetings with Blink and its insulation company here in town, and we identified several potential locations for dual port level two systems. And the resulting recommendation is that we install two dual port systems level two units in the Liberty Street parking lot, which has quite easy infrastructure there, and one dual port level two system along Washington Street with a location to be determined, potentially on the westbound lane around the community center if we can find electricity there. Incidentally, since we last proposed the program to council in April of 2019, level two charging systems have increased their power delivery availability to around 19 kilowatts as long as the vehicle has the correct technology in it to accept that much power. So, you know, that's really where we stand. That's what we're proposing. Blinks a revenue share proposal is 50/50, so they in fact pay for all the electricity, whether they reimburse us for electricity that we are providing to the systems or they have their own meter. And then they they charge the the customer, the driver and and they share that revenue with us on a monthly basis, 50 50. Any questions?

**J. Kevin Daly:** Scintillating report. Appreciate it.

**Bridge Littleton:** 19 kilowatts. That's a lot of power. That'll kill you pretty quick.

**Peter Leonard Morgan:** I think the Fast Charger is about 60.

**Danny Davis:** 60 and I mean, can be up to hundred and fifty.

**Bridge Littleton:** 150 KW?

**Danny Davis:** The station is I don't know what it outputs. But I mean. [off mic]

**Bridge Littleton:** Holy Moly. All right. Wow, OK. Any questions from anybody? Mr. Jacobs.

**Bud Jacobs:** The memo mentions that Martin has some concerns about the proposed agreement. And the motion does not indicate that those concerns exist. Could we amend the motion to say we authorize it subject to approval by the town attorney? I'm not entirely comfortable just moving ahead with this the way it is.

**Danny Davis:** That's fine. At the end, we can say, subject to final approval by the town attorney.

**Bud Jacobs:** Is that sufficient for.

**Bridge Littleton:** [off mic]

**Bud Jacobs:** Oh, it does in the last thing, I'm sorry, it certainly does. Yeah.

**Danny Davis:** Either terminology is fine.

**Bud Jacobs:** If that meets the bill, if you're happy with that, Martin. [off mic]

**Bridge Littleton:** Yeah, exactly. All right. [off mic] Well, let me ask one question if there's no power. Yeah, no. If there's no power at the community center, where is it going to be?

**Peter Leonard Morgan:** We did look at several different locations and I think that's still open to discussion.

**Danny Davis:** It is. We looked on West Federal across from the auto part store right there, there's two on the street, literally the power poles are in the road. I actually ideally would love to put it in the Methodist Church parking lot, but that assumes we can get them on board with it.

**Bridge Littleton:** I don't think we put town infrastructure on private property.

**Danny Davis:** And so a third alternative if that West Federal doesn't work, is on North Pendleton on the side of the Safeway building right there at that corner of basically Pendleton and Marshall. You have right here, you've got power right there in that spot. That's a challenge a little bit with that sidewalk there and getting the infrastructure without blocking the sidewalk. So that's why we think the West Federal may have the if by the community center doesn't work. Ideally, that has a lot of space. You're close enough to downtown where you're not taking prime parking spots, but you can still walk into town. Problem is, at initial thought, we didn't see any power within a radius that would work. So then West Federal kind of becomes our fallback. And again, close to, you know, half a block block in onto Washington Street, so it's easy to get to, it's by it's part of our public parking already and yet not taking. We want to be careful not to take prime spots off of Washington Street.

**Bridge Littleton:** Well, that that is a big thing. And the other thing is actually, I mean, I'm kind of torn, right? You want to show that you have these facilities, but I don't know that I want these types of charging stations in the commercial District.

**Danny Davis:** Standing up like big in your face kind of.

**Bridge Littleton:** Yeah, right.

**Peter Leonard Morgan:** We also looked at South Pendleton, but aside what was way too narrow, I think.

**Danny Davis:** Next to the Methodist Church, right?

**Bridge Littleton:** Ok. Any other questions? Input? Concerns? All right. Who's making the motion?

**Peter Leonard Morgan:** I move that the town council authorize the town manager to enter into an exclusive electric vehicle charging services agreement with Blink Network LLC in a form agreed to by the town attorney.

**J. Kevin Daly:** Second.

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

**Everyone:** Aye.

**Cindy Pearson:** Were we putting on there, subject to final approval by the town attorney.

**Bridge Littleton:** It's on there,

**Cindy Pearson:** Ok. Yep. All right. Sorry, I didn't get that. Thank you. Aye.

**Bridge Littleton:** Opposed, abstentions. Ok, that passes. And I think that's everything except for anything for closed session one. Is that right? All those things for a closed session. Yeah, OK. Just a few things I want to make everybody aware of. Redistricting, so, you know, COLT submitted its this is the Loudoun county redistricting stuff going on, we're going to draw the new lines and all that kind of stuff. The members of COLT put forward a map. We met with Chair Randall today to go over that map and the other 20 maps that are on the county website right now that are under consideration. It was a very good conversation. I think the chair understood where we were coming from and how we wanted to try to ensure that the community of interest of of Western Loudoun had more than just a singular representation, but had dual representation. And how, you know, our vision was to achieve that. And so like I said, I think it was a good conversation. I would strongly encourage everybody here to go on to the county website for redistricting, and we can forward you guys the email, excuse me, the website address and put in comments about the different maps that are there. There is it is open to public comment right now and that will be taken in consideration. I will honestly say some of the maps are really, really bad. I mean, they all have their pluses and minuses. Let me say, may be more accurate about that. They all have their pluses and minuses, but for the things that we're trying to champion in the communities of interest that we represent, some of these maps are really do not, you know, achieve the goals I think that we are all trying to achieve. So your comment on that and having other people go in and comment on it would be really important. And if you when you go to when you go on the county website, the COLT Map says coalition of Loudoun town's map. So, you know, but again, look at the other ones. I mean, there was one there called SENTRY which is it's the name of the map is SENTRY. S E N T Y. I didn't think that was a bad map, either. You know, it's achieves what we're trying to achieve and does some different things in the East and with Leesburg. So but you got to go, OK, anyway, yeah.

**Peter Leonard Morgan:** My comment about those maps is to the general public, to a lot of people. It is so complex and so complicated to read. I'll be honest with you, it's I look to them all like my head was spinning.

**Bridge Littleton:** Well, the other thing is, if you don't know broadly what different areas of the county are and what's in them and what it's like you just looking at, you know? So as an example, one of the things that we did in the COLT map was we specifically put the Brambleton area in its own district because it's become so big, it is really its own community of interest, whereas right now Brambleton is actually in the Blue Ridge district. And that was the reason we did that was because that really is become its own. I mean, it's almost like a town, you know? So but but you're right, it's hard.

**Bud Jacobs:** On the other hand, because they appear to be making is mostly based on population, then we may be keeping Brambleton in the district is not a bad idea because it adds to our numbers. Well, but.

**Bridge Littleton:** So the issue is every district has to be between fifty two and fifty five thousand people. So yes, the number of people per district is set by the average plus or minus, you know, the Loudoun County divided by eight plus or minus five percent. Right. So the population of any map you draw, each one of those voting districts or supervisor districts has to be fifty four thousand plus or minus. So then what we did was we went and took a deep look at it and said the main thing you're you want to consider and how you draw your lines is that that district will represent a community of interest who have shared concerns, hopes, visions, values, all that kind of stuff. So when we look at like what the Blue Ridge District would be, probably will probably end up having a new name. You know, clearly all of us out here, all of

us in the western area, well, that's not enough people. So we're conservation, preservation. All that kind of stuff is really important. We started looking east and said, where is that of a very high level of importance? Well, when the whole comp plan process was going on, the people in the Willowsford area and south of Willowsford towards Prince William, that was a very important issue for them. You know, the all the area Arcola area, that was a very important issue. So that's not the rural policy area. It's not in the West, per say, but it's right next to it, and they have a very strong alignment with the issues and concerns about the West. So and, you know, preservation or open space, rural economy, stuff like that. So that was why we chose sort of some of those areas to be included. You know, and then, you know, other more eastern areas, it's different priorities, you know, schools, infrastructure, roads and stuff like that. So that was how we tried to frame the the understanding that that those similar communities of interest could come together in like kind districts. So [off mic] right? You got to get to the numbers. Exactly. So the next thing is and this is sort of a group question, the Airbnb law, there's two versions of it now making its way through the state Senate. And you guys remember one was about the definition of agent or whatever. Yeah, intermediary. And the other one was about take all our tax. Give it to the state commissioner. Then they send it back by zip code, which is a that is a flaming disaster. So I have spoken to some different folks and a question will be is or a question I've got, do we want? Is the town? I think this is something that could be potentially so disastrous for the town of Middleburg. I mean, think about if our TOT tax was divided up one third, one third, one third to the different district, to the different parts in our zip code. So 20117 is actually in Fauquier as well as Loudoun. So imagine our TOT getting divided up three ways we only get a third. And those other two, you know, areas get a third. It would well and right, and it would devastate us. So a question I've got more broadly is do we actually want to engage a state level lobbyist to try to help us? And I think talking to the county, they might support it. Every municipality hates this. Every local government hates this. Counties, cities, towns, they all hate it because they all potentially suffer from it. I've spoken to somebody. There's a person who could really help lobby on this. You know, lobbying ain't cheap.

**Peter Leonard Morgan:** Is this something COLT could do?

**Bridge Littleton:** No, no, no, no, no, no, no, no, no. We're talking. This is like \$40000. I'm not saying we've pay the \$40000. What I'm saying is do we want to ask around and see if, like Leesburg and or others, the county would want to chip in, maybe with, you know, VML, maybe with [inaudible] or whatever. Maybe it only comes out to be a couple of thousand bucks for each person. We get ten people together, right? That's four grand apiece. To me, that would be money well spent. But I don't want to go in this exercise to figure it out if we don't want to do it and we'll know pretty quickly in four or five phone calls, everyone said, Hell, no, I ain't paying for that, OK? You know, we're going to take our chances, but I just I'm terrified of this of these bills. Absolutely terrified. Martin, what do you think?

**Martin Crim:** No, I think that's wise. Absolutely. I think there are some lobbyists that could help you fight this bill, and I don't know who's behind it, but it doesn't seem to be. It doesn't seem to have a natural constituency to me. So, you know, sort of thing that could get through if you don't organize and push back on it.

**Peter Leonard Morgan:** Yeah, I think we should. Absolutely.

**J. Kevin Daly:** The money is coming from where? Us individually?

**Bridge Littleton:** No, no, no. The town or the town can hire a lobbyist. Oh yeah, Yeah. No, I mean, the estimate I got was about forty thousand for the right kind of lobbyist who's good and can get your results. I mean, there's results are never guaranteed. Ok, so if you're all's permission, I want to reach out to the county. I'm going to reach out to some other localities and see if we can get the chip in going. And you know, we might not have to right. If one of the other organizations steps up and puts one of their hired guns behind it. But there's, you know, you got VML, you got [inaudible] you got other stuff. There's only so many things they can cover and they can't cover every issue. This one is hypocritical for us.

**J. Kevin Daly:** Under this thing, could they take taxes that Salamander takes?

**Bridge Littleton:** That's what they would do.

**J. Kevin Daly:** Jeez, yeah, I yeah.

**Bridge Littleton:** The TOT, they would take all the TOT that Salamander generates and Red Fox would no longer come to Tina, it would get sent to Richmond. And then Richmond would divvy it up and send it back to the localities by zip code. So some would go to Fauquier. Some would come to us and some would go to Loudoun.

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

**Danny Davis:** So this kind of thing is, is what? It would be preferred by like an Airbnb or an Orbitz, because they only have to send their tax bill to one place.

**Bud Jacobs:** So they're pushing it?

**Bridge Littleton:** It's Airbnb and Expedia. Big time.

**Danny Davis:** And they also, I mean, in one of the drafts. Now this is in the current draft, but in one of the drafts, they did not want to have to even give details of where the money came from, like by property. Just simply say this, you know, look at this locality or the zip code or what have you, and you had to go through hoops, tons of hoops just to request them to give you the detailed data and only if you had a legitimate reason to. I mean, unbelievable because they just want to stroke one check to the state and be done with it.

**Bridge Littleton:** And not track anything.

**J. Kevin Daly:** Yeah, I'd rather spend money on that than on the water.

**Martin Crim:** Hey, while we're on the subject, there's some other bills that would be useful to lobby against, one that would put a maximum limit on your ability to use, to obtain tot to set a tot rate and another that would require you to use any TOT funds above a certain level for tourism purposes.

**Bridge Littleton:** What?

**Martin Crim:** Yeah, so anything above two cents if you go three, four or five cents, the third fourth fifth cent would have to be spent on tourism and not on general fund expenses. [off mic]

**Bridge Littleton:** What's our rate right now? Four? five? Ok, yeah, that's a problem. Holy cow. It's a huge problem. [off mic]

**J. Kevin Daly:** It's 5. But they have the two percent of the general fund, the three percent, which is what 75 percent goes to [inaudible] the other twenty five percent of that goes to tourism projects. But they're in compliance with that particular code, which is primarily [off mic].

**Bridge Littleton:** Right now. Right, they're in compliance with it right now. If they needed to change their, you know, they get into a recession, they need to change their, yeah, OK. Wow, OK. So I would add that to the lobbyists. All right. I will let everybody know back next week what I can figure out. Plastic bags. Are you going to speak next week at the at the vote?

**Peter Leonard Morgan:** I will. I spoke at the meeting in December about it. There were only two people me and another gentleman who called in and it was quite interesting. Actually, there was a there was an item that was supposed to come after the plastic bag discussion that they brought before it because there were so many people there for it, which is about [inaudible] So a lot of environmentally minded people were there for that. Of course, they all then left as we were then starting the conversation [inaudible] they were starting the conversation about the plastic bag proposed tax, and Chair Randall was quite amused at the fact that all the environmentalists left when this is a more important

environmental conversation, potentially. But yeah, it's on the 18th of January, and it's their business meeting where they're going to decide whether to impose a five percent a single use plastic bag tax. I think it's close.

**Bridge Littleton:** Yeah, the reason I ask is because I was asked today, so we sent a letter, if you guys remember back in the fall saying we supported it. And then you went and spoke. I was asked today if we would reiterate that during the public comment. And so I said I would ask. Go back. So OK. All right. That's it. Close question time. Do we want to take a bio break time? No, I'm good. Or should we go into closed session first and then bio break? Which one? [laughter] All right, let's just jump into closed session, then maybe we'll get it done quick.

**Peter Leonard Morgan:** I move 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, appointments to public bodies related to the Middleburg Sustainability Committee and BZA as allowed under subsection A1. Two, 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 two requested boundary line adjustments as allowed under subsection A7 and 3, for consultation with legal counsel employed by the public body regarding specific legal matters requiring the provision of legal advice by such counsel related to the Middleburg Charitable Foundation. I further move that the council thereafter reconvene in open session for action as appropriate.

**J. Kevin Daly:** Second.

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

**Everyone:** Aye.

**Cindy Pearson:** Aye.

**Bridge Littleton:** All right, we're in close session. Ok. I ask that council certify that to the best of each member's knowledge, one only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act and 2 only such public business matters, as identified in the motion by which the closed meeting was 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.

**Bud Jacobs:** Aye.

**Philip Miller:** Aye.

**Bridge Littleton:** Yes.

**Peter Leonard Morgan:** Yes.

**J. Kevin Daly:** Aye.

**Cindy Pearson:** Yes.

**Bridge Littleton:** All right, any other items, I think we have two motions that need to be made. Please.

**Peter Leonard Morgan:** I move that council appoint Falita Liles to the Middleburg Sustainability Committee to fill an unexpired term set term to expire May 12th 2023. [off mic]. I move that council recommend to the judges of the Loudoun County Circuit Court that Eric Combs be reappointed to the Middleburg Board of Zoning Appeals for a five year period set to expire December 31st, 2026.

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

**Everyone:** Aye.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Abstain. Motion passes. That's it. Meeting adjourned.