



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, February 10, 2022**



**PENDING APPROVAL**

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

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

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, February 10, 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 Recognition**

**Tribute to Former Councilmembers Eura Lewis and Mark Snyder**

Mayor Littleton noted that former Councilmembers Eura Lewis and Mark Snyder served the community with dignity and honor and advised that their hard work was reflected in the community. He and the following individuals shared their memories and paid fond tributes to them: Mayor Littleton, Vice Mayor Leonard-Morgan, Councilmember Daly, Councilmember Pearson, Councilmember Miller, former Councilmember Kevin Hazard, former Mayor Betsy Davis, former Councilmember Bundles Murdock, former Councilmember Kathyjo Shea, Merley Lewis, Pamela Thomas, an unidentified gentleman, Vernelle Boykin, and Rachael Latimer.

It was noted that the services for Ms. Lewis would be held on February 12<sup>th</sup> and a memorial service for Mr. Snyder would be held in the summer.

Mayor Littleton presented Merley Lewis and Rachel Latimer, daughters of each former Councilmember, with a Middleburg paper weight in recognition of their parent's service to the community.

Mayor Littleton recessed the meeting at 6:47 p.m. He called it back to order at 6:50 p.m.

**Staff Reports**

**January 2022**

Stuart Will, of IES, concurred with the comments offered with regard to former Councilmember Snyder and noted that he laid the groundwork for a proper operating utility. He advised that as a result, his new trainee was seeing best use practices that were already in place.

In response to an inquiry from the Council regarding Ms. Mac's leaking sewer lateral, Mr. Will reported that he was getting cost estimates from two contractors and opined that they would be much less than those she received.

Town Clerk North announced that the online meals tax payment system went live earlier in the day. She noted that this was something a number of the restaurants had requested. Ms. North reported that she was working to enter past Council meeting agendas into the Laserfiche archive system.

In response to inquiries from the Council, Ms. North advised that it would not be mandatory for restaurants to pay their meals taxes online. She further advised that permissions were given to specific individuals to access the records in the Laserfiche system, depending on the record. She cited as an example, human resource records and advised that only the Town Manager and Town Treasurer had access to them, along with herself from a records management perspective.

Business Development & Community Partnerships Director MacIntyre reported that she met with the Middleburg Business & Professional Association three times in January as a part of their strategic planning sessions. She further reported that she was working to develop a business needs and challenges survey and would send the draft to the Council before it was sent to the area businesses. Ms. MacIntyre announced that the following activities/events were scheduled: DMV Connect van on February 22-23; Certified Tourism Ambassador Class on February 23; and, Loudoun County Health Department COVID vaccination van on February 28. She noted the numerous activities that would take place related to Valentine's Day and reminded Council of the upcoming Winter Sidewalk Sale. Ms. MacIntyre advised that Salamander had organized some dinners to recognize Black History Month.

In response to inquiries from the Council, Business Development & Community Partnerships Director MacIntyre reported that once the details of the vaccination clinic were finalized, she would promote it on the Town's website, in the eNewsletter and by word-of-mouth. She advised that as to the Certified Tourism Ambassador (CTA) training, there were twenty-five spaces available. Ms. MacIntyre noted that she planned to share the value of having employees attend it with the businesses by word-of-mouth.

Town Treasurer Staples reported that as a result of the ARPA grant, she was able to clear thirty-two past due utility accounts - leaving only three remaining that were more than ninety days past due. She noted that the people were grateful for the help.

Town Treasurer Staples noted that the Town was now halfway through the fiscal year and advised that the revenues and expenditures were in line with what was expected. She reported that the revenues were good at 47%. In response to an inquiry from the Council, she advised that the Town was at 38% of revenues this same time in FY '19. It was noted that many of the Town's revenues, such as the business license and bank franchise taxes, were not due until the second half of the fiscal year.

On behalf of Deputy Town Manager Moore, Town Manager Davis reported that the "No Construction Traffic Signs" had been installed in the Ridgeview area. He further reported that the Planning Commission would discuss possible amendments to the R-2 District provisions in the zoning ordinance later this month, as well as proposed amendments to the Comprehensive Plan related to short-term rentals. Mr. Davis noted that the zoning text amendments related to short-term rentals were being separated from the Comprehensive Plan amendments, as that language was still being developed.

Lieutenant Jones reported that he and the Chief, as well as the police officers, were splitting duties related to snowstorms and noted that each of them covered one of the last two storms. He further reported that he was attending PELS training and should graduate in March. Lieutenant Jones advised that he was implementing monthly online training for the officers and noted that they recently completed the Duty to Intercede class.

Lieutenant Jones reported that Officer Tharpe recently went above and beyond the call of duty to assist a stranded motorist who ran out of gas and had no money to buy any, as well as assisting three people after their Uber failed to show up. He advised Council that he was looking at developing a recognition program for such acts.

Lieutenant Jones thanked the Council for their support during his recent illness.

## Town Hall Project Report

Town Clerk North reported that the preliminary construction schedule was due later in the week. She further reported that Cooper's project team committed to having the building ready for the Town staff to move into the week of December 27, 2022, with the caveat that should they hit rock, the schedule would need to be extended.

Town Clerk North reported that the County inspector would be on the site on February 14<sup>th</sup> and, if the necessary permit was issued, work could then begin on the project. She reminded Council that this would result in the elimination of the Town Hall parking lot and advised that the staff would install the signage to change the two spaces in front of the building to ten-minute drop-off spaces. Ms. North reported that off-site parking had been located for the staff while the project was underway.

Town Clerk North reminded Council that there would be three flagpoles at the new building, including one for a Town flag. She advised that with the Council's concurrence, she would begin work to design a flag that would consist of the Town seal on a white background. The Council agreed with the proposed design and asked that an ample supply of flags be purchased so it could be replaced as needed.

Councilmember Kirk suggested the new building include a time capsule, to which the remainder of Council agreed.

## **Consent Agenda**

(A) Council Approval – January 27, 2022 Regular Meeting Minutes

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

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

No – N/A

Abstain: N/A

Absent: N/A

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

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Mayor Littleton directed that in the future, the Town Clerk to place any items that involved the attendance of a member of the public after the public comment section on the agenda.

## **Action Items**

Council Approval – Request for Additional Funding for Art in the Burg

Town Manager Davis reported that the Middleburg Arts Council wished to increase the scope of Art in the Burg. He advised that while this would increase the event's costs, it was anticipated that they would be offset by increased sponsorships.

Mary Ann Burns, Chair of the Middleburg Arts Council, reviewed the proposed scope of the expanded event, which would include an increased number of vendors on Madison Street, a pop art exhibit at the Old Ox Brewery, mini-musical productions, a fashion show, a cooking demonstration, architectural tours, and a kids art area. She advised that there would also be concurrent events throughout the community that weekend. Ms. Burns requested their budget be increased from \$5,000 to \$10,000.

*Councilmember Kirk moved, seconded by Councilmember Daly, that Council provide additional funding, in the amount of \$5,000, to the Middleburg Arts Council for Art in the Burg.*

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

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Council Approval – Contract – Utility System Master Plan

Town Manager Davis reminded Council that the Utility System Master Plan was last updated in 2003. He reviewed the Request for Proposals process and reported that the Utility Committee recommended a contract be awarded to Whitman Requardt, who developed the first plan and had been involved in other utility projects throughout the town. Mr. Davis reported that the baseline cost would be \$103,426 and noted that there was an alternative for sub-surface engineering should it be needed. He advised that the Town Attorney approved the contract as to form. In response to an inquiry from the Council, Mr. Davis reported that the bids were within percentage points of one another and were close to what was budgeted for the project.

Council noted the need to document the age of the Town’s utility infrastructure for future replacement planning purposes. Town Manager Davis confirmed that would be done to the extent of the staff’s knowledge. He advised that the mapping system would be used as an asset management and tracking system.

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council authorize the Town Manager to award a contract to Whitman, Requardt & Associates, LLP, in an amount not to exceed \$118,426, for the Utility System Master Plan Update.*

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

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Discussion Items

FY '23 Budget Presentation

Town Manager Davis advised Council that he would provide an overview of the projected FY '23 revenues during this meeting and would present the complete budget during the February 24<sup>th</sup> meeting. He reminded Council that the FY '22 Budget was a conservative one, as the Town did not know what would happen due to the COVID pandemic. Mr. Davis reported that revenues were increasing higher than the revised projections. He advised that the draft budget included growth in the primary revenue items, including 2% in meals tax revenues, 5% in transient occupancy tax revenues and 10% in business license tax revenues.

Town Manager Davis reported that the real property assessed values provided by Loudoun County show a significant increase, with the equalized increase being 15.3%. He reviewed the individual categories and noted that not all the properties increased at the same rate. Mr. Davis advised that there was a misinterpretation of the State Code requirements regarding the equalized tax rate and explained that it should have been advertised as 13.29 cents in the public hearing notice, instead of 13.42 cents. He advised that a new hearing notice would be issued, which meant the public hearing on the real property tax increase could not be held until March 24<sup>th</sup>. Mr. Davis recommended a special meeting be held on March 31<sup>st</sup> to adopt the rate.

Town Manager Davis provided an overview of inflation and noted that it was at historical levels. He reported that it was currently 7.5% across the country.

Mayor Littleton reported that it was 8% for Loudoun County.

Town Manager Davis noted that it was unknown as to how the markets would react as the Feds changed the interest rates. He advised Council that the Strategic Finance Committee encouraged the staff to be prepared for cost increases in the FY '23 Budget. He reported that he planned for a 10% across the board increase for many of the operational and maintenance costs.

Council noted that the Strategic Finance Committee recommended the Town finance the Town Hall Project so it could retain its cash. It was further noted that some of the tax revenues would increase at the same rate as inflation; therefore, there was no cause for alarm at this point.

Town Manager Davis agreed there was a trickle-down effect, as the restaurants would increase the cost of the meals, which would result in increased meals tax revenue. He reiterated that the meals and transient occupancy tax revenues had increased significantly and were higher than pre-COVID revenues.

Town Manager Davis reminded Council that the real estate tax rate that was advertised for a public hearing was the current rate. He noted that if they wanted to advertise a lesser rate, this could be done.

Mayor Littleton noted that he recently read an article breaking down inflation rates by industry sector and suggested the staff look at the impact on the budget based on those. He further suggested the staff advertise a real property tax rate based on the current one as the maximum rate that would be considered, to which the remainder of Council agreed. Mr. Littleton suggested that following the receipt of citizen comments during the public hearing, the Council be prepared to have an in-depth conversation and wait to vote on setting the rate until the next meeting. He questioned whether the Council could issue a real estate tax rebate later in the year if revenues allowed.

Town Attorney Crim advised Council that they could adjust the tax rate mid-year, which would change the second payment amount. He confirmed they could also issue cash rebates; however, he advised that it was not efficient to do so. Mr. Crim cited an example of another locality that issued rebates, only to have many of the checks returned, as the addresses had changed. He noted that the locality ended up turning the money over to the State as unclaimed cash.

Council noted that they told the citizenry they would not increase real estate taxes to build the new Town Hall. It was further noted that consideration needed to be given to the fact that the Town's financial position had not changed significantly. They expressed hope that the Town's revenues would be as robust as projected; however, they also expressed concern that they may not be accurate due to changes in the economy.

In response to an inquiry from the Council, Town Manager Davis confirmed the exact wording included in the public hearing notice was that required by State Code and noted that it put the focus on the tax rate, not the assessment. In response to an inquiry from the Council, he confirmed the Town could include additional information to the notice. Council asked that context be included so the increase could be explained in plain language.

In response to an inquiry from the Council, Town Manager Davis reported that the State Code required that the public hearing ad provide thirty days' notice of the public hearing. He reiterated that the hearing would be held during the March 24<sup>th</sup> meeting and that he was proposing a special Council meeting on March 31<sup>st</sup>, during which Council would vote to set the tax rate. Mr. Davis reminded the members that they could not approve a rate that was higher than what was advertised; however, they could reduce it without the need for additional advertisements.

Mayor Littleton asked that the staff be prepared to explain this item prior to the opening of the public hearing. He further asked that the Council be prepared to discuss it after public comments were received. Mr. Littleton suggested the staff prepare a slide presentation. The Council asked that display boards also be placed on easels throughout the room that identified the information in plain, easy to understand language.

Town Manager Davis reiterated that he would present the entire draft budget during Council's next meeting.

## Options for Enforcing Snow/Ice Removal Requirements

Town Manager Davis reported that the Town's only remedy with regard to property owners/tenants who did not remove snow/ice from sidewalks was for the Town to remove it and charge the property owner. He confirmed there was no enabling State legislation that would allow the Town to impose a civil fine. Mr. Davis noted that if the Town attempted to impose a criminal penalty, it would have to prove intent in court, which would be difficult to do. He recommended the Town continue to conduct outreach to property owners who fail to remove the snow/ice. Mr. Davis noted that the Town could then use a contractor to fix any issues that were not corrected; however, it was possible that it may not recover all the costs. He acknowledged that it was possible to place a lien on the property for the amount of the bill.

In response to an inquiry from the Council, Town Attorney Crim reported that if an individual slipped and fell on snow/ice that had not been removed from a sidewalk, the Town would not be liable. He further reported that the courts have consistently found that the property owner would not be liable either. Mr. Crim advised that it was the responsibility of the individual who walked on a sidewalk to do so without falling. He noted that based on his experience in other jurisdictions, property owners generally found it to be cheaper to handle the snow removal themselves than to pay the Town to do it.

After some discussion, the Council suggested a premium rate be charged in instances in which the Town had to clear the sidewalk and bill the property owner. Town Manager Davis advised Council that he would work with the Town Attorney to set a rate.

## General Assembly Legislative Update

Town Manager Davis reported that SB 651, related to transient occupancy taxes, was merged with other bills, and amended to the satisfaction of all parties involved. He further reported that it passed the Senate earlier in the day. Mr. Davis advised that there was concern that the resulting study could lead to a discussion of centralized collections. He noted that the study committee would include representatives from local governments and advised that the Mayor had volunteered to serve on it.

Town Manager Davis reported that the business license bill was laid on the table. He further reported that a substitute was submitted for HB 1010, which would originally require a referendum whenever real estate tax bills increased. Mr. Davis explained that some jurisdictions were advertising their tax rate increases and budget in the same notice and advised that the substitute bill would require that the real estate tax ad be on a different day and in a different place than the budget ad. He noted that Middleburg already did this. Mr. Davis reported that Senator Bell's telecommunications bill may or may not return next year.

Mayor Littleton reported that HB 1088 would allow two adjoining property owners to do a boundary line adjustment without government oversight. He reviewed the history of the bill. Mr. Littleton advised that on behalf of the Coalition of Loudoun Towns (COLT), he reached out to the sponsoring Delegate last week to make a recommendation. He further advised that the Delegate had not thought about the issue of a town versus county boundary line adjustment and agreed to amend the bill to only apply to boundary lines that would only move by two hundred feet, which would not change a parcel by a maximum of 5% +/-, and that would only allow for one such adjustment per lot. At the suggestion of Town Attorney Crim, Mayor Littleton agreed to contact the Delegate to ask that the bill be amended to prevent either lot from becoming non-conforming as a result of the boundary line adjustment.

## Information Items

### Electric Vehicle Charging Stations

In response to an inquiry from Council, Town Attorney Crim advised that he was waiting to hear back from Blink on the Town's comments on the contract.

Town Manager Davis reported that there was grant money available for the Level 2 charging stations; however, there was some question as to what the grant would cover with regard to the DC fast charging station. He opined that it was not as much as was originally thought and advised that he was getting information on that and the conduit cost for the Town Hall Project. Mr. Davis noted that he would return to the Council with this information so they could decide how they wished to proceed.

Town Hall Emergency Generator

Town Manager Davis reported that he was pursuing a grant, in the amount of \$200,000+, for the emergency generator for the new Town Hall.

Closed Session

*Councilmember Miller moved, seconded by Councilmember Kirk, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) briefings by staff members pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body related to two requested boundary line adjustments as allowed under Subsection (A)(7); and, (2) the discussion of the performance of a Town employee as it relates to a performance bonus as allowed under Subsection (A)(1). Councilmember Miller further moved, seconded by Councilmember Kirk, that the Council thereafter reconvene in open session for action as appropriate.*

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

No – N/A

Abstain: N/A

Absent: N/A

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

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

Mayor Littleton directed the staff to move forward with the employee bonus as discussed in the closed session.

There being no further business, Mayor Littleton declared the meeting adjourned at 8:17 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk

## February 10, 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:** All right. We will call the February 10th meeting to order. First item is the Pledge of Allegiance.

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

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

**Chris Bernard:** Chris Bernard.

**Bud Jacobs:** Bud Jacobs.

**Philip Miller:** Phillip Miller.

**Darlene Kirk:** Darlene Kirk.

**Bridge Littleton:** Bridge Littleton.

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

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

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

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

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

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

**Bridge Littleton:** Ok, thank you. So the first item we have is an area of special recognition by the Mayor, the council, and also former council members and members of the greater community to recognize the very hard loss that the community suffered two weeks ago with the passing of two extraordinary council members and just overall pillars and citizens of our community. Eura Lewis and Mark Snyder, and the idea here, what we wanted to do and we really appreciate members of Eura's family and friends coming and Mark's as well. We wanted to take a few moments at the beginning of the council meeting to just express some of our feelings and thoughts and remembrances of Mark and of Eura, both as council members but also as members of the community and the things that they did for so many of us here selflessly and with great dignity and honor. And I think it's wonderful that we have three former council members and our former Mayor here as well to share some of those memories with all of us. And I think the easiest thing would be if everybody doesn't mind, I'd like to start first. And I think what we'll do is just members of council if you want to share anything, that'd be great. And then, you know, Betsy and Kathy Jo, Bundles and Kevin, thank you for coming all the way from Vienna. You know, sharing as well. And then also the family and friends of Eura and Mark, if you'd like to say anything, we would love to hear from you as well. And you know, it's a. [inaudible] Death is a part of life and remembering those people that meant so much to us is an important part of that journey. But even though they might not be here with us on Earth anymore, they are always in our hearts and their hard works are always going to be reflected in

our community. So I think I'll just say a couple of words about Mark first and then I'll speak about Eura. But so I had not gotten to know Mark much until I was on council with him. And it was funny. My father had been on council for many, many years with Mark, and they had served together. And the first thing I noticed about Mark when we got into a council meeting was the unbelievable attention to detail, number one. Number two his absolute passion for making sure of the health and safety of our water and utility system for the citizens of this town. I mean, every one of us can look at what's happened in places like Flint, Michigan, and especially in a small town with a very small staff keeping on top of something so important and so critical is paramount, and it's so easy to let it just slip by. But Mark took it as a personal emblem of pride that he wanted to ensure that it was of the best quality for to protect the health and well-being of every citizen here. And I can say, and I'm sure former members of council and the current members of council will totally agree. Had it not been for Mark owning that responsibility for the 20 years that he was on council, we would probably all be drinking bottled water. So we owe him a debt of gratitude as a broader community, not only today but for decades to come. I called my father earlier and said, Dad, you know, is there any specific story about Eura or about Mark that you think would be good to tell that people would want to hear? And with my father's response, he said, oh do I ever? [laughter] And so the one I'm going to share about Mark, which I think is pretty funny. So as you all know, Mark had a dog. I think the dog's name was Lacey. Do I have that right?

**Rhonda North:** Lexi.

**Bridge Littleton:** Lexi, sorry. And I mean, wherever you saw Mark, you saw Lexi, and they were absolutely joined at the hip. And so apparently this was before I was on council, you may remember this, I'm sure you all remember this. Mark thought it would be an interesting and fun idea for council members to be able to bring their dogs to the council meeting. You know, and Middleburg is a very dog friendly neighborhood. I mean, everybody lets dogs into their stores and you know, we love dogs. And everybody was on board with it and said, it's a great idea. Let's do that. So one council meeting and, you know, Mark was not the only person with with a dog, other members of council had a dog. So Mark brought Lexi and Bundles brought her dog. [inaudible] [laughter] Well, apparently now I wasn't there and this was before we had cameras. Apparently, they didn't, although Bundles and Mark got along, their dogs didn't get along. So the end dog council meeting policy was swiftly rescinded [laughter] because they were terrified that there would be a fatality in the council chamber. So but no, Dad also did say, and he actually worked with Mark on some of the utility stuff, especially when Salamander came along and we were getting the new treatment plant. And he said if it weren't for Mark, we would be in a disaster area. And so we owe him a huge debt of gratitude. And on top of that, you know, in 2018 when Mark ran for mayor at the same time, I did, he was such a honorable and graceful person through the entire process, not only before but after. And, you know, even though he didn't ultimately become mayor about a month later, he reached out to me and said, hey I'd love to get together and have lunch, and I said, Mark, that would be great. And because now he wasn't on council. So we got together, we had lunch and he just said, I'm here to be helpful to you as you help guide the town as new members of council come on. You know, I'm here I want to do whatever I can because Middleburg is me and I am Middleburg and I always want to be there to help. So please always reach out. Please know you can do this. The best part was, he said, I'm also going to email you a surprise. So I said, Oh, OK. You know, sometimes I like surprises. [laughter] I get home and about an hour later in the email I get, so maybe you probably don't know this. But before Mark came along the way in which we build our water, we did not have a rate model. It was very sort of, you know, graph paper and pencils. Exactly. Mark built an entire model to track the water usage, bill people appropriately, make sure that bills were caught up and all that kind of stuff. And I mean, it changed the finances of the town. He emailed me his model and said, if you ever need it, if you ever need it updated let me know. And then jokingly, my rate is cheap. But no, you know. [laughter] But anyway, no, I just I just want to end on saying, you know, we will deeply miss Mark. We will deeply miss his contribution to the town, the community. But he will always be here as a part of our heart and a part of our the brick and mortar of what Middleburg is, so I believe. Well, we'll go around and I think we'll do Mark first and then we can go around and discuss some remembrances of Eura. So I welcome anybody to, you know, say a few words. Peter.

**Peter Leonard-Morgan:** Well, I was very fortunate to be on council for a couple of years with Mark and with some esteemed colleagues. I see here. So nice to see you. He was so helpful to me and always generous with his advice. And of course, when he left Council, I inherited his seat on the Utility Council, and unfortunately, because of him, I sit there with my thumbs twiddling because he did it all. So but it's quite, you know, big shoes to fill in the Utility Council and we'll miss him very much.

**J. Kevin Daly:** Ok.

**Bridge Littleton:** You got to be next.

**J. Kevin Daly:** Rather than reminisce and give antidotes just a thought, one of the great things about wearing masks when we talk to one another we're actually looking at each other's eyes. And I have been told the eyes are the pathway to the soul. So we lost a brother and sister. We lost their bodies because we are souls. We have bodies, but we are souls. And like energy, you cannot destroy a soul. Wood may burn, but it transforms into heat into energy. So Mark and Eura are always going to be with us because their souls are always going to be with us. Just not a sermon. Just a thought. [off mic]

**Bridge Littleton:** Cindy go ahead.

**Cindy Pearson:** Yes, I worked for the town as Economic Development Coordinator while both Eura and Mark were on council. And part of my job, I was responsible for coordinating Bluemont Concert Series, which most of you remember was mostly on Madison Street. We changed it to a couple of places but came back to Madison Street and Mark was always behind the Madison Street a hundred percent. And Mark volunteered for Bluemont Concert Series for many years. He was on their board, but he would attend the concerts, and Mark always wanted to be the admission table that was closer to Route 50 at the entrance to the concert. Part of Mark being at the concert with him with his big old cigar, which we always let him have because he was up there basically by himself. And, you know, he did a good job when intermission came. He closed up the box because that's when we stopped charging, turned his things in, and he would always go out to dinner at one of the local restaurants after that. So that's pretty much how I got to know Mark. You know, he was really a devoted citizen, and he did he loved Bluemont Concert Series. Thank you. [multiple speakers].

**Bridge Littleton:** Anybody else?

**Betsy Davis:** Do we have to go up it's so far away.

**Philip Miller:** I will say that I think that council was also served in its deliberations by Mark's fervent energy. His passion for his position always brought out the best in all of us and certainly made us make better decisions because of it.

**Kevin Hazard:** Do I need to say my name Kevin Hazard Ex Member, not Kevin Daly, Kevin Hazard. We moved here in 2005, 2006 I was on the planning commission with Mark and Bridge hit the nail on the head. He didn't run it. Steve ran it. But Mark, we did it right every time. And that was a part of who he was, but also what Cindy said and I think it goes for both of them. They were quintessential Middleburg people in the fact that they worked in the public, they volunteered for everything. And that's my memory. And again, Bluemont, he was there every time, and I don't even know if he liked the music [laughter] because he left at halftime every time [laughter]. But he thought it was really important for the town. And he said, I'm doing this and and he just, you know, and again, he had really two personas. He had the official one and then it was, you know, this is the way we're doing it because that's the right way. He did it the right way every time. But you get him away from that he was relaxed. He was a different person. He was a lovely person. And I just that really I said, I'm coming because I felt we lost two of our best two of our absolute best this past couple of weeks.

**Betsy Davis:** [multiple speakers] Mark, you know, we both were elected council the same day. So we've been we were together the whole time on council. And, you know, he always said that he loved that. He'd always say, well Betsy and I started together, so she knows she knows this. But you know, he was he could be gruff as everyone knows he was. But I think, as Kevin said, it was his passion. You know, if he felt something needed to be a certain way, he would fight for it. He also, I know you told him and you've already said it all. That was one of the things I really wanted to say is how amazing he was with getting us on track and how diligent, I mean, he worked on that all the time at home. But I don't know if some of you know, but when we were first on council, he was huge in the comprehensive plan that we redid. And again, it was like his utility. It was like that dog that, you know, this is my what I'm doing, and he worked tirelessly on that. And again, certain things, he felt very strongly that needed to be in there, he'd fight for it and good for him. So, you know, I'm thankful for that and the Bluemont, Cindy you already mentioned that so. But anyway, I just, you know, it

was an honor for me to share council with both Mark and Eura. I'll talk more of Eura in a minute, but it was an honor to be on with both of them, they both were amazing people and I'm thankful that I was able to serve with them and I learned a lot from them. Thanks. Whose going next?

**Bundles Murdock:** I'm Bundles and I served as much as we both love dogs, and I must say Mark really was devoted to every dog he had. I think he really, really loved his dogs and I love my dogs. I served on the Utility Committee with him, and I think he thought I was some sort of airhead [laughter]. I am. But he'd look at me when I'd ask a question and I just OK. Yes, and then I learned to keep my mouth shut [laughter] and agree with everything he suggested. But he did so much, so much for the town, for the utilities. It was unbelievable and we are a much, much better place because of him and we will always be thankful.

**Kathy Jo Shea:** I guess I'm the last of the old people. [laughter] I sat next to Mark for eight years and sometimes we laughed, but often we disagreed. What I do have to say is that it didn't matter how much we disagreed Mark always treated me with respect, after the conversation was done, it was done. And that's a trait I admire in anyone. But one of my fondest stories of Mark was when I was fairly new in my first term, he was going on about something with his regular passion. And I was sitting right next to him and I said, Mark, I don't agree. And he whipped around and he said, you don't! [inaudible] [laughter]

**Bridge Littleton:** Oh, thank you. Well, I really, really appreciate that. That's great. Yeah. We will all deeply miss Mark. And like I said, the whole Middleburg community will miss Mark. So Eura Lewis. What can you not say about Eura Lewis. Eura was a remarkable woman and a remarkable woman of her time and of any time. I remember as a kid, so you know, again, my father was on council for a long time and he served with Eura. So as a kid growing up, dad would always go to council meetings and come back. The next day or two we would talk about whatever. So growing up, I had never when I was very young, I had never met Eura, but I had heard about her [laughter]. And my father so when I called my father earlier tonight, I said so dad, you know, what about Eura? Do you remember any specific memory about Eura or something like that? And he says, Well, I can't remember anything exactly specific about a vote or an issue or whatever, he said, but I knew that whenever Eura was going to speak, she knew what she was talking about because she had done the work, she had gotten into the details. She had thought deep about it. And you better, if you're going to disagree, you better be careful [laughter] because she's going to have all of her ducks in a row. And then the second thing he said was her absolute, utter passion for equality for all, drove the fundamental core of what she did and who she was. And those are the two things that he said always stood out about her. So I didn't actually get to meet Eura and work with Eura until years later when I served on the Museum Board with Eura. So and it's funny, as dad was giving these examples or whatnot, I thought to myself, I thought, Oh my God, it was the exact same way on the Museum Board. I mean, just detail oriented. Everything was lined up. But what was most impressive about Eura was her absolute passion not only for equality, but for this community. I mean, Eura deeply and intensely believed that this community and the entire breadth of this community, not just one segment or the other, was something unique was something special, was something that she was passionate about protecting. You know, and, you know, through a museum and stuff like that, but also protecting it for the future. And it was a great and absolute joy to work with her. I mean, we would sit and Betsy was there for she was on the board for a little while I was there, I would sit next to Eura and oh God, it was so funny. We would be talking about something and I would say, Well, you know, why don't we think about, why don't we maybe think about doing this or maybe this is an opportunity? And she'd reach over, and she grabbed my arm like this and she'd say, Bridge we're not doing it that way. [laughter] And then I would just simply respond, Yes, ma'am. [laughter] But you know, I think the museum, which became a huge passion for her in the later years of her life, was sort of the culminating epoch of her devotion to the community at large through her whole life. And I absolutely adored working with Eura. Not only was she a barrel of fun, but she was an unbelievably passionate, dedicated. I can't I'm trying to think of the right words. It's not dedicated. It's more than that, devoted that's the word. She was absolutely devoted to everybody in this community, and I loved her dearly and I'm going to miss her. I'm going to miss her stories. And the other thing you know, which always came through with Eura and so sometimes she'd be there and she'd have her granddaughter with her. And I thought to myself, it was actually kind of interesting. So her granddaughter, I think, was 12 about at the time. The thing that was most amazing is we would be in maybe it was her great granddaughter. [multiple speakers]. Great granddaughter, that's what it was, great granddaughter. We would be in a board meeting and you know, Eura would come in and her great granddaughter would come in and you know, she'd have a table off to the side and she'd have homework or she'd have something. And you know, I mean, no cell phone, no nothing. She's diligently walking, doing

her stuff. And, you know, and I thought, Well, you know our meeting would go three hours and that child never looked up. And I'm just I would think to myself, I'd go, that's amazing. I mean, that child is so well, you know, enthused about education and just so bright and so. And then I thought, wait a minute Eura's in the room. [laughter] The last thing she's going to do is not do what she was told. So I thought I was like, OK, maybe it's a little bit of both. But, no it was. We are all going to truly miss Eura and I mean, she was revolutionary. I mean, not only was she the first African-American woman to serve on the Middleburg Town Council, but I mean, she was a stalwart in the community for things like voting rights and equal rights and all that. And, you know, it's we could all be so lucky to have as much of an impact as Eura did. So I mean. Well, yeah, and I will tell you, I couldn't believe it when I saw the obituary. Somebody asked me, they said, well how old was Eura? And I said, well, she'd never actually tell you. I mean, I asked many times, you know, I would try to. [laughter] I would try to trick it out of her, right? I'd say, so Eura were you born in 1928 or 29? And she'd be like, I'm not. Yeah, you can't fool me. So I always thought she was, you know, 83-84 I did not know that she was 92 years old. I mean, she did not act it. She did not look it. I would have thought 18 [laughter]. But anyway, so if anybody else would like to, you know, share a memory or two with Eura. Oh Cindy, sorry, she gets to go first.

**Cindy Pearson:** OK. Yep. I was also working at the town as Economic Development Coordinator when I worked with Eura. She also supported Bluemont Concert Series. She always wanted to work the other gate because Mark was at the front gate and she tried really hard to be there all the time. She enjoyed talking to the people and the music. She did enjoy the music most of the time, she was also one of the pink box docents, and you would often see her there even when it wasn't her day. She just stopped by and check in and say hello to Mary Kay or whoever else was on duty that day. She was really good about filling in if someone couldn't be there. And when she decided she wanted to create the Middleburg Museum Committee, I was still working for the town then, and that was part of my job. So I sat on that not real long because it just was too many committees that I had at that time. So I was able to give that one up after a while. But Eura was always very grateful when anybody helped her with anything. And she'd stop in the town office and often have goodies for us, or she'd just stop in and say hello. Stick her head in the different offices and make sure everybody was good. She had a big heart. So she'll be greatly missed too, as you said. And you know, they both were great citizens as she was too. So I just want to say thank you to both of them. They taught us a lot. Thank you.

**Bridge Littleton:** Any other, yeah Betsy, I know you had something.

**Betsy Davis:** So anyway, as I said, it's an honor to have served with Eura and it's a pleasure to be here with some of her family. I feel like part of her is here with us, which is wonderful. Eura, was a ball of fire. [laughter] She wore me out. I mean, when I wasn't here and she was running around doing things, you know, you always ran into her at the post office because she loved her cards, right? Yeah. And I'd say, Eura I haven't seen you where you been. Oh, I just got back from some church [inaudible] a week gone, right. Some bus trip with everybody that she organized. And I said, well what are you doing now? Oh, I've got to go because I've got to be somewhere else for another trip we're doing another meeting and I'm like, Oh my God, Eura how do you do all this plus here and everything else you do. But she had so much energy. I mean, so much energy. She loved her church, her family and her town. Those were her passions. And it showed in everything she did. But, you know, I truly will miss her. I always teased her. You know, I know she wasn't big on giving hugs to a lot of people, right? She gave me a hug one time [laughter]. So I felt very that was like the ultimate [inaudible] when she gave me that hug. And so anyway, she was a very good friend and I will miss her. We'll miss her. And you've said so much about her, you know, so I'd just be repeating. But the pink box obviously was her big love and then the museum, which you know, it will go on in her name, it will be there. So anyway, I'm thankful for her friendship and for all of her love of the town.

**Bundles Murdock:** So everybody said all these wonderful things about Eura and every single one is true, and I think her passion for the town, her passion for everything she did was just amazing. I believe and correct me if I'm wrong because you were in council longer than I was, that the idea of the museum started with Eura. She talked about it years long before there was a building. I mean, all of a sudden it was collecting anything you had and giving it to her and putting it in the house, right? I mean it was years and years and years of constantly mentioning in Town Council Meetings, we need to have a museum. And we all said, yes, that would be lovely. But you know, the more she talked about it and the more her enthusiasm, we just got on board. I mean, you just as you said, you didn't say no to Eura. [laughter] And what I will really miss and you're going to think this is really weird, Betsy knows what I'm about to say.

The one thing I will miss and I still go in the post office, and all of a sudden I'd hear Murdock! [laughter] She'd never call me by my first name. It was always Murdock, what are you doing? [laughter] I still walk in and expect to hear that voice.

**Everyone:** Awww.

**Bundles Murdock:** So I miss her. And thank you all for being here.

**Kevin Hazard:** I remember again, we came here in 05, so we weren't really Middleburg people except for people like Eura. We'd see Eura in the street and it's just Kevin, Joanne, how are you? It's so good to see you. And it was just so warm. It was so real. I mean, and that's the way she was with everybody. But there are a couple of legacies that I don't think we've hit on. We've hit on, you know, the museum is Eura and that's going to live for. But here's an interesting thing. I used to come to council meetings for the entertainment [laughter] and when I go back and tell our guests this is what happened at the Middleburg Council meeting [laughter] especially when we were. I've been away for years. [multiple speakers] The Salamander. You know, Salamander was, you know, it was a knockdown drag out. And here's something interesting. I'm sitting there Mark is talking against it and he votes for it. It came down. It was like a four three or a three two vote, and it came down to the last vote and the last vote was Eura and Eura says yes! [laughter] And that's how we got Salamander. And it's really it went around and I'm going, Oh no, this is not going to pass. This is nuts. And then Eura cast the deciding vote, and that's her other legacy. It's the museum and Salamander. We have Salamander because of Eura.

**Bridge Littleton:** Ok. Well, and I think the one thing I'll add is, you know, I mean, Kevin said it right. It was four three and Mark and Eura voted for it. And if either one of them had not, there would be no Salamander and Middleburg would be I mean, you know, I couldn't imagine.

**Kevin Hazard:** Different set of plans.

**Bridge Littleton:** Oh man. Yeah. I mean, talk about not having water. We wouldn't have streets. We wouldn't have socks, you know. [laughter] So on that one, too Kevin, you're absolutely right. We owe them a huge debt of gratitude. So.

**Peter Leonard-Morgan:** Can I just say one thing?

**Bridge Littleton:** Sure. Sure. Absolutely. Sorry.

**Peter Leonard-Morgan:** Kathy did you want to say anything?

**Kathy Jo Shea:** No. No. I think everybody has said it. I didn't serve on yours with Eura, but I took her place on the council and I was never quite sure if I could fill the shoes. [laughter]

**Peter Leonard-Morgan:** Well, thank you for that. I wanted to just say that my deep regret is I did not get to know Mrs. Lewis, but I did meet her when I was campaigning and she was so encouraging. It was wonderful. I'll never forget that, so thank you very much. [off mic]

**Philip Miller:** Sure. I also didn't have the pleasure of serving with Eura, but I had the pleasure of seeing her in town often. And then every Christmas or Thanksgiving, she would come in for some gifts at the store that I manage, and she would want to make it a quick trip. But once she started shopping, all she did was talk about and rave about her family. So and that's something that's always going to be the memory that I have.

**Bridge Littleton:** Now, we don't want to put any member of the family on spot, but if on the spot, but if anybody would like if you all care to say or share anything you know more than welcome to. I know it's difficult. So, you know, but by all means, you know, if you'd like to, if not, not a problem.

**Merley Lewis:** First of all, I want to thank everyone for attending this evening. It's bittersweet. She loved every one of you all as if it was your own. We heard that all the time in her lifetime what she was doing and I said, Mom, be careful.

What are you doing today? She would start early in the morning and we wouldn't hear from her until, like 11 o'clock. Where are you? You know [laughter]. She was saying about six meetings in one day. I'm like, Mom you need to slow down a little bit. But Middleburg was her heart, her love. And she loved everyone individually, unconditionally and if she could have done anything for anyone of you all in here, she would've done that for you. And I really appreciate you acknowledging her tonight. And we're going to really miss her and just keep us all in prayer because we got some days ahead of us now that we have to live on your memories and the good times we've had with her. And we just thank God for 92 years. Of course, she didn't tell any of the children. [laughter] Her grandchildren would say, Granny, how old are you? She said, because I'm 20 now. She said, Well, I'm 22 OK. [laughter] And she'd always says, you won't know until she passed, and everyone's like, what, your mother was 92! And I was like yeah. But that's when we found out. But we thank God for the opportunity to have her in our life, the things she has instilled in all of us. We all got a little piece of some memory or some positive things that she has done for all of us. So I ask personally to keep us all in prayer we love her, you know, it's going to be a journey. I'm going to miss her because that's a long time you have your Mom for 92 years, I'm very blessed. And so but I want to thank the council for acknowledging her and just taking time to have an opportunity to speak for on her behalf. May God bless every one of you all and y'all trying to get me here and my family's like, come on back home. So don't be surprised I might be like this sitting in the back like the new kid on the block. [laughter]

**Bridge Littleton:** It always reminds me of my grandmother had a needlepoint pillow, and because it was the same thing, she would never tell you her age, her needlepoint pillow said. And I said this to somebody the other day who was like 18 years old and they didn't get it. The needlepoint pillow said "Age is a number and mine's unlisted." [laughter] Yeah. So.

**Pamela Thomas:** Bridge?

**Bridge Littleton:** Yeah. Oh, I'm sorry. I'm sorry.

**Pamela Thomas:** [inaudible] We give thanks for you honoring mother Lewis. I'm an adopted daughter. My husband [inaudible], she loved her son, who is an adopted son. She would ask about him, and I said, but you're talking to me how am I? [laughter] Ok, how are you? Now how's my son? [laughter] But what you may not know is that you talk about her being, this and that to this community. She was a missionary and a missionary is one that serves politically. It serves religiously and in a commercial realm as well, and it sometimes causes travel. That was Mrs. Lewis. She was a true missionary at heart, not only for her spiritual community, her Christian church, but also for the political community and commercially as you see what she fought for. You don't know but her name means justice. So I challenge you today in her memory. The pledge that you did to the pledge allegiance to the flag, liberty and justice for all. I pledge you to continue on with that.

**Unidentified Man:** I'd just like to say [inaudible] [laughter] So much has been said about Mother Lewis, and it's greatly appreciated because she has touched all of our hearts. One thing that wasn't said, in the Bible it says, spare the rod, hate the child. And back in 1961, we found out that Eura Lewis did not believe in sparing the rod. [laughter] Number 12, was [inaudible] where the basketball court is now. That's where she taught school and she didn't believe in you having, I mean, she believed in your family. But she also believed and she was a disciplinarian, and she believed that every child should behave [laughter] and of course some of us learned the hard way. But thank God that we learned, but I went to church we belonged to Mount Olive Baptist Church in Rectortown Virginia. And Eura Lee loved the Lord. She was a faithful servant. And she will always be remembered in my heart, and as they said, she was a missionary. And, you know, and she was a giver. Yeah, on my birthdays, on my anniversaries when I was there in Rectortown and even up until when I passed the Mount Nebo Baptist Church in [inaudible] Virginia. And I never had to think about whether I was going to get a card of appreciation, and she always puts something in that card. I will always be indebted to her and grateful for her because she was just a wonderful person. Even when she didn't spare the rod, she gave it to us because we needed it. And of course, back then when you got a whooping in school and by the time you got home, you got another one. [laughter] We honor our Lord and Savior Jesus Christ for allowing such a woman from down South Hills, Virginia, to come in this area and make a mark and all that she has done greatly appreciated [off mic].

**Vernelle Boykin:** Good evening, and I just thank you. I am Vernelle Boykin, and I grew up in South Hill, I did not know Eura, but knew her family and we were family. And I met Eura doing missions. I was the roommate on a lot of the trips,

and she considered us as equals as far as age was concerned, you know, it really was [inaudible] but we loved each other as if we were the same. My mother and her oldest sister, we learned later, were the best of friends and would call each other every day. And of course, I knew her. And but it was just a joy to see how God put us together as sisters in Christ right here in northern Virginia to serve. And she loved you all. Yes. And I sat and I wasn't going to say anything, but then I could hear her say, Vernelle get up. [laughter] And but she did. She loved Middleburg. I was with her in parades here I, we were sisters. And so I thank you all for this evening. [multiple speakers]. You have done what you I know it's just smiling about. God bless you all.

**Rachael Latimer:** I just wanted to say thank you. My dad really loved Middleburg and he was an exceptional father.

**Vernelle Boykin:** God Bless You.

**Bridge Littleton:** So we really appreciate everybody coming out to share some of the moments of Eura's life and her impact on the community and Marks as well. I believe there's a service for Eura on Saturday, Warrenton is it 9:30 to 10:30?

**Merley Lewis:** Yeah, the public viewing is from 9:00 to 10:30. That is the viewing and [inaudible] you know anyone make any speeches at that time, reflections at that time. And then the private service will start at 11:00 for the family and all.

**Bridge Littleton:** And which church is it at?

**Merley Lewis:** Faith Christian Center and International Outreach right there in Warrenton Virginia.

**Bridge Littleton:** Perfect. Thank you.

**Merley Lewis:** And it will be Zoomed also I mean streaming live whatever it's called.

**Bridge Littleton:** Yes, OK. Online.

**Merley Lewis:** So if you'd would like to look at it, it's there. Joynes Funeral Home has the information you just click on that and you can go right into the service of the entrance.

**Bridge Littleton:** Thank you. And Rachel, when you guys have a service for Mark, just let us know and we'll get it out. [off mic] What's that?

**Rachael Latimer:** It's probably we're just going to have a memorial, probably in May or June.

**Bridge Littleton:** Great.

**Rachael Latimer:** We'll let you know. Patty Thomas is this working? [off mic]

**Bridge Littleton:** OK. Yeah. And we would, you know, we'll definitely get it out to the members of council, and I'm sure we'd love to be there. Ok, so the last thing we wanted to do is just, you know, as a memento of their service to the town, their service to the community, we wanted to present Merley and Rachael with it's a paperweight, but it's a paperweight that has got the crest of the Town of Middleburg on it. So just something to, you know, remember the town by. But also, you know what they meant to us as a town, as a community. So I'll just come hand those.

**Merley Lewis:** Thank you, everyone.

**Rachael Latimer:** Thank you.

**Bridge Littleton:** Absolutely. Great, thank you so much. [off mic] So at this point, what we'll be doing is going on with the rest of the town business, so if anybody would like to stay, I mean, it's [laughter]. We're going to talk about sewer lids. Come on, it's so much fun. [laughter] So what we'll do is council we'll just take a quick five minute break in case anybody would like to say anything, and then we'll reconvene in five minutes. Ok, reconvene the meeting next item here is public comment. So we will open the public comment session. If anybody would like to address council, you may do so now. Going once, going twice. All right, we will close the public comment session and move on to staff reports. Stuart.

**Stuart Will:** Good evening, Council. Any questions? [laughter]

**Bridge Littleton:** Kevin has a question.

**Stuart Will:** No, I was giving a thumbs up. This is great water. [laughter]

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

**Stuart Will:** This evening is the first I've learned of Mr. Snyder's passing and.

**Everyone:** Wow. Awww.

**Bridge Littleton:** Wow.

**Stuart Will:** And I've got to say I cannot concur enough with you, you know that Mark did a huge amount of work in laying down the proper groundwork for a proper operating utility. I'm training a helper right now, and she's seeing, you know, during her training that, you know, we're already on top of all the things that are just best practices. And it's really valuable to me to have the opportunity to teach somebody in such a proper environment. And then unfortunately, probably send them off to a less proper environment to learn how it's not supposed to be done. [laughter] I'm very happy to work in the town, and Mark is a big reason for that, the groundwork he laid down during his work on the utility committee. And I personally am going to miss Mark quite a bit.

**Bridge Littleton:** Well, Stuart thank you. I really appreciate it. Any other questions for Stuart? I had one. Was the information you were able to get to Mrs. Mac? Was that helpful?

**Stuart Will:** We have not delivered that. I need to get mailing information for her and I had two different people come out and look at it and they're getting estimates together, but it should be significantly less than the previous quotes.

**Bridge Littleton:** Oh, Stuart that's awesome. Yeah. Well, Stuart, thanks for helping out with that, we certainly appreciate it.

**Stuart Will:** Yes sir.

**Bridge Littleton:** Ok. Have a good night.

**Bud Jacobs:** [multiple speakers] Thank you, Stuart.

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

**Rhonda North:** Thank you, Mr. Mayor. The majority of my time obviously is taken up with the Town Hall project, and we'll give that report shortly. But Tina and I are very happy to announce that the online meals tax payment forms and system is now live. So the restaurant as of today, so the restaurants can now start submitting their forms online and paying online as well. We've had a number of restaurants ask for that, so so we're very happy. That's Phase two of our of our Laserfiche and invoice filed system. And along those same lines with Laserfiche, I'm continuing to work to put items

in that system, and I'm now working to put all the council agendas from the past into it. So continuing to move forward on that.

**Bridge Littleton:** Any questions for Rhonda? What was the company we had before?

**Rhonda North:** For?

**Danny Davis:** Paymentus [multiple speakers]

**Bridge Littleton:** Yeah, they sent us nice cookies.

**Rhonda North:** We have had so many compliments from folks, you know, because the system is just so much more robust with Invoice Cloud.

**Peter Leonard-Morgan:** Is the meals tax submission electronically going to be mandatory or can they still just do it the old fashioned way?

**Rhonda North:** No, they can still do it the old fashioned way.

**Peter Leonard-Morgan:** Yeah, it's much more helpful to do it electronically, probably for you.

**Rhonda North:** Yeah, it's going to be more helpful for us. I mean, the system automatically archives the submissions, Tina gets them automatically so she can match the payment with the forms. I mean, it should be a very easy system to use. But like I say, a number of the restaurants have been asking for some time.

**Peter Leonard-Morgan:** That's great. And also with Laserfiche is that, that's all accessible by the public somewhere, isn't it? Is that on the website or?

**Rhonda North:** It is not accessible by the public.

**Peter Leonard-Morgan:** It's not at all.

**Rhonda North:** Yeah. So so each system, it depends on what it is. Some records are accessible only to certain people like your HR records are pretty much only accessible by Tina and Danny and just me for records management purposes. But then other things are accessible to all of the staff, so it depends on what the record is [multiple speakers] as to what the permission status is.

**Peter Leonard-Morgan:** I use Laserfiche when it, you know, with certain things in real estate and it's so helpful, but that's more on a county basis. Thanks.

**Bridge Littleton:** Yeah, I've actually asked King Street Oyster Bar next time they pay their meals tax to pay it in nickels.

**Rhonda North:** Thank you. [laughter]

**Bridge Littleton:** Just you give it any way you want, you know.

**Rhonda North:** We'll call you over to help us count.

**Bridge Littleton:** Oh, no, no just weight it. That's all you got to do. Ok, Ali.

**Ali MacIntyre:** All right. Good evening. So you have my report, I just wanted to go over a couple of highlights. In January as part of our continued partnership with MBPA I did meet weekly with them. I think it was three meetings as part of their strategic planning sessions for the year. Next, with the guidance from our Mayor, Vice Mayor, and Town

Manager, we've been working on a survey for the Town of Middleburg Business Community to better understand their needs and kind of challenges faced right now. We will be sending out the survey to council next week to review before we send it out to the community. So please, feel free to give me feedback. Next for upcoming events this month. So I did send it out in the newsletter last week but the DMV is coming back on the 22nd and 23rd. That link will be live tomorrow. Well it's already live now, so if you do go in there, you should be able to get in.

**Bridge Littleton:** I've already signed up.

**Ali MacIntyre:** Great that's what I like to hear. And it is going to be at the Legion again. They've been gracious enough to host us. The CTA class that I did mention last time is going to be held on the 23rd as well from 9:00 to 1:00. Sign-ups are still coming in, so that's exciting. They just dropped off the binders today and that's being hosted at the National Sporting Library Museum. We just confirmed today that the Loudoun County Health Department is going to be bringing out their COVID vaccination van. They actually will be set up in a facility. We're still finalizing the contract there, but they will be here on Monday, February 28th. We're estimating from about 11:00 a.m. to 7:00 p.m. that way those who haven't been vaccinated will have access. They will have all the vaccines and boosters available for ages five and up. So I have been in contact with a few of our non-profits just to make sure they do get the word out to those communities as well or their communities. We do expect to see the town buzzing these next few weekends. I thought that winter would be a little bit slower. But with Valentine's Day, the winter sidewalk sale and as you probably heard, Market Salamander is hosting a dinner in celebration of Black History Month. They actually had planned on one night and then they sold out, so then they had to add a second night, which is pretty exciting. Last but not least, we are looking ahead to spring and you'll hear more from Mary Ann this evening as we're gearing up for Art in the Burg.

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

**J. Kevin Daly:** Yeah, I've heard rumors that spring starts March 20th. Can you confirm that?

**Ali MacIntyre:** The 20th is that the, No, I don't think so.

**Bridge Littleton:** I believe that's incorrect. I believe it starts March 21st.

**Chris Bernard:** I think it's the 21st.

**Bridge Littleton:** Ok, we can confirm it does not [inaudible]. That's incorrect. It does not begin March 20th.

**Ali MacIntyre:** Thank you. Had to phone a friend there. All right.

**Peter Leonard-Morgan:** Yeah. Thanks for the vaccination rollout. How is that being promoted other than directly to, for example, Windy Hill and Levis Hill? Is it on the, it's obviously on the website and.

**Ali MacIntyre:** So once I get the contract finalized with the venue that'll be hosting it in town, we are going to be putting it on the website, it's going to be in the E newsletter and then I'll probably go around to the businesses as well.

**Bud Jacobs:** Ali, how do you sign up for the certified tourism ambassador training? Is that open to everybody?

**Ali MacIntyre:** It is. Yeah, no, absolutely. So the link is in the E-newsletter, but I can send it to you directly as well. We do have twenty five, but we have twenty five spots available. I think six or seven have already signed up, yeah.

**Chris Bernard:** [inaudible] Sign Bud up for two of them.

**Bud Jacobs:** Two or three.

**Chris Bernard:** At least two of them.

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

**Philip Miller:** So other than the E-newsletter, how are we communicating that to the businesses to make sure that they understand the value in having their employees attend that?

**Ali MacIntyre:** Outside of the newsletter I haven't put it up on the website yet. That is a good suggestion. Great question. That is something that I should do. I have been out and talking to some of the businesses about it, but outside of the newsletter and just word of mouth, I haven't put it up on the website.

**Philip Miller:** Do we have any idea how many people have signed up?

**Ali MacIntyre:** It's only six or seven.

**Philip Miller:** Ok, so we need to get the word out because that's a very valuable thing that we should not squander. I would suggest a door to door flier campaign.

**Ali MacIntyre:** Thank you.

**Bridge Littleton:** Ok, any more questions for Ali?

**Chris Bernard:** Did they talk about it at MBPA?

**Ali MacIntyre:** No, I did not get the opportunity to do that.

**Danny Davis:** She got skipped.

**Bridge Littleton:** OK, anything else?

**Philip Miller:** I have some follow ups for you on this, but we can do that offline.

**Ali MacIntyre:** Ok.

**Bridge Littleton:** All right. Next item Treasurer Report.

**Tina Staples:** Hi, everyone, hello. I highlighted a couple of things in my memo for you, but the obviously Rhonda already talked about the meals tax form. If you do want to see what it looks like, if you go to the payments page of the website and scroll down to the bottom. There's a little section there for meals tax payments. So and then I also highlighted the utility fund, using the ARPA grant funding for to prevent the disconnections and to help people with arrearages. It actually worked out really, really well. I was able to clear off 32 accounts from our receivables, which actually only leaves three that are over 90 days past due in our receivables now, which is incredible. It went from three pages to this, you know, so it's great and it's the people we weren't able to get in touch with every person that was a recipient because some of them have moved and changed addresses. But those that we did get in touch with were extremely grateful for what the council was able to help them with. So I just wanted to relay that to you that I think it really worked out well, and I thank you for allowing me to pursue it. Do you have any questions about my financials? I will say that we should we're halfway through the budget a little over halfway, but we've got the December numbers in there now. So this is a better picture of kind of a halfway through point, at least as far as looking at the expenditures, definitely because they're really falling right in line and your revenues are in the end actually coming in really well at 47 percent for the entire budget as a whole, if we put it all together, so that's a really good place to be at about halfway. A little over halfway through the year.

**Bridge Littleton:** You're saying 47 percent halfway through the year is a good place to be in?

**Tina Staples:** For your revenues, yes, because your revenues come in a little bit fluctuating. [multiple speakers]

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

**Tina Staples:** Right.

**Bridge Littleton:** I get it. I get it. You guys know that intently and deeply. We kind of know that the public will think, wait a minute, that's behind.

**Tina Staples:** Well, if we yes, if we were at, if we were looking exactly at 50 percent, is the line, then yes. If our revenues at this point we're down in the 20s and 30s, then we might need to look and see if we're missing some of our collections. But for it to be at 47 percent now, it's a very good position to be in.

**Bridge Littleton:** Where was it a year ago or not last COVID, where was it in 19' at this point?

**Tina Staples:** In 2019? I can find that for you. You'll just have to just give me a moment. [off mic]

**Bridge Littleton:** No, I got it. I got it. I just, you know, this is a challenge we've had.

**Chris Bernard:** That's why we have that graph where we look.

**Bridge Littleton:** No I got it. And that's the thing. It's like, you know, it always drives me nuts because you look at the revenue projections and everything is red until the last day of the year.

**Tina Staples:** Yeah.

**Bridge Littleton:** Right. Everything. It just I know, I know.

**Tina Staples:** It does make it.

**Bridge Littleton:** Danny how's the county do it? They don't do it that way, do they? I mean, they're the exact same boat, right?

**Danny Davis:** Well, yeah. First of all, I'd say they don't give monthly budget reports the way we do because they know that, especially for them, real property is or I should say, personal property and real property is 90 percent of their local sales taxes, and those come due May 5th and June 5th. So they know it's going to come in the last month of the fiscal year. And so in terms of tracking, yeah, they have an expectation that they will be back filling all the revenues. So at the end of the fiscal year, so if you were to draw a similar line, it would probably even look more flat than ours and then jump at the very end. I do think to Council Member Bernard's point, the graphs that we have provided showing how we anticipate revenues coming in shows that it is a generally, you know, continuous line, but that you see jumps, especially in the spring when business license and bank taxes come in. And as long as our green line continues to stay above the blue line, we're in a good position.

**Bridge Littleton:** Ok, yeah. I mean, that's the one that's helpful, like the one that so the one on page 8, like you look at miscellaneous taxes.

**Danny Davis:** No of course.

**Bridge Littleton:** Whoa, we're so far behind.

**Danny Davis:** Sure, sure.

**Bridge Littleton:** But the other ones, like, whoa, we're so far ahead, you know.

**Danny Davis:** So the trend line that was the whole purpose?

**Bridge Littleton:** No, exactly. Exactly.

**Chris Bernard:** I just feel like we have this conversation every month.

**Bridge Littleton:** Yeah, I know, it's like I look at I look at slide eight and I'm like [multiple speakers] Ok.

**Tina Staples:** At thirty eight percent to answer your question.

**Bridge Littleton:** In 2019.

**Tina Staples:** Yes.

**Bridge Littleton:** Ok, great. Thank you.

**Tina Staples:** The revenues yeah.

**Bud Jacobs:** Versus 47 percent [off mic].

**Tina Staples:** Correct.

**Bridge Littleton:** Anybody got any questions for Tina? Going, once going twice. Ok, thanks, Tina.

**Tina Staples:** Thank you. If you decide if you want more detail or something.

**Bridge Littleton:** No, no, it's not. It's just like, it's like, I look at that one chart, I see nothing but red in revenue and it's like, you know, it's true balance sheet like you're looking at in a company.

**Tina Staples:** Mm hmm.

**Bridge Littleton:** You're firing people. But I know it's not the same thing.

**Tina Staples:** Right. Ok, thank you.

**Bridge Littleton:** And what I always struggle with is when the public reads it, you know, if the public reads it, we got to know all the detail behind it, right? So it's hard. Ok. Next one is Deputy Town Manager Report.

**Danny Davis:** Yes, Will. I'm the acting Deputy Town Manager today.

**Bridge Littleton:** That remains to be seen.

**Danny Davis:** Three, quick items from Will's report an this may not have been in the report, but I did mention a last meeting that we were putting no construction traffic signage up.

**Bridge Littleton:** I already saw it and it looks great.

**Danny Davis:** It went up today. So just in case there are questions, we'll answer those. As noted in his report, the R2 zoning changes from the Berkeley Group are being reviewed right now and should be at the Planning Commission later this month for their consideration. And he said at first glance, it looks good. And then also the Planning Commission continues to talk through short term rental information and discussions. It's expected that there will be hopefully some consensus on comprehensive plan language at this month's Planning Commission meeting that then they can advertise for an amendment to the Comprehensive Plan and then the details and specifics in the zoning text would follow kind of as

the process goes along. So we're going to bifurcate them to get the comp plan language in before the zoning because they're still details on the zoning side to work out.

**Bridge Littleton:** Any questions for Danny?. All right, Shaun.

**Shaun Jones:** Good afternoon. Well, good evening. I'm sorry. My apologies. If you don't mind I'll stand. Some of the notable events so far this year Chief and I split the snowstorm duties. The Chief, Officer Davis and Corporal Putnam, took care of the first snowstorm. The second snowstorm was handled by myself, Officer [inaudible] and Officer Timmy Tharpe. Training last month, January, I started PELS Professional Executive Leadership School at the University of Richmond. I return next week for another week and then I graduate in March. So it's going pretty well. I'm learning a lot. [off mic] One of the things, thank you. One of the things that we've implemented is more online training for our officers. I think our officers should be up to date and up to par with some of the training. So I'm looking at monthly training things that they can do online. So last month, the whole entire department completed the duty to intercede class, which if you see somebody that's doing something wrong, they're supposed to intercede and tell some different steps on how to handle that as well. In the report it's highlighted some of the classes that the officers took throughout the month of January as well. Two things to highlight in January Officer Tharpe went above and beyond twice on January 16th, 2022. It was a very cold night. He observed a vehicle in the gravel lot up behind the BB&T, with its windows frozen over and observed that someone was in the vehicle. The subject advised him that he didn't have any money for gas to get home. So Officer Tharpe had the subject meet him at the Exxon and Officer Tharpe filled up the subject's tank with his own money. So huge kudos to Timmy for that. Then also on January 29th, then he went above and beyond again. He had three females who could not get an Uber back to their Airbnb just outside of town. So inside of Timmy's patrol vehicle, he has the partition for if we have prisoners, he went back to the office got a vehicle that didn't have a partition in it and was able to get the three ladies back to their destination safely. Another opportunity that Timmy went above and beyond, so we really appreciate that. Any questions?

**Bridge Littleton:** Any questions for Shaun? [off mic]

**J. Kevin Daly:** Kudos to Timmy, that's a sign of what community policing is all about. We are not bullies in blue. We're here to serve, protect and take care of our community. So well done. And it's a big reflection not only on Timmy, but the entire police department as well.

**Shaun Jones:** Thank you.

**Bud Jacobs:** May I ask, are you guys planning any special recognition for Officer Tim?

**Shaun Jones:** That's something that we're going to look at address [inaudible] recognition throughout the year for our officers and so forth. I have some ideas I'm going to run by the chief as well. Great. So actually, I'm keeping a track of notable activities and stuff that people are doing monthly. I have a monthly report I do myself to present to the chief as well, so I'll keep a list of all the training everyone's doing. And this is something, you know, that highlights, what everyone's doing as well. So it's helpful. Anybody else?

**Bridge Littleton:** Anybody?

**Bud Jacobs:** Just my own view is I like to see those publicized.

**Shaun Jones:** Yes, sir.

**Bud Jacobs:** I like to see those out there as good news for the community so they understand exactly what our police department's relationship is.

**Shaun Jones:** Ok, I'll pass that along. Thank you, sir.

**J. Kevin Daly:** All right. And bud, you're going to like what you hear from Phil later this evening. [multiple speakers]

**Bridge Littleton:** Who? No any other questions.

**Philip Miller:** Please thank Officer Tim for us for demonstrating tremendous character and community values.

**Shaun Jones:** Definitely will. Any other questions?

**Bridge Littleton:** Anybody? Ok, thank you.

**Shaun Jones:** On a side note I have something to share. Once again, I'd just like to thank everybody for their support and prayers and everything that you guys have done for me and my family while I've been going to this lymphoma battle. I'm happy to say I have three more treatments to go. And then some of you guys saw the picture earlier this week of where I started and until where we are now. So three more treatments to go and should be in remission and it should be good to go. So I appreciate all your support.

**Rhonda North:** Yay! [applause]

**Bridge Littleton:** Martin.

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

**Bridge Littleton:** You're not actually standing. [laughter] [multiple speakers]

**J. Kevin Daly:** I do have a question on, this thing keeps going off. On a legal note, do you know what the exact starting day of spring is by any chance?

**Martin Crim:** Legally, it's March 20th.

**J. Kevin Daly:** March 20th. Wow. Thank you very much.

**Bridge Littleton:** Its fake news. [laughter]

**Darlene Kirk:** No.

**Bridge Littleton:** All right. Any questions for Martin? Ok, Rhonda.

**Rhonda North:** Thank you, Mr. Mayor. So we should receive tomorrow from Cooper the preliminary construction schedule. They have given us a verbal commitment to have the staff moving into the building on December the 27th. There is one caveat to that, and that is if they hit rock, then that's going to throw the schedule all out of whack.

**Philip Miller:** I didn't hear that last part. [multiple speakers]

**Rhonda North:** So the county inspector will be on the site on Monday, and if all goes well and we get our placard, then work will begin. And that will mean again that the parking here in the back will go away. So for your next council meeting, it's very likely that there's no on-site parking. So just if you could bear that in mind, as you're thinking about your commute in, we'll be installing the signage out front to create the two temporary 10 minute drop off zones. And we have, Danny worked hard and found seven spots for the town staff so that we have locations offsite to park during the day. And Safeway has agreed to let the staff use the parking lot across the street in the evenings when we have night meetings. So I think we're in good shape there. And then one of, you know, there are lots of other things associated with the new building that we're working on getting, you know, copy machines and all that good stuff. And one of the things that we need to work on is a town flag because we will have three flagpoles, one for the town flag. Danny and I've been talking and we were thinking the design should consist of the town seal on a white background. And if that is acceptable

to the council, then we'll go ahead and pursue. Right now, the firm that I've dealt with in the past is having a sale on custom flags, so it's probably a good time for us to get our order in.

**Bridge Littleton:** Good with everybody?

**Darlene Kirk:** Yeah.

**Bud Jacobs:** I was kind of looking forward to weeks of discussion and several [multiple speakers].

**Chris Bernard:** Well, perhaps there's a consultant we could hire.

**Bridge Littleton:** Hey, Bud I'll tell you what, come back in May and tell us what you figured out. [laughter] The flags will be here by then. Darlene. [multiple speakers]

**Darlene Kirk:** [inaudible] Put in the building somewhere.

**Bridge Littleton:** Oh, that's a cool idea.

**Rhonda North:** That's cool idea. It is a nice idea.

**Chris Bernard:** Darlene for the win.

**Bridge Littleton:** [off mic] Yeah, any objections to and I would say get a couple of them because they wear out fast.

**Danny Davis:** Yeah, yeah.

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

**Bridge Littleton:** Huh?

**Darlene Kirk:** She doesn't buy the cheap stuff.

**Bridge Littleton:** Well, of course not, it's not her money.

**Philip Miller:** Will the flags be lit?

**Danny Davis:** Yes.

**Rhonda North:** Yes.

**Chris Bernard:** Yeah. Legally they have to.

**Rhonda North:** If we leave them up 24/7 you have to have them lit.

**Bridge Littleton:** [off mic] Ok, any questions for Rhonda? All right. Next item. You know what? We're going to skip consent agenda. Anybody wants to make a motion on the consent agenda?

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

**J. Kevin Daly:** Second.

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

**Everyone:** Aye.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Opposed abstention? Oops. Sorry. Cindy, thank you. Ok, we're going to move to [inaudible]. Art in the Burg. Oh, it's next anyway, OK. I saw Mary Ann sitting there. I thought we had to do that next. Sorry about that, Mary Ann. We should have done that first. Rhonda from now on, any time we have a member of the public that is coming in to do something that's going to be that goes on the agenda first, not first, but after public comment. All the stuff that's just council that all of it comes later. Thank you. All right, Danny. Your name is in the memo.

**Danny Davis:** It is. So is Ms. MacIntyre's. We have a request from the Arts Council to look at increasing the scope of Art in the Burg for this year and into future years, which we think is a great idea. However, it will require additional costs in that, as noted, the anticipation and expectation as those costs would be offset by additional sponsorships. So there's no net additional cost to the town. However, because this is increasing the scope and also increasing our outlays, our expenditures, we are asking for the council's approval of this. And Ms. Burns is here to answer specific questions about the activities of the day and the costs that she's put together.

**Mary Ann Burns:** Well, thank you all for having me, and I completely enjoyed being here for the entire meeting. This town continues to amaze me. I think I'm the newcomer still the new kid on the block, and it's just an incredible place to be part of. So thank you for that. I can take you a quick tour of the PowerPoint if you'd like. And we've even on the first page, it shows the tagline for Art in the Burg is Celebrate the Arts. So we're trying to expand the scope. So it's not just a few exhibitors and a few paintings and things like that. We're trying to incorporate more of the arts. So we're going to have more exhibit booths, which and we're including ceramics, photography, and we've been doing that for a while, but we're making an effort to do that. And we also have a pop art exhibit. An artist, a pop art artist, approached Old Ox about doing an exhibit at Old Ox, and we thought, Well, this is great. We can coordinate with Art in the Burg. So we're going to, we've made some outreach to some specific artists that their genre is modern art. It's going to have everything from sculptures to motorcycles, you know, to painted motorcycles. And artists can participate by sending one painting in a gallery type situation or they can exhibit in which they would pay an exhibit fee to the town if they ended up exhibiting, it would just be not on Madison Street. Madison Street will have about forty exhibitors, and this would probably only have four or five exhibitors. So the other aspect we're pursuing after a fun time with a Christmas Carol and Dickens of a Christmas, the Director from the Hill School, Erin Coulter, and the actors and actresses from the Dickens wanted to come back and do something for Art in the Burg. So they've selected what they're calling 10 minute musicals. And part of the increase in the budget is due to the licensing fees around these musicals and having actually a music production manager. So I gave a sample of one of them here and they're going to spread those around town doing each doing three or four of the 10 minute musicals, two or three times a day on May 21st, on the day of Art in the Burg. Then we're talking about doing a fashion show. We have some interest in that. The examples you see here are Budweiser, which doesn't do much for me, but the idea is for a business to create an ensemble that represents their business, you know, out of the materials that they would use for a business. So like Middleburg Eccentric Jay Hubbard's excited about it, he'll do probably, who knows he'll do a newspaper outfit. We'll do. I've got a big, huge malt bag that we used, that the malts come in we'll do malt bag, trying to get some wineries to do the the vines, the labels, all the things that goes around with wineries. We want to have an actual fashion show on the day. And then after the fashion show, we'd like to exhibit the dresses or whatever the ensemble turns out to be around town in the stores. So Philip, we want one from your favorite store. So we've had people sign up already in the West Federal who says they'll do three or four because that's their business. So I think it'd be kind of fun it'll be something different. So we also have invited some of the restaurants to do cooking demonstrations so far Good Stone and Salamander said that they would do that. We're talking about doing architectural or history tours, and then we're doing trying to do the Art Can Help where you do sculptures out of cans of food and then donate those cans to Seven Loaves. And then we have one of our members is doing a whole art exercise for kids, probably in the Methodist Church parking lot where kids can come and create their own art that they can take home. That's pretty much the scope, but the other good news is that we have some concurrent events on country music festivals is also that weekend and they're doing three days of concerts in different venues here and in Upperville. And they'll have strolling musicians during Art in the Burg at limited times, but they'll have strolling musicians. And then the Middleburg Community Center is doing another documentary series. So we want to bring those all together and make it a whole celebration of the arts for the it's actually for the weekend, Art in the Burgs' only one day. But so the budget request is

actually for \$5,000 dollars, but that's what we hope to raise in revenue. The total spend then for the council would be \$10,000 dollars, and we've included all kinds, you know, things like toilets and things like that. We hope we won't need them, but we wanted to have permission to spend the money if it turns out that we have a lot of interest in Art in the Burg. We also Hunt Country Music Festival would like us to co-op some of the advertising on WETA and maybe some other publications, so we're looking at the cost of doing that too. Any questions?

**Bridge Littleton:** Any questions for Mary Ann?

**Peter Leonard-Morgan:** Just sorry, just for me, a clarification. So our budget is changing potentially by another \$5,000 or is that worst case scenario?

**Mary Ann Burns:** There was \$5,000 in the budget, as I understand it. And then the additional, we're asking for additional funding for expanding the scope.

**Peter Leonard-Morgan:** Right. Okay thanks.

**Mary Ann Burns:** Yeah.

**Bridge Littleton:** Anybody? Oh Darlene go ahead.

**Darlene Kirk:** Ok. I think it's a great idea and I don't know where you get your energy from [laughter] but I want some. But no, it's just great. I mean, making a three day event and that's really good. I like what you're doing with this. And I'll make up [inaudible]. I'll read a motion if anybody's ready for me to do that. [off mic]

**Bridge Littleton:** Cindy, you got, just checking with Cindy. Cindy you good?

**Cindy Pearson:** No, I'm great. That sounds the whole weekend. The whole day sounds great. [multiple speakers]

**Darlene Kirk:** Sounds fun.

**Cindy Pearson:** And then to expand it for a weekend is wonderful. Thank you, Mary Ann.

**Darlene Kirk:** I move [multiple speakers] I move that the Town Council provide additional funding in an amount up to \$5,000 dollars to the Middleburg Arts Council for Art in the Burg.

**J. Kevin Daly:** Second.

**Bridge Littleton:** Any discussion? Other than to say, Mary Ann, thank you so much.

**Mary Ann Burns:** Thank you all so much.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions? Ok, good to go.

**Mary Ann Burns:** Thank you.

**Bridge Littleton:** Thanks, Mary Ann.

**J. Kevin Daly:** You can remain for the remainder. Yeah. If you thought the beginning was fun, wait till you see [inaudible]

**Mary Ann Burns:** I don't know about utilities.

**Bridge Littleton:** Neither do we.

**Chris Bernard:** But you could know a lot about utilities if you stay. [laughter] [off mic]

**Bridge Littleton:** Ok. Contract Utility System Master Plan.

**Danny Davis:** Mr. Mayor and council members. You had the report before you. We issued an RFP for firms to conduct an update to our current utility system master plan, which was last updated in 2003. We received two responses to our RFP, interviewed those firms and recommends moving forward with a contract with Whitman Requardt and Associates, who is the firm that did our first master plan back in 2003 and has also been involved in other projects throughout town, including the Route 50 water main replacement during the traffic calming effort, as well as I think they were brought in for a portion of review of the new water wastewater treatment facility and the water treatment plant from Salamander. As shown here, the proposal the base proposal is for \$103,426 dollars. There is an alternate added in here that would allow for some additional subsurface utility engineering, which allows us to identify where pipes are if we are unsure about either where they are or their quality or what they are made of. And essentially it would give us a chance to go do some investigation, but we don't believe we need that for the entire project and it may not be needed at all. So the request would be for authorization to approve this, and award this contract. The town attorney has reviewed both the documents and also the standard contract as provided here and has approved it as to form. Happy to answer any questions you might have.

**Bridge Littleton:** Any questions for Danny, or Martin or Bud? My only question was this, the last time we did the master plan, how much do we spend for it then?

**Danny Davis:** I'd have to go back and look I do not know.

**Tina Staples:** Do you know what the company was?

**Danny Davis:** WRA, [multiple speakers] but it was 2003 I'm not sure we'd have that in our.

**Bridge Littleton:** Rhonda do you know it off the top of your head?

**Rhonda North:** That was before my time.

**Bridge Littleton:** Nothing was before your time. [laughter] Wait a minute.

**Rhonda North:** That was four years before my time.

**Bridge Littleton:** Darlene was there. Darlene, how much was it?

**Darlene Kirk:** That was before my time too.

**Bridge Littleton:** 2003.

**Darlene Kirk:** Ok maybe it wasn't. [laughter]

**Danny Davis:** I could go, look, if you'd like me to.

**Bridge Littleton:** No, I'm just curious. Typically, I mean, it's a hundred thousand dollars. I'm just curious what these things, you know, I have no baseline to know if that's high, low, good, bad. I mean, I get it. You got three bids, but I

mean, what if it's half, I get it. It's been 20 years, but so it was like three thousand back then. And now it's one hundred. I'm going to go wait a minute.

**J. Kevin Daly:** Given that I'm sorry that there were three bids, how close were they? I know for the town hall they were within, you know, nano [off mic].

**Danny Davis:** Yeah, they were within percentage points of each other. They were very similar in their costs. And it was honestly exactly, I shouldn't say exactly very close to what we had anticipated and put in our budget for this project.

**Bridge Littleton:** Okay.

**Danny Davis:** So based on insight that we had, we figured it would be around this amount.

**Bridge Littleton:** Okay. Yeah Philip.

**Philip Miller:** So I skimmed through a lot of this. Is this going to also include us documenting the age of all of the infrastructure that were, yeah?

**Danny Davis:** As much as we know the age of it, and we will be using the mapping system specifically as like an asset management system and tracker. So you can add asset details to anything in that. Much of the infrastructure we do know the age, some of it, we probably don't. And there may not be a real way to know. Those would actually be ones we would likely have categorized as needing for prioritization on replacement, such as the pipes in Ridgeview that were not replaced a couple of years ago.

**Philip Miller:** Right. That's exactly what I was thinking is that we know that we didn't replace some of those and we don't really know how old many of them are, but especially for anything that's done for the future, let's keep track on that. So we know as we get to that age of use, that time for replacement.

**Danny Davis:** Absolutely. And I agree 100 percent, even as much as the idea that like this repair on Chestnut Street, we can mark that exact location and say circular break repaired on February 2nd, 2022. So we know the kind of break it was that it was repaired and even by whom. So just keeping good data in there. I agree.

**Bridge Littleton:** Any other questions? [off mic] Someone needs to.

**Peter Leonard-Morgan:** I moved that the town council, authorize the Town Manager to award a contract to Whitman Requardt and Associates LLP in the amount not to exceed \$118,426 dollars for the Utility System Master Plan update.

**J. Kevin Daly:** Second.

**Rhonda North:** Mr. Mayor, we do need to do this by roll call vote.

**Bridge Littleton:** Ok.

**Rhonda North:** Vice Mayor Leonard-Morgan.

**Peter Leonard-Morgan:** Aye.

**Rhonda North:** Council Member Bernard.

**Chris Bernard:** Aye.

**Rhonda North:** Council Member Daly.

**J. Kevin Daly:** Aye.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Aye.

**Rhonda North:** Council Member Kirk.

**Darlene Kirk:** Aye.

**Rhonda North:** Council Member Miller.

**Philip Miller:** Aye.

**Rhonda North:** Council Member Pearson.

**Cindy Pearson:** Aye.

**Bridge Littleton:** All right. Next item is budget resolution. Danny back to you.

**Danny Davis:** Thank you, Mr. Mayor. We're discussing budget revenues and I'd like to just give an overview of the memo and then take an opportunity if y'all have questions about the numbers and projections. We have just so you know, and I think most council members know that we've been meeting with the liaisons for the various departments and activities to talk through the expenditure side of the budget. And I will be presenting the full FY23 budget to you at the next council meeting. As stated in this report, we did budget very conservatively for revenues in fiscal 22'. Not sure how the economy would respond coming out of COVID and continuing through the part of COVID we're in. And as we've shown in the memo, revenues have grown much faster than projected, even as we adjusted our expectations at the beginning of this fiscal year. As Tina mentioned, with having six months of revenue in we have actually felt that it's appropriate to revise our projections again because of the extent of the increase that we've seen. One of the most important reasons why is because we build our fiscal year 23 budget off of the fiscal year 22 budget on the revenue side. And so as we look and see what we really how we think we're going to end fiscal year 22 that informs where we hope to be in fiscal 23, but always remembering that we're still projecting out what we think is going to happen 12 to 16 months from now. So we're making best guess projections for fiscal 23. But there's a lot of time between now and the end of that fiscal year. We have built in growth factors for our primary revenue line items. That includes a two percent growth factor in meals tax, five percent in TOT and a 10 percent growth factor in business licenses. And we'll talk about the real property taxes in a minute. In your document, you have a number of attachments. One of those is the draft fiscal year 23 revenue page. I'm not going to go through that with you, but I'm happy to answer questions if you have reviewed it or would like to go through any details in that. So looking at the real property tax, we're all aware that assessed values went up significantly this year. On in total, assessments were up nearly 20 percent for our real property assessments and the equalized increase, which means the increase in homes that were here last year, not counting new growth or construction. The equalized increase was 15.13 percent. We've also given you the breakdown of that in the full assessment summary from Loudoun County. And you see there that the equalized increase for single family homes was around 13 percent. The equalized increase for townhouses was close to 25 percent. Now, the same caveat all around that one person's townhouse may not increase the same as another person's, especially as we know that some are much larger or maybe have had more sales than others in the town. As I sent an email out earlier today with an update related to the real property tax rate. In that instance, there was some misapplication or misunderstanding of the state code requirements for advertising an increase in the real property tax rate so that having happened, we will have to re advertise the public hearing for the increase in the real property tax rate. In the memo that you have and in the original ad, it stated a tax rate a lowered tax rate of 13.42 cents per hundred dollars assessed value. That rate should actually be 13.29 cents per \$100 dollars of assessed value. That's 2.01 cents below our current tax rate. We can come back and talk through property tax rates and tax bills also in a second. The final item that we included in this memo was just a brief overview of inflation. As we all know, inflation is at historic levels. The Bureau of Labor Statistics came out today with updated information for January.

That year over year, inflation is now up to 7.5 percent across the country. In our region, it's slightly less actually, it's about six percent for the Washington metro region. But those are historic levels, you know, four decades or so.

**Bridge Littleton:** Well, and actually, if you look at the state data that came out a week ago, what drove the D.C. Metro area was D.C..

**Danny Davis:** Hmm.

**Bridge Littleton:** So actually, Loudoun is like eight.

**Danny Davis:** Hmm. Okay. Yeah, it's significant.

**Bridge Littleton:** Because D.C. is only like four and a half or five.

**Danny Davis:** Yeah, I hadn't seen that. Thank you. No one knows how the markets will react to the changes in interest rates by the Fed. Wall Street Journal does a whole polling of analysts, and they believe that in June we'll be down somewhere around five percent inflation. And by December, maybe 3.1 percent. But as you all know, that remains to be very volatile and uncertain. We had a very.

**Bridge Littleton:** Hold on real quick. And that was the Fed, who in the summer said it wouldn't go above two.

**Danny Davis:** Yes. So we had a very, I would say, positive or insightful discussion with the Strategic Finance Committee about this particular topic and received strong encouragement, almost admonishment that we'd be very, very prepared for cost increases in our upcoming budget. Because even if you know we think it's going to be seven percent, no one really knows in the next year what that might mean in terms of cost. So as I've shared with many of you in many of our O&M line items in the expenditure side, we're planning 10 percent across the board operational cost increases, just knowing that supply chains or cost inflation, who knows what. So, but.

**Chris Bernard:** I was going to say it's also a big driver of why we pushed the idea of financing more rather than using cash was to look at those next 18-24 months and say, Hey, we should have some cash in the bank for increased expenditures.

**Bridge Littleton:** While rates were still good.

**Danny Davis:** Yeah.

**Philip Miller:** Let's also keep in mind not to panic because much of our taxes and tax revenues are going to be increasing at the same rate because of cost of TOT and meals and everything else. It's also going up, so it's not cause for massive alarm.

**Danny Davis:** Absolutely. It's not. And I think some of the increase we have seen in our revenues over especially the last four or five months, is not just attributable to increase in demand, but also increase in costs that restaurants have are passing on to their customers and then by nature, gets passed along as the tax. So it doesn't necessarily mean that our businesses are doing better than they had been previously, but agreed that it trickles down to us because of the way that those taxes are applied. With that, I'd be happy to take questions about all the revenue, either any of the assumptions that we've made. I think one of the reasons I thought it was important is because these TOT and meals tax numbers are such a significant increase over what we had even seen the last couple of years and even over calendar year 2019, pre-covid. The TOT is up 40 percent over that. Those six months is amazing. But then also, if you'd like to talk through a little bit real property tax rate because we do have to re-advertise that public hearing, if the council would like to have a discussion or give any direction about a maximum tax rate for me to include as a proposed, what I had advertised was our current tax rate and then council always has the opportunity to go below that.

**Bridge Littleton:** Ok, so just a couple of quick things. I'm going to send you a thing I read two days ago, no, three days ago. What's today? Thursday. [multiple speakers]. They actually broke out the inflation by industry sector, and that was very insightful. So like automotive, it's unbelievable. It's like 40 percent, you know, hotel and tourism, it's like 38 percent. [off mic] What's that?

**Chris Bernard:** Copy me on that?

**Bridge Littleton:** Yeah, yeah, absolutely. And then so, you know, real estate, right. And then some things were like one and a two. So I think it's a great idea that you guys are putting it in at 10 percent whatever but actually go, look at that, those different, they broke every one of those sectors out and like four or five of them are kind of directly in like, you know, supplies and and steel and wood and all that kind of stuff. Some of those things will drive directly and some of the stuff what's created the I'm battling all over the place. That's seven and a half percent is basically averaging all of them.

**Danny Davis:** Sure right.

**Bridge Littleton:** Well, let's look at the ones that we're going to actually be impacted by and see if it's actually higher or lower or about the middle to give you a little more granularity. [multiple speakers] And then the other thing is, you know, your question about the tax rate. So I think and let's just all give Danny a nod that the maximum being the current is fine to step. I don't think we're thinking about raising it. Yeah, right. Ok, so it's going to either stay the same or go lower. So, but, you know, just keep it where it is or, you know, we'll stay that or go lower.

**Danny Davis:** Ok.

**Bridge Littleton:** And then the last thing I was going to say was when it comes time to have the public hearing, I totally believe that there'll be members of the community who will come in and express opinions and give us feedback and all that kind of stuff. When we have the public hearing we don't have to vote that day, right?

**Danny Davis:** [inaudible]

**Bridge Littleton:** Ok, so let's be prepared to really have an in-depth, vigorous conversation about where we want that rate to be, because I think a lot of things that Danny put forward in his memo are really important, right. So the balance of our revenues are, you know, real estate's now 16 percent, it would go to 14 percent if we equalized. You know, is it about the tax bill or the rate of the growth of the bill? You know, all that kind of stuff. And if we feel comfortable at the end of it that we want to vote, great. But I think we should also feel prepared that wow, somebody brought something up that's made me think in a different way going into the next council meeting. I'm totally fine with that because I think we really have to think deep and hard about this. The last question I would have and this is for Martin and for Danny. You know, if you lower the rate. So, it's about the total bill to somebody, right? I mean, I think the average citizen looks at it and goes how much do I pay in taxes, and they are not thinking about X cents per hundred per this and equal whatever. How much did I pay, right? I paid a thousand last year. Wait a minute. I'm paying thirteen hundred this year where did the three hundred dollars go? So my question is we're having to balance things like rates and percentages and whatever, because I still do worry about another coronavirus thing that makes stuff shut down for three months. You know, that's a real whatever like Salamander. Can we do one thing with the rate and rebate people in real cash? On real property taxes, so like, you know, we'll make the rate, whatever, but then rebate them, let's say whatever that difference is to what they were last year to this year? But then we're not locked into that lowered rate next year because we just have uncertainty. So it's a question I don't know the answer.

**Martin Crim:** Mayor may I answer that?

**Bridge Littleton:** Yes.

**Martin Crim:** So there's a couple of things that you can do. One is to adjust the tax rate during the middle of the year. And obviously, if you adjust it lower, nobody's going to complain about that. So for the second half Tax payment, you could actually institute a lower tax rate. Theoretically, you can make cash rebates if you have cash burning a hole in your

pocket at the end of the year. Practically, I don't think it's an efficient thing to do because Haymarket did that and found a lot of checks came back because they this was more than 10 years ago. But what happened was that they couldn't find the people that had made the tax payments, so they moved or, you know. And a lot of times there was no information about where to find these folks. So they ended up taking a lot of money and handing it over to the Commonwealth of Virginia and saying, this is unclaimed cash. So it's I wouldn't.

**Bridge Littleton:** I don't know that we'd suffer under that as much, but I get your point.

**Darlene Kirk:** Yeah.

**Chris Bernard:** We're creating logistical I mean more work.

**Bridge Littleton:** Yeah, I got it. But I'm just trying to understand the [multiple speakers].

**Martin Crim:** Yeah, it's a tool that you have. It's just a clunky one.

**Bridge Littleton:** And I didn't think about [off mic] making it kick in the second half of the year that by nature makes it [off mic] So. Ok. Thanks.

**Martin Crim:** Sure.

**Bridge Littleton:** Now any questions for Danny or Martin? Yeah.

**Philip Miller:** I had a comment. There is also the consideration of raising the rates and the fact that we are building this building. And we told people we would not raise taxes. The situation in the world has changed. Our financial position has not significantly changed. So I think that has to be taken into consideration.

**Bridge Littleton:** Bud.

**Bud Jacobs:** Just a general comment, I think this is really good work, Danny, and I appreciate it and I think it is on target. Thank you. I just want to place one little seed of doubt about what are very robust revenue projections in the budget. I hope that's what happens. But I'm also concerned, as the Mayor just mentioned, about events occurring when which in fact those projections are not accurate and if you would keep that in mind and if everybody else would keep in mind. So we're not necessarily taken aback should and if it does occur.

**Bridge Littleton:** Thanks.

**Peter Leonard-Morgan:** I have a question, and it's more about wording, I mean, every time I read this, it's proposed. Proposed means like we proposed a real property tax increase when in fact we have not done anything at all. We have no control over the assessed values and they've gone up, but our rate has not gone up and I totally understand how that works. The equalize. I'm assuming this is wording legal wording we have to use. [off mic]

**Danny Davis:** It is.

**Peter Leonard-Morgan:** Because it's so it doesn't describe what we're actually doing or not doing.

**Danny Davis:** That's correct, and thank you for that comment. It is interesting and Mr. Crim might correct me if I'm wrong here. I'm not sure I've seen other instances in state code where they prescribe to the detail the exact nature of the advertisement that you have to do where they actually tell you. The language is basically in state code and you fill in the blanks. And unfortunately, the terminology is less than stellar, and I think it was probably adopted at some point when someone was unhappy about rates going up. And so they wanted.

**Bridge Littleton:** No bills, not rates.

**Danny Davis:** Bills going up, excuse me, bills, because it puts all the focus on the rate. And as you said, whereas you, as the governing body, have no control over the assessments and so it is unfortunate the way that the language is drafted that we must follow.

**Peter Leonard-Morgan:** Most residents, most normal folks will read that and [multiple speakers]

**Danny Davis:** Think that you've decided [multiple speakers]. Right.

**Bridge Littleton:** Let me ask a question can you guys add in a paragraph that says.

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

**Bridge Littleton:** Well, yeah, here is exactly what this means. Like, the first paragraph is whatever. Then the second paragraph should be this is not a proposal by the town to increase the tax rate. This is a discussion around what the overall tax bill would be relative to an existing rate and a new assessed value. I mean, I know it's kind of in the weeds already, but if half the people get it, that's a victory.

**Danny Davis:** Are you talking about in the advertisement? [multiple speakers].

**Bridge Littleton:** Yeah.

**Danny Davis:** It gives us the permission to include such other information as the local governing body may elect to include.

**Chris Bernard:** Context. [multiple speakers].

**Bridge Littleton:** How do we do that? Yeah.

**Danny Davis:** We can add a little more context to it. Just to add a little more information for that section about this is, you know,

**Bridge Littleton:** I wouldn't even go down the path. Let's I see, Cindy. Let's say [inaudible] let's not go down the path of the governmentee's, right? As mandated by state code blah, blah blah. No. Just tell people in plain language what it means. [multiple speakers] Well, yeah, exactly. Blame Richmond. Cindy.

**Cindy Pearson:** Yeah, yeah, I've got it. I was going to say that's a good idea because I've already had a couple of people comment to me. You all said you weren't raising taxes. Well, why is it going to be raised? But though one question I'm not sure if I'm anywhere near this. If we wait until after the public comment, is there enough time statewide to get another meeting and then change? You would then have to re-advertise this of course you know that, Danny, you can answer that [inaudible].

**Danny Davis:** Sure. No, absolutely. And it's a valid question that I did want to cover. So thank you for that. The public hearing ad requires 30 days from the time of the ad to the actual public hearing itself because we have to re-advertise. That means we cannot hold the public hearing until March 24th, which is your second meeting in March. We had already proposed and suggested calling a special meeting of the council on March 31st, which would give you an opportunity to hold the public hearing on the 24th. Hear from the public, discuss it that night as much as you'd wish, and then come to the special meeting on the 31st for a final discussion and vote on the tax rate, that would meet the timeline of the county to get it in for county collections. The only thing you could not do is to raise the tax rate above what was advertised in the newspaper.

**Bridge Littleton:** Which we're not doing.

**Danny Davis:** I know I'm just for to answer the question. [multiple speakers] But any adopting the rate as is or even lowering of the rate would not require any additional advertisement.

**Cindy Pearson:** Okay. Okay, perfect. Thank you.

**Bridge Littleton:** Bud.

**Bud Jacobs:** This is going to light up social media, in fact, I'm surprised it hasn't come up already. I haven't seen it.

**Bridge Littleton:** Oh, it did. Oh yes.

**Bud Jacobs:** And I would hope and anticipate that you guys are ready with a vigorous, clear English language explanation of what is actually happening here.

**Danny Davis:** Yes.

**Bud Jacobs:** To clarify it, as much as it can be, possibly be clarified in people's minds.

**Danny Davis:** Yes, sir. Ok, and again, my apologies on this that we end up having to advertise it again because it'll bring more attention to it, but we are prepared for any of those questions that come up.

**Bridge Littleton:** You know what, I'd also recommend? When we have the public hearing I think what we'll do is we'll have you guys walk through and explain it first exactly what's going on and then we'll have the public hearing and then we'll have discussion all that kind of stuff.

**Danny Davis:** Great.

**Bridge Littleton:** But put together a slide or two, a chart or two, you know, because talking about it is hard. But when somebody can actually see the numbers, today's rate, tomorrow's rate same or lower. That's black and white, you can't refute that we're raising people's tax rates.

**Bud Jacobs:** I think it's a great idea. I'd like to see a couple of big easels here in the room on whiteboard, explaining exactly what this is and how it functions, how it is.

**Bridge Littleton:** So I was [inaudible] or we could use a TV and just point it towards the audience.

**Bud Jacobs:** Well, slides are fine, but it's increasingly people when they see a slide deck, the eyes glaze over. They don't pay attention. This is simple. It's physical, it's here. It's big it is a white board. Be up the whole meeting. [multiple speakers]

**Bridge Littleton:** Ok. Yeah, no. I just think you'll be able to talk to it much more effectively.

**Philip Miller:** And use plain easy numbers.

**Danny Davis:** Yes. Yep. Yes.

**Bridge Littleton:** 15. Three. Right?

**Bud Jacobs:** Yeah.

**Danny Davis:** Yeah, yeah.

**Bridge Littleton:** Ok. Any other thoughts are inputs on this? Ok.

**Danny Davis:** If there are other questions that come up about any of this or specifics or any other things you'd like to see, please feel free to let me know. I know that the revenues in and of themselves are only half the picture. And of course, you know, I'll be presenting to you the full budget at the next meeting. Can we just very briefly budget review schedule? I don't know if we need to talk about anything else just again on your radar screen that we'd plan to call March 31st as a special meeting. That's an extra week in March for that Thursday.

**Bridge Littleton:** Ok.

**Danny Davis:** Thanks.

**Bridge Littleton:** Next item options for enforcing snow ice removal requirements. Have Kevin to it.

**J. Kevin Daly:** I don't want to be yelled at. [off mic]

**Bridge Littleton:** All right, Mr. Moore. What? Mr. Davis?

**Danny Davis:** So thank you, Mr. Mayor. We provided this memo to you in response to your questions from the last meeting, as stated in here. Really, our only remedy for compelling or for removing ice is to do it ourselves and then to charge that back to the owner or occupant of the property. But we did not find where it does not appear there's enabling authority to impose a fine on property owners. [off mic] I'm sorry.

**Philip Miller:** Say, other than a hundred dollars?

**Danny Davis:** Well, that's authority specifically given to certain counties. And we don't see that it is actually applicable to us, which is interesting. And you know, as I think the attorney, as I've heard say before, if they've defined it in one place and not for you, then that pretty much means they didn't mean it for you. It's unfortunate. [laughter]

**Bridge Littleton:** If it's not included it's specifically excluded. [multiple speakers]

**Bud Jacobs:** Don't say that too loud.

**Danny Davis:** The other question did come up about adopting a criminal ordinance, and I think the challenge here is having to prove intent and also being successful in any kind of court proceeding with that. And also the fact of the timing of that doesn't necessarily resolve the issue immediately. Our recommendation would be for us to continue the public outreach and moving and better communicating with business owners both before snows and after snows. If the council would like, we can be more direct in addressing issues ourselves and using our contracted crews to clean up issues that we identify. We hope to recover those funds, but there is a potential risk, you know, small risk of having funds that we don't recover if owners or occupants choose not to pay.

**Bridge Littleton:** Couldn't you just put a lean on it? [multiple speakers]. Ultimately, if you had to.

**Danny Davis:** Ultimately you can.

**Bridge Littleton:** All right, that's fine. [multiple speakers]

**Bud Jacobs:** The town attorney will address questions of liability.

**Martin Crim:** Is that time for that now?

**Bud Jacobs:** I don't know is it?

**Martin Crim:** Ok, so let's suppose you're walking down the sidewalk and it hasn't been properly cleaned and you slip and fall. The town is not liable for that. Snow is an obvious hazard. The property owner is not liable for that. Even though the ordinance says you as a property owner have to clean the sidewalk. Courts have been very consistent in that it doesn't mean the next court won't reach a different conclusion, but so far so good in terms of avoiding liability, which puts the responsibility back on the person who's walking down the sidewalk in the first place and they need to be careful.

**Bridge Littleton:** All right. Any other questions or input for Martin or Danny? [off mic]

**Peter Leonard-Morgan:** Just a quick clarification. I'm sorry, it's probably obvious, but it's the occupant, not necessarily the owner of the building that's supposed to clean it, right?

**Danny Davis:** So I believe that it uses both terms. So it could be either. It shall be the duty of every occupant or owner in. [multiple speakers]

**Philip Miller:** Dependent upon who's responsible for it in the lease.

**Chris Bernard:** I'll say it's the duty of each owner to put it in the lease so that they don't have to do it.

**Danny Davis:** So yes.

**Bridge Littleton:** Yeah, we couldn't lean against the lessee. [off mic]

**Chris Bernard:** Well we don't want it to be punitive. Whole idea is safety, so it's more about how do we incentivize them to actually do it, not punish them if they don't?

**Peter Leonard-Morgan:** Yeah, yeah. Don't want it to be criminal.

**Martin Crim:** Well, one thing that I've noticed from the experience in Manassas, with having contractor crews due to work and then bill it back to the property owner or occupant is that it's often cheaper for the property owner to hire somebody themselves. Simply because the cost that the government is paying.

**Chris Bernard:** Yeah you get the emergency cost the.

**Martin Crim:** You're paying an emergency costs, you're paying folks who maybe have a higher wage than if you hire the teenager down the street, to do it.

**Philip Miller:** So maybe it'd be good to have a range of cost as a carrot for that first outreach of hey, by the way, your sidewalks need to be cleaned off and if not, we'll do it and it'll be a \$750 charge.

**Danny Davis:** Sure, we I mean, we can include that in our communication of, you know, we will charge.

**Chris Bernard:** Meanwhile Wesley's got his shovel making 50 bucks an hour [laughter] [inaudible] call Wes. [multiple speakers].

**Darlene Kirk:** But I don't want it to become a thing where they start. Ok, well depending on us.

**Danny Davis:** Relying on correct.

**Darlene Kirk:** On us to do everything for them.

**Danny Davis:** Correct.

**Darlene Kirk:** I don't think that's fair to our contractors either.

**Peter Leonard-Morgan:** That's a good point.

**Bridge Littleton:** Well, yeah. And then you have to get more contractors and then we got to do all the billing and collection. It becomes a nightmare.

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

**Chris Bernard:** So you have to make it a premium.

**Bridge Littleton:** Right? Yeah. I mean, maybe what you do is like, have Jesus and his crew, they're going to do us for what they do and we will have them on call contracted to do when we ask them to do. And that's at a set rate of.

**Danny Davis:** Mm hmm.

**Philip Miller:** Can we do that or does the contractor bill us? And we forward it on, or does the contractor have to then?

**Bridge Littleton:** It bills us and then we go after them.

**Danny Davis:** But at a rate.

**Bridge Littleton:** At a rate that we contract. That right?

**Martin Crim:** You could do that. Yeah, you could make it available to people, but I would ask them to pay up front before you [multiple speakers].

**Danny Davis:** I think it's a different if.

**Bridge Littleton:** No, no, no, no. What we're saying is we have a snow contract with whoever when they do us, it's whatever the rate is. But then if we have to ask them to go to somebody else because it's unscheduled, it's emergency, whatever we contract it. [multiple speakers] You know, they're going to want a premium for that. [multiple speakers] So we have it set in. And that way we can tell the people, if you don't do it. We got our guy to do it. But his rate is and you're going to pay that.

**Martin Crim:** Right, exactly.

**Darlene Kirk:** But we also have to think about when it does snow and it's a big snowstorm, especially not a lot of people are available. And the contractor we might want to use for that isn't available because I know Jesus has a lot of jobs. [multiple speakers] Well, I know I'm saying, I'm just saying that.

**Bridge Littleton:** That, yeah, we get to it when we get to it, if they never do.

**Darlene Kirk:** But then we still have the same problem.

**Bridge Littleton:** But they're going to pay for it. Maybe it's a day later, but the point is it will eventually get done. Not like some people who just never did it.

**Chris Bernard:** Right you wait till it breaks.

**Bridge Littleton:** Or it turns to glass because it's so thick. [off mic] Philip.

**Philip Miller:** Yeah, I think that's the best way to to put teeth to it and to incentivize is to put a premium price on it.

**Danny Davis:** We'll work with Mr. Crim on that to make sure that we cover that appropriately, adequately as well as our own.

**Bridge Littleton:** [multiple speakers] You've been told.

**Danny Davis:** Yeah, our own time and overhead and everything else as well. And then that gives clear awareness of what their charges would be. Yeah.

**Philip Miller:** And this is only for the commercial district.

**Danny Davis:** Correct? Right?

**Darlene Kirk:** And make sure you have everything in it, the time our staff, you know, has to do it. Please do that. Yeah.

**Bridge Littleton:** Bud did you have something?

**Bud Jacobs:** No.

**Bridge Littleton:** Ok. Any other questions? All right. Legislative update.

**Danny Davis:** A few quick updates. Mr. Mayor. As you know, things are moving quickly. As briefly indicated in here, Senator Vogel's Bill, SB 651, was merged in with the two other TOT bills in the Senate Finance Committee, and it was amended to the satisfaction of VML/VACO, the commissioners of the revenue and the lodging industry, including travel, and intermediaries. SB 651 passed the Senate. I think it was today unanimously, and so the only concern we would have with that is that the study that it is proposing could lead to potential discussion of centralized collections, though that wasn't the intent. I believe the main issue there is that we collect quarterly. Some places collect monthly, we collect on the 20th. Some places required by the end of the month. And so I do understand the idea of trying to create some kind of consistency across localities. But I do know that this study effort will include a number of representatives of local jurisdictions. And I know the mayor has expressed interest in potentially representing towns on that study group. So I know he's going to stay close to it. I know VML's staying close to it. The bill about BPOL thankfully was laid on the table, as it typically is. Just this morning, HB 1010 was heard. This is the one that originally would have required a referendum if your tax rate was going to lead to a tax bill increase, just like we talked about. They must have gotten the message because the substitute bill is almost completely different than the original bill, according to the discussion this morning, which was mind numbing. It seems like some jurisdictions have taken their budget advertisement and their tax rate advertisement and put them all in the same advertisement. And so the concern was that people are missing the tax rate notice because it's mumble jumbled in the midst of everything else. So the revised substitute HB 1010 would require that the tax rate add be in a publication on a different day and in a different place than the budget add. We do that already, so there's no impact on us. It seems like a bit of overreach for really a non-issue that was part of the discussion. It passed the committee 11 to 10, so it'll be interesting to see if that continues. But the companion bill in the Senate had already failed, obviously before the amendment. So we'll see what happens. The good news is the referendum is off the table. The other quick items just to mention Senator Bell's bill, as we mentioned to you in an email, was set aside and may or may not come back next year. We hear that it actually may not even come back next year. And then I think the Mayor had I don't know if you want to address the [inaudible] bill or not at this point?

**Bridge Littleton:** But so there was a bill, Oh jeesh. there's a bill HB 1088 which would basically allow two parties who own parcels that share a boundary line to adjust the boundary line any way they want between the parcels without any governmental oversight or anything. So you could have a parcel you could. Look at Chris. [laughter]

**Chris Bernard:** And I live in the GIS all day. I can't even imagine. [multiple speakers] just wiggly.

**Bridge Littleton:** No, no. Hey, if it does that, I don't care, right? Think about this. You could have a three acre parcel, which is zoned commercial next to a thousand acre parcel, which is zoned agricultural. And you could take it literally move that boundary line all the way out to one foot from the other line and now create nine hundred and ninety nine

additional acres of commercial space of commercial zoning. This originated because there was a boundary line adjustment being done in the city of Chesapeake between two neighbors who were amicable and it was there had not been a survey done in like a hundred years and the last recorded survey it was like three paces from the rock here, two paces from the Squirrel Hollow. [off mic] metes and bounds exactly. [laughter] And the one guy wanted to sell it. And like where the property line was on the map, it like went through one guy's shed halfway to the other guy's pool. And what they want to do is just basically, you know, make it clean and everybody knew who was what. So was going through everything was fine, and the county or the city attorney incorrectly said, We will not approve your boundary line adjustment until you go out and get a full survey done, which is like thirty thousand dollars. And the one guy was trying to sell his property and the contract was going to expire. And, you know, and so the local delegates said, this is just insane. I mean, you know, making somebody spend that kind of money to just clean up. [multiple speakers]

**Chris Bernard:** Making a general rule for [multiple speakers] the one off scenario.

**Bridge Littleton:** That's exactly it. So we reached out to Dave LaRock to ask him because he's in the same committee and he said, Well, I'm kind of for it for different reasons. So we reached out to Delegate [inaudible], which is his name, and I've spoken to him a number of times over the weekend and this week, and he's agreed. I mean, he's passionate that he wants to solve this issue. And so I made a couple of recommendations and said, Well, you know what, we don't want to do is somebody to abuse this, you know? So he's agreed. He never even thought about the fact that certain boundaries are town versus county boundaries.

**Chris Bernard:** Yeah, they've got to be in the same party. They've got to have matching zoning. [multiple speakers] There's so many. [multiple speakers]

**Bridge Littleton:** Like, Look, what about if it's different zoning? He's like, Well, that's got to be able to move so. But what he agreed to last night, sort of a different solution was, OK, the boundary line can only move by two hundred feet. You know, if you want to go left or right, whatever, you can go two hundred feet, that's it. You can't go , you know, a thousand acres.

**Chris Bernard:** Wonder if there's a way to write it, whereas neither parcel would gain or lose? [multiple speakers] square footage. [multiple speakers] just rearranging the line.

**Bridge Littleton:** You can't, because it all depends on what you're trying to get in.

**Martin Crim:** Mayor if I might?

**Bridge Littleton:** Yeah.

**Martin Crim:** I was looking at that bill earlier and I can't find it again. But there would be a maximum five percent increase or decrease in the size of the [multiple speakers].

**Chris Bernard:** That's what I'm talking about.

**Bridge Littleton:** One or the other 250 feet or 5 percent.

**Chris Bernard:** Great legal minds think alike.

**Martin Crim:** Ok. So yeah, there are some restrictions on that now, and there has to be a bonafide boundary line dispute.

**Bridge Littleton:** Right.

**Chris Bernard:** So they can't just [multiple speakers] side.

**Bridge Littleton:** So all the changes you saw since Sunday where what I recommended.

**Martin Crim:** Ok great.

**Bridge Littleton:** And I threw in one more because I actually thought about this afternoon. I thought, Well, wait a minute. Once this boundary line issue gets cleaned up, it should never be able to be done again. [multiple speakers] Right. Because what you could have is somebody who was at five percent and then they come back a month later, move five percent again and then again and slowly. You know, because if you can do it without having to go through a process, that's actually kind of cheap.

**Martin Crim:** Right.

**Bridge Littleton:** So he agreed. So I sent another thing in there to say, you know, once this is done, it's done once and that's it, then it's back to all the normal rules.

**Chris Bernard:** I would have used the bejesus out of that. [multiple speakers]

**Bridge Littleton:** Well I mean, I was trying to think about all the developers in the East, you know step by step.

**Peter Leonard-Morgan:** It's funny. I'm going through that whole situation right now where a client's lot, the next-door neighbor 25 years ago built buildings well over the lot line.

**Bridge Littleton:** Yeah.

**Peter Leonard-Morgan:** And now we come to the point where it's being sold and it's and [inaudible] is just being finalized with Loudoun County right now. But it required a survey.

**Bridge Littleton:** Yeah, yeah. Yeah. And his whole point was, look, if all the owners agree and you just draw the line how you want to be drawn, just come out there with the GIS map and do it and then lock it. And it's, you know, we shouldn't have them. That is the survey if everybody agrees. And one guy is going to lose half an acre. And they, but they're fine with it. You know, so anyway, that was the only other thing. I think that was. [multiple speakers]

**Philip Miller:** [off mic] transition policy area.

**Bridge Littleton:** Right, right, right. Right, exactly.

**Martin Crim:** The other thing that would be really nice in there would be to require that both that neither lot become non-conforming with the zoning [multiple speakers]

**Bridge Littleton:** That was the other one.

**Darlene Kirk:** Did you write that too?

**Bridge Littleton:** No, I need to because Scott Ramsey mentioned that last night and we were talking about it. That's right. That's right. I will email that. I will email [off mic].

**Danny Davis:** It does appear that it passed the subcommittee. So it's not been to the full committees.

**Bridge Littleton:** It's going to the full committees I think next [off mic]

**Danny Davis:** County cities and towns.

**Bridge Littleton:** And he said he'd be happy to introduce any additional amendments [off mic]

**Danny Davis:** Ok. Great.

**Chris Bernard:** I'm sure, everyone's riveted by this.

**Bridge Littleton:** Ok. Uh. Anything else any other questions? Anybody have any information items? All right.

**Peter Leonard-Morgan:** Actually sorry I do have one more question.

**Bridge Littleton:** Go ahead.

**Peter Leonard-Morgan:** Martin on the EV charging station contract, is that all going to plan?

**Martin Crim:** Waiting to hear back. Danny and I talked about that today. We've sent them our comments. And have they gotten back [inaudible]?

**Danny Davis:** I did hear from their attorney that we should be hearing getting their comments back very shortly. They apologize for the delay.

**Peter Leonard-Morgan:** Does it nothing? You wouldn't know whether it looks iffy at the moment. Is it probably or?

**Danny Davis:** So. The Level two charging stations, I think the only iffy of that is just getting through the grant process with Virginia Clean Cities. So hopefully that should not be an issue. We're continuing to try to get a little more information on what they would or would not be able to do or costs that they would cover for the DC fast charging at the town hall. It sounds like it may not be as easy or there may not be as much funding in there for that project as we had hoped or originally thought. So I am going to be trying to get a little bit more detail and information about that. And then try to understand what the actual cost of running at least the conduit would be. And we may need to bring that back to council for a potential either change order or at least just a conversation about that infrastructure costs. So I'll keep you posted. If I may add one quick thing? We are pursuing a grant to cover the cost of our generator at the new town hall through a Department of Emergency Management grant that would cover over \$200,000. So we're working forward working through that process.

**Bridge Littleton:** Awesome. Any other [inaudible] items before we go to close session? Cindy anything. All right, who's going to read it? Philip?

**Philip Miller:** I move that council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for one briefings by staff members pertaining to actual or probable litigation, where such consultation in an open meeting would be would adversely affect negotiating or litigating posture of the public body related to two requested boundary line adjustments as allowed under subsection A7 and to the discussion of the performance of a town employee as it relates to the performance bonus as allowed under Section A1. I further move the council thereafter reconvene in open session for action as appropriate.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed, abstentions? Ok. Closed session.