



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, September 8, 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 Philip M. Miller (arrived late)  
Councilmember Cindy C. Pearson

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

**ABSENT:** Councilmember C. Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, September 8, 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.

**Special Recognition**

**Administration of Oath** – Middleburg Community Charter School Safety Patrol Officers

Chief Panebianco noted that each year, a new group of fifth grade students stepped up to help make the Middleburg Community Charter School safe. He advised that this year's students received their training from Lieutenant Jones. Chief Panebianco, Lieutenant Jones and the Charter School Principal, Stephen Robinson, presented safety patrol badges to each of the students. Chief Panebianco then administered the Oath of Office to the safety patrol officers.

Lieutenant Jones advised the safety patrol officers that he would serve as their advisor this year. He congratulated them for their hard work. Lieutenant Jones noted that he would visit the safety patrol officers monthly, at which time, he would provide additional training.

(Councilmember Miller arrived at the meeting at 6:11 p.m.)

**Public Comments**

Delany Morrison, of the Willisville Preservation Foundation, noted that their mission was to preserve the heritage and history of the local African American historic resources. He commended the Town Council for their diligence in determining the future of the Asbury Church, in ensuring its history was preserved and, in ensuring it remained an accessible community resource. Mr. Morrison suggested their dedication was why it had taken so long for the Town to make a decision. He advised Council that the Willisville Preservation Foundation believed the best future for the Asbury Church was for the Town to retain ownership and manage its restoration into a valuable public resource, as it represented

a critical part of Middleburg's history. Mr. Morrison advised that the Willisville Preservation Foundation would welcome the opportunity to work with the Town to assist with researching, preserving, celebrating, and sharing the history of the church with the community. He opined that by working together, it was possible to strike a balance between having a functional community space for events and gatherings and preserving the building's heritage through historic interpretation and educational programming. Mr. Morrison advised that the Willisville Preservation Foundation was ready to support the Council if they kept the Church.

## **Staff Reports**

### **August 2022**

Town Clerk North reported that she was continuing to work on the response to a FOIA request. She further reported that she and the Town Treasurer were working with MCCI to develop a form that would allow businesses to renew their business license online. Ms. North expressed hope to have this online submission and payment system ready in time for the 2023 renewals. In response to an inquiry from the Council, Ms. North reported that approximately twenty-five individuals participated in the FOIA training on August 31<sup>st</sup>. She noted that she shared the video of the session with some appointed officials who were unable to attend the training.

Business Development & Community Partnerships Director MacIntyre reminded Council that Oktoberfest was scheduled for September 17<sup>th</sup>. She noted that it would include an Artists' Alley that would be located on South Madison and Federal Streets. Ms. MacIntyre reported that the Memorandum of Agreement (MOA) with the Middleburg Business & Professional Association (MBPA) had been discussed by their Board of Directors and advised that she was making some final edits as a result. She noted that the MBPA asked that the discussion of this item occur during Council's October 13<sup>th</sup> meeting. Ms. MacIntyre reminded Council that the Town has had its current social media contract for a year now and reported that since that time, the audience had doubled, there had been a ten times increase in the net audience growth, and a thirty-two times growth in net followers.

Town Treasurer Staples reminded Council that a lot of the Town's annual expenses were paid at the beginning of the fiscal year; therefore, the expenditures appeared high in her monthly report. She noted that the revenues and expenditures would even out as the year progressed. Ms. Staples reported that the Council would hear the presentation from Mitchell & Company on the FY '22 audit during its October 27<sup>th</sup> meeting. She noted that the Strategic Finance Committee was originally scheduled to hear the presentation during their October 24<sup>th</sup> meeting; however, the auditor was not available to attend so this would have to be rescheduled. Ms. Staples reported that Middleburg qualified for a State grant to help cover delinquent utility accounts; however, there were none, so she had to decline the grant.

Mayor Littleton asked that the Strategic Finance Committee be given the audit report at least a week prior to their meeting.

Town Treasurer Staples advised that it should be received by the end of September. She confirmed she would send it to them in advance of the audit presentation, which she was trying to reschedule.

Town Manager Davis reminded Council that the audit report would be a draft until it was reviewed by them. He noted that if the Council had any questions, they could be noted in the report. Mr. Davis reminded the members that if the audit revealed any issues, they would be sent to them.

In response to an inquiry from the Council, Deputy Town Manager Moore reported that the Town was not yet on the contractor's schedule for the exterior repairs to the dilapidated building at 110 North Jay Street. He advised that the staff was working to get them to move it up on their priority list.

Mayor Littleton advised that he received a report of a hazardous structure and noted that he would forward it to the staff for their investigation.

Lieutenant Jones reminded Council that awards were presented during National Night Out to recognize those individuals who helped start the event. He reported that they had an excess of hotdogs afterward and delivered them to residents who were unable to attend. Lieutenant Jones reported that he and the Chief recently attended a private school safety summit presented by the Loudoun County Sheriff's Department. He reviewed the upcoming local events for which the Police Department must provide coverage.

Lieutenant Jones recognized Corporal Putnam who recently followed up on an accident involving an Amazon delivery truck, that also resulted in property damage, so the victim could file an insurance claim. He advised that Corporal Putnam also used his crisis intervention skills to help an individual who called the Police Department expressing a desire to go to the hospital as she was suffering from some mental health issues. Lieutenant Jones noted that Corporal Putnam provided gas to the individual's boyfriend so he could get her to the hospital.

In response to an inquiry from the Council as to whether the officers were getting burned out by having to man so many events and whether another officer was needed, Chief Panebianco reported that he and the Town Manager discussed the Department's needs for the future. He noted that the Police Department had both full- and part-time officers, plus he and Lieutenant Jones were available to help provide coverage. Chief Panebianco confirmed the officers would get time off in December. He noted that the officers cared about the community and wanted to do what was needed.

Mayor Littleton thanked Chief Panebianco and Lieutenant Jones for helping identify a solution for a citizen who was upset by a change in parking.

In response to a comment from the Council, Chief Panebianco suggested that in the future, some of the events be consolidated so there would not be as many of them to man in one month.

#### Town Hall Project Report

Town Clerk North reported that the interior wall framing was approximately 99% complete, as was the Dens Glass installation. She further reported that the masonry water table and MEP installations were underway. Ms. North advised that a mock-up of the building's exterior finish had been prepared and that a mock-up of the window installation would soon be prepared for the architect's inspection. She noted that once approved and the EIFS material was received, the exterior finish work could begin. Ms. North reported that the windows would be received and installed by the end of the month. She noted that once the building was watertight, interior work that required a dry building could begin.

Town Manager Davis opined that the Town had made good progress in pursuing the administrative steps necessary to qualify for the \$2 million in federal funding for the project. He noted that, anticipating Council approval of the MOA later during the meeting, the thirty-day public input process related to the environmental assessment would begin. Mr. Davis advised that following that, the Town would submit it to HUD for approval, along with the project agreement, and once signed, the Town would then be qualified for reimbursement. In response to inquiries from the Council, he opined that the Town would be able to use the entire \$2 million grant for construction expenses. Mr. Davis confirmed that solar panels could qualify for the grant funding if the Council were interested in adding that to the Town Hall Project. He noted the need to design and develop a plan, to include cost, for them.

Mayor Littleton reiterated that the entire \$2 million was already spoken for.

Town Manager Davis noted that he had received some clarifying information from HUD as to what the grant funding could be applied to and advised that he would let the Council know if anything changed so they could decide whether they wished to use any of the grant funding for solar panels.

**Consent Agenda**

A. Council Approval – August 25, 2022 Regular Council Meeting Minutes

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council approve the consent agenda as submitted.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

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**Action Items**

Council Approval – Restoration & Reuse of Asbury Church

Mayor Littleton noted that the Asbury Church was an important historical, iconic building in Middleburg. He reviewed the unique history of the building. Mr. Littleton noted that in the eight years the Town has owned it, the Council had been trying to determine the right thing to do with it to ensure the building was preserved, its heritage was protected, and its history was told. He advised that the Town issued Requests for Proposals (RFP) pre-COVID; however, they did not bring forth the right proposals. Mr. Littleton noted that the Town spent \$180,000 to stabilize the church, which covered about half of what was recommended. He further noted that multiple proposals were received this year, which contained multiple ideas for its use. Mr. Littleton advised that the Council struggled to identify the best path to assure the long-term viability of this two-hundred-year-old building. He expressed appreciation to those who submitted (unsolicited) proposals for the Council’s consideration; however, he advised that because the Town experienced a budget surplus, it wanted to partner with groups, to help ensure the Asbury Church’s long-term viability. Mr. Littleton further advised that the Town would retain and stabilize the building and, once the Town Hall Project was complete, would work to fully restore and preserve the Asbury Church. He reiterated that the Town would partner with groups to share the church’s history so it could continue to be told fifty years from now. Mr. Littleton explained that the Council felt this was the best thing for the church and the community and noted that it was a citizen asset. He advised that the next step was for the Town to appropriate money to have an engineer look at the building in order to identify what needed to be done to stabilize it. Mr. Littleton further advised that after the first of the year, the Town would hire an architect to develop a plan for its restoration to its original form. He noted the need to do this project right. Mr. Littleton advised that on a parallel course, the Town would work to capture the church’s history and to partner with groups to share it once the building was restored. He noted that Loudoun County had a resident curator program and suggested the Town look at what made sense for Middleburg.

Vice Mayor Leonard-Morgan opined that the Mayor provided a good summary of the Council’s desires. He expressed appreciation to those who submitted a proposal. Mr. Leonard-Morgan opined that respecting the building in the way it should be done was the right move for the community.

Councilmember Pearson noted that it had been difficult to evaluate the proposals from the beginning. She further noted that the Council struggled with a few of the criteria and advised that no proposal met all of them. Ms. Pearson advised that keeping, restoring and preserving the church would not be easy; however, doing the easy thing was not always the right way to do things. She opined that the Council worked together to make the best decision for the town and the church.

Councilmember Bernard advised that it was hard to find a proposal with the perfect mix of things the Town was looking for. He opined that the right decision was to retain the church and for the Town to manage the restoration and preservation process.

Mayor Littleton noted that he met with the proposers prior to the Council meeting to let them know of the Council's intentions.

*Councilmember Pearson moved, seconded by Councilmember Daly, that Town Council take the following action regarding the Asbury Church: that the Town Council retain the Asbury Church in order to fully renovate and restore the Church; that the Town Council direct staff to update the stabilization plan for the Asbury Church, to include accounting for aspects of the prior stabilization plan that were not completed; that the Town Council authorize \$50,000 toward this initial effort and any immediate repairs and, that the staff return to Council with the updated stabilization plan and estimated cost of activities to complete the components of the stabilization plan.*

Mayor Littleton noted that once the staff received the cost to stabilize the building, the Council would need to align the cost with the Town's budget.

Councilmember Miller questioned whether the future use of the building would be decided by the Council or a committee. He suggested that if it were the Council, a special meeting be held to develop a strategic plan for its use.

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

(Mayor Littleton only votes in the case of a tie) (by roll call vote)

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Mayor Littleton suggested that Councilmember Miller discuss his thoughts on how to identify a plan for the building's use with the Town Manager and that they return to the Council with a recommendation.

Council noted the need to ensure the church was honored properly. They further noted that there were people in the community with experience in this area and who had good ideas. It was agreed, however, that the Council needed to guide this, as it was Town money that was being spent.

In response to an inquiry from the Council, Town Clerk North confirmed that an ad-hoc committee could be formed that would include a quorum of the Council. She noted that the committee's meetings would just need to be noticed. Town Manager Davis recommended the committee consist of at least five members.

Mayor Littleton suggested the ad-hoc committee consist of five to seven members, including two members of Council.

Council Approval – Disposition of Old Street Signs

Deputy Town Manager Moore displayed a West Marshall Street sign, which the Town planned to retain, and advised that it depicted the condition that most of the old signs were in. He reminded Council that public property must be disposed of either through a public sale or public auction. Mr. Moore advised that the staff recommended the use of a fixed-price sale, as this would require less staff resources. He further advised that individuals could purchase the signs on a first-come-first-serve basis or the Council could prioritize how they would be distributed.

Council noted that there may be multiple requests for the same street sign.

Deputy Town Manager Moore reported that the Town had a limited number of signs per street and, in some cases, had no signs for a street. In response to an inquiry from the Council, he advised that the staff looked at pricing for old street signs and noted that while they could sell for a significant amount of money, the staff was recommending these be sold for a nominal price.

In response to an inquiry from the Council, Town Manager Davis advised that unless the Council designated where it wished the proceeds to go, they would go into the General Fund. He further advised that based on a sales price of \$25, if the Town sold all one hundred thirty-eight signs, it would raise \$3,450.

After some discussion, the Council agreed to sell the old street signs, using the priority list as proposed by the staff. Deputy Town Manager Moore reviewed the priority list. The Council further agreed to sell them at a cost of \$25/sign, with the proceeds to go to the Health Center Fund. Some discussion was held on the amount of staff time necessary to conduct the sale. Deputy Town Manager Moore advised that the staff would identify a mechanism for the sale.

*Councilmember Daly moved, seconded by Councilmember Miller, that Council authorize a public sale of the old street name signs with a prioritization as recommended by staff. Councilmember Daly further moved, seconded by Councilmember Miller, that the sale price for each sign be set at \$25 and that all the proceeds go to the Health Center Fund.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

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#### Council Approval – MOA with Virginia Department of Historic Resources – Town Hall Project Grant

Town Manager Davis advised that after consulting with the Virginia Department of Historic Resources (DHR), it was determined that their primary concern was the demolition of the existing Town Office. He reminded Council that the building was not listed individually on the National Register; however, the DHR's position was that if the Town ever updated its Historic Survey, the building would be covered. Mr. Davis advised that because of this, the Town must mitigate the building's destruction if it wished to accept the grant. He reported that the staff contracted with an architectural historian to survey the building, the results of which would be used to create an interpretative display that would be housed in either the new Town Hall or the Middleburg Museum. Mr. Davis noted that the staff was looking at doing this in the form of digital signage; however, it could use poster board displays as an alternative. He advised that there was also a question as to the whether enslaved persons had ever lived on the former Kaye portion of the site and noted that this would be researched, with any identified history being included in the interactive display. Mr. Davis advised that the Memorandum of Agreement (MOA) would require the Town to amend its contract with Cooper Building Services to add clauses that would require the demolition to halt if any architectural items or human remains were found, so that steps could be taken to properly address them before the completion of the final construction. He noted that this would only affect Phase 2 of the project.

Town Manager Davis reported that the staff believed the requirements of the MOA were achievable. In response to an inquiry from the Council, he advised that it was anticipated that the architectural historian’s research would be completed by the end of September. Mr. Davis noted that under the MOA, the Town had twelve months from the opening of the new Town Hall to create the interpretative display. He advised that as to the research of the Kaye property, the Town would either contract with an historian to conduct the research or it would have the Planning & Project Associate do so, as she had a background in historic preservation.

*Councilmember Jacobs moved, seconded by Councilmember Daly, that the Council authorize the Town Manager to enter into a Memorandum of Agreement between the Town of Middleburg and the Virginia State Historic Preservation Office regarding the Middleburg Town Hall Project, Middleburg, Virginia, subject to final revisions as approved by the Town Attorney. Councilmember Jacobs further moved, seconded by Councilmember Daly, that staff proceed with a contract amendment with Cooper Building Services to incorporate the demolition language required by the aforementioned Memorandum.*

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

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Mayor Littleton thanked the staff for their hard work in securing the federal grant money.

## **Discussion Items**

### **July 4, 2023 Activities**

Town Manager Davis reminded Council that, given the need to relocate the fireworks due to Salamander’s residential construction, the Middleburg Community Center indicated it was no longer in their interest to continue to do a Fourth of July Celebration. He further reminded Council that the Community Center recommended the Town take over this event. Mr. Davis advised that the fireworks could be set off from the Salamander property that was located north of the Village Green, with the Village Green serving as a great location for the residents to observe them. He reported that the Cultural & Community Events Committee recommended the Town organize a smaller event that would have a community feel that would be resident focused. Mr. Davis advised that the fireworks vendor indicated the cost would be \$25,000 next year and suggested the Town plan to spend an additional \$5,000 for other items, such as an ice cream truck and kids’ activities. He noted that due to the timing of the invoices that were paid in FY ’22 and those that would occur in FY ’23, the Town would need to allocate more funding than was currently included in the FY ’23 Budget.

After some discussion, the Council agreed with the staff’s recommendations. They questioned whether \$5,000 was enough for the other items. The Council suggested a DJ be hired to provide music. Town Manager Davis advised that the staff would work with the events team and return if more money was needed.

*Councilmember Daly moved, seconded by Councilmember Bernard, that Council authorize the Town Manager to enter into a contract with Digital Lightning in the amount of \$25,000 for fireworks on July 4, 2023. Councilmember Daly further moved, seconded by Councilmember Bernard, that the Town Council authorize up to \$5,000 for additional activities, and that the Town Council authorize a transfer of \$30,000 from unallocated revenues to the “Town Sponsored Events” line item for FY23.*

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

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**Information Items**

Councilmember Pearson reminded Council of the Loudoun Hospital Rummage Sale and noted that donations could be dropped off at the Middleburg Community Charter School.

Mayor Littleton reported that the County Zoning Ordinance Committee (ZOC) recently met. He reminded Council that the proposed zoning ordinance re-write had gone to the County Planning Commission. Mr. Littleton advised that another public hearing on the re-write would be held in the future and opined that the re-write would go the Board of Supervisors in December. He encouraged people to either send in their comments or sign up to speak during the public hearing.

Mayor Littleton reported that ZOC was now looking at comprehensive plan amendments that were necessary and were currently focusing on one related to cluster development. He advised that ZOC was recommending that if cluster developments were done in rural areas, they not be done on prime agricultural soils. Mr. Littleton noted that there were 53,000 acres of prime agricultural soils in Loudoun County. He reported that the County staff had proposed a goal of protecting 70%; however, he questioned what the 70% would encompass. Mr. Littleton noted that the preservation community was seeking 80% and other communities were asking for less than 70%. He opined that this amendment was urgent. Mr. Littleton noted that the County staff had communicated to the Board of Supervisors that the proposed changes would be detrimental to land values, destroy conservation easements, and negatively impact tax benefits and opined that there was a lot of hyperbole that had created confusion. He advised that this amendment was desperately needed and encouraged the community to send letters to the Supervisors encouraging its adoption. Mr. Littleton advised that he was happy to talk with anyone who wanted to discuss the proposed amendment. He noted that he would email the information to the Council.

**Closed Session** – Consultation with Legal Counsel

*Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for consultation with legal counsel regarding specific legal advice related to a request for the release of documents prepared for closed session discussion purposes as allowed under Subsection (A)(8). Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Daly, that the Council thereafter reconvene in open session for action as appropriate.*

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

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

There being no further business, Mayor Littleton declared the meeting adjourned at 7:40 p.m.



APPROVED:

ATTEST:

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Trowbridge M. Littleton, MAYOR

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Rhonda S. North, MMC, Town Clerk

## September 8, 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:** We will call the meeting to order. First item is Pledge of Allegiance.

**All on Council :** [Pledge of Allegiance]

**Bridge Littleton:** And everybody knew it. That was great. All right. Next item is a roll call.

**Chris Bernard:** Chris Bernard.

**Bud Jacobs:** Bud Jacobs.

**Bridge Littleton:** Bridge Littleton.

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

**Cindy Pearson:** Cindy Pearson.

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

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

**Danny Davis:** Danny Davis, town manager.

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

**Bridge Littleton:** All right. First item on tonight's agenda is special recognition administration of oath for the Middleburg Community Charter School patrol officers. And at this point, we will turn it over to Chief A.J..

**AJ Panebianco:** All right. Well, each year we have a new group of fifth graders who step up and help keep their school safe. We're greatly appreciative of those who stepped forward to do so. And they went through an intense training that this year was taught by Lieutenant Jones. So Lieutenant Jones will be giving you your badges and Mr. Robinson will be calling out your names based on the completion on your thing. And then when everybody has their badges and everybody has their certificates, we will do the oath of office. So if you if you two will come up here. So as he calls you up, if you would get your certificate and your badge and then go back so that we keep it flowing and then we'll get everybody to stand up. And we'll do your oath of office.

**Stephen Robinson:** All right. [Inaudible]. Omar [Inaudible]. [Inaudible] is not here today. Evan [Inaudible]. Brady O'Connor. Austin [Inaudible]. Congratulations, Sean [Inaudible]. Abby Gross is not here tonight. Harper Osborne. [Inaudible]. Brooklyn Richardson. [Inaudible] is not here tonight. [Inaudible]. [Inaudible].

**AJ Panebianco:** And as we move to the next one, these are the ones. That were appointed to rank. So there's a captain, a lieutenant and a sergeant for their patrol, safety patrol.

**Stephen Robinson:** All right. The first our Sergeant Azaria Brown. Our lieutenant, Quinn, [Inaudible]. And then our Captain [Inaudible]

**AJ Panebianco:** If we can get all of the safety patrol to stand, please and raise your right hand. We're going to take our oath of office. Repeat after me. I promise to do my best to.

**Safety Patrol :** I promise to do my best to.

**AJ Panebianco:** Report for duty on time.

**Safety Patrol :** Report for duty on time.

**AJ Panebianco:** Perform for my duties faithfully.

**Safety Patrol :** Perform my duties faithfully.

**AJ Panebianco:** Strive to prevent injuries.

**Safety Patrol :** Strive to prevent injuries.

**AJ Panebianco:** Always set a good example of myself.

**Safety Patrol :** Always set a good example of myself.

**AJ Panebianco:** Obey my teachers and officers of the patrol.

**Safety Patrol :** Obey my teachers and officers of the patrol.

**AJ Panebianco:** And report dangerous student practices.

**Safety Patrol :** And report dangerous student practices.

**AJ Panebianco:** Thank you, guys. You guys were a great class. [applause]

**Shaun Jones:** so Chief AJ has appointed me to be your advisor this year, so I'm looking forward to working with each and every one of you guys and ladies. So congratulations on your hard work. Thank you for sitting through the class with me and having patience with me. We got through it and we're going to have a great year. Mr. Robinson has already set a date, so I will be coming to visit you guys monthly. I went online and did some research and we got a lot of cool activities with a lot of training and everything playing for you guys this year. So I'm very excited to work with each and every one of you. And congratulations once again, Chief. [applause]

**AJ Panebianco:** Get everybody together for a picture please

**Bridge Littleton:** I hope you guys I hope everybody understands that. I've been working with the town government for over eight years and I've never gotten a badge. [laughter]

**AJ Panebianco:** [off mic]

**J. Kevin Daly:** Oh, and for you parents out there, thank you for what you did. Raising children. We look at others we want to serve. That's on you. [off mic]

**Bridge Littleton:** Real quickly, I want to scan through this. Sorry. Make sure there's nothing anybody else is waiting on. All right. So did Sally want to speak?

**Rhonda North:** She didn't respond. But we do have some other folks on the line now as well.

**Bridge Littleton:** Okay. So we'll. We will now move to public comment. And so public comment is the time when anybody can address council on any matter. We allow public comment both in person and via online. So we always handle the folks in the room first and then we'll handle anybody online. I know we have some folks online who may want to speak at public comment. So, Rhonda, do you want to read the rules for online and then we'll we'll do in the room then then those webbing in.

**Rhonda North:** Sure. So if anyone online would like to speak, if you could please indicate so by using the raise your hand function or sending me a message in the chat function, if you're on a telephone, you can press star nine. Once we've granted you permission to speak, you'll ask to unmute yourself. If you're on a computer or device, just unmute your microphone. If you're on a telephone, you would press Star six to do so.

**Bridge Littleton:** Great. Thank you. So we will now open the public comment session. Anybody in the room wish to address counsel, so please come forward. Take the microphone. You have 3 minutes.

**Delaney Morrison:** It's amazing. I've never been in this room before except for once. Many other areas speaking, but not this. So. Good evening, Mayor Littleton and members of the Town Council. My name is Delaney Morrison. I serve on the board of the Willisville Preservation Foundation, and one of the principal commitments of our mission is to preserve the heritage and history of our local African American historic resources. And although our primary focus is Willisville, where we worked with the community for two years to get the village listed on the National Register of Historic Places. Tonight, we're here to speak about the Asbury Church, which we believe is an important part of the historic fabric of Middleburg. So first, I just want to quickly commend the Town Council for all your thorough diligence over the last several years to determine the future of the church, along with all the time you've put into considering the wide range of unique proposals that have been submitted. And most of all, I think if your commitment to ensuring that the history of the church is preserved, that it remains an accessible community resource, and that the building finds the substantial support it needs to live on. Your dedication to these principles, I think, is exactly why it's taken such a long time to find the best suitable solution in light of where we stand today. We strongly believe the best future for this, for the Asbury Church is for the town to retain ownership of the church, manage the restoration of the building into a valuable public resource. The Asbury Church, which is cherished by generations of local residents, represents a critical part of Middleburg's history, and the town's ownership of the property would guarantee that it can be preserved for future generations. Furthermore, the Willisville Preservation Foundation would welcome the opportunity to work alongside the town to assist with researching, preserving, celebrating and sharing the history of the church with our community. Under the town's ownership and with support from local preservation organizations like ours, the Asbury Church, we believe, would have a bright future ahead would be celebrated by Middleburg residents and visitors alike. I think we can work together to strike a balance between having a functional community space for events and gatherings, while also preserving its important heritage through historic interpretation and educational programming. So I'll just close the store. Resources like the Asbury Church allow us to connect directly with the past, to touch living history while also having a function in the future. And I think it's an exciting opportunity and I think the town taking the lead on this restoration would be widely celebrated across the countryside. So thank you again for all the difficulties you all have considered and endured through this process. And we stand at the ready to support you all if you do decide to take that step forward. Anyway, the Willisville Preservation Foundation is able. So thank you for your time.

**Bridge Littleton:** Would anybody else like to address council who is in the room. Going once, going twice. Ok. Rhonda, anybody on the phone who wishes to speak?

**Rhonda North:** No one has raised their hand or sent me a chat.

**Bridge Littleton:** Ok We will close the public comment session and move on to staff reports. Rhonda.

**Rhonda North:** Thank you, Mr. Mayor. In addition to the town hall project, which we'll talk about a little later, a great deal of my time is being spent on a FOIA request that we've received. Hopefully we'll have that response out very shortly and can move on to some other things. Ms. Staples and I are starting to work with Laserfiche on the development of the business license application form so that the businesses can do their renewals online, hopefully starting in 2023.

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

**Peter Leonard-Morgan:** I was curious about how many people came to or attended the FOIA training that we did the other day, do you know?

**Rhonda North:** We had about 25 people in the room or online.

**Peter Leonard-Morgan:** And if members of committees weren't able to do it, they can still take it and let you know.

**Rhonda North:** I had a few folks who had let me know in advance that they could not attend. And so I sent them the link to the video and they just watched it at their their leisure.

**Peter Leonard-Morgan:** Thanks very much, Rhonda.

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

**Rhonda North:** Actually, you.

**Bridge Littleton:** Ali.

**Ali MacIntyre:** Good evening. My report didn't differ much from the previous town council meeting, as you saw, but I do have a few points. Oktoberfest is about a week and a half away. We're expecting a really great event crossing our fingers for good weather. Just as a reminder, Artist Alley is new this year, so we're going to be on South Madison and Federal Street this year. Artists Alley will open up at 10 a.m. and then the ceremonial tapping of the first keg will be at 11. So we hope to see you guys all there. The MBPA MOU. We had a follow up discussion at the MBPA board meeting this Tuesday. We plan to send the final edits over tomorrow and then MBPA has requested that rather than doing it on September 22nd, that we move it to the discussion to Thursday, October 13th, our first town council meeting of October, and then for social media. That only just got out at the last minute. We just had our social media report review today, so I doubt you guys have had time to look at it. But when you do, it'll show over the past year that they've been working with us. We just completed our one year recently yesterday that on one year we doubled our audience, ten X increased our net audience growth. And for Instagram we increased our net follower growth by 32 times. So really great. They've done a wonderful job for engagement and audience growth, and that's all I have. Any questions? [laughter]

**Bridge Littleton:** Any questions for Ali? Ok Ali, thank you.

**Tina Staples:** Hi, everyone. So it's the start of a new fiscal year. Yeah, actually did.

**Bridge Littleton:** July. Oh, real quickly. Yes. Sorry. Did I copy on the email that I won't be here for ok. Thank you. Go ahead. Sorry. I was supposed to be there now, but they had an ice issue, so I'm going to Rainier next week. Sorry. Go ahead, Tina.

**Tina Staples:** So the start of the fiscal year always kind of looks a little muddy in the beginning. I combined July and August for this report since July is kind of limited on what all is coming in, since a lot of it is move backwards. So your expenses are always going to be high right at the start of the fiscal year because there's a whole bunch of things waiting to be paid until after July 1st. So after another month or two that we'll start to balance out a bit more. I do have a couple of notes to the auditors are going to present their FY 22 report to you all on October 27th at your work session. And they're supposed to meet with the Finance Committee on the 24th, but we're going to have to Sandy can't make that appointment, so we'll have to adjust that a little bit. But I still want to keep that meeting because we're doing other things. So and then finally, just some good news. We actually got another grant award from the Commonwealth which would help pay for more delinquent utility customers. However, I had to decline it because I had already cleared out all those delinquent accounts. Yeah, only one remained.

**Bridge Littleton:** Wait a minute. Refund my last six months use that.

**Tina Staples:** So I was kind of happy. It's the first time I've ever had to decline a grant, so that's some good news. Are there any questions?

**Bridge Littleton:** Any questions for Tina? Tina, I had one quick question. How much in advance will we be able to give Sandy's report to the Finance Committee before the meeting? Because I know it's going to be dense and I want to make sure they have at least four or five or I want to make sure they have a weekend to be able to pile through it.

**Tina Staples:** We should have her final report around the end of September. Danny and I are meeting with her then, so as long as that looks to be her final version or thereabouts, then we can try to schedule that with the Finance Committee any time in there between the end of September and then the council meeting.

**Bridge Littleton:** So just a question. Wouldn't we want to take her draft and let them see it that way in case they have any comments? She could you know, if it's the final one, then it's its final right.

**Danny Davis:** So so technically it is a draft until it's presented to council.

**Bridge Littleton:** So so if they give comments, she can correct. Okay, great. All right. That's all I.

**Tina Staples:** Mean, I can send it once we get the copy of it, I can send it out to them.

**Bridge Littleton:** That'd be great. Yeah. I think the be great as soon as you get it and you guys are comfortable sending it out, definitely send it out to them and.

**Danny Davis:** And I should actually clarify it's really draft until council reviews it because, because it's really an audit for council, it's not for staff. So if there are concerns, once you've reviewed it, either wording and some of the descriptions or questions about some of the items in there, it can be tweaked or footnoted as necessary. So really it's a draft report until council has reviewed.

**Chris Bernard:** [off mic]

**Danny Davis:** Yeah, I'm not sure you technically have ever voted to accept it, but if there are any issues, we would get those and we could email it back to you.

**Bridge Littleton:** One year we did the pension fund liability. There was a big conversation about that because of the interest rates. Yeah. Okay.

**Danny Davis:** Yeah.

**Bridge Littleton:** All right. That's perfect. Thanks. Any other questions for Tina? All right. Next is Will Moore.

**Will Moore:** Thank you, Mr. Members of Council. I don't have anything to add to my report to highlight, but happy to answer any questions you might have.

**Bridge Littleton:** Mr. Daly.

**J. Kevin Daly:** Mr. Moore. When do you think the contractors will be coming out to 110 North Jay Street to begin repairs on that dilapidated building that's been declared a danger to the community?

**Will Moore:** We are not yet on the contractor's schedule, but Tim is still working with them to try to get us bumped up on their priority list.

**J. Kevin Daly:** Thank you for all your hard work on that.

**Bridge Littleton:** No, I'm not going to worry about it. Will, somebody did call me yesterday. I wrote it down the office about a hazard of structure. They'd like having a look taken at. I'll send you the information on it, Any questions for Will in his report? Okay. Well, thanks. All right. Next is Shaun or AJ. [off mic] Whew. All right, everybody get ready. Here it comes.

**Shaun Jones:** Good evening, everyone. I presented our monthly report for you some of the highlights of last month in August. We celebrated National Night Out, which was a big hit for the whole community. Chief AJ presented some awards to some of the folks who helped kick off and start a National Night Out here in Middleburg. So we had some hot dogs left over from National Night out. So we thought it would be a good idea because a lot of the folks [inaudible] wanted to come to National Night out. They couldn't get there. So what we did together as a team, we cooked hot dogs and went around and deliver hot dogs to Levis Hill and then some of the other folks throughout town that couldn't make it to the National Night Out. So a little way of us giving back. Another thing that the chief and I did was we attended a private school safety summit sponsored by the Loudoun County Sheriff's Office. We are gearing up for Oktoberfest next weekend. We're also preparing for Christmas in Middleburg as well. Officers, we get a lot of compliments on our officers on a daily basis for reaching out, going out and saying hi in community policing initiatives and so forth. And we're proud of them. But this month, I got to give kudos to Corporal Mark Putnam on two different incidents. First one, there was an Amazon truck that hit somebody's car. Well, not knowing at the time, they also hit Bundle's brick wall. So that was discovered. When that was discovered, the Amazon driver was gone. But Mark had his information, had him come back to the police department, was able to get the necessary information for Bundle's insurance company.

**Philip Miller:** I think they call that protective custody.

**Shaun Jones:** So she sent an email. I just want to recognize Putnam for going above and beyond for that one. And there's the second incident last week on the 31st where we received a phone call from a young lady that wanted to go to a hospital, was having some mental health issues, responded to the scene and Corporal Putman was able to utilize his crisis intervention skills as a tool. And I'm proud to say our whole department's 100% certified with CIS skills. But he was able to use the skills to determine that she does have a mental health history and she does have several different medications for mental health issues as well. Speaking with them, she wanted to voluntarily to go to the hospital. She wasn't a threat to herself or anyone else. So we agreed, you know, for her to voluntarily go. However, she wasn't from this area. She was from the [inaudible] area and wanted to go to the hospital in [inaudible] where her boyfriend didn't have enough money to get gas and get her there. So Corporal Putnam had them follow him to the Exxon station where he put gas in the vehicle and they were able to take her to the hospital. So just want to give him kudos this month and thank you. That's it. Any questions? Yep.

**J. Kevin Daly:** We got some great officers and they do a lot of community service. They are community officers. I have a concern for public safety and that are we burning our officers out? We're having a lot of events coming up almost monthly. And are our officers given enough downtime so they can at least be reintroduced to their children and their wives when they have a day off? Do we need to start looking at the possibility of bringing in an additional officer?

**AJ Panebianco:** Danny and I have talked on numerous occasions about planning for the future and events that take up time. And this year it's going to be a rough December. However, we've worked it out where between our full time staff and our part time staff and myself and Shaun eating a lot of the burden ourselves, our officers will have time off in December. Shaun and I won't. But that's part of the gig. But, yes, we I appreciate the concern. I will tell you that it's not something that myself and the town manager have not discussed. And we're it's pretty much, I can say in the forefront of many of our discussions. Am I correct Mr. Davis.

**J. Kevin Daly:** No, I agree. I just want to bring it up so that everybody knows where it's coming up.

**AJ Panebianco:** I received a great message from Peter when he read the report about Corporal Putnam. We share that with him. And you are exactly right. And you are exactly right. We have police officers who truly care about the community and go out of their way often to make sure that something that needs to happen is to happen. So thank you for recognizing that. Thank you for recognizing that. And we certainly are certainly proud of the corporal. But our unofficial

motto is, we don't have to be the police. We don't have to police the community because we're the police for the community. We're part of our community.

**Bridge Littleton:** Ok Don't go anywhere. One thing I was going to say is I want to thank both of you guys for taking all the time you did to go down to Ray and Miguel's and put their mind at ease. Help find solutions for the parking. I know we're going to check on those things on Marshall, you know, if VDOT will let us do it or not. But nonetheless, they were very upset. But you found a great solution. I think they're they're totally appreciative and totally happy. And and that's exactly what you're saying. That's hey, there's a citizen who's got an issue. Let's see if we can resolve it. And they they have both said to me that they really appreciate you guys coming down and spending hours with them to to work it out. So that was great.

**AJ Panebianco:** They've been a part you could even call them an icon of our community and certainly care about them and their problem. And we wanted to do what we could to help resolve it.

**Bridge Littleton:** Peter.

**Peter Leonard-Morgan:** I actually just wanted to add something. When you found Officer Jamie, you definitely found the right person to replace Officer Timmy with his dog snacks. So he was trained very, very well.

**Bridge Littleton:** How come there's no human treats.

**AJ Panebianco:** Colleen keeps them in a bowl right by her desk.

**Bridge Littleton:** But Jamie's mobile. [off mic] No, it's not the down. [inaudible]

**AJ Panebianco:** But thank you all. Thank you.

**J. Kevin Daly:** One last word, don't you, to burn yourself out, make sure you're pacing yourselves.

**AJ Panebianco:** We're working on trying to find a happy medium. This will be a rough December. Maybe we can work on some consolidation of some of the events next year so that there's not 30 days of work. But we'll figure it out.

**Philip Miller:** Well, you just got to get it all out of his system.

**AJ Panebianco:** Yeah, as we say, it's a sprint to the finish. I promise you next December, I will be here, and I'll probably cause a problem. Yeah. No, I'll take off next December. Promise.

**Bridge Littleton:** Trust me. We're going to have your picture around the new PD on the Wanted. Yeah, exactly. All right. Thank you, guys. All right, Martin.

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

**Bridge Littleton:** You're not standing ready?

**Martin Crim:** I can.

**Bridge Littleton:** Any questions for Martin? All right. Thank you, Martin. All right. Town Hall Project Report. Miss North.

**Rhonda North:** Thank you, Mr. Mayor. So the interior framing for the town hall project is about 99% complete now. The Den's glass, which is the exterior sheathing, is also almost completely complete. There's one small area where they've got a roof drain that is it's still open there, but for the most part, it is complete. They're starting to work now on the masonry water table and they have done a mockup of the building's exterior finish. The architects will come and take



a look at that. We just need to get them to do the mockup of the window as well. Once they approve that, then they can go ahead and start working on the the exterior finishes, the EIFS, which is the stucco like material will be in later this month, as will the windows. So the mechanical, electrical and plumbing, that work is underway. Electrical is really just installing hangers at this point. Once the building is watertight, then they'll actually be able to to do a little more work on the electrical. Yeah, kind of not a good idea. So we did do a tour. Some of the council members did get a tour on Tuesday, which I think went really well, despite the fact that it was a little muddy out there. We did get good folks in the building and get show them around. So.

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

**Rhonda North:** And I will let Danny talk about the federal grant.

**Bridge Littleton:** That's what my question is going to be. Danny.

**Danny Davis:** Thank you, Mr. Mayor. And we do have an item on the agenda regarding the federal funds, so we'll also talk about that in a few minutes. But we continue to make good progress in pursuing all the necessary administrative steps to qualify for the federal funds we anticipate subject to the action of council tonight, being able to begin our required 30 day public input process for the environmental assessment through the Department of Housing and Urban Development. And assuming that all completes within about the 30-35 day period, then we can formally submit that to HUD for approval and then submit our project agreement to our the other side of HUD to request release of funds. It's or I should say to to have our project agreement signed at that point is when we then qualify to begin able to reimburse expenses after that date.

**Bridge Littleton:** So I just want to walk this through in my mind. So what you're saying is we take the action tonight to finalize the MOU with the Department of Resources. There's the 30 day public input period, assuming that's fine. Within a couple of days after that, we'll finalize what we need to finalize with.

**Danny Davis:** The environmental side.

**Bridge Littleton:** The environmental side of housing, urban development. They'll take, whatever.

**Danny Davis:** A couple of days hopefully.

**Bridge Littleton:** A week. And then we'll go the other side of HUD, who controls the program? We'll finalize the agreement with them. That's correct. And then at that point, we'll have access to the \$2 million to start having expenses paid out of that.

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

**Bridge Littleton:** And we still have at least \$2 million of expenses.

**Danny Davis:** We anticipate we will still have \$2 million of expenses. [off mic] That is correct. We believe so receive some information from the project management side of HUD today that could impact that slightly. But I believe if we meet this timeline, anything that we expend after November 1st would be eligible for reimbursement. And we believe between November and December alone is at least \$2 million and then we still have the phase two of the project. So that's correct. So we believe we'll be in a good position.

**Bridge Littleton:** Okay, great. Yeah.

**Peter Leonard-Morgan:** Danny, last night at the Sustainability Committee meeting, we had a presentation from a solar panel company and it suddenly. I thought the thing about this is that something that we could think about that could be installed and be covered by ARPA or does that.

**Danny Davis:** So, yes. So the grant. That would be something that could qualify if council were interested in adding that either to the project or it's a separate piece of the project. We would I think as long as it's tied to the entire town hall project, there would not be an issue. We'd just need to verify that. But that would be something we'd need to go forward in terms of actual design of that and development of the cost of that. There are potentially other grants out there for solar. I don't know if there are any currently active. Oftentimes they they come and go. So it could be something council considers either for these grant funds or for future dollars, either from the from the town general fund or from other grant funding.

**Bridge Littleton:** Yeah, but I don't think the \$2 million would make an impact because we've already spoken for it.

**Peter Leonard-Morgan:** I almost didn't talk about it when I heard that it was all spoken for. I thought we were trying to find things.

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

**Danny Davis:** So that could be...

**Bridge Littleton:** A week ago that based on the budget and the project timeline, we were going to have more than 2 million in expenses.

**Danny Davis:** I think. So there's there's a couple like I said, we just received some clarifying information from HUD today that we'll want to double check some of the numbers from our general contractor. If something changes, I'll definitely let you all know.

**Bridge Littleton:** Yep. Okay. Any other questions for Danny or Rhonda on the town hall project? Let's see here. Where are we? Consent agenda. Oh, a lot on that. Anybody want anything removed from the consent agenda? Is there a motion.

**Peter Leonard-Morgan:** I move that we accept the consent agenda as submitted?

**J. Kevin Daly:** Second.

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

**All on Council :** Aye.

**Bridge Littleton:** Opposed. Abstentions. Ok. Next items here. First item is the action nonpublic hearing related is council approval for the restoration and reuse of Asbury Church. There's no memo. So how do you want to handle this? Just discuss it. Okay. So Asbury Church has been a. What's the word I'm looking for? No, it's been a process, but it's been a but it's not terms of endearment. What is it? A project of labor and love over many, many years. It's an important, historical, iconic building in the town. I mean, the fact that dates back to 1830, the unique history of a white congregation and turning it over, which I think is amazing to an African-American congregation in 1864 during the Civil War, used as a hospital, used as a morgue. Its history up today and where it currently stands. I think the town has been the owner of the church for about eight years now. We've been desperately trying to figure out what the I know it's been a while. We've been trying to figure out the right thing to do and have had a very lengthy public process for multiple years trying to figure out the best path for not only preserving the facility, trying to put it into good functional use, but ensuring that we protect the heritage and the and the cultural aspects and really making sure the Asbury Story as it relates to the community is preserved and told. We had an RFP process pre-COVID which really didn't bring forth the right combination to to hand the church over the town at that time or in 1718, we spent about \$180,000 doing stabilization work, new roof, fixing the foundation, ensuring that it was dry and protected. That was only half of it was about half of it was recommended in the stabilization project. So at the time, we we did what we could afford and put the other things off because we didn't have the money. And that was five years ago. And, you know, we ran a new process earlier this year where we had multiple bidders and proposers come in who all had great ideas, you know, purely museum history oriented ideas, multiple use ideas around commercial uses and also event uses and and some of the history uses. And I

think we've all really struggled very hard to figure out what the best path for the long term viability of the churches and knowing that it needs immediate attention to cover those things we didn't do. But also the other stuff that's been happening, it's 100. It's almost a 200 year old building. So I really appreciate all of the bidders. Hard work or I should I should say proposers, not bidders. Their hard work, their dedication to the church, their desire to put it into functional use in different ways and want to protect the heritage in the history. But I think, you know, if I remember in our our conversation last council meeting, the overall view of council was and given the fact that we've had a budget surplus in this last fiscal year, we've all basically come to the realization that while we want to partner with those groups and we want to use their talents to bring Asbury back in a in a amazing, uniquely historic way, that what really will ensure the long term viability of Asbury, both as a facility done in a way that captures the heritage that Delaney talked about, was for the town to retain ownership, understand what needs it is to get it stabilized immediately and then embark on a immediate program once we've finished the new town hall at the beginning of the year on full restoration of the church, back to its, you know, preserving the entire church the way it was for the congregation, putting it back into full functional use, up to code, all that kind of stuff, and then partner with the right community groups to develop the programming, the story, capture the the sharing of Asbury's rich history with the community in a way that honors those stories and honors the community. And I think I think where we all sort of fell out was that we know 50 years from now that story will continue to be preserved and be told when we're all gone because the town is eternal. So I'm really excited. And I know it's a disappointment for everybody who bid or everybody proposed. But at the end of the day I believe council's feeling was it is at the end of the day what was the best for the church and the community as it is a citizen asset. So. I think, if I remember correctly, what our next steps were, was to and I know we've got a draft motion and I absolutely am going to stop here in a second and ask if anybody else has any feedback or comments are totally welcome. I think our sort of agreed next steps are to provide some initial funding and appropriate some dollars to the staff to go out and have the firm who did the stabilization work last time look at what wasn't done. Also, go down there and look at what needs to be done. Now, have that come back in very fast order so that we can then appropriate whatever that bill is to get that work done now. So I know there's as an example, there's extensive wood rot around the window frames. It has those stained glass windows we want to preserve. Let's get that fixed. Let's get that stabilized. And then once the new town hall project is completed and after the first of the year, staff focused directly on hiring the right architectural firm and the right design firm to do the historical research and come up with an architectural plan in a development plan to restore the church to its original form. Find out what that is. Hire a contracting, you know, a you know, someone with with advisory services of somebody like Jane Covington and whatnot to make sure it's done right and then get the construction done next year. And at the same time, at the first of the year in a parallel path, develop the right framework for how we want to capture the history and then partner with the right organizations to present and share that history once the building is restored. There's a really interesting program that the Loudoun County government has called the Resident Curator Program, where the county owns the building, but they partner with third party groups to do the history programming and all that kind of stuff. So we need to figure out what makes the most sense for the town, but we want to do that in a dual path while we get the stabilization done so that as the building is complete, we're ready to go day one to open the door and and put it back into productive use. So I think I've captured everything. I know we've got a motion that sort of directs staff to do that. But at this point, I'm going to open up for anybody on council to if anybody wants to make a comment or provide input, please do.

**Peter Leonard-Morgan:** I want to reiterate, first of all, I think that's a very good summary of of where we stand. I do want to reiterate our all of our appreciation for the the folks who submitted the RFP and the hard work that went into it. And you've already said that, but it's important to recognize that. And, you know, it's been a very long road to get to this point. And it wasn't easy. But I certainly think it's the right move forward to to respect that beautiful building the way it should be.

**Bridge Littleton:** Anybody else? Yeah.

**Cindy Pearson:** That's all right. No, I wrote up a little something. This RFP for Asbury Church has been difficult to evaluate since the beginning. I've been on that first committee, and I mean the documents that came in, the criteria was mostly met by each and every one in a different way. The one main criteria that we struggled with constantly was number five, the proposers commitment to honor and celebrate the history of the historic church structure of the congregations that met in it, and the communities those congregations supported, as demonstrated by creative programs, community activities, partnerships with local groups or organizations and historic markers, and to include involvement,

involvement of key members of the community. Numbers one and two are also part of that struggle. Some of the candidates proposed great ideas, but in speaking to the past members of Asbury Church surrounding neighbors and the citizens of Middleburg, I don't believe any of the candidates nailed the criteria. The decision for the town to keep the property, restore and preserve the historic church structure has not been made easily. It has taken many discussions. I personally have wanted to hand the keys to three different candidates at different times and say, Here, please have at it. Go forth with your plan just to get it off our plate. But I have found out the easy way isn't always the right way to do things. Please understand that sitting in these seats or this seat is not easy. Decisions are difficult. We as council members all work together to make the best decisions for everyone in town. We all believe that making the decision for the town to keep and restore Asbury Church at this time is the best thing to do.

**Bridge Littleton:** Thank you, Chris.

**Chris Bernard:** I certainly don't want to try to follow that. I think Cindy captured it pretty well. It's it was really hard to find a proposal that had the perfect mix of all the things that we were looking for. And so I think choosing to retain it and manage the process. And look to some partners to help with the parts that we need help with is was really the only way to go at the end. So thank you guys for talking through it like adults.

**Bridge Littleton:** Thanks. And we as council directed last meeting, we did meet with all the proposers on Tuesday and let them know in advance what was happening. And I did receive a couple of calls from Friends of Asbury and Willisville, you know, thanking us and glad that that was this was the approach and and so ok any other inputs questions.

**Cindy Pearson:** I'll make a draft the motion.

**Bridge Littleton:** Yeah. If you want to read the motion it'll be great.

**Cindy Pearson:** I move that. The Town Council take the following action regarding the Asbury Church. The Town Council retain the Asbury Church in order to fully renovate and restore the church that the town directs staff to update the stabilization plan for the Asbury Church to include accounting for aspects of the prior stabilization plan that were not completed, that the Town Council authorized \$50,000 toward this initial effort and any immediate repairs, and that the staff returned to council with the updated stabilization plan and estimated cost of activities to complete the components of this stabilization plan.

**J. Kevin Daly:** Second.

**Bridge Littleton:** Any discussion? The only thing I'm going to was going to add is the moment you guys get that number. I mean, I remember that the other half of stabilization we didn't do was almost 200 grand. So it's undoubtedly going to be more now. So we just need to Tina, just be aware that when these folks come back in the next couple of weeks, that's going to be probably a couple hundred thousand. We're going to need to align immediately when we get it back.

**Philip Miller:** I have a question. Are we going to make the decisions on this moving forward as a council or are we going to have a committee? Because if we're going to do it as a council, then I think we should have a special session that's devoted just to hammering out a strategic plan for this building that also allows us to come up with how it should be used, its mission statement for any events that are taking place there. At the very outset.

**Bridge Littleton:** I would say this, let's vote and then let's discuss it. All those in favor say aye.

**Danny Davis:** Mr. Mayor. I think the town attorney would appreciate it if you did a roll call vote.

**Bridge Littleton:** I'd like to see that state code provision, Mr. Martin, but that's for another day.

**Danny Davis:** And yet he's not standing.

**Bridge Littleton:** Exactly. Rhonda, you want to do a roll call vote?

**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 Miller.

**Philip Miller:** Aye.

**Rhonda North:** Council Member Pearson.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Ok abstentions. Ok so Philip. It's a great question. It's pluses and minuses both ways. What does everybody think? Or Let's think about it. Maybe what we should do is if you want to chat with Danny and sort of figure out these are the three ways we could go about doing this over the next couple of months. And then we've talked about next council meeting. I think it's a great question because we don't want to do.

**Philip Miller:** Well and we also had the kind of offer of the gentleman who lives by you to help us work through the spiritual issues of making sure that the church was honored in the right way and what pitfalls to avoid and how to engage the public as well as the, you know, people who formerly worship there. So I think those are all things that need to go into account.

**Bridge Littleton:** I think that's a great point, because certainly we're not the experts and those folks have done it before. And having them make sure we figure it out the correct way from the beginning makes a lot of sense. Yes, Bud.

**Bud Jacobs:** The community is blessed with people who have a great deal of expertise in this area, and I think a committee might be a very good idea. My only concern about the committee is that council somehow and maybe it's with robust representation on the committee, sort of help it and guide it because we will be spending some significant cash as this project moves forward. But it's a great point, and I'm glad you raised it.

**Philip Miller:** Can we I mean, Rhonda, Danny, can we do an ad hoc committee that's of the council, but we don't all have to be in attendance to all the meetings.

**Rhonda North:** So as soon as you have three members. Right, and we have to notice it. But I mean, that's all we have to do is just notice it. So yeah, the.

**Danny Davis:** Answer is yes. I would just recommend that you have at least five members on this committee. Otherwise two people can't talk at the same time to each other offline. So.

**Bridge Littleton:** So yeah, be at least five, maybe two council representatives, let's say 5 to 7 because you don't want it mean getting too many. It gets out of control. All right. You know what? If you guys want to figure it out and then we'll talk about the next council meeting, I think it's a really good idea.

**Cindy Pearson:** We just have to be conscious of staff's time to totally.

**Bridge Littleton:** Oh, absolutely. Totally. Okay. And maybe there's a consultant that helps with this type of thing.

**Danny Davis:** I think I heard on April 21st, 2023, the day after the we sign the final check.

**Bridge Littleton:** But yeah. Just like Will you didn't say what year. Oh, okay. All right. Any other questions on Asbury before we move on to the next item? Going once going twice Ok. Now the fun one disposition of the old street signs.

**Danny Davis:** Thank you, Mr. Mayor. Somehow, Mr. Moore always puts my name ahead of his on these reports, even though he.

**Bridge Littleton:** Mr. Moore, please step forward.

**Danny Davis:** He very aptly crafted this one. So I think I am going to hand it over to the architect of this grand idea.

**Bud Jacobs:** Good try though Will.

**Will Moore:** This West Marshall Street is one that we will be maintaining ourselves.

**Danny Davis:** As the town.

**Will Moore:** Town.

**Bridge Littleton:** Oh, now you want one?

**Danny Davis:** No. The town will retain it.

**Will Moore:** You see the condition this is one of the better condition signs we have. So just wanted to give you an idea of what we're working with. So you have a few options.

**Bridge Littleton:** That's called Patina, right? You can't buy that.

**Rhonda North:** People pay a lot of money for that.

**Will Moore:** So I don't want to read the memo to you. But generally, public property would be disposed of through a public sale or public auction. There are some exceptions that allow for other disposition, but it's usually the cleanest way to do it. So in a public auction, you may get interest, you may not. Public sale, you can just set a fixed price. We are suggesting that that would be probably the best way to do this. It's also less drain on staff time, quite honestly, to administer. You could do that public sale with a fixed price on a first come, first serve basis. We've given you another option which may be of interest to you, knowing that at least there is some interest in the community for these. So if we get more requests for a sign than we have signs available, it would give some fixed way of prioritizing how they might be distributed from there. So happy to talk over any of those options.

**Philip Miller:** Do we have requests more than one request for particular signs?

**Will Moore:** At this moment we do not, but we have not been formed. We've not put out the word that we're asking people to submit their names. These are just people who have randomly called and said, Hey, I want one.

**Bridge Littleton:** I will say this, the people who've called me have wanted the same. Some people have wanted the same street. I mean, I've got three people who want Marshall who called me.

**Will Moore:** Some we have limited, some we have actually nine. If you're wanting North Jay, North Pendleton or South Madison, we have zero.

**J. Kevin Daly:** Someone walked off with one.

**Will Moore:** So yeah. And then some we have, we have ten of Walnut Street for example. I don't know why, but so yeah.

**Bridge Littleton:** That's good enough. All right.

**Peter Leonard-Morgan:** How does one go about pricing these? Have you got any idea?

**Will Moore:** You know, I know Estee did a little research. Rhonda had been looking at some things. Sometimes old street signs can sell for a lot of money. Sometimes, you know, it depends what it says on it. It depends how much it means to somebody. We're suggesting you consider a nominal amount.

**Bridge Littleton:** It's not about the money. It's about people want a piece of their home town. Right.

**Philip Miller:** So on the point of money, what does it have to go to? Any funds that we collect, any revenue that we get out of this, what does it go to?

**Will Moore:** It's just general fund tax.

**Danny Davis:** I mean, we could you could you could designate it, if you wish to the health center fund or anything you wish or otherwise just general fund miscellaneous revenue.

**Will Moore:** We have 138 total signs just.

**Danny Davis:** \$3450. At 25 a sign.

**Bridge Littleton:** Yeah. No. And I think, look, we have people of all income ranges in the town, right? We need to. I don't feel it's fair to make them 250 bucks because, you know, we can always donate money to whatever \$3500 is great or whatever the number is if we give it to the health service fund. But I want people I think it'd be fair if people in Windy Hill can easily afford it as anybody else. So what is everybody? So I. Well, I thought your memo was great. I thought you guys actually came up with a really good idea. You know, I really like the you're a town citizen, and you live on that street. You get first shot for the first two weeks, and then after that, the next two weeks it's or a week or whatever it is. After that, then it's citizens. Right then after that, it's anybody who wants one.

**Danny Davis:** Yeah, it's it just slightly different than that. Just so you know, we would keep it open for 2 to 3 weeks for anyone interested. But when we choose, we have five Sycamore signs and we have five current residents and five former residents. Well, only the current residents would get them. Yeah, but we wouldn't have. We wouldn't have two weeks now, two weeks later, two weeks later, it would be one interest period. And then we ranked. [multiple speakers]

**Danny Davis:** Just making sure I'm clear.

**Bridge Littleton:** Yep. You know, I totally get it. I totally get it. Yeah. You're not making it time based. [off mic] But what if they go up to 500 bucks a piece?

**Philip Miller:** It's a free market.

**Bridge Littleton:** Yeah, I think this is more about people [off mic] town. Yeah.

**Philip Miller:** And they can get a Walnut sign for \$5 because we're not going to do anything with them. [multiple speakers] [off mic]

**Rhonda North:** Yeah, we gotten lots of calls. We've gotten lots of calls.

**Bridge Littleton:** No, I mean, I think you're right. Well, it's a group decision, right? But, I mean, I think your idea of citizens of town get the first swipe at it is the right thing to do. I mean hell they are their signs. [off mic] They paid for them to come down.

**Peter Leonard-Morgan:** Citizens of streets as well. Is that the priority?

**Will Moore:** So so what we have here are nonprofit entities actually first that own property on that street. So if Windy Hill Foundation wants a Virginia Lane sign or a Windy Hill Road sign, they would get first. And then it's a current resident property owner or business owner on the particular street. A former on that particular street would be the third category. The fourth becomes a current resident, property owner or business elsewhere in town. So I'm actually located on Washington, but for some reason I really want one that says Madison Street. [off mic] And then former resident property or business owner elsewhere in town. And then five is just the greater community if signs are still available.

**Chris Bernard:** Well, or just a question. When we do the online form or whatever, can we make sure that they we have a dropdown so that they can self-identify which group they claim to be in? That way, you guys don't have to spend a lot of time trying to figure it out from scratch.

**Will Moore:** Yeah, we'll figure it out.

**Bridge Littleton:** [off mic] I mean, I think it's I think it's fair to, you know.

**J. Kevin Daly:** The additional what income is made [off mic].

**Chris Bernard:** [off mic]

**Philip Miller:** Okay. I was actually thinking more about staff time to manage it. I think it's going to be a lot more than we think if we've already had this much discussion on it. But if the if everybody else feels differently, then it is what it is.

**Bridge Littleton:** I think if we build the website the right way, we can dump it all in Excel and then you just filter it. I mean, I'm not minimizing that it's going to take time, but I mean, you and I could do it.

**Chris Bernard:** It's only 38 signs, so.

**Bridge Littleton:** Yeah, yeah. I mean, it's going to be five data elements in a field. I mean, literally, Chris, if you if you want to, I'll work on with you. We'll we'll rack and stack it when you guys get data.

**J. Kevin Daly:** Let me ask this question. Is it easier if people just get notified? You can come in and put your bid in in person so you can possibly. That's.

**Will Moore:** We'll figured out the mechanism. We don't need to really concentrate on the mechanism. We can figure that out.

**Bridge Littleton:** Danny, do you feel this is something too laborious for staff to work on?

**Danny Davis:** No, sir.



**Bridge Littleton:** Okay. Any other input, thoughts, questions, concerns. [off mic] I did. I'm happy to do it.

**Philip Miller:** After he threw Will under the bus. [off mic]

**Bridge Littleton:** Wasn't hard for me. Yeah, please.

**J. Kevin Daly:** I move that council, authorize a public sale of the old street named signs with a prioritization as recommended by staff. I further move that the sale price for each sign is set at \$25 and all proceeds then to go to the Health Center fund.

**Philip Miller:** Second.

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

**All on Council :** Aye.

**Bridge Littleton:** Opposed abstentions. Ok next item the MOA with the Virginia Department of Historic Resources.

**Danny Davis:** I'll give this one to Mr. Moore as well.

**Bridge Littleton:** Will, where are you going? Get back here.

**Bridge Littleton:** Shaun, track him down.

**Danny Davis:** Thank you, Mr. Mayor. And council members. You have the report here. Just a couple of quick points of overview. The consultation with the Department of Historic Resources as part of the environmental review process mandated for the federal funds. The primary issue identified by DJR was concern in their mind over the demolition of this current town office. Just for clarity for the town council and the public. This town, this building is not individually listed on the National Register and frankly, is not even listed in the current nomination of the Middleburg historic district. Nonetheless, DHR has taken the position that if we updated the Historic District survey and made a revised application to update the Middleburg historic overall district, that this building would then be considered contributing. It's quite hypothetical, in my opinion. Nonetheless, it is. It could be. However, they've made that determination, and as a result, that is considered an adverse effect of our project. As a result, it requires the town to do some mitigation strategies. A few of those include contracting with a historic architect, architect, historian excuse me to do a survey of this building, to do photographs, floor plans, things like that that will then be displayed either at the new town office or at the Middleburg Museum, if appropriate. It would be to also create an interpretive display of that would represent the history of Middleburg, the history of this building, the history of the importance of this building to the town. And then a few other items that I'll cover in just a brief second. I will state that we are actually looking at some alternatives that would allow us to put digital signage, signage inside the building that could be like a rolling bulletin board for the community. Have upcoming events, upcoming important information on that type of signage could also be an interactive touch play that allows you to explore these items required by DHR. Alternatively, if that doesn't work out, we can do poster board size displays on the wall. The final mitigation strategy is related to the property that we acquired for this project. And the some questions related to that property's history dating back to the founding of Middleburg, particularly whether there were enslaved persons living on that property. We have committed or would commit through this MOA to conduct additional research to find out if there's corroborating information related to that, and then to be able to discuss that history as part of the interpretive display and then the final mitigation or really honestly the reason this is coming before you and not something that I would have probably done administratively is that we are required in this MOA to also amend our construction contract with Cooper to incorporate some additional clauses related to demolition of this building, specifically that during the demolition, should they find architectural resources that may not have previously been identified, such as perhaps you find the foundation of an old building that we didn't know existed. More importantly, perhaps it should. There be human remains that are found that we would immediately halt that part of the process and then take the steps necessary and as delineated in state code and administrative code and in guidance from historic entities to ensure that those are addressed properly before the final construction is completed. Now that only

affects phase two. That does not affect phase one of our project. No, that's a lot of information. But laying out for council why this is being brought before you. At the end of the day, we believe that the stipulations here in the Memorandum of agreement are achievable. They are not overly burdensome on the town and that they will help us tell the story of Middleburg even better at our new town hall. And once this is approved and signed, DHR will sign it. And then that triggers the steps that we talked about earlier in the meeting. So I'm happy to answer any questions either about the process we've gone to to date or the MOA itself.

**Bridge Littleton:** Any questions for Danny on the MOA?

**J. Kevin Daly:** How long will it take for all the research to be completed?

**Danny Davis:** So the I keep getting the the phrase incorrect. The architectural survey by a historic architect for this building is actually scheduled to occur, I believe, this month. So it should be completed by the end of September. And then it may take some time to put the final kind of pieces together. DHR has given us up to 12 months from the opening of the new town hall to create the interpretive display for the new town hall. So we have some time to do that again. Some of that I think we could perhaps develop ourselves or in partnership with some others as appropriate. And then in terms of the final piece related to the Kaye property, we haven't talked fully whether we engage with our historic survey partners who's who's doing this building to do have them do a little additional research. We also have Estee on staff who has a background in historic properties and historic preservation. And so using her talents and her time to be able to go do some additional research, whether at Bauch Library in Leesburg or other records throughout the Commonwealth.

**Bridge Littleton:** You still need my copy of Gene's book.

**Danny Davis:** It may not hurt to have it in hand just to review it. There was a pretty extensive article in the Washington Post we found from 2003. Talked a lot about.

**Bridge Littleton:** Yeah. Any other questions for Danny? Okay. Bud.

**AJ Panebianco:** I'm ready to make a motion.

**Bridge Littleton:** Please do, sir.

**Bud Jacobs:** I move that the town council authorized the town manager to enter into a memorandum of agreement between the town of Middleburg and the Virginia State Historic Preservation Office regarding the Middleburg Town Hall Project. Middleburg, Virginia. Subject to the final revisions as approved by the town attorney. I further move that the staff proceed with a contract amendment with Cooper Building Services to incorporate the demolition language required by the aforementioned memorandum.

**J. Kevin Daly:** Second.

**Bridge Littleton:** Any discussion. I just want to say thank you guys so much for doing all this. I mean, it's been a lot of hoops and hurdles to be able to unlock the \$2 Million Grant. And this is probably like the last big piece of it. So you guys, well done. All right, all those in favor say aye.

**All on Council :** Aye.

**Bridge Littleton:** Opposed, abstentions. Next is discussion items. We have one on here about the fireworks. You ready? Yeah.

**Danny Davis:** So thank you, Mr. Mayor. And council members. So we've discussed this in last year's budget cycle as well. So this is no surprise to the town council. But the Middleburg Community Center has recognized that with the construction activities going on at Salamander twofold. One, it has required a relocation of where the fireworks can be set up and shot, and also with the future homes that are going to be built on the west side of Pendleton Street, that the

visual aspect of the fireworks from their location will be diminished and will be difficult to see in years to come. And so they have stated to us directly that they've decided that it would just not be kind of in their best interest to continue on with all the activities and especially happening over there when the visual is not going to be very appealing. So our suggestion recommendation is the town take over this event. We have budgeted for it and our budget. The fireworks currently as shot this this year 2022 are due north of our village green. So it is a perfect line of sight. It sets it up for a very great location and a great community event. One of the questions that council had and that we ask the Cultural and Community Events Committee to weigh in on, is what this event should look like. It has grown over the years. For better or worse, it's become a quite a large event, a lot of activities bands, large bands with large followings. And the question is, should it be that large or should it maybe be tailored to be a shorter event and more focused as much as possible on the resident community here in Middleburg? The committee recommended that we make it a shorter event and focus it with fewer of the draws. That would be large draws from people, you know, miles and miles away, but really focus on an event that makes it a community feel. Celebrate the new town hall site, the new village green, and really make it just a kind of community focused type activity. That's not perfect. I mean, you're never you don't, you know, bar the gates to the town, right? You know, we're no we're going to continue to draw people from all around, but also continuing to maybe tailor that down to smaller scale, at least for the first year and see how that goes. We did reach out to the current fireworks vendor. They are still interested in hosting fireworks for Middleburg. The price went up a little bit, but not significantly year over year. So the price of the fireworks themselves would be at \$25,000. Then we anticipate probably somewhere around \$5000 or so for some of those other ancillary things, whether it's ice cream truck, snow cones, a few kids activities, something just for the couple hours of the evening. I will note that based on just a timing issue, not a not a doubling of the budget, but a timing of when the bills were paid for the community center. We just received their reimbursement request for the 2022 fireworks. So we have paid that in fiscal 23. While at the same time, if if we're moving forward with this, we would have to proceed with putting a deposit down for the fireworks for next year's event. But in the same fiscal year. So I do have a draft motion here that would allocate additional funding for this line item out of our our unallocated revenues just because it's going to be more than we had in that budgeted line item. So I'm happy to answer questions, talk about the actual fireworks, the committees review. But we think this is a great community event. It would be a perfect location at the town Village Green.

**Bridge Littleton:** Any questions? Kevin.

**J. Kevin Daly:** Just a comment. I kind of like the recommendation that it's not necessarily smaller, but making it a town event. It is on the town's common green and that we have more emphasis on the town being there as opposed to pulling more people in from outside. It becomes somewhat like Christmas and Middleburg you don't see citizens and Middleburg lining the streets. We're kind of pushed back from the streets, from all the visitors that are coming in. It'd be nice to have, as we have with the National Night Out, we kind of emphasize the community for the 4th of July.

**Bridge Littleton:** Cindy.

**Cindy Pearson:** I'm just not sure \$5000 is enough for what you need to do for that night.

**Bridge Littleton:** Well, that's just for the deposit, right?

**Cindy Pearson:** No, the \$5000 is for additional activities, the \$25,000 is for the fireworks.

**Bridge Littleton:** So that was what does. [multiple speakers]

**Danny Davis:** They spent about 30, 38,000 this year, including the fireworks. But they they bring in a.

**Philip Miller:** That's 16,000 when you subtract out the fireworks. Yeah.

**Danny Davis:** Yeah. And they bring in a stage professional audio, a huge band, which is pretty expensive. I have their whole invoice breakdown. But I think if we're talking a few kids activities like the bouncy houses, you know, we pay a couple food trucks and.

**Bridge Littleton:** Food and drink are key.

**Danny Davis:** And a small you know, a small two person is 500 bucks right.

**Cindy Pearson:** [off mic] even though they do have music that we wouldn't necessarily have that you might want to do a DJ or something just to. [multiple speakers]

**Danny Davis:** So I think what we so I think what we do is we will work with our events team because, because we did plan this in their budget, have them help us Ali and we'll, we'll put this plan together and we'll come back if it appears to be more.

**Bridge Littleton:** Okay. Yeah.

**Chris Bernard:** And I don't I feel like I have a recollection of this. But was there a component where Salamander paid for some of the fireworks at some point, or was it always just us?

**Danny Davis:** I don't believe they did. No, we I do think there is at one point we talked about perhaps either sharing the costs, but I think that was.

**Bridge Littleton:** Never.

**Danny Davis:** They have not in the past. I will say that. Now I will say they they think it is a great event. And so we can always talk about whether there's a way to partner there, too.

**Cindy Pearson:** And I do think that maybe years ago when they were just getting started, there may have been a small donation to the community center.

**Bridge Littleton:** The donation was they used it or we fired it from their land and they didn't charge us from using their land.

**Cindy Pearson:** That they might have given a donation of some amount to the community center years ago. But I'm not talking large.

**Bridge Littleton:** Oh, yeah, no, no. And they'd never give anything to the town. No, no. Their, their donation is the use of their land without charging anybody and taking the liability. And so, I mean, that's a good deal.

**J. Kevin Daly:** And yet the town did provide them funding for their event.

**Bridge Littleton:** I don't yeah. I don't think we want to start going out and asking for funding OK anybody any other questions? Is there anything we need to do?

**Danny Davis:** I do have a draft motion.

**J. Kevin Daly:** I move that the town council authorize the town manager to enter into a contract with Digital Lighting in the amount of \$25,000 for fireworks on July 4th, 2023. I further move that the Town Council authorize up to \$5000 for additional activities and that the Town Council authorized a transfer of \$30,000 from unallocated revenues to the town sponsored events line item for fiscal year 23.

**Chris Bernard:** Second.

**Peter Leonard-Morgan:** Friendly Amendment. We're talking dollars.

**Danny Davis:** Yes, not pounds.

**Peter Leonard-Morgan:** Or cents.

**J. Kevin Daly:** Well, I'm sorry. [inaudible]

**Bridge Littleton:** Sorry. Okay. Any discussion? Go ahead, Ronda.

**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 Miller.

**Philip Miller:** Aye.

**Rhonda North:** Council Member Pearson.

**Cindy Pearson:** Aye.

**Bridge Littleton:** Ok. Danny. Thank you. Information items. Any information items? What's that?

**Cindy Pearson:** I haven't seen that in our newsletter because I just saw it on Facebook. Is Loudoun Hospital rummage Sale will be at the charter school to pick up donations Saturday from 9 to 1. [off mic]

**Bridge Littleton:** Perfect. The only information item I had was yesterday. I was at the zoning ordinance committee meeting for Loudoun County. Oh, yeah. So, you know, so the zoning ordinance rewrite that ZOC reviewed, not in total has gone to the planning commission. The Planning Commission has had one public hearing on it. They're going to have it at their next work session. There's going to be another public hearing. It's actually stretching into November. So it's just it's all these things. There's always more work, right? So the board I don't know if the board is going to get it this year. I probably will get it in December. But I would absolutely recommend if you haven't already either send in your comments, you know, like Terry went, which was great on some of the concerns we've all talked about, there is going to be another public hearing session, so there will be another bite at the apple. But the other thing that came out that we had a lot of discussion about that I'm getting a little concerned on is there is a so on the zoning ordinance rewrite the zoning ordinance. We're out. Right, we're done. We've handed it off. We're now doing the board member initiatives for the different comprehensive plan amendments, the CPANs. So the one the CPAN that is on our plate right now is the cluster development Prime Soils Protection Amendment and zoning changes. The zoning, I guess it's not a CPAN it's a zoning, it's a zoning change. The whole idea of this, it's actually zoning. The whole idea of this zoning ordinance amendment is to if you're going to do a cluster development in the rural area, you can't put that cluster development on the prime agricultural soils. So because it's like the soils that are actually farmable, right? So or if you do, you have to do it in a very limited way. It's it's trying to protect it. Loudoun County right now has 53,000 or 52,000 acres that are defined as prime agricultural soils remaining. The county staff has proposed 70% protection of the prime soils is the goal. The

problem is no one's actually done the analysis to say how much will that actually save? I mean, 70% is a percentage, but is the percentage of what? You know, is it the 58, 53,000 total? No, it's how you build and what you move and how the lines go. So it could say 70% protection, but it could literally only protect 30%. So the preservation community is asking for 80%. The other communities are asking for less than 70%. The staff is at 70% right now, but we really don't even know where it's going to come out. But here's the the thing I think is most urgent. There's been a lot of direct communication passed, the staff to the board talking about how this zoning ordinance amendment is going to be detrimental to land values for homeowners. It's going to destroy conservation easements. It's going to negatively impact tax benefits that people get. I mean, Eric [Inaudible] had a letter which was, you know, the county can't do this because we'll never have conservation easements. Wait a minute. We're trying to protect open space and prime soils. And, you know, so there's a lot of hyperbole, hyperbole going around and it's creating a great amount of confusion in the community. This zone is desperately needed. It's not what everybody wanted in the preservation community, but it's certainly better than. Not having something. And I mean, I'm happy to come talk to the Planning Commission about it. I think the preservation community has to send letters to the board saying, look, this O&M is only the start. It actually should be 80%. We shouldn't be rolling back, you know, the hard work that we've gotten to where we are today. It really came up as an intense conversation on. Yesterday and it really came to light. I mean, a couple of folks had said I mean, it's literally been dozens of letters to the board from the development community trying to because they're really scared. Right. It means smaller houses and less less clusters and. Yeah, yeah. So, I mean, a lot of us spoke up, but they're carrying impact with the board. So I, I'm happy talking to me offline. I'm happy to give you some ideas and thoughts and bullet points. I'll send you the zone so you can see it, but we don't want to go backwards. So and it really feels urgent because I think this is our last this was our last sort of input session on it and it was like it was backtracking. So so anyway, I will say I think staff's done a good job trying to hold the water, but it's now, you know, they're directly influencing the board. Yeah. So that's my input. I'll email you guys the zoom tomorrow and some, you know, some of the high level inputs. Yeah. Cool. Any other discussion items? Going once, going twice. Ok. Who would like Peter to read the closed session memo?

**Peter Leonard-Morgan:** I move the council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for consultation with legal counsel regarding specific legal advice by such counsel related to a request for the release of documents prepared for closed session discussion purposes as allowed under subsection eight. I further move that the Council thereafter reconvene in open session for action as appropriate.

**J. Kevin Daly:** Second.

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

**All on Council :** Aye.

**Bridge Littleton:** All right, we are in closed session. [close session] I ask that council certified to the best of each member's knowledge, one only public business matter is lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act and two only such public business matters, as were identified in the motion by which the closed meeting were held were heard, discussed or considered in the closed meeting. I would like to remind those present for the closed session that any discussion that occurred within it should be treated as confidential.

**Chris Bernard:** Yes.

**Bud Jacobs:** Yes.

**Philip Miller:** Yes.

**Peter Leonard-Morgan:** Yes.

**Bridge Littleton:** Yes.

**Cindy Pearson:** Yes.

**J. Kevin Daly:** Absolutely.

**Bridge Littleton:** Danny, any other items? Meeting adjourned.