



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, January 26, 2023



PENDING APPROVAL

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

STAFF: Danny Davis, Town Manager
Martin Crim, Town Attorney
Rhonda S. North, MMC, Town Clerk
Tina Staples, Town Treasurer/Director of Finance
Lieutenant Shawn Jones, Police Department

ABSENT: Councilmember Philip M. Miller

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, January 26, 2023 in the Town Hall Council Chambers, located at 10 West Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

Public Comment

Gary Nicholson, of 23334 Chimneys Lane, encouraged the Town to hire Lieutenant Shaun Jones as the next Chief of Police. He also encouraged the Council to reduce the maximum number of days that a dwelling unit could be used as a short-term rental to fourteen.

Public Presentations

Report on 2022 Christmas in Middleburg Event

Michelle Myers, organizer of Christmas in Middleburg, reported that Christmas in Middleburg parked 825 cars, which was less than the 1,000 car limit set by the Council. She expressed concern about the private parking spaces that were rented out by property owners on Federal Street and asked that the Town require oversight of them. Ms. Myers explained that they created traffic issues when the cars left at inappropriate times, which resulted in their not being able to get Santa out for the parade. She opined that there were no safety issues that day.

Town Manager Davis reported that there was only one issue with a truck, which was quickly dealt with by the Chief. Lieutenant Jones agreed the private parking on Federal Street created a traffic jam.

Ms. Myers advised that there were also safety concerns outside of the town, as people were walking on Route 50, Foxcroft Road and Landmark School Road. She suggested that in the future, it would be nice if more volunteers could be posted to keep people from walking on these roads.

Ms. Myers reported that the Christmas parade lasted for ninety minutes. She suggested that in the future, the State Police re-open the roads in the county at 4:30 p.m., as opposed to 5:00 p.m. Ms. Myers reported that there were sixteen food trucks servicing the event and advised that in the future, she would require them to provide information on their linear footage so she could confirm whether they would fit within their assigned spaces. She noted that food trucks could only be stationed on one side of Liberty Street and advised that she may ask that additional side streets be closed in the future. In response to Council's concerns that business and homeowners' views were blocked on Route 50 by a food truck and that the vendor was observed pouring something down the Town's storm drain, Ms. Myers suggested the food trucks be eliminated on Route 50 and that they be located on the side streets.

Ms. Myers noted that the Council had their profit and loss statement and financial overview. She reported that they had some cash left in their reserves, which would be used for next year's event. Ms. Myers further reported that they made money on the parking. She advised that she hoped to secure some larger sponsors next year. In response to an inquiry from the Council, she reported that there were no issues associated with parking at the Middleburg Barn and advised that the owner agreed to allow parking there again next year. She noted that her report included some of the press coverage that the event received and advised that she did not issue any press releases.

Councilmember Jacobs opined that the event was great, with the exception of the food truck issues. He reported that concerns were raised by members of the Planning Commission about the closing of Chinn Lane; State Police officers who would not let residents go to their homes; and, the number of "no parking" signs, which presented an unwelcoming appearance. Mr. Jacobs noted that while he did not do so this year, one of the Chinn Lane residents normally hosted a party during Christmas in Middleburg and was upset that his guests would not have been able to park on the street if he had held it. He suggested that one side of the street be left open for parking. Mr. Jacobs opined that the number of "no parking" signs went too far and suggested the Town figure out how this could be better managed in the future.

Council acknowledged the need to provide parking for the residents and their guests. Town Manager Davis suggested the staff discuss possible solutions. He noted, however, that the logistics of the day would preclude a number of items. Mr. Davis advised that it was a judgement call as to how much additional parking should be allowed in the neighborhoods. He noted that as to the suggestion for resident only parking, enforcement of that would be impossible. Mr. Davis reminded Council that the restrictions were put in place related to parking on Route 50 for numbers purposes.

Council suggested the Police Department identify streets on which parking could be allowed on one side. They acknowledged that the banning of parking on certain streets was required. It was noted that the church on Federal Street has rented their parking spaces for years. Council suggested the Town coordinate with them on when the cars were allowed to leave.

Ms. Myers reported that the church parking was well managed. She advised that it was the businesses who rented out their parking spaces that created the issues.

Town Manager Davis reported that he, Chief Panebianco and Lieutenant Jones discussed the need for strong communication with those property owners about the need for them to manage their on-site parking and to stress that they could not let cars leave the lot until the Police Department allowed it.

Mayor Littleton expressed appreciation for Ms. Myers hard work. He opined that the past two events went well and that they felt right.

Ms. Myers confirmed the goal was to keep the event at the same size so the residents would begin to cherish it again.

Commonwealth Attorney's Decision to No Longer Enforce Town & County Ordinances

Mayor Littleton reported that the Commonwealth Attorney sent a letter to the judges and courts stating that due to the lack of resources, effective January 16, 2023, her office would no longer prosecute arrests for misdemeanor offenses, such as larceny and certain traffic offenses, nor would they enforce town or county ordinances. He noted the number of Town ordinances that were Class 1 misdemeanor offenses. Mr. Littleton expressed concern that the Commonwealth Attorney would no longer prosecute cases of larceny, which involved thefts valued at \$1,000 or less. He noted the news articles about businesses that left towns in California due to thefts after their commonwealth attorneys declined to prosecute larcenies. Mr. Littleton advised that the Board of Supervisors reached out to the Coalition of Loudoun Towns to discuss how the towns and County could address this issue. He reminded Council that the Commonwealth Attorney was an elected official; therefore, she had the right to decide what she would prosecute. Mr. Littleton opined that it was duplicitous for her to state that she did not have the budget for prosecutions when the County increased her funding by \$400,000 two years ago. He reported that she made this unilateral decision, with no notice to any of the towns or the County. Mr. Littleton reiterated his concern over the lack of prosecutions, especially for larceny charges, and advised that if the Council agreed, he would like to ask the Commonwealth Attorney to appear before them to discuss her decision and its effect on the Police Department. He noted that the Commonwealth Attorney's letter stated that the officers should handle their own prosecutions. In response to an inquiry from the Council, he advised that the Commonwealth Attorney was up for re-election in November.

Lieutenant Shaun Jones reported that law enforcement officers were scheduled to meet with the Commonwealth Attorney to discuss this issue. He noted that she did not notify the law enforcement community of her decision and advised that they learned of it from the news media. Lieutenant Jones advised Council that he would report on their meeting once it occurred; however, the department was going to have to prosecute its own cases.

Mayor Littleton noted that while that was legal, it would create a training and time issue for localities. He reiterated his question as to whether the Council would like to ask the Commonwealth Attorney to appear before them to explain why she made this decision, to which the members agreed they would.

Staff Reports

November & December Utilities Report

Town Manager Davis reported that Stuart Will, of IES, was working on some options for addressing the clogged filters at Well 4, including possibly welding a hatch onto the bottom of the filter tank so they could be accessed for cleaning. He noted that the water billed-to-pumped percentage was not good during this billing period and advised that while they had explored it, the staff was not sure why. Mr. Davis opined that more water may have been lost due to the water break on Chestnut Street than was estimated; and, noted that the Stonewall Water Tower lost half of its volume in one day. He advised that the staff was working to get this number back into the 90% range.

Status of Special Projects

Town Manager Davis reported that a plumber would be in town tomorrow to help identify whether the house at 504 Stonewall was on Town sewer or had a septic system. He further reported that Salamander offered to allow the Town to place the forced sewer main for the Septic Conversion Project in the boring hole they were creating on Reed Street for their utilities, which would save the Town from having to tear up the road for its installation. Mr. Davis advised that the staff was working with VDOT to secure the acceptance of Chinn Court into their road maintenance system.

In response to inquiries from the Council regarding the continuation of the Marshall Street Water Tower Repainting Project, Town Manager Davis reported that they were still waiting for T-Mobile to find a temporary tower so they could relocate their cellular antenna. He suggested that if this did not occur, the Town would send them a letter on April 1st terminating their lease. Mr. Davis noted that they were looking at temporarily relocating it to the Stonewall water tower. He confirmed the repainting of the water tower would begin as soon as school closed. Mr. Davis advised that while the tower could be painted with the T-Mobile antenna on it, this would not allow the tower to be painted completely and would create a safety situation as the width of the catwalk, which was already extremely narrow, would be further reduced. He confirmed the same vendor would continue with the project as started it and advised that they recognized their failures from last year and committed to doing the project right this year.

Mayor Littleton suggested the Town should be compensated for their failure to live up to the terms of their agreement. He asked that the staff update the Charter School's Board of Directors on the project during their meeting next month.

Consent Agenda

Mayor Littleton advised that the Town Manager requested the contract with Bowman for engineering and construction management services be removed from the agenda.

A. Council Approval – January 12, 2022 Regular Meeting Minutes

Councilmember Jacobs moved, seconded by Councilmember Daly, that Council approve the consent agenda as presented.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Miller

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

Discussion Items

Bowman Contract for Engineering & Construction Management Services – Clearwell Project

Town Manager Davis reminded Council that the staff was attempting to secure a USDA grant for this project; however, it did not qualify. He noted that the grant's requirements would have added to the project cost and would have required tracking by the staff. Mr. Davis reminded Council that the original project budget was \$375,000 and the cost estimate was \$550,000. He reported that the latest cost estimate was \$1 million and opined that most of the increase was due to the federal grant requirements. Mr. Davis recommended the Town bid the project as a locally funded one so it could see how much the cost would be and advised that if it was too much, it could reject the bids. He advised that the only additional cost incurred as a result of seeking the USDA grant was \$36,000 for engineering services. Mr. Davis confirmed no action was needed at this time. He recommended the staff confer with IES and Bowman on next steps and advised that he would report back during the next Council meeting if they felt additional time was needed to determine how to proceed. In response to inquiries, Mr. Davis confirmed that Bowman developed the original design, which was later increased based on the USDA grant requirements. He noted that the contract that was originally on the consent agenda was for construction management services. Mr. Davis confirmed the design would still work.

The Council agreed the staff should pursue this as a local project.

Town Manager Davis reviewed the additional requirements should the Town pursue this as a federal grant funded one. He expressed hope that the bids would come in at less than \$1 million as a local project and reminded Council that they must approve the contract. Mr. Davis advised that this was budgeted in the CIP as either a cash or debt funded project. In response to an inquiry as to whether a needs assessment had been prepared, he reminded Council that the project had

been in the CIP for multiple years and was in the process of being designed before the staff began to explore USDA financing. Mr. Davis confirmed the Town would not be able to recoup the \$36,000 in engineering costs that it spent designing the project as a federally funded one.

Council recommended the staff look at this project with fresh eyes to determine whether it should be done and whether there were alternative ways to accomplish it. Town Manager Davis opined that the alternative options could be included in the Invitation For Bid.

Action Item

Council Approval – Resolution to Adopt Enhanced Multiplier Benefits for Law Enforcement

Town Manager Davis reported that the Town did not currently provide this enhanced benefit for its police officers. He explained that the current retirement multiplier was 1.7%, which would increase to 1.85% if the benefit was offered. Mr. Davis advised that many jurisdictions have adopted the benefit, including those that surround Middleburg. He reported that he reached out to the Town’s HR consultant, who performed a compensation and benefits analysis. Mr. Davis further reported that while it appeared from the analysis that the police officers’ pay exceeded the market, it was determined that Middleburg officers’ pay was compared to entry level police officers in other jurisdictions, as opposed to being compared to those with years of service and advised that Middleburg’s officers had six to ten years of experience. He noted that other jurisdictions had multiple levels of police officers, while Middleburg only had one. Mr. Davis advised that there was no concern that the police officers were over paid. He requested the Council adopt the resolution and advised that the enhanced benefit would cost the Town an additional \$15,000 annually.

Councilmember Daly moved, seconded by Vice Mayor Leonard-Morgan, that Council adopt a “Resolution for Enhanced Hazardous Duty Benefits, Virginia Retirement System” with a retirement multiplier of 1.85% for the Town of Middleburg, effective February 1, 2023.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Miller

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

Discussion Items

Review of 2022 Town Special Events

Town Manager Davis advised that the staff wanted to provide the Council with an overview of the Town’s special events in 2022, as well as a look ahead for those in 2023. He reported that the Town held a lot of great, successful events. Mr. Davis opined that their budgets were well developed; although, he suggested the budget for the Millie Miglia may need to be increased. He advised that the Millie Miglia planned to return this year; however, they would not hold the event until the first week of November. Mr. Davis reported that two new events were being planned for 2023 – the Wellness Fair and the Independence Day Celebration.

Council suggested the need to develop a contingency plan in the event the Village Green was not ready to be used for events in 2023. They further suggested it was not necessary to hold the Wellness Fair this year given that there would only be three months to plan it.

Farmers' Market Update

Business Development & Community Partnerships Director MacIntyre reported that the plan was to hold the Farmers' Market in the Town Hall Parking Lot (north parking lot); however, she had a contingency plan in the event this was not an option. She further reported that she spoke with a farmers' market organizer who, while not able to take on Middleburg's market, provided some helpful information. Ms. MacIntyre advised that he offered to consult for a fee. She expressed hope to have twenty vendors for the market. Ms. MacIntyre reported that based on a survey of the vendors, the preferred date/time was Saturdays from 10:00 a.m. to 1:00 p.m. She advised that she was looking at having rotating managers. Ms. MacIntyre noted that the next steps were to formally announce the market, develop the necessary documents, and develop a marketing strategy. In response to a suggestion from Council that she reach out to Pam Jones, of the Sustainability Committee, Ms. MacIntyre advised that she was looking for folks to which she could reach out. She advised that the goal was to open the market in May.

Mayor Littleton suggested she look for an alternative location for the market for this year.

Councilmember Pearson noted that if the market kept moving locations, it would lose people. She questioned whether the Town should wait another year before putting it on.

Mayor Littleton suggested the staff talk to the vendors to determine their preference. He agreed that if they felt it would be a challenge, the Town should wait a year before opening it. (Councilmember Kirk arrived at the meeting at 7:11 p.m. She participated remotely from home due to a medical issue.)

Revenue Update/Budget Amendments – FY '23

Town Treasurer Staples reported that the property, meals and transient occupancy tax revenues were all up. She reminded Council that next quarter would be a slower one for meals taxes. Ms. Staples recommended the Town stay the course with regard to the budget. In response to an inquiry from the Council, she confirmed the closure of the Salamander Resort for two weeks would have an impact on the Town's revenues.

Strategic Initiatives Update

Town Manager Davis reminded Council that work was continuing on the strategic initiative related to short-term rentals and advised that the staff would return in a month or two with a recommendation. He reported that there was not a work plan for two of the initiatives; although, they were tied to the summit that would be held on April 11th. Mr. Davis questioned how the Council would like to review the strategic plan. He noted that he talked to the Mayor and Vice Mayor about setting it up as a two year plan, in which, following the seating of the Council after an election, the members would develop the strategic initiative plan in a day long off-site retreat, and then review the plan in a half-day session the following year.

After some discussion, the Council agreed with the recommendation to set up the strategic plan as a two-year one, with the plan being developed after the Council was seated following an election and then being reviewed the following year.

Closed Session

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for consultation with legal counsel employed by the public body regarding specific legal matters requiring the legal advice of such counsel related to the Town Hall Project contract as allowed under Subsection (A)(8); (2) for the discussion of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, related to the vacation of a Town right-of-way as allowed under Subsection (A)(3); and; (3) for the discussion of the performance review of the Town Manager, as allowed under Subsection (A)(1). 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, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmember Miller
(Mayor Littleton only votes in the case of a tie.)

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 8:11 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

January 26, 2023 Middleburg Town Council Meeting

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

Bridge Littleton: All right. We will call the January meeting to order. First item, Pledge of Allegiance.

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

Bridge Littleton: Next item is the 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, next item here is the public comment. If any member of the public would like to address the Town Council on any matter, they may do so now by approaching and they have 3 minutes. Gary, is that you?

Gary Nicholson: Yes.

Bridge Littleton: All right.

Gary Nicholson: Thank you, Mr. Mayor. Fellow Council Members. My name is Gary Nicholson. I'm coming as a resident tonight. I live at 23334 Chimneys Lane between Greenhill Winery and Middleburg Barn and depending on how long you've lived here. That's either Middleburg barn or Fox Chase or Paper Chase. One of those names. Anyways, really, I'm coming tonight too. I want to recommend to the Council that Lieutenant Shaun Jones be selected as the next chief of police for Middleburg. I was surprised recently to receive a letter in the mail asking for input as far as who the next chief of police is. So I was a little confused because when L.T. came on board back in 2020, I was under the assumption that he was kind of that we knew that AJ was kind of be retiring soon and that AJ would be or that L.T. was going to be his next in line. Coming from the military, I learned that the best leaders are the ones that are trained and brought up from within the organization so that values and methodologies and regional intelligence are retained. I've talked through L.T. over the last couple of years. I've learned that he believes in a community based approach for policing. And even if you didn't know that about him personally through talking with him, I mean, you see it in his actions, right? Christmas Parade, Oktoberfest Art in the Burg, Film Festival, community cleanups. He's always there. He's always going the extra mile Coffee with a Cop common grounds, hot dogs filling up the trunk to support Seven

Loaves. You know, the last place I would actually look for L.T. If I want to look for him in town is at the station because he's always out there supporting the community. You know, we're constantly hearing L.T. give updates about the state of the police force during these town council meetings and constantly he's talking about how the officers meet or exceed the standards. So when should he take over? You know, he's always finding times for the officers to continue to be engaged with the latest training, whether online or in person. He's always finding opportunities for them. So as long as he's involved, you know, we're never going to be in the news for inadequate training of our police officers. And, you know, no matter the amount of training or mentoring that L.T. would receive from the Chief over the years, we never fully expect to replace Chiefs for years of service. I feel that he's the only one capable that would be able to step in the very next day from his retirement and have no disturbance in the policing efforts of the officers of this town, especially as the challenging times as we continue to face further urban development here in town and increase traffic and tourists. So I just want to have my word out there for L.T. to give him my support as the new Police Chief in Town. And I just want to say a few words on the short term rentals in Middleburg. I know the Mayor recently asked for some input and there's about a 180 days arbitrary number out there that would just use in the pre planning purposes. Where I currently live there are four short term house rentals out there and as Council Member Pearson I think stated last meeting that there was a concern about these affordable single family homes, two or three bedrooms that would be perfect for new families are getting torn down or either rented out. And so there's four that are already that would fit that bill for a perfect single family home or and I'm worried that they might be torn down in the future and have a bigger house built there. So I recommend just going off maybe what the IRS the federal guidelines already say about investment homes, which is 14 days. You know start with that. I know it's not a perfect number, perfect solution and I don't I want to look forward to being on that Board to find a solution for this problem. But start with 14 days, because the federal guidelines already say that that's the beginning of an investment home. So thank you for your time. I just want to my voice be heard and recommend Future Chief Jones. And I would like to stay for long, but I'm double booked and I have another meeting to run off to. So I thank you for hearing me.

Bridge Littleton: Gary. Thanks a lot. Really appreciate it. Ok would anybody else wish to address the public or address the Council from the public? All right. We will close public comment and now go on to public presentations. First item is Christmas in Middleburg. Mr. and Mrs. Claus, come on up.

Bud Jacobs: Ho, ho, ho.

Peter Leonard-Morgan: Never heard that before Mrs. Claus.

Bridge Littleton: Bah humbug.

Michelle Myers: Stop. [laughter]

Chris Bernard: God bless us.

Michelle Myers: Good evening, Mayor and Council. Thank you for taking some time and hearing us. I know you wanted to just have a quick overview of the event and give us some feedback and we would give you kind of what we thought the event accomplished. So I did send over something earlier in the week and I have kind of a rough agenda. Shall I just follow that? If that's okay?

Bridge Littleton: Please? Absolutely.

Michelle Myers: Okay. So parking review. We did take in a total of 825 cars. We did keep the limit to 1000, which was the request from last year, and we did not reach that limit, which was great. I think everybody felt that in the event. I think the rain probably hampered a little bit of our last minute visitors. So we had very few day of parking folks that showed up. In terms of parking concerns we did have some lots back on Federal Street at Teddy's, the church and the cleaners. They all set up parking for pay that day. And so we would request that is there a way that they could require permits or is there any oversight that the town might be able to give us to help us with those logistics next year? It was a little bit troubling. We couldn't get Santa out. I know AJ had some traffic issues and so there was kind of a little bit of a logjam back there. So just wanted to bring it to your attention that maybe we could talk to those business owners about

what they want to do that day. I certainly don't want to stop them, but we just need to be aware of it so we can work around it. Safety Review. AJ I was hoping would be here, but we didn't have any concerns. I don't think we had any safety issues. Did anyone hear of anything?

Danny Davis: Just the one lady in the truck that didn't want to comply with the Chief's instructions and.

Michelle Myers: Oh, yes.

Danny Davis: He ended up putting his hand out like he was going to stop an F 250 pulling a trailer. Not quite sure that would have done much, but that was the only significant issue, I believe [multiple speakers].

Shaun Jones: Yes, that was the only significant issue.

Michelle Myers: Was it? Okay.

Danny Davis: Sorry. Yeah.

Shaun Jones: That was the only, I apologize. That was only significant issue. And she already addressed the parking on Federal Street. The problem we had was we couldn't control when they let out the people. And that's what caused the back up and the jam right there. So once we realized what was going on, we switched some people around and tried to get things moving as fast as we could.

Michelle Myers: Yeah, other safety concerns. We did have people walking on Route 50 Landmark School and Foxcroft Road. We did talk to the Chief and DeShaun about that. It's outside of our jurisdiction and it's really going to be tough for us to get any more police support outside of the village. So, I mean, I'm open to anything that anybody has, but it's just a really tough call. The folks at the Virginia State Police Department aren't really interested in putting more people out there. And so I would love to have some input. I don't know if we could post volunteers. I don't know if that's a safety concern, but we did have people walking. I think Foxcroft was the dicest thing we saw.

Bridge Littleton: Yeah. I'm always thinking like cameras. Like you have speed cameras, put cameras up in trees and. I mean, you know how you actually effectuate it, right? It's like at the airport, they do facial recognition and stuff like that. But hey, we're going to video you.

Michelle Myers: Yeah.

Bridge Littleton: And we'll find out who you are and we'll send you a ticket. You know, sometimes just the knowledge that something's there dissuades a lot of people from stuff.

Michelle Myers: We did time the parade again at 90 minutes so we did end up right on time again. And so the folks at the state police will also pull their time back to revise the end time to be 4:30 instead of 5:00 p.m.. They think that'll help a lot with some of their traffic and logistics for people exiting town. We had 16 total food trucks in town. We did hear a tiny bit of feedback. I know Peter has some for me about that and we do have some concerns about those. We're going to request the linear footage of each one of the trucks and photographs from them so that we can confirm. [multiple speakers] Yeah, we'll do a little bit more confirming at the front end and get a little more data of that. We also did hear that only trucks can be on one side of liberty. So I did request this past year to have additional streets closed and I might ask for some more of that to mitigate what Peter's feedback might be for what he heard about Route 50. Please.

J. Kevin Daly: You're on.

Michelle Myers: Yeah.

Peter Leonard-Morgan: Well, thank you very much. I appreciate that, Michelle. First of all, fantastic event. Really amazing. I was walking down 50 just before it all started and everyone was getting set up and one of our long established

business owners was a little upset because one of the food trucks was right in the way of the viewing that they've had for years and years on Route 50. Very nice about it. But said, you know, we just our clients are invited, we can't see.

Michelle Myers: Sure.

Peter Leonard-Morgan: And the irony was that as I was talking to that person, someone came out of the food truck with a big pan and shoved it down the gutter.

Michelle Myers: Yes.

Peter Leonard-Morgan: I'm hoping it was water. I don't know.

Michelle Myers: Hope so too.

Peter Leonard-Morgan: That wasn't mentioned by that particular business owner, but I saw it. And maybe that's another thing we just focus on as well. But really great otherwise. Thank you.

Michelle Myers: Sure. Yeah. I think if we could have some of the other cross streets maybe closed for food trucks and just eliminate anything on 50, even that far down where Tom or where the Exxon is, I think that was the issue. I'm happy to do that. So I'd be open to your suggestions. I would.

Cindy Pearson: And actually, next to where he was, the next food truck up to was blocking up a private house where they usually had people out front, too. And it wasn't just the truck, food truck, they also had their truck with their supplies.

Michelle Myers: Yeah.

Cindy Pearson: So it was like.

Bridge Littleton: And pop up tents and.

Michelle Myers: Not really big down there.

Cindy Pearson: It did. And that's always concern there because that is private property in that area. And, you know, they would like to be at least spoken to.

Michelle Myers: Yeah, well, I think we should just try to eliminate them all together and then just not have the issue and see what we can do on some of the alternate streets, which I'm happy to do. The last is financials. You did ask for those. So I did give you not only the P&L, but our just overview for 2022. And unfortunately, this is a new computer and my Adobe is not happy, so I can't scroll and read off those numbers. But you can see we did okay on cash flow. We have a little bit left in reserves for the year. We were grateful for the 10,000 that the town gave us. I think that's helping us get a little bit of a jumpstart on next year and I don't think there's any concerns. I think we did much better in terms of making money on the parking and we are going to hopefully engage with someone that'll help us do a little bit of marketing to get some larger sponsors.

Bridge Littleton: Oh, that's great.

Michelle Myers: Yeah.

Cindy Pearson: So how did the parking go down at the barn?

Michelle Myers: At the Middleburg barn Maureen was lovely. She wasn't feeling well. I was hoping to see her last night, but she was lovely. She's offered to have it again next year. She was very supportive. She had no issues. She was happy with the volunteers and the buses. Everything went well until a bus ran into one of her trees and shattered a bunch of the

windows. But even that, she didn't even miss a beat. They got out, they cleaned it up and the bus was returned to service and so everything was fine. So she was very, very understanding and thought it was a great thing to be able to provide for the town. So she was very sweet and will help us again next year.

Peter Leonard-Morgan: I bumped into Maureen in Safeway and she told me exactly that. Yeah, she was very happy to help and can't wait to do it next year.

Michelle Myers: Good. Yeah. So all well. And then I did also include some of the press coverage that we got. I didn't do any formal press releases other than what the town provides. And for whatever reason, we caught a lot of fire. So we got a lot of coverage this year. A ton of good coverage.

Bridge Littleton: Okay, Fire usually means bad.

Michelle Myers: No fire is good.

Bridge Littleton: Okay.

Michelle Myers: We got a lot of we got a lot of eyes on us, which I think was really good. And so I listed all of the publications that we were in by date and what the outreach was. So I think it was all very positive and I got a lot of really nice coverage. There was only a few that were that they interviewed us, but most of people called me and then I had them interview others. So you saw a lot of that in town, hopefully. Okay.

Bridge Littleton: Any questions? Yes, Sir.

Bud Jacobs: I think it was a great event. I think you've, with the exception maybe, of some of the concerns over the food trucks. You handled everything brilliantly, as far as I can tell. However, in the tradition of being the skunk at the garden party, I have to relay some of the concerns that surfaced last month in our Planning Commission meeting. The chairman of the commission is not happy about parking. And when he raised the question, two of our commission members also weighed in. And it suggests that perhaps more the town than you guys need to tweak our parking arrangements a little bit, for example. As I understand it, Chinn Lane was completely closed to parking and it didn't cause concern this year because our commission member who lives on Chinn Lane was at his son's wedding and not at the parade. However, for decades, he's been hosting a big party at his house and his front lawn, and it would not have gone well had he not been able to have his guests park in front of his house, as they've done from time immemorial. So perhaps in the case of Chinn Lane, excuse me, we could leave one side of the street open for parking. That's what we do in Steeplechase. Second point came up. Some of the patrol officers not from our police department, appeared to be inadequately briefed. And in at least one instance on the west side of town relayed to me by Don Woodruff. And I think it might have been a colleague of his at the Hills School was stopped coming into town and not permitted to go to his residence. And this had to be about 5:15. So there was absolutely no reason to. Yeah, in the afternoon. And there as far as I can tell, no reason at all to interfere with this man's freedom of movement in his own town. So we got to we've got to tighten that up. And the chairman mostly didn't like the image that the blanket no parking arrangements on our streets conveyed to people coming to town. And I think it's a fair point. We know what we're trying to achieve by severely limiting parking. Maybe we went just a little too far, maybe next year in consulting with you guys and with you, Shaun, we can figure out a way to do it a little bit better. So we don't upset members of my planning commission.

Bridge Littleton: Let me ask a question so I know the goal well, you know, you want to have parking for people who live here and, you know, so. And their guests and it's Christmas and all that kind of great stuff. I'm almost thinking like you remember we used to have the license plates, right? So that that meant you lived in. I mean, could we have, like, a temporary that day only, you know, on whatever streets we decide if you don't have a sticker or whatever or, you know, so, like, like, like Dev could come and apply for five, right? And no house could apply for more than make up a number. Right. Three or whatever, or one per bedroom or something like that. And you get a one day thing that allows you to park, you know, on the streets we've decided to restrict. But if you don't and you're like somebody coming from wherever and you park there, you know, it's not open to you. So I don't know, but I'm just trying to think of something that that, you know, you don't close the streets, but you reserve it for residents and their guests, not the free for all.

Peter Leonard-Morgan: Yeah. Yeah. On that subject, I'd spoken to the chief the day before when I heard that Chinn Lane was going to be, you know, living on Chinn Lane, he said, Oh, just make sure you park out there early before the signs go out. So I think the idea wasn't that we couldn't park there, and this is where it just needs some nuance perhaps, you know, as because we always have done the same sort of thing where we have a couple of cars parked outside of the house and the couple down the driveway. And so I think the idea was not to stop the resident, but it needs working on but not to stop the residents from parking outside their own house. But it just needs to be a methodology.

Bridge Littleton: I mean, the challenge of that is what if you go and come back at 10:00, then the signs up. And yeah, so I don't know, is that are temporary like fixes like that possible?

Danny Davis: So I will always say there's an opportunity to have a conversation and to see if there are solutions to be made. I do not want to speak for chief or lieutenant, but the level of other logistics going on at the time generally precludes a lot of extra and extraneous items like this. And I think at some point it will need to be a judgment call about how much additional parking are we comfortable with in our neighborhood streets vis a vis how much are we comfortable restricting parking. Now, some of that can be in the verbiage and the signage that could say resident parking only and that be residents and guests. But the challenge is you get into even the enforcement of it all on the day of is nearly impossible. And just to be fully honest is is very, very difficult. So I think that's something Lieutenant and I can connect with. We can debrief on. And Mr. Cooke had contacted me as well about his concern. Primarily his input on Route 50 was why not allow folks to park on West Washington Street? Once you pass Reed Street, it's there is a full lane of on street parking. Now, being able to limit that to people with passes or this or that, again would be difficult. But from a image standpoint and from an opportunity standpoint for people to visit friends or just to have parking available if people want to capture it, I don't think we would see necessarily a significant concern there. Primarily, it was restricted for numbers purposes. But again, that's something we can talk about what that what that means into for next year.

Bud Jacobs: Well, I defer to Shaun, obviously, but as a general principle, I'm kind of against any sort of a complex permitting system. It'll just be a nightmare. It seems to me far simpler would be to identify the streets in town where we might restrict parking to one side of the street, saying that would solve the problem essentially, people could park on the other side would be fine. But it did. I think it's an issue and I think we need to keep talking about.

Peter Leonard-Morgan: On that subject. I did have someone comment that it looked. I don't if the word was ghastly.

Michelle Myers: It looks less than it looks less than friendly. And we took a lot of phone calls. [off mic] We took a lot of phone calls.

Peter Leonard-Morgan: I don't know how else to do it, but that's what was mentioned.

Michelle Myers: Yeah, it looks less than welcoming for sure.

Bridge Littleton: Yeah.

Cindy Pearson: Well, I didn't. But on the certain routes, you have to do it because of the traffic, because it's the detour. So I get that. I mean I get though that part. But the other thing is when you were talking about the church and down around George White's property, the church has done that for years. Had parking in there because their money goes to their missionaries. But I know that coordinating with them so they don't let them out at the wrong times would be really important. And I understand this year it was kind of like [inaudible] they did it at the last minute.

Michelle Myers: Well, the church has never been an issue. They let folks out and they leave [multiple speakers] It's all of those buildings. Yeah, the church has no issue. They direct their folks out of town going back east. And it doesn't it doesn't snarl up anything. So yeah. So yeah, we have no issue with the church. It was just the other retail establishments.

Bridge Littleton: So it's like, you know, [inaudible].

Michelle Myers: And again, we didn't identify who they were. I just think we should talk about a permit or some sort of plan.

Danny Davis: And we've already had that conversation as well with chief and Lieutenant. And to understand that it did create issues and we will try to develop a permit might be a strong word for it, but a strong communication about the expectations and the need for them all to have parking managers on site if they're going to allow parking, and that there are certain times they cannot let people leave the lot. So once you enter, it's you're there till at least 4:00 or whatever.

Bridge Littleton: Any other questions for Mrs. Claus?

Michelle Myers: Thank you all. Okay.

Bridge Littleton: Well, no, I just. I mean, I know you guys do this for the buckets, the buckets of money that you make, but we really appreciate all the hard work and the hard effort. I mean, you know, Jim, you know, got it to a certain point. And you guys have taken it over seamlessly and with every year, Right? There's always something you got to figure out and do a little bit better. But I will absolutely say between last year, which I thought, you know, went off really, really well and this year, you know, went off really, really well. You guys are doing a phenomenal job and it just feels right.

Michelle Myers: It feels nicer. It feels less, less scary and less overwhelming.

Bridge Littleton: Less claustrophobic, almost.

Michelle Myers: Yeah, we're going to keep it at that same size. We're just going to we want to deliver a really nice event that the town starts to cherish and love again.

Bridge Littleton: Yeah, that's awesome. Thank you. Appreciate it.

Michelle Myers: Thanks so much, guys.

Bridge Littleton: Okay, next item here. And I really just want to put this at the beginning. And I you know what? I should have sent you all the letter. I apologize. That was my mistake. So real quickly, I'm sure some of you have seen the letter that was released by the Commonwealth's attorney for Loudoun County to the district and circuit courts at the end of December. I'll send it to you guys tomorrow. Essentially, what the letter said was that because of lack of resources, generally effective January 16th, so this is about ten days ago, the Commonwealth's attorney in Loudoun County will no longer prosecute arrests for certain misdemeanors, such as larceny and any type of speeding infraction or excuse me, any type of vehicular infraction, unless it's driving 90 miles or more or it's alcohol related. And there's a whole list of things in there. But the other one is they will not prosecute any violation of county or town ordinances. So as you guys know, a number of our ordinances have penalty of up to a class one misdemeanor. You know, potentially if you don't comply, a great example would be, oh, I don't know, doing nasty things to our water wastewater, you know, infrastructure. So I am extremely concerned about this. It's larceny is any crime of 1000 or less. We've seen what's happened in San Francisco when they decided not to prosecute larceny. You literally had CVS and now Walgreens have just left the city because people would go in and grab \$800 worth of stuff and walk out and nobody would stop them because they knew the person wouldn't be prosecuted. So there's a lot more to be seen on this. COLT was reached out to by the Board of Supervisors and trying to figure out ways in which the town and the towns and the county could work together to address this. There's a number of ideas. I don't think anything's been thought of or resolved yet, but, you know, the Commonwealth's attorney is independently elected, so she has the unilateral right to choose how she wants to prosecute things and not prosecute things. Now, the county government does set her budget and she makes the budget request, but they're the ones that actually fund it. I will say, and I'll send you all the articles as well. It is a little duplicitous to state that the Commonwealth's attorney doesn't have the budget when they were increased \$400,000 two years ago. So I and the last thing I'll say on this and we can go over, you know, talk about it, the last thing I find just really reprehensible is it was done unilaterally with no prior warning or notice to the towns or the county. You know, if it were me, it would have absolutely been a hey, I'm having a real problem. I need extra resources. This is what's happening. This is what's

happening in the next couple of months. If this doesn't get resolved, I may have to resort to the and see if there's a way to work it out. But no, it was a letter to the judges and the courts, not a letter to the county, not a letter to the towns. I'm just doing this. So I'm really concerned by it. And I think some of us spoken this one about the larceny really concerns me. Is that a dinner bell for crime in Middleburg? Because, you know, you won't get prosecuted under 1000 bucks. So anyway, oh, last thing, if the council is in agreement, I would like to ask the Commonwealth's attorney to come to one of our future meetings and so we can have a discussion about this because it's going to impact Shaun, it's going to impact the chief, it's going to impact the police department and how they effectively police. I mean, part of the letter basically said, Hey, officers, you just take on the prosecution of stuff I don't want to do. I don't know how that works. So anyway, that's my soapbox.

J. Kevin Daly: And when are they up for reelection again?

Bridge Littleton: November. And Shaun, I believe you're she reached out and you guys are having a meeting with her tomorrow. I'm sorry.

Shaun Jones: In reference to this we're actually going to meet with her. She's meeting with law enforcement representatives from all the different agencies within the county. Tomorrow at 11:00. We didn't know anything about the letter as well. It came out on a Friday. And when the media we didn't know anything about it. She didn't even notify the sheriff's office and let them know what was going on as well. So we're going to see what happens and see what the outcome of the meeting tomorrow. Once I'm done, I will notify Mr. Davis and give you guys a report on how that's going to work.

Cindy Pearson: Maybe you could suggest she put it on hold until after November.

Shaun Jones: You know, I mean, just looking at, you know, like, for example, petty larceny, we're going to have to prosecute our own cases, but we're going to make sure that our cases are tight when we go to court, make sure our officers are doing the proper reports and proper documentation so we can have strong, solid cases when we go to court if we have to prosecute our own cases.

Bridge Littleton: I mean, I honestly I don't see how you guys can prosecute your own case. I mean, legally, you can do it. I understand that. But there's a training issue. There's a time issue. There's a you know, yeah. [off mic] Exactly.

Cindy Pearson: It seems like if this county is getting so big and so out of control here because there's so many people and they can't take care of all that's happening. Yes. That there's a different problem here than doing this.

Bridge Littleton: And I think that's why we'd like to have her come in and sort of explain what her future, what you know, what why we're being saddled with this. So anyway. So real quickly, any questions or comments or does anybody have any concern us reaching out to the Commonwealth's attorney and asking her to come speak with us? Okay. Peter? Or do you have a question? [off mic] Yeah. It's always fun in local government. Okay. Next item are staff reports. Stuart are you online? [off mic]

Danny Davis: Could be. He might also be beating his head against a wall. He's been. He's been working. He's been working on the Well 4 plant, and it's still not going terribly well, so. But just for a quick update, we are working on trying to a few different options on Well 4, we're trying to clear out the bottom of these filters that have clogged again. We also next week have a welder boiler company coming to look at actually welding a hatch into the bottom of the filters that would allow us to open them up and then clear them out. Currently, we there's no access to that part of the actual boiler, if you will, or tank. Yeah. Other than that, utility system is running fairly well. And I think the main thing to point out, as you may have noticed on the last page of the utility report is our billed-to-distributed number did not do so well this month or this period. We also beat our heads against the wall for a number of hours looking at the data, trying to figure out, did we miss something? Are we over counting produced water? And we're not quite sure what that is. We don't know if it was a fluke. We don't know if we are doing. We did have that huge water main break on Chestnut Street. We accounted for over 100,000 gallons from that break. But no one really knows what that could have been or how long it was actually going. As an anecdotal, but I think partly exemplifying the issue, the ground storage tank at the Stonewall

treatment plant holds about a quarter million gallons of water. And if the readings were correct between the night of the 30th of November and the day of the 1st of December, the tank lost half of its water. That's unusual to lose that much water in one day.

Bridge Littleton: At night.

Danny Davis: And at night. So was that an issue? Was that leak already beginning that Friday morning or that was actually Thursday? So we're not sure. Again, trying to do some investigations, always hard after the fact to go explore these things. But we'll keep an eye on it. We're going to keep trying to get our numbers back to the 90% range.

Bridge Littleton: Any questions for Stuart? I mean, Danny. The next here is Mr. Davis Special Projects Update.

Danny Davis: A real brief update on the septic conversion project. We have a plumber coming out tomorrow to help us with the one final household. We honestly and this is truthfully cannot figure out at this point if they're on a septic system or if they have a gravity line or if they have a grinder pump.

Bridge Littleton: And the ground penetrating radar try that.

Danny Davis: We're working on that. We're running dye through from a toilet and flushing it down and seeing if it comes out in the manhole. This is a 704.

Bridge Littleton: Terry Milton.

Danny Davis: No, I'm sorry, not 704. I'm so sorry. It's 504 It is. No, no, no, no. This is two doors down from Mr. Monet. So Mr. Monet has the manhole in his front yard next to him is [inaudible]. And then next to her is Carrie. And so we're doing some exploration there, but we'll figure that one out. But that project is making progress. We actually had some good news as Salamander was working on some boring in the future Reed Street area. I don't know if they actually installed it, but they offered to end the trench, lay a conduit for our future force main for the septic conversion project so we don't have to tear up a future street or dig up again. So we're working through that. Then the other update is finalizing all the acceptance of Chinn Court into the VDOT system. So other than that, the rest of it's just on hold or on in progress, but no other significant updates.

Bridge Littleton: Quick question. Water tower? Is that locked in to be done right this year?

Danny Davis: It is not locked in. T-Mobile continues to try to figure out what they're going to do for a temporary tower. I will be sending them a letter probably next week indicating if they fail to move it off by April 1st, we'll terminate their lease.

Bridge Littleton: Are they currently a paying tenant? [off mic] Yeah, they are. Okay. So they're. They're using the infrastructure.

Danny Davis: Oh, yeah. Yeah. What they're actually looking at at this point is using using the Stonewall Tower as their temporary tower. Because that way you don't have to erect an entire new structure. All the issues that go into that. But they have to get the back haul from here to there.

Bridge Littleton: Yeah.

Danny Davis: So it is an option. And I think it's actually not a terrible option. It's just can they actually get that service to the base of the tower? But Sprint used to have antennas up there, so there's plenty of room to go put some temporary antennas.

Bridge Littleton: And by the way, they're the same company. So Sprint should have the backhaul there already.

Danny Davis: And that's what I tried to explain and I'm not quite sure they fully appreciated that. And that turns into the well, that's a different division. [laughter]

Bridge Littleton: Okay. I'm sorry. I just got exhausted.

Danny Davis: Yeah. [off mic]

Peter Leonard-Morgan: So, Danny, what is the plan in terms of forgetting about T-Mobile right now? Is it going to be starting work the day after school's out?

Danny Davis: Pretty much. Pretty much, yes, because and the good news is, if you recall from last year, the first week or two of work was actually the welding to get the support structure so they could actually hang the canopies off. Well, those remained. We did not take those off. So they'll be able to actually more quickly put up the shrouding and then pretty soon get into the blasting of it. So it will not be fun for about a week as they go through that process. Just the noise as we expected.

Bridge Littleton: Oh, Cindy. Go ahead.

Cindy Pearson: Can they not leave the T mobile things up there?

Danny Davis: So in a worst case scenario, we could we would have to have them de energize them because there is or cover them like they did this past year. There's a health risk to having those active. It keeps us from being able to do the project as a whole completely because you're still not getting all the way around where those brackets are connected to the catwalk and that catwalk haven't been up there myself, but what I hear is it's very narrow already. And so as you would have workers trying to work on the catwalk with the antennas, you're just risking damage to the antennas or difficulty in accessing the areas they need to be. So it can be a worst case scenario, but definitely would prefer them to just completely get it off the tower.

J. Kevin Daly: This is a different firm than last year.

Danny Davis: No, sir. So we have a contract with utility services company, and so they're still working on it. And the gentleman who is the contractor for T-Mobile is the same gentleman as well. So they owe us by contract this project. And they recognize the failures of last year and intend to get it done right.

Bridge Littleton: How much of a reduction in price we're going to get because they failed to deliver to the terms.

Danny Davis: I have not attempted to go down that pathway.

Bridge Littleton: We should. The hassle to us. It's a lot of extra time for you guys. Martin what do you think?

Martin Crim: I'd have to look at the contract. I don't know off the top of my head what it said in terms of. I don't know what it said off the top of my head in terms of the [multiple speakers].

Bridge Littleton: 50% reduction. Sounds good to me. That's fair. Anyway, okay.

Danny Davis: They surely did not get to count it in their bottom line for this past calendar year.

Bridge Littleton: One request I'm going to make, you just made me think about it because I want to get ahead of it as opposed to last year. Whoever the right person is, and it may be a person from that company to speak to the health and safety issues. I'm going to ask you guys to give an update to the charter school board at next month's meeting. So that way they can tell the parents what's going on. Here are the dates. Here's how we're going to handle lead based paint, stuff like that. So. Okay. Any other questions for Danny? Okay. Oh, sorry Bud.

Bud Jacobs: If you could arrange scheduling for the work to begin when Council Member Pearson is in her home.
[laughter]

Cindy Pearson: Yes. I was just going to ask for that calendar of the schools closing. [inaudible]

Bridge Littleton: Especially for the noisy part. Yeah. Don't you love how Bud has your back? Yeah. Ok. Next item is consent agenda. Danny, I understand you want to remove the Bowman Contract?

Danny Davis: I do. Yes, sir.

Bridge Littleton: Okay so we will remove the Bowman Contract from this consent agenda. The only thing left is just the approval of the minutes. So is there a motion to approve the minutes from January 12th meeting?

J. Kevin Daly: So moved.

Bud Jacobs: I move we approve the consent agenda as presented.

J. Kevin Daly: Second.

Peter Leonard-Morgan: Okay. A friendly amendment. Removing the [multiple speakers] The Bowman item.

Bridge Littleton: Yeah.

Rhonda North: Yeah. Once it's already removed. It's gone.

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

All of Council: Aye.

Bridge Littleton: Opposed, abstentions? Okay. Danny, you wanted to discuss the Bowman Contract.

Danny Davis: Thank you, Mr. Mayor and Council Members. So, after providing this update to you, we have a couple additional updates. Significantly, we heard from USDA today that our application would not qualify for a grant under their program. And so that is unfortunate because we were expecting we had been led to believe that we would likely or would qualify for at least a portion of the cost being covered by a grant and then the remainder by a loan. We believe the rest of it would still be approved for a loan. Currently, their rates are around 3%, which is still good, but not what it used to be. And they are 40 year loans. And so, you know, it is termed out longer. So your annual payments are much less. Nonetheless, USDA introduces a significant number of complications to a project. Some of those end up adding to the cost. Some of that is time tracking and reporting. And our concern is that the addition of those additional obligations or criteria will cause the costs of the project to continue to exceed what our expectations were. Our original budget for the construction was around \$375,000. Our estimate last April of 2022 was about \$550,000. This is the initial estimate was pre COVID. The estimate I just received a few days ago is nearly \$1,000,000 for the project, which to me is A. completely out of left field. I was not expecting that and B. I do think a bit of that is due to the fact that it is becoming federalized and there are a lot of, again, items that you have to meet under those regulations. So my recommendation and my suggestion strongly is that we take the design of the clear well and the project that is already bid ready and we take that and bid it as a locally funded project, avoid USDA and see where those bids show up and come up with and identify what the real bids come back as a locally funded project and then return to you for consideration of that. If it is at an amount that we believe either we don't have the funding for in our CIP and our utility fund or would not be able to accommodate and need to continue pursuing USDA, then we could cancel that bid process, revise the docs for the USDA requirements, and then do a rebid and then pursue the USDA funding at that time. So as of this time, our only I shouldn't say only, but are only sunk costs for the USDA project are some additional engineering costs that had to go into development of preliminary engineering report and a few other documents. It was about \$36,000. We had, you know, again, hoped to see a pretty significant return by going down this road. But at at this point, if at a minimum, I would ask,

I don't think I need action from Council on this contract tonight. Second of all, I can confer more with Mark our Water Operator as well as our engineering firm in terms of next steps. But in a brief email to them this afternoon, the engineering firm seemed supportive of the suggestion that I've brought forward to you. So I know that's a lot to drop on you last minute. I realize it really just came up in the last few hours, so there's nothing forcing any decisions at this point. And if you'd like, I can get more info and bring it back to you at the next meeting. But again, that's our initial reaction of where we stand with that. And, you know can proceed with that plan if it's supported or we can again bring more info to you at the next meeting if you'd like.

Cindy Pearson: Is Bowman, the company that did this original work?

Danny Davis: Yes, they did the original design of this project. And then we went to them to increase or enhance that design to meet the USDA standards for the design period. And then this contract was actually for all the engineering services during the bid and construction phase in construction management.

Cindy Pearson: Am I wrong? And though this doesn't work, what was done?

Danny Davis: So no, the original design all still works. It was all designed really the design of the program or project itself doesn't change the the actual structure and bones of the clear well and the pumps and the infrastructure. The only thing that we had to have them redo is USDA requires a lot of justification of why a project is needed and why you want their program to fund it. We had to do a very small environmental assessment. We had to outreach to just like similar to the town hall project, we had to do some of the outreach, make sure there are no historic resources, Native American tribes, environmental review and all that. So there were a number of additional steps we had to do, but it didn't actually change the design documents for the project itself.

Bridge Littleton: No, go ahead, Kevin, you were next.

J. Kevin Daly: But I don't know, it seems to me Government bureaucracy being what it is, USDA. I think we ought to go forward with the suggestion for doing it locally and not going up to the federal level. And the cost is going to be less as far as the additional engineering input for to meet so called USDA standards, which are really basically making sure you're crossing your T's, dotting your I's. And some of it, I'm sorry to say, is superfluous to our needs.

Danny Davis: There's a lot of additional oversight they require and again, paperwork and all of that. We're not really guaranteed or certain what will come back if we, you know, bid out the documents today as a locally funded project. My hope is that it comes in much less than \$1,000,000. But at that time, again, that's not a done deal to say we absolutely will go do it. That still has to come through the review, the financing discussion. And then at the end of the day, Council still has to approve any contract. And Council can say, yeah, it's just not worth it at this time, or we might look at it and say, it's ready to go. Let's do this.

Bridge Littleton: Cindy or Peter you had a question?

Peter Leonard-Morgan: So I'm probably a bit confused here. Sorry about that. So it's gone from \$253,000 to a million or am I missing something?

Danny Davis: And I've kind of mixed a couple of different issues. The item in your packet here was just for. [multiple speakers]

J. Kevin Daly: Construction?

Danny Davis: This was just for the full design and engineering. [multiple speakers]. The construction costs are the ones that have seriously ballooned in cost, and that's not part of your agenda packet here.

Peter Leonard-Morgan: And how is that how are we budgeted right now for that?

Danny Davis: So right now it's budgeted in the CIP. It was budgeted under I believe we showed it under either cash or debt financing. I could figure that out. But our I think it was about a year or so ago, maybe a little bit longer, we found that this could be a great project to go through the USDA process for.

Bridge Littleton: And did we do a needs assessment?

Danny Davis: I don't know what you mean by that.

Bridge Littleton: So, like, I mean, you know, I was this a Oh, wow, there's this great USDA program. Let's go or was it a no, we really need this clear well, this is an issue. Here's a problem. Now, let's find what funding sources there are.

Danny Davis: So the clear well has been in the CIP for multiple, multiple years and was already in process before we determined to go down the USDA pathway as a source of financing. So separating out the need of the project in the source of how we pay for it.

Bridge Littleton: Okay.

Peter Leonard-Morgan: So it looks like maybe because of confusion or whatever, we've got some extra costs involved that we can't get back. Obviously, that \$36,000.

Danny Davis: That's correct. That's all that's really all the extra costs at this point we've expended that would potentially be unrecoverable.

Bridge Littleton: Okay. Yeah. I mean, okay. So I would recommend that. [off mic]

Bridge Littleton: What's that?

Peter Leonard-Morgan: Back to drawing board. [off mic]

Bridge Littleton: Well, I mean, what I was going to say is we need to have a refresh. Completely new look at this whole project. I mean, top to bottom. This is not about USDA anymore.

Danny Davis: Yes.

Bridge Littleton: Because the project has now doubled in price.

Danny Davis: Right.

Bridge Littleton: So, a, you know, not feasibility, but a, you know, is this something we should be doing?

Danny Davis: That's correct.

Bridge Littleton: Or are there alternatives? Right. We're not going to do a 64,000 gallon clear well, we're going to do something else because it's more manageable or whatever.

Danny Davis: So and that's a great point. And I think there's a couple things that we could implement in our IFB for this when we go to submit it for bids. One is we can do alternatives and that could be.

Bridge Littleton: So real quick, just interest of time. We don't need to go through it.

Danny Davis: Okay.

Bridge Littleton: Yeah. Yeah. It wasn't a question. Okay. So it was yeah. So. Okay, so you don't need any action from us.

Danny Davis: No.

Bridge Littleton: Okay, good. All right. Next item is. Oh, the multiplier. So let's have our Director of H.R. cover this, Oh, Danny.

Danny Davis: Thank you, Mr. Mayor. I'll try to be brief. I have a detailed memo. Hopefully you've had a chance to look through it. And I had sent this overall information to Council previously. In short, we do not provide this benefit for our officers. It's called the enhanced multiplier. It essentially provides for a greater retirement benefit for law enforcement public safety officers by enhancing increasing the multiplier from a 1.7% to a 1.85%. And that goes into a calculation by VRS based on years of service, average final compensation, and then this multiplier. It's a benefit that's been around for a number of years and many jurisdictions have adopted it to support their law enforcement. I would say that pretty much all of the jurisdictions surrounding Middleburg do offer it. And so when this came up as a consideration, I did reach out to our HR consultants to do not just a benefit analysis, but a total compensation salary and benefit analysis. And I have provided that info to you in an email but also in this memo as an overview. I do want to make one quick note in that analysis there was a statement or at least an overview regarding officers pay for our three patrol officers and that they either lead or significantly exceed the market in pay. And I asked our consultants to do a little additional analysis on that. And the challenge we face here in Middleburg is for our patrol officers, we have one classification. You're just an officer. In most other jurisdictions, you have multiple levels when you're a patrol officer, you might be a patrol officer one when you start, then you go to a patrol officer two and maybe you become a master police officer. At each of those levels you typically and that you may get promoted to those levels by years of service, by certification, by other experience. And at those levels, you get additional pay typically. They compared our officers at just a base level, entry level officer pay. Whereas our officers have between six and ten plus years of experience and so in other jurisdictions likely would be at one or two classifications higher than an entry level police officer.

Cindy Pearson: [off mic].

Bridge Littleton: So does that relate to the enhanced multiplier at all?

Danny Davis: What it relates to is I just want to make sure that as I'm presenting to you, benefits and salary together, that there's no.

Peter Leonard-Morgan: Apples and oranges.

Danny Davis: Well, that there's no concern that certain of our officers are overpaid per se, because I'd heard that from in talking with some Council Members. So I just want [inaudible]. Well, I just want to be clear that we want to make sure we're comparing our officers at an apples to apples level. So I'll leave it that that's only a salary conversation separate from the [multiple speakers].

Bridge Littleton: Which is completely disconnected from the conversation about the enhanced multiplier because the enhanced multiplier is about all officers in the future, not about who's paid what today. So I mean, I, appreciate that. And if we want to have a separate conversation sometime about officers pay and maybe having ranks of officer one, two, three and all that kind of stuff. Absolutely. But this is about a multiplier for every officer no matter what so.

Danny Davis: So just to give my full. [multiple speakers]

Bridge Littleton: At the time of retirement. Right. Exactly.

Danny Davis: Trying to give the full context for the whole total compensation there. So understood. So the request simply is if Council is open to adopting the enhanced multiplier. There is a fiscal impact as noted here. It's approximately \$15,000 per year and then but that amount changes year by year. So happy to answer any questions.

Bridge Littleton: Peter.

Peter Leonard-Morgan: My question is why didn't we already have the enhanced? I thought I thought we had it. I don't know why, but.

Danny Davis: No, and absolutely, that's a great question. I was I believe most everyone thought we already had it. We do have something called the LEO supplement, which is a hazardous duty supplement, which is also an enhanced benefit. And I believe that everyone may have thought at the same time, the Council also adopted the enhanced multiplier. This was probably eight or ten years ago. However, VRS has confirmed to us the town never adopted that. Could be because with the adoption of the hazardous duty supplement, our VRS rates jumped pretty significantly already at that time. And so it may have been a decision that the town didn't have the financial capacity to do so. I don't know. But yeah.

J. Kevin Daly: My recommendation is, is that we correct this oversight or the assumptions we had that were incorrect. And if I may, Mr. Mayor, I move that the Town Council.

Bridge Littleton: Hold on.

J. Kevin Daly: No.

Bridge Littleton: Does anybody else have any questions for Danny?

J. Kevin Daly: I thought we were having more discussion.

Bridge Littleton: No, no, no. I just want make sure I didn't miss any questions on the thing. Okay, Go ahead.

J. Kevin Daly: May I?

Bridge Littleton: Yeah.

J. Kevin Daly: Thank you. I move that the Town Council adopt a resolution for enhance hazardous duty benefits Virginia Retirement System with a retirement multiplier of 1.85% for the Town of Middleburg effective February 1st, 2023.

Peter Leonard-Morgan: Second.

Bridge Littleton: Any discussion?

Cindy Pearson: I do have a quick question.

Bridge Littleton: Yeah.

Cindy Pearson: So just to make it simpler in my brain, this is like a match. If they do 1.85, I mean, is what it is with your retirement funds?

Danny Davis: It's not excuse me, it's not a match per se. It's just simply when they retire, their final salary times years of service will be multiplied by 1.85 instead of 1.7. They don't have to put any additional in.

Bridge Littleton: It's the pension.

Cindy Pearson: So. And you're saying that it's \$15,000 a year. We just have to put that in to be ready for when they retire. So thank you. Okay.

Danny Davis: All of VRS is actuarially developed in the rates that we pay towards it.

Bridge Littleton: Yeah, it's not like a 401(k), it's like an old school pension.

Cindy Pearson: They have to retire to get this.

Danny Davis: That is correct.

Cindy Pearson: Correct. Thank you.

Bridge Littleton: So when Shaun wins the lottery tomorrow and leaves and doesn't actually retire, he ain't getting squat. Yeah.

J. Kevin Daly: He's not going anywhere.

Bridge Littleton: Okay, all those in favor say aye.

All of Council: Aye.

Bridge Littleton: Opposed, abstentions? Okay, next items are ok. Ali. Special events. Review of Special Events. Oh, wait, I'm sorry. Well, it's you and Danny.

Ali MacIntyre: Okay.

Bridge Littleton: But if you'd like him to do all that Economic Development stuff, that's fine.

Ali MacIntyre: No, sorry. I thought he was presenting. I apologize.

Danny Davis: Well, I will briefly present because she was out of the office when I put this together. What I wanted to make sure we did is at least to give an overview of our events from 2022 and just a brief look ahead towards the 2023 events. I will say I don't need to spend a significant amount of time on this. We're here just to answer any questions, really, if you'd like to. I think what you can see is we had a lot of great events. It's good to be able to have these events again after COVID, and we were very successful in them. I believe, across the board we stayed very well within our budgets. I think our budgets were pretty well developed, even though we weren't quite sure how a couple of them were going to turn out being kind of restarts after the pandemic. The Mille Miglia, I do believe we might need to increase that budget in the upcoming budget and I'll bring that to you if I make that recommendation in our budget process. Since the time of publication I have heard, though not formally confirmed, that they do plan to come back. It will be a week later than it was this year. My understanding is it will be the very first weekend of November, but we'll confirm those dates once we actually get that nailed down. So we're happy to answer any questions or go through any of this, if you'd like. At the very end, we've noted two new events the Wellness Fair, which the Cultural and Community Events Committee is taking over from Sustainability Committee, and then the Independence Day Celebrations, which we hope to hold here on July 4th.

Bridge Littleton: Any questions for Danny or Ali?

Ali MacIntyre: I have it pulled up now, so any ask away.

Bridge Littleton: Only question I have, Contingency plan if this isn't ready? Well, you know, I mean, if the green space.

Danny Davis: Yeah. She's running away. [inaudible] Yeah so here's the location of the fireworks.

Bridge Littleton: No, no, I'm not talking about where the fireworks. That's fine. I'm talking about if the Village Green isn't available, where will people congregate? [multiple speakers]

Danny Davis: Understood. And we will talk with Salamander, and we will look at what our various options are.

Bridge Littleton: Okay. So I think just out of prudence, you know, just in case we got to think about Plan B, if the Village Green isn't open yet. Okay. That was the only question I had. [inaudible] Yeah.

Cindy Pearson: For the Wellness Committee or the Wellness Fair, I'd like to just say that I think it would be fair to say to those ladies that not having it this year would be okay, because I know things have kind of got pushed and we don't want to do a last minute and not have it a successful event to please let them know clearly if it has to wait till next year and have it done right, we'd be really okay with that.

Peter Leonard-Morgan: I would support that because I know how much work goes into that event and planning and getting, you know, we're only two months away, I think.

Ali MacIntyre: April 15th is the date. April.

Peter Leonard-Morgan: April. Okay, so three months.

Cindy Pearson: Yeah. So and having too much jammed in together, you know, another year would be fine.

Bridge Littleton: Any questions for Danny or Ali. One question.

Peter Leonard-Morgan: One question. Who's going to go in the dunk tank because the chief will be retired.

Bridge Littleton: AJ's coming back.

Peter Leonard-Morgan: Okay. [multiple speakers]

Ali MacIntyre: I did my time. Peter and I did it last year.

Bridge Littleton: Okay, Ali, you need to stay right there. Farmers Market. There's an update on this.

Ali MacIntyre: Yes. I do you have an update on this? Okay, so I have been having conversations regarding the Farmers Market really for the past year. Where we currently stand we are currently planning to have the current plan is to have it in the new town hall lot. However, I have spoken with a few other businesses in town and do have contingency plans should that not be an option. Additionally, I've spoken with another market organizer, a few market organizers, but the primary one was incredibly helpful. And even though they weren't able to, the initial question was would they be able to really put it on for us? And it just didn't work out. It didn't make sense for them to do it. But they gave me a ton of really helpful information and did offer to consult for a fee. But even with that, gave me advice on what kind of vendors to have, where to source them, process recommendations, all of that kind of stuff. So far, we are planning. Our hope is that we have 20 vendors. I did send out a survey to the previous market vendors that was provided to me by one of the former market managers who has actually given me full access to the social media pages that were originally up that already have a following. So she's made me the admin there for Facebook and Instagram, given me all of the email information for the previous vendors and I sent them out a survey. Only if you filled it out, but those who did, did share that we should that their preferred dates and times were Saturdays from 10:00 a.m. to 1:00 p.m. and the only differed from the recommendation of the other market organizer from 9 a.m. to 1 p.m.. So yeah. And then other than that we will plan on having music, potentially a few food trucks. And then since it will fall in a time where I may be on a hiatus. [inaudible] Yeah. As vacation. [inaudible] We say good enough and for rotating market vendors because since it is primarily a volunteer position, the idea would be to have rotating then a few extra folks that can fill in should somebody be sick or take a vacation or what have you. I've also spoken with the charter school about being one of the market managing groups so we could have the kids element in there where they would actually be, they would run it and they would be more family friendly. Next steps in the next couple of weeks, I would like to do a formal announcement and call the vendors. Review of existing documents and then creation of new documents and processes. And then just start with the marketing strategy because it's May.

Bridge Littleton: Any questions for Ali?

Peter Leonard-Morgan: Pam Jones, who's on the Sustainability Committee, she was very involved. I don't know if you reached out to her or you need to.

Ali MacIntyre: I do [multiple speakers] connected me with. Yes.

Peter Leonard-Morgan: So in case [off mic].

Ali MacIntyre: Thank you and I've gotten even just in my time here so far, a lot of folks have reached out that were previously involved in the market that are just itching to get involved again. So it's been great. People are excited for it to come back. Yeah.

Bridge Littleton: So the plan is for it to start in May.

Ali MacIntyre: That's the goal.

Bridge Littleton: So I think you need to go ahead and plan it. It's not going to be on the Village Green. So you just better go ahead and execute your alternate strategy now. I mean, I do not see how that's going to be available come first week of May.

Ali MacIntyre: So the plan was for it to be at the parking lot.

Bridge Littleton: Yeah. I don't see how you can plan for that to be on. I mean, Danny, correct me if I'm wrong. I mean, I know we're going to talk about this later, but it just go ahead and pull the trigger on the alternate. [multiple speakers]

Cindy Pearson: Options is a good plan.

Ali MacIntyre: Yes. Yeah, absolutely. [laughter]

Bridge Littleton: Yeah. I mean, but no, my point is, if you want to go release stuff in a week or two saying it's going to be at one location and we're 90% certain it's not. Don't even build it towards that. Just build it towards the alternate and, you know, just be safe because the worst thing you want is everybody get excited about one spot and then three weeks later, oh, wait, everybody change. We're going to new location.

Cindy Pearson: And I don't want to be the grumpy old lady here, but you know, with Farmers Markets, if you keep moving them right, you lose it.

Ali MacIntyre: And that's the primary goal here. [multiple speakers]

Cindy Pearson: And I get it. We can't be on the green that it probably isn't, I mean, it's highly likely that that won't happen. So I don't.

Bridge Littleton: [multiple speakers] during the year either.

Cindy Pearson: No, you don't want to do that. So my other question is, is this and I don't even want you to hit me. Is this worth waiting another year to start? I have to say it. [off mic] I have to say it.

Bridge Littleton: I don't care what you do. I'm not going with you.

J. Kevin Daly: First door to your left. [multiple speakers]

Bridge Littleton: I think so, Cindy. I mean, here, I'm going to jump in. I would say this. I mean, talk to all the vendors and the people. Let them know the constraints and what the alternate plan is for location. And if they're still excited and

jazzed to do it, then great. And if everybody feels that's too much of a challenge, okay then if you want to wait a year, wait a year. But you know they'll know best what to deal with. [off mic] Yeah. I guess you're saying we would not be upset if the Farmer's Market community felt that that was the best course of action given the challenges.

Chris Bernard: Our job is to facilitate.

Bridge Littleton: Yes.

Cindy Pearson: And have it successful. You don't want to put it on and have the moves and.

Chris Bernard: I should have.

Ali MacIntyre: Thank you.

Bridge Littleton: All right. Any other questions for Ali? All right. Budget amendment. Thanks Ali.

Tina Staples: I just would like to say to make Ali feel better that I have all the confidence in the world that May the fourth. It's going to be open because it's Star Wars Day. [multiple speakers] And it's a good plan.

Bridge Littleton: But remember, it's supposed to be April 4th. [multiple speakers]

Rhonda North: Mr. Mayor, I'd like to note for the record that Council Member Kirk has joined the meeting online.

Bridge Littleton: Okay, great.

Tina Staples: Hi, Darlene.

Bridge Littleton: Hey, Darlene.

Darlene Kirk: Hey.

Bridge Littleton: All right, Go ahead, Tina.

Tina Staples: Okay. All right. Thank you. So I'm just giving you your revenue updates after the second quarter of the fiscal year. The major categories that we want to focus on are the property taxes, meals tax and occupancy tax, at least at this point. And all of those are up. The occupancy taxes coming in at 1% over the budget and projections, which is just amazing. Meals tax is a little bit higher. However, we're entering the next quarter, which is a slower quarter. So I would recommend kind of seeing what happens at the end of especially since we know there's some other things going on where some of the businesses might be closed for a few weeks for repairs. So it's important to I think, just kind of stay the course and reassess. And I did also include in the back just the first quarter and the second quarter together, if you just want to see comparison. Are there any questions other than my May the fourth prediction?

J. Kevin Daly: Since it's been put out, Salamander is going to be closing for kind of extensive repairs for two weeks. Do you see any impact on from that?

Tina Staples: Yes. Yes, absolutely.

Bridge Littleton: No, They're going to keep paying the regular tax amount even though there's no guests. [off mic] Yeah, right. That's true. Any other questions for Tina? Oh, Tina thank you.

Tina Staples: Okay. Thank you.

Bridge Littleton: All right. Next up is Strategic Initiatives.

Danny Davis: Thank you, Mr. Mayor. As I would like to do, just to bring an update to you quarterly on the strategic initiatives. As you know, we've accomplished many on your list already of notes. You are asking us to continue working on short term rentals. So we've made some updates to that. But also we'll be bringing that back to you in the next month or two with some additional ideas, as we discussed in the last meeting. The two of the items really don't have a direct work program at this time, but are somewhat tied to the third item, which is the Rural Preservation Summit, which is under planning still, as you know, for April 11th. The question before you really comes down to what and how you would like to pursue a review of your strategic plan. And we had talked with the Mayor and Vice Mayor about possibly, you know, into the future looking at the strategic plan as like a two year plan. So subsequent to an election, have the Council meet within the first couple of months of that Council taking office, look and try to establish a plan for the two year period and then again review it quarterly where we stand on projects. But then after one year come back to you with kind of a relook. Maybe it's a freshening up what's been completed and maybe what items need to be moved up the list. And that's kind of how we did it. If you recall, during COVID, you adopted a plan in January of 2020. In March of 2021, we had a fairly brief couple hour session to review what had been accomplished, add an item or two, and then we continued forward with that. So where we stand right now is suggesting that we hold a strategic planning session in the next month or so, if the Council is open to that. And discuss some of the items that have been put on the back burner, Federal Street being one of those big conversations and other items that might be of interest of Council. This probably would not be a full day type discussion, but maybe it's a few hours or a half day type meeting. So that's kind of where we stand. Mr. Mayor, I don't know if there's anything else you'd like.

Bridge Littleton: No, I think that was it, you know, I mean, the idea was, you know, a Strategic Plan is a two year plan. So we have like maybe an overnight offsite every two years right after the election, whenever new Council Members come on. You know, look at what we've done. Set our priorities. That's a two year look ahead and then come back for, like Danny said, a half day the next year, see what we've accomplished, what we're doing. But it's not like a whole rewrite. I mean, I love the fact that we have strategic initiatives, but doing a full redo every year, that's tough, you know, and it's tough for government to get things done in a year. So that's kind of the model. So just, you know, we want to see how everybody thought about that. And we'll take silence as acceptance.

Cindy Pearson: The one question I have is when you do the every two years, do you hit like at some point this Council is going to change because a few of us are getting of age where we need to let some young folks come on here.

Bridge Littleton: Speak for yourself. [laughter]

Cindy Pearson: So I am. Thank you. I'm speaking loudly for myself and probably a couple others around here. [laughter]

Bud Jacobs: Don't point over here.

Cindy Pearson: Probably a couple other people around here. So if you have it on that election year, you know, they're just coming in and they really don't have a clue what to expect or what to, but the older [multiple speakers].

Bridge Littleton: Yeah, I mean, yeah, it's like so, you know, I think a couple of things, right. One, the thing that's really good about us is you only have half the Council seats up every two years. So no matter what, you know, in that next session that half the Council is going to be have been there for the previous ones. And, you know, did that new Council come in because there was the public desire to take new direction. So, you know, and so those strategic initiatives should reflect what that new direction may or may not be. That was kind of the thought.

Danny Davis: And and we've been blessed with a very stable Council for the last few years. But when you introduce new persons in it also is.

Bridge Littleton: Note Martin is shaking his head in the negative.

Martin Crim: I said he's jinxing you. [laughter]

Cindy Pearson: And stable is not a word I'd probably use.

Danny Davis: But when you do have potentially a change in elected officials having that near the beginning of the term. Also if you recall the one we did in January 2020, it wasn't just setting out strategic priorities. It was how do we work together?

Bridge Littleton: Right.

Danny Davis: What is your role as an elected body? What is our role as staff?

Bridge Littleton: And we had the facilitator and all that.

Danny Davis: Yeah, communication and how do we get through issues when we don't agree? And I think that's always helpful, especially when we're introducing new folks.

Peter Leonard-Morgan: [inaudible] Oh, sorry.

J. Kevin Daly: You know, it's team building, but I think every two years because of the rotation that can be occurring, I think it's great to relook, rethink new ideas and build from it.

Peter Leonard-Morgan: But I think even in the off year, we don't want to try and squeeze it all in. I mean, half a day sounds so it's like it's over.

Bridge Littleton: Not set in stone. Yeah, we'll figure out how, but it's not a big off site that we go to [inaudible] and all that stuff.

Peter Leonard-Morgan: Try and rush it either.

Bridge Littleton: No, no, no, no. It's got to be meaningful. Yeah, No, I totally agree. Yeah.

Bud Jacobs: Because Peter loves these [off mic].

Bridge Littleton: I know he likes the free wine. [off mic] Yeah.

Cindy Pearson: We have so much of.

Bridge Littleton: Yeah, exactly. Ok. So, Danny, I think we're all on the same page here. All right, Any information items? All right. We're going into Closed Session. Who wants to read the exciting and fun memo?

J. Kevin Daly: I bet Peter does.

Peter Leonard-Morgan: I move that Council, go into Closed Session as authorized under section 2.2-3711, of the Code of Virginia for one consultation with legal counsel employed by the public body regarding specific legal matters requiring the legal advice of such counsel related to the Town Hall project contract as allowed under subsection A8 two for the discussion of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body relating to the vacation of a town right of way as allowed under subsection A3. And three for the discussion of the performance review of the Town Manager as allowed under subsection A1. I further move the town that the Council thereafter reconvene in Open Session for action as appropriate.

J. Kevin Daly: Second.

Bridge Littleton: All's in favor say aye.

All of Council: Aye.

Bridge Littleton: Opposed abstentions? Okay. We are in Close Session.

Rhonda North: We need to. [off mic]

Bridge Littleton: All right. I ask that Council certify that in the Closed Session just concluded to the best of each member's knowledge, nothing was discussed except the matters matter or matters one specifically identified in the motion, convened in Closed Session, and lawfully permitted to be discussed in a Closed Session under the provisions of the Virginia Freedom of Information Act as cited in the motion. 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.

Bridge Littleton: Yes.

Peter Leonard-Morgan: Yes.

Cindy Pearson: Yes.

J. Kevin Daly: Yes.

Bridge Littleton: Darlene, is that a yes?

Darlene Kirk: Yes.

Bridge Littleton: All right. And with that meeting adjourned.