



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, April 13, 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
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Manager
Martin Crim, Town Attorney
Rhonda S. North, MMC, Town Clerk
William M. Moore, Deputy Town Manager
Tina Staples, Town Treasurer/Director of Finance
Ali MacIntyre, Business Development & Community Partnerships Director
A.J. Panebianco, Chief of Police
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, April 13, 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.

Special Recognition by Loudoun County Board of Supervisors

Resolution – Chief Panebianco

Supervisor Tony Buffington read aloud a resolution that was adopted by the Loudoun County Board of Supervisors recognizing retiring Police Chief A.J. Panebianco for his years of service to the Town of Middleburg. He presented a signed copy to Chief Panebianco.

Special Recognition by Mayor & Council

Council Approval – Resolution of Commendation – Hubert Colbert

Mayor Littleton read the resolution aloud to Mr. Colbert, who appeared during the meeting via Zoom. Following the vote of Council, he presented a signed copy to Cynthia Colbert, Mr. Colbert’s niece.

Councilmember Pearson moved, seconded by Councilmember Daly, that Council adopt a resolution congratulating Hubert Colbert on achieving his 100th birthday milestone on April 19, 2023 and thanking him for his service to the Middleburg community.

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.)

Nancy Leach, of the former Middleburg True Value Hardware Store, wished Mr. Colbert a happy birthday and thanked him for being a part of the Middleburg Hardware Store's family.

Sheila Alzate, Mr. Colbert's daughter, thanked the Council for their recognition of her father.

Public Comment

Commander Gary Nicholson, of Middleburg American Legion Post 295, reported that they were sending seventeen children, consisting of ten girls and seven boys, to the State Boys & Girls Program, where they would learn about state and local governments. He further reported that last month, the American Legion assisted six veterans through their Veterans Helping Veterans Program and noted that they were beginning to see an increase in veterans in need of financial assistance. Mr. Nicholson reviewed the schedule of activities occurring at the American Legion over the next several months, including the election primaries that would be held there in June.

Public Presentation

Strategic Plan – Windy Hill Foundation

Eloise Repezky, Executive Director of the Windy Hill Foundation, advised Council that between 1983 and 2005, the Foundation was run entirely by volunteers and noted that many were still involved in the organization, which demonstrated the belief the community had in Windy Hill. She advised that their mission was to provide safe, decent, affordable low-income housing and to encourage self-improvement and self-sufficiency among their residents. Ms. Repezky reviewed the number of units they owned and their location, which included one hundred and sixteen that were located in Middleburg, that housed two hundred and fifty residents. She noted that they offered direct services to their residents by partnering with local organizations. Ms. Repezky advised that they responded to food and security needs, provided access to educational opportunities, and provided access to employment opportunities. She noted that the Windy Hill Foundation was a philanthropic organization, with 80% of their operating revenues coming from their Annual Giving Program. Ms. Repezky advised that providing a home and network of support was the first steppingstone to stability for low-income families. She thanked the Council for supporting their mission.

Gabrielle Gallegos, President of the Windy Hill Foundation's Board of Directors, reviewed their strategic plan, goals and priorities. She advised that they were confident they could build on the foundation that had been laid over the past forty years to create sustainable housing for the next forty years.

Councilmember Daly noted that people talked with pride when speaking about the organizations in Middleburg, including the Windy Hill Foundation. He advised that they were Middleburg's soul, which was what encouraged him to move to the community. Mr. Daly thanked the Foundation for what they did for the community.

Vice Mayor Leonard-Morgan thanked the Foundation for allowing the community to be involved in their recent clean-up event.

Ms. Repezky advised that they were doing both resident and maintenance surveys to better understand their residents' needs. She reported that they wanted to feel like they were a part of Middleburg and advised that the Foundation would do more frequent programs in the coming months to help achieve this. Ms. Repezky invited the members of Council to join them for their 40th anniversary/fundraising event on May 4th.

Staff Reports

March 2023

Town Treasurer Staples reported that meals tax receipts were down for March and noted that one of the reasons was that some businesses were closed for a couple of weeks in February. She reported that overall, revenues were still above projections. Ms. Staples reminded those present of the Town's utility budget billing program and encouraged anyone who was interested in it to contact her.

Deputy Town Manager Moore reported that the Planning Commission would hold three public hearings during their April meeting, all of which were related to a proposal to locate an inn on Washington Street. He noted that these items would require the approval of the Council. Mr. Moore advised that they involved a zoning text amendment to add inns as a special use in the C-1 District, a special use permit application and a rezoning request for a rear lot that would contain the parking lot for the inn. He reiterated that the Commission would hold their public hearings in April and opined that one or more of the requests may come to the Council in May. In response to a comment from the Council, Mr. Moore advised that in addition to the required legal notices regarding the public hearings, there have been some posts on social media related to the proposal.

Mayor Littleton expressed concern about the optics of considering the zoning text amendment and the special use permit and rezoning applications during the same meeting. He noted that if the zoning text amendment were not approved, the other applications would not move forward.

Business Development & Community Partnerships Director MacIntyre reported that one of the Council's strategic initiatives was completed earlier in the week with the holding of the Loudoun Together Summit. She further reported that one hundred eight-five people bought tickets for the event, with over two hundred people attending, including speakers and sponsors. She announced that as a result of ticket sales, \$4,500 was donated to Seven Loaves. Ms. MacIntyre advised that she was finalizing the details of the Farmers Market and noted that eight vendors would participate, most of which were returning vendors. She reported that the Middleburg Community Charter School would offer an element on the third Saturdays of the month by hosting young entrepreneurs who would participate as vendors. Ms. MacIntyre further reported that a career fair would be held on May 9th at the Middleburg Community Center. She noted that she was preparing for Art in the Burg. Ms. MacIntyre advised that Loudoun County's economic development liaison with the towns would be holding office hours in Middleburg to serve as a business resource while she was on leave.

Mayor Littleton thanked Ms. MacIntyre for her hard work, which made the summit a success.

Town Attorney Crim noted the recent Virginia Supreme Court case that overturned Fairfax's zoning ordinance. He reported that they filed a motion in court to have their case reconsidered and, in the meantime, would re-adopt their zoning ordinance update. In response to an inquiry from the Council, Mr. Crim reported that there had not been a lot of turnover in the make-up of the Fairfax County Board of Supervisors since the zoning ordinance was first adopted.

Chief Panebianco noted that in looking at his past tenure with the Town, the experience that was the most impactful was when Officer Putnam almost lost his life. He announced that Lieutenant Jones was introduced as Middleburg's incoming Police Chief during the recent Northern Virginia Chief's Association meeting and opined that his transition into his new position was going well. Chief Panebianco thanked the Council and Town Manager Davis for their attention to the position. He noted that those employed by the Town of Middleburg were a family.

Lieutenant Jones thanked the Council for the opportunity to serve as Middleburg's next Police Chief. He also thanked Corporal Putnam for his assistance with the Windy Hill clean-up event. Lieutenant Jones reported that the latest Coffee with a Cop, which was co-hosted with the Loudoun County Sheriff's Department, was a success. He noted the upcoming events, including the Cherry Blossom Breast Cancer 5K, the Drug Takeback Day, and the Town Spring Clean-Up event.

Town Hall Project Report

Town Clerk North reported that permanent power had been established to the Town Hall site, which was a major milestone, and noted that low voltage power should be established to the building early next week. She further reported that the curb and asphalt would be removed from the east drive aisle on April 15th and, following the re-staking of the curb's location, it would be re-poured next week. Ms. North advised that grading work continued on the Village Green and noted that the sod would be laid in two weeks and the landscaping planted in three. She reported that the installation of the exterior building trim and columns would begin next week. Ms. North advised that the decorative railing had been installed and only needed to be painted. She reported that the temporary outdoor air unit (OAU) had been connected and would be started next week. Ms. North noted that the permanent OAU was now scheduled to be shipped the end of May, which was a month sooner than anticipated. She reported that the chiller was scheduled to be ready for shipping on April 14th and noted that Downey & Scott requested the contractor look at alternative shipping methods to expedite its receipt. Ms. North reported that the build-out of the mechanical room was complete, with insulation currently being wrapped around the pipes. She advised that with that, the plumbers could now get into the room to install the water heater. Ms. North reported that the wall and floor tile installations were complete in the restrooms, with the exception of two thresholds, and advised that the installation of fixtures had begun. She reported that the cupola was in the production schedule line-up and that the replacement window would be delivered in the morning. Ms. North advised that the transaction windows for the Admin lobby would be installed in two weeks and the one in the Police lobby would be installed in three. She reported that the backflow preventor would be installed tomorrow, which would allow the hydro test to be performed. Ms. North noted that immediately following a successful hydro test, the ceiling close-in inspection would be scheduled, which would then allow the drywall ceiling close-in to begin.

Consent Agenda

- A. Council Approval – March 6, 2023 Strategic Planning Retreat Minutes; March 23, 2023 Regular Meeting Minutes; March 27, 2023 Special Council Meeting Minutes
- B. Council Approval – Acceptance of Donations – Chief Panebianco's Retirement Party

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council adopt the consent agenda as presented.

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.)

Action Item

Council Approval – Award of Contract for Streetscape Consulting Services – South Madison Street

Town Manager Davis reminded Council that one of their strategic initiatives was a comprehensive review of South Madison Street, including its intersection with Federal Street. He reported that the Town of Lovettsville was in the process of doing a similar pedestrian streetscape project and advised that he was able to connect with their consultant – Kimley-Horn. Mr. Davis noted that they also had a contract with Loudoun County and were very involved in VDOT's Smart Scale Grant Program. He advised that in addition to the study, Kimley-Horn would be able to assist the Town in identifying possible grant opportunities. Mr. Davis recommended the award of a contract with Kimley-Horn for the development of four conceptual design options for South Madison Street and the holding of a public meeting on them. He noted that Councilmember Bernard suggested the Economic Development Advisory Committee serve as the lead agency for this project, with the Streetscape Committee also providing assistance. Mr. Davis advised that Kimley-Horn's cost would get the Town to the point of having a document that would be ready for grant submissions. Mr. Davis noted that there was funding available in the budget for this contract.

Mayor Littleton suggested Kimley-Horn not pre-suppose the Town would apply for a specific grant as it was developing the plan options. He noted that they would provide an estimated cost and schedule for each of the four design options and identify whether each option would be open for a grant.

Councilmember Jacobs moved, seconded by Councilmember Bernard, that Council approve a contract with Kimley-Horn, in accordance with the task order for South Madison Street improvements dated March 23, 2023, and upon final approval by the Town Attorney, for developing conceptual options for streetscape improvements to South Madison Street.

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.)

Council Approval – Rate Increase – Refuse & Recycling Contract

Deputy Town Manager Moore reminded Council that the Town entered into a contract with American Disposal in June of 2020. He reported that they requested an 8% rate increase effective July 1st and noted that they have not had an increase since the Town entered into a contract with them. He explained that the contract allowed for administrative approval of rate increases of up to 3%; however, anything above that required Council action. Mr. Moore advised that the contract stipulated the considerations for a rate increase and reported that there was information in the agenda materials on each of those considerations. He noted that the FY '24 Budget anticipated a rate increase. In response to an inquiry from the Council, Mr. Moore advised that there was one year left on the contract and options to renew for additional two-year periods if it were mutually agreeable.

Council noted that the Town would only be obligating itself to one year at the increased cost and that the contract could be recompeted at that time. They further noted that this contract was the result of a consolidated request for proposals that involved most of the towns in Loudoun County. The Council questioned whether the other towns had approved rate increases.

Town Manager Davis reported that a couple of them approved rate increases last year. He advised that all were seeing similar rate increases. Mr. Davis opined that given the world of waste disposal, the Town was grateful to have a company that would still pick up trash.

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Jacobs, that Council approve an 8% rate increase for the refuse and recycling contract with American Disposal Services, Inc. effective July 1, 2023.

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.)

Discussion Items

Request to Allow Vanderpool, Frostick & Nishanian to Represent Middleburg Community Charter School & Middleburg Charitable Foundation

Mayor Littleton noted that the Middleburg Community Charter School and the Middleburg Charitable Foundation needed legal assistance from time to time. He suggested that Vanderpool, Frostick & Nishanian, the Town's law firm, could represent them and advised that if there was a conflict, they would represent the Town, not the other organizations.

Town Attorney Crim explained that the ethics rules for Virginia lawyers provided for two levels of conflict – one that was waivable, in which two clients could agree to let one attorney represent them, and one that was not. He advised that if there was an incident involving court proceedings, his firm could not represent both clients. Mr. Crim explained that in that case, they would have to terminate their representation of the other body. He noted that they were happy to represent all the entities. In response to inquiries from the Council, Mr. Crim confirmed that in the event of a conflict, his firm could recommend another firm to represent the other organization. He noted the duty of loyalty and duty of confidentiality requirements and advised that if his firm were privy to confidential information and the case could not be walled off by having another attorney in his firm represent the other body, his firm must withdraw as the Town's legal counsel.

Council noted that in the past, there had been discussion of transferring the Charter School property to the Town. Town Attorney Crim advised that the Town had no legal interest in the property and noted that there was only talk of transferring it to the Town. Mayor Littleton reviewed the history of that suggestion.

Mayor Littleton questioned whether Council had any concerns about this request. None were raised.

R-2 Zoning District Work Program

Deputy Town Manager Moore reminded Council that during their planning retreat, they discussed the need to consider additional amendments to the R-2 Zoning District regulations. He advised that he developed a work program, which included suggested dates of completion. Mr. Moore reminded Council that they discussed the need to do community outreach and noted that the work plan included that and a proposal for a joint meeting with the Planning Commission. Mr. Moore further noted that the proposed schedule advanced the zoning text amendments at a brisk pace; however, he included some extra time. He advised that the schedule could be compressed further if desired. Mr. Moore opined that the community input would be key.

Councilmember Jacobs, who served as the Council representative on the Planning Commission, advised that the Commission agreed that seeking community input was a critical step and noted the need to balance the rights of the community and the rights of the property owners. He further noted the need for a joint meeting between the Council and Commission. Mr. Jacobs reported that the Commissioners read the minutes from the Council retreat and felt their work was not recognized by the Council during their discussions. He encouraged the Council to remember that committee members were volunteers and opined that it was incumbent on the Council to make sure they felt their work was valued and that they were supported. Mr. Jacobs suggested the need to figure out a way to move forward.

Mayor Littleton agreed and suggested the Council pursue this item diligently and thoughtfully, while considering everyone's efforts, including those that have been done to date.

Vice Mayor Leonard-Morgan expressed disappointment that the Commission did not feel the Council appreciated their work. He advised that he respected the Commission and its work.

Draft Utility Fund Budget – FY '24

Town Manager Davis reported that the only major update to the draft FY '24 Budget was the placement of the Police Department's health insurance costs into their budget, which amounted to a \$107,000 investment in the department. He reminded Council that the public hearings on the FY '24 Budget and the ordinance to increase the water and sewer rates were scheduled for May 11th. Mr. Davis noted that the Council could discuss the budget further after the public hearings. He advised that the budget adoption was scheduled for May 25th and noted that this could be pushed into June if needed.

Town Manager Davis noted that information was included in the agenda packet in response to the Council's request for utility rate comparisons. He reviewed the rate comparisons, which determined that depending on the rate structure used by the locality and the number of tiers in their rate structures, Middleburg's rates could be lower or higher. Mr. Davis advised that Middleburg's rates were generally higher than those in towns that have deferred capital projects; however, he noted that those towns were now having to deal with their deferred maintenance. He reminded Council that Middleburg had made a significant investment in its infrastructure to provide an effective and stable system.

Mayor Littleton noted that utilities systems were capital intensive. He advised that if a locality did not save for its capital needs, it would have to do what Purcellville was now doing – increasing their rates by 50% over the next five years. Mr. Littleton noted that Middleburg slowly increased its rates by 3% annually. He reminded Council that by looking at its system on a long-term basis, the Town was able to obtain great interest rates on its debt.

Town Manager Davis reminded Council of New Gen's presentation on the rate model study that was performed last year. He further reminded them that if they had not approved a rate increase last year, the Utilities Fund would have been operating at a deficit. Mr. Davis recommended that if the Council wished to tap the General Fund reserves for utility-related expenses, it do so for capital projects only. He noted, however, that the desire was for the Utility Fund to be self-sustaining. Mr. Davis reiterated that while Middleburg's utility rates were among the highest in the county, the Town had been pro-active in maintaining its infrastructure, which factored into the rates. He reiterated that most of the localities in the county had not made significant improvements.

In response to inquiries from the Council, Town Manager Davis advised that some towns' base fees did not include any water usage; whereas, Middleburg's included 2,000 gallons. He opined that 40% of Middleburg's residential customers' bills were for the minimum amount. Mr. Davis advised that he could get the Council a more accurate number.

Council suggested this was a long-term strategy discussion.

Town Manager Davis advised that the staff was constantly looking at options and noted that some localities offered different tiers. He reminded Council that if they helped reduce the costs for some customers, it would result in increases for others.

Mayor Littleton noted that the Town incurred fixed costs to operate the system. He advised that if customers conserved in order to use less water, the cost per gallon would have to increase to cover the Town's fixed costs.

Council noted that the Town billed every other month, not every month.

Town Treasurer Staples advised that about one-third of the customers' bills were for the minimum amount. She opined that there would be objections to going to a tiered system, as the businesses were the high-volume users. Ms. Staples advised that other towns charged higher rates for businesses. She noted that Middleburg was the smallest utility out of those in the comparison study; however, it had to maintain the same equipment, which increased the cost per user.

Council inquired as to how much water was being used by the users who were using less than 2,000 gallons per billing cycle.

Town Treasurer Staples advised that some used zero gallons because the houses were empty. She further advised that the remainder were just under 2,000 gallons.

Town Manager Davis reviewed the proposed FY '24 Utilities Fund revenues. He noted that revenues from user fees increased in FY '23 by 6.8% and opined that this was mostly due to increased consumption. Mr. Davis reported that the cell tower lease revenues increased over last year.

Town Manager Davis reviewed the proposed FY '24 Utilities Fund expenditures. He noted that the cost for the IES contract was increasing by 3% and the cost for the tank maintenance contract was increasing by 8%. Mr. Davis advised that the largest change in the budget was for a contract for SCADA services. He reminded Council that these services were previously handled on an ad-hoc support basis and advised that he was proposing to enter into a contract for quarterly maintenance, software updates and support. Mr. Davis explained that this would help IES monitor the treatment plants from different locations. He advised that if the Town decided to allow it to have control capabilities, this would be for the sewer plant only for security reasons. Mr. Davis expressed hope that the cost for chemicals would be less than what was proposed in the draft budget. He reported that inflation was built into the proposed budget. Mr. Davis advised that the remainder of the operating costs were straight forward.

Town Manager Davis reviewed the capital budget for the Utilities Fund. He reminded Council that the Town would solicit bids for the clear well at Well 4 in the next few weeks and advised that he would discuss them with the Council once they were received. He noted that the construction of the clear well was an important component to the operation of the water system. Mr. Davis advised that funding was also included for water main replacements in areas where the Town had experienced significant main breaks.

Councilmember Jacobs requested that Council be provided with a copy of the water recharge study results.

Town Manager Davis advised that it was 95% complete and reported that it confirmed the Town's thoughts regarding the sufficiency of the aquifers to recharge the Town's wells. He noted that he was going to provide more data to the consultant so the charts could be tweaked. Mr. Davis advised that he would share the results with the Council.

Mayor Littleton asked that Council also be provided with a map showing the locations of the water mains and their ages. He advised that he had a pdf version of the 2012 map that included the ages of the mains. Mr. Littleton offered to share it with the staff so it could be updated.

Town Manager Davis reminded Council that the focus of the Master Utilities Plan update was hydrology and the status of the Town's infrastructure.

Request for Grant – Middleburg Community Charter School

Mayor Littleton advised Council that a grant request would be forthcoming from the Middleburg Community Charter School. He explained that the principal needed help and reported that the school signed a contract, in the amount of \$26,000, with Baker Tilly to recruit a Chief Operating Officer. Mr. Littleton advised that the school would like to request a grant from the Town for half the cost of the recruitment. He reminded Council that the grant policy limited the

amount of Town grants to \$5,000 and advised that the Council would have to vote to waive the policy if wished to approve a higher amount. Mr. Littleton suggested that unless there was a concern from the Council, he would ask the Charter School to make a request for whatever amount they wished, with the Council then deciding how much they wished to approve. He advised that the Charter School would move forward with the recruitment regardless of the Council's decision on the grant request. In response to an inquiry from the Council, Mr. Littleton advised that the issues associated with the charter school had been addressed and explained that the purpose of the new position was to keep the school from having future issues. He advised that the County would not provide these services to the Charter School, nor was the school allowed to use the County's financial reporting system. Mr. Littleton confirmed the Charter School could afford to cover the cost of the new position and explained that they were only looking for help with the recruitment costs. He reiterated that the school would do the recruitment regardless of whether the Council approved the grant request.

In response to an inquiry from the Council, Mayor Littleton advised that the Town paid for one hundred percent of the recruiting costs when the principal was recruited. Council noted that this was a similar request.

Information Items

Middleburg Summit

Mayor Littleton thanked the members of Council for attending the event and noted that there were two hundred attendees in total. He reported that the County asked that the presentation on the TDR program idea be given to their Transportation Land Use Committee and the Supervisors who were absent from the summit also asked for it. Mr. Littleton noted the need to do follow-up. He reminded Council that this was an election year for the County and suggested that protecting Western Loudoun County needed to be an election issue that people cared about.

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 (1) 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 an appointment to the Middleburg Sustainability Committee and, (3) for the discussion of an employee project bonus, the latter two items 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.

Council Approval – Glave & Holmes Contract Modification #9

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council authorize the Town Manager to sign Contract Modification #9 with Glave & Holmes, in the amount of \$60,926.50, for the Town Hall Project.

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.)

Council Appointments – Middleburg Sustainability Committee

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council reappoint Ric Woodie, Lynne Kaye, and Falita “Lele” Liles to the Middleburg Sustainability Committee for two-year terms, said terms to expire May 12, 2025.

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 directed the Town Manager to implement the employee project bonus as discussed in the closed session.

There being no further business, Mayor Littleton declared the meeting adjourned at 8:35 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

April 13, 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 meeting to order. First item is 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. All right. Next item is the roll call. Roll call. Oh. [echo]

Danny Davis: Hey, Rhonda. Can you mute yours too, please?

J. Kevin Daly: I'm sorry Bridge, what did you say?

Danny Davis: There we go. All right.

Chris Bernard: Chris Bernard.

Bud Jacobs: Bud Jacobs. Bud Jacobs. Bud Jacobs. [echo] [laughter]

Bridge Littleton: Bridge Littleton.

Peter Leonard-Morgan: Peter Leonard-Morgan.

Cindy Pearson: Cindy Pearson.

J. Kevin Daly: John Kevin Daly.

Danny Davis: Danny Davis, Town Manager.

Martin Crim: Martin Crim, Town Attorney.

Bridge Littleton: Okay, first item here, we have several special recognitions. The first one I'd like to go to is a special recognition from the Loudoun County Board of Supervisors. Here to represent the Board is our County Supervisor, Mr. Tony Buffington. Tony, if you'd like to take the floor, it's over to you.

Tony Buffington: Where do we normally stand?

Bridge Littleton: Right there is fine. Yep.

Tony Buffington: Is this being recorded for this?

Bridge Littleton: It is. And the camera's right up above you and the mikes right next to you.

Tony Buffington: Gotcha. Gotcha. All right, well, these days, I need my glasses to be able to read these. This is a resolution for Chief A.J.. Everybody's going to miss you, Chief A.J.. You were the perfect person for this job and for this town and really for this county and really for all of Virginia, because we know what you do for VACP Virginia Association of Chiefs of Police, and you were President of that and still President of that, correct?

A.J. Panebianco: Immediate past.

Tony Buffington: Immediate Past President. So it just proves that when you have the right guy and a good guy or gal in the position who knows what they're doing, extremely confident and who cares like you. And it seems like we don't have enough chiefs of police. We're just people in general who care, like you care about your job, that you can do anything. Even though he's the Chief of Police.

Automated Message: You have been muted. To unmute yourself, press the star key twice.

Tony Buffington: All right. Even though age Chief A.J. is the Chief of Police of a very small police department, he is a very powerful man in this state and really nationwide. People know who Chief A.J. is. And so you can do big things. And we appreciate you, Chief A.J.. So because of that, the Board of Supervisors, we did a resolution for you. And without further ado, I'll read it. Loudoun County, Virginia Resolution Retirement of Town of Middleburg, Chief of Police A.J. Panebianco. Did I say it right.

A.J. Panebianco: Pane.

Tony Buffington: Panebianco. Whereas I'll just say Chief A.J. [multiple speakers] Whereas Chief A.J. joined Middleburg as Police Chief in 2012. And whereas, Chief A.J. retires after completing a 35 year career of distinguished service, including as chief of Police in Louisa, Warsaw and Buena Vista, that places the needs of the community above his own. And whereas, the Virginia Association of Chiefs of Police elected Chief Panebianco as VACP President of the 2021 to 2022 VACP Executive Board in recognition of his leadership, professionalism and conduct of civility. And whereas, Chief Panebianco helped the Middleburg Police Department transition to a 24/7 police department in 2013, providing constant protection for the citizens and businesses of Middleburg. And whereas, Chief Panebianco has planned for countless events and parades, including the annual Middleburg Christmas Parade, always ensuring the safety of the public and visitors, especially when thousands of people visit Middleburg's historic downtown. And whereas, through his experience and concern for the profession, Chief Panebianco has dedicated untold hours mentoring other chiefs and supporting other departments, helping enhance the standards of policing across all of Virginia. And whereas, by always conducting himself with the utmost professionalism and civility, Chief Panebianco has embodied the ideals of the law enforcement profession and served as an inspiration to all. Now, therefore, be it resolved that the Loudoun County Board of Supervisors recognizes with appreciation Police Chief A.J. Panebianco's 11 years of service to the Middleburg Town and admire his efforts to improve the quality of life for the town's residents within Loudoun County. And it's signed by every member of the Loudoun County Board of Supervisors and it was approved on April 4th, 2023 meeting. And so this is for [inaudible] [applause]. Thank you so much. Wish I had more to give you.

A.J. Panebianco: Thank you.

Tony Buffington: Thanks again. [off mic]

A.J. Panebianco: He's got an android takes [off mic].

Tony Buffington: Thank you, Bridge.

Bridge Littleton: Tony, thank you. We really appreciate it. And thank the Board. All right. Next item here is a Council approval of [inaudible]. It's been a long week. Resolution of Commendation for Herbert Colbert. Am I saying it right or Colbert?

Cindy Pearson: Hubert.

Bridge Littleton: Herbert Colbert. Hubert Colbert, I'm sorry. So I think we have many members of the family here right now. Okay. So if you guys and is he on the Zoom right now? Do we know? I know he you said he was planning to call in. [off mic] Rhonda, are they. I don't want to do this before he's actually logged in.

Danny Davis: Yeah, there's like 11 people on, so let me see. I just need to promote them so they can show their video. So if you are on, you can either use the raise hand function or let us know who you are and we can promote you so you can turn your video on. There's a lot of people here.

Bridge Littleton: Hey, Danny just promote them all.

Danny Davis: I tried earlier, but. [off mic]

Bridge Littleton: Well, that's why I got it wrong. On the agenda, it says, [off mic].

Cindy Pearson: It's been updated.

Bridge Littleton: Yeah. No, but it's correct on the accommodations, right? [off mic]

Danny Davis: I'm working on it. Okay.

Bridge Littleton: Sorry. Hang on one second. We're just trying to set it up so that everybody can see everybody.

Cynthia Colbert: This is Sheila.

Danny Davis: Okay, great. She just joined as a panelist. There we go.

Bridge Littleton: [off mic] Do you have your view set, to?

Danny Davis: Yeah. [off mic] There we go. Hey, there we go.

Bridge Littleton: All right. [applause] Okay, great. So let me read this resolution, first of commendation, and then we will vote and present it to the family. So, Mr. Colbert, welcome. Happy Birthday. Okay. Hopefully they can hear me. All right. Resolution of commendation for for Herbert Colbert for reaching his 100th birthday. Wow. Whereas. {applause}Whereas Herbert Colbert was born on April 19th, 1923, in Bluemont, Virginia, the youngest of five children. And Whereas, Mr. Colbert attended school in a one room schoolhouse in Willisville during grade school, Loudoun Training Center in Leesburg, which was the only high school for African Americans at that time, and Virginia State University until the war broke out, at which time he went to work at the Norfolk Naval Shipyard. And Whereas, upon leaving the Naval shipyard, he moved to Triangle, Virginia and later to Washington, D.C., and in 1967 met and married the love of his life Ruth. And whereas, Mr. Colbert worked for 30 years at the Pentagon as an offset press operator and following his retirement from the Pentagon, worked another five years for federal housing before moving to Middleburg in 1970 with his family. And Whereas, Mr. Colbert then worked for the Middleburg True Value Hardware Store and the Farmers and Merchants Bank as a courier until the early 2000s. And Whereas, Mr. Colbert will celebrate his 100th birthday on April 19th, 2023. And Whereas, the Mayor and Town Council would like to recognize this very important milestone and thank Mr. Colbert for his service to the Middleburg community. Now, therefore, be it resolved that the Mayor and Members of the Town Council of the town of Middleburg congratulate Herbert Colbert on achieving his 100th birthday milestone on April 19th, 2023, and express hope for many more to come. [multiple speakers] Be it further resolved that the Mayor and Members of Town Council express their appreciation to Mr. Colbert for his many contributions to the Middleburg community adopted this 13th day of April 2023. Sir, congratulations. [applause] Now, to make it official, somebody has to make a motion. Cindy.

Cindy Pearson: Cindy. I move that council adopt a resolution congratulating Hubert Colbert on achieving his 100th Birthday milestone on April 19th, 2023, and thanking him for his service to the Middleburg community.

J. Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed, abstentions? Okay. The motion passes. Congratulations, sir. [applause] [inaudible] Darlene would like to say. Darlene would like to stand up and give a solo of Happy Birthday. [laughter]

Danny Davis: Bridge I think you were going to say something.

Bridge Littleton: Yes, please, go ahead.

Danny Davis: No, I thought.

Bridge Littleton: Did they want to say something? Okay. Here you go. So who's going to? Ali are you going to do this? Okay, great. Come on in.

Darlene Kirk: And you can get him too on screen.

Ali McIntyre: Do you mind stepping on over so I can get a picture?

Bridge Littleton: Oh, yeah. Stand by the TV. Yeah, right on in there.

Unknown Speaker: [off mic] the coffee maker.

Bridge Littleton: Yeah, Please do. Yes.

Ali McIntyre: All right. Ready? Perfect.

Bridge Littleton: Awesome. Thank you all so much and God Bless you. Congratulations.

Cynthia Colbert: Thank you.

Bridge Littleton: Thank you very much. There you go.

Cynthia Colbert: Thank you. [multiple speakers]

Darlene Kirk: Congratulations. [applause]

Danny Davis: Yeah. If you'd like to say something. [inaudible]

Hubert Colbert: Thank you. [inaudible]

Bridge Littleton: You're welcome, sir.

Danny Davis: Congrats.

Bridge Littleton: Congratulations. Happy birthday.

Sheila Alzate: Appreciate the recognition.

Cindy Pearson: Can I say something? [off mic]

Bridge Littleton: Sure. Absolutely Cindy go ahead.

Cindy Pearson: Mr. Colbert. We have in the audience today someone you might remember. It's Billy Leach's daughter, Nancy. She is here to tell you happy birthday. So, Nancy, you might have to come up to this table for him to see you.

Bridge Littleton: And face the TV. Okay.

Nancy Leach: Happy Birthday to you. And thank you for being part of our hardware family as well as a really good friend to my family. Good to see you. Happy Birthday. I'm so happy for you. Good to see you. [applause]

Sheila Alzate: [inaudible] you were in the audience he and your dad were such good friends.

Nancy Leach: Yes, they were.

Sheila Alzate: A little girl and running around in the hardware store. Seeing you all. So thank you for that special recognition.

Nancy Leach: I'm glad I could be here.

Sheila Alzate: Hope you and your sister and families are all well. Thank you.

Cindy Pearson: That's awesome.

Bridge Littleton: So just to date myself, that hardware store is where I bought my first cassette tape. [laughter]

Nancy Leach: I babysat for you. [laughter]

Bridge Littleton: And you weren't paid enough.

Bud Jacobs: Now we're doing it.

Danny Davis: Yeah, that was a good one.

Bridge Littleton: Nancy Allen used to say the same thing.

Nancy Leach: Understand. Thank you.

Bridge Littleton: Thank you. Thank you.

Nancy Leach: Really nice. [off mic]

Bridge Littleton: Thank you. Thank you all very much.

Darlene Kirk: Thank you for coming.

Bridge Littleton: Okay. Next item is public comment. If any member of the public would like to address the Town Council, you are now able to do so. If you do, you have three minutes and we will open for public comment. Gary, adjust that to 30 seconds. No.

Gary Nicholson: Good evening, Mr. Mayor. Town Council members. My name is Gary Nicholson. I'm the Post Commander of Middleburg American Legion 295. I just want to give you a quick update on what's been going on. I actually thought wouldn't have much to say until I started writing this down and it just got longer and longer. So really proud. We just had our Boys and Girls Day interviews two weeks ago. As you may know, that's a week long civics program hosted by the American Legion, where they learn all about local and state government. And it's one of our best programs, the American Legion, does. We sent 17 kids this year to to the program, ten girls, seven boys. I mean, we just

completely destroyed our old record of seven last year. And we're just so thrilled that these kids from John Champ, Light Ridge, Pope Paul the Sixth and Freedom High School. So they'll be doing that in June, June 18th to June 24th. And then in two weeks after, we're going to have an awards dinner ceremony. So we just got the invitations for [inaudible] here in town. I'll be sending those out. I'd love to invite each and every one of you to come out. And because what we do is the kids come back and they speak about their experience and what we learned from last year. Some of these kids, it's their first time ever doing public speaking and they just blow it out of the park. These kids are just amazing. Let's see, last month we had six cases of veterans helping veterans. So we're continuing to see an increase in those with financial need. I did talk to Thomas Grant, Loudoun, County veteran Service coordinator. He says it's he doesn't seem to think that it's increasing overall, but he does say some of these problems are cyclical. But it is a concern of ours that we're seeing more cases working with the Vice Mayor right here. We're going to have a Middleburg Sustainability Committee Retreat at the Legion here in May. So we'll be inviting the town, open that up and hope to talk about how to keep Middleburg Green. Mr. Mayor Scouts are doing a 5K for Art in the Burg in May, so I know you have a bum ankle, but I think that's plenty of time for it to recover so you can help get out there and support the scouts on that. [laughter]

Bridge Littleton: I'll let Peter [off mic]. And so how was your time on Council? [laughter]

Gary Nicholson: And then of course with May coming up Memorial Day, you should see us out here and the Poppies out for Remembrance Day. And Safeway is always a big supporter of us. Last year, we were honored to have Joseph Milligan, who was a Vietnam POW Veteran who spent two over 2000 days captured. And he gave a talk over the Legion. So we're hoping to get another talk similar to that partnered with Virginia Piedmont Heritage Area Group. They're going to be giving a talk here in May. The 25th was unfortunately is also a Town Council Meeting day. But they're going to be talking all about the Virginia National Guard and open that up to the public and veterans as well. And I just want to let you know, I'm all set for the June primary elections. I'll be working with you again, Mr. Mayor and the incoming Chief of Police. So probably next week I'll reach out to local businesses and let them know about the parking situation. And I'll reach out to local election groups on the canvassing rules. And I think it should be pretty now that we have some experience under our belt, should be pretty smooth. So thanks again for all your support, especially with our boys and girls state. I hope to see you for the award ceremony there. Thanks so much.

Bridge Littleton: Gary, thank you. Appreciate it. Anybody else wish to address Council? All right. We will close the public comment session and move on to discussion item. Actually, we're going to hold that till the end since Steven's not here, it's his 40th birthday. Like he would be busy with that or anything. So the next item we're going to go to is public presentation from Windy Hill.

Eloise Repezky: Just Peter. This is back here.

Peter Leonard-Morgan: Oh, thank you very much. [off mic]

Eloise Repezky: So thank you, Mayor Bridge and the Middleburg Town Council for the opportunity for me to reintroduce myself and Windy Hill Foundation for those of whom I have not yet met. I'm Eloise Repezky I'm the Executive Director of Windy Hill. I'm joined by Gabrielle Gallegos, our Board President. I will briefly share information about Windy Hill and why I'm proud to have joined this organization. We also provided a presentation for you to review, but we'll not go through each independent slide, but it does provide a lot of detailed information about our strategic plan. As many of you know, or maybe you don't know, six years ago, Will and I moved to Middleburg my husband, Will. We have been so happy to invest in this community and I'm thrilled to have found my place by serving as the new Executive Director of Windy Hill. Over the past four months, I've enjoyed learning about Windy Hill's story, and one of the striking facts that I learned is that this organization was 100% volunteer, led from 1983 until 2005. That is an absolutely stunning fact and demonstrates the care and belief that our community has had in Windy Hill and many of our original board members and volunteers are still actively involved. For those of you who are not familiar with our story from 1981, when Rene Llewellyn first decided to renovate the cottages on Windy Hill Road to now, Windy Hill has evolved, but our mission remains the same. We provide safe, decent, affordable, low income housing and encourage self-improvement and self-sufficiency among our residents. We currently have 310 units in Loudoun and Fauquier counties with 116 of those units in Middleburg, the Plains and Marshall. We have 67 units in Middleburg, 19 in the Plains and 30 in Marshall. These range from 1 to 2 bedroom apartments to three bedroom duplex homes. We have over 250 residents at these 116

core properties in Middleburg, Plains, and Marshall. We are also more than a housing organization. We take care of our residents by offering direct services and partnerships with local organizations. In 2022, we partnered with over 50 local organizations, including churches, schools, food banks and local businesses. And we work with these organizations to respond to food and security needs, access to educational opportunities, employment opportunities and more. Windy Hill Foundation is also heavily dependent on consistent and sustainable philanthropic support. The rents the residents pay make a 20% contribution toward the operating expenses of the foundation. The remaining funding is provided by the Annual Giving Program Grants. Thank you to the Town Council for a grant from 2022 special Events and a modest endowment. As I've gotten to know many of our Windy Hill residents, I've also learned that nearly half of our employed residents work in our local communities. With those living in Middleburg working at common grounds, the Play Room, Safeway, Salamander Market, Upper Crest, the Hill School and more. While their children attend our schools and our camps, our retired residents also comprise of many former horse trainers and long standing community members. It is really in meeting with our residents that I can see how unique Windy Hill is and how Windy Hill succeeds because of community support and vice versa. Windy Hill was founded locally and has steadily maintained through local fundraising support. It is also this connection to our neighborhood that allows us to serve our residents who are members of this community while providing a safe, decent place to live is our mission. Providing a home and network of support is the first stepping stone to stability for many who are low income. I've become intimately familiar with the needs for local affordable housing. 1 in 5 seniors cannot afford to stay in Loudoun and 45% of Loudoun renters are spending more than 30% of their monthly income on housing. I'm truly honored to be in this role and to invest in our community through Windy Hill, and I'm proud to tell you our story. Thank you as well. Again, to the Town Council for being a consistent and generous supporter of our mission. I'll now pass it off to Gabrielle Gallegos to talk about our strategic plan.

Gabrielle Gallegos: Thank you, Eloise. I moved to the Plains in 2018, and I Windy Hill was one of the first organizations I heard about. And I was immediately drawn to it because of prior volunteer work I've done within the foster care community. And I realized how incredibly important stable housing is to stabilizing families. I joined the Windy Hill board in 2021, and we started drafting our strategic plan in 2022 with our 40th anniversary coming up, along with the retirement of longtime executive director and board member; 25 years, I think, or more, Bob Dale, and with a wonderful new executive director coming on board. This was the perfect time to take some stock of ourselves and write that strategic plan. So over several months of discussions and visioning, the board reaffirmed the Foundation's core values and clarified our goals over a five year time horizon with a commitment to periodically review and update the plan. So first, and in many ways, most importantly, our first strategic priority is to provide safe, quality, well maintained and stable, affordable and low income housing in and around Middleburg, Marshall, and the Plains. We are laser focused on maintaining and enhancing our current properties. We are expanding maintenance staff and looking at developing more efficient maintenance processes. In addition, in 2022, we performed a reserve study that evaluated long term maintenance needs. The foundation is investing in capital improvements needed now and creating a fund to address capital maintenance over the next 20 years. Two other quick points that are sometimes we're sometimes asked about and the plan clarified. First, Windy Hill housing is meant to be stable, potentially long term housing for residents. This it's not transitional housing in this area. There simply isn't a mid-level housing stock for many of our residents to transition into. That said, we certainly support and encourage residents who wish to find the resources to, you know, to buy homes. And we're very interested in partnering with organizations like Habitat for Humanity. Second, the foundation's focus is Middleburg, the Plains, and Marshall. We do have two properties in eastern Loudoun County, and we will maintain our commitments to those residents for as long as we are involved with those properties. But if and hopefully when we expand, it will be here in this area. Housing, as always mentioned, is a critical foundation for our residents and we'd like to help them build on that base. So our second strategic priority is to provide services that best support residents to meet their stated needs. Our residents span a large range of income and occupations, so the needs can be immediate, like assistance with rent, utilities, food, transportation, emergency expenses like car repairs or an illness. Support can also address aspirational goals like education for both children and adults, financial planning, community and cultural engagement and working toward home ownership. Our goal is to empower our residents to chart their own course, and we gather input on how we can help through routine direct communication with residents and other forms of continuous feedback and engagement between residents and Windy Hill. We also constantly research and review best practices and strategies in the services arena so that we can best focus our resources. In order to meet our first two priorities, Windy Hill needs a strong organization with the right staff and a solid team culture. So our third priority is to strengthen our organizational infrastructure. Right now we are not fully staffed, so we're in the process of hiring with resident services support as our first priority. We'll then look at staff to support fundraising, communications and property management. In

order to do all of this, we need to generate charitable giving because, as Eloise noted and your presentation sets out, the properties don't fully support all of the maintenance and services needed or the operations of the foundation. So last but not least, our fourth priority is to develop and implement a comprehensive plan to sustainably fund the foundation's core mission now and into the future. Like everyone Windy Hill is facing increased costs for everything from maintenance to salaries to all of the services that we engage with. This year we've done a deep dive on our budget and we realize that we need to significantly increase the amount of money we have traditionally raised, not only for this year but for the foreseeable future. Fortunately, we're on track to do that with a plan that engages both long term Windy Hill supporters. And we are so, so very lucky to have such a deep and wonderful and generous bench of those supporters. But also we're focusing on broadening our donor base to the next generation, new arrivals in our community and businesses with related interests. We have a strong board that includes a great fundraising team along with committed, skilled and energetic staff. We're confident we can build on the foundation laid over these last 40 years to create sustainable housing for the next 40. Thank you.

Bridge Littleton: Thank you. Thank you. Anybody have any questions or comments?

J. Kevin Daly: I'll make it.

Bridge Littleton: Yeah.

J. Kevin Daly: It's been about 2000. Year 2000, I came out to Middleburg. I was still on active duty and I attended a church in Middleburg and I was greeted and I felt how friendly the Town of Middleburg was. And you can see this beautiful scenery all around Middleburg. But what you don't see is the soul and the depth of what Middleburg is. And I learned that at the church and from talking to other people in the town and they talked with a sense of pride of Windy Hill, Seven Loaves, basically the foundation of all moral religions, neighbors loving neighbors, neighbors taking care of neighbors. It wasn't the scenery that led me to make Middleburg my home. It was that soul of Middleburg. And I thank you and the soul of the town for what you offer for your neighbors.

Bridge Littleton: Yeah, yeah Peter.

Peter Leonard-Morgan: Thanks for letting us become involved with the clean up last weekend. That was a lot of fun, and I thought the best photograph was Corporal Putnam almost falling in the river. [laughter] This young man helping him out.

J. Kevin Daly: It was just me I wondering who it was.

Peter Leonard-Morgan: It was you.

Eloise Repeczky: We discreetly added it to social media. It wasn't front and center. [multiple speakers]

Bridge Littleton: Kevin. It wasn't gray hair. It was white hair.

Peter Leonard-Morgan: It was really super. And, you know, obviously anymore support you need from us, we're here.

Eloise Repeczky: Thank you.

Peter Leonard-Morgan: As a committee, the Sustainability Committee, and also as the Council, of course. And I hope the Panera Bread program starts up again because I was there today, funny enough, thinking about that.

Eloise Repeczky: That's great. Now, the other thing I wanted to say is that we've been very busy over the past couple of months and we've done a resident survey and then a maintenance survey for our properties as well. And then we're going to go to all the different units to really understand what their needs are. But we are in a rebuilding phase. And one of the things the survey told us about the residents is that they want to feel like they're really a part of Middleburg. They want to feel that they're a part of Marshall. They want to feel that they're a part of the Plains. So this past weekend was that first,

you know, welcome to the community come and we did a great potluck afterwards. And so we're looking forward to having some of those more frequent programs in the coming months. So we'll be sure to invite everyone. And the last item I'll say is we are celebrating our 40th. We were incorporated in 1983. So we invite all of you to join us on May 4th from 6 to 8 at Salamander. There's a suggested donation of \$100, but we're really trying to make this a fundraiser to reengage our community again, to bring people into the story, to understand where we are, who you are, to help your neighbors. So we hope that you can join us and attend.

Bridge Littleton: What time?

Eloise Repeczky: 6 to 8 p.m..

Bridge Littleton: On the fourth?

Eloise Repeczky: Yes. 40th on the fourth. Yes.

Bridge Littleton: I love it. Thank you.

Eloise Repeczky: Thank you.

Bridge Littleton: Gabrielle, Eloise, thank you all so much. Okay. Next up is staff reports. Rhonda.

Rhonda North: I have nothing to report Mr. Mayor, beyond what's in my written report.

Bridge Littleton: Anybody have any questions for Rhonda? Okay. Next one is Tina.

Tina Staples: Hello. [off mic] I just have a couple of comments. You have my report. I just wanted to point out that the meals tax income that was taken in in March is down a little bit than what was expected. But that was to be thought of because of the businesses that were closed in February for a couple of weeks. So when the meals tax are paid and collected in March, it is reflecting of the February actions that happen then. So but even with all that said, are we're still above our projections and our actuals. So that's a good sign. We didn't take a dip. The other revenue is kind of helping everything stay moving upwards and onwards, which is a good thing. And then secondly, just I know we're going to talk about the utility fund in a little bit, but I don't know if I would have a chance to get this out when we're talking about the budget and the rates and everything. I just wanted to make sure that the residents know that we do have budget billing options for them, for people that find that their bills are much higher in the summer or winter or vice versa, and it's hard for them to adjust or budget to the ups and downs from the seasons that we do have options that would average their bills and then they would just pay the average bill and that we reassess it every six months and adjust it up or down as necessary. So if anyone is interested in that, I would ask that they contact my office and I'd be happy to go through it with them.

Bridge Littleton: Cool. Anything else? Anybody have any other questions for Tina? Speak now or forever hold your peace. All right, Tina, thank you. Thank you. Okay. Next is Will.

Will Moore: Thank you, Mayor.

Bridge Littleton: [multiple speakers] I mean, Will.

Will Moore: You have my report? One thing I would highlight from the report, under the heading of Planning Commission, there are three public hearings that are taking place at the commission meeting later this month on April 24th. All are interrelated to a potential proposal to convert the former Washington Fine Properties office in the 200 block of East Washington Street to an Inn. So there are numerous things that would be necessary. Numerous Council approvals and then approvals of other Committees and Commissions. One of those, the first, which is a zoning text amendment to add the use to that zoning district to C1, and then it would be added as a special use. And if that were approved and there's an accompanying special use permit, the rear lot, if you're familiar with that property, is that they're two separate

lots. The rear is a parking lot that supported that office use. It would also have to be rezoned to C1 because it's currently a non-conforming use as within a residential zone as a commercial parking lot. So many moving parts there. The Commission is going to again hold the hearings on those items later this month. You may see one or more of those applications coming forward to you next month. They are going to evaluate the special use and rezoning applications and we'll see their comfort level. But they have already initiated the zoning text amendment. So I would anticipate that will be at a minimum, will be coming forward to you. So I wanted to give you a heads up so we don't potentially dump three of these on you next month without warning. Of course, Mr. Jacobs has been involved in those discussions, but wanted to give you a heads up on that. But happy to answer any question about that or any other items in my report.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Thanks, Will, out of interest, have you had many phone calls about that? Because I know that the signs are up on both Washington Street and Marshall Street.

Will Moore: Yeah, not many 2 or 3 maybe phone calls. There is a post that made its way onto social media where somebody simply saw the sign and asked, What's going on here? There are a few comments I would characterize them as all positive on that post, but not a lot of feedback to this point. We do in addition to the public hearing signs and the advertisements that the legal advertisements that must run in the paper, we also for these type of applications send out direct mailers to directly adjoining properties and properties across the street. So there'll be a dozen and a half folks who are getting direct mailers. Those have gone out within the last couple of days. Yep.

Peter Leonard-Morgan: Yeah. So great. Thank you for that.

Will Moore: Yes, sir.

Bridge Littleton: Anybody have any other questions for Will? So, Will I have one question? Well I guess what I just want it's a concern and I know you and I talked about it, but I just wanted to state it publicly. And I know you talked to Terry, so he's the chair. From a public optics perspective, I do have a concern that the zoning text amendment and then the applications right behind it. You know, I just hope it doesn't create the appearance that, oh, the zoning text amendment is baked. That's why this guy's got his application ten minutes later. So because if I want to I want to make sure I understand it right, if the Planning Commission said no to the zoning text amendment, then the special use application right after it would be moot.

Will Moore: Correct.

Bridge Littleton: Okay. All right. All right. I got it. Okay. That's important. So I don't want people to take it. I just want people to make the assumption that, you know, the second, you know, because if the zoning text amendment doesn't happen, then.

Peter Leonard-Morgan: Right.

Bridge Littleton: Yeah. Even though it's on the agenda, you know, So it could actually be superseded. Yeah. Okay. All right, Good. Any other questions for Will's report? Once. Twice. Okay. Oh, Who is next?

Danny Davis: Mr. Mayor, just a reminder that Ms. Macintyre had a verbal report today, so. [off mic]

Bridge Littleton: Well, I mean, you know, without that appropriate notice, I don't know. Ali Please, go ahead.

Cindy Pearson: You better get it quick. [laughter]

Bridge Littleton: Exactly.

Chris Bernard: Don't stop. Don't laugh.

Bridge Littleton: Cindy anything could happen.

Ali McIntyre: Oh, gosh, yes. That'll probably be in A.J.'s report. Okay. So, yes, my apologies for not submitting my report, but I am happy to share that we did complete one of our strategic initiatives on Tuesday. Attendance ended up being 185 registered. That doesn't include speakers, sponsors. I think it was well over 200 that actually participated, which was fabulous. I've been getting great feedback from attendees, sponsors and our community partners that participated and even some that weren't there. We've been getting lots of calls. And then most excited to report that the event, the \$25 donation raised over \$4,500 for Seven Loaves. And [inaudible] to share. She was incredibly grateful. So yeah. The farmer's market is on track. We're finalizing the market manager details as well as the volunteers. As of right now, we have about eight vendors that have applied, so have a meeting scheduled for April 26th just to get everybody squared away, make sure that they have all their documentation and just, you know, walk them over to show them where their spots will be and give them the floor plan and all that good stuff. But the majority of the vendors have participated in the previous market, so they're really excited about that. And then additionally, and this was announced as Biz Buzz, but the Middleburg Charter School will actually be having an element on the third Saturday of every month where they're young entrepreneurs will be participating as vendors as well. So the farmer's market is on their property. So that'll be good. The Middleburg Career Fair has been moved to May 9th, but it will still be held at the Middleburg Community Center. So working with them and MBPA and then Loudoun Workforce Center, as well as the Department of Economic Development for Loudoun County to get all of that squared away in the event I am not present. Same with Art in the Burg. We're exactly a month away from Art in the Burg and while my attendance is to be determined, we've been having weekly meetings to prepare our Arts Council and Event Management team. And then finally, our liaison from Loudoun County Economic Development, K.C. Tregoning, will be starting office hours, which she does with all of the towns. She's bringing it here. And I'm working with MBPA to make sure that that happens even while I'm out for a little while to serve as a resource to our Middleburg businesses. So she'll see anywhere from 4 to 6 businesses a day. So we just need to finalize location and she'll just share about the various resources. That's all. Any questions?

Bridge Littleton: Any questions for Ali?

Peter Leonard-Morgan: Thank you. I missed that thing that made the Fifth. Is it in the fifth? No. There's something of the community center. Is that the?

Ali McIntyre: May the 9th? That's Middleburg Career Fair.

Peter Leonard-Morgan: Oh, Career Fair.

Ali McIntyre: [multiple speakers] Scheduled for the 27th so a little bit more time to.

Peter Leonard-Morgan: Thank you.

Bridge Littleton: Any other questions for Ali? All right. So I just want to take a moment to thank Ali for all of her incredible hard work helping make Tuesday a real success. So, Ali, thank you very much. You did a great job.

Bud Jacobs: Bravo. [applause].

Ali McIntyre: Thank you.

Bridge Littleton: All right. Next is Mr. Crim.

Martin Crim: Thank you, Mayor. The only update I have to the report in front of you. Is this on? Okay. Is with regard to the Berry case out of Fairfax invalidating their zoning ordinance, the county of Fairfax has filed a notice with the Supreme Court of Virginia that they will file a motion to reconsider. So we will see where that leads. But at this time, they are also moving forward on a parallel track to re-adopt, the zoning ordinance known as Z Mod at a meeting in May.

So they're going to have a public hearing by the Planning Commission first week of May. And I think it's the second week of May that the scheduled vote is for re-adopting Z mod.

Bridge Littleton: Any questions for Martin? Chris.

Chris Bernard: What's the Supervisors [off mic] since they had that vote?

Martin Crim: The supervisors what? [off mic]. Is Fairfax? Oh, you put me on the spot. I think it's eight. Eight.

Chris Bernard: [off mic]

Martin Crim: How many of them were what? [off mic] There's not a lot of turnover. I think it's yeah, No, it's an interesting situation that they find themselves in. Yeah.

Bridge Littleton: Any other questions for Martin? All right. Thank you. Next up is town. Yeah.

Darlene Kirk: [off mic]

Danny Davis: That was my fault, I interrupted. [off mic]

Bridge Littleton: Where? Oh, okay. Well, A.J., I know we don't want to cheat you of any additional moments. You have until the end of April. [laughter]

A.J. Panebianco: Exactly. Just go on. Take that timer off your desk. [laughter] No.

Bridge Littleton: And A.J., thank you for your comments. Moving on to.

A.J. Panebianco: No, you got [inaudible] addressed the report itself but I wanted to say a couple of things. First, Happy Birthday, Mav. It's Mav's birthday [applause] and I'm not giving a speech, but I kind of wanted to. When we started talking about Mark Putnam falling in the water six years ago, an two days, Mark died. And so just amazing that he's still here to fall in the water. So, you know, when you start getting close to retirement, you start looking at different things that happen. And that was probably the most impactful police career experience that I had and just great that he's still here. So that was just it just popped in my mind when you did that. Shaun just an update on where we're at. Shaun was introduced to the Northern Virginia Chiefs Association as the new chief coming in, made some good contacts there and also to the academy as well. He attended the meeting. Wednesday, Wednesday. And other than that, his transition is going really well. What's great about his transition is that he's been transitioning for two years. So he has a huge head start, but the department is excited about it. And I've just had overwhelmingly number of positive comments from the community. So I want to thank you guys for diligently looking into this. Danny, thank you so much for the care and attention that you gave for this position. And it appears that it's going to be well received and they expect a lot. [laughter] And I will tell you, just in working here, some of the things that just make it so fun is that, you know, we joke, we get along real well. And for 11 years, I was undefeated on April Fools and I'm not going to say who, but they're sitting right there. They finally got me. So it just makes the step out even so much better to know that everybody is such a family here. And it just everything is so great. But you guys finally got me. So I had to say that in a Council meeting. [laughter] Now, if you want to talk official stuff, new Chief, go ahead.

Shaun Jones: First of all, I'd like to say.

Bridge Littleton: Grab the mic.

Shaun Jones: So first of all, I'd like to say thank you for the opportunity. I'm excited about becoming your upcoming new Police Chief, and I'm really grateful and humble. And once again, thank you for the opportunity. Just a few updates of things that we have going on. I'd like to publicly thank Corporal Putnam for attending the Windy Hill Cleanup on Saturday. No one sent pictures of him falling in the water, though.

Bridge Littleton: So it was actually Kevin pushing him into the water.

Shaun Jones: Okay. [laughter] So if you have pictures, that would be great. Also on the way, we had a Coffee with a Cop event Monday with Loudoun County Sheriff's Office. Thank everyone for coming out. It was a very good, successful event. It was very well attended. This Sunday, we're going to have the 5K Cherry Blossom Race, so we'll be out for that. April 22nd from 10 a.m. to 2 p.m. will be in front of the current town hall for Drug Take Back. We'll be participating with Loudoun County Sheriff's Office and other law enforcement agencies across the country as their spring date. And then also April 29th, we will be participating with the Sustainability Committee with our annual spring cleanup. We will have officers out to help support that event as well. Any questions, comments or concerns? [off mic] 10 a.m. to 2 p.m..

Bridge Littleton: And what time is it for the cleanup on the 20th?

Peter Leonard-Morgan: 8 PM.

Shaun Jones: Yes.

Bridge Littleton: So right in the middle of Arbor Day?

Peter Leonard-Morgan: Yeah, it is literally, well, Arbor Day is right in the middle of the cleanup. [laughter] Technically it's 9:00 you see.

Bud Jacobs: Isn't that race. [multiple speakers]

Chris Bernard: Arbor Day is like off the calendar.

Bridge Littleton: No weekend before, 22nd is the spring races. Okay. All right.

Shaun Jones: Thank you.

Bridge Littleton: Thanks, Shaun. All right. Next item we've got here is Town Hall Project report. Oh, Rhonda, Rhonda.

Rhonda North: Thank you, Mr. Mayor. I am excited to report that we now have permanent power established to the site. That is a major milestone for us. We do anticipate having the low voltage power established in the building either Monday or Tuesday of next week. As you know, we've had some issues in the East Drive aisle. That curb has been removed and we anticipate the asphalt will be removed on Saturday. The surveyor will be on site tomorrow to restake the curb and the new curb will be repoured next week. The grading continues in the village green. We anticipate sod will be laid in two weeks and that plantings will begin in three weeks. The installation of the exterior building trim and the exterior columns on the porches will also begin next week. The decorative railing installation on the retaining walls is complete, and that just now needs to be painted. The temporary OAU unit, which is your HVAC unit, essentially has been connected. And we do think that that will be commissioned on Wednesday. Once the commissioning is completed then they'll start that unit up. We did receive notice today that the permanent OAU unit is scheduled to be shipped at the end of May, which is a little sooner than we had originally anticipated. The chiller is scheduled to be out of fabrication tomorrow. Downey and Scott has asked Cooper to look into an alternative shipping method. Currently, it's anticipated if it ships via ship that it will be 4 to 6 weeks on the ship and then another two weeks to clear customs. So we're looking to see if there's an alternative shipping method that would cut that time down just a little bit. In the mechanical room the piping has passed inspection and is now in the process of being insulated. And with that, the plumber can get into the room and start installing the hot water heater. In the restrooms the tile installation both floor and wall is complete with the exception of two thresholds and the fixtures are now being installed. The Cupola is in the production line up schedule. So hopefully we'll have a cupola here in the next couple of months. The window that needed to be replaced will be received tomorrow and installed. That will allow the EIFS to be completed and the painters will then finish painting out all the window trim. On the inside the transaction windows will be installed in two weeks, with the exception of the

bullet resistant window in the police lobby that will be installed in three weeks. The backflow preventer should be installed tomorrow, which will allow us to do the hydro testing on Monday. Assuming that hydro testing passes inspection, the ceiling close in will then be that inspection will then be done. And assuming that passes, then they'll start closing in the ceilings. So lots of things are happening right now with the town hall project.

Bridge Littleton: Any questions for Rhonda? Okay, Rhonda, thank you. Okay. Any reports from Town Committees. All right. Consent Agenda. Would anybody like to have anything removed from the consent agenda?

Peter Leonard-Morgan: I'll make a motion.

Bridge Littleton: Yeah. Motion, please.

Peter Leonard-Morgan: I move that council accept the consent agenda as presented.

Bud Jacobs: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed, abstentions? Okay. Next item is Council approval for award of a contract for Streetscape Consultant Services for South Madison. I believe this is Daniel.

Danny Davis: Thank you, Mr. Mayor and Council Members. One of your strategic initiatives identified in March was to conduct a comprehensive review of South Madison Street to improve commercial vitality and safety, and specifically to look at options for how to address the sidewalk issues. Also visibility that might be lighting street trees and other items to help improve not only that block, but also the intersection at Federal Street. Shortly after our strategic retreat, I was speaking with the Town Manager of Lovettsville who indicated they had have received and been awarded approximately \$9 Million dollars in smart scale funding from VDOT for pedestrian and streetscape improvements. And a light bulb went off in my head and said, How did you do that? And he connected me with their consultant who had taken them through a very similar process. And so the consultant is Kimley-Horn. They have an ongoing on call task order contract with the county. They are very involved in the smart scale process. They know the process well and how to also help localities create the information needed to apply for not only smart scale grants, but other grants that might be out there. So the proposal before you would be to work with Kimley-Horn on developing four conceptual design options, then to take that to a public meeting and meet with, you know, the business community, but the general public as well. And then to narrow that down to one design option, preferred option that would be brought to a level that could then be taken forward to a variety of grant applications. They also do provide additional grant application support in terms of actually writing the grants for us, which I think is a good use of a little bit of money. And so I strongly recommend that we use Kimley-Horn based on their past experience and success. I would note that in speaking with Council Member Bernard and also just discussions of these issues, I would suggest to Council that the Economic Development Advisory Committee kind of be the lead agency on this strategic initiative, if council is okay with that. We obviously want to engage the Streetscape Committee because that's a portion of this falls within their purview and it's not to leave out any other committee, but we are talking about economic vitality and enhancement of our infrastructure to improve not only safety but also our business community. So if there's no objection, we would engage more directly in some of these conversations, perhaps have a presentation at one of the EDAC meetings and input. But again, these are public meetings. So any, you know, any other advisory body or member of the public are welcome to attend. With all that Mr. Mayor, I would say, as noted here, the proposal is provided to you. The contract amount would be \$25,500 to get us to the point of having a document ready to submit for grant applications and then per support per grant would be between 2 and \$4000. We have sufficient funding in our current budget as well as next year's budget under consulting and engineering. So happy to answer any questions if you have any and thank you.

Bridge Littleton: Any questions? So my only question was this. And I and I think we've laid it out this way, but I just want to make sure everyone's on the same page. So we're going to engage Kimley-Horn to do this work, community

outreach, business outreach, and say, what do we want to do to South Madison Street to make it a better, you know? [off mic] Right. But we're not presupposing that there are any grants for it.

Danny Davis: Correct?

Bridge Littleton: Right. So it will be, hey, this is what we want to do. Now, let's see if there's grants that fit and there might not be any. And if they're not, then we've got a different funding question. But if there are grant opportunities, then we can engage Kimley-Horn to help us with that.

Danny Davis: That's correct.

Bridge Littleton: Okay.

Bridge Littleton: And they'll be able to give us a rough estimate of time and cost for each of the options presented to us. And they may also be able to tell us, well, you know, this type of solution may or may not be as open to receiving a grant as if you did this instead. They have that experience.

Bridge Littleton: No, that's perfect. Okay. Thanks. Okay. You don't need anything from us right now?

Danny Davis: I do need a draft motion.

Bridge Littleton: Okay. Bud.

Bud Jacobs: I move that town council approve a contract with Kimley-Horn in accordance with the Task Order for South Madison Street Improvements dated March 23rd, 2023. And upon final approval by the Town Attorney for developing conceptual options for streetscape improvements to South Madison Street.

Chris Bernard: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed, abstentions? Okay. Next item here is rate increase for refuse and recycling contract. Will.

Will Moore: Thank you, Mr. Mayor. You have the report in front of you. Just a brief synopsis of we've been with American since our contract began in June 2020. They are requesting a or planning a requested 8% increase effective July 1st. So that would have gotten us through at that point three full years with without a prior increase. I say without a prior increase. We had a miscommunication last fall where they just started billing us extra without going through the process, but they quickly corrected that and credited the one month that they billed as in excess back. So no issue, but they are requesting an 8% increase. The the contract allows administrative approval of up to a 3% increase. But anything above that does have to come to council. The contract also stipulates the the considerations that should come into play with the rate increase and specifically calls out the disposal costs which are tipping fees are referred to at landfill and or recycling centers, fuel cost and the CPI you and I gave gave you some numbers in the report that reflect the increases in each of those since the contract began, with commercial tipping fees going up 10%, the fuel on average up 75% still at this point, and the CPI is increased by 17% in that same time. And as noted in the report, we did anticipate a rate increase based on our prior discussions with them and the draft general fund budget that you would have reviewed would already cover the cost of this increase if you were to approve it.

Bridge Littleton: Any questions for Will? We'll remind me real quickly, when does this contract run its course?

Will Moore: So the initial term of the contract would run through one additional year. So through through the end of June of 2024 with options to renew for two year periods at that point in time if it's mutually agreeable.

Bridge Littleton: So the contract runs through July 1st of next year, and then we have an option for a two year extension.

Will Moore: I believe two years, correct? I'll confirm that. But we do have the option for an extension

Bridge Littleton: Or we could say no thanks, we want to recompetite it. Okay. So we're only committing ourselves to this 8% for one full year.

Will Moore: That's correct. Okay.

Bridge Littleton: All right. Yeah.

Peter Leonard-Morgan: Um, if I'm not mistaken, this was the contract that was agreed with almost all the seven towns, right?

Will Moore: Most of the towns. Correct.

Peter Leonard-Morgan: So I'm just I mean, I'm just curious, do you think this is obviously across the board with other towns? I mean, it seems to me that 8% is not unfair under seeing, what you've written here. But just curious if you know anything about it is it the contract the contract was sort of agreed on an economic scale, isn't it, that we had more. More towns involved. If that's the right description.

Will Moore: Similar.

Bridge Littleton: It was a base contract that they said we offer the same terms to everybody. But then each town had to negotiate their own final deal and their own final.

Will Moore: Correct. So our contract is independent of anyone else's.

Bridge Littleton: Do you know, did they go to the other has other towns been giving them raises at all?

Will Moore: I know that they have been requested I think and Danny can share some additional information, but I think there have been some small hiccups, kind of like there was with us last year with them not fully reading the contract, correct?

Danny Davis: Yeah. And I believe that was the case in one town. I do believe a couple other towns allowed or acknowledged approved the rate increases last year. So I think they were seeing 5 to 8% for this past calendar year, whereas after we kind of challenged the process that they went through, we just didn't see a rate increase. So everyone's seeing though, similar rate increases. And and I would say in the world of waste disposal, you know, we're grateful to have a company that still picks up trash. Okay.

Bridge Littleton: Uh, yeah. If you want to.

Peter Leonard-Morgan: Make a move, I move that council approve an 8% rate increase for the refuse and recycling contract with American Disposal Services Inc effective July the 1st, 2023.

Bud Jacobs: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed. Abstentions. Okay. Next item is Oh Lord request to allow Vanderpool, Frostick and those guys to represent the Middleburg Community Charter School and the Middleburg Charitable Foundation. So this is just a quick discussion item. So Martin and his firm represents the town, the Middleburg Community Charter School. You know, we're in need of having somebody on call for legal issues as needed from time to time. I think Martin and his team would be great. The board feels Martin and his team would be great. Also, the Middleburg Charitable Foundation would like to have representation. So the issue here is and then Martin By all means, you as well jump in. Martin can represent all three organizations. There may be times from time to time it's something that there is a conflict of interest, meaning like, I don't know what it could be, but let's say something comes up where the town is going to be adverse to the charter school or to the charitable foundation can't represent both. So I think the standing position would be he would always represent the town. And in those cases, he would not be able to represent the charter school or the charitable foundation. But it has to be approved by all the clients.

Martin Crim: Yes, sir. That's basically it. The you know, the one thing that could come up for example, would be if the charter school was alleged to have a zoning violation, that would be a clear conflict of interest. I wouldn't be able to represent the charter school in that situation. And if it went to court, then that would that would be a more serious level of conflict. So the ethics rules for Virginia lawyers basically give you two levels of conflict. One is a waivable conflict, whereas obvious that although their interests may differ, the two clients can agree to let one attorney represent them. If you know the there's no apparent serious conflict I'll just summarize it that way. And the other level of conflict is if you're in court, one, you can't be on both sides of the V, I can't be a plaintiff and a defendant, so that would be an unlikely event of that happening. Then that would be obvious conflict situation where we would have to terminate representation of the other body. So that's the request here. I think it's I'm happy to serve. I think it's a good way to to meet the community's needs if there's ever any conflict, if either of those bodies, the charter school or the charitable foundation were to decide that they don't like the conflict for any reason, then they're always free to get another attorney. It's not like, you know, it's terminable at will. The relationship is terminable at will. Yes, ma'am.

Darlene Kirk: We had a charitable foundation meeting this week, and one of the concerns with this was, would you recommend be able to recommend another attorney or another firm that could take the place of your your firm if there was a conflict?

Martin Crim: Yeah, I mean, it depends on what the need is. But, you know, if we come to that Bridge, that would be part of our I'm sorry if we come to that. If we come to that Ford, we'll cross it the, you know. It's always a possibility. In short. [multiple speakers]

Bridge Littleton: Yeah. Anybody have any questions or concerns?

Chris Bernard: I Just a question. Yeah. So just to be clear, if there was ever some sort of situation with, let's say, the charter school. You would obviously wouldn't be able to represent them, but you would still be able to represent us even though you had had a relationship with them in the past.

Martin Crim: So dig it a little deeper. There's two issues with regard to conflict of interest. One is with regard to the duty of loyalty, and the other is with regard to the duty of confidentiality. So with the duty of loyalty, if we set it out in advance that this is what's going to happen, then that's what happens. Everybody's understanding that going in. This is we're doing this as an accommodation in part for the school. The duty of confidentiality is not so easily waived, however. So if I have confidential information from in this situation, we're hypothetically we're talking about the charitable foundation. I mean, the charter school, then either if it's legally permissible, ethically permissible to wall me off from the person who's actually handling it on behalf of the town, that's that that's one way to handle it. If that's not possible, then there's a risk that I would have to the whole firm would have to withdraw. So, you know, we're talking about hypotheticals on top of hypotheticals.

Cindy Pearson: Yeah. Now I'm pulling this out of my brain, so if it's not correct, please tell me. But when the Middleburg Elementary was closing at that time, they were talking about the property could go back to the town. No. Am I wrong on that?

Bridge Littleton: It is owned by the county. It is not town property. It is. It is owned by. It's owned by the school board.

Martin Crim: There was some discussion about transferring it to the town. That's what it was. No legal obligation. The town has no legal interest in the property from a real estate point of view.

Cindy Pearson: Okay, so there's nothing there that.

Bridge Littleton: And if you remember, this was a couple years ago. I think it was right before COVID there were those couple school board members who were on the charter school subcommittee who hated the charter school, who tried to indirectly get it closed by provisioning it back to the county for sale and that, you know, but I mean, it wasn't anything to do with the town. You know, you might be remembering that, too. That was boy, that was something else. Okay. Sorry. You made that memory come up. And I was just I started to get a twitch. Okay. Any other questions or concerns? No. Okay. Thanks, Martin. I appreciate it. Okay. Next item here is the R-2 district work program. Yeah.

Danny Davis: That'll go to Mr. Moore.

Bridge Littleton: Oh, I'm sorry.

Will Moore: But your name is on the agenda next to it.

Bridge Littleton: Hey, Danny, from now on and I'm serious. Whoever it is, the name goes first. So I let you guys work it out. But whoever's name is first is the one who's leading it. So, Danny, over to you. [laughter] Will.

Will Moore: Thank you, Mr. Mayor. Members of council, obviously, this was a key item of discussion at your strategic Planning review meeting in early March. So we have developed a work program. You see it on the second page of the report with some key goal dates for that work program. The two big things that I want to highlight within the work program were one thing that was discussed and I think there was consensus on supporting was that whatever regulatory amendments we might propose, that we need to have a more proactive outreach for community input this time around. So we're proposing as part of this work program to host a community meeting. We would of course need to find the correct venue for that. For that, it might be the community center or something like that that would hold a number of people and then subsequent to that community meeting, but prior to the commission holding a hearing and making a recommendation to you and backing up quickly, this is envisioned as council initiating the amendment, but you still must refer it to the Commission for hearing and recommendation after the community meeting, but before the Commission hearing and recommendation that we would propose a joint meeting between the Commission and Council to discuss everything. So discuss where how we got to this point, discuss what is being proposed, discuss the community input from that particular meeting, and then at that point in time maybe decide from what you initiated and had been advanced to that point. Are there any tweaks necessary before the Commission would conduct a hearing and send it back to you with their recommendation? So those are the two big things that I wanted to highlight in the in the work program. This does have it moving forward at a fairly brisk pace, but and we can certainly adjust that if necessary. But I have built in a little bit of time. We could have compressed it further, but I think this is as quickly as we would want to advance it. And again, I think that community input meeting is going to be a key part once we really hear from people and we're going to be very proactive in the way that we reach out to folks to make sure word gets out about that.

Bridge Littleton: Awesome. Anybody have any questions for Will?

Bud Jacobs: I have a couple of comments. The two recommendations or the two points that Will has highlighted are extremely important. The commission agreed, I think almost unanimously that seeking further input from the community on this was really a critical step. Not that we haven't done that, but perhaps it's a situation where you can't do it enough given the different equities that are involved. And by that I mean trying to balance the community's interests with the interests and rights of individual property owners. The second point is the joint meeting with the Planning Commission and the Council. Many of my colleagues on the Planning Commission read the notes of our strategic planning session rather closely. And the minutes, as you all well know, are a bit like emails. Sometimes there are connotations that are presented that actually don't represent what we were thinking at the time we had the discussion on R-2 zoning at the

strategic planning session. I have to tell you that some of the commissioners felt that the amount of hard work they had already put into this issue was not recognized by the council or perhaps not explicitly called out enough in our discussions. We all need to remember, I think, that people who serve not only on the Planning Commission, but all of our other citizens advisory commissions are volunteers and it's incumbent upon us, I think, as elected officials, to make certain that they understand how much we value their work and support it. And that's why the second recommendation, the joint meeting, I think is very important after we've received the community input, that we all sit down together and try to figure out what the way ahead is going to look like for this issue.

Bridge Littleton: Yeah, Bud, number one, I totally agree. I think you're absolutely right. And it's got to be done diligently, thoughtfully and with considering the entire waterfront of not just the equities, but the effort that's been put in up to date.

Peter Leonard-Morgan: I wanted to say actually, thank you very much for mentioning that, because as someone who watches every single meeting, I'm a sick man, but I certainly see the work that goes into it. And I would hate for any of our committees to feel that we don't really respect what they do. And turning to the minutes, I think Rhonda does an amazing job with the minutes, but I did see some of my comments. It felt they were like out of context. You know, they were they weren't quite what I thought I said, and maybe I did. But, you know, it is hard. And that's why it's so great that these meetings are on camera. And you can actually see what people are saying and talking about and how much they're delving into these really complicated issues. So please pass that on as well. That, you know, I know we all totally respect the committees and that particular commission is amazing. The work that goes into it, the seriousness and the thought. And I really appreciate it.

Bud Jacobs: Thank you.

Bridge Littleton: You know, the funny thing is that's the one meeting we've had in how many years? It actually wasn't recorded. Yeah, because we were at Hills School. I mean, Rhonda is probably rusty on taking minutes. [multiple speakers] Yeah, well, you know, I said it when she wasn't here. Hold on. I think Rhonda was about to say something. Yes, Rhonda.

Will Moore: She heard that?

Rhonda North: I just said I heard that.

Bridge Littleton: Damn, I should have put it on mute. Okay. No, that's great. Thank you. All right, next item here is water sewer rate analysis.

Danny Davis: Thank you, Mr. Mayor. And this is an opportunity to go through a couple of different items. One is to discuss the water and sewer utility rates for the town of Middleburg based on council's request, but also to briefly start walking through the utility fund as just a budget discussion. Before getting into that, just as noted here, the only major update that we have for you is as discussed at the last meeting, we will pull out, separate out the health insurance costs for the police department and show that as a separate line item, just so we can clearly demonstrate the investment being made in our police. And that number here is shown as almost \$107,000 in costs for health insurance. Also, just on a schedule note, we will have a public hearing on the budget at your May 11th meeting. That will be both on the budget as well as utility rate increases. And those advertisements will go out in the paper next week and the following week. We don't have any other updates on the general fund at this time and to date really have not had any other significant changes. But following the public hearing, we can have further follow up or final discussions on the general fund as desired, and the goal would be to seek adoption on May 25th. But we could also push that into June if council would like additional time. So moving on to the utility fund and my thanks to Tina for putting, I think, 31 iterations of this presentation together because we wanted to try to present it as succinctly and helpful, most helpful as possible. But council's question was where do our utility rates, water and sewer rates compare to the other towns here in Loudoun County? First of all, we provided some background information on the towns themselves. Number of connections, number of in town and out of town, connections. You will see Interestingly, Hamilton and Round Hill are reversed, right? They have 36 to 40% in town and the majority of their customers are actually not residents.

Bridge Littleton: And I thought Mayor Ramsey's comment on Tuesday was great. He said, I'm a utility district masquerading as a town. Yeah.

Danny Davis: It is very much true. That's the majority of their time and the majority of their budget is in the utility fund. What that also means, though, is by state statute and also in practice, many towns charge an additional rate or amount for out of town residents versus in town residents. Interesting Round Hill is not one of those I do believe. I do believe they are reviewing that and are working on changing that. At one point, if you recall, they were actually looking at bringing most of those homes into the town limits and that fell flat. So I do think they are going to look at trying to increase their rates, but also increase their out of town rates. So the we provided you a lot of information, a couple of different formats. We provided you a number of bar charts. We also provided you the raw numbers in a table format at the very end. So those who like numbers will jump to the end. For those who like graphs, we'll walk through this with you. The in town and out of town differences is helpful just to see how it compares, but that's probably not the most impactful numbers that are here. So I would take you to the first slide. That's blue and green says Minimum water sewer bill Residential users. This would be for our customers. Your minimum bill is 2000 gallons per per two months. We bill bi-monthly. So even if you use just 50 gallons, you're charged a minimum of 2000 gallons. You'll see that in this instance, Middleburg is the highest in terms of water and sewer rates. Currently, that's at \$76 every two months is your minimum bill. You can see relatively what the other numbers are. But as you move down to the next tier at 8500 gallons, which again, every household is different, averages differ. But this is, you know, a family of 4 or 5, perhaps you'll see that while our rates are again higher than some, we're actually lower than others, particularly Hamilton in this case. Then the next slide shows the same amount, but for out of town residents and you'll see again, we're lower here. I would caution, though, we have no out of town sewer users and we have six out of town water users. So in our instance, this, you know, it's an informational piece for you but not as necessary. We then decide to look at okay, as we get into our commercial district and commercial users, how do we compare you'll see here that at 30,000 gallon level, we are lower than both Purcellville and Hamilton. Purcellville has a reverse tiered structure. The more water you use, the more expensive it gets. And they have 17 tiers. I believe they may have shrunk that down to 4 or 9, maybe nine tiers, but it had been 17 at one point, primarily was hitting the high school. But that's another story.

Bridge Littleton: Gee, I wonder who pays for that.

Danny Davis: Yeah. And then we also provided you for large scale customers. These would be heavy restaurants or other uses at a 100,000 gallons every two months. This shows you the comparison between us and again, Purcellville and Hamilton being higher amounts with Lovettsville and Round Hill being lower. The the numbers on the actual table, you'll see the relative percentage difference, whether it's higher or lower and by what percentage. All in all, I think it's important to say, yes, we are our utility rates are in general higher than the other towns. I would also let you know that a number of these other towns have deferred a significant number of major projects and major efforts. Round Hill over the past two years has had to expend \$3 million in essentially emergency repairs due to significant issues. And they are just now going out to deal with the debt and the costs of those. And they have a significant amount of projects on the table ahead of them to whereas, you know, thanks to the Council over many, many years prior to my time even, there's been a significant investment in the infrastructure here. And while things still, you know, break and need ongoing repairs, there's been a conscious effort to really invest in the utility system to help it be as effective and stable as possible. So this is a.

Bridge Littleton: [off mic]

Danny Davis: It as proposed as as proposed, not adopted by council, but as proposed water was 5% and sewer was 9% per year for the next five years. So every year for the next five years.

Bridge Littleton: Yes, sir. No. Yes, it is. You know what I think it's important, right? Is is that this stuff is capital intensive. It's big plants. It's big machinery. It's expensive stuff. And if you don't save money, you know, and and what what I think we've always been trying to do is avoid having to do things like this to citizens and to businesses where all of a sudden, you know, when when things were not easy, but when it was, you know, sort of the market was okay and stable, not taking advantage of that. And now literally with what Purcellville is facing is within five years their rates going up almost 50%. And it's just you know and we're able to stay at 3% a year because we were able to save in the

right times and invest and and the debt we got you know I mean interest rates are now seven plus or minus and we got our debt when it was three. And yeah, so but you got to look long term.

Cindy Pearson: It's kind of thanks to previous council members looking at that and working with the company.

Bridge Littleton: Yeah. What was the name of that company.

Danny Davis: So it was MSFG, now it's NewGen Strategies and, and that's actually the I provided that presentation after this analysis. And, and there are two important pages I think to point out. Well maybe three but on their study it's page five of their presentation or 141 in the combined agenda, they'll say, and this is from last year because we brought them in last year, if we did not change our rates last year, they provided the analysis of our anticipated expenses over the upcoming six, seven years and our revenues. And it shows a deficit every single year, which means we're tapping into reserves to pay our bills. Two slides down, they show the same slide. But then if we do steady 3% increases per year, you'll see that we actually do. Based on some capital expenditures, we actually might have to tap into some reserves for capital costs, but then we stabilize in out years and future years, and we actually then our revenues are exceeding our expenditures. And that's where you want to be. You want to have a fund that is self-sustaining and is not reliant upon either using reserves or grants from the general fund. And so that's an important slide, I think, in this conversation. And then they also provided some comparison to other towns and utility authorities throughout the Commonwealth. Again, we're one of the highest and that's acknowledged. I do think that Mr. [Inaudible] last year also made the same inputs that Middleburg has has been very proactive and planning for the future and making sure that we are able to replace pumps when pumps break, replace lines when lines break, and so that does factor into this. And most of these other localities listed here have not made as significant of investments in their systems. So I think right now, stop real quick and see if there are other questions or comments before we go on to the actual budget proposal.

Bridge Littleton: Yeah. I was going to say, you know, it's like your house pay for it when when you know up front it's going to be a lot cheaper than if you wait because then it's going to be really expensive. Okay. Yeah. Anybody have any questions or input? I mean, you're on the utility committee.

Peter Leonard-Morgan: Yes, I am. And I do have a question. I think it's answered on one of these pages, but it's good to talk about it. How many residents do we think we have who use under 2000 gallons? Because, you know, I've always wondered about this issue with paying a lot more to and they're trying to conserve anyway. You know, this is and what other towns do do a minimum like that.

Danny Davis: Sure. And towns all have their own approaches to how they charge a minimum. Some towns have a set user fee and it's just a base fee of 15 or 30 or \$40. And that's just tacked on whether you use one gallon or a million gallons. And that's kind of the same effect that we do by charging a minimum, you know, usage, if you will. We just base it on that 2000 gallon number. So different localities approach that different ways. Tina, do you know off the top of your head, I recall when we did the COVID utility grant, I want to say somewhere around 40% of our customers were under were essentially at the minimum, bill. I believe it's a fair number, which surprising, again, aging population, 1 or 2 people in the home, not using a significant amount of water. We can we can go back and find that. We also we issued a credit of up to \$200 and I think it was 60% or so were at \$200 per bill or less, but we could go find that information.

Peter Leonard-Morgan: That's great. No, I'm not expecting it. Maybe it's something that's a longer term strategy discussion, you know, to really Eric, for example, would be great at helping us with that. Maybe we stay where we are, but maybe there's a there's an issue there. [off mic] Well, not so much that really I'm thinking about folks who are really trying to minimize their water use. Based on trying to minimize their bill when in fact, you know, it's not always working out that way.

Danny Davis: Sure. Sure. We're happy to keep looking at a variety of options know as as we go through. Should we consider tiers a tiered structure at the low level? Right. For the minimum usage? But then that's going to hit higher users harder. There's always winners and losers in that.

Bridge Littleton: That's the that's the perverse dynamic about conservation, right? I mean, conservation is a good thing, right? It's like the power grid, right? Well, it's a fixed cost to have that infrastructure. So if everybody's using less, you're going to pay more per gallon or per kilowatt hour because the system is the same cost. Yeah, exactly. That's that's the hard part, right? You want to conserve, but then okay, then there's a cost that does that. So yeah, well actually saying that you're using less, you probably have to pay the same amount because it's just a fixed cost. So yeah, it's a pain in the butt.

Cindy Pearson: And remember that this is every two months. It's not every month. So.

Bridge Littleton: Sure. Okay. Any other questions for Danny on that part of the presentation? Oh, Tina, yeah.

Tina Staples: Just I just wanted to add to what he said. I think that probably a quarter or a third of the customers do pay the minimum bill. So I think he's right about on with that level. I think a tiered rate structure, you would get a lot of kickback from that because a lot of our business users are high volume users. Some of the other towns also charge a different fee for corporate users for business accounts that is higher than the residential. That's always an option, but it will definitely get you some kickback for that, too. We're also the smallest utility service out of all of the comparatives that we looked at. So we still have to maintain the same amount of equipment that they do. So that's why our [off mic]

Chris Bernard: So I have a quick question probably for you. So if 25 to 33% of the people are below or at the minimum, like how far below are they coming in at like 19, 180 gallons? Or are there people that, you know, 1000 or 1200, you know, are they way under?

Tina Staples: There are you'll get a percentage that are zero usage, right? Because they're empty a lot or it's vacation homes. But those people still have to pay the minimum because that's a requirement. And then the rest of them are, you're all right under two thousand.

Chris Bernard: So they'd only be saving that tiny Yeah. A little little delta between. Okay. Yeah.

Bridge Littleton: Okay.

Danny Davis: So with that, just a brief reminder of our utility fund budget, which is again attached at the end of this item. You'll see the user fees for water and sewer as a quick reminder for council and also for the public. While it's showing a 6.8% change, that's because we've actually seen consumption patterns increase. We saw what we thought was going to be a dip in current fiscal year, post COVID and all that. We've actually seen an increase in the current year. So we're accounting for increase in consumption patterns and the 3% rate increase we've accounted for the the rate increases on our cell tower leases. And again, reminder that that Sprint's lease was canceled about a year ago. So we do have some increases there in our revenues. Moving into the operating expenses as noted, our operations contract with IES has a 3% escalator. So that's an ongoing cost. Our tank maintenance contract is under a fixed schedule and so that's 8%, but a fairly minimal cost increase. The big change that we have here is a proposal as for SCADA support services, these are the communications between all of our plants and our wells and it's a pretty intense server and communication system as I think I mentioned in our my budget presentation, this is all currently done on an ad hoc tech support basis. If something goes down, if we have an issue, we call out a company and we pay straight rates for that. Our desire and I think best practice would be that we have a company that does quarterly maintenance on this system. They're checking for issues, they're providing software updates, and they're doing regular support. When we have a communications fault or issue, this actually saves Stuart a fair amount of time so that he can control, I should use a better word, so that he can monitor his his various plants and the system from a variety of locations and understand if there are alerts that come up on the screen. We've been very cautious about providing control through the Internet because of bad actors. If we do any kind of control, it would be only on the sewer side, which we would know if there's any issue that pops up. But based on history across the country, we would not want to provide or allow control of the water system because people can turn on and off chemical feeds and things, and that's a life health safety issue. But we would be able to review or we can currently see alarms, faults, well status and things like that. So the SCADA services allows us to make sure this is operating functionally and fully without having to hope that we get a contractor when something might go down. Our other items listed here, I will note that the chemical supplies line item and I apologize, I should probably go back and do a little bit further analysis. We actually think these line items probably will decrease compared to the proposed budget. We had IES

provide an analysis of the expected amount of chemical costs to be used each year and also the current rates from our system. Now, as I think I may have mentioned or it came up in utility committee, our chemical company was just purchased by a private investment fund. And you know, the first thing that happens when private investment gets involved is they raise rates and find ways to make more money. So we know what our rates are today. We don't know what they might be in 6 to 12 months. So it's a fair placeholder. But we might also suggest revising those numbers down slightly. Other items we've built in some inflationary just increases based on the price of materials and equipment increasing with our current supply chain, price of steel, price of copper, things like that. And overall, the rest of our operating costs are relatively straightforward in terms of the capital fund. We are about to, in the next few weeks, issue an invitation for bids for the well four clear well, as you may recall, we had sought a USDA grant for that, came back. That grant was not approved and it was not worth our time and dollars to go through the low interest loan at that time. We are going to go out and see what those numbers come back with from bidders on the invitation for bid. And then we will have that conversation with council about the cost of that improvement. We still think this is a really important component to our water system to allow the well four plant to operate without the interruptions that we've been having lately. We have also built in funding in here for water main infrastructure over the next few years. That would be water main replacements where we've had significant breaks, Chestnut Street and Stonewall Avenue being key ones as of late. We also know that Route 50, basically from around Reed Street to probably Windy Hill is the same type of pipe. And we've had at least one water break in Route 50 since I've been here. And so. Right. And those those are ones where it's six inch Oh goodness not galvanized, maybe galvanized. Anyway, a six inch pipe that's old and will need to all be replaced at some point. So we're focusing on step by step. It might be block by block replacement of these mains that are aging and prone to breaking. So. That's our kind of utility budget in a nutshell. Happy to go through any other details or answer questions if council has any.

Bud Jacobs: Unrelated to your budget. Actually, you remind me. I don't think I've received any information about the recharge study.

Danny Davis: Okay, Sure.

Bud Jacobs: And if you intend to brief it to council. Great. But if not, I'd like to see it.

Danny Davis: Absolutely will do. And thank you for that. Yeah, So thank you for that. We we did. I will say the recharge study is probably at 95%, but I think it's in a state where I'm happy to provide you what we have to date. It confirmed, I think pretty much most of what we already thought about our recharge area and the sufficiency of the aquifers that we draw from specifically Jillian was very was I shouldn't say very she was fairly satisfied with the study and the results. There's a little more data that we're going to try to provide to the consultant to tweak a few of the charts, but I'm not sure we have the data available that we can actually provide to him. And, you know, straight conclusion is our recharge area is kind of where we thought it was. And I think maybe what for you particularly and for any Councilmember to sit down with Jillian maybe walk through it with her, you might enjoy just allowing her to also help you understand because she's the, the brains that gets all of this.

Bridge Littleton: One thing, too, if you could. I don't know if that map's been updated recently, but the map that has the water lines on it and which ones are how old? I haven't seen that in a while. And I know we've done a lot of line replacement, but there were some that were, you know, 60 years old, 40 years old, 20 years old. I don't think I've seen more recent one than the one that was laminated by, what was it, WRA. Right. So if we have that and look, even if it's you guys take that and just put it on, you know, these blues were updated. You know, these blues are such old, these greens are such old. These are such old. I think that'd be helpful because like I'd like to see from a map perspective just how old every line is and what we've done and how far we've got to go.

Danny Davis: So the map you're referencing that had age or estimated age of of water mains may have even predated that WRA map. It's a pretty old map that I remember seeing once or twice, but I'm not sure the veracity of the information contained in it. We, as part of the master plan update for the utility system, which we are at a 90 also, that one is about 98%. We have updated water main locations and sizes. We don't have ages for all those. I think we could go through and guesstimate on probably 75 to 80% of them based on the prior information we had. But the WRA map, the laminated one, did not have ages on those. That was a different map that we had. So so we'll go and find.

Bridge Littleton: The WRA, I have the PDF of that map which has ages. I will send it to you guys.

Danny Davis: I know, like I said, I've seen it because.

Bridge Littleton: I contacted them and said, Hey, I know you don't have us under contract anymore, but can you send me the map that you did? And I think that map they did was like 2012 and they literally color coded it and said, you know, age is between 1960 and 1970. I mean, it was like a range, but and it was for almost every water main. Now, that map right now is 20 years old, so or ten years old. And we've replaced a lot since then. So it would be really good to know what has and hasn't, you know, what the current state is. I will find those PDFs and send them to you guys. And it's one of those ones that are that's layered. So you can un layer different levels if you want.

Danny Davis: Okay. And we could take the electronic version of the updated maps from them and do a similar layer as well, right? Yeah.

Peter Leonard-Morgan: Hasn't Bowman been working on that or Bob [inaudible] or.

Danny Davis: So Bob's not been working on age of the maps. We're actually working with WRA on our master plan update, but our focus has been on hydro, the hydro testing, making sure our system actually provides the pressure we need across the system and the current basically, where are we today? What's our status of our infrastructure and what are the issues that we have into the next ten, 15, 20 years?

Bridge Littleton: Okay. Because I think a really big piece of that is how old are some of these pipes because you want to replace everything on over 50 because it's hit 50 years. Well, where else do we have stuff that's 50 years old, Right? Right.

Peter Leonard-Morgan: [inaudible]. What's the status of the rest of them?

Bridge Littleton: [inaudible] Thanks. Okay. Any other questions for Danny on utilities? [off mic] No, I mean, if you have a quick question.

Unknown Speaker: Want to make a comment because I'm very glad to hear you talk [off mic]

Bridge Littleton: Definitely. Yeah. No, we'll end give us a couple of weeks if you want to call back and ask, we might have some more information. Okay.

J. Kevin Daly: It should be noted we're all residents here, so we're all sharing that same infrastructure. Right?

Bridge Littleton: Thank you. Yes, ma'am. Okay. Any information items?

Danny Davis: I would just suggest that in Mr. Mayor, at your pleasure, that perhaps we do a suggested follow up next steps from the summit on Tuesday.

Bridge Littleton: Well, I was going to talk about that. So I'm asking everybody else first.

Danny Davis: I pulled a Mike Turner. Sorry.

Bridge Littleton: Boy, did you ever. Okay. Any other informational updates? [off mic] Well, I was going to cover that. Yeah. Yeah. So, okay, one thing. One of them is a grant request that's going to be coming forward from the charter school. I want to give you guys a background on it first, and I think our grant request max, is 5000. Yeah, the charter school would like to request more, but I want to take the sense of council, if there's any desire to entertain that or not. So what it basically is, I think I've mentioned to some of you before, Steven does a great job, but he really needs help for somebody who's very operationally focused, right? Making sure the finances are kept up to speed. Exactly. Well, I mean,

look, we've fixed it, but you've got to make sure your staff right to not let it slip in the future. Right. And Steven's an educator and trying to keep the kids and do all that kind of stuff. So somebody who can do that, the physical plant, you know, maintain the building, that's all hard stuff and that takes a lot of time. So we have already signed the contract with Springstead or Baker Tilly. Same lady who recruited Steven is going to be recruiting for I guess we're going to call it a chief of staff or chief operating officer or whatever. They will be an employee of the charter board, but really to sort of operationally run the school, the cost for that for that recruiting process is 26,000. Steven was more I mean, he was like 30. So I think it's it's going to be money well spent. You want to get a good person who knows what they're doing, can handle this stuff. The charter school would like to request that the town provide a grant for 50% of it, which would be 13,000. Our grant request process says a person can request up to 5000 unless the town wants to go beyond that. We can do that by, you know, vote or whatever. But before they made the official request, I wanted to let you guys know what it was and just take everybody's temperature, you know, or let's do it this way, because I don't want to do a straw vote that runs into a lot of different problems. Unless anybody has any major heartburn. I will ask them to make the grant request for whatever amount they want. And then when it comes to a vote and presentation to the council at the next meeting, council can decide whatever amount they want to grant. So, yeah.

Darlene Kirk: Question. Were they going to request the 5000 and the 13,000?

Bridge Littleton: No, no, no, no, no, no. I think I think I think the way to do it would be they can request what they would like to request, which I think they're going to ask for 13,000 in total. And then council can keep it within the \$5,000 limit or if if council desires to go more, then that's fine. But it can be discussion at that time. But if with the grant request coming in for more, I just didn't want you all to be caught off guard and not know what it was for. Now, whatever the council decides to provide, the school is moving forward. They have already signed the contract. They're going to pay for it because we desperately need this person and need a good person. So yeah.

Cindy Pearson: So is this person. As we have seen what's been in the news about the charter school, So is that person then, will this help get them out of that?

Bridge Littleton: Oh, absolutely. Yeah. I mean, the position is so right. So we've fixed all the issues, everything's in. You know, the key is that they have to have somebody with the right financial skill sets and the time to make sure all these things get done right. Steven's trying to run the school and do it all we need another person.

Cindy Pearson: Was the person that was doing it, though was a county employee, correct?

Bridge Littleton: No. Oh, they were not. The county does not, will not and does not provide those services. So we had to do it ourselves. So we had an accounting firm in town helping with the bookkeeping and actually a member of the board trying to do it. And it was just it's overwhelming. So we've asked the county to help and they won't. And they said, No, your finances are your finances.

Cindy Pearson: Do they use the same system as the county does though pr are they?

Bridge Littleton: We're not allowed to use that system. We have to have our own.

Cindy Pearson: So that's fine because that's just as hard anyway.

Peter Leonard-Morgan: So I'm missing something. It says, Is this a new employee and is a new position There's going to be more money needed for salaries.

Bridge Littleton: So the communities the charter school has is running a actually financially is running a very tight ship. So we have absolutely enough money on an annual basis to afford this new person, both in terms of salary benefits, all that kind of stuff. But, you know, we're trying to be as it's a non-profit, right? So any help to help offset the recruiting expenses, which is a one-time thing, sort of not planned for would be great but we're going to do it regardless. So that's the request. No, not requesting an offset of the salary on an annual basis or anything like that. No. And we can we have budgeted for and can absolutely, totally afford this person.

Cindy Pearson: And when you say we, you mean the charter.

Bridge Littleton: The charter school board, correct.

Peter Leonard-Morgan: So the request is going to be around 13.

Bridge Littleton: Exactly. Any other questions? Okay. Well.

Cindy Pearson: And we did when they were looking for Steven. Do you remember how much we gave them?

Bridge Littleton: We gave them 100%.

Cindy Pearson: And that was supposed to be a one-time thing.

Bridge Littleton: Well, for a principal. Yeah, yeah, yeah.

Cindy Pearson: Well, but this is, again, the same type of thing we're doing. Hiring.

Bridge Littleton: Correct. Correct. So having a recruiter.

Cindy Pearson: So I think we need to think about that and talk about it some more when that.

Bridge Littleton: Sure. We'll do it next time. Yep. Cool. Any other questions on that? Once, twice, three times the charm. Okay. The only other thing I wanted to mention was number one. Thank you all for coming all day to the summit. I thought it went great. I really appreciate all the speakers. I mean, having over 200 people was phenomenal. I think I mentioned earlier the county has already reached out and asked us to go and present the TDR program idea to the Transportation Land Use Committee's next meeting, which will be May 17th, I believe. Mike Turner, who's the chair of that, who was there, he called and was like, this could actually be something very transformative. Let's really get into this and see if this could work. It's a win win for everybody. So I really appreciated that. Three other supervisors have asked who couldn't be there. They've heard about it already and have asked to be given a presentation. So I think it was yes, Danny had a great point. What's the follow up? So I think the first direct follow up is doing these things with the county. But absolutely having a sit down, Chris, I think you and I have to sit down and say, okay, between now and the election, what type of follow up activity should we be doing to get the maximum bang out of the buck? And like I said, like we said at the at the summit, it's an election year. So if if we can make it an issue that people care about during the election, preserving Western Loudoun, it would be great to see every candidate come out and say, yes, I support this idea. Yes, I support protecting Western Loudoun. So I guess we'll work on that with Danny and anybody else who wants to help out. But again, thank you all so much number one, for investing in this and number two for all the time. If anybody had any feedback on that. Yeah. No, it was great. It was fun. Okay. Any other action items or input? All right. It is time for closed session. Who would like to read the motion? You're so good at it.

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. 2 for the discussion of an appointment to the Middleburg Sustainability Committee. What? Okay. Am I in the wrong thing? No. Okay. And three for the discussion of an employee project bonus. The latter two items as allowed under subsection A1. I further move that the Council thereafter reconvene in open session for action as appropriate.

J. Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed. Abstentions. All right. We're in closed session. Yeah. We'll take a quick two minute break. All right. I ask the council certify that in the closed session just concluded to the best of each members knowledge, nothing was discussed except the matters or matter or matters specifically identified in the motion to convene in closed session, and two 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.

Darlene Kirk: Yes.

Bridge Littleton: Yes.

Peter Leonard-Morgan: Yes.

Cindy Pearson: Yes.

J. Kevin Daly: Aye.

Bridge Littleton: Any motions?

Peter Leonard-Morgan: I have two motions. I move that council authorize the town manager to sign contract modification number nine with Glave and Holmes in the amount of \$60,926.50 for the town hall project.

J. Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed. Abstentions. Okay. Any other motions?

Peter Leonard-Morgan: Yes, indeed. I move that council, reappoint Rick Woody, Lynn Kay and Falita "Lele" Lyles to the Middleburg Sustainability Committee for two year terms set terms to expire May 12th, 2025.

J. Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed. Abstentions. Also direct Danny to provide a project bonus as discussed. Any other items? Meeting adjourned. Thank you.