



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, May 25, 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 Philip M. Miller
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
Shaun Jones, Chief of Police

ABSENT: Councilmember C. Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, May 25, 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. Councilmember Pearson advised that she was attending the meeting remotely from North Carolina, as she was on vacation. Councilmember Daly advised that he was attending remotely from home, as he was in COVID self-isolation.

Special Recognition of Mayor & Council

Council Approval – Resolution in Memory – Jim Poston

Mayor Littleton noted that Jim Poston was a dear soul, a friend to everyone, and the cornerstone of every event in the community. He further noted that he was both quiet and outspoken in the way he treated people and would be deeply missed. Mr. Littleton read the resolution in memory of Mr. Poston aloud, and following the vote of the Council, presented a signed copy to Cathy Bernache, Mr. Poston’s wife.

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Jacobs, that Council adopt a resolution in memory of Jim Poston, expressing our appreciation for his service to the Town of Middleburg and the greater Middleburg community.

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

Ms. Bernache advised that she was very honored and noted that Mr. Poston would have been as well.

Promotions Ceremony

Chief Jones noted that he looked at the talent within the Police Department and promoted from within. He announced the promotion of Jason Davis as Corporal. Chief Jones noted that Corporal Davis had been with the Middleburg Police Department since 2014. Mrs. Davis pinned his corporal's badge on him, and Chief Jones presented him with a Certificate of Promotion.

Corporal Davis noted that he started work at the Middleburg Safeway, before going to work at the Police Department. He advised that he considered Middleburg to be his home.

Chief Jones announced the promotion of Mark Putnam as Police Lieutenant. He noted that Lieutenant Putnam had been with the Middleburg Police Department since 2013 and previously served as its Corporal. Mrs. Putnam pinned his Lieutenant's badge on him, and Chief Jones presented him with a Certificate of Promotion.

Lieutenant Putnam advised that Middleburg was his second work family.

Public Comment

Juan Pablo-Segura advised Council that he was running for a seat in the Virginia Senate. He noted that Middleburg was in the middle of his district and advised that conservation was a key part of his platform. Mr. Pablo-Segura applauded the Council for leading the charge in raising awareness of how unconstrained development could permanently change the character of the area and for making conservation a strategic priority; however, he opined that they were thinking too small. He advised that he was creating a contract for conservation and asking all candidates and elected officials to sign it. Mr. Pablo-Segura suggested the need to super charge the creation of a TDR (transfer of development rights) exchange program by developing a marketplace for the exchange of development rights. He suggested this program should be overseen by a new office within the Virginia Department of Conservation & Recreation. Mr. Pablo-Segura invited the members of Council to a public signing of the contract at the American Legion on June 1st.

Kevin Daly asked that the public think about the upcoming holiday weekend and the cost for those who made it possible. He said a prayer for the men and women who defend our country.

Gary Higgins advised Council that he was running for a seat in the Virginia House of Delegates. He further advised that he supported Mr. Pablo-Segura's contract. Mr. Higgins reviewed his service to the community and noted that preservation was one of his passions. He opined that the Piedmont area was worth preserving and noted that the contract for conservation was a tool for doing so.

Public Hearing & Related Action Item

Zoning Text Amendment 23-01: Addition of Inn as Special Use in C-1 Commercial District

Deputy Town Manager Moore reminded Council that this zoning text amendment was initiated by the Planning Commission. He noted that it was not tied to the applications that were filed for an inn and reported that those applications had been withdrawn. Mr. Moore explained that the zoning text amendment, if approved, would add an inn as a special exception use in the C-1 Commercial District. He noted that the Council discussed this amendment during their last meeting, with the members indicating they were not in favor of it. Mr. Moore advised that a public hearing was needed in order to close the loop. He noted that he did not prepare an ordinance and suggested that if the members changed their position, this item would return at a future meeting with the ordinance.

Vice Mayor Leonard-Morgan noted that the Planning Commission members were dedicated and provided thoughtful recommendations to the Council. He expressed appreciation for the public comments that were received during the last meeting; however, he reminded the Council that the zoning text amendment would not allow this use by-right and that any special use permit applications would undergo a review. Mr. Leonard-Morgan noted that the Economic Development Advisory Committee (EDAC) indicated there was an unmet need for lodging and opined that it could not

be met without this zoning text amendment. He advised that it appeared to him the scale, massing, noise, and traffic concerns that were voiced over the proposed inn would be comparable for other by-right uses. Mr. Leonard-Morgan noted that he would not vote in favor of disapproving the amendment.

In response to an inquiry from Mayor Littleton, Town Attorney Crim confirmed that if the Council voted against the motion to disapprove the ordinance, it would not mean the ordinance was approved.

Councilmember Jacobs agreed with Vice Mayor Leonard-Morgan and advised that he was uncomfortable that the Council had muddied the issue with the two other applications. He noted that the Planning Commission severed the question of the zoning text amendment from the inn applications, which have subsequently been withdrawn. Mr. Jacobs suggested the Council needed to watch the impact of making rapid decisions on the processes inherent in how the Planning Commission worked. He advised that he would not vote to disapprove the zoning text amendment.

Councilmember Bernard expressed appreciation for the Planning Commission's work; however, he noted that the issue was thrust in front of them with a clock attached to it. He opined that the staff, Planning Commission and Council did not have time to do the due diligence needed to support a change to the Town's zoning ordinance. Mr. Bernard advised that he was fine with revisiting the question if someone wanted to work on it further.

Mayor Littleton reminded Council that the amendments to the R-2 District regulations involved a two-year process. He opined that the Planning Commission was unfairly burdened to move quickly on this one due to the sales contract on the property on East Washington Street. Mr. Littleton acknowledged the need to be thoughtful of people's business interests; however, he noted that when considering a zoning text amendment that could affect an entire sector, a detailed analysis was needed. He suggested this was difficult due to the applications that were attached to this one up until the last minute. Mr. Littleton advised that he did not want anyone to feel their work was not appreciated; however, he felt there was an underlying drive to accommodate an applicant. He suggested that if the zoning text amendment was denied, this did not mean the question of whether some form of lodging should be allowed in the C-1 District should not be considered. Mr. Littleton further suggested the need to look at what was the right balance. He advised that he would be okay if the Planning Commission wished to revisit the question and noted that the former Middleburg Country Inn was an asset to the community.

Councilmember Miller agreed and opined that the process for the zoning text amendment was driven by a timeline. He acknowledged the public outcry against the proposal and noted that people did not want the proposed use in their neighborhood. Mr. Miller advised that he would be in favor of taking more time to understand the unmet needs and find a use that was amenable to the public. He noted that EDAC's comments were anecdotal and advised that they offered them without doing a study.

Councilmember Pearson agreed with Councilmember Miller and opined that EDAC should have conducted a study.

In response to an inquiry from the Council, Deputy Town Manager Moore confirmed they were under no obligation to act during this meeting.

Megan Gallagher, 214 E. Marshall Street, advised Council that she supported a motion to disapprove the zoning text amendment. She asked that the Council maintain the C-1 District as a transition between the commercial uses and the homes. Ms. Gallagher further asked that if the question was revisited, the inclusion of a restaurant be eliminated and the number of rooms that would be allowed be reduced.

Donna Strama, 10 Orange Drive, agreed with Ms. Gallagher. She opined that to rezone 204 East Washington Street would be the "death of Middleburg's beloved historic charm". She thanked the Council for voting to deny the zoning text amendment.

John Pittman, 12 Piedmont Drive, encouraged the Council to disapprove the zoning text amendment and opined that it would be the worst thing that could happen on the east end of town.

John Ross, 1 Orange Drive, advised that he lived in the center of the largest privately owned historic park in the country and opined that the preservation of the town's rural character and historic nature was of crucial importance.

No one else spoke and the public hearing was closed.

Councilmember Bernard moved, seconded by Councilmember Miller, that Council disapprove Zoning Text Amendment 23-01 pertaining to an inn as a special exception use in the C-1 District.

Vote: Yes – Councilmembers Bernard, Daly, Miller, and Pearson

No – Vice Mayor Leonard-Morgan and Councilmember Jacobs

Abstain: N/A

Absent: Councilmember Kirk

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

Staff Reports

April Utility Report

In response to a suggestion from the Council that the graph on Page 4 of the monthly report should include the total monthly flows instead of the daily flows, Stuart Will, of IES, advised that he would discuss this with Mark Inboden.

In response to an inquiry from the Council, Town Manager Davis advised that the structural rigging system was being set up on the Marshall Street Water Tower. He further advised that blasting would begin on June 12th. Mr. Davis noted that the temporary cell tower would be installed on June 5th, with the antennas then being moved from the water tower to the temporary cell tower. He advised that everyone was trying to keep to the project schedule. Mr. Davis suggested that parking would be a challenge on Marshall Street and advised that the Town would allow three or four of the contractors' vehicles to park along the fence on one side of the street. He noted that the street would be blocked from time-to-time for deliveries and advised that the Town would provide traffic control as needed. In response to comments from the Council, he confirmed that "slow down" and "sidewalk closed ahead" signage would be installed.

Council expressed concern about the safety of the children who walked to school. They also expressed concern about the parking of vehicles.

Town Manager Davis agreed that traffic versus pedestrian safety would be a challenge on this project; however, he advised that the Town did not want pedestrians in this area when the blasting was occurring. Mr. Davis reminded Council that school would not be in session when that occurred. In response to a suggestion from the Council that the Town's barricades be used to create a safe pedestrian path, he advised that the team would discuss it.

Special Projects Status Report

Deputy Town Manager Moore reported that a kick-off meeting was held with the consultant on the South Madison Street Enhancements Project. He advised that they were in the process of developing a stakeholders' survey and noted that progress was being made on the project.

Reports of Town Committees/Council Liaisons

Middleburg Charitable Foundation

Councilmember Miller reported that the Middleburg Charitable Foundation's Board of Directors were meeting as often as possible to develop the ground rules for how the organization would operate. He advised that they were working on the development of their vision and mission statements; building their website; developing plans for how they would

receive grant applications, including a timeline for how often; and, developing plans for how they would distribute the funds planned for that year. Mr. Miller reported that they have set up a bank account; placed their money under an investment management firm; and, developed a logo. He advised that the Board hoped to start soliciting grant applications at the beginning of the next fiscal year.

Town Manager Davis advised that as to the question of how they saw donations being made, the Board of Directors' focus was on contributing to organizations, not to individuals.

Mayor Littleton expressed an understanding; however, he noted that there were people in town who were struggling to pay their bills. He questioned whether it would be possible for an organization to make a request on behalf of the people who were having trouble paying their utility bills, such as the Windy Hill Foundation.

Councilmember Miller advised that he did not feel comfortable speaking on behalf of the Board since they had not yet developed a process; however, he did not see an issue with that, as long as the Foundation was providing the money to an organization and not an individual. He noted that they would want to make sure the organization had a process for vetting any direct payments to individuals. Mr. Miller advised that the Board of Directors were also developing a policy and plan for the solicitation of donations in order to increase the Foundation's funds.

Consent Agenda

A. Council Approval – May 11, 2023 Regular Council Meeting Minutes

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

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

Action Items

Council Approval – FY '24 Appropriations Ordinance

Town Manager Davis reported that there had been no changes to the proposed budget since the public hearing was held. He advised that barring any further changes, the budget was ready for Council's adoption.

Mayor Littleton noted that he received an email from Mike Morency complimenting the Town and the staff on the budget. He advised that Mr. Morency indicated it was easy to understand and thanked the staff for their hard work.

Councilmember Daly moved, seconded by Councilmember Bernard, that Council approve an ORDINANCE TO APPROVE THE BUDGET, AFFIRM TAX RATES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2024.

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

Council Approval – Ordinance Setting Water & Sewer Rates

Town Manager Davis reported that an ordinance was prepared for a 3% increase in water and sewer rates, as previously discussed by the Council. He noted that Council held a public hearing on this during their last meeting and advised that the fee amendment required the adoption of an ordinance.

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Daly, that Council adopt an ORDINANCE TO AMEND THE SCHEDULE OF WATER AND WASTEWATER FEES AND CHARGES.

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

Council Approval – Hiring of Town Attorney

Town Manager Davis reported that Martin Crim was joining the law firm of Sands Anderson PC. He further reported that Vanderpool, Frostick & Nishanian would no longer provide municipal legal services. Mr. Davis recommended the Town continue to work with Mr. Crim at his new law firm.

Councilmember Bernard moved, seconded by Vice Mayor Leonard-Morgan, that Council approve the legal services agreement dated May 18, 2023 with the law firm of Sands Anderson PC. Councilmember Bernard further moved, seconded by Vice Mayor Leonard-Morgan, that Martin Crim of that firm continue his appointment as Middleburg Town Attorney, to serve at the pleasure of Council and in accordance with the legal services agreement and the Town Charter.

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

Mayor Littleton thanked Mr. Crim for representing the Town.

Discussion Items

Fourth of July Celebration

Town Manager Davis reminded Council that the Town was taking over the Fourth of July Celebration from the Community Center. He reported that the fireworks would continue to be launched from Salamander’s property. Mr. Davis noted that the current move-in date for the new Town Hall was not until after July 4th and suggested the Town

work with the Middleburg Community Charter School to use their parking lot for a small-scale event and their grassy area for watching the fireworks. He suggested that if the Town Hall was available, it could be held there; however, the staff was not confident they should plan on the use of the Village Green, as the sod may not be established, and the construction equipment may still be on the site. Mr. Davis questioned whether the Council was comfortable with that approach and advised that if they were, he would discuss this with the principal of the charter school. He reminded Council that this was intended to be a small, community focused event.

Council opined that it would not be wise to put eight hundred people on the sod in the Village Green before it was established. They suggested the staff pursue the use of the charter school parking lot. Council further suggested that if it turned out the Village Green was available, both locations could be used.

In response to an inquiry from the Council, Town Manager Davis confirmed the school's parking lot would not be affected by the water tower repainting project. He advised that there would be no painting activities on that day.

Town eNewsletter

Council noted that the Town's eNewsletter had not been published since December 21st and asked why. They noted that they were receiving complaints from the residents that it was not going out and that things like the Farmers' Market were not being advertised. Council opined that it was a great tool for conveying what was happening in the town and suggested it needed to be reignited. They asked that resources be devoted to it and suggested the Town's marketing firm help on a temporary basis if needed. It was noted that there had been a long-term discussion of doing two separate eNewsletters – one for residents and one for out-of-town people. Council advised that it was not a good idea to not communicate with the public.

Town Manager Davis advised Council that he would restart the eNewsletter.

Middleburg Community Farmer's Market

Council noted that there were quite a few people at the farmers' market at the end of the day and opined that it was a good first week. They advised that they were excited to see it build and opined that more people would come over time.

Town Manager Davis advised that the Town had heard from more vendors who wished to participate.

Vice Mayor Leonard-Morgan thanked Farmers' Market Coordinator Kim Shelly and Deputy Town Manager Moore for their hard work in opening the first market of the season.

Mayor Littleton opined that the market was an experience – not just a place for people to shop.

Information Items

Middleburg Sustainability Committee

Vice Mayor Leonard-Morgan reported that the Sustainability Committee held their first strategic planning retreat, during which the Mayor gave his TDR presentation. He further reported that the Committee identified their key goals for the coming year. Mr. Leonard-Morgan expressed appreciation to the American Legion for the use of their facility.

TDR Presentation

Mayor Littleton reported that he and Councilmember Bernard briefed the County’s Transportation Land Use Committee on the TDR proposal and advised that it was well received. He further advised that the Supervisors were excited about it and supported putting it on their work plan. Mr. Littleton reminded Council that this was market driven and would not involve government tax dollars. He noted that the County staff was reluctant to take this on; however, he suggested there were ways to help with it.

Councilmember Bernard acknowledged that this would be a big undertaking; however, he advised that everyone was excited to get started.

County Board of Supervisors’ Elections

Mayor Littleton announced that the Coalition of Loudoun Towns (COLT) would sponsor debates, which would use the same format as the last debate, for all the contested County Board of Supervisors races. He noted that there was no competition in two of the races. Mr. Littleton advised that a debate would be held in each district and noted that he would organize the ones for the Little River and Dulles Districts.

Closed Session

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Miller, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) consultation with legal counsel retained 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) the discussion or consideration of the acquisition of real property(s) located within the town limits for public purposes, as allowed under Subsection (A)(3); and, (3) for the performance review of the Town Manager, as allowed under Subsection (A)(1) . Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Miller, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: Councilmember Kirk

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

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

There being no further business, Mayor Littleton declared the meeting adjourned at 7:35 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

May 25, 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: [off mic] All right. We will bring 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.

Bridge Littleton: All right. Next item is the roll call.

Chris Bernard: Chris Bernard.

Bud Jacobs: Bud Jacobs.

Philip Miller: Philip Miller.

Bridge Littleton: Bridge Littleton.

Peter Leonard-Morgan: Peter Leonard-Morgan.

Cindy Pearson: Cindy Pearson. I'm out of town. I'm zooming in from North Carolina on my vacation.

J Kevin Daly: John Kevin Daly. I'm at home on COVID self-isolation.

Rhonda North: Rhonda North, Town Clerk.

Danny Davis: Danny Davis, Town Manager.

Martin Crim: Martin Crim, Town Attorney.

Bridge Littleton: Martin Crim, Town attorney in the bamboo. [laughter].

Danny Davis: Yeah.

Bridge Littleton: All right. First item is special recognition. We actually have two items tonight. One is a Council resolution in memory of Jim Poston. And the second one is a promotion ceremony for two of our officers. So the first item we will go to is the Council approval of a resolution in memory of Jim Poston. So, Kathy, I see you're here. Before we go to the resolution, I just want to make a couple quick comments. I'm sure everybody here, you know, knew and loved Jim Poston as somebody who was an absolute dear soul and dear friend to everybody in this community and was a cornerstone of every event, not only taking pictures, but, you know, truly sharing his love of the community, his love of Western Loudoun and the dear place that he called home. He was a quiet man, but an outspoken man in just the way he looked after and treated people. We are going to miss Jim deeply and immensely. Cathy I've got to have one of his hats. That's all I'm going to say. [laughter] But it is hard to go down Marshall Street now and look to the right and not see Jim sitting outside on his patio. So we all loved him and will deeply miss him. So with that, Cathy, I know you're here if you want to come in and join us. I don't know if anybody else is here who who is here for recognition for Jim. But what we'll do is we'll read the resolution in memory of and then council like to make any other comments. We'll pass the resolution and present it to the family. So. Okay, here we go. And normally most resolutions like this are on a standard 8 and a half by 11. But with Jim's background and what he did for this community, it would only fit on legal. [laughter] So it shows

you what a mark he made in all of our lives. So. All right. Resolution in Memory, Jim Poston. Whereas, Jim Poston, a true Middleburg native, was born on September 5th, 1944. Excuse me. And. Whereas, Mr. Poston lived in a cottage on Foxcroft school property until as a young boy, he moved into a house on West Marshall Street, where he lived until his passing on February 24th, 2023. And whereas, Mr. Poston served the community in many roles over the years, working at an early age, and his father's businesses, which included the old humble Esso gas station and the Hamburger Hut or for those of us who remember the Amburger Ut and then later at the Middleburg Safeway before retiring, before starting his own business, Jim Poston Photography. And whereas, Mr. Poston's love of photography was obvious in his work, which resulted in his photographs being published in Middleburg life, Washington Life, Chase, Virginia Sportsman and multiple motorcycle magazines. And whereas, Mr. Poston also collaborated with author Audrey Windsor Bergner, who featured many of Mr. Poston's work in her hardcover picture books of Hunt Country Estates. And whereas, over the years, Mr. Poston photographed many events and activities including weddings, community events, equestrian events, polo matches, car and motorcycle events, performances by special needs, Children's Christmas in Middleburg, and the Hunt Parade, The Middleburg Hunt Point to Point Races, The Mille Miglia performances by the Middleburg Players and the Loudoun Ballet and events at the Middleburg Community Center, The Hill School, Wakefield School, Highland, The Notre Dame Middleburg Academy, and a Place to Be. And whereas, Mr. Poston became known as the unofficial photographer of the town of Middleburg as he shared his many photos with the town for use in its marketing and advertising campaigns, including his iconic Hunt Parade photo that was taken during the snowstorm of 2009, which became synonymous with Christmas in Middleburg. And whereas, Mr. Poston enjoyed sharing his knowledge of photography with anyone who wanted to learn more about taking pictures. And whereas, lovingly known for wearing his purple beanie, Mr. Poston's loss has been felt throughout the community, especially by those to whom he was a mentor and by those groups providing services to the mentally and physically disabled, to whom he kindly donated his time and energy. Now, therefore, be it resolved that the Mayor and Members of the Town Council of Middleburg, Virginia recognize and express our sincere appreciation for the exemplary services of Jim Poston as the unofficial photographer of the Town of Middleburg as well as for his contributions to the Middleburg community. Be it further resolved that the Mayor and Members of the Town Council express our deepest condolences to his family and friends. So would anybody like to make a motion?

Peter Leonard-Morgan: I move that Council adopt a resolution in memory of Jim Poston expressing our appreciation for his service to the Town of Middleburg and the Greater Middleburg community.

Bud Jacobs: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed. Abstentions. All right. The resolution passes. Cathy, if you want to come up, we'll present this to you. And if you'd like to say something, by all means. All right here you go.

Cathy Bernache: Hi Cindy. Thank you. Thank you very much. We're very honored. And I know he would be as well. Very thankful.

Bridge Littleton: Yeah. Thank you.

Cathy Bernache: Thanks.

Bridge Littleton: Okay. The next item here is the promotion ceremony for Lieutenant Mark Putnam. Boy, that has a ring to it. And Corporal Jason Davis that even has a better ring to it. Chief Jones, it's over to you.

Shaun Jones: All right. Mr. Mayor, Council. Today we're here to honor two of our officers. I'm just going to say a few words about them and have their wives come up and pin their new badges on them. But one of the things that we wanted to do is take a look deep inside of our police department and see the talent that we have inside our police department and start promoting from within. So we had a little process that we did and pleased to have come up before me right now is

Jason Davis. Come on up for me Jason. [applause] Jason has been in law enforcement since 2012. He's been with the Middleburg Police Department since 2014. Jason is being promoted to our newly appointed corporal. He is taking over where the new Lieutenant Putnam left off. Now, Corporal Davis. So I'm going to have his wife, Stephanie, and his daughter Danica and Raelynn come up. Did I say that right, Raelynn? You did. All right. And we did the code of ethics. But I just think it's very important to show that we are a family here and have their family pin the badges on each of our officers as we go through these promotional stages. So sorry, guys. Got to give it to mom. Don't want you to poke yourself. There you go. All right. So there you go.

Bridge Littleton: Push straight back.

Shaun Jones: Hit it hard. [off mic] All right. Good job. So and another thing that I wanted to do is promote him with a certificate of promotion by here's it right here with the corporal badge and everything inside of it. By the order of Chief Shaun Jones, Jason Davis is hereby promoted to the position of Corporal in the Middleburg Police Department. Congratulations. Appreciate you. [applause]

Danny Davis: Perfect. That's great.

Jason Davis: All right. Thank you. Thank you.

Shaun Jones: Thank you, sir.

Jason Davis: All right. That's awesome. Thank you.

Shaun Jones: Yes, sir. Anything you want to say real fast?

Jason Davis: I know I've said this a hundred times, but for everybody that doesn't know, I started in Middleburg, you know, as Safeway. Just like Mr. Poston. That's where I had actually met him. I was an evening manager, and I got to know the community. And I've got to say, Middleburg has always felt like home to me. And I know I said that when I got hired, but being here for so long, I want to really want to say thank you to all of you guys. Middleburg has always been home, so thank you for everything. [applause] Come on up Mark.

Chris Bernard: Are you sure about this Shaun? It's not too late.

Shaun Jones: Mark is affectionately known at the [inaudible] as Deputy Dog. So when Mark's not around, they want to know where Deputy Dog is today. Mark Putnam has been in law enforcement since 1999. He's been with the Middleburg Police Department since July of 2013. He recently served as our Corporal for the Middleburg Police Department. I'm honored to today to promote him to the rank of Lieutenant, second in charge of the Middleburg Police Department. Joining us today is his wife, Stacy. Come on up, Stacy. [applause] Thank you. Stacy will be doing the honor of pinning his badge on. [inaudible]

Mark Putnam: Ouch. [laughter] [off mic] All right.

Shaun Jones: And same thing you'd like to promote. I mean, present Mark with a certificate by the Order of Chief Shaun D Jones. Mark E Putnam is hereby promoted to the position of Lieutenant in the Middleburg Police Department. Congratulations. [applause] Anything you want to say?

Mark Putnam: Middleburg is my second work family. Thanks.

Bridge Littleton: Thank you, Mark.

Shaun Jones: You learned from last time. Short and straight to the point. Thank you. Yes. Yes, sir.

Bridge Littleton: So, Shaun, you've had a pretty good month.

Shaun Jones: Yes, sir.

Bridge Littleton: Three promotions. One of them yours.

Shaun Jones: Yes, sir.

Bridge Littleton: Way to go.

Shaun Jones: Yep. And I'm not taking up a lot of your time, so.

Bridge Littleton: No, no. I mean, hey, this isn't like AJ. I haven't had to start the clock yet. [laughter] It will reflect well in your performance review. Thank you. All right, next item we're going to go to is the public comment. So public comment session is where any member of the community may address the Town Council for three minutes. I think we have some people who've already called in on the list and then we'll just take the community at large on a bravest first basis. [off mic] What's that? [off mic] No, this is not public hearing related at all. No. And by the way, yeah, we're going to do the public comment first, then we'll do the public hearing and then we'll and then we'll be done. Okay. So, yes, if you're going to address council, come up, take a seat, give us your name, address, and then you have three minutes, which is all yours. So who do we have first on the list?

Rhonda North: So the first person on the list is Juan Pablo Segura.

Juan Pablo Segura: Speaking right here.

Bridge Littleton: Yep.

Juan Pablo Segura: Awesome. And folks can hear me through this, hopefully?

Danny Davis: Yeah.

Juan Pablo Segura: All right. Great. Got to love technology. Okay. So thank you to the Middleburg Town Council for allowing me to speak, and I'm excited to be here with you all today. My name is Juan Pablo Segura, and I'm running for the Virginia State Senate to represent a big part of Fauquier, all of western Loudoun County and all the seven towns. Middleburg is actually smack dab in the middle of my district. So it would be an honor to represent you all in Richmond. As a candidate a critical part of my platform is conservation. So many of us moved to the area to have access, to open space and to be inspired by God's beauty through nature. I proposed to my wife, Cecilia, in Paris, Virginia, at Sky Meadows. So the product of conservation is near and dear to my heart. Maybe that's why my wife said yes when I proposed. We don't know. While the beauty and majesty of open space is obvious, they're also under threat. I applaud the work of Mayor Littleton and the Town Council, the entire Town Council for leading the charge in raising awareness of how unconstrained development can permanently change the character and beauty of these lands, for making conservation one of your strategic priorities, and how TDR policy can incentivize conservation while creating more capacity for affordable housing in the entire county, particularly eastern Loudoun County. While exciting, I believe that the Mayor and the Council are thinking too small. This is not a criticism of your work, but a call to action based on a seed that you all have planted. At the root of Mayor Littleton's proposals is a real call for innovation, and I know what it means to innovate. Having started and grown companies that transformed antiquated industries like health care, we need more innovation across all levels of government. And I think conservation can also be positively affected by innovation. I'm excited to announce today that I'm creating a contract for conservation and asking all candidates and elected officials, both Republican and Democrat, to join me in signing the contract. My campaign will be a leader in protecting open space, and I hope you all can join me in this endeavor. The contract will be focused on primarily supercharging the creation of a TDR exchange by leveraging an online marketplace similar to Zillow or eBay. This marketplace would connect buyers and sellers of TDR's instantly so that there can be a seamless exchange of development rights in the county. This marketplace would be run and managed by a new office, properly funded by the general fund at the state level called the Office of Innovation within the Department of Conservation and Recreation at the state level. I'm

committed to seeing your ideas implemented not just in Loudoun County, but statewide. And I genuinely believe that conservation can unite local residents. This is not a I'm a little over, but I just want to say this is not a Republican issue or a Democrat issue, not a Western county issue or an Eastern county issue. This is a shared value about our quality of life. I'm going to be going to all the seven town councils, but I chose to come here first and we'll be doing a public signing of the contract at the American Legion next Thursday at 12 p.m. that I invite everyone to join. Thank you so much for having me and I'm so sorry for going over. Thank you. [applause]

Rhonda North: Council Member Daly has his hand up for some reason.

Bridge Littleton: Mr. Daly.

J Kevin Daly: Thank you. Just want to take a moment for all of us to think a little bit about this upcoming three day weekend we have and the cost to some of us for making it. And so I'd like to say a prayer for our veterans. Oh, God, Creator of all. You have blessed us with brave men and women who are willing to defend our freedom. May your protection and grace surround them each day. Let your healing hand be upon those who suffer wounds and injuries. May those who have made the ultimate sacrifice rest forever in your holy presence. Comfort the families who mourn and are left to remember the precious lives of their loved ones. Help us to honor and support them. Let us ever be mindful of each sacrifice made on behalf of the American people by our sons, daughters, husbands, wives, mothers, fathers and friends. Amen.

Bridge Littleton: Thank you, Kevin. Who was next?

Rhonda North: Gary Higgins.

Bridge Littleton: Mr. Higgins. Welcome to Middleburg.

Gary Higgins: Thank you, Mr. Mayor. Good evening, Mr. Mayor, Members of the Town Council. My name is Gary Higgins, and I'm running for House District 30 for the House of Delegates in Richmond. I'm here in support of Mr. Segura's contract for conservation, and we'll be signing on to it in the near future. A little background on me. I did two terms in Loudoun County on the Board of Supervisors representing the Catocin District in Western Loudoun and also a term on the School Board. My wife and I have lived in Western Loudoun for pushing 40 years and we lived first in Bluemont and now in Waterford. History and preservation has always been my passion. I have always been committed to preserving the rural character and beauty and the history of Western Loudoun, whether in public office or out. In fact, Virginia, Piedmont, Virginia is one of the most beautiful places in the country and in the world. I think. And Middleburg, I don't know if you all are aware of this was just mentioned as one of the top 50 towns in the south here in number 29. I think. So quite an accomplishment and congratulations for that. My wife and I have restored two historic homes in Loudoun and received an award for one of them. I've done research and groundwork that got the Bluemont on the historic registry. My family has donated to E Lake Store in Bluemont to the county. I have been an officer and a member of the Loudoun Museum for many years. While on the Board of Supervisors we worked hard at promoting the rural economy in Loudoun, Agritourism was bringing in over \$400 million dollars total in 2018, the largest in the county. I fought to keep the small schools open in Loudoun. As chairman of the Transportation and Land Use Committee on the Board of Supervisors, we worked on a transfer of development programs similar to what Juan Pablo was talking about. We also put together a conservation easement assistance program. I also persuaded the Board of Supervisors to purchase the land that has now become the sweet run State park up in Neersville, the first state park in Northern Virginia. I supported the Ball's Bluff battlefield expansion and preservation. In addition to that, I was able to secure funding for the John G. Lewis Memorial Bridge while on the board. The current Waterford Mill rehabilitation that's in progress as we speak, bailed out the Waterford Fair one time when they were rained out, got funding for the Loudoun Museum and back The traffic calming and preservation improvements in Hillsboro. Virginia, especially Piedmont, Virginia of Loudoun and Fauquier is one of the most beautiful places in the world. It has a rich history and is well worth preserving. The embodiment of the American adventure is here and we should work to hold that together and preserve it. As I said, Mr. Segura's contract on conservation is another tool in our pouch. To do that Preservation, I look forward to working with him in Richmond on those efforts and I want to thank you for your time and attention and hope to see you all in the future. Okay, perfect. Thank you.

Bridge Littleton: You didn't practice that, did you?

Gary Higgins: No. [laughter] [applause]

Bridge Littleton: I will say only 29. We can't do better than that in the country. I guess. We've got room to improve. All right. I know probably some folks are here for the public hearing on the zoning ordinance. We will do that public hearing as soon as public comment is done. Would anybody else like to address the Town Council on any other matter for public comment? Okay, we'll close the public comment and we will go to the public hearing. This is the public hearing on the Zoning Text Amendment 23-01 Special Uses in C-1 Commercial District. We will open the public hearing. Would anybody like to? Oh, wait. Yeah. Do you want to. I'm sorry, Will. Do you want to give a quick.

Will Moore: Thank you, Mr. Mayor, Members of Council. We'll keep this quick. This, as you recall, from your May 11th discussion, was an amendment that was initiated by the Planning Commission. This is not directly tied to particular applications that were subsequently filed. I will mention, though, just for the record that those applications that had begun their review with the Planning Commission have now been withdrawn by the applicant for a special use permit and a rezoning. But again, just to clarify, what this amendment was proposed to do would have been to add an Inn as currently defined in the ordinance as a special exception use in the C-1 District, meaning that any applications for that would then have to be subjected to a special use permit process. Again, the Council discussed this at the May 11th meeting, indicated a pretty strong consensus that you were not in favor of this, but the hearing and your action on the amendment is necessary just to close the loop on the amendment. As such, an ordinance has not actually been prepared. So if for some reason there was a massive shift in direction here, we would need to return to a subsequent meeting with an ordinance. But if you were inclined to follow the direction that you indicated in your May 11th meeting, a simple motion to deny is included in your packet.

Bridge Littleton: Before we open the public hearing, does anybody have any questions for Will?

Peter Leonard-Morgan: I have a comment. Thank you. Well, very much appreciate that. We have a Planning Commission that is made up of dedicated Commissioners who painstakingly address planning issues and arrive at thoroughly thought through recommendations for Council. I do have a slight concern that from time to time the Council has, without perhaps sufficient consideration and investigation, returns some sound recommendations for further modification. I appreciate the views of our residents, which we saw at our last meeting and also at the Planning Commission hearing, public hearing. However, I would reiterate that the ZTA would not allow for a buy right in and any future application would then be considered on its merits and could be declined or approved with suitable modifications which might include fewer rooms, for example, than 20 rooms. Our Economic Development Advisory Committee has also stated that there's an unmet need for additional lodging options in Middleburg, so the ability to consider such opportunities is important. Having carefully reviewed the Commission's recommendation to amend the zoning text for C-1 to allow for a special exception use as an Inn and compare that use to existing ones in C-1, it appears to me that the scaling and the massing noise and traffic would be comparable to other possible uses. And although I will likely be in the minority, I will not be voting in favor of disapproving the ZTA tonight. Thank you.

Bridge Littleton: Okay. Bud. Yeah.

Bud Jacobs: I'm going to join Mr. Leonard-Morgan's comments. I thought it was unfortunate in our May 11th meeting. That we muddied the issue a bit by having in the docket, if you will, the two other applications related to the property on East Washington Street. That was not the Planning Commission's intent. We tried to make it clear in our deliberations, if anyone wants to take a look at the transcript or view the meeting, we thought we did an adequate job of severing the question, the broader question of adding an Inn as a special exception in C-1 from the applications, which, as everybody knows, I'm sure have subsequently been withdrawn. I believe we perhaps do ourselves a disservice. It's not a huge issue for us at this point. However, the impact that a rapid decision not to do something can have on the processes inherent in how the Planning Commission works is going to have to be watched. So I will also be joining Peter this evening in not voting to well, I've got to get the vote right. I'm voting against disapproving the zoning text amendment. If the motion is to disapprove, I'm voting against the motion. [inaudible]

Bridge Littleton: So just want to make sure I have it clear in my mind. If the motion is to disapprove. Hold on. Hold on. Okay, This. This is like. I got it. Hold on, hold on. I'm going back to Professor Bryson's Civil Procedure class of 1998, and I'm trying to think about how this works. Okay. So and only Martin's going to laugh at that. So what you're saying is so if the motion is to disapprove the text amendment, then if let's say everybody voted against disapproving, does that mean it's approved? [inaudible] Okay. That's my question. Okay. Got it. Got it. Got it. Okay. Understood. Understood. Okay. Anybody else have any other comments or questions before we open the public hearing? Yeah. Yeah.

Chris Bernard: So I think we all certainly appreciate the work that the Planning Commission does. I think this particular issue was thrust in front of them with a clock on it. And I don't know that anyone staff, the Planning Commission or us, has had maybe the adequate time to really do the due diligence to make a fundamental change to our C-1 zoning. I'm not opposed to the idea of if someone wants to go back to work at it and we have a bigger conversation about it, that's fine, but that's kind of where I stand.

Bridge Littleton: Yeah, I think I would add to what Chris has said. So when we look back on the R-2 zoning changes that were being thought about, right, that was a two year process by which the Planning Commission looked at multiple options, multiple things. We hired the Berkley Group, they gave us options. The Planning Commission thoughtfully and diligently reviewed those options and made recommendations to us, and then we chewed on it for a significant amount of time and tried to figure out the right thing. And, you know, we made good progress, but we wanted to make more progress. Right. I do think that the Planning Commission was well, this is my opinion. I'm not saying this is fact, unfairly burdened with the someone was under a contract. So let's move quickly. You know now it's the Commission's choice to set their own pace. But we want to be thoughtful and considerate of people's business interests and, you know, as accommodating as we can when we can. But when we're looking at a zoning text amendment that affects an entire sector, there is a lot of detailed analysis that should go into it before anybody votes on it at all, irrespective of somebody having a contract or not having a contract. And but I appreciate your point that you guys try or I shouldn't say you guys, the Planning Commission tried to separate it, tried to bifurcate it when it sent it to us. The hard part was they were connected all the way to the last minute. So it was driven by those timelines that, that applicant was looking to meet. And it's no fault of the applicant, no issue with that at all. Totally understand. So I get both your guys point and I certainly do not want anybody to feel, especially on the Planning Commission, that their work is not appreciated or they didn't think about it or whatnot. I just it felt like there was the, you know, underlying drive to want to accommodate as best we can. So and I the other thing I'll echo of what Chris said. As we sit here today, if we decide to not or to whatever, it is, if we decide not to have the text amendment go forward, that doesn't mean that this issue of should some form of lodging in C-1 be appropriate under the right analysis of whatever, should that be done? Absolutely that should be done. We should revisit that stuff on a regular basis. Maybe it's an Inn of seven rooms is what is right, given all the different circumstances and what the balance is. And I think my and that's where I am on thinking, you know, this isn't ripe to be said yes to yet. So again, that's just sort of some contextual thoughts. So and look, I mean, Will, I would say this, too, if the planning commission and Bud wants to hey, we should relook at this and see what good looks like. Absolutely. All day long, I you know, we used to have the Country Inn there. They did a great job, but it was a great benefit to the town. I could totally see that again being a great asset. So. Okay. Any other. Yeah Philip.

Philip Miller: So I agree with what everybody said, but I think that something has really gone unsaid, which is that the public was very clear, very clear that they do not want this. And I think to put this on process, we can discuss that. We can have, you know, improvements there. Certainly the water was muddied and politics is perception, like it or not, that's them the facts. Right. So when both of those things are put in front of us at the same time, that's the way it's going to look one way or the other. And it can be painted that way. Even if you say that you are making the decision based on policy, regardless of whatever applications are in front of the committee, which I completely understand. But that's not the case. It was clearly driven by a timeline. And unfortunately, those two things were muddied and that's just where we found ourselves. But I also think that there was a very right public outcry against this idea, especially given the light of what was proposed and what was applied for. And we have to accept that and understand that the people who live there do not want it, did not want that level of intensity in their backyard, in their neighborhood. And that's the point of this exact zoning. So. Exactly. And I'm sure we're going to hear more of that tonight. So. I am all for going back and doing more due diligence and taking more time to understand whatever needs may be met or we can potentially find uses that are amenable to the public. But I won't do it in direct disregard for their clear disapproval of this measure. So and I would

also just say that EDAC's comments that we could use more housing and or hotels for accommodations is simply anecdotal. There was no study done.

Bridge Littleton: So, Cindy you have a comment?

Cindy Pearson: I do. So I like what everybody said. I like what Philip just said. And with EDAC, I agree. Some sort of study should be done on that. Now, let me be clear that I'm sorry some of the conversation doesn't come through on Zoom. So did the applicant withdraw?

Bridge Littleton: Yes.

Cindy Pearson: Okay. Just wanted to make sure I heard that correctly. And then the other thing is, so do we have to vote tonight at all? Can we bring this back and discuss this more? Is my other question.

Bridge Littleton: I mean.

Will Moore: You're under no obligation to act tonight.

Bridge Littleton: Yeah. I mean, so.

Philip Miller: If we act to disapprove as is, as it stands, that doesn't kill any future ideas coming forward. Correct?

Will Moore: Correct.

Bridge Littleton: Yeah. So, Cindy, we're going to have the public hearing, but then we're not required to act. But, you know, in my opinion, I think we should because what's on the table is one thing. If what wants to be examined is other things that are smaller or whatever, then this does not suit that.

Cindy Pearson: Right. Okay. Okay. Just making sure I'm hearing correctly. Thank you.

Bridge Littleton: Yep.

Bridge Littleton: Kevin, any questions?

J Kevin Daly: I would just like to hear what the public opinion [multiple speakers].

Bridge Littleton: Yeah, we're going to go to that next. Yep. Okay, cool. All right. So we will now open the public hearing. If anybody would like to address the Council on this matter, you're more than welcome. Do we have people signed up?

Rhonda North: We have one person signed up. Megan Gallagher.

Bridge Littleton: Miss Gallagher, you're first.

Megan Gallagher: [off mic] Sign up. [laughter] And I really don't want to come back this summer. Gentlemen. Hi, I'm Megan Gallagher. I live at 214 East Marshall Street, and I came to thank you for what I thought was a really thoughtful discussion on May 11th, both of the zoning text amendment and of the public that you heard from. It was tremendously reassuring to me in many of our neighborhood that all of you recognize that an Inn and a restaurant on our doorstep would have an impact. The question is how big and who could live with it? I strongly support the motion before you to disapprove the zoning text amendment. Your action tonight will retain the current integrity of the C-1 district as a transition zone of low impact commercial uses near our homes. If you want to revisit what low impact means, first thing you do; rewrite it to get rid of the restaurant. You also might want to look at size because our [inaudible] division and I had friends who stayed at the Middleburg Country Inn. They didn't have a restaurant it was eight rooms. Nobody noticed.

They had a giant lot and tons of parking and nobody lived there. But I'm just really grateful for the whole conversation. Those of you who are going to vote the way I want you to and those who aren't, because I do feel like our neighborhood was heard and this did feel rushed. And I really hope it's over and I don't have to come back this summer. Thank you.

Bridge Littleton: Thank you. Rhonda, was anybody else signed up?

Rhonda North: No one else has signed up, Mr. Mayor.

Bridge Littleton: Well, Miss Strama, step right up.

Donna Strama: Donna Strama 10 Orange Drive Middleburg. Hi, Cindy. Get better, Kevin. Thank you for your service. I just want to read. Megan said everything I wanted to say. Thank you, Megan. Rezoning 204 East Washington Street is the first step in the death of Middleburg's beloved historic charm. Difference between the Middleburg Country Inn, no residential area over there, you know. Thank you for voting this down to have this, I'm glad the man took his application out. Thank you all.

Bridge Littleton: Thank you Donna. [multiple speakers] Cindy, you have your hand raised. Did you have a question? Okay, that's fine. Just checking. Would anybody else like to? John. Don't forget. Name. Address.

John Pittman: That's the tough part. [laughter] John Pittman, 12 Piedmont Drive Middleburg, Virginia. As one of your constituents who voted for each and every one of you, I would encourage you to disapprove the addition of an Inn as a special use in C-1 and the C-1 commercial district. I just think it would really take a turn for the worse on the eastern end of our town and especially in that residential area. Thank you.

Bridge Littleton: Thank you, sir. The other, John.

John Ross: We seem to have an abundance of John's in the room. Thank you, Mr. Mayor. My name is John Ross, and I've just returned to the area living at 1 Orange Drive after ten years of exile in Asheville. And I am absolutely delighted to see the level of deliberation that the Town Council is expending in addressing this issue. A little drawing we've handed out shows the likely long term extension of rezoning those parcels as Town Commercial. When I came back to this area, it struck me that we live in the center of the biggest privately owned public historic park in the country. It's absolutely gorgeous. And having watched Asheville rezone all of its properties downtown into hotels and restaurants and seen by the tragedy that's happened there, you may be well aware of the coverage about the crime in downtown Asheville these days. Preserving the rural character, preserving the historic nature of Middleburg is of crucial importance. Thank you very much.

Bridge Littleton: Thank you. [applause] Would anybody else like to address Council during this public hearing? Going once. Going twice. Norm? [laughter]

Chris Bernard: We'll get his comments [off mic].

Bridge Littleton: Yeah, we'll see your comments tomorrow. Okay, then we will close the public hearing. I don't know why I just did that. [multiple speakers] Yeah, Yeah, exactly. [laughter] Fajitas. Yeah. Yeah, exactly. Okay, so any other discussion? I don't think so, but.

Chris Bernard: I got a motion. Okay. I live closer. [laughter] [inaudible] Not without these glasses. All right. I move that the Council disapprove Zoning Text Amendment 23-01 pertaining to an Inn as a Special Exception Use in the C-1 District.

Philip Miller: Second.

Bridge Littleton: So just to make sure everybody has this clear, because it is the double negative issue. If you're voting yes, you are voting to disapprove the text amendment. If you vote no, you're voting to not disapprove the text amendment.

Bud Jacobs: Well said.

Bridge Littleton: Yeah. Well, while everybody was speaking, I took the five minutes during public comment to work it out in my mind. It took that long. [off mic] Yeah, right, exactly. Okay. So. All right. All those in favor of disapproving the text amendment say Aye. Aye. [multiple speakers] Okay. Kevin, did you say Aye or not?

J Kevin Daly: Aye.

Bridge Littleton: Okay. All opposed?

Bud Jacobs: Nay.

Peter Leonard-Morgan: Nay. Sorry, folks.

Bridge Littleton: Abstentions. Okay. Motion passes. I don't ever want to do one like that again. [laughter] [applause] Sorry, Martin. What's that?

Martin Crim: I just wanted to make sure that Rhonda was able to determine exactly how each member voted, because that's going to have to be recorded in the minutes.

Rhonda North: I was. Yes, it's a 4 2 vote.

Bridge Littleton: Okay. Well, we don't have much excitement like that very often. Now, if this was the county that would have still been boring. Okay. So next item up is we have no public presentations. Staff reports is. Thank you all.

Rhonda North: Stuart is on the line.

Bridge Littleton: Stuart, you're up.

Stuart Will: Good evening.

Danny Davis: How are you?

Stuart Will: I'm doing very well. Interesting deliberations y'all got going there. [laughter]

Chris Bernard: I forgot to ask Stuart what he thought.

Bridge Littleton: Stuart anything to note?

Stuart Will: No, sir. You guys have my report. Do you have any questions?

Bridge Littleton: Any questions for Stuart?

Peter Leonard-Morgan: Just one.

Bridge Littleton: Yes.

Peter Leonard-Morgan: Hi, Stuart. I actually spoke to Mark about this, and I think that top graph needs to be Town of Middleburg. total monthly flow, not daily. Just FYI on page four.

Stuart Will: I'll have to examine that and I will speak with Mark also.

Peter Leonard-Morgan: Thank you very much. Appreciate it.

Bridge Littleton: Any other questions for Stuart? Cindy, go ahead.

Cindy Pearson: Is it Stuart, I asked about the water tower progress, or is that Danny?

Danny Davis: It's all of us together, but we're happy to answer questions.

Cindy Pearson: Okay. I just wanted to know because I'm not there today. Are they working on it this week?

Danny Davis: They are working on it. As in setting up the structural rigging system. They don't plan to begin the blasting effort until June 12th, I believe is the date. But they are working on it. They have set up the temporary fencing for the temporary cell tower. So we've made progress in that direction. And the temporary cell tower should be arriving either June 3rd or June 5th to be set up and all the equipment moved over that week. So, yes, thankfully, we do see progress and they are working towards that very expeditiously so we can try to keep to our schedule as close as possible.

Cindy Pearson: Thank you very much for the update.

Philip Miller: Cindy, they were parked in front of your house on my way here, doing something.

Cindy Pearson: [inaudible] For sure.

Danny Davis: Well, and actually, that's a great point. I will note for the public as well as the Council, that parking being a challenge on Marshall Street and also the need for a few of the project managers and oversight coordinators to be accessible to the site. We're allowing 3 or 4 cars to park along the fence line, but we are ensuring that they are not going to be parked on both sides of the street. So there's still a safe way for them to get by and there will be limited times, deliveries or things that might block the street. And they have Chief Jones's number as well as our number, so that we can provide the appropriate traffic delay. But that would be for max 30 minutes or an hour on probably just 1 or 2 times during the project, not 1 or 2 times per day, meaning 1 or 2 times for the whole project.

Bridge Littleton: Cindy.

Cindy Pearson: Yeah. Can I just add to that? I don't know, because when you have anyone walking down or up, they have to go out into the road and also the cars may be coming. Is there any way to have some signage to slow down or work ahead one lane something?

Danny Davis: Absolutely.

Cindy Pearson: Because yeah, just kind of check it out, please.

Danny Davis: Definitely. And we discussed also having some signage saying sidewalk closed ahead so that people could walk down if they preferred down Hamilton, I guess, doesn't have sidewalks either, but they could take a different detour around if they would prefer to. So we can definitely work on signage when they have that and we have most of that already available to us.

Philip Miller: And let's not forget, there's a school there where children do walk.

Cindy Pearson: Yes. So there's a lot. [multiple speakers]

Philip Miller: We can do a slow down, put your device down, be careful. [multiple speakers] Anything like that, that would be great. Great. Looking at Shaun.

Shaun Jones: If you just give me some dates when [off mic]

Danny Davis: We'll start. We'll work on it.

Shaun Jones: Yeah, we'll work on that.

Danny Davis: Yeah. Great.

Bridge Littleton: Yeah.

Peter Leonard-Morgan: On that subject, originally they were parking far enough away that you could walk on the sidewalk. Now it's almost too close. [off mic] Yeah. Yeah.

Danny Davis: And that's that challenge of getting them far enough off the street to allow traffic to safely pass. But then or do we keep them off for pedestrians to squeeze by? I will say during the blasting part of the project, they really don't even want pedestrians up against the fence line. And so that will be primarily where we want to focus pedestrians and whether it's with cones, you know, to create a little walking path or just simply again directing them around the block. And by the time they start real quick, by the time they start blasting, school will be out of the charter school. So I understand there are still kids that walk to the pool and other places.

Philip Miller: The playground. Yeah, sure. We still have barriers that we own for Christmas in Middleburg. Can we create a safe pathway there for pedestrians just inside the road, just two, three feet while they're using that parking?

Danny Davis: That's a great idea. Let's talk with the project team just about accessibility of their vehicles. But if they're not. [multiple speakers]

Philip Miller: Those are light. They pick them up and move them.

Danny Davis: Yeah, that's a great idea. Yeah, we'll work on that with Will and with Chief.

Bridge Littleton: Any other questions for Stuart? All right, Stuart, thank you.

Stuart Will: Yes, sir. You all have a good evening.

Bridge Littleton: You too. All right, Mr. Moore, Special Project Update. This better be good.

Will Moore: Well, I think a lot of the thunder was just stolen because the water tower, I think, is the most significant project that we have underway at the moment. But we do have the updates in the report. The only thing I'll highlight is we have we did hold the kickoff meeting for the South Madison Street Enhancements Project with the consultant. They're already making progress with kind of a survey form that we're going to put out that includes a number of different options for stakeholders to consider. So we're working with them on refining that. But good progress being made already within the first couple weeks. So happy to answer any questions on any of the projects.

Bridge Littleton: Any questions for Will? All right, Will, thank you.

Will Moore: Thank you.

Bridge Littleton: All right. Next item is Council Member Miller Middleburg Charitable Foundation.

Philip Miller: So the board has been meeting as often as possible, given schedules to basically set the ground rules for how the organization is going to work. Right now, we are working on and we have a meeting next week to further hone in on our vision statement and our mission statement. And then from there, we will continue with building our website. And as that gets built, which basically I'm going to end up doing, we will then start our process of planning out how we will receive applications for grants and we will also then put a timeline to that as to how often or if we're going to do once a year or on a rolling basis and how we're going to dole out the funds that are planned for that year. But so far we have been going through all the historical documents and coming up with a right vision statement and mission statement and our priorities for the organization, as well as setting up the bank account, getting a logo, which was nicely done for us by Red Thinking. And we have what else have we done? Oh, we got the money under management and signed that agreement so that everything is moving forward and progressing nicely there no lost time on money in the market. So that's where we are. We hope, I would think, to have some things by the beginning of next fiscal year to the point where we can start the actual process of soliciting information from potential applicants.

Danny Davis: And if I can just add 1 or 2 quick things, I know this is a topic that the Mayor has brought up and a question about how the organization sees how donations would be made, whether to organizations or individuals. And while I don't want to speak for the board, but in those conversations so far to date, the conversation has focused on continuing to provide contributions to organizations and really a focus in that direction. And at this point, at least as the beginning of the organization, not getting into making donations to individuals because that introduces an additional layer of vetting, complexity tracking and things like that. So I think just for a little bit of context for the Council's purposes, the Charitable Foundation Board has expressed this desire to focus at this point on supporting organizations doing great work in the community.

Philip Miller: That is correct.

Bridge Littleton: So quick question, and I totally get that right. It makes it a lot easier. It would be well. There's a lot of folks in town, especially folks at Windy Hill, who are struggling with day to day bills and stuff like that. I've got one lady who's and Tina is helping me get some assistance on utility stuff. It might I think some organizations probably know that they can make a request on behalf of people who they support. Is there any restriction on that? Like if like, let's say Windy Hill came forward and said, hey, we would like to request \$4,000 or whatever the number is because we want to directly help the neediest residents with their utility bills, You guys would be okay with that? I mean, I don't want to call it bundling, but.

Philip Miller: We don't have the process written out yet. So I don't feel comfortable speaking for the board and saying yes or no. But I as far as the discussions have gone to date, I don't see that that would be an issue as long as we would be providing the money to an organization and not directly to an individual. We want to make sure that the organization is responsible for vetting any direct payments to individuals.

Bridge Littleton: Got it. Okay.

Philip Miller: And not us because we just don't have the manpower to do that. Right. And in addition, we will also be putting down our policy and a plan together for soliciting donations to increase the fund.

Bridge Littleton: Okay, great. That's great. Okay, great. Anybody have any questions for Philip? It's exciting. It took a while, but it's government. All right. [off mic] Yeah.

Bridge Littleton: Consent agenda. Is there a motion would anybody, like, the only item removed from the consent agenda? [laughter] All right. Is there a motion?

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

Peter Leonard-Morgan: Second.

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

All of Council: Aye.

Cindy Pearson: Aye.

J Kevin Daly: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Motion passes. Next item is Council approval of the Order of the Appropriations ordinance for fiscal 2024.

Danny Davis: Thank you, Mr. Mayor and Council Members. We held a public hearing at the last Council meeting on the proposed fiscal 24 budget, and no changes have occurred since that time. And we appreciate the Council's deliberation and discussions on the Budget over the last few months. And barring any desire to make further changes, the fiscal 2024 budget is ready for approval and a draft motion is provided in the memo. Just as a reminder, this would be a roll call vote. Happy to answer any questions or support you in making your motion.

Bridge Littleton: Thank you. Before we go forward, I want to just make a quick comment. I can't remember if I shared it with everybody or not, but I got a really nice email from Mike Morency over the weekend. He had taken a copy of the budget and reviewed it and sent an email to Danny and I just really complimenting the town and the staff and everybody and all the hard work that they've done to put together the budget document and all the supporting material that went along with it. Mike's comment was it was very easy to follow. It was very well thought out. Clearly, a lot of time has gone into it in a format in which the public can easily understand it and that he was very, very impressed. And that's from Mike that's high praise. So I really want to thank Danny. Tina, Will, Shaun, all the department heads, all the town staff for all the hard work you guys did in putting together our budget for the year. That's anything you want to make sure you spend time on to get right it's that. And you know, and Rhonda as well, you guys did a fantastic job given the fact, you know, working on the town hall at the same time. So kudos to you guys. Thanks for everything. Okay. Unless there are no comments or questions for Danny or Tina on the budget, is there a motion?

Chris Bernard: Last minute? [off mic]

Bridge Littleton: Oh, wait, we had a COLA.

Chris Bernard: All right, fine. I guess we'll just do it.

Bridge Littleton: Hold on, hold. No, you didn't. [off mic]

J Kevin Daly: Can you hear me?

Bridge Littleton: Yeah, Kevin, go ahead.

J Kevin Daly: I move that the Town Council approve an ordinance to approve the budget, affirmed tax rates and make appropriations for the fiscal year ending June 30th, 2024.

Chris Bernard: Second.

Bridge Littleton: Any discussion. All those in favor say aye. Oh, hold on, hold on, hold on, hold on. No, it's a roll call vote.

Rhonda North: Yes. Vice Mayor Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

J Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Motion passes. I was going to make a friendly amendment to increase Council pay, but. [laughter] All right. Next item here is Council approval of an ordinance setting the water and sewer rates. Would that be you? All right.

Danny Davis: Yes, sir. Again, just to wrap up the conversations that you've had over the past couple of months. No other changes have been proposed to the utility rates, as discussed. And this is you held a public hearing at your last meeting. And the ordinance, as drafted proposes a 3% increase in user fees for water and for wastewater services. With that, an ordinance is required to amend those fees and is provided for you with a draft motion. Also, again, a roll call vote. Happy to answer any questions you may have.

Bridge Littleton: Any questions for Danny? All right. Is there a motion?

Peter Leonard-Morgan: I move that the Town Council approve an ordinance to amend the schedule of water and wastewater user fees and charges.

J Kevin Daly: Second.

Bridge Littleton: Any discussion? Rhonda, will you call the roll?

Rhonda North: Vice Mayor Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

J Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Nay.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: All right, Motion passes. Next item. I don't know if we want to do this. Appointment of Martin Crim as Town Attorney.

Philip Miller: Make it less than six minutes. He can't bill us. [laughter]

Bridge Littleton: No, he can but just for six minutes.

Will Moore: Just don't make it seven.

Bridge Littleton: Yeah, right. Because then you just paid for 12. All right. I don't think. Does anybody need Danny, to go through the memo or actually, you know what, Danny just give the quick. I need a timer that's like, 15 seconds.

Danny Davis: Thank you, Mr. Mayor, as you're all well aware, in the memo reflects that Mr. Crim is joining a new firm, Sands Anderson, and his current firm, Vanderpool, Frostick & Nishanian, is no longer providing municipal legal services. So the Council's option is to stay with Mr. Crim at his new firm or to find a new town attorney. And it's staff's recommendation that we continue working with Mr. Crim at his new firm and we appreciate his hard work on behalf of the town. But leave it up to you, Mr. Mayor and Council, if there are any questions we can answer, we're happy to or Mr. Crim on the line.

Bridge Littleton: Chris. Oh, hold on. Hold on. Go ahead. Martin, How much is this worth to you?

Chris Bernard: He'll take your questions offline.

Bridge Littleton: Yeah.

Martin Crim: I'm sure you didn't mean to imply a Conflict of Interest Act Violation there. [laughter]

Bridge Littleton: Only by you. You're the licensed attorney. Exactly. It was a test. That was it. You passed the test. Good job.

Peter Leonard-Morgan: I think the Mayor is just disappointed not to see Martin Avenue behind you.

Martin Crim: I couldn't hear that.

Peter Leonard-Morgan: I think the mayor is disappointed not to see the Martin Avenue sign behind you.

Martin Crim: Yeah, Yeah. We'll find a new place for it. [off mic] my current office.

Bridge Littleton: All right. Is there a motion?

Chris Bernard: I move that council approve the Legal Services agreement dated May 18th, 2023, with the law firm of Sands Anderson PC. I further move that Martin Crim of that firm continue his appointment as Middleburg Town Attorney to serve at the pleasure of Council and in accordance with the Legal Services Agreement and the Town Charter.

Peter Leonard-Morgan: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed. Abstentions. Martin, you squeaked by again.

Martin Crim: Thank you sir, appreciate it.

Bridge Littleton: Yes. No, thank you. Thank you for all you do for us and for continuing to represent the town. Okay. Discussion items. I don't think there are any. Oh, wait. Yeah, yeah. I'm sorry, Danny. Go ahead. 4th of July.

Danny Davis: So, thank you, Mr. Mayor and Council Members. With the upcoming Independence Day holiday, as you know, the Town is taking over the activities around the celebrations for that day. The fireworks will be shot off of the Salamander property due north of our current construction site, our current. Let's put it this way. Our current move in date for the new town hall is after July 4th. There is a possibility that we would receive occupancy by the end of June, but that's cutting it razor thin in terms of being able to have publicly accessible restrooms and also to ensure that the site is fully ready for a large crowd. There are a couple of options before Council. I think the easiest option would be to suggest that we promote this event and work with the charter school to see if they are amenable to us using their property for a small scale event and allow the public to use the grassy area for watching the fireworks from that location. If by chance our parking area and or portions of our field are accessible or available for the public to sit and enjoy the fireworks, by all means, we would invite the public to join us at that point. But I'm not confident in talking with staff. We're not confident it's best to plan on an event in our Village Green, where the sod may not be fully established on a site where there still could be some construction equipment or activity, even if the majority of it has been moved to a different location. So it's really more of a question if Council is comfortable with that approach, I'll speak with Mr. Robinson and with Vito tomorrow about our use of the charter school, and then we'll begin the promotion of that information to the public and share that again. As a reminder, we're seeking to make this more of a community focused, small scale event, not as large as it has been in prior years at the community center. So while we hope the whole community does come out, we're also not intending for this to be drawing thousands and thousands of people from the region. So I realize that's really a broad overview, but I'm happy to get into more details if you really want more details or happy to brief you after either today or tomorrow or sometime if you'd like. But that's kind of our current thinking and goal or part of this discussion.

Bridge Littleton: Yeah. When Danny and I talked about it earlier, I mean, he brought the point up about the sod, right? I mean, we've laid thousands and thousands of dollars' worth of sod, and the worst thing to happen is it hasn't taken yet have, 800 people trample over it and then we got to rip it out and replace it and wait that whole time frame again. [off mic] Yeah, exactly. Exactly. So I just said, yeah, let's see if we can use the charter school if that works great. And if, you know, two weeks before 4th of July, the grass guy says, Hey, it's good to go. We can have them both, right? So at least we keep the options on the table. So anyway, any questions for Danny? Thank you. Cindy. Yeah, yeah.

Cindy Pearson: Sorry, have to unmute. No, I like that idea very much. Is anything with a water tower going to.

Danny Davis: So yes and no. I mean, short story is not directly. The area where the temporary tower will be is fully fenced off and there will be no activity happening on that day of July 4th. They very specifically were not going to work on the 4th of July. It does take away a little bit of the grassy area, but the entire kickball field is fully accessible and open. So I think it will be just fine.

Cindy Pearson: Great. I think it's a good idea to plan that and not count on the town office space. So good. Thank you.

Bridge Littleton: Philip.

Philip Miller: So question, have we abandoned the e-newsletter?

Danny Davis: So it has for the time being, not restarted after the winter season. And now with Ms. McIntyre's absence, it's not happening at this point. I can get newsletters out as needed for particular events, but weekly it's not occurring at this point.

Philip Miller: Okay, so the last time it went out was December 21st. [multiple speakers] Yes. Okay. So I received some complaints that that is not going out and that things like the Farmers Market are not being advertised to people. So they don't know that it's going on. People have been expecting that in their inbox for years. And I think it's a great tool for us to convey all of the things that are going on in town, and we need to do a much better job of reigniting that. And if we need to devote resources to it, I think it's an important thing and I'm sure that it's something that we can find within our marketing firm or somebody else who can pick up slack temporarily. But, you know, long term, I know we've had discussions about changing out the way that it works and having one that's for out of town people and in town residents. But in the meantime I don't think with everything coming up this spring, moving into potentially new building in a couple of months, that it's a good idea to just not communicate with the public.

Danny Davis: I'll put that on our list of items to make sure that gets restarted. Thank you for that. Thank you.

Peter Leonard-Morgan: If I could say thank you for that. I meant, to bring that up as well. I think it's so important, even if it's a shortened one. And the Farmers Market was a great case in point. We were at the Farmers Market last Saturday and it was quite well attended, but some people just didn't know it was on and it's such a great medium. So thanks for raising that. Totally agree.

Danny Davis: Yeah. Thank you.

Bud Jacobs: Did [inaudible] to pick up.

Peter Leonard-Morgan: After you did the Irish exit? Yes. Yes. [laughter] It wasn't I mean, I'd love to know what other people think, but it did start to get quite busy, I think, constantly throughout.

Bridge Littleton: A good steady flow that's good. Yeah.

Chris Bernard: It started a little slow, but it had a good flow. And by the end there were quite a few people there. And having done this a few years ago when we started the market at Buchanan Hall, yes, there were a lot of days, especially in the middle of the summer, where it looked a little thin and a little slow, but it takes time. And so it was a great first week and I'm excited to see it build. They had the first [inaudible]. Last night and they had 40 they said they had 40 banners. It was probably closer to 25, but there were hundreds of people there. I mean, there was nowhere to park. So it will come. We just got to stick with it, even if it looks a little.

Danny Davis: And we've heard from a few more vendors interested, even if they're not here every single week, but coming from time to time or coming regularly. So we hope that we'll grow that as well.

Peter Leonard-Morgan: I would like to just take this opportunity to say thank you to Ms. Shelly there and to Mr. Moore, who came out all day and, you know, didn't laugh when I tried to help him take down the gazebo, [laughter] but really appreciate what you guys did. Thank you.

Kim Shelly: I did do a little poaching at Buchanan Hall last night.

Bridge Littleton: Good. Good job. No, you know, unfortunately, I couldn't be here on Saturday, but one of the things I heard was that's better about at least how this one is starting off is in prior years, it was very much of a it was just a Farmers Market. Right? You come, you shop. This actually had a little bit of experience to it, right? There was there was activity, sort of like Buchanan Hall is done and I think that's creating. [off mic] Exactly, creating a fun experience while you do that is why Buchanan Hall has become you know what it has become.

Chris Bernard: It's like a mini Fair.

Bridge Littleton: Exactly. That's exactly right.

Peter Leonard-Morgan: There were times when there was nowhere to park, so that says it.

Bridge Littleton: Yeah. Okay. Any other information items?

Peter Leonard-Morgan: Just one. Not really information items. Just well, is information. Actually, the Sustainability Committee had its first ever retreat at the American Legion on Monday. We appreciate the Mayor turning up to do his very nice presentation, which on TDRs. And it was a great event because we find that we meet once a month for an hour and a half and we don't have enough time to really strategize about what our key goals are with the sustainability Committee. And so I really appreciate the American Legion. If Gary's listening or watching for letting us use their very nice hall and he prepared that beautifully.

Bridge Littleton: Cindy. [laughter]

Cindy Pearson: For the last one, but somebody else made the comment, so I didn't.

Bridge Littleton: Oh, got it. Okay. It's that pimento cheeseburger on your mind.

Cindy Pearson: It is. [laughter]

Bridge Littleton: All right. The only thing I wanted to throw out there was Chris and I went and briefed the Transportation Land Use Committee at the county last, what was it, Wednesday? [off mic] No, no, no. It was an hour long. The TLUC committee on the TDR idea. I'll just say really quickly, I think it was very well received. Several supervisors were, you know, incredibly excited, thought it was something that could really make a huge difference. Everybody supported it being put forward on the work plan. Some had some really good comments, But I mean, it was unanimously agreed that this would be a really advantageous tool to have to achieve a lot of the county's goals. I think one of the things that was good about it is it can be driven by the market. It doesn't have to, it doesn't require government money. Staff was a little reluctant to take it on immediately, but I think there's ways to help with that. So, no, I think it's, you know, all around a really good first step. Chris, what'd you think?

Chris Bernard: I would say, in fairness to the staff, I've started doing some research on execution. It's just a lot. It's a very complex thing, like whatever his name was, was talking about the marketplace. You know, you create a marketplace for it. It has to have oversight, all the rules. It's going to be a big undertaking for them. But it sounds like everyone is excited about pushing the ball forward. So it's good.

Bridge Littleton: The only other thing I would say is Peter and I were at the State of the County address last night, it was very well attended. Afterward, COLT got together and so we are going to sponsor, Norm get ready, debates again this year for the supervisor races, and we're going to have debates for every competitive supervisor race. So not just the two Western Loudoun ones like we did last time. I think there's one or I think there's two supervisors who don't have a competitor. Maybe it's three, but all the other ones we're going to be doing debates for. So more details on that to come. [off mic] But what's that? Well, it will be in each district. So like we took on the responsibility or I took on the responsibility to help organize the one for the Little River District. [off mic] What's that? [off mic] And the Dulles one. So that and I figured what we'll do is we'll just do it like at the American Legion or something like that. We've got a guy who can the same guy who did all the videoing last time, and it's going to be the same format. A member of COLT along with a representative from Loudoun Now and Loudoun Times to ask the questions. So I think they were very well received last time. And and I mean, the chair one, it was standing room only at [inaudible]. That thing was that was packed. So okay, I don't think there's anything else unless anybody else has any other information items. If not, we'll go to the closed session. Going once. Going twice. Okay. Who would like to read the motion? Peter?

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 retained 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 Section A8 and two the discussion or consideration of the acquisition of real property or properties located within the town limits for public purposes as allowed under Subsection A3. And three for the performance review of the Town Manager as allowed under subsection A1. I further move that the Council thereafter reconvene in open session for action as appropriate.

Philip Miller: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay.

Automated Message: Recording in Progress.

Bridge Littleton: All right, here we go. I ask that Council certify that in the Closed Session just concluded to the best of each members knowledge, nothing was discussed except the matter or matters, one 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 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.

Philip Miller: Yes.

Bridge Littleton: Yes.

Peter Leonard-Morgan: Yes.

Cindy Pearson: Yes.

J Kevin Daly: Yes.

Bridge Littleton: Any other items? Meeting adjourned.