



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, January 25, 2024



PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Chris W. Bernard
Councilmember Pamela Curran
Councilmember J. Kevin Daly
Councilmember Morris E. "Bud" Jacobs
Councilmember C. Darlene Kirk
Councilmember Peter A. Leonard-Morgan
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
Shaun Jones, Chief of Police
Ali MacIntyre, Business Development & Community Partnership Director

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, January 25, 2024 in the Town Hall Council Chambers, located at 10 West Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

Public Hearings & Action Items

Request for Vacation of Right-of-Way - Chris & Carolyn Hersh

Deputy Town Manager Moore reminded Council that the staff had been working with the Hersh's on the vacation of the unimproved portion of East Marshall Street extended. He reviewed the details of the right-of-way and the history of its dedication to the Town. Mr. Moore opined that the likelihood of the eventual connection of Marshall Street to Route 50 was little to none due to the major environmental encumbrances. He noted that the Comprehensive Plan did not express a desire to extend the street. Mr. Moore reminded Council that the Ad-hoc Property Committee recommended approval of the vacation subject to conferring with the Virginia Department of Transportation (VDOT) and the establishment of any necessary easements. He reported that VDOT had no objection to the vacation. Mr. Moore advised that if the right-of-way was vacated, the staff would work with the Hersh's to establish the necessary easements, including a drainage one. He reminded Council that the Town had a sanitary sewer main that ran through a portion of the Hersh's property and connected to the main in the right-of-way. Mr. Moore advised that it did not appear that a formal easement had ever been obtained for it by the Town and noted that the Hersh's were willing to grant one. He recommended the dedication of that easement be adequate consideration for the vacation of the right-of-way. Mr. Moore reported that if approved, the ordinance would not be released for recordation until all the conditions were satisfied.

No one spoke and the public hearing was closed.

Councilmember Leonard-Morgan moved, seconded by Councilmember Jacobs, that Council adopt an ordinance to vacate a portion of East Marshall Street right-of-way and convey it to Carolyn R. Hersh and Christopher Karrer Hersh.

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

Acceptance of Bids & Award of Easement for Underground Power Lines – Well 2 – Landmark School Road

Town Manager Davis reported that Dominion Power was undergoing an underground power line project to enhance the reliability of their service in the area of Landmark School Road. He further reported that they approached the Town about securing an easement on the Town’s property, which contained Well 2, so they could move the power lines underground. Mr. Davis noted that the easement would be located behind, but close to, the fence. He advised that the staff had no objection to granting the easement. Mr. Davis reminded Council that the Town was required to accept bids for the easement and advised that it had received no others. He recommended approval of the granting of an easement.

Council suggested that given the timing of the request, the Town make the purpose of the project very clear so no one would believe it was related to the need for extra power lines for data centers.

Town Manager Davis confirmed this easement would simply allow for the removal of existing power lines so they could be placed underground.

Mayor Littleton noted that it would allow for the removal of power poles.

No one spoke and the public hearing was closed.

Councilmember Leonard-Morgan moved, seconded by Councilmember Jacobs, that Council adopt an ordinance authorizing award of bid for easement on public property owned by the Town of Middleburg along Landmark School Road, approving the easement for a term of forty years.

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

Staff Reports

Utilities Report

In response to an inquiry from the Council, Stuart Will, of IES, advised that the influent level coming into the wastewater treatment plant as a result of the recent rains was just now returning to normal.

Public Presentation

Annual Report – Middleburg Business & Professional Association

Punkin Lee, President of the Middleburg Business & Professional Association (MBPA), reviewed the activities undertaken by the MBPA in 2023, including the Sidewalk Sales, Halloween Parade, Fourth of July Parade, Christmas Tree lighting, Dickens of a Christmas, Juneteenth Celebration, and Stuff the Trunk Food Drives. She advised that they also had concierge tents at the Upperville Horse show and was a sponsor of the Rural Preservation Summit and National Night Out. Ms. Lee noted that they promoted the town through social media and their eleven Biz Buzzes. She reminded

Council of their Middleburg gift card program. Ms. Lee advised that they printed monthly events cards and distributed an online monthly newsletter. She noted that they planned to conduct a member survey after their first Biz Buzz this year. Ms. Lee reported that they helped with job fair workshops and now included all town events on their events calendar. She noted that they promoted Black History Month in 2023 and planned to do even more this year. Ms. Lee reported that they planned to do the same activities in 2024. She noted that she met with the Mayor earlier in the week to discuss the Visitor's Center and planned to meet with Chief Jones to discuss more partnerships with the Police Department.

In response to a comment from the Police Chief, Ms. Lee reported that they planned to continue with a Dickens of a Christmas in 2024; however, due to the calendar, it would only be held on three weekends. She announced that their first Biz Buzz in 2024 would be held at Lost Barrel. Ms. Lee invited the Council to attend.

Katy Carter reviewed the MBPA's social media program for 2023. She reported that they had 8,100 followers on Facebook and received 7,500 likes. Ms. Carter noted that their performance was growing. She reported that the majority of their followers were females aged 45-64, most of whom were from the immediate area; although, she noted that they had followers from South Africa, the UK and Ireland. Ms. Carter reported that their top Facebook post was the one showing the Grinch being arrested. She reviewed some of their other more popular posts. Ms. Carter reported that the MBPA had just under 6,000 followers on Instagram, which was an increase in the number over the previous year. She noted, however, that their likes and comments on Instagram were down in 2023. Ms. Carter advised that in order to improve this, they were posting more videos. She reviewed their followers' locations on Instagram, which included locals as well as international ones. Ms. Carter reported that The Fun Shop received the most hashtags, followed by Secretariat, Hometown, Southern Living and Best of the South. She opined that the latter ones were due to the town being recognized in multiple national publications. Ms. Carter reviewed their top posts, the most popular of which was Christmas. She reported that over the last six months, their website had 72,450 page views, their search impressions were 1.77 million, and the number of clicks was just under 21,000.

Councilmember Pearson asked that in the future, the reports include a comparison of the numbers to those from the previous year so the Council could see how things have grown. She noted that often, she did not see the MBPA's Facebook posts until after an event occurred. Ms. Pearson suggested the MBPA boost their posts.

In response to an inquiry from the Council regarding the events calendar, Ms. Carter confirmed that everyone could submit an event that was in the immediate area for listing. She explained that the individual would submit their information, which she then reviewed.

In response to inquiries related to the Middleburg gift cards, Ms. Carter advised that they were printing logos that merchants could put in their windows. She further advised that the gift cards could be purchased online at visitmiddleburgva.com.

Council suggested the MBPA get the word out some more on how people could participate in that program.

In response to inquiries from the Council, Ms. Carter confirmed that having the followers skewing heavily toward being female was typical for Middleburg. She noted that they did get more male engagement for the Mille Miglia. Ms. Carter opined that overall, what the town presented was more appealing to females. She confirmed there were opportunities to try to appeal more to males.

Mayor Littleton noted that with regard to some platforms, no matter what an entity did, it was simply how people engaged. He cited as an example YouTube, whose viewership was 80% male. Mr. Littleton advised that YouTube had spent millions of dollars trying to figure out how to engage women more; however, men liked watching video clips more on YouTube, whereas women watched them on Facebook.

Council noted that the MBPA did an amazing job and thanked them for everything they did.

Ms. Lee thanked the Council for their continued support of the MBPA. She noted that the Christmas activities were expensive and asked that the Council think about that for next year.

DISCUSSION ITEMS

Middleburg Day

Business Development & Community Partnerships Director MacIntyre reminded Council that the Town did a lot of signature events throughout the year; however, while they were enjoyed by town residents, they were primarily visitor focused. She further reminded Council that one of their strategic initiatives was to develop more resident focused events. Ms. MacIntyre advised that to achieve this, it was recommended that the Town annually hold a Middleburg Day on the Friday after Memorial Day weekend, from 5:00-9:00 p.m. She noted that this year, it would be held on May 31st. Ms. MacIntyre explained that Middleburg Day would be a community picnic style event that would be held at the Town Hall. She advised that it would be geared toward Middleburg residents and would be held in partnership with the MBPA and the Windy Hill Foundation. Ms. MacIntyre noted that the event would be marketed through a mailer. She reported that the entertainment would be locally sourced and noted that there would be various activities for those of all ages. Ms. MacIntyre reported that Vice Mayor Bernard would oversee the event. She advised that the goal was to reach out to local restaurants to see if they would contribute food and beverages; however, given its size, the Town would also have to hire a local caterer. Ms. MacIntyre opined that the cost of the event could exceed the funding in the budget. She noted that whether alcohol would be served was still under discussion.

Council expressed concern with the statement in the staff memorandum that the event would be exclusive to Middleburg residents and opined that there was no way to do that. They suggested it be targeted at those living in the Middleburg community.

Vice Mayor Bernard confirmed the event was intended to be for the greater Middleburg community; although, it would be marketed toward Middleburg residents. He explained that the goal of the event was to celebrate the people who lived here and Middleburg's history, including its local traditions, in a fun and engaging way. Mr. Bernard acknowledged that this would be a Town sponsored event on Town property. He opined that some people would base their decision on whether to come or not on whether it was a dry event. Mr. Bernard suggested the Council discuss this as a group.

Business Development & Community Partnerships Director MacIntyre advised that they also recruited Town Clerk North to bundle the annual volunteer appreciation reception into Middleburg Day.

Mayor Littleton opined that it would not be a good idea to combine the two events, as there would not be enough time to recognize the volunteers as has been done in the past. He suggested people would not want to sit for an hour while the Town did so.

Vice Mayor Bernard advised that the idea was to continue to hold a volunteer reception around the holidays, during which there would be more individual focused awards. He explained that the idea was to give general recognition to the committees, with those being interspersed throughout the evening.

Mayor Littleton expressed concern that if some people were recognized, but others were not, it could result in someone feeling slighted.

After some discussion, the Council agreed they would like to allow for the service of alcohol. They suggested the wineries and Mount Defiance be invited to serve drinks in a specially marked area. Council agreed people should not be able to bring in outside alcohol. They acknowledged that the challenge would be to serve it in a safe and effective manner and suggested the service of alcohol be cut off at 8:00 p.m.

In response to an inquiry from the Council as to whether additional police officers would be needed if alcohol was served, Chief Jones opined that he could handle the event with his current staff. He advised that if he believed they needed to bring in other officers, he would reach out to the Sheriff's Department.

In response to inquiries as to how the Town would control who attended, Business Development & Community Partnerships Director MacIntyre advised that nothing had been finalized. She opined that because it was going to be geared toward the Middleburg community, it would not be something visitors would be interested in. Vice Mayor Bernard opined that there would not be a heavy showing of people who were from outside the community.

Town Manager Davis reminded Council that the Town limited its marketing of the Independence Day celebration last year so it would be a community focused event. He advised that people from outside of town came because it had become a tradition for their families. Mr. Davis opined that since this was a new event and because it was not a special day for which people were looking for significant events to do, there would not be a significant number of random attendees.

Council noted that the information distributed should not say the event was exclusive to Middleburg residents.

Vice Mayor Kirk suggested the volunteer appreciation efforts be kept separate from this event.

Mayor Littleton suggested the need to reach out to the older residents of the Middleburg community who have lived here for a long time, as they had great stories to tell.

Staff Reports (continued)

Special Projects Report Update

Deputy Town Manager Moore reported that the grinder pumps had been installed and were connected to the Town's sewer main under the Septic Conversion Project. He further reported that one septic tank remained that needed to go through the proper abandonment process, which just left the site restoration work to be done. Mr. Moore advised that the repairs were ongoing for the Well 4 Project. He noted that the galvanized fittings throughout the plant were being updated with stainless steel ones in order to avoid future issues due to the pressurized tanks.

Town Manager Davis reported that Town Clerk North drafted a Request for Proposals for public outreach services related to the Asbury Church, which he was currently reviewing.

Consent Agenda

A. Council Approval – Declaration of Two Police Vehicles as Surplus Property

Vice Mayor Bernard moved, seconded by Councilmember Daly, that Council approve the consent agenda as proposed.

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

No – N/A

Abstain: N/A

Absent: N/A

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

Action Items (non-public hearing related)

Council Approval – Town Grant & Sponsorship Policies

Town Clerk North reported that, as requested by the Council during their last meeting, the sub-committee reviewed the proposed draft policy related to sponsorships and recommended a change that would clarify that the sponsorships in the amount of \$15,000 and \$10,000 respectively for the Middleburg Film Festival and Christmas in Middleburg may be given by the Council. She reminded Council that all the policies stated that the availability of grants and sponsorship funding was subject to the inclusion of funding in the Town budget and the appropriation of the funding by the Council.

Mayor Littleton thanked Town Clerk North and the members of the sub-committee for their hard work in developing the new grant and sponsorship policies. He noted that they were very detailed, which was very important.

Councilmember Jacobs moved, seconded by Councilmember Daly, that Council adopt a resolution pertaining to the Town's grants and the purchase of sponsorships.

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

No – N/A

Abstain: N/A

Absent: N/A

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

Council Approval – Purchase of Police Vehicle

Chief Jones explained that at this time, it was difficult to obtain police vehicles due to a shortage. He reminded Council of the plan to purchase a new one in next year's budget. Chief Jones advised that in speaking with different car dealerships, he was told that if the Town did not act now to purchase one, they may not be able to get one within the next year or longer. He reported that he was able to locate one, which was currently being held for him, and asked that the Council approve its purchase at a cost of \$43,695.20. In response to an inquiry from the Council, he reiterated that there was currently a shortage of police vehicles and advised that some agencies have waited twelve to eighteen months to get one. He opined that if the Town did not get on the list now to purchase a new vehicle in February when Ford opened up the list to make purchases, it would have to get on the list and wait. Chief Jones suggested it could be another year before the Town could get one. He asked that he be allowed to purchase one while the opportunity was available. In response to inquiries from the Council, Chief Jones confirmed that while a replacement vehicle was not needed at this time, one was scheduled for purchase under the fleet cycle in the upcoming budget year. He advised that according to the schedule, the next vehicle was not needed until the next calendar year.

Mayor Littleton noted that the demand for police vehicles today may not be the same next year. He questioned whether the Police Department would park the new car and not use it until the next fiscal year. Mr. Littleton noted that the Town cycled out a police vehicle every five years, not because of mileage, but because of engine issues. He expressed concern that if the Town accelerated the procurement of this vehicle, it would create an environment where the Town would purchase more than one vehicle in a year.

Town Manager Davis reminded Council that the CIP Program contained a fleet fund that allowed for the replacement of five vehicles in a five-year period – four for the police and one for the maintenance superintendent. He advised that the funds were set aside in the CIP and re-appropriated if a vehicle was not purchased one year so it could be purchased the following year. Mr. Davis reported that there had been years during which the Town purchased two vehicles because it had not purchased one the year before. He noted that in this case, the Town would be purchasing the vehicle four or five months earlier, as opposed to being nine months or more later.

Mayor Littleton expressed concern that the staff would exacerbate the problem it was trying to avoid because there may be years when it needed to purchase multiple vehicles.

Council suggested the life of the new vehicle be extended by an additional four months in order to get the cycling back on schedule. They noted that the purchase would only be three to four months early.

Mayor Littleton reiterated his question as to whether the new vehicle would be parked so it did not get any wear and tear on it until the new fiscal year.

Town Manager Davis confirmed it would not. He noted that five years was not a number when a vehicle stopped working and explained that it was the Town's ideal fleet replacement schedule.

Council continued their discussion of the request.

Councilmember Daly moved, seconded by Councilmember Pearson, that the Council authorize the purchase of a police vehicle, as shown in the attached (to agenda) quote, in the amount of \$43,695.

Councilmember Leonard-Morgan offered a friendly amendment to the amount and noted that it should be \$43,695.20.

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

No – N/A

Abstain: N/A

Absent: N/A

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

DISCUSSION ITEMS (continued)

Recruitment Efforts in Police Department

Chief Jones reminded Council that due to several in-house promotions in 2023, he had a vacancy for a police officer that had been open for approximately eight months. He advised that he spoke with his staff, other police officers and police leadership from other local law enforcement agencies to discuss issues surrounding the recruitment of officers and determined that everyone was facing the same challenge, not only in Virginia but across the country. Chief Jones reported that the first issue was pay, the second was take home vehicles, the third was rotating shifts and the fourth was related to some in-house policies that he was working on. He advised that he and Town Manager Davis were working on a pay study to determine where Middleburg's salaries were with regard to the current market and were researching standard pay practices to ensure there was equity, fairness and consistency in the Town's current pay plan. Chief Jones reported that one of the biggest recruitment tools for law enforcement agencies was a take home vehicle. He advised that he and Town Manager Davis were exploring a possible modified take home vehicle approach that would allow an officer to take a vehicle home on the days they were working. Chief Jones advised that he calculated the value of this non-salary benefit to be in the range of \$5,000-7,500 annually, depending on the distance the officer lived from the town. He noted that the third issue was rotating shifts and advised that a lot of agencies across Virginia had standard shifts. Chief Jones explained that Middleburg maintained rotating shifts in order to keep officers visible in the community and because there was no direct supervision of night hours. He reported that he and Town Manager Davis have discussed doing a strategic review of the police operations and organizational structure to benefit the department and the citizenry and asked that the Council set aside time during its strategic planning retreat to discuss the organizational structure of the Police Department and opportunities to strategically plan for the future.

Chief Jones noted that policing had changed over the years and advised that he was proactively adapting to the evolving law enforcement standards. He noted that some agencies were losing officers over small things like not being allowed to have a beard or a tattoo. Chief Jones reported that he was working to update the department's internal policies to ensure they were in line with contemporary practices, while still maintaining high standards of appearance, conduct and community engagement. He advised that he would continue to keep the Council updated on the recruitment efforts in the Police Department. Chief Jones noted that the department invested in its officers in the form of training every month.

In response to inquiries from the Council, Chief Jones reported that during the eight-month period, he interviewed three individuals; however, he chose not to offer them the position based on the results of their background investigations. He noted that he had a retired federal officer reach out to him about the position; however, the Town could not meet the salary requirements he was seeking, nor was he certified in Virginia. Chief Jones noted that if the Town had to send someone to the police academy to be trained, they would not be available to the Town for eight months and would then have to be field trained, which the Town did not have the call volume for. He explained that for that reason, the Town recruited seasoned officers. Chief Jones suggested the Town may be able to recruit an officer from out of state, as the police academy now offered an abbreviated training program for such officers that would only take them six weeks to

complete and become certified. He advised that the Town did not have the large call volume that provided the action the young officers were seeking. Chief Jones advised that it took a special person to work in the Town of Middleburg and noted that he needed someone who could communicate with the public.

Councilmember Leonard-Morgan noted the attraction of take-home vehicles; however, he expressed concern about the risks associated with them. He further noted that a number of officers lived a great distance from Middleburg and expressed concern about the additional mileage on the cars. Councilmember Leonard-Morgan also expressed concern about the bigger risk of an accident.

Chief Jones noted that the police vehicles had low mileage and reminded Council that driving for longer distances was better for vehicles. He advised that some of the vehicles that the department was surplus were civilian packages and advised that the police model vehicles lasted longer. Chief Jones suggested that if the Town went to a hybrid take home program, it would have a clear set of policies and rules the officers would need to follow, such as they could only be driven to/from work and that family members could not ride in them.

In response to an inquiry from the Council as to whether this would increase the frequency with which police vehicles must be replaced, Town Manager Davis advised that this was one of the items he and Chief Jones were looking into. He noted that they had not yet done a full-blown mileage analysis. Mr. Davis advised that the additional mileage that would be put on a vehicle was one of the biggest key considerations with regard to whether to change the policy.

In response to an inquiry from the Council as to the number of people who applied for the position, Chief Jones reported that it was ten. He advised that he had received telephone inquiries; however, the people did not apply even though he encouraged them to do so.

Councilmember Curran noted the need to look into this further. She further noted the need to have a strong enough offering.

Mayor Littleton questioned whether the staff was making a snap decision that the issue was pay and benefits. He opined that based on the responses to date, the Town may not be advertising the position in the right way. Mr. Littleton noted the need to determine the root cause for why the number of applicants was so low. He expressed concern that the three people who were interviewed were not qualified and opined that the advertisements were not clearly describing the requirements. Mr. Littleton suggested the need to look at everything.

Councilmember Jacobs agreed with the need to discuss this issue during the retreat; however, he opined that the Town Manager and Police Chief had additional work to do. He noted the cultural shift among the pool of employees across the nation who were simply not interested in doing this kind of work. Mr. Jacobs advised that the same thing was happening with military recruitment. He suggested this was a facet of a broader problem that may be much bigger than Middleburg's recruitment problem.

Mayor Littleton opined that this was not ready for discussion during the Council's retreat, as more information and data was needed. He advised that he did online research regarding take home vehicle programs and found that only 10% of police forces in the United States offered them. Mr. Littleton opined that it was difficult to say it was a big benefit that everyone wanted when only one in ten police forces offered it. He noted the need for data to back this up and inquired as to the number of jurisdictions surrounding Middleburg that offered this benefit. Mr. Littleton suggested the staff reach out to other jurisdictions to determine the amount of time it took them to fill their patrol officer positions. He noted that if others were filling their positions in four months, the Town may have an advertising problem; whereas, if it took them fourteen months to fill them, this may be a bigger problem than just Middleburg related.

Chief Jones agreed the number of people looking to get into the police profession was declining and those who were already in it were retiring or getting out of it. He opined that there were a lot of different factors involved. Chief Jones noted that some jurisdictions offered signing bonuses and advised that he did not want to do that because the department had a lot of dedicated officers, and advised that it would not be fair to offer someone else a signing bonus. He noted that he would get them more facts and speak with the surrounding law enforcement agencies.

Councilmember Kirk noted that the Town had explored the issue of take-home vehicles in the past, including for the maintenance supervisor. She advised that it may not be a bad thing to do.

Councilmember Curran compared the issue of salaries for police officers to that of salaries for teachers. She opined that Middleburg offered something that inner-city police officers did not have, which was a low crime rate and wonderful residents. Ms. Curran opined that the issue was solvable; although, she suggested it was not a one-item solution, such as take-home vehicles.

Councilmember Pearson suggested the Town should look at how to recruit younger people and opined that younger people who were graduating from high school would love to become a police officer. She cited the example of a local person who left the area and became a police officer.

Mayor Littleton suggested the staff use the services of The Berkley Group to help with things like the position description.

Town Manager Davis confirmed they reviewed it as it was being developed. He advised Council that the memorandum in the agenda did not include everything the staff had put together. Mr. Davis noted that the information they were putting together would be ready by the retreat. He advised that he would share it in advance so the members would have time to review it and ask questions in advance so the conversation during the retreat could be an effective one.

EV Charging Station Update

Town Manager Davis reminded Council that X-Charge approached the Town with an opportunity to locate a DC fast charger in Middleburg as a part of the Town Hall Project. He advised that while the Town installed the conduit and base infrastructure for it in the parking lot, there were some steps that remained to be completed. Mr. Davis further advised that this involved running the power line and setting the charging panel, as well as creating a concrete pad for the station itself. He reported that only one bid was received for this work. Mr. Davis noted that the exact cost was not known because the bidder misread the footnotes and advised that it would be less than \$60,000. He reminded Council that X-Charge agreed to provide the station at no cost to the Town. Mr. Davis further reminded them that the Town had not entered into a contract with X-Charge and advised that he would bring one forward if it was appropriate. He noted that the question was whether the Council was interested in proceeding or whether it wanted to wait to see if grants became available. Mr. Davis reminded Council that the Sustainability Committee was encouraging the location of electric vehicle charging stations in town. He noted the need for some guidance from the Council as to how they wished to proceed.

Councilmember Leonard-Morgan reminded Council that the Sustainability Committee had been working on this for five years. He noted that the Town had already invested a considerable amount of money into the infrastructure at the Town Hall and opined that it would be unwise to not finish it and install the charger. Mr. Leonard-Morgan noted the publicity the town would receive through X-Charge, as well as the benefits to the visitors and residents. He reported that the Sustainability Committee spoke with Greenspot about the location of level two chargers in town; however, they would own and install them. Mr. Leonard-Morgan advised that they were a second option. He requested Council support in moving forward with the proposal currently before them. In response to inquiries from the Council, he advised that the contract with X-Charge would allow for a 50/50 revenue sharing agreement. Mr. Leonard-Morgan confirmed the Committee was working on revenue projections and advised that they would depend on a number of factors, such as the cost of electricity and the number of times it would be used per day. Mr. Leonard-Morgan opined that the Town was not looking for this to be a profit earner. Mr. Leonard-Morgan advised that he would share his ROI spreadsheet.

Councilmember Leonard-Morgan moved, seconded by Councilmember Jacobs, that the Council enter into a contract with Beckstrom Electric in the sum of no greater than \$64,650 to finalize the conduit lines for the X-Charger charger.

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

Citizens Academy

Town Clerk North reminded Council of their strategic initiative to develop a Citizens Academy. She further reminded them that it was delayed due to the COVID Pandemic and then the Town Hall Project. Ms. North reported that the sub-committee met to review the draft proposal that was presented to the Council in early 2020 and were proposing some changes. She reminded Council that the vision was to educate people about local government, including what the Town was and was not responsible for. Ms. North advised that the recommendation was to limit the first class to ten people. She noted that it was further recommended that the morning session be held in the Council Chambers so it could be live streamed and recorded so people could view it as desired. Ms. North reviewed the proposed schedule and noted that after the first academy, it would be evaluated to determine whether any of the areas should be expanded upon or contracted. She noted that the memorandum included a proposed budget and a timeline for the first Academy. Ms. North suggested that if more than ten people applied to attend, those applicants who resided within the Town limits be given first consideration. She further suggested that if there was great interest, the Council may wish to consider funding a second class this year. In response to an inquiry from the Council, Ms. North suggested that if more than ten people applied, town residents be given first consideration for the ten slots, followed by anyone in the greater Middleburg community if there were any remaining spaces.

Mayor Littleton suggested it would be valuable to include a section at the beginning of the Academy related to the foundational rule of law from not only the local level, but also the highest level.

Letter for Inclusion in Time Capsule

Town Clerk North reminded Council of their desire to place a time capsule in the Marshall Street Park as a part of the Town Hall Project. She noted that this phase of the project would be completed soon; therefore, the time capsule needed to be ready soon so it could be buried before the sod was laid. Ms. North advised that a draft letter was included in the agenda packet, which was proposed to be signed by the Mayor, Council and all the Town staff. She further advised that in addition to the letter, the time capsule would include a notebook that contained a history of the Town Office, the presentation materials that were used during the public input sessions on the Town Hall Project, photographs of the project, and items related to the Town of Middleburg, such as the shopping/dining guide.

Council suggested the staff also place a copy of the last edition of the *Middleburg Eccentric* in the time capsule.

Mayor Littleton asked that the members of Council provide any comments they may have on the letter or suggestions of items for inclusion in the time capsule to Town Clerk North as soon as possible.

2024 General Assembly Legislative Update

Town Manager Davis noted how quickly the legislative changes were coming. He advised that he included five key topics in his memorandum. Mr. Davis noted HB 793 related to reductions of speed limits and recommended the Town actively support it by sending a letter to Middleburg's delegate and the other committee members who were reviewing it. He noted HB 1328, related to the central collections of transient occupancy taxes for accommodations intermediaries and recommended the Town oppose it, as it had done in the past. Mr. Davis opined that there was no rationale for allowing something of that nature and advised that it should be collected at the local level. He opined that AirBnB was trying to set up a difference between lodging properties and accommodations intermediaries, which would create a mess.

Council suggested this bill would also allow the State to get involved in short-term rentals. It was suggested that the Town vehemently oppose this bill.

Town Manager Davis advised that there was another bill, which had already been set aside this year, that would have prohibited localities from requiring special use permits for short-term rentals. He noted that the Town was working with the Virginia Municipal League (VML) against such bills; however, AirBnB was fighting hard. In response to an inquiry from the Council, he advised that he did not believe the bill related to localities not being able to turn down a special use permit if a licensed real estate agent was involved in the transaction was still active and reiterated that there was one that basically said that if the property was a legal primary dwelling unit, the Town could not require the owner to get a special use permit to use it as a short-term rental. Mr. Davis noted that this would be hard to enforce and verify.

Council held some discussion regarding the definition of “primary residence”.

Town Manager Davis reported that HB 900 and SB 304 would mandate that localities allow accessory dwelling units in single-family dwelling zoning districts and advised that there would be no way the Town could prevent them from being used as a dwelling unit. He noted that the bills did not take parking, traffic, water and sewer capacity, storm water run-off or other issues into consideration. Mr. Davis advised that this could mean the doubling of the density in those districts. He suggested the Town not only oppose the issue itself, but that it oppose the State stepping into local land use authority.

Town Manager Davis noted that two different bills were submitted regarding notice of real property tax increases and the mailing of the annual budget summary. He reported that HB 549 would require the Town to mail a notice to every property owner during re-assessment years showing the calculations of the dollar value change and the percentage value change if there was more than a 1% increase in taxes levied based on the proposed tax rate. Mr. Davis noted that the Town would have to get the tax assessments from the Commissioner of the Revenue and then do the individual calculations and mail out letters. He advised that HB 1004 would require that a summary of the Town budget, with information on the prior two fiscal years, be mailed with the real property tax bill. Mr. Davis reminded Council that the County mailed the Town’s tax bills. He advised that under this bill, the Town would have to create a budget summary and mail it to every property owner in the town. Mr. Davis noted that the Town tried to communicate with its residents in a very effective way already. He suggested the Town not support these bills.

In response to an inquiry from Council regarding the bill that would not allow for fees related to FOIA requests, Town Manager Davis advised that he was not tracking it. He noted that he would report on it later and advised that the Town would oppose this bill. Mr. Davis noted that past bills of a similar nature have not reflected the amount of staff time that would be taken to respond to FOIA requests and put the burden on the jurisdiction to defend before a judge the question of why the costs were reasonable.

Town Manager Davis reported that SB 136 would prohibit a local governing body from appointing a relative to any of the local government’s boards, commissions, or committees. He suggested a better solution would be to apply the bill to localities whose population exceeded a certain threshold. Mr. Davis noted that this bill had been laid aside for the year.

Mayor Littleton noted that the AirBnB bills had the potential to devastate affordable housing, especially when investment firms were purchasing homes to turn them into investment properties to rent out for the weekend. He noted that the Senator who proposed the bill was from Richmond where they had an affordable housing issue. Mr. Littleton advised that according to his research, AirBnB had only spent \$1 million on lobbying efforts over the past year, compared to Verizon who spent \$6 million on lobbying for the bills related to 5G infrastructure. He opined that AirBnB had power in the state legislatures. Mr. Littleton suggested that because the campaign finance laws in Virginia were so lax, it was difficult to trace the money.

Town Manager Davis reported that SB 324 was passed by the General Laws and Technology Committee with a substitution and advised that it had been referred to the Senate Finance and Appropriations Committee. He further advised that it appeared the substitution would exempt any public local body from the fee requirement limitations, meaning the FOIA bill would apply to State agencies, but not local governments. He noted that he would get more information from the VML on it.

Information Items

VDOT Response to Town Letter

Mayor Littleton reminded Council that last year, the Town proposed to reduce the speed limit from 25 to 20 miles per hour on Washington Street, as allowed under the legislation approved by the General Assembly. He further reminded them that VDOT objected and said the Town did not have the authority to do so. Mr. Littleton noted that VDOT then conducted a study of the issue and recommended several items to address it. He advised that these items included the construction of chicanes to narrow the road, the elimination of some on-street parking, and the relocation of the buildings along the street so they would be closer to the road. Mr. Littleton reported that he was scheduled to meet with VDOT in two weeks to discuss this further. He reminded Council that his response was to say VDOT had plenty of money to implement their recommendations so when would the planning begin, to which VDOT responded that additional discussions were needed. Mr. Littleton expressed hope to update the Council on their discussions during their next regular meeting.

Closed Session

Vice Mayor Bernard moved, seconded by Councilmember Kirk, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for the performance review of the Town Manager, as allowed under Subsection (A)(1). Vice Mayor Bernard further moved, seconded by Councilmember Kirk, that the Council thereafter reconvene in open session for action as appropriate.

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

Mayor Littleton asked that Council certify that, in the closed session just concluded, to the best of each member’s knowledge nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in the motion, which each member so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, Mayor Littleton declared the meeting adjourned at 8:06 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

January 25, 2024 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: [inaudible] All right. We'll begin the meeting. First item is Pledge of Allegiance. Shh!

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: Okay. Roll call.

Peter Leonard-Morgan: Peter Leonard-Morgan.

Bud Jacobs: Bud Jacobs.

Darlene Kirk: Darlene Kirk.

Bridge Littleton: Bridge Littleton.

Chris Bernard: Chris Bernard.

Cindy Pearson: Cindy Pearson.

John Kevin Daly: John Kevin Daly.

Pam Curran: Pam Curran.

Rhonda North: Rhonda North, Town Clerk.

Danny Davis: Danny Davis, Town Manager.

Martin Crim: Martin Crim, Town Attorney.

Bridge Littleton: Okay, first thing we have is public comment. Would anybody from the public wish to address Town Council on any matter? If so, please step forward. We will close public comment. Next item is public hearing and related action items. The first one is the request for a vacation of a right of way on East Marshall Street. And let me see who's got this memo. Mr. Moore.

Will Moore: Thank you, Mr. Mayor, Members of Council, you have my memo and the accompanying materials. We have been working with the Hersh's for a while on this request to vacate a portion of the unimproved portion of East Marshall Street extended. So, if you were to drive eastbound on Marshall to the dead end of the improvements, the subject right of way would begin approximately 40ft beyond that. And this right of way extends generally eastward, a little bit southeast, through the Hersh's property, and then terminates at the neighboring property to the east. That is the Homewood Farm property. So, this right of way was dedicated to the town, in 1998? It is not exactly clear as to the intent of receiving that right of way. It's generally apparent that there was a potential in mind that maybe Marshall Street would be extended eventually to connect through to route 50. The likelihood of that happening through the area where the right of way is currently dedicated is, pretty much next to none. There are major encumbrances, environmental encumbrances in the area that would likely preclude it from being used. It's also worth noting, as stated in the memo, that it would still require additional right of way acquisition across a neighboring property and that, at no time, in records over the past two

decades, nor in our comprehensive plan, has the town ever indicated an actual desire to extend Marshall Street. So, with that in mind, the AD Hoc Property Committee did review this, about 11 months ago. It was in February of 2023, and, recommended approval, subject to us conferring with VDOT on the matter and establishing any easements that might be necessary. Staff, the town manager and I were able to get an on-site meeting with representatives of VDOT in November and kind of looked at the area, in general, I won't go into all the details that there is a stormwater outfall, in that general area. But after looking and discussing for quite a while, they indicated that they would have, no interest in the right of way and no objection to us vacating the right of way. We would seek to establish, easements in the area, in particular a drainage easement. If the vacation were approved, it would be conditioned upon, establishing those easements. So, there would be, several revisions necessary to the exhibit [inaudible] that you see in your packet. So, we would work with the Hersh's, on that. It is also worth noting that, as noted in the memo that we have a sanitary sewer main. Well, there are two in the general area. One, runs through the right of way that was already in an established easement. That easement would be maintained. But we also have a sanitary sewer main that runs northward from East Washington Street, Route 50 through the Hersh's property, and then connecting with this portion of right of way. That does not appear to have ever been formalized within an easement. But that being said, the Hersh's were very kind to allow us access to their property, to complete a critical repair to that sewer main a couple of years ago. They have indicated a willingness to grant an easement to formalize that location. And we would staff would suggest that that would be, adequate consideration, as opposed to a purchase price for the right of way, to the dedication of that easement would be adequate consideration for the vacation and conveyance of the right of way if Council, were to agree. So, again, with that being in mind, if you were to approve this tonight, it would be subject to those conditions. The ordinance would be approved, but it wouldn't be released, for recordation, until we satisfied those conditions. That is the granting of the easements across the right of way being vacated and the granting of the sewer easement crossing their property. I'm happy to answer any questions you might have.

Bridge Littleton: Does anybody have any questions for Will? No. Okay. Well, I will open the public hearing for the request of vacation of right of way on East Marshall Street. Would anybody like to address the Council for the public hearing? Okay. We will close the public hearing. And then, trying to think if we should just do both of them. No, we'll go ahead and vote. Yeah. [off mic] Sure.

Peter Leonard-Morgan: I move that Council adopt an ordinance to vacate a portion of East Marshall Street right of way and convey it to Carolyn R. Hersh and Christopher Karrer Hersh.

Bud Jacobs: Second.

Bridge Littleton: Any discussion? All's in. Do we have to do roll call on this one, Rhonda?

Rhonda North: Yes.

Bridge Littleton: Up to you.

Rhonda North: Vice Mayor Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: All right. And that concludes it. So, thank you guys. Appreciate it. Next item for public hearing is acceptance of bids and award of easement, for underground power lines. And let me see here.

Danny Davis: I'll take that one, Mr. Mayor.

Bridge Littleton: Yep. Go ahead.

Danny Davis: Thank you, Mr. Mayor and Council Members as you know, we have, the well two site, which is on Landmark School Road in Fauquier County, and Dominion Power is undergoing an undergrounding power line project to enhance reliability along that section of their service area. And they approached us with a request for an easement on our well two property to underground power lines. On that, the draft plat is included in the memo for your consideration. The easement would run behind the fence line of the well site, so away from the roadway, but not significantly into the wooded area. It would stay fairly close to that, fence line. And we have no objections to the request. We believe it will enhance service and not only the area, but also to our well site. And there are no concerns, as with any, granting of a lease or easement or other right of property. The town is required to accept bids for that. So, we had bids open, until now, and we have not received any of those. And so as of now, the only bids as it were, is Dominion's request. So, we are recommending approval of this, and we'll leave it at that unless there are any questions.

Bridge Littleton: So, you didn't get my bid?

Danny Davis: Oh, I missed it.

Bridge Littleton: Okay. All right. Any questions for Danny on this item? Yes, Cindy.

Cindy Pearson: I just have a comment. More than a question. It just seems with the timing of this being done and with the timing of the extra power lines and stuff that people are, you know, going through that now for the data centers and such that we need to make sure we're clear on why we're doing this, so no one thinks it's part of that.

Danny Davis: Good. Very good point, very good point. It's a, and we can make sure that message is clearly stated. This is a fairly small easement. And thankfully is just taking existing power and moving it off poles underground, but. Yeah. Thank you.

Bridge Littleton: And the good thing is removing poles. Yeah. Okay. Any other questions? Is there a motion? Oh, wait. Sorry, let me open the public hearing. Anybody from the public wish to address the Council on this item? [multiple speakers] What's that?

Danny Davis: Or bid?

Bridge Littleton: Or bid, if you like. Anybody got five bucks? You may do so now.

Chris Bernard: You guys are 1 to 1 [off mic].

Bridge Littleton: Yeah, exactly. [laughter] Batting 500 is still pretty good. All right, so we will close the public hearing, and, if there's no other questions, is would someone like to make a motion?

Peter Leonard-Morgan: I move that the Town Council adopt an ordinance authorizing award of bid for easement on public property owned by the Town of Middleburg along Landmark School Road, approving the easement for a term of 40 years.

Bud Jacobs: Second.

Bridge Littleton: Any discussion? Miss North.

Rhonda North: Vice Mayor Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay, moving on. I'm going to shuffle a couple things around. Stuart, are you on?

Stuart Will: Good afternoon, Bridge yes, I am, if you can hear me.

Bridge Littleton: We can hear you. I will say it's a little off putting to hear you, but have Martin staring at me. [laughter] But, so, Stuart, over to you.

Stuart Will: Yes, sir. I assume you have a report generated by my office. I do not have a copy of that in front of me. I think they neglected to email it to me, but, if you have any questions regarding that, I can ad lib as best I can.

Bridge Littleton: Does anybody have any questions for Stuart? Peter.

Peter Leonard-Morgan: Hi, Stuart. I just wanted to ask you, with the big rain we had a few weeks ago, how did that affect the plant, if at all?

Stuart Will: How did that affect what say again? Peter.

Peter Leonard-Morgan: The wastewater plant, you know, with [inaudible] and runoff, etc.. Did it have any effect?

Stuart Will: We were, it did indeed. We saw a lot of water. We've been, we are actually just now getting back to normal flows from that, large rain event.

Peter Leonard-Morgan: Well, thank you for that.

Bridge Littleton: Any other questions for Stuart? All right, Stuart. Thank you. Have a good evening.

Stuart Will: Yes, sir. Have a good evening, Bridge. Thank you all.

Bridge Littleton: Bye.

Darlene Kirk: Thank you.

Bridge Littleton: All right. Next item, I believe. No? Yeah.

Danny Davis: So, I was going to. We can have the MBPA go first and then we can go to the Middleburg Day discussion.

Bridge Littleton: Okay.

Danny Davis: Thank you, sir.

Bridge Littleton: Yeah. So, there was a request for you to be expedited to the front. So, but absent that we're going to let Punkin go first and MBPA. [off mic]

Punkin Lee: Thank you all for having us, Mr. Mayor and Council. I'm Punkin Lee MBPA and.

Katy Carter: I'm Katie Carter from MBPA.

Punkin Lee: I think in your packets you got the social media thing, and you got the whole list of what we've done. So, I would still go over the list because I made a little some side notes on it for what we did in 2023, the winter sidewalk sale. And that is coming up again. So, here's the poster that will be put out for this year's. And then a summer sidewalk sale, we did a Halloween Parade. We had the 4th of July parade, which was new. We always have two concierge tents at the Upperville Horse Show that have all kinds of propaganda for the town. We get the Visit Loudoun Awards nominations, try to rustle those up every year so the town is well represented. For Christmas, we do the tree lighting. We did for Christmas Parade Day. We Ali and I organized parking for all the worker bees in town so they have a place, a designated place to park so they can go to work. Of course, the Dickens of a Christmas was the third and fourth weekends this year. Carriage rides, we started them the Thanksgiving, Saturday and Sunday. We had 160 rides available, and we booked 160 rides. We had the free hot chocolate at Scruffy's, and we had an all-time record of 344 hot chocolates given out. I know, amazing. And then we, switched up the Christmas lunch to a Christmas brunch on Christmas Day, and we ended up with 38 guests, which was a record for that. And then we partnered with the police department for bringing in a Juneteenth Celebration. We did the new Duty Officer Card, and we did three Stuff the Trunk Food Drives and the one with the Grinch in participation at Christmas, we collected what in four hours? Shaun and Bubba and the Grinch, 1200 and some pounds of food and pretty amazing. We also helped, did a sponsorship at the Rural Preservation Summit and National Night Out, and then town events that we can help with, we promote through social media and the Biz Buzz and help where needed if Ali needs an extra hand. General things we did the Middleburg gift card, which you can only redeem in

town, the printed monthly cards that are around for everybody. We also do an online monthly newsletter, a member survey, and we are going to send that out right after the first Biz Buzz this year. Again, we do 11 Biz Buzz meetings. We help these workshops in the job fair this year, revised and updated our website and also took over the town events calendar. And promoted Black History Month, which we are going to do even more this year. So that was pretty good summation of what we did this past year for you. And this month, we've had weekly meetings to review all of those for last year and decided that we are moving forward with all of them, but also to plan for 2024. We met Bridge came to our meeting this week and we discussed the Visitor Center. We plan to meet with Chief Shaun about more partnerships with the police department.

Shaun Jones: [off mic]

Punkin Lee: I know. I know. We plan to keep Dickens and the carriage rides. If anybody's looked forward to the December calendar, it really is pretty squirrely for this coming December, because A Big Dickens Weekend is going to have to fall the weekend after the parade because there are only three weekends. And then we go to Christmas on Wednesday. Kind of messed it up, but we're going to move ahead with that. And our first Biz Buzz of the year is February 13th at Lost Barrel. And I always encourage all of you all to come when you can because you get a real pulse of what's happening in town. Be there or be square. So that's it for me. And Katy's going to go through the social media because that is over my pay grade. [laughter]

Katy Carter: I have some a little a few addendums to the report that Council received. But generally, we continue to grow both on Facebook and Instagram. We have a total of 8100 followers on Facebook and 7500 people like us. So that's a total audience of over 15,000 people that see us in their feeds. Across the board, on Facebook, as far as performance, we are growing and getting more clicks and likes and interactions than we have ever before, which is great. Our demographic on Facebook has stayed pretty consistent with last year. The majority of our audience is female between the ages of 45 and 64. Let's see where, our Facebook page is very, very local. We have most people from the immediate Middleburg area, people from Leesburg and people from Winchester keep up with us through Facebook. And as far as worldwide reach, we have fans in South Africa, in the UK and Ireland, which is nice. And the top ten Facebook posts for the period of time July 18th of 2022 to the end of this year, number one post is The Grinch getting arrested by Mark. [laughter] And then we have, quite an array of different things; Goodstone Tack Box, 75th Anniversary, Christmas, lots of actually, several Christmas posts. Mille Miglia. Secretariat. Just it's quite a nice array, and I feel as though it really represents the different things that are going on here in town. And as far as Instagram goes, we have just under 6000 followers on Instagram, which is up from the last period of time we reported. Unfortunately, our likes and comments are down a little bit, but that's quite nominal in the grand scheme of things. And our answer to improving that is to post more videos, because those get a lot more traction than just photos and things like that. What else do we have? The demographic of our Instagram audience is a little bit younger, but it is still predominantly female. And we have followers mostly locally Middleburg, Leesburg, Arlington, Purcellville, but we have a big presence with folks who are from Washington DC. And as far as the worldwide reach, the US, the UK and Ireland and Argentina. Which was interesting, but we did have Polo in the Burg joined this year. And so, we've got a very huge Argentine population that comes here to play polo. So, I'm sure it's lots of their families and friends at home following them. As far as hashtags, the Fun Shop got the most reach. Secretariat, Hometown, Southern Living and Best of the South, which has a lot to do with the fact that we were, the town was recognized by multiple national publications, which is great. And as far as the Post's again, Christmas, Secretariat, we had a Black History Month post get a huge reach. The Grinch, the 4th of July, Dickens, of the dancing, the summer sidewalk sale. Those were our top posts from the period of time we reported. And as far as the Visit Middleburg website over the last six months, the search traffic, which are page views, was 72,450. Yeah, it was 72.4 thousand page views. Our search impressions are at 1.77 million, and the clicks are just under 21,000. Any questions?

Bridge Littleton: Cindy.

Cindy Pearson: I was wondering on your report if you could for next year, give us some comparisons for years.

Katy Carter: Oh, sure. Yeah.

Cindy Pearson: So, we can see how you've grown and what. And like this year, you said a few things have gone down, but, you know, no big deal. It happens. And the Facebook feed, I find now, I'm not the tech person in the room and I'm not on Facebook a lot, but I find that I don't see your post until after the event a lot.

Katy Carter: That has to do with how you use the service.

Cindy Pearson: Yeah. So, and is it someone had said maybe, I don't know, purchase more something to get your post to reappear more often.

Katy Carter: We can purchase advertising. We have not yet done that. This is all organic.

Cindy Pearson: Because and you know, I'm not saying I don't use it, but a couple times a day, but I'm not on it all the time.

Katy Carter: All the time, right.

Cindy Pearson: And just let it see. So, I'm thinking maybe that might be a good thought. I mean, you've got funds maybe to do that. Let's see. There was a [inaudible]. And your calendar that is linked to the town's website. That once again, is just your members events, correct?

Katy Carter: No, we now let everyone submit an event. If you've got an event in our immediate area, then we will post it.

Cindy Pearson: So, they do, they go in and submit it themselves?

Katy Carter: Yes, they submit it, I receive it. If there's a problem with the image, then I get in touch with them and say, hey, can I get something different? [laughter]

Cindy Pearson: Okay. And the Middleburg gift cards. I did not hear that they were still out there again this year. Once again, I could have been under a rock. Don't get me wrong.

Katy Carter: We are designing and printing little logos for everyone to put in their windows.

Cindy Pearson: And where do you purchase those?

Katy Carter: Online.

Cindy Pearson: Online.

Katy Carter: If you go to VisitMiddleburgVA.Com and you scroll down, there's a link for you to purchase.

Cindy Pearson: I would think that would be good to get some more, and I'm going to use the word advertising on how to do that.

Katy Carter: Yeah, for sure.

Cindy Pearson: I think that's real clear either. Let's see, and you answered the question. That was really good about the community brunch, that there was a lot more people there. I think that's it for right now. Thank you.

Katy Carter: Thank you.

Bridge Littleton: Any other questions? Pam.

Pam Curran: Well, I wanted to say the work is amazing. First of all, I mean, just amazing. But I noticed that the post were skewing female as heavily as they are. Is that typical or is that [multiple speakers].

Katy Carter: Very much for us.

Pam Curran: That's typical. How heavily? Okay.

Katy Carter: Okay, we got a little bit more male engagement with, the Mille Miglia. But overall, I think what we present is more appealing to the female audience.

Pam Curran: Is it an opportunity to try and appeal to them, that audience?

Katy Carter: Sure. Certainly.

Bridge Littleton: You know, Pam, it's amazing. Some of these platforms, no matter what you do, it's just how certain people engage. The one that always blows me away is YouTube.

Pam Curran: Yes.

Bridge Littleton: 80% of YouTube viewership is men. And they have spent tens and hundreds of millions of dollars trying to figure out how to make it, you know, not that it's not appealing to women, but how to get women to engage with it more. And it's like, no men, just like watching video clips more. And it's crazy. I mean, and they sort of like, we can't figure it out. So.

Chris Bernard: It's like men like watching video clips on YouTube more, but women will watch video clips on TikTok. I mean, it's just weird.

Bridge Littleton: Or on Facebook way more. Exactly. It's incredible. Well thank anybody have any? Yeah, Peter.

Peter Leonard-Morgan: All I would say is I think you do an amazing job. And we're a small town and we've got a fantastic business association. And thank you for everything you do.

Katy Carter: Oh, I do have to tell you that when I was looking at the website stats earlier today, the page that is most clicked on, on our website is your real estate page. [laughter]

Peter Leonard-Morgan: Thank you very much. I appreciate that.

Bud Jacobs: I was going to say well done, but. [laughter]

Bridge Littleton: Bud I was actually worried because I thought what she was going to say was sustainability committee. But if it's a business, I'm much more, I'm happier. So yeah. [off mic] Exactly. Okay. Well thank you all very much. Appreciate it.

Katy Carter: Thank you.

Punkin Lee: I would like to thank you all and thank you for your continued support of the MBPA. Thank you on one hand and just put a little plug in for Christmas. [inaudible] were expensive. [laughter] And, so if you, just put that idea away for next year, I'd be great. But we do plan on doing everything again, going forward and try to keep the businesses and Council and the police department all going forward together with better communication. So.

Bridge Littleton: You bet. Thanks.

Punkin Lee: Thank you all for having us.

Bridge Littleton: Take care. Thank you. See you on the 13th.

Punkin Lee: Yep.

Bridge Littleton: Okay, let's see here. What was the next one? Oh. Someone needed special treatment. Come on Ali. Middleburg Day.

Ali MacIntyre: Middleburg Day.

Bridge Littleton: Whose idea was this?

Ali MacIntyre: Okay, so Middleburg Day, you guys do have, my memo. But just to give a brief overview, the Town of Middleburg does do several signature events throughout the year, Art in the Burg, Middleburg Oktoberfest, Mille Miglia. Those events primarily drive while they're enjoyed by our residents, our community always comes out and supports. It is really a driver for our visitors. Those events, depending on which one, they can range from 4000 to generally about 4000 to 6000 for Art in the Burg, and Oktoberfest, and then Mille Miglia is still a little bit newer. So, we're growing that. One of the Council strategic initiatives is to develop more resident focused events. And that's been from Council. We've heard it in the community. You know, while we're thrilled to be a destination, we don't want to forget our community here in town. So born of that feedback was Middleburg day. And what we're planning on it is currently we do have, funds in the budget, for this year. And the date that we've selected is, it should we do it annually? It would be the Friday after Memorial Day weekend. This year that falls on May 31st. We're looking at the event being from about 5 to 9 p.m. more of a community picnic style. Let's see here. The location would be town hall. If there does need to be a rain plan, we would determine that with the town staff and the police. From a marketing perspective, because this would be really geared toward the Middleburg residents and business community the marketing would really only be through our memo newsletter. We would partner with the Middleburg Business and Professional Association. And then we've discussed doing a mailer as well, just so those who aren't on social media, who check their mail would be aware of the event. We would also partner with Windy Hill to make sure that the residents you know are still, you know, very much, Middleburg community are aware as well and included. Entertainment wise, we have we would of course like to source locally. I have had, a conversation with as many of you know, Andre Fox and he did say that a trio was available, Punkin with that recommendation. So, thank you. And then we have various other activities for all ages here in the Middleburg community, where those are still developing right now. But we do plan to. Well, it will be casual. We'll still have various things going on throughout the day. Vice Mayor Bernard would be the one in seeing the event. So, he may be able to share a few other details. And then, finally, food and drink wise, we are our goal is to reach out to local restaurants to see what they can contribute but with our size and we have was it between 7 and 800 residents we may have to, would also like to use a local caterer. But, you know, we would need to use the funds. They may exceed the current budget that we have planned. And then, as you see the alcohol, we are trying to decide what we should do about that, whether it should be a dry event, or we'll leave it to Council to recommend. Okay.

Bridge Littleton: Input questions.

Bud Jacobs: I'm really happy to see this move forward. I do have a minor quibble with your memo, which I'm going to point out mostly to show you that I read the memo. [laughter] Under the marketing rubric. You state that the event would be exclusive to Middleburg residents. We can't have events that are exclusive to Middleburg residents. There's no way to do that. If you were to say targeted to or directed for, that would be a better way to put it, I think. Okay.

Ali MacIntyre: Thank you.

Bridge Littleton: And I would say, actually Middleburg community, you know, if you live 30ft outside the town limit, we're not saying, you know, and there's lots of people who've lived their whole lives here and they live, you know. [inaudible] I'm looking at someone.

Chris Bernard: Yeah. So, to that point, it is intended to be for the greater Middleburg community, and it is not exclusive. I think what she meant was it's going to be marketed that way. If anyone feels like they want to show up and go through all the ridiculous, local focused antics that we're going to do as a group, God bless them. But really, what the goal is to, celebrate the people that live here, the history, our local traditions, all that stuff, and wrap it up and make it really fun and engaging. And it should be really exciting. So, no silly ideas or unwelcome. You have my email. Oh, but alcohol. Yeah. We did get into this a little bit. We hadn't really talked about Ali and I, in our initial planning on how to handle that. Obviously, it's a town sponsored event. It's going to be here on the town premises. So, there's some logistics that go along with that and how we want to do it. I think we could totally pull it off as a dry event. And not have that, but it is a Friday evening in the summer. And I want to make sure that we're conscious. You know, there may be some people that make their decision on whether they come based on that. So, I just want to make sure we. I thought it was a good thing to talk about as a group, and it's early enough that we can pivot either way.

Ali MacIntyre: Sorry. One thing I did forget to include. We did recruit, town clerk. Oh, sorry. Town Clerk, Rhonda North to bundle the volunteer, appreciation reception into this event as well.

Bridge Littleton: So real quickly I was thinking about that. We might want to think about that. The reason and this is the only reason, not that it's not a good time to do all that kind of stuff. Typically, the appreciation event takes an hour of thanking people, which is appropriate. If you're going to have 400 people there, you're not going to want everybody to be quiet for an hour, as you recognize, you know, so and so for ten years of service so and so and then the awards and all that kind of stuff. So, well. Hold on. So. You know I don't think that works. But if there's a different way to do it, then fine.

Chris Bernard: Yeah so, we've talked a little bit about, still having the, like a volunteer only reception around the holidays, much like the old one. And we can do some more individually focused like awards and presentations, you know, like the, you know, volunteer of the year, that kind of thing, and those really intimate things. But we'd save a couple important ones. And then general recognition of like the different groups, like you can call up the Planning Commission and you'd intersperse it throughout the thing so that it wouldn't take, because I did it does take a long time. But then we still have the volunteer reception later in the year as like a separate thank you.

Bridge Littleton: Okay. Just be very thoughtful about it, because if you know, I got it. But if you recognize some and not others, now you feel get people can feel slighted. Yeah. Well, why did Planning Commission get recognized, and I didn't I worked much harder than that, you know, I mean, that's the. So, I mean, I get the idea, right? Two birds, one stone, and you recognize everybody in front of the whole community, which is a great thing, but you know that stuff gets tricky, so. Okay. Cindy. Yeah.

Cindy Pearson: And I'd like to go a yes for the alcohol part. [laughter] Not that I but we do have a second part. We have the wineries that are close that could come in. And you can mark off a spot where you go and drink your stuff you do not cart it all over. I think it would be very easy and I think it would be a good addition.

Darlene Kirk: [inaudible] got me already. I agree with Cindy on that. I think it's nice, especially since there are local, you know, beer, wineries and that sort of thing. It's nice to recognize them and have them there just everybody. Yeah.

Cindy Pearson: And Mount Defiance, forgot.

Darlene Kirk: Yes, yes.

Bridge Littleton: No, I'm right there with you and I think also no outside alcohol.

Darlene Kirk: Right.

Bridge Littleton: It's only you know. Yeah. [off mic] Exactly. And that way you also limit hard liquor and stuff like that.

Chris Bernard: So, I think the challenge would be for you guys to make sure that you find a safe and effective way to work.

Danny Davis: Absolutely. We'll work through those logistics and work on the planning for that and also with our local partners.

Bridge Littleton: Shaun just went, oh no.

John Kevin Daly: That was going to be my question. If we are serving alcohol and given the numbers that could come in from the greater community, Shaun will we need to beef up our police force for that particular evening?

Shaun Jones: I think we can handle it with our current staff we'll take a look. I apologize, I think we can handle it with our current staff. If we need to, we'll monitor and we'll do an assessment of the event. If we need to bring in other officers, we might reach out to the sheriff's office.

Chris Bernard: And you do it like a baseball game. Just cut it off in the seventh inning. Nothing after eight.

Bridge Littleton: Any other questions, Peter?

Peter Leonard-Morgan: Maybe this has been answered already, and I apologize in advance, but what? How do you think we're going to control that? We have the right Middleburg people, because people are going to hear about it and come in from all over the place, and it's horrible to kick people out, but there's got to be a way to control it. Is it going to be an ID or something like that? [multiple speakers]

Peter Leonard-Morgan: Driver's license.

Ali MacIntyre: We haven't finalized anything yet, but that has been sorry. No, I guess, like, there we go. We, we haven't finalized that yet, but that is a topic of discussion the way that the event is framed. It is geared towards the Middleburg community and the fun quirks that the Middleburg community has. So, you know, we certainly don't want to turn anybody away. But we feel that the event itself and the way that it's going to be planned out, it would, you know, if you're not from Middleburg or in the Middleburg community, it wouldn't be something that. [off mic]

Chris Bernard: Yeah, it'd be enticing to someone who's not from here. And there are going to be people that do just random strays that show up, and that's fine. Like it's great, it's community, like come on in, but I don't think it's going to be that heavy.

Danny Davis: And if you compare it to Independence Day this past year where we tried to limit the marketing of it, so there was focused on community effort. We know a lot of people from outside the town came because it's become a tradition for their families. And they've come to our fireworks for many, many years. So, they knew that it was somewhere still in Middleburg even though we had moved locations. This being a brand-new event, there's not like anything special to that particular day that might necessarily people are looking for significant events to do. So that's why I think that we won't get a significant number of, you know, just kind of random attendees from South Riding or Ashburn.

Chris Bernard: But it's going to be so awesome that the second year we're really going to have to control it.

Bud Jacobs: My family comes to Middleburg events all the time, including the July 4th celebration. I would be very unhappy if attempts were made to exclude them. [off mic]

Bridge Littleton: No, that's a good point. And, I mean, Bud's point on your memo is right. It says since the event will be exclusive to Middleburg residents.

Ali MacIntyre: Yes.

Bud Jacobs: Yeah.

Bridge Littleton: Last one.

Darlene Kirk: I'm always last. I was going to say I agree with you about the singling out the different organizations that particular event, because it is mostly for the citizens of the town and not, I mean, the volunteers will be there, but that really needs to be separate. Thank you.

Bridge Littleton: Okay. Ali thank you. It sounds great. I'm excited. It's going to be fun. You know, the first time's always the challenge, right? You got to build a template. [multiple speakers] Yeah, exactly. Exactly. The only other thing I was going to say is it would be great. And this may be a personal thing. I would love to figure out how we can touch. Because they don't do social media and stuff like that. And some of the folks are outside the town limits. Right. But people who are older, who've been in the community for a long, you know, 50, 60, 70 years, who would love to connect to an event like this and who have great stories and, you know, really can share a lot. How do we make sure that, I mean, a lot of word of mouth, which would be great, but, you know, it would be really great to, you know, if there's a way to touch those folks. And I don't know, there may not be an answer. Right. It's not social media, it ain't Facebook. So, and maybe it's just all of us, like the old phone tree. Right. So. Okay. Yeah. All right. Cool. All right. Thanks, Ali.

Ali MacIntyre: Thank you.

Bridge Littleton: Take care. Okay, go back to where we were here. No. Yes. Will Moore, Special Projects Upstate.

Will Moore: Thank you, Mr. Mayor. A quick update on the first project listed the septic conversion project. The town manager got an update from the contractor today. All the grinder pumps have now been installed and are up and running and connected with the new force Main. So, the final connections are complete. We only have one, septic tank that, still needs to go through the proper abandonment process. And so, after that is complete, then it's just the site restoration and seed and straw or sod and, we'll work through how the restoration is done, but so that project is, nearing completion. Of course, under the well four and clear well project, you got the update at your last meeting of the issue with the one tank when we were going through the condition process. The repairs are ongoing there. Decision was made to basically go through and update all of the kind of galvanized fittings that are located in that section of the plant to stainless steel. So, we don't have those issues, in the future, especially with the pressurized tanks. Those are the updates that I have. Not sure if the town manager has anything additional to add.

Danny Davis: Thank you, Will and, Mr. Mayor, just the one addition that may end up also being discussed at your strategic planning retreat. For Asbury Church Miss North has drafted an RFP, for my review, and I will be getting to that shortly, for us to seek out, public outreach services to help us, begin that step of the process.

Bridge Littleton: Any questions on the projects? Okay. Will, thank you very much. All right. Here. Next item is consent agenda. Would anybody like one item removed from the consent agenda? Is there a motion?

Chris Bernard: I move that we adopt the consent agenda as proposed.

John Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Pam?

Pam Curran: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Next item is Council approval of the town grants and sponsorship policies. Ali. Oh, wait.

Danny Davis: This will be Miss North. Thank you.

Bridge Littleton: Miss North.

Rhonda North: Thank you, Mr. Mayor. During the last meeting, we discussed, for the fourth time, the various, grant and sponsorship policies that have been recommended by the subcommittee. The issue was raised that it appeared, in some of the grant policies, and sponsorship policies that, 15,000 and \$10,000 were almost guaranteed for the Middleburg Film Festival and Christmas and Middleburg sponsorships. So, at the request of Council, we went back and took a look at that policy and have revised the language a bit to make it clear that the town may provide sponsorships in that amount. But again, it's always going to be subject to, funding in the budget and the appropriation by Council, with the Council deciding how much they wish to appropriate. So, with that, if the Council is ready to adopt the policies, there is a motion for your consideration.

Bridge Littleton: Any questions for Rhonda? So, Rhonda, I just want to say thank you and thanks to the committees for putting this together. I know it took a lot of work. It's very detailed, but in something like this, the detail is really important. So, people know exactly where they stand. And there's no ambiguity as to what you know is and isn't on the table. So again, and Cindy and all you guys, thank you so much. Okay. Unless anybody has any alterations or changes, is there a motion?

Bud Jacobs: Mr. Mayor, I'm a member of the committee. May I make a motion to approve it?

Bridge Littleton: You're expected. [laughter].

Bud Jacobs: I move the Council, adopt a resolution adopting policies pertaining to town grants and the purchase of sponsorships.

John Kevin Daly: Second.

Bridge Littleton: Any discussion? All in favor, say Aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Motion passes. Next item is the purchase of police vehicle. Chief Jones.

Shaun Jones: Thank you, Mr. Mayor. We are in right now. There's a, it's hard to obtain police vehicles. There's a shortage of police vehicles. We are planning on purchasing a vehicle the next budget year, but, speaking with the different car dealerships, if we don't act now, we might not be able to get another vehicle within the next year. It could possibly be longer. I was able to locate one vehicle, that is on hold right now, pending your approval. And the total cost of the vehicle was \$43,695.20. Any questions?

Bridge Littleton: Yeah, I got a question. Sure. Why are we buying it early?

Shaun Jones: Because there's a shortage of police vehicles.

Bridge Littleton: Today.

Shaun Jones: Right now, is the shortage of police vehicles. There are some agencies that have waited anywhere from 12 to 18 months to get vehicles, and they're still on the list to get vehicles, but they just cannot get them. When Covid happened, they stopped processing the vehicles, making the vehicles because of the chips. So right now, if you don't get on the list right now to purchase a new vehicle in February is when Ford will open up the list to buy vehicles, then they

you have to get on the list. It could take another year before you can get a vehicle. Therefore, while we have the opportunity to get a vehicle right now because the supply is right there, that's why I made the request to go ahead and purchase the vehicle right now.

Bridge Littleton: So, I just want to make sure I understand this though. You don't need another vehicle.

Shaun Jones: We have it in our, I forgot the title, but,

Danny Davis: Yeah, Our fleet cycle.

Shaun Jones: Fleet cycle program. I'm sorry.

Bridge Littleton: So, when is on your fleet cycle program, it's supposed to come that you're to buy the next vehicle?

Shaun Jones: The next budget that's coming up in July.

Danny Davis: Beginning of fiscal 25? Yeah.

Bridge Littleton: When do you need to buy? I don't care when we budgeted. When do you need to have the vehicle delivered?

Shaun Jones: [inaudible]

Bridge Littleton: No no no. No no no no.

Chris Bernard: According to the schedule.

Bridge Littleton: According to your schedule as to when you need the next vehicle to arrive with keys that you can use. That's not until next calendar year, right?

Shaun Jones: Yes, sir.

Bridge Littleton: Okay, so we're buying a vehicle a year early.

Shaun Jones: Yes, sir. This is the demand.

Bridge Littleton: And I got it, demand today?

Shaun Jones: Yes.

Bridge Littleton: That does not dictate that that will be the demand a year from now.

Shaun Jones: Speaking with people in the industry.

Bridge Littleton: I got it. So, here's my other question. Are you guys going to not use this vehicle? Are you basically going to put it in the shop and not use it? Because here's my concern. We cycle a vehicle every five years, correct? Not because of mileage, because of the engine, because it sits. We just we cycle every five years. You're now taking one of our vehicles and accelerating its use a year. So, we're creating an environment where we're going to have to be procuring more than one vehicle per year. Right?

Shaun Jones: Okay.

Bridge Littleton: No, I'm asking. So. So if you buy this vehicle, it comes in February. If you guys start using it. Yes, sir. It's going to get worn out at the same time as another vehicle gets worn out. So, every four years we're going to be in a situation where we're needing to buy two vehicles now instead of just one a year. You get the point?

Danny Davis: I do get the point if I can jump in briefly. We created in our capital improvement program a fleet fund, if you will, and part of this happened during Covid when cars were difficult to come by. Where we keep in the CIP a rolling six-year cycle essentially five vehicles. I'm sorry five-year cycle, five vehicles for the police, four vehicles for the police and one for maintenance. And so that is a constant cycle, right, that we have planned for the years where we did not purchase a vehicle. Those funds were set aside in the CIP because that re-appropriates every year to be able to purchase as needed. So actually, last year, year before we did purchase two vehicles in one year and one the following year, because we had gone a couple of years without actually purchasing a vehicle. So yes, there may be times where there is an overlap where one might be purchased today and one is purchased six months later, but it all falls within the budget that's approved and authorized, even if they're purchased closer than 12 months apart. And so, for instance, with this, in this case, if we were to purchase this in February, it was originally going to be purchased ideally in July or August anyway. So, it's a difference of 4 or 5 months.

Bridge Littleton: But I think what you guys are saying is you want it delivered in February.

Danny Davis: Correct. So, because we have access to it.

Bridge Littleton: Yeah. No, I got it. But the, the other delivery wouldn't be until next January.

Danny Davis: That's correct. And that's not even a guarantee. So that's the idea here is the, the potential overlap or early usage of this might be by 3 or 4 months.

Peter Leonard-Morgan: So, it's a few months early rather than nine months late.

Danny Davis: Nine months or further later.

Bridge Littleton: Correct. Yeah. I mean but you see my you see where my point is. Yes, sir. You're starting to pile up all your capital and it's not to me, it's not a money question. You're starting to pile up all your fleet requirements in lump years.

Danny Davis: Agreed. Ideally, we would have them spread out.

Bridge Littleton: So. So you're now actually exacerbating the problem you're saying you're trying to avoid, so that there's going to be a point at which you're all of a sudden now because they're all hitting five years at the same time, you need three, and it's going to be even harder to get a vehicle four years from now. That's my you know; we did that whole thing was like. It was like one a year.

Danny Davis: I understand.

Bridge Littleton: I wanted to have one a year.

Danny Davis: And I don't see it being an issue. But I understand your point.

Chris Bernard: Know that there's any sort of rule that we've created that wouldn't allow them to maybe extend this one's life four months and just get it back on cycle. It's not like it's an extra five years they're going to add to this. You know what I mean? I think.

Bridge Littleton: No, I get it, I get it, but I mean, like if this is such a big supply chain problem, we can't get one. We have to buy one a whole year early because we can't get one. What happens when we now lump them all in that we need three at once?

Bridge Littleton: So that's. So anyway. Yeah.

John Kevin Daly: But we're not getting one a whole year early. We're only talking 3 or 4 months. The other issue would be if we don't then when it comes rolling around that next year, we may find, oh, there are no cars available for another 18 to 20 months.

Bridge Littleton: I got it. My question was, does your plan to get it and park it and not use it? So that way it's not putting wear and tear on it. So, it will last the five years starting when you wanted to start out. That was my question.

Danny Davis: If that's the question, I'm sorry. If that's the question, the answer's no. But five years is not a, you know, magic number where a vehicle stops working. It's our ideal fleet replacement.

Bridge Littleton: All right. That's fine.

Bud Jacobs: Also. [multiple speakers]

Bridge Littleton: Oh. I'm sorry Pam.

Pam Curran: No, no that's all right. And I understand your point. And the only thing that I, you know, I this reminds me of is what happens when we couldn't get school busses because of the supply chain. I mean, we ended up with no field trips for kids. Kids couldn't be transported back and forth to school. It became a real nightmare. And school busses and emergency vehicles are in the same category that if we don't get them, then you know what happens if we're only talking about a handful of months? So, but I understand you know your point, but it could be a real problem if we can't get it. You know.

Bud Jacobs: Also, Mr. Mayor, parking and not using a vehicle for five months is not going to guarantee its extended utility. And this, I think, is just another example of pandemic dislocations that we're going to have to deal with. And I think the request is reasonable. I'm prepared to vote for it.

Bridge Littleton: No, no, no, it's fine. It was the way I read it; it was a year. We're going to have it delivered next month versus being delivered. So, the moment it's delivered, we're going to start using it versus being delivered next January. That's not 3 or 4 months. That's 11. Yes sir. So anyway, that was. Yeah okay. I've beaten that to death. Anybody want to make a motion?

Peter Leonard-Morgan: I'll make a motion. [multiple speakers]

John Kevin Daly: I move the Town Council, authorize the purchase of a police vehicle, as shown in the attached quote, in the amount of \$43,695.

Cindy Pearson: Second.

Bridge Littleton: Any discussion. Rhonda, do you want to call the roll?

Rhonda North: Sure.

Peter Leonard-Morgan: So, may I make a friendly amendment. I was about to say there's \$0.20 missing on that memo.

John Kevin Daly: Accepted.

Bridge Littleton: Okay. Rhonda.

Rhonda North: Vice Mayor Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay. Next item is recruitment initiatives. Chief Jones.

Shaun Jones: Thank you, sir. Last Council meeting, I was tasked to put together a proposal or just a background of where we are with recruitment. As you all know, we had several in-house promotions in 2023 and due to the in-house promotions, we have a vacancy for one police officer that has been open for approximately eight months. I spoke with our staff, spoke with other police officers and police leadership from other local law enforcement agencies and around the area and discuss issues with recruiting officers, and we all came up with some of the same challenges. Right now, there's a huge challenge not only in Virginia, but across the country in recruiting police officers, speaking with everyone, we've identified four issues. The first issue was pay. The second is take home vehicles, the third is rotating shifts, and four is some policies that we can work with in-house. Mr. Davis and myself, we've been currently working on a pay study, to align our, just do a study to see where we are in the current market with the values of our law enforcement. I mean, I'm sorry, our police officers and staff. We also are currently researching standard practices with regards to pay with other law enforcement agencies to ensure that there's equity, fairness and consistency in our current pay plan. This will allow us to retain our current staff and also the ability to recruit qualified and certified police officers. The second thing was a take home vehicle program. Speaking with multiple agencies, that was one of the biggest things that they had come up is whether or not you have a take home vehicle program. You asked officers, you know, what are some of the things would get you here to the Town of Middleburg? And first thing they ask is, do you have a take home car program? Mr. Davis has spoken with our HR consultant, and one of the things that they stated to speak with other agencies is that's one of the major recruitment tools for law enforcement agencies and one of the most sought of benefits. Recognizing this, we are exploring a possible modified take home vehicle approach. This means that when the days of officer's work, they can take the vehicle home. For example, if you work Monday, you take the vehicle home. Monday, leave the vehicle here Tuesday. So basically, they'll leave the vehicle here at the end of their shift. It's a very our take home program is a valuable recruitment tool attracting candidates, who see this as a desirable job perk. We are still running numbers and trying to do some figures with that, but the program could provide a non-salary benefit to officers in the range of \$5000 to \$7500 per year, depending on the distance they live from work. Another issue that we had is rotating shifts. A lot of agencies now across Virginia, they have set standard shifts. So, Mr. Davis and myself, I'm sorry. The town has

maintained rotating shifts as a way to keep officers visible to the community. And due to there being no direct supervision on the overnight hours. Mr. Davis and I have engaged in conversations about a strategic review of our operations and organizational structure that will be beneficial to our department and the citizens in the businesses in the Town of Middleburg.

Shaun Jones: And I'm requesting the Town Council consider setting aside time at the strategic planning retreat to discuss the organizational structure of the police department and opportunities to strategically plan for the future. Another thing is policing has changed over the years. It's not the same like when I first got into the law enforcement business. And so, we are proactively adapting to evolving law enforcement standards. So, if you talk to some agencies, they're losing people over small things like whether or not you're allowed to have a beard, whether or not you have a tattoo policy. So, we're working on, reflecting some of these updates to our internal policies. This ensures that our department remains in line with contemporary practices and will allow us to track more candidates for employment while maintaining high standards of appearance, conduct, and community engagement. We will continue to keep the Town Council updated on our recruitment efforts and on these opportunities to fill the current vacancies in the police department. These initiatives underscore our commitment to creating supportive and competitive work environment for our officers. And like I said, we'll keep you up to date. We are when it comes to training, we try to do some type of training for our officers every month. We, the town, has invested in our officers. So, I've spent some time looking at recruitment videos and so forth. And one of the things that I came up with today is if you invest in us, the Middleburg Police department, we'll invest in you. So hopefully that's where we can go. Any questions?

Bridge Littleton: Any questions for Shaun? Chris had the first one.

Chris Bernard: Eight months. Is that right? Posting the current posting.

Shaun Jones: Yes, sir. It's been eight months since.

Chris Bernard: How many do you have like a list of how many? I mean, have you gotten applications?

Shaun Jones: We've interviewed anywhere from between 3 to 4 individuals. And those individuals did not meet the cut the baggage from the other agencies.

Bridge Littleton: Wait a minute, wait a minute. Hold on. Good, good.

Shaun Jones: I was going to say so we had 3 or 4 interviews, and we chose not to move forward on those three. It wasn't the other way around.

Bridge Littleton: Did you make them an offer, or did you not make them an offer?

Shaun Jones: I did not make them an offer based on doing that background investigation. Okay.

Bridge Littleton: Yeah, okay.

Shaun Jones: I guess [multiple speakers]. They weren't qualified correct.

Chris Bernard: What I was getting at is it wasn't something that like, they didn't choose us so. You didn't make [off mic] offer and they say no.

Shaun Jones: Correct. I mean, we've had people that reached out to us, inquired about the agency, but the problem is, like, I just had a guy reach out that's a retired federal officer. Then we started talking about salary. We can't meet the salary requirements that he's looking for. The next thing is he's not certified in the state of Virginia. So, if we send somebody to the police academy, they're not any good to us for anywhere from, I don't know, 6 to 8 months. Once they complete the police academy, they have to come back and then they have to field train. We don't have the call volume. We don't have the type of calls that we need to sign off on the field training box to get somebody like that. So that's why

we try to recruit seasoned law enforcement officers that have already been trained. Another option that I looked at is maybe we can explore trying to recruit somebody from out of state. The academy now has an abbreviated program for out of state officers. That's an abbreviated academy program. That's approximately six weeks, and then they can be certified. But then we go back to the whole thing about the field training of the officers. And then another thing is we don't have the large call volume, the action that these young folks are looking for. And we don't have that in the Town of Middleburg. So, my risk of hiring somebody who's not certified, we send them to the academy, and then they get poached and picked up by another agency where they can have the dreams of being on a SWAT team and all of that stuff. So, more money and more money. So, the type of officers I'm looking for is a seasoned person, and it takes a special person to work in the Town of Middleburg. I need someone that can communicate with the public. And it's some challenges that we're facing right now.

Bridge Littleton: Peter did you have a question?

Peter Leonard-Morgan: Chief. Thank you for that. I see that the attraction of having a take home vehicle, but I also see a lot of risks associated with that, and I haven't heard of that before. And I actually used to see sheriff's cars parked, you know, this side of the state line, for example, county line. So, I didn't realize that was an option. And I do see that it's a perk to a potential candidate. But knowing that a lot of officers will probably live some distance away from Middleburg that will add a lot of mileage to the cars. The bigger risk of an accident happening or something worse than that. So, I just wanted to mention that as a concern I have, and quite happy to hear your thoughts on that.

Shaun Jones: So, one of I'm sorry, one of the things that we looked at with that one, we're in the town. We are low mileage. There have been some studies where you actually put some distance on your vehicles and can't. How do I say this correctly? I guess air the vehicle out at a little bit higher rate than the speed limit, but a little bit higher speeds, putting that on the vehicle that allow us to keep the vehicles in the working order. One of the things that we've done in the past is we've some of our older vehicles that we're getting rid of they were not their proper police vehicles. They were civilian packages. Our police model vehicles last a little bit longer. A little bit longer. Another thing is, if we do go to a hybrid take home program, we will have to set clear policies and rules that they need to follow, such as vehicles, just to be driven to and from work. Another thing is, another thing is you can't go to the grocery store, you can't take your family in the vehicle. So, we have to put clear and set rules with that if we do decide to go that way. Another thing is when the officers come to work. This is an example from last night. An officer comes to work. They have to come in, get the keys to their vehicle that's on duty, come in and get the keys to the vehicle. Transfer their equipment into the vehicle. So just like last night, one of our officers needed assistance on a call where we had a person that was belligerent and so forth. Well, the officer, luckily, I was getting gas. I was still in town, so I responded, but the responding officer, called and checked in and said, all right, I'll be right there. He had to come inside, get his equipment, get the vehicle, then respond to the incident. So, there's pros and cons for everything with that.

Cindy Pearson: And on that with using the vehicles more, that will change your fleet year chart that you're using because of the use of it. You'll have more mileage on it, so you'll be probably purchasing vehicles a bit. Yes.

Danny Davis: And that is one of the items that we are still looking at. We wanted just to raise the few items that we're considering, but we've done some back of the napkin analysis, but not a full-blown mileage analysis, but absolutely correct. That is one of the probably biggest key considerations, is the mileage that will be added. Will that affect the longevity of the vehicle or not?

Chris Bernard: Yeah, and they're. Well, I was going to say there will be like a, there will be an incremental added cost, right, for the mileage and the turnover of the vehicles. And the question is, does that balance against not being able to hire a police officer.

Bridge Littleton: Well, yeah. So, hold on. Pam had a question.

Pam Curran: Well, it was more. Yeah. It was more that I looked before we came at how many vacancies there were in all the small towns, you know, surrounding Middleburg. And they all have vacancies to the chief's point, but I was going

to ask, piggybacking on Chris's point, I hear we had three interviews, but how many people actually responded to our ads?

Speaker1: Over here.

Pam Curran: Like when we post our [multiple speakers] chief. [multiple speakers].

Shaun Jones: I mean, we have people that currently responded.

Pam Curran: And how many?

Shaun Jones: I mean, it depends. Maybe we've had ten so far, if that. But then they'll call and ask about, you know, you guys hiring. they say something that's going on with their current employer and then all of a sudden say we encourage them to put in an application. Did they put in an application? They don't.

Pam Curran: So, I'm glad it's going to be at the retreat because, to only have ten respond probably means the way we're advertising the job. Like, you know, the quaintness, the engagement with the citizens in Middleburg and even actually, to your point, we have to really review the pay and the benefits, because we all know what it means to have enough police and the responsiveness and lack of burnout and everything else. I think it's I think it's something we I'm glad we're going to really look at it, because it has to be a strong enough offering. So, we have 30 people responding. We may still only interview three, but to only have ten respond when it's so critical. I think we have to really work on it.

Bridge Littleton: An eight-month period.

Pam Curran: Yeah, yeah.

Shaun Jones: Correct.

Pam Curran: So, I think we start there.

Bridge Littleton: I can tell you right now.

Pam Curran: Yeah.

Bridge Littleton: In the amount of hiring I've done in my career, we are making a snap judgment that this issue is pay, benefits, other things. It could absolutely be those things. But to have a requisition out there and have ten responses in eight months that's literally one every three and a half weeks. We're not advertising it the right way. It's either we got to figure out the actual root cause. Is it a well written position description? Is it publicized in the right places? Are we saying the right keywords that really resonate with people? I mean, and you've had three interviews and all of them were unqualified. So clearly our position description doesn't even tell people, if you don't have x, y, z don't apply because you're not qualified, because I mean, one out of 50 that happens, right? But if all three interviews, the person was literally unqualified for the position. You know and look, it may be written right, but I think there's more here than just, I think all the things we need to look at. But I think we also need to look how we're recruiting. But.

Bud Jacobs: Insofar as it's a critical issue for the town, obviously we should discuss it at the retreat. I also think that chief and, Mr. Davis can or have a good deal more spadework to do than they've been able to accomplish so far. The reason I say this is because if, in fact, broadly speaking, across the United States or within the Commonwealth, there's a problem with police recruitment, that's not an advertising problem. I think what we're seeing is maybe a much broader cultural shift going on among the potential pool of employees who simply are not interested in doing this kind of work anymore. We know that's happening with military recruitment, and this may be a facet of that broader problem. If that is, if there is a broader problem, then it's hard for me to imagine we're going to come up with any solutions in the retreat that are going to help very much. Now we have to do it. I understand it's important, but I think we're grappling with something here that's much bigger than just the Town of Middleburg's recruitment problem.

Bridge Littleton: Yeah, I mean, but what I would say to that is, I agree, I actually don't think this is ready for the agenda of the retreat at the retreat, because there's a lot more deep dive that needs to be done with information and data to actually answer the questions. Right? I mean, so when I read your memo, I did some online searching of vehicle take home programs. Right. It's offered in less than 10% of police forces in the United States. So, to say it's a big benefit that everybody wants when less than 1 in 10 police forces actually offer it, I don't. We can't just say that's what we've heard people want. We've got to back it up with data. Right? So, of the ten jurisdictions that are around us, how many actually offer it? Right. And so, hold on.

John Kevin Daly: Okay.

Bridge Littleton: So, and the other question to Bud's point, right, is we need to reach out to those other jurisdictions. What is their time to fill on patrol officers. Right. Right now, we've gone eight months. We haven't been able to fill it. If everybody else is filling them in four months right, even though there is a dearth and all that kind of stuff. Then maybe we do have a, you know, a position advertising problem. If everybody else is saying, oh my God, it's taken 14 months. Then it is as like Bud said, it's there's a bigger problem here that we may or may not be able to get our hands on. So, we need factual information, not anecdotal information. Does that make sense?

Shaun Jones: It does.

Bridge Littleton: Okay.

Shaun Jones: I mean, I agree with Mr. Jacobs. This is a profession that at one point a lot of people like to get into the idea of being a police officer. But after the George Floyd incident, it's declined. People do not want to be police officers anymore or those that were police officers saw everything that was going on. They retired and got out of the business. That's hard. There's a lot of different factors that are involved. You know, you look at us and I always say this, you look at some of these agencies that are offering these large signing bonuses to get people there. Right, \$7,500 bonus some places are going up. Somewhere out west I think it was \$75,000 signing bonus to get people there. I'm not trying to do that here because of the fact that we have a lot of people that have dedicated to this town, dedicated to our department. And how is it fair if we give someone as a signing bonus? Or for those that have been here that are working and doing the job? So, there's a lot of factors that are coming into play. I'll get you more facts and so forth to speak with some of the surrounding agencies. That are some of the things that they're going to like, take home cars and so forth. I got a, Officer Heingartner sent me a flier for recruitment announcement yesterday that they were even going to the point of offering a Costco membership to Costco. [laughter]

Bridge Littleton: So again, we don't want anecdotal information of the Costco card. We there's a couple things we need to just figure out what's going to help us know where the real issue is or not.

Shaun Jones: Okay.

Bridge Littleton: So, Darlene you had a question.

Darlene Kirk: Yeah, I sort of did. We have had this question before about take home vehicles. I've done a couple some of the interviews that we've done. We had this when we hired Tim. Several of the people wanted to know, can I take my vehicle home because then as soon as I come into town, if I see something that needs fixing or something that is an issue, I can go right and do it. So, it's not the first time that we've had that issue. I don't know that it's a bad thing to give them take home vehicle, but I just thought I'd mention that.

Bridge Littleton: Pam.

Pam Curran: Thank you. Bridge. You know this this reminds me again of something related to the pandemic. Because during the pandemic, after we realized how important teachers were and teachers were paid nothing, and then once we couldn't get teachers in this country, we started to give them bonuses. We started to elevate their pay. And now, you

know, teachers are paid nothing like they were a few, you know, a few years ago. And I think we have the same situation here with our police officers because they're hard to get to Bud's point. They're stepping away. But I think Middleburg offers something that the inner-city police officers don't have, which is a low crime rate, wonderful residents. And I do think it's a different demographic than we had, but I think it's solvable. I do think it's solvable for us. And I agree with you. It's not a one thing with the vehicles. We've got to look at all of it.

Bridge Littleton: And we've got to make sure that we understand the symptoms. So, we give the right solution. And I don't think that we know that yet. So. [off mic] Last one.

Cindy Pearson: And when you said you don't like to recruit the younger people, I would differ with that a little bit, because you do have young people now that come out of high school that don't have a direction that would love to be a police officer. They are looking to maybe go into the service. So, it's somehow, we need to figure out how to work with that.

Bridge Littleton: Yeah, I don't think Shaun was focusing on young people. It was the people that we had to send to the academy, which would be young, they'd be young, but you could have a young person who's out of the academy.

Cindy Pearson: Right. Right.

Bridge Littleton: I think that's what and did I that capture that, right, Shaun?

Shaun Jones: That does. But like I said, you know, the younger folks, they want the action. They want the SWAT teams, the dive teams.

Cindy Pearson: Not necessarily.

Shaun Jones: Okay.

Cindy Pearson: Because even my grandson is a grade, he is out of high school, but out for a year and a half, does not know what to do with himself. He's speaking to some military people to see if that's his route. He said he would love to be a police officer. And John Miller.

Bridge Littleton: Oh, that's a great one.

Cindy Pearson: That's a great example here in town who went to Louisiana and he's at.

Bridge Littleton: Alabama.

Cindy Pearson: Alabama. He's an officer there now that did not know what to do with himself.

Bridge Littleton: Yeah. Okay. So, I think the follow up would be Kevin, Shaun, Danny. Maybe Margaret can help. Does Berkley help out with that stuff for police forces?

Danny Davis: Yes. They've.

Bridge Littleton: I mean, I'm not saying have her go do a, you know, a recruitment or anything, but maybe she can point you guys in the right direction to things you should be looking at. Did she help you guys with the position, description and stuff? Not Margaret, but Berkley.

Danny Davis: I believe she reviewed it as we put it together.

Bridge Littleton: Okay.

Danny Davis: Yes.

Bridge Littleton: All right. Okay.

Danny Davis: And if I can just add, I want to be clear, this two-page memo is not the breadth of the information that we've put together. And so, I understand your point that this is not fully baked for the retreat, but the information that we've been putting together, I believe will be at that point. And my intention is that we don't just drop in cold at the retreat with, you know, 16 pages of information, but that we meet with you ahead of time to have a chance to talk with you and get your input and your answers and questions. So that way when we get to the retreat, it can actually be an effective conversation. We see if we're going down a pathway that's actually helpful if there's information that we forgot. So, our goal in talking last was that we would seek to start setting up sometimes to meet with Council Members, probably the second or third week of February leading up to the retreat.

Bridge Littleton: Okay. Thank you. All right. Next one is EV charging.

Danny Davis: Thank you, Mr. Mayor. As you're aware, there was an entity, X-Charge that had approached the town with the opportunity for a DC fast charger, a level three charger. And, so that has been kind of waiting on hold, as we have been completing the town hall project, as part of the town hall project, we have installed the conduit and the essentially the base infrastructure for, connecting a 480-volt DC fast charger, station here in the parking lot. But there are some remaining steps to be done that were not part of that, part of the town hall project particularly that includes, connecting up to the existing, conduit, running wire, setting the charging panel, and then a concrete pad for the station itself. We our construction management firm, Downey and Scott, ran a small RFP for us. Reached out to three firms. Only one, provided a response and a bid for us. Excuse me. I've provided that for you. In the memo, I will note that they did misread a couple of the small footnotes. And so, the bid will actually come in a little bit less than what is quoted in the item here. I don't know the exact cost of that at this point. So, where we stand is that it will take approximately, let's say, \$60,000 of additional electrical work to run the wire, to set the station, to connect it up and make it operational. The station itself is being proposed to be, leased or given to the town at no cost. In a partnership with XCharge, the company that approached us previously and that had been discussed a couple of times with Council, we did not finalize that agreement. So, we would bring that back to you if it is appropriate. But really, the question for Council now is, is there an interest in proceeding, is there on the other hand, is there a desire just to wait and see what comes in the future, whether grant opportunities or other means to do it either not at cost to the town or through another means. So, we're looking for some input and direction. I know that Mr. Leonard-Morgan and working with the Sustainability Committee has been, pushing forward in general the idea of how can we enhance and encourage electric vehicle charging stations in our town, being that people have needs for that, whether they're visitors or residents. And so, it's an opportunity for us, but also understanding it comes at a cost. So really just bringing this forward at this point, looking for some guidance, don't necessarily need an answer, but also happy to, come back with more information if there is a desire from Council.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Thank you, Mr. Mayor. As you know, we've been working on a project, probably for five years now for electric vehicle chargers. We were approached by XCharge with this fabulous unit, which is the fast charger. We have invested a considerable sum of money in the actual build of the town hall to incorporate it. I think it would be, unwise not to finish that last leg and install this, charger, because we will also be getting quite a lot of PR out of it through XCharge, and we'll do that as well. And then, of course, the benefit to visitors and residents alike, will start to bear fruit. I should also mention we're also talking to another company about level two chargers for the main part of the town, called Greenspot. We haven't finalized anything yet, but that would be a different situation where they would own them and install them. And we still need to bring that to Council, but that's a secondary option for us. But I'm all in favor of this and I'd love the support Council.

Bridge Littleton: Any questions? So, is it actually going to happen this time?

Peter Leonard-Morgan: Up to you. [multiple speakers]

Bridge Littleton: If we build it, are they actually going to come?

Peter Leonard-Morgan: We shall see. [laughter]

Bridge Littleton: All right. Any? Yeah, Chris.

Chris Bernard: Remind me of the agreement. Was that the one with XCharge was that a revenue share of some kind?

Peter Leonard-Morgan: Yes. 50/50 split.

Chris Bernard: Is there projection on that?

Peter Leonard-Morgan: We have. Well, yes, we've been working on that actually, and it depends on a number of factors. You know what the cost of electricity is. Can we get off peak electricity costs? And then of course how many times a day will it be used? But the projections, you know, we're not looking at this to be a profit earner.

Chris Bernard: No, just curious.

Peter Leonard-Morgan: Of course, but I do.

Chris Bernard: [multiple speakers] pay back the 64 grand?

Peter Leonard-Morgan: Well, it's not just 64. It's the rest of it. I would say the 64 and what we put into this could be 6 to 7 years.

Bridge Littleton: 60 to 70.

Chris Bernard: 60, 70 years.

Peter Leonard-Morgan: And I'd be very happy to share the ROI spreadsheet. [laughter]

Bridge Littleton: Yeah, I'll believe it. Okay. Any issues with those guys moving forward? All right. Again. Okay. Next item here is.

Danny Davis: If I.

Bridge Littleton: Yeah.

Danny Davis: I did not include a motion. Not sure where this would go if it would please the Council. Could I request that, Mr. Leonard-Morgan or someone make a motion to authorize a contract with Beckstrom Electric.

Bridge Littleton: Peter make a motion.

Peter Leonard-Morgan: I move that the Town of Middleburg enter into a contract with Beckstrom Electric in the sum of no greater than \$64,650 to finalize the conduit lines for the XCharge charger.

Bud Jacobs: Second.

Bridge Littleton: Any discussion? Rhonda.

Rhonda North: Vice Mayor Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Daly.

Pam Curran: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay.

Danny Davis: Now, Mr. Mayor, I'm going to be looking for the town owned Tesla so we can make sure that the charging station is a. [laughter]

Bridge Littleton: For the record, former Town Manager Danny Davis stated that the town has a Tesla. We do not have a Tesla. [off mic] Nor do we want one. Exactly. Yeah. [multiple speakers]

Chris Bernard: We don't need to hire a new guy.

Bridge Littleton: No, no no, no. Well, you know what we do need to do? All the members of Sustainability Committee. We should check the fuel consumption of each one of their cars. That'd be an interesting exercise. I know, Lynne has got a Tesla, so she's in the clear. Should we start with the? No anyway. Next item is Citizen Academy. Rhonda.

Rhonda North: Thank you, Mr. Mayor. As a reminder, it's been one of Council's strategic initiatives for a few years now to develop a Citizens Academy. Covid did get in the way a little bit on that. And then the town hall project. So now we're ready to move forward with it. Council Members, Daly and Pearson and I, met and just sort of updated, the draft proposal for how we would envision the First Citizen Academy, to go, as a reminder, the thought behind the Citizen Academy is essentially to educate, folks who want to attend on what the town's responsibilities are, what the town does, the role of, you know, each department within the town, the Mayor, Council, that type of thing. So, what we're suggesting is that we start with a small class, first session, you know, ten folks, that we do a morning session that starts off with the Mayor and Council talking about, leadership, you know, what it means to serve on the Council. Then we would go in and have administration, talk about the various departments in the administration and then finish up with the police department. Our recommendation is to do it in this room so that we can videotape it and live stream it. So more than the ten people who are participating can watch, we would then do, lunch, and then send, take them out into the field, do a tour of the water treatment plant, the wastewater treatment plant, bring them back in here. Talk a little bit about the various boards and committee's commissions that we have, and then sort of do a wrap up and a little bit of, graduation ceremony, with the little reception afterwards. So, you know, the thought is just to start with that, see how it works, get some feedback

from those folks. Are there areas that we need to expand upon? Are there areas we talk too much on? We need to retract a little bit? And then we could tweak it, for the future. We've got a budget recommendation, in your agenda packet as well as a timeline that we're suggesting. Again, we're suggesting we start with ten people. If we have, you know, more than ten who apply, the recommendation is we start, with town residents first. And if we have to, we could even maybe look at doing a second academy if the Council is willing to fund a little extra money to do a second one. But that is the subcommittee's recommendation, and we're here to take any questions you may have.

Bridge Littleton: Darlene.

Darlene Kirk: I know it's hard. This one doesn't want to work. It seems like it should be just a Middleburg or greater Middleburg thing. But you said outside of Middleburg too, and I don't see that we.

Bridge Littleton: I think she means [off mic].

Rhonda North: No, I mean.

Darlene Kirk: The greater community.

Rhonda North: The town residents within the town limits would have first choice at the ten slots. And if we had more slots after we filled them with town residents, then we would look at folks in the greater Middleburg community.

Darlene Kirk: Good enough.

Bridge Littleton: The one thing I would throw out there is and with everything going on right now in our national politics, I think there would be a really it would be really valuable to have a segment at the very, very beginning about sort of the foundational rule of law. Right, and the Virginia State Constitution, where power from local government comes, where it doesn't come, you know, and really, what does the rule of law mean? And how is that level of responsibility impacted? Or how does that construct govern what we do day to day? And things like appropriate role of government, not appropriate. I mean, I think we more and more need that nowadays. Yeah. Kind of yeah. I mean, since they don't teach it in school anymore.

Rhonda North: And I think I was expecting a little bit of that to occur in the elected officials piece, as well as a little bit of that to occur in the administration piece when the Town Manager spoke, you know, Dillon's rule, you know, things of that nature.

Bridge Littleton: Yeah. I mean, I'm not so much going down the path of Dillon's Rule because that's like, that's just I mean, that's two seconds, right? But I mean, I'm literally talking about we're a nation of laws and we all have a social construct and a compact that we agree that this is how we do it. And if we don't like it, we change it through law and not through, you know, that's what elected officials are for, you know. Just people I think there's a real dearth of understanding of actually just how government itself works.

Rhonda North: Yes.

Bridge Littleton: And at the localist level to the highest level, it's the same. So yeah. Okay. But no, otherwise I think it's great. I'm excited it will be fun. Okay. Any other questions for Rhonda? And I mean, Rhonda, I will say your budget request excessive. [laughter] I'm embarrassed that you would that the number actually had a comma in it. Okay. Next item is time capsule.

Rhonda North: Okay. Thank you, Mr. Mayor. So, the Council had previously expressed a desire to include a time capsule as a part of the town hall project. We are proposing to put that in phase two, which will be coming to a close here very quickly. So, we do need to start working on this time capsule.

Bridge Littleton: Careful what you promise?

Rhonda North: Yeah. Knock on wood. [off mic] [laughter]

Bridge Littleton: She said coming to an end.

Rhonda North: So, one of the things that had been suggested, was a letter signed by the Mayor, Council and all the town employees. So, you do have a draft of that letter in your agenda packet? We're also suggesting, a notebook that contains print copies of, the history of the town office, the documents, the presentation materials that were used, as we were doing the community input sessions for the town hall project, photographs of the groundbreaking ceremony, the build out of the town hall, and then just things with regard to Middleburg, you know, the shopping and dining guide, you know, one of our lapel pins, you know, baseball hats, things of that nature.

Bridge Littleton: Call Jay, get a last copy of Middleburg Eccentric.

Rhonda North: It's a good idea.

Danny Davis: Yeah, I had one in my office, and I think I tossed it as we moved. Yeah.

Rhonda North: Yeah. So, I just wanted to see if the Council had any input on the letter. Was trying to keep it kind of short. The desire was to try to keep it on one page so we could have it framed like we present our resolutions of appreciation. Obviously, with the number of signatures, that's not going to work. It had to go on to two pages. But if you had any comments on the letter or who should sign the letter. I've heard some suggestions from folks about expanding maybe the number of signatures on the letter, that would certainly be up to Council.

Bridge Littleton: I think. Let me recommend it this way. Anybody got any suggestions for Rhonda? Send them to her ASAP. But, no, I think it's a great idea. I can I'm thinking of a couple of things to throw in there. Like AJ's challenge coin, you know, stuff like that. It'd be cool. All right. Yeah. [inaudible] throw AJ. [laughter] Okay. Next item here is legislative updates.

Danny Davis: Thank you, Mr. Mayor. And, as you're well aware, legislation changes quickly, during the session. So, just did a quick look, and there's one slight change, on the last item in my memo. I know Mr. Crim is available to provide any other input or, other answers if you have questions. But just quickly to run through the five, kind of key topics that were highlighted in my memo. The first one is clarifying the language about reductions of speed limits. This is the one that you brought up, Mr. Mayor, at the last meeting, HB 793. And my recommendation here is that we actively support this by sending a letter to our delegation as well as to committee members that might be reviewing this. It has been referred to committee, and so we would recommend actively supporting that. And I think Council would agree with that. Second topic is HB 1328, the central collection of TOT for accommodations intermediaries. As you all are aware, we opposed this in prior sessions, and we continue to oppose this. And my recommendation is that we actively oppose this, again, with letter and outreach to our elected, direct representatives, but also to the committee members. This particularly is kind of that foot in the door of concern about the state, getting its hands on local money. And there's real no, from our perspective, appropriateness or rationale for something of this nature. So, we believe that it should be, imposed and collected at the local level. And they're setting up a difference between lodging properties and accommodations intermediaries. And it just it creates a bit of a mess. So, we definitely oppose, HB 1328.

Bud Jacobs: The other piece of this, though, is not just money. It's getting STR under the get its nose under the tent in jurisdictions such as ours. I suggest we oppose this not actively but vehemently.

Danny Davis: Sure. Yeah, absolutely. And, there was another bill that's not listed in my memo, that I believe has been put aside for this year, though I don't have a formal update where, Airbnb had entered in substitute language into the bill that would essentially say that no locality could require any special use permit or conditional use permit for a short term rental.

Bridge Littleton: Short term rental becomes by right. Yeah.

Danny Davis: So, another not just foot in the door that's flinging it wide open. So, we are working closely with VML on that. Again, I believe that that's been put aside or at least is going to be tabled, but they are fighting it hard. And any time those types of issues come up; we join them in that fight.

Bud Jacobs: Last year, the bill about, not being able to turn down an application if there was a licensed real estate agent involved in the transaction. [multiple speakers] Is that still hanging out there?

Danny Davis: I believe that that's not hanging out there, but it's a similar type language that was being proposed this year, but much more broadly, basically saying if it's my legal primary dwelling unit, then you can't tell me I'm not that I have to get a special use permit for a short term rental. So that could open it up to, you know, anyone who is the legal primary legal owner of that property, which on its face is also very hard to enforce and verify.

Bridge Littleton: So that's what Danny and I were talking about. It said it had to be. So, our ordinance says it has to be primarily used as a residence. Theirs was saying, which is actually better it has to be your primary residence. But then my point was, well, how do you enforce that? I mean, just I mean, all that is so subjective. I own it, I have my voting and my car registered there, but I live in Florida 12 months out of the year. I mean, how would you actually be able to say that that's not your I mean, just it's a nightmare. [off mic] Oh, no. Well. No. They would come back, and they would vote and.

Chris Bernard: They'd have to show something on there. I mean, they'd have to have a mortgage that said it was their primary residence.

Bridge Littleton: Oh, totally and they would, you know, they just, you know.

Chris Bernard: They would lie.

Bridge Littleton: No, they wouldn't lie. Because just because it's your primary residence doesn't mean you have to sleep there.

Chris Bernard: But then they couldn't declare another place as their residence.

Bridge Littleton: Well, that's exactly right, you know. But yeah, it's just this it's.

Danny Davis: So, we will [multiple speakers].

Chris Bernard: Exercise that right in one locality at a time.

Danny Davis: Yeah.

Chris Bernard: Correct.

Danny Davis: So, we will continue to, just stay very much on top of the short-term rental bills. And I think you're correct, Mr. Jacobs vehemently opposed those. The next topic is and another one that is a threat to local zoning. And that is the HB 900 and SB 304, which would mandate that localities allow accessory dwelling units in single family dwelling zoning districts. So, if you have a single-family zone district R-2, for example and accessory dwelling units are permitted, then there would be no way for us to prevent those from being used as a dwelling unit in the accessory unit. And there's no consideration that can be taken for parking, traffic, water and sewer use or capacity, storm water or any other issues that could be of concern. And of course, that means in those districts you're potentially doubling the density of those districts. And so again, that's one of those where, we oppose not only the specific issue itself, we oppose the state stepping into local land use authority, where it should be, the community setting its expectations and standards in zoning and not the state, overriding that when they don't deal with land use like we deal with land use. So, again, actively opposing strongly opposing bills like this.

Bridge Littleton: Okay.

Danny Davis: All right. The next one is an interesting one. Notice of real property tax increases as well as mailing of annual budget summary. Essentially, they are two different bills where during the budget process, the first HB 549 would require us to, if you recall, each year when we do the budget, if there is more than a 1% increase in the taxes that will be levied, we're required to do a notice in the paper. Well, this would require us to mail that to every property owner. Also, it would require us to for every single individual property, calculate the dollar value change and percentage value change if a certain tax rate were adopted, like the advertised tax rate. So essentially, we're being asked to do the math for every single property owner, in the locality based on a proposed tax rate. For a number of reasons.

Bridge Littleton: Which means we have to get the tax assessment from Bob Wertz.

Danny Davis: Yes.

Bridge Littleton: Into a spreadsheet and then do the math.

Danny Davis: Yes. And not just the overall assessment valuation, which we have now. But then it's the full land book. It's then the calculation is an Excel calculation. But then it's creating the documents, merging, getting them out. It's mailing them. It's just one more thing to do. So.

Bridge Littleton: Here's how I'm going to recommend we handle that. We will do the math and we will put it on a spreadsheet, and we will mail the full spreadsheet of everybody's taxes and value to every single citizen. Yeah. That way you could do one mass mailing. And I'm sure, you know, people in the public would love all their neighbors to know what their even though it's public information, you know, values and all that kind of stuff. I mean, that's just it's just insane.

Danny Davis: So that's one. And then HB 1004, requires that with the real property tax bill, that a summary of the budget of the prior two fiscal years be mailed with the tax bill. And if those property owners don't receive the tax bill by mail, then you have to mail it to them. Well, as you know, we don't mail the tax bill. It's done by the county through the collection. So, we would A have to create a budget summary which again defined that it's not defined in the legislation. And then B one more mailing to every property owner in town. It's separate from that. [off mic] So.

Bridge Littleton: [multiple speakers] we spent.

Danny Davis: So. Yes.

Bridge Littleton: [multiple speakers] Postcard.

Danny Davis: That's right. So anyway, it's these types of things that are maybe there's a reason they're being submitted and there's an issue in some other place. We try to communicate with our residents in a very effective way. And we don't support these bills.

Bud Jacobs: I've lost track of delegates, Delegate Roem's initiative on no fee FOIA requests.

Danny Davis: Correct. And I have not tracked that recently. I do believe it was still, in play. And I will have to go look at that and I can update you later. We would oppose that. Maybe not quite as vociferously as some of these other things, but she, has proposed it in prior years. And we've opposed it because it would require certain hours to be free for FOIA requests, but then also put a cap on the hourly rate that we could charge for responding to FOIA requests at some just picked out number. That, again, does not reflect the reality of the time that it takes for our staff, particularly to respond. And then it puts the burden on the jurisdiction to actually defend before a judge why its costs were reasonable.

Bud Jacobs: The VML poster as well.

Danny Davis: Yes, absolutely. And then the final one. Now, thankfully, it's just for interest because it's been passed by for a year. But SB 136 would prohibit a local governing body from appointing a spouse, child, stepchild, parent, stepparent or grandparent of a governing body member to any of the local governments, boards, committees or commissions. So.

Bridge Littleton: Good luck Hillsboro.

Danny Davis: So, you know the easy solution is say, you know, for jurisdictions with greater than X population. The better solution would be why let's just oppose this bill. Thankfully, though, it's been laid aside for the year. So just giving you an update.

Bridge Littleton: Okay. Yeah. Oh, I'm sorry, Bud.

Bud Jacobs: Mr. Mayor, I can't wait to hear how you are going to explain this mess as part of the civics lesson, you're going to give at the Citizens Academy. I think we'd all want to come for that.

Chris Bernard: For the record I would like this to be a prerecorded video. And I would like Danny to source an old TV and roll it in on a cart like the 80s and make them watch it that way. [laughter]

Bridge Littleton: And we can use an overhead projector with a grease pencil. Oh my God. [off mic] Yeah. So. Okay. So, Bud, an interesting sort of bullet point, especially on the Airbnb one. I looked up the senator who was the one who proposed the bill, City of Richmond. You know, I mean, you know, for us, Airbnb and for a lot of places, right? It has the potential to really devastate affordable housing, especially when you have people like these investment firms like Blackrock and whatever they are literally it's not some person renting out a basement. It is literally they are buying the homes, turning them into investment properties because you rent it out for one weekend. You made more than the mortgage cost. And so, everything else is gravy. But he's from the inner City of Richmond, and it was sort of like, you know, everywhere there is this affordable housing issue. And what was interesting about the bill, what I did was I went in and searched in VPAP, all the donations from Airbnb and all the lobbying dollars spent on Open secrets. What's actually kind of interesting is that in the past year, Airbnb has only spent \$1 million dollars. Now from Verizon, was trying to pass that bill where they could put 5G infrastructure in any public right of way without any approval or anything. They spent like six and, you know, 5.9 of it on donations. So, I just, you know, Airbnb is I mean, it's been now going on six, seven years that they have just got this power in these state legislatures. And it's I was trying to follow the money and I couldn't. I mean a million bucks is not nothing, but you know the guy proposing this bill, he got like, ten grand from them. I mean, that's not a ton to be bought off by, but it was. [off mic] Well, I'm just trying. I'm trying to. I was talking to Michelle Gowdy and I'm like, is there an intermediary here? Right. Is there some person that Airbnb gets a ton of money to? Because the campaign finance laws in Virginia are just the Wild West, you can do whatever you want. Is there some intermediary they gave millions to? And he's the one giving people money. I mean, I don't know, so it's kind of crazy.

Danny Davis: Mr. Mayor? Yeah, just briefly, I checked in on Delegate Roems' Bill. And I'm sorry, Senator Roem. And, it's been, it passed by general laws and technology with a substitute, and it's been referred to Senate Finance and Appropriations. It appears that the substitute, would exempt any public local body from the fee requirement limitations. So, I guess that means the bill would apply to state agencies, but not local agencies, the FOIA bill. We'll get more info from VML and the attorneys on it. It's a little interesting. It's SB 324.

Bridge Littleton: Okay. All right. Any information items? Now that we have the fourth estate here, I will give a quick update on VDOT. So, for those of you who are unaware, Norm. [laughter] You know, we made the request to VDOT back April a year ago to lower the speed limit on route 50 on Main Street. I think we want to go from 25 to 20mph. There was that bill passed last year, which we feel that's pretty straightforward, that we have the authority, but there's ambiguity. So, this bill that's coming up is to clarify that and actually give us the authority. But we went to VDOT anyway and they said, well, you know, several months later they responded and said, well, we don't agree, and you shouldn't and why and whatever. So, we've met several times and they said, well, if you want to reduce the speed from 25 to 20, we need to do a speed study, we need to do a walkthrough. You know, they came out with a team of minions and

did the speed study. And I sent to you all the recommendations that they provided us about three weeks ago. We're going to have a follow up meeting probably the first second week of February. Gill literally just sent some dates. And, just to recap the recommendations. If you recall from their analysis, instead of allowing us to reduce the speed limit from 25 to 20. Which reduces the likelihood of death by 17% their recommendations are to implement a number of chicanes throughout town to create choke points on Route 50. Alter some of the signs, move them around. You know, better signage. They also recommended moving buildings closer to Route 50.

Chris Bernard: Move the buildings.

Bridge Littleton: Yeah, exactly. Yeah. Yeah. Exactly bring them closer to Route 50. [multiple speakers] Yeah, absolutely. And then the other one was, reduced. Remove the on-street parking. Yeah. So.

Chris Bernard: Can we move the building somewhere outside of VDOT's jurisdiction?

Bridge Littleton: Well, they currently are. So, I think what he was saying is move them into our jurisdiction. So those were their recommendations instead of removing reducing by five miles an hour. So, we'll meet with VDOT, in two weeks and figure out, I mean, our response to them was, you know, my letter back was, okay, great. Those are your recommendations. We appreciate it. I reviewed the VDOT budget. You have plenty of money to implement these million dollars' worth of recommendations. When do we get planning? To which they came back and said, whoa, whoa whoa. There's we need to discuss it first and go over the recommendations, and then we'll go through what the next steps are. So, I think Danny it's going to be like the sixth or seventh whatever they recommended. So, hopefully by the next meeting, a Council meeting, we'll have an update for everybody. Great. So, we can look forward to these chicanes and choke points and removing on street parking. So, anybody who lives on Route 50, if you'd like to volunteer to move your house closer first, that would be great.

Cindy Pearson: And would you give them a truck with a horse trailer behind it to drive through town when you put a few trees in the middle of the street for them and see if they can do it?

Bridge Littleton: Like an Aldie?

Cindy Pearson: Like an Aldie.

Bridge Littleton: Yeah, we could do that. [off mic] Yeah. And they actually noted Aldie as a prime example of where that has been very effective. Okay. Any other information items from anybody?

Cindy Pearson: No that's enough.

Bridge Littleton: Okay. It is now time for the closed session. And would someone like to read the memo or the motion excused me?

Chris Bernard: I move that the Council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for the performance review of the Town Manager as allowed under subsection A 1. I further move that Council. That the Council thereafter reconvene in open session for action, as appropriate.

Darlene Kirk: Second.

Bridge Littleton: Any discussion?

Bud Jacobs: Just one thing. You're supposed to read that with a British accent. [laughter]

Chris Bernard: My most sincere apologies, sir.

Peter Leonard-Morgan: That's pretty good there.

Bridge Littleton: All right. All those in favor say, Aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Closed session. All right. I ask the Council certify that in the closed session just concluded, to the best of each members knowledge, nothing was discussed except the 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 Virginia Freedom of Information Act as cited in the motion. I would like to remind those present for the closed session that anything that any discussion that occurred within it should be treated as confidential.

Peter Leonard-Morgan: Yes.

Bud Jacobs: Yes.

Darlene Kirk: Yes.

Bridge Littleton: Yes.

Chris Bernard: Yes.

Cindy Pearson: Yes.

John Kevin Daly: Yes.

Pam Curran: Yes.

Bridge Littleton: All right. Any other items?

Darlene Kirk: No.

Bridge Littleton: Meeting adjourned.