



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, May 9, 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 R. Crim, Town Attorney
Rhonda S. North, MMC, Town Clerk
Ali MacIntyre, Business Development & Community Partnership Director
Police Chief Shaun Jones

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, May 9, 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 Comment

Megan Gallagher, 214 E. Marshall Street, thanked the Council for their votes during the last meeting.

Public Hearings & Action Items

Town Manager Davis welcomed Angela Fletcher, the incoming Finance Director/Town Treasurer. He noted that she currently served as the Town Treasurer for the Town of Strasburg and, prior to that, the Town of Round Hill. Mr. Davis advised that she would begin her duties on May 20th and noted that the Town was glad to have her experience.

Fiscal Year 2025 Budget

Town Manager Davis reminded Council that the budget had been the subject of a number of meetings to date. He further reminded the members that they adopted a real property tax rate of \$.1236 per \$100 assessed value. Mr. Davis reported that \$10,000 was put back into the proposed budget for the Christmas in Middleburg event, based on the organization's request, and that a \$5,000 increase was included for Visit Loudoun based on Council's discussions during their strategic planning retreat. Mr. Davis noted the increase in the waste disposal costs and opined that they would likely increase by 8% this coming fiscal year due to increased costs and additional customers in the new homes. He reminded Council of the Middleburg Beautification Committee's request to support enhanced landscaping along Route 50. Mr. Davis noted that the Council approved half a year's worth of the costs in the current fiscal year and agreed to discuss this further during their budget discussions. He reminded the members that the full cost was \$36,000 annually. Mr. Davis advised that this would result in savings to the Town because it would not have to pay for as much landscaping through the Town's contractor. He noted that a decision on this item was not needed at this time.

No one spoke and the public hearing was closed.

It was noted that the Council could not take action on the budget until its next meeting.

Ordinance – Water & Sewer Rate Fee Increase

Town Manager Davis reminded Council that the FY '25 Budget anticipated a 3% rate increase in water and sewer user fees and noted that the impact of the fee increase was included in his memorandum. He reported that the staff was continuing to review the revenue streams in the Utility Fund and noted that they appeared to be exceeding projections. Mr. Davis advised that it was unknown as to whether this was a blip or a continued pattern. He reported that the Finance Committee discussed it and agreed it would be helpful to review this again at the end of the fiscal year. Mr. Davis reminded Council that the staff intended to conduct a full rate review using the Town's rate consultants in the coming fiscal year. He further reminded the members that the staff would work with Davenport due to the need to restructure the existing line of credit and noted that the Town may also consider pursuing additional debt, if appropriate, for other capital projects. Mr. Davis advised that Council could take action on this item during this meeting if desired.

In response to inquiries from the Council, Town Manager Davis advised that the Town would be meeting with NewGen Strategies, formerly MFSG, the Town's utility rate consultant. He confirmed the Town intended to do a survey of the sewer system and advised that the funding would potentially come from a Virginia Department of Health grant, as well as the funding that was built into the Town's budget. Mr. Davis reminded Council that the Town updated its rate model in order to prepare long-term plans for the rates. He advised that the 3% annual rate increases had been the expectation for many years; however, this was reviewed each time a rate study was performed to confirm it was still appropriate.

Councilmember Pearson noted that this allowed the Town to keep from having huge rate increases like other municipalities have had to implement.

No one spoke and the public hearing was closed.

Councilmember Jacobs moved, seconded by Councilmember Daly, that Council adopt an ORDINANCE TO AMEND THE SCHEDULE OF WATER AND WASTEWATER USER FEES AND CHARGES.

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)

Consent Agenda

A. Council Approval – April 11, 2024 Regular Meeting Minutes

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.)

Staff Reports

April 2024

Town Clerk North advised that she had been working on the Asbury Church RFP and noted that this was an item for discussion later in the meeting. She reported that she was working on organizing the Town Hall Ribbon Cutting Ceremony that was scheduled for Friday, May 31st at 4:00 p.m., just prior to Middleburg Day. Ms. North announced that artwork by the first-place winners of the Arbor Day Poster Contest was currently on display in the Council Lobby. She noted that she assisted in the preparation of the annual Consumer Confidence Report, also known as the Annual Drinking Water Report, and advised that they were ready for inclusion in the utility bills. In response to an inquiry from the Council, Town Clerk North advised that any member of Council who was unable to attend the Freedom of Information Act training that was scheduled to be given by Alan Gernhardt, of the Virginia FOIA Council, would have to take the training from the Town Attorney. She explained that under the State Code, the training had to be given by either the FOIA Council or the Town Attorney. Ms. North asked that any member who was unable to attend the August training contact her so she could schedule the training to occur with Mr. Crim.

Business Development & Community Partnerships Director MacIntyre reported that Art in the Burg would be held on May 11th and advised that forty-two artists were signed up to exhibit their works. She noted that there would also be multiple food vendors. Ms. MacIntyre advised that the event would be held rain or shine. She noted that new elements had been added including an Indian dance group, ballroom dancing exhibition, improv session, and story time event. Ms. MacIntyre further noted that a wine/beer garden, with music, would be held all day long on Federal Street. She reported that the Middleburg Community Farmers Market kicked off last weekend and noted that there were a lot of people present despite the rainy day. Ms. MacIntyre advised that the Farmers Market would feature a children's entrepreneurs market this coming weekend, which would consist of seven kids vendors and activities. She reported that she was continuing planning for Middleburg Day. Ms. MacIntyre noted that she was continuing to receive RSVPs and advised that the count was currently at two hundred people. She opined that the count would end up being somewhere around three hundred to three hundred fifty. Ms. MacIntyre advised that Scruffy's would provide the ice cream for the event.

Town Manager Davis announced that Ms. MacIntyre was nominated as the CTA Ambassador of the Year by Visit Loudoun for her hard work in supporting the CTA Program throughout Middleburg. He noted that while she did not win, the nomination was still a recognition for all the help she provided Visit Loudoun, as well as the community.

Police Chief Jones noted that he was preparing for the upcoming Art in the Burg. He recognized Officer Hinegardner, who dealt with a difficult case over the last couple of weeks. Chief Jones noted that the victim sent an email expressing appreciation for Officer Hinegardner's hard work and diligence on the case. He announced that the new Police Administrative Specialist, Sue Foote, had begun work and advised that in her four days, she had already done some amazing things. Chief Jones reported that the department was preparing for other upcoming events. In response to an inquiry from the Council, he advised that the Town received some applications for the police officer position due to its posting and planned to invite some of the applicants in for interviews at the end of the month. Chief Jones noted that Ms. Foote was working on a new recruitment flyer, which was almost complete. He advised that a number of the applicants who applied through Indeed were not certified police officers; however, some were. Chief Jones opined that there would be at least two or three potentially good candidates.

Councilmember Leonard-Morgan thanked the Chief and Lieutenant Putnam for their assistance with the Spring Clean-Up event and for holding their Drug Take Back event.

Chief Jones recognized Atlantic Union Bank for partnering with the Town to conduct a Shred Fest that same day and noted that a lot of people showed up for it.

In response to an inquiry from the Council, Chief Jones advised that he would need to look at the history to determine whether traffic warnings were down significantly. He noted that he was working with the ticketing vendor to update the system, which was last updated in 2017. Chief Jones reported that he added a lot of new categories and noted that there was now one for traffic warnings. He reminded Council that it was at the officer's discretion as to whether they issued a

ticket or a warning and advised that he was in the process of developing a written warning that could be given to motorists in order to help with the tracking of statistics. Chief Jones noted that whenever he received a traffic complaint, he had the officers show a presence in that area.

Town Manager Davis reported on behalf of Deputy Town Manager Moore. In response to an inquiry from the Council, he advised that the new restaurant, Nomad, was located in the space formerly occupied by Old Ox. He noted that it would be more food focused than the Old Ox; however, they would offer beer and drinks, as well as some kind of indoor activity space. Mr. Davis advised that their goal was to open in June or July; however, they were having issues with their permitting through the County.

In response to an inquiry from the Council as to how the new sandwich board signs were being received, Business Development & Community Partnerships Director MacIntyre advised that she had received feedback on some areas of improvement. She reminded Council that the goal was to condense the signs. Ms. MacIntyre advised that most of the comments related to the sign at the corner of South Madison and Washington Streets, which was an area that had many businesses. She explained that the feedback was related to the overall design and how businesses were featured on the sign. Ms. MacIntyre advised that another edition of the signs would be done; however, she was not sure when that would occur. She explained that the chalk on the sign was painted so they could not simply be erased. Ms. MacIntyre advised that they would have to be repainted each time they changed.

Town Attorney Crim reminded Council that the Governor offered amendments to Senate Bill 544, related to short-term rentals, which prohibited new ordinances that required a special use permit if someone was using the property as their primary residence from being adopted after January 1, 2024, as well as prohibited amendments to existing ordinances. He noted that the question had arisen as to what that meant for the Town's ordinance. Mr. Crim advised that the Town was fine with regard to its existing ordinance; however, it was unclear as to what was meant by amendment. He suggested caution be used. Mr. Crim further suggested that if the Town adopted a definition change that applied broadly to a number of uses and categories, this was fine; however, there would be greater danger if it adopted an amendment that was more narrowed down on definitions. He advised that the Town was still allowed to require a registration of short-term rentals, a business license and tax payments.

Town Hall Project Report

Town Clerk North reported that the contractor assigned a new site superintendent to the project and advised that she and Town Manager Davis both gave him tours of the facilities to review the incomplete and deficient items. In response to an inquiry from the Council, she confirmed he had been on site some. Ms. North reported that a meeting was scheduled with the contractor for the middle of next week to discuss their schedule and when they would complete the project. She advised that L&B, the mechanical sub-contractor, and Boland Trane had been on site working on the HVAC and chiller system and noted that L&B reported they would need to do two more visits to complete the items on their punch list, at which point, they would be ready for the final commissioning visit. Ms. North reported that Vision Tech was on site last week to address issues with the security system and advised that, as of this time, it was believed that they had addressed them. She advised that the Town was seeing a little bit of progress on the project. In response to inquiries from the Council, Ms. North reported that the concrete slab for the outdoor water fountain was never poured. She advised that the new site superintendent was working to address that, at which point the plumber could then install the fountain. Ms. North noted that the underground plumbing had been installed; however, the slab must be poured before he could set the fountain and finish connecting the plumbing to it. In response to an inquiry as to whether the work would be done by Middleburg Day, she explained that the purpose of the meeting to be held next week was to discuss the project schedule.

Town Manager Davis advised that the Town had made it quite clear to the new site superintendent that this was a very important event and that if he did not believe he could address everything on the punch and deficiencies list, he should concentrate on the critical items that needed to be addressed. He noted that this included the water fountain, the trim work, and the lettering on the façade. Mr. Davis advised that it took the Town three weeks to get a meeting scheduled with them. He further advised that the Town would have a contingency plan in place in the event the items were not installed by Middleburg Day. Mr. Davis noted that fencing was installed to provide protection for the mechanical and electrical equipment and the generator on the side of the building.

Reports of Town Committees/Council Liaisons

Councilmember Leonard-Morgan reported that there were a lot of volunteers for Spring Clean-Up, which occurred on April 27th. He further reported that battery and used razor blade take back events were held that same day. Mr. Leonard-Morgan noted that the used razor blade take back program had not been very successful and advised that the Town was using the same box it had been using for a few years. He announced that a contract was signed with Greenspot to supply and install three Level 2 EV charging stations in town. In response to an inquiry from the Council, he reported that they would be located in the Liberty Street Parking Lot and on Federal Street.

Town Manager Davis explained that the staff was looking to install one in the parking space that abutted the Methodist Church's parking lot and advised that Greenspot's engineer was drafting up a plan. He noted that the challenge with the on-street parking space was working with VDOT. Mr. Davis advised that they would stress to them that due to the location of a telephone pole in the middle of the street, the EV charging station would not really create an additional barrier to traffic. In response to an inquiry from the Council, he confirmed the parking space would be limited to parking for EV charging only.

Councilmember Leonard-Morgan reported that some members of the Middleburg Sustainability Committee participated in a tree planting at Goose Creek recently. He advised that the Committee was also in discussions with the Cultural & Community Events Committee about helping more with next year's Wellness Day.

Action Items (non-public hearing related)

Council Approval – Award of Contract – Asbury Church Community Engagement Services

Town Clerk North reminded Council that the Town received five responses to its Request For Proposals (RFP) for community engagement services for the Asbury Church, with two firms being brought in for interviews with the Evaluation Team. She reported that based on the proposals and interviews, the Evaluation Team was recommending the award of a contract to Commonwealth Preservation. Ms. North advised that Commonwealth Preservation had done a lot of work with African American churches and the Committee felt their work more closely matched the Town's project. She noted that the RFP asked that the project be completed within one hundred twenty days from the award of the contract. Ms. North advised that during the RFP process, a question was asked as to whether a different schedule could be considered, to which the Town responded that any extension would need to be justified and would have to be for the benefit of the community. She reported that Commonwealth Preservation submitted a longer schedule, as they strongly felt that the community engagement should not occur during the summer months when people were on vacation. Ms. North noted that they tried to be thoughtful in how they conducted community engagement. She advised Council that at the request of the Mayor, she did reach out to Commonwealth Preservation earlier in the day about shortening the schedule, and noted that they reluctantly offered to do so. Ms. North reminded Council that the community engagement would be the foundation of this project and advised that the Evaluation Team was comfortable with the longer schedule as they saw value in having a good foundation for the project moving forward. In response to an inquiry from the Council, she confirmed the other firm said they could meet the one hundred twenty days; although, they expressed an interest in extending it if selected.

Councilmember Jacobs, a member of the Evaluation Team, reported that the three firms that were not selected for an interview were not qualified for the project. He advised that the two that were interviewed were both impressive; however, the team unanimously felt Commonwealth Preservation was the right way to go.

Mayor Littleton expressed concern that the schedule proposed by the firm was for three hundred days. He advised that he was anxious to start moving on the project and opined that the Town had been working on the Asbury Church for a long time. Mr. Littleton opined that the people who would participate in the community engagement would not be gone during the summer and advised that he would prefer to get it done by the end of the year. He acknowledged the need to get it done right. Mr. Littleton asked that the staff ask Commonwealth Preservation if they could bring the schedule in reasonably, while still giving the Town the level of quality it was seeking. He questioned whether things could be done in parallel that would allow the report to be provided by the end of the year.

Councilmember Jacobs opined that Commonwealth Preservation would try to accommodate the Town in any way it asked. He agreed the Town had taken a long time to get to this point; however, he noted that it took a long time because the Council tried to do it the right way twice before it made the decision that the church would remain the property of the Town. Mr. Jacobs advised that with respect to this phase, the Town had moved forthrightly and made a good start in selecting a contractor. He opined that it was safe to say the one hundred twenty days identified in the RFP was an arbitrary number that was a starting point for discussion. Mr. Jacobs asked that the Council not put too much importance on the schedule in the RFP, but rather focus on what Commonwealth had identified as what they believed needed to be done to do the project appropriately. He reminded Council that they would not just talk with a few former congregants of the church but would seek views from stakeholders in the entire community, which would probably involve up to two hundred people. Mr. Jacobs noted that they also proposed to do an online survey and opined that summer was not the best time to do surveys if the Town wanted a decent number of responses. He agreed the Town wanted to get this done; however, he suggested they needed it done correctly. Mr. Jacobs advised Council that Commonwealth Preservation offered the cheapest cost, with the next lowest price being \$10,000 more. He reported that the selection committee was comfortable with them and opined that when the Town staff spoke with Commonwealth Preservation, they would shorten the timeline. Mr. Jacobs advised that the proposed timeline was not a concern for him and noted that he was happy with their proposal.

Councilmember Pearson, a member of the Evaluation Team, agreed with Councilmember Jacobs. She noted that people tended to take vacation during June and July and advised that no one worked the second half of December. Ms. Pearson opined that moving the next phase of the project to the new year would be better. She suggested the Town allow Commonwealth Preservation to do their job well and not in a hurried manner. Ms. Pearson noted it was important to speak to a lot of stakeholders and opined that what was proposed was good. She suggested it would be helpful if they could back the schedule up by a month; however, she was not worried about that as she would rather it be done right.

Mayor Littleton opined that the Council would not get the report until April. He noted that the Town had done community engagement for other things that did not take three hundred days to complete. Mr. Littleton advised that he did not realize there would be an online survey.

Councilmember Jacobs advised that there would be an online survey, as well as focus groups.

Mayor Littleton noted that three hundred people showed up for the Mickie Gordon Park community input session and expressed a wish to have the same number for this session. He asked that the staff see if Commonwealth Preservation felt comfortable reducing the schedule.

Councilmember Leonard-Morgan opined that the one hundred twenty days in the RFP was a placeholder and that the experts came back with a different number.

Mayor Littleton noted that the other firm that was interviewed said they could do it in that time period.

Town Clerk North confirmed they did; however, they also said they would like more time. She noted that the one hundred twenty days was based on a sample RFP that she used to draft this one. Ms. North noted that Commonwealth Preservation were the experts in community engagement.

Councilmember Jacobs noted that the other firm raised some concerns about doing the work during the summer too; however, he noted that they also wanted more money.

Vice Mayor Bernard advised that one hundred twenty days was not important to him. He opined that everyone was in agreement that Commonwealth Preservation was the right people with which to work. Mr. Bernard suggested the Town staff have a conversation with them to see if they could tailor their schedule more toward Middleburg. He further suggested that a public outreach meeting not be held in November. Mr. Bernard noted that they may be able to front load some of their work in the summer. He suggested it would be acceptable if the Town did not get the report until after the first of the year.

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that the Council authorize the Town Manager to sign a Standard Contract for Goods, Services, Construction or Insurance between the Town of Middleburg and Commonwealth Preservation Group, in the amount of \$29,228, for community engagement services related to the Asbury Church Project.

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)

Council Approval – 2024-2025 Council Action Plan & Strategic Initiatives

Town Manager Davis noted that the Council had an update to its strategic planning document that was based on the retreat they held in April and expressed hope that it captured the intent of their conversations. He noted the adjustments that were made to the Council’s vision and mission statements to narrow them down. Mr. Davis also noted the addition of an overarching strategic purpose, which was helpful to the overall review of the strategic plan. He reported that there were adjustments made to the strategic priorities and objectives. Mr. Davis noted the action plan, which contained the top eight goals for the next two years and advised that he assigned Council liaisons to each strategic objective. He noted that they were subject to change if the members preferred to work on something else. Mr. Davis advised that a staff lead was also identified for each one. He reported that the next step would be to develop work programs and work schedules, including anticipated timelines, budgets, resources needed and potential risks and/or constraints. Mr. Davis noted that the Council could adopt this document or review it further if needed. He advised that a member of Council suggested the term “threats” not be used twice under the strategic priority related to protecting our quality of life. Mr. Davis recommended the second bullet be changed to read “Collaborate with County and State officials to raise awareness of risks to our community and insist on responsible land use and transportation planning or challenges.” He suggested he could work with the Mayor and Vice Mayor to slightly amend the language.

Mayor Littleton suggested the term “threats” was better in that section. He further suggested another word be used in the section related to increasing local awareness of threats. Mr. Littleton noted that the County was creating some of the threats and opined that it was a much-heightened level of seriousness in the conversation.

Councilmember Leonard-Morgan questioned whether the overarching strategic purpose was to preserve and promote a genuine community. He further questioned the use of the word “genuine.”

Mayor Littleton suggested the term “strong community.” He reminded Council of the reason they used the word “genuine.”

Councilmember Jacobs agreed with Councilmember Leonard-Morgan. He advised that he liked the term “strong community.”

Councilmember Pearson agreed. She suggested the sentence be stopped at “continuous change” and questioned whether there was a reason for the remainder of the language.

Town Manager Davis opined that it was included because the Council did not want to imply the town was expanding, growing, or massively changing. He advised that the Town saw a lot of what was happening in the zoning and pressures around the town, some of which were being imposed on the Town by the State.

Vice Mayor Bernard moved, seconded by Councilmember Pearson, that Council adopt the Strategic Purpose, Strategic Priorities & Objectives and Action Plan for 2024/2025 as proposed with the minor changes as discussed.

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.)

DISCUSSION ITEMS

Proposed FY '25 Budget

Town Manager Davis noted that he provided a revenue update to the Strategic Finance Committee during their April 29th meeting and advised that the Town was seeing a softening in the meals and occupancy tax revenues. He noted that it was not a decrease in revenues and explained that they were just lower than the budget projections. Mr. Davis advised that he wanted to be careful not to make assumptions that prices were up, but consumption was down. He further advised that the growth in the meals tax was not as strong as was anticipated.

Mayor Littleton advised that when looking at the calculations in relation to inflation, either the Town was getting the same or potentially more visitors or the prices were going up and visitorship was either flat or down.

Town Manager Davis opined that this was a fair statement. He advised that in looking at the current year's receipts, there was a shortfall over what was budgeted in those two line items. Mr. Davis noted, however, that these reductions were made up by surpluses, primarily in interest earnings on the Town's investments, and advised that the interest rates continued to hang at 5%. He reported that the Finance Committee suggested the staff gather additional information from the resort related to their projections for the coming fiscal year and advised that the resort continued to see growth opportunities from group business, which they felt would be a positive growth pattern. Mr. Davis noted that the Finance Committee also questioned whether the change in meals tax revenues were specific to the resort or whether they were tracking similarly in the town. He advised that he was working on that data and noted that he was seeing the same trends at both the resort and the restaurants in town. Mr. Davis noted that the only other budget item for discussion was the landscaping item that was raised during the public hearing report. He recommended there was value in providing funding to the Middleburg Beautification Committee for it in terms of visual improvements and supporting a local nonprofit in their efforts to enhance the bump outs and landscaping throughout the town. Mr. Davis advised that barring no objections, he would include this in the final draft budget that would be presented during the next meeting for adoption.

Council noted how nice the bump outs and triangle at the intersection of Marshall/Madison Streets looked.

Town Manager Davis expressed appreciation to the Streetscape Committee for bringing this matter forward to the Council. He advised that the committee was also working on potential design plans for enhancing the Town's entry sign areas. Mr. Davis noted that when they were done and the cost was available, he would bring that to the Council for consideration of a partnership with the Beautification Committee.

General Assembly Legislation Update

Town Manager Davis asked that the Council defer this conversation until the June 9th meeting, as the Governor had called a special session of the General Assembly to finish the budget, as well as address other topics. He noted that some of the bills the Council was interested in were still awaiting final action by the Governor.

In response to an inquiry from the Council, Town Attorney Crim advised that the date for the Governor to veto a bill varied based on the bill.

Town Manager Davis advised that the deadline for HB 1071, which was the speed limit bill, was not until May 18th. He noted that the Governor sent amendments to the House, which were rejected. Mr. Davis advised that the Governor now had the choice of either passing or vetoing the bill.

Closed Session

Vice Mayor Bernard moved, seconded by Councilmember Daly, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) consultation with legal counsel employed by the public body regarding specific legal matters requiring the legal advice of such counsel related to the Town Hall Project contract as allowed under Subsection (A)(8); and, (2) an appointment to the Middleburg Arts Council and (3) a personnel matter related to benefits of certain Town employees, both as allowed under Subsection (A)(1). Vice Mayor Bernard further moved, seconded by Councilmember Daly, 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.

Appointments to Middleburg Arts Council

Councilmember Curran moved, seconded by Councilmember Kirk, that Council appoint JoAnn Bercini and Stephanie Burget to the Middleburg Arts Council to fill two-year terms, said terms to expire June 14, 2026. Councilmember Curran further moved, seconded by Councilmember Kirk, that Council appoint Beth O’Quinn to the Middleburg Arts Council to fill an unexpired term, said term to expire June 14, 2025.

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.)

There being no further business, Mayor Littleton declared the meeting adjourned at 7:55 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

May 9, 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: [off mic] We will call the meeting to order. First item is Pledge of Allegiance.

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

Bridge Littleton: Next item is the 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.

Martin Crim: Martin Crim, Town Attorney.

Danny Davis: Danny Davis, Town Manager.

Bridge Littleton: All right. Next item is public comment. Would any member of the public like to address the Town Council on any matter? You may do so for three minutes. [off mic] Hold on, hold on. Rhonda, did anybody call and sign up?

Rhonda North: No, Mr. Mayor, we do not have a sign up list this meeting.

Megan Gallagher: Thanks for two weeks ago.

Bridge Littleton: We aim to please. Yeah, yeah. Okay.

Megan Gallagher: [off mic]

Bridge Littleton: No, no, no. It's good. With that since nobody is here to address Council, we will close public comment. And the next item is public hearing. And related action items. Bless you. First one is fiscal year 2025 budget. Danny, over to you.

Danny Davis: Thank you, Mr. Mayor. And if I may take a brief moment and just say welcome to Angela Fletcher, who is our incoming Finance Director, Town Treasurer. And we are very excited. She has been serving in that role for the Town of Strasburg and also served at the Town of Round Hill, and prior to that was working for a defense contractor. So we are glad to have her experience and knowledge coming on to join our team. So she will begin on Monday, May 20th.

John Kevin Daly: And so this mean we can expect the paychecks on time?

Danny Davis: I would like to note, for the record, if I may, that you did receive your pay on the first of the month for this month. I think that was a fluke. [laughter] And but yes, the month before I think you got \$3. Yeah.

Bud Jacobs: All those [off mic].

Danny Davis: So we are glad to have her on board. She was here just to check a few things out, so I told her we might make her wait till 11:35, like the last Council meeting. So the item before us today is the fiscal year 2025 budget public hearing. The budget has been subject of a number of your work sessions in Council meetings to date. As you know, you've adopted a real property tax rate of 12.36 cents per \$100 assessed value, which was a decrease over the Current tax rate. In the memo, you have just some of the brief changes, both in the budget as well as since proposal of the budget based on the conversations. A couple of items to note. We did put back into the budget the funding request from the Christmas in Middleburg event of \$10,000 per their formal request. As discussed at the strategic planning retreat, there was a conversation about some slight increase potentially for Visit Loudoun. And not to the level of what they had requested, but a potential slight increase. So I have added that amount to increase by \$5,000. Again, that is subject to Council's discretion. But based on that conversation, I went ahead and put that in as a placeholder. And then we did increase the waste disposal line. We believe our rates for trash hauling will increase likely by 8% in the upcoming fiscal year. At the same time, we're also adding a few extra pickup locations with new homes being added in town. So that is an increase of just over \$4,000 as well. There is one item in here for your consideration, if you recall prior to the budget presentation the Town Council was approached with a request from the beautification Committee to support enhanced landscaping along Route 50, Washington Street. And so the town approved a half years' worth of that for the Current fiscal year and then discussed adding that to the budget conversation for upcoming fiscal year. So that full amount would be around \$36,000 or so. However, there would be likely a savings on the town side because we would not have as much landscaping directly through our direct contractor. So that is something I've not yet put in the budget document. There is sufficient contingency and unallocated dollars in there. And no decision is needed tonight. But would be happy to further that conversation with you after the public hearing, if you'd like to talk through that more. Other than that, Mr. Mayor and Council Members the budget is as presented before you. I'm happy to answer any questions before you open the public hearing.

Bridge Littleton: Any questions for Danny? Okay. With that, I will open the public hearing. Anybody who wishes to address Council for the public hearing on the budget, you may do so now. All right we will close the public hearing. Does anybody have any concerns with approving the budget tonight? We can't?

Danny Davis: We cannot. No, sir.

Bridge Littleton: We have to wait one meeting, right?

Danny Davis: Yes.

Bridge Littleton: Okay. That's right. All right. [off mic] Go ahead.

Chris Bernard: [off mic] We can't.

Bridge Littleton: Okay. That's an invalid concern. And Martin agreed with me. Okay. So with that, if there's no other questions, we'll go on to the next item, which is the water and sewer rate fee increases. Danny, I'm assuming that's you as well.

Danny Davis: That is. Yes, sir. So again, as noted in our draft budget, we had anticipated and planned a 3% increase in user fees for water and sewer, and that also requires a public hearing before adoption. This actually can be voted on this evening if Council chooses to do so. The impact of the rate increases on the per thousand gallon rate, as well as on the average utility bill is provided in the memo. I've provided three different kind of sample bills. One would be a minimum bill, one is a 7,000 gallons per billing cycle, and the other would be a 10,000 gallons per billing cycle. So you'll see the impact on the average of those three different scenarios. I will note as stated in the report, we're continuing to review our revenue streams in the utility fund. They do seem to be exceeding projections at this point, but we're not quite sure if that's a blip or if that's a continued pattern. And so we discussed this with the Finance Committee, who agreed that it'd be helpful to review this at the end of the fiscal year and understand where we are after the fiscal year completes. That also ties in well with our intention of doing a full rate review with our rate consultants in the upcoming fiscal year, as well as working with Davenport, because we'll need to be restructuring or refinancing our line of credit that we have and at the same time potentially pursuing additional debt, if appropriate, for other capital projects on the table. So that is where we stand. I'm happy to answer any questions on the revenue side if there are any other questions there. But this is again for a public hearing. And if Council wishes to take action tonight, you may.

Bridge Littleton: Any questions for Danny?

Darlene Kirk: Danny you said you're going to meet with the utility rate manager.

Danny Davis: The utility rate consultant is our New Gen Strategies. They used to be MFSG.

Darlene Kirk: Okay. There you go bingo.

Danny Davis: Yes, ma'am. Yep.

Darlene Kirk: Thank you.

Bridge Littleton: Any other questions? Bud. Yeah.

Bud Jacobs: We've been talking about doing some sort of a survey on our sewage system. And are those costs built into the budget or just paid out of the utility fund? How does that all come together if we decide to do the survey?

Danny Davis: Yes, sir. So there are two sides of that potential survey. One is we are submitting a grant to VDH to try to offset some of the costs of that work. But we do have built into the budget a funding in there that would cover the costs of that video inspection services, whether we get it grant funded or directly funded.

Bud Jacobs: Great. Thank you.

Bridge Littleton: Peter did you have one?

Peter Leonard-Morgan: Just an observational question for confirmation. This is really the 3%, and 3% is what was discussed and planned 2 or 3 years ago from memory?

Danny Davis: Yes, sir.

Peter Leonard-Morgan: Maybe more? Yeah.

Danny Davis: Yes, sir. Each time we do our rate model and update, it has long term plans for the rates. And so that is correct. This has been kind of part of that expectation for many years. But at each time we do update it, we review that to make sure that we are still balanced. Either way either not too much, not too little. And so it is as anticipated.

Cindy Pearson: And I'd like to add to that that we haven't had to have those huge jumps like other places have.

Bridge Littleton: Anyone in particular? [off mic] Okay.

Chris Bernard: Too many to name.

Bridge Littleton: I'd say it's a town north of us. Yeah. Any other questions for Danny? All right. Would anybody like to. Yeah, Bud.

Bud Jacobs: I move that the Town Council.

Danny Davis: Mr. Mayor. I apologize, sir. We do need to just open the public hearing.

Rhonda North: Public hearing.

Bridge Littleton: Yeah. Well, I will now open the public hearing if anybody would like to address the Council. All right. We will close the public hearing and Bud over to you.

Bud Jacobs: Well, now, I'm not going to do it. [laughter] I move that the Town Council adopt an ordinance to amend the schedule of water and wastewater user fees and charges.

John Kevin Daly: Second.

Bridge Littleton: Any discussion? All those in favor say aye. [multiple speakers]

Rhonda North: Mr. Mayor, we do need a roll call vote.

Bridge Littleton: All right. Well, Rhonda, what's taking so long?

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 on to the consent agenda. Is there a motion?

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

John Kevin Daly: Second. Any discussion.

Bridge Littleton: All in favor, say aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Next is staff reports Miss North.

Rhonda North: Thank you, Mr. Mayor. Have been working a bit on the Asbury Church RFP. That is an item that is on your agenda for later this evening, so I will leave comments until that time. Have also been working on the organization for the ribbon cutting ceremony. As a reminder that will be held on Friday, May the 31st at 4:00 p.m. just prior to the Middleburg Day Celebration. And if you haven't had a chance out in our Council lobby, we have displayed the Arbor Day poster winners, the first place winners. And we will have those posters up for about a month to recognize the first place winners from the Hill School as well as the Middleburg Charter School. And then most good bit of my day today was taken up with copying and getting the consumer confidence report, also known as the annual drinking water report ready to go out with the utility billing that will go out next week. That's about it.

Bridge Littleton: Yeah go ahead Cindy.

Cindy Pearson: For the FOIA training, do you have that online available too if you can't make that date?

Rhonda North: So if you can't make the training that Mr. Barnhart will do in August, then we'll have to do it through the Town Attorney. That's the way the state code is written. So if you can't make the 31st, we'll have to arrange a date for Mr. Crim to give that to you.

Cindy Pearson: Thank you.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Rhonda, we don't have a town hall section tonight, do we to discuss anything? So I can ask a question about town hall. So specifically, I wondered whether.

Rhonda North: So we do have later on in the agenda, the town hall project report.

Peter Leonard-Morgan: Oh, okay. Great. I'll wait till that. Thank you.

Bridge Littleton: Any other questions for Rhonda? Okay. Next up is. Let's go. You're up.

Ali MacIntyre: All right. Good evening everybody. Sorry, my brain's a little fried. We have Art in the Burg in two days, so just preparing for that. We had our final walkthrough with Chief Jones today at 4:00, as well as our Events Manager and Mary Ann Burns. So I believe we have about 42 artists. We have multiple food vendors, volunteers. Thank you, Pam. We're hoping crossing our fingers for excellent weather. We're going to. It's rain or shine. So we're having it. And. Yeah. So just tying final details with that just having to pick up some signage and things of that sort. So I did want to mention we do have a lot of new elements this year. We have a pretty cool Indian Dance Group. We've never done that before. We have Dance Studios coming in doing Ballroom Dancing from Leesburg. We have I think some Improv. We have Story Time with Mary Beth. So a lot of different variety of arts throughout the day. And then, of course, our wine garden on Federal Street has music all day long. And then, of course, beer and wine. So it should be fun. And then we

will have, you know, that cushion of food as well. And the northwest is sponsoring with water. So if it's a little bit on the warmer side people will be able to hydrate all day. Last weekend we did have a kickoff to the Farmers Market. I don't know if you guys. I know a lot of a lot of folks came. Thank you. It was a tad rainy all day. But we still had a pretty good turnout, and our vendors were happy. We're hoping for a good turnout this weekend as well. We do have a few vendors that aren't coming this particular weekend, but we do have our Children's Entrepreneurs Market that will be supplementing with about seven kids vendors, and they have activities planned. We'll have music and yeah. So if you have any suggestions, definitely open to hearing them with making it better. And we'll have a food truck as well. Other than that, just working on enhancing those two events and then planning for Middleburg Day. The RCP deadline was yesterday, though we are still getting in our RSVPs. We do need to get in the counts to [inaudible] tomorrow. But we're right at about 200, so I know a few folks still need to send theirs in. And then we'll be going around to the businesses to make sure that they're aware of it as well. So I've been going in and out this week just mentioning it, but going, well, we think we'll end up writing about 300, maybe 350. So yeah, I'll keep you guys posted. One thing that I did want to mention is that Scruffy's is actually going to be doing ice cream now Hillary is making it work. So we're going to have six awesome flavors and we're going to have music and that's going to be fabulous. So that's what I'm working on right now. Any questions?

Bridge Littleton: Anything for Ali? Not you. What did you have?

Ali MacIntyre: I just wanted to note that Ms. MacIntyre was nominated to as a CTA Ambassador of the Year by Visit Loudoun for all of her hard work [applause] supporting the CTA program throughout Middleburg. And so she did not win the award, but she was nominated, which in and of itself is a recognition of all that she does to help Visit Loudoun as well as the community, learn about the great things that we offer here in Loudoun County. [off mic]

Bridge Littleton: So that's decided by Visit Loudoun.

Danny Davis: By a group. Yes. Yeah.

Bridge Littleton: Well, we'll have to talk about their contribution from the town and see how that works out next time. [laughter] Oh, Beth. Okay. Any other questions for Ali? All right, Ali. Thank you.

Ali MacIntyre: Thank you.

Chris Bernard: [multiple speakers] Leesburg. The Town of Leesburg did [off mic]

Bridge Littleton: Oh, I see how it goes. Yeah, yeah, directly proportional to the contribution. All right. Shaun.

Shaun Jones: Good evening, everyone. You have my report before you. Just to talk about a few things been doing our final preparation for Art in the Burg. We're prepared for that for this weekend, like Ms. MacIntyre said we conducted a walk through this evening. Also like to do a big kudos to Officer Hinegardner. He's been dealing with a little difficult case over the last couple of weeks. However, the victim in the case sent me an email today and appreciated his hard work and his diligence on working through this case. He said that it was something that was minor, but, you know Officer Hinegardner is treating like it's a big case, so he just wanted to send an email to thank the support of that this afternoon. So I wanted to share that with you. A new police administrative specialist has started doing an awesome, awesome job. Very, very thankful for that hire. She's done some amazing things already in four days, so I'm looking forward to working with her further. And also, we're also prepared for the other upcoming events that we have throughout the summer. So we're trying to stay on top of that as well. Any questions?

John Kevin Daly: How's the recruiting for new officer going?

Shaun Jones: I knew you were going to say that. I was just giving you an opportunity to speak. [laughter] No. We actually got some applications or people that applied through Indeed Jobs. So we're sorting through those applications now. And we found a few that we can offer interviews to. So as soon as Lieutenant Putnam and I can come up with a date we're going to invite them in for interviews. We're looking to possibly do it at the end of the month to see what other

applicants we can get in. And our new administrative specialist is also working on a new recruitment flier that she has almost completed today as well. So looking forward to that. Yes, sir.

Bud Jacobs: How many potential interviews are you going to do?

Shaun Jones: Don't know, at this time. Just going through indeed. In our job announcement, we said certified police officers. However, people that are applying are certified security guards, not police officers. So that's what we're going to do. We also have some people that were certified, but it's not doing any good if you were certified 18 years ago and you're not in law enforcement. So we have at least 2 to 3 applicants that we're looking at that are good potential candidates. Yes, sir.

Peter Leonard-Morgan: First of all, I want to say thank you to you and Lieutenant Putnam for all the assistance with the clean-up we did.

Shaun Jones: Yes, sir.

Peter Leonard-Morgan: It was a good event. It was a bit chilly, but we got a lot of volunteers and it was really great. And of course, with your Drug Takeback program. So thank you very much for that. Appreciate it.

Shaun Jones: Sure. Thank you and we also would like to thank Atlantic Union Bank for partnering with us. And we did a Shred Fest and we had a lot of people show up for that as well. So it was a good thing.

Bridge Littleton: Anybody else? Okay. Chief, thank you.

Shaun Jones: All right.

Bridge Littleton: Pam, did you have something?

Pam Curran: It might relate to the previous conversation, but are the traffic warnings down significantly?

Shaun Jones: I would need to look at that. So what I've done is took a look at on your monthly reports. You see the different categories that we've had. Working with the vendor that has not been updated since 2017. So I went through last week and added a whole lot of new categories. So I just need to I think that traffic warnings that might be one of the new ones that I've added. So the officers have discretion you know, either to write or do traffic warnings. We're in the process of also developing a written warning that we can give folks to that can help track some of our statistics as well. Whenever we get a traffic complaint or somebody comes and calls in or emails us with a traffic complaint, I make sure officers start, you know, showing a presence in that area. Thank you sir.

Bridge Littleton: Thank you Shaun.

Shaun Jones: I apologize for being over my time limit.

Bridge Littleton: Well, blame Rhonda. Okay. Next up is Danny, I'm assuming you're going to step in for Will.

Danny Davis: Thank you, Mr. Mayor. I'm more than happy to I do not have anything to add to his report. But if there are, if there are any questions, I am more than happy to try to answer them for you.

Bridge Littleton: Bud.

Bud Jacobs: What's the new restaurant?

Danny Davis: Oh, I apologize. What's the new restaurant? That is. Oh, that is at the Old Ox space called Nomad. And it's a restaurant addition. Not addition, but more restaurant focused than the prior Old Ox Brewery. But they'll still have

beer and drinks and then some kind of indoor activity space. Their goal, I think, is a June to July opening. They're facing some delays, I believe, with Loudoun County permitting.

Bridge Littleton: Shocking.

Danny Davis: Yeah. But they are associated with a local business in the region so they don't have to do a full commission, a commercial kitchen build out in the space. But it will be a great add to the community. Yes.

Bridge Littleton: Are they basically keeping the bar on the inside area the same?

Danny Davis: As far as I know, I don't think they're doing as what they've indicated us is no significant interior renovations, which is what allows them to do a lot of their to open more quickly than if it were a full blown restaurant.

Bridge Littleton: Okay, cool. Yeah. Peter.

Peter Leonard-Morgan: Maybe Ali can help on this one. I was curious how the new sandwich boards are being received generally.

Ali MacIntyre: That's a great question. Thank you for asking. So we just put them out, I believe, last week. Have gotten some feedback on areas of improvement. So the, you know, it's great. So, you know, the goal was to condense the multiple signs that were out there. There has been some feedback on and it's really just on the corner of South Madison and Washington because there are so many businesses and thrilled because there is a time where it was a little bit vacant on that street. A little bit of feedback on overall design and how businesses are being featured. So you know, we just put them out. So I am collecting feedback right now. So when we do the next edition of them I'm not sure exactly when that will be. You know, we'll review that and I'll take it to Will and work with him to make [multiple speakers].

Peter Leonard-Morgan: Because they're sort of baked into it. It looks like it's chalk on it. Right.

Ali MacIntyre: Yes.

Peter Leonard-Morgan: But yeah, it's kind of you can't just erase it.

Ali MacIntyre: No. Yeah. So we do have to we do have to paint over them and redo it each time. So. Yes.

Peter Leonard-Morgan: Thank you.

Ali MacIntyre: Yes. Thanks. [off mic]

Bridge Littleton: No, no, no. I mean, is there anything else on Will's report?

Danny Davis: No, sir. I don't have anything else. Thank you.

Bridge Littleton: Any other questions? Okay. Next up is. What is this one? [off mic]

Bridge Littleton: Oh, Mr. Crim. You really want to? You really want me to start referring to you as TAR? [laughter]. No, that's what the report said. Report from TAR.

Martin Crim: It shouldn't be the report should be The TAR report. But that's like saying [multiple speakers].

Bridge Littleton: May 2024 TAR.

Martin Crim: ATM machine. You know, it's kind of redundant because TAR stands for the Town Attorney Report. Right, right, right. Yes. All right, so I did have a question from Council Member Jacobs with regard to Senate Bill 544. Would you like me to address that now?

Bud Jacobs: Please.

Martin Crim: Okay. So this, as you recall, is the bill that the governor amended to say well, let me say what it said first and then tell you what the governor's amendment was. This is the bill that says that, no new ordinances adopted after January 1st can require a special use permit for short term rentals, where somebody is using the property as their primary residence. And so the governor then amended that to say or amendment thereto. So kind of doubling down on that restriction. So you have an ordinance that was adopted before the cutoff date. You're fine. The question then arises, what constitutes an amendment? And so the intent there is, is a little bit unclear in terms of what the Governor or the General Assembly meant by amendment. But I'm going to be a little cautious with regard to that. I think if the Council were to adopt a, say, a definition change that applies broadly to a number of different uses and categories, that would be fine. But the more you narrow it down on definitions that only apply to the short term rental, the greater the danger that you would be incurring. You are still allowed to require registration of short term rentals if that's something you want to do and require them to get business or professional license. Business [inaudible] professional license tax payments. So that's it in a nutshell. Stand ready to answer any questions.

Bridge Littleton: Any questions for Martin? Okay. Next up is Rhonda North. She's back on the stage.

Rhonda North: Thank you, Mr. Mayor. So the contractor has assigned a new site superintendent to our project. So spent some of last week, as did Town Manager Davis giving him a tour of our facilities and showing him some of the items that remain incomplete or are deficient.

Bridge Littleton: Have you seen him since then?

Rhonda North: A little bit. We do have a meeting scheduled for the middle of next week with the contractor to try to talk about a revised schedule to find out when they're going to complete the project. The mechanical sub L&B and Bolan train have been on site working on the HVAC and chiller. They have L&B did report to me that they think they will have all of the punch list items completed in two more visits, at which point they'll be ready for the commissioning agent to return. And hopefully that will finish everything related to the HVAC chiller system. And Vision Tech was here within the last week as well, working on the security system. And as of today, we think all of the issues related to the security system have now been worked out. So we are seeing a little bit of progress.

Bridge Littleton: Wait a minute. Kevin was still able to get into the room. I don't think they've been fixed. Sorry go ahead. [laughter]

Rhonda North: That's all I have to report, Mr. Mayor.

Bridge Littleton: Kevin smiled. Yeah. Any questions for Rhonda on the town hall?

Peter Leonard-Morgan: My main one was answered. Thank you. I was just curious what's happened to the water fountain at the front? It's on its side. It looks like someone killed it or something.

Bridge Littleton: Martin backed into.

Rhonda North: So unfortunately, the concrete slab to support that fountain never got poured. So they're going that's one of the things the new site superintendent and I have been discussing. They're going to have to pour the slab. And once that is poured and cured, then the plumber can come in and actually install the fountain.

Bridge Littleton: Oh, my gosh.

Cindy Pearson: Wouldn't you think the plumber would come first? So the.

Rhonda North: Well I mean, he's done the underground work.

Cindy Pearson: Okay. [laughter]

Rhonda North: But now they need the slab so he can actually set the fountain and finish the connections.

Chris Bernard: Is it going to be done by Middleburg Day?

Rhonda North: That is why we are having a meeting next week to discuss the schedule.

Danny Davis: We have made it quite clear to the new site superintendent about this very important event on May 31st. And that if he does not believe that everything on the punch list and deficiency list can be addressed by then, then there are critical items that should be addressed, namely the water fountain, the trim work, the lettering all the things on the front facade that are part of what we would hope to see for what we are calling a mostly complete building. So we have made that point clear. It's taken us three weeks just to get a meeting scheduled with them. So we're working the best we can. We'll have some contingency plans in place should it not be able to be installed by then. And I believe Miss North's report may have mentioned this, but we did have the fencing put up along the building. So if you've looked at the side just to put a little extra protection around the mechanical pads with the generator and the electrical equipment in the back, and it complements the building well.

Bridge Littleton: Okay. Next item. Any reports of Town Committees? Peter.

Peter Leonard-Morgan: So I've mentioned the Town Clean Up, which took place on the 27th of April. We had a lot of about 20 volunteers who turned out for the event, which was wonderful. Then we had the dead, the old household battery, dead battery. [laughter] We had the used expired household battery take back. Something's going wrong with my computer here. And razor blades, razor blade collection as well. Which is, to be honest, not very successful. We haven't had many people bring them in over the last few years. In fact, we have the same box I think, that we've had for what, five years? Probably hasn't been filled yet, which is such a shame. The good news is we have the X-charge DC fast charger all installed and up and running. We had a photo.

Bridge Littleton: Do users have the right connector?

Peter Leonard-Morgan: Well, I was going to say we had a photo shoot with the Chair of the Sustainability Committee, and sadly it did not connect to it. So she went out and bought the adapter. And then that did work. We had a little bit of a glitch, but I think we're okay with that, which is good news. The other bit of good news is that we've signed an agreement with Greenspot. Then if you mention that later at all. [inaudible] bless you. With Green Spot to supply and install three dual port level two chargers around town. So that's going to be another addition for visitors and residents to be able to charge their electric vehicles. And. [multiple speakers].

Bridge Littleton: One second. Where?

Peter Leonard-Morgan: To be finalized, probably in the Liberty Street parking lot. There'll probably be two ports and one in a street maybe on federal, we think.

Danny Davis: We're looking at West Federal across from 17 West Federal, which is abuts the Methodist parking lot. So those three spots that are flanked by the telephone poles in the street. So we had a call this morning with their kind of project engineer, if you will, and he's drafting up plans. The challenge with the on street parking there will be just working with VDOT, but we're going to do our best to emphasize the fact that there's literally a telephone pole in the middle of the street. So this would add not really any additional barrier to traffic.

Bridge Littleton: And we're not going to restrict these spaces.

Danny Davis: They will be limited to EV charging only.

Peter Leonard-Morgan: Yeah. Otherwise, you know, people are going to park there and the EV charging requirement, that will be a real problem for people. Two more things, some members of the Middleburg Sustainability Committee took part in a tree planting at the Goose Creek recently, which was rather wonderful. And lastly, the committee is in discussion with Cultural and Community Events Committee to help more with next year's Wellness Day. And I stand ready to answer any questions.

Bridge Littleton: As there are none, we'll move on.

Darlene Kirk: Okay.

Bridge Littleton: Okay. Next item here is Council approval of Award of a Contract for the Asbury Church Community Engagement Services.

Rhonda North: Thank you, Mr. Mayor. So, as I've reported in the past we did issue a request for proposals for community engagement services for the Asbury Church. And we received five proposals. The evaluation team, which consisted of Council Members Jacobs and Pearson former Mayor Betsy Davis and myself reviewed the five proposals. We did narrow it down to two firms who we brought in for interviews. And based upon the proposal submissions as well as their interview, we did rank Commonwealth Preservation as the number one firm and are recommending the award to that company. Commonwealth Preservation has in particular done a lot of work with African American churches. And we felt that their experience just more closely matched with our project, they're also doing some work in the Plains area as well. Now we'll mention that one portion of the RFP did discuss the schedule and asked that the project be completed within a 120 day period from the award of the contract. While we were. During the RFP process potential bidders had the opportunity to ask questions. One of the questions that was raised was whether we would consider a different schedule. And our response was that we certainly would that it would need to be, you know, any extension would need to be justified. And it would have to be for the benefit of the community if we were to accept it. Commonwealth Preservation did submit a longer schedule than the 120 days. They feel pretty strongly that community engagement should not occur during the summer months because folks are away for vacation and they want to you know, make sure as many people can participate as possible. So they try to be very thoughtful about how they do their community engagement. I did have the chance to speak with the Mayor this afternoon. And he did ask me to reach out and see whether they would be able to shorten the schedule at all. Of course, you know, pretty much like any vendor they are willing to meet their client's needs. And so they would ask for the opportunity if we wanted them to do that to work with the staff and try to come up with a compromise. But they are reluctant to offer that because they do think that it would harm the community engagement portion of it. Certainly this piece of the project is the foundation for everything that will happen going forward. And I think the evaluation team and Council Members, Pearson and Jacobs can speak if I'm incorrect. We're very comfortable with a longer schedule. Because they also saw the value in making sure we had a good foundation as we move forward with this project. So with that, I'm happy to answer any questions you may have or Council Members, Pearson and Jacobs may wish to add additional input.

Bridge Littleton: Any questions? Yeah.

Peter Leonard-Morgan: I was just curious with the other applicants, did they ever talk about needing longer or wanting longer or suggesting a longer time frame?

Rhonda North: So again, we only brought in one other firm for an interview. We did talk a bit about the schedule with them. They said they would meet the 120 days, but they also did express an interest in extending it out if they were selected.

Chris Bernard: No Bud go ahead.

Bud Jacobs: I was just going to add we decided that the three proposals for whom we did not seek interviews, were not minimally, technically qualified for the work. So we ruled them out and only ruled in two. And actually, both of the vendors that we did speak with were quite impressive and seem to know a lot about what they were doing. However, Commonwealth I think by unanimous agreement among the three of us was or four of us was the right way to go.

Bridge Littleton: So the question I've got and I like as Rhonda mentioned, I called her and Danny earlier today, I've got a concern that, you know, what we asked for was 120 days, and what was proposed was 300, which is more than 180 days more than what we asked for. So it's not likely an extra month or two. It's we literally need 150% more time than we asked. And so. I just I and again, Rhonda and Danny will attest, I'm very anxious for us to really start to get moving and like, it just feels like at every step that we've gone, it's, you know, it's going to be, oh, six months to do this, which ends up taking to be a year or whatever. Right. And I just, and I guess part of this is you know, we have been at Asbury for a long time. I mean, years and years of effort. All the right stuff, right? We tried to do it one way that didn't work out. Try to do it another way, didn't work out. Decided to take the responsibility ourselves. Now we're plugging ahead on that. I mentioned to Rhonda and Danny as well, you know, this is not a community, which is, you know, like the Hamptons, where everybody disappears to the Ozarks for the summer. I think everybody we would want to have these folks interview, they will be around. I mean, it's not like Carol Lee goes to her vacation home in Aspen. You know, everyone will go be gone 2 or 3 weeks here and there, but I just I would really prefer to see us try to get this done by the end of the year. I mean, we want it done right, but I just feel like, you know, we asked for 120 and they propose 300, which is it's again, not like an extra month or two. It's literally one and a half times the amount of time that we were trying to seek. So my ask would be if Rhonda and Danny can go back to them and say, how much can we bring this in reasonably and still get the, you know, the level of quality that we want? Can we do things in parallel, you know, really try to bring it in for the end of the year? I would like to push that. But again, it's a group decision. Yeah.

Bud Jacobs: I'm sure Commonwealth will try to accommodate us in any way that we ask. They're a very professional group and have a pretty strong track record. It's true, certainly, that we've taken a long time to get to this point. By my count, I think it's about five years. I think it took a long time because we tried to do it right. We tried to do it right twice. And we ended up with a decision that not everyone, frankly, was comfortable with. And that is that the church stay or remain property of the town. With respect to this phase, we have not been cooling our heels. We are moving out forthrightly. And I think we've made a pretty good start in selecting this contractor. I don't want to steal any of Rhonda's RFP writing secrets, but I think it's safe to say that the 120 day schedule that we put into the RFP was actually a fairly arbitrary one. It's not cast in concrete or gold or anything else. It was for our standpoint, it was merely a starting point for the discussion. We anticipated, frankly, that there would be vendors who could not or would not wish to meet the deadlines imposed in that schedule. So my plea would be not to put too much importance on the schedule that's in the RFP, and rather focus on the amount of work that Commonwealth has sketched out that they believe needs to be done for this thing to be done appropriately. They don't need to talk to just a few of the former congregants of the church. They are going to need to seek views from stakeholders in the community my neighborhood, Kevin's neighborhood further on up Marshall Street. That alone is probably 150 or 200 people, which they proposed to deal with in an online survey. And again, they don't think that the summer is the best time to do that survey if you want to get a decent amount of responses. So I take your points, Mr. Mayor. You're exactly right. We want to get it done. But my own strong view is that we want to get it done correctly. And I would add with respect to Commonwealth, that is perhaps a proof of their bona fides for this segment of the work. They were by far the cheapest proposer. I think the next one that came up was 10 or \$15,000 more than Commonwealth. So if it matters to Council the selection committee is comfortable. We don't think we're dragging our heels. And I'm very confident that when Danny and Rhonda talked to Commonwealth that they'll do everything they can to squeeze that and shorten it and meet a much tighter timeline, if that is, in fact, a concern on Council. I have to say it's not a concern for me. I'm happy with what they've proposed.

Bridge Littleton: Yes, Cindy go ahead.

Cindy Pearson: And I agree with what Bud just said. And with the months of June and July, that varies with people coming and going with vacations and to school and stuff. But the month of December to finish a project, nobody's in the second half of December. So I think when it goes out to the next part of the new year is actually a little better. I mean, I get where you're coming from totally that, you know, then you have to arrange to get other contractors to start work and that'll, you know, go into more time. But I think we need to let them do the job, do it well, not hurried. And it's important

to speak to a lot of the stakeholders. So I do agree to that what they proposed is good. Maybe if they back it up a month, you know, that might even help too. But not worried about that. I'd rather it be done and done right.

Bridge Littleton: Yeah. No, I understand, and I'm not. I was never suggesting that the committee sat around on its duff.

Bud Jacobs: Well you have Cindy on that committee, so I kind of understand. [laughter]

Bridge Littleton: Yeah, yeah, well, you don't sit. I mean, you got to stand. No, the way I was looking at it was like, you know, literally, we will not get this report until April 1st of next year, which just to me is just, you know, we've done a lot of things where we've pulsed the community and gone out and gotten feedback. We've actually we did one for Asbury already, you know, we did one for Economic Development, and it didn't take 300 days. So and I didn't realize it was going to be an online survey, I thought they were going to actually go.

Cindy Pearson: They are both.

Bridge Littleton: Okay.

Bud Jacobs: Both. Yeah.

Bridge Littleton: Okay.

Bud Jacobs: They're doing individual stakeholder conversations online survey. And focus groups. Are they doing focus groups as well? I can't remember Rhonda. Yeah, yeah.

Bridge Littleton: I mean, I think if anything shows how this community turns out look at Mickie Gordon Park last year, end of June, we had 300 people in that room. So anyway, like I said, that's my wish. That's my request. So it'd be great to see if you guys can if they feel comfortable bringing it in. You know, to me it's like every day matters, so. That's it.

Bud Jacobs: Well, you're absolutely right. Every day does matter. No question.

Bridge Littleton: Anybody? Have any of the questions on? Yeah, no, I was.

Peter Leonard-Morgan: Just going to make the observation that maybe that 120 days that we put in there was just our we threw it out, I mean, thoughtfully, but threw it out there and then the experts came back and I'm sure if they could have done it 120 days, it would have said they could.

Bridge Littleton: I think one bidder did say they could do it in 120 days.

Peter Leonard-Morgan: Oh, really?

Bridge Littleton: Yeah. That was the one y'all didn't select.

Rhonda North: Yeah. They said that they would do it within the 120 days. They, you know, but they also said that, you know, they would have liked more time as well, but they were willing to do it within the 120 days. And honestly, the 120 days was based upon I pulled the RFP from another jurisdiction and used that as the basis. So, I mean, it kind of was a little bit of a guess on my part as to how long they thought it would take, you know, that we thought it would take, but they're certainly more of the experts than we are in that regard.

Bud Jacobs: Actually, if memory serves, the other vendor also raised some concerns about some of the work being done in the summertime, and it didn't seem to be a showstopper for them, but they were more money.

Bridge Littleton: Any other questions? Yeah, Chris.

Chris Bernard: Yeah. I mean, I would say the 120 days isn't necessarily important to me. I do think that maybe and I think we're all kind of in agreement that these seem like the right people to work with. I think maybe the conversation that Danny and Rhonda should have with them is you know what? Now we're going to move forward. We're going to work together. Maybe when looking at their schedule, we can tailor it a little more towards Middleburg. I would tell them that really, it's November or December you're not going to get anything done. Please don't plan a public outreach meeting in November. They may be able to have some strategies that can front load their stuff into the summer, and maybe we don't get the report till after the first of the year, but if they can squish it a little bit. [off mic]

Bridge Littleton: Anybody have any other thoughts or concerns? Okay. Go ahead.

Peter Leonard-Morgan: I move the Council authorized the Town Manager to sign a standard contract for goods, services, construction or insurance between the Town of Middleburg and Commonwealth Preservation Group in the amount of \$29,228 for community engagement services related to the Asbury Church project.

John Kevin Daly: Second.

Bridge Littleton: Rhonda you have to call the roll, don't you?

Rhonda North: Yes. 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 Council vision, mission statement, and strategic priorities for 24-25.

Danny Davis: Thank you, Mr. Mayor. And I emailed this to you yesterday and also provided you a hard copy here at the dais. But the document in front of you is an update to your strategic planning document based on the Council Retreat from back in April. And hopefully this captures the intent of the conversation that we had there. This was drafted by our facilitator Mr. Tuttle, and then edited by staff and then some input from the Mayor and the Vice Mayor based on their initial review. Primarily looking at this some adjustments to the vision and mission based on kind of narrowing that down

to, to tighter statements, but also adding in that overarching strategic purpose which I think is very helpful to the overall review of this of your strategic plan. There were some edits and adjustments in the strategic priorities and objectives, what we affectionately called the buckets during that discussion time frame, again, to kind of update those with where things are today for the town and the Town Council. And I think they reflect the conversations at that retreat. And then coming out of that the action plan has top eight top goals for the next two years, 18 months to two years which are probably of no surprise to any of you and are again captured on the key topics that we discussed during the retreat. In this as noted I sort of arbitrarily, maybe not quite arbitrarily, but assigned Council Member liaisons to each of these areas based on the items that you have worked on in the past, individually or perhaps in in prior strategic plans. So these are obviously subject to change. If there is something that you did not want to be working on or would prefer to be added to. And then we've identified the staff lead for each of these as well, so we can begin developing our work programs around these. So our next steps would be for staff to develop what we see as how these fit within current both work programs, work schedules as well as anticipated timelines, budgets, resources needed, and any other potential risks or constraints similar to what you've seen in the past. So this is a draft before you. Happy to have Council consider adopting this tonight if you're ready. If you need more time to review fully, that's fine as well. And we can still begin working down that pathway. I will note that there was one input from a Council Member about one wording use under the strategic priority of protecting our quality of life. We use the word threats to our community and threats and opportunities to our quality of life. We use that word threats twice, and perhaps one of those opportunities or one of those uses, we could change that word, perhaps just so doesn't feel quite so repetitive or direct. So perhaps the second bullet point could be collaborate with county and state officials to raise awareness of risks to our community, and insist on responsible land use and transportation planning or challenges. [off mic] Yeah. So we can kind of tweak those working with maybe the Mayor and Vice Mayor just to get those amended slightly, but no major changes.

Bridge Littleton: Yeah. My only comment would be I think it's action threats is better to keep on the alignment with the county and the state and the one where we say increase local awareness of threats we can use the other word there.

Danny Davis: Sure. Risks, challenges.

Bridge Littleton: Yeah, exactly. Exactly. Because the county is the one creating some of these threats. So I think it's a much heightened level of seriousness in the conversation. Great. Any other questions on?

Peter Leonard-Morgan: Is it just me or overarching strategic purpose to preserve and promote genuine community? I don't know about the genuine word. It doesn't I don't know. For me, it doesn't feel like it should be true or strong. I just.

Bridge Littleton: Yeah, that's fine with me. Yeah. Strong community.

Peter Leonard-Morgan: Yeah.

Danny Davis: I think it's one of those words we debated for a while.

Chris Bernard: We spent an hour and a half on this. [off mic]

Bridge Littleton: Yeah. It's hard.

Danny Davis: No, it is hard. And I think it's always fair to step back now that we're in a different setting. And if it doesn't feel right, it can be a different word.

Bridge Littleton: I mean, I remember the comment I made is like community as it relates to how I think of it, which is where we are right now, is such a perfect word. But in the broader sense of our lexicon, it is used as this, oh, it's a community of game players. It's a community of, you know, dog walkers. And it's just like and it's become lessened in its impact. So I think that's why we had chosen genuine. But, you know, again, it's one of those things.

Bud Jacobs: I agree with Peter, I actually what is a genuine community as opposed to what, a fake community, I don't know, I don't know if the word weak, I like strong. Whoever came up with strong, strong community in the face of [inaudible].

Bridge Littleton: Any issues with that?

Cindy Pearson: It's good and to the end of that. I'm sorry, but I'm just going to say it. Can we stop it at continuous change and not have to put around us and to us, because it kind of means that. Or is there a reason?

Danny Davis: I think the reason we had that in there is because we did not want to imply necessarily that the town itself was expanding, growing, changing massively. But we see a lot of that happening in the zoning and in pressures around us. But also some of those pressures are then being imposed on us, perhaps by the state, by others.

Bridge Littleton: Like the Airbnb law that just got.

Cindy Pearson: Right. Yeah. Gotcha. Okay. That one didn't come in on that thought so.

Bridge Littleton: Because we're perfect. I mean that's easy.

Cindy Pearson: I was going to say duh. [laughter]

Bud Jacobs: But I don't know how many drafts Danny, you and the Mayor and the Vice Mayor had to go through to get to this document. But I like it a lot. I think it's really tight and concise. And my only complaint is you've assigned me a lot of work.

Cindy Pearson: Yeah. Seriously.

Danny Davis: Yeah. That's your choice for being on the Planning Commission, Mr. Jacobs.

Cindy Pearson: Oh, Lord.

Bud Jacobs: Anyway thank you.

Chris Bernard: The good news is you're paired up with Bridge, so just make him do it all. [laughter]

Bridge Littleton: How did that just happen? All right, so with those subject to those changes, is everybody comfortable adopting this? [off mic] Okay.

Danny Davis: Might just take a motion.

Bridge Littleton: Yeah.

Danny Davis: Thank you.

Bridge Littleton: Well, I want to make sure we're comfortable. Would someone like to make a motion on this?

Cindy Pearson: Go for it.

Bridge Littleton: Chris. Is there a motion in there? There isn't one. Just do it.

Cindy Pearson: Make it up.

Bridge Littleton: On the fly. Here we go.

Chris Bernard: I move that the Town Council adopt the action or I'm sorry, the strategic purpose, strategic priorities and objectives and action plan for 24 to 25, as proposed.

John Kevin Daly: Second.

Bridge Littleton: Any discussion?

Cindy Pearson: Do we need to add with the minor changes as discussed?

Danny Davis: That's fine. Sure.

Cindy Pearson: Okay.

Bridge Littleton: Yeah.

Chris Bernard: With minor changes, as discussed.

Bridge Littleton: Okay. Do you accept your own amendment? [laughter] All right. Any discussion?

Cindy Pearson: Seconded.

Bridge Littleton: All those in favor say aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions. Okay. I move that your motions always have a movement. That's right. All right. Next item is discussion items. Is the proposed FY 25 budget.

Danny Davis: Thank you, Mr. Mayor. We've talked through that. I think the only points to just add to that are one, we did provide a revenue update, a full revenue update to the Strategic Finance Committee on April 29th. Had a positive discussion there. Again, we're seeing the similar just softening in, in meals and occupancy tax. Not a decrease per se, but just lower than what our projections were. We over projected essentially. And.

Bridge Littleton: Prices are up, but consumption is down.

Danny Davis: I want to be careful.

Bridge Littleton: That's where some of that.

Danny Davis: Yeah, I want to be careful not to make assumptions because I don't know that for certain. But what we have seen is a not as strong of a growth in the meals tax is what we anticipated for current year.

Bridge Littleton: I'll put it this way. When we did our calculations as to what was some of the things driving it, and we did the analysis on, well, if you put in some standard inflation, are we getting less the more same or more potential visitors, or is it because the prices have gone up and it looked like, again, not nothing from a business but from our own analysis that. The visitorship is either flat or down a little bit, and the growth in the revenue was because of prices going up with inflation. Yeah. Generally.

Danny Davis: Yes. So. The probably fair to say. Yes. So as we look at current year, we do believe we will see a bit of a shortfall over budget in those two line items. But that's made up by surpluses primarily in our interest earnings for the Current fiscal year, which will be fairly sizable as those interest rates continue to hang out at five and 5.5% on the town's investments, which is great. So the discussion at the finance committee was also to just get some additional info from

primarily the resort related to what they see as the upcoming fiscal year. And they continue to see that their growth opportunities are in the group business. And they feel that that is on a growth pattern which is positive. And I think you're seeing that industry wide, but primarily they're seeing that here, both this Current quarter as well as looking into the fall once we get out of the summer. The other question the committee had was the change in meals tax revenues. Was that something specific to the resort or specific to the town, or were they tracking similarly. And we're still working on that data to get it in a very good visual function. But we're seeing the same trends at both the resort and in town. So it's not that we have an outlier where one's, you know, going up 10% and others dropping 10%. It really is similar.

Bridge Littleton: It closed for three weeks. And there was the dip.

Danny Davis: That's right. But we're seeing similarities across both of those. So that's good news. The only other item for the budget would be if Council would like to discuss any further the landscaping item as brought up in the public hearing item, but our recommendation would be I think there's value in that. It adds to the community, it adds to the visual and is a way for us to support the Beautification Committee, which, as you know, is a nonprofit. It's not a town committee, but supporting the beautification committee in those efforts and add in, enhance the bump outs and the landscaping throughout town. So without any objection, I will intend to add that to the final draft budget, which will be presented to you at the next meeting for adoption.

Bridge Littleton: Any questions for Danny? Yeah. Cindy first.

Cindy Pearson: Not a question, just a statement on with the beautification and how. I guess you've noticed how well the bump outs do look. They're nice and clean and the triangle now has live plants in it. I guess a couple of daffodils or something have died off and but everything else, it just looks really nice. So notice next time you're walking around.

Peter Leonard-Morgan: And actually I was going to say very much the same thing, that for years we've been complaining and had complaints about weeds and just nothing in there. And what a nice thing it would be if our town looked more, you know, colorful and floral. And so this is a really great, great thing, I think. Thank you.

Danny Davis: It is great and appreciate the streetscape committee reviewing those and bringing that forward as well. And not to step on your toes. Council Member Pearson. But streetscape is also working on some potential design plans for enhancing the areas around the entry signs at town, with some landscape architecture and landscape plans. The draft plans look really great. Now we're going to and this is all being done by volunteers on the streetscape committee in terms of the design. And then we'll get what that cost is and bring that back for whether that again, that's a partnership with us and beautification or other things. So we'll bring that to you obviously at the appropriate time.

Bridge Littleton: Any other questions on the budget? Okay. Next item is General Assembly legislative update.

Danny Davis: Thank you, Mr. Mayor. We would respectfully ask that we might defer this conversation until the next meeting, or perhaps even the June 9th meeting. I'm sorry, not ninth, but the June meeting as the General Assembly or the governor has called a special session for beginning May 13th. That would be for finishing the budget as well as perhaps I don't know if any other topics will be on there. But some of the bills of interest to the Council are still awaiting final action by the governor.

Bridge Littleton: Martin. When's that date that he asked you to either veto them or, you know, hold [inaudible]

Martin Crim: It varies based on the bill. So some of them have already passed and he's acted on others. I think their deadline is still coming up.

Danny Davis: 1071 is not until May 18th or so. Yeah. 17th, 18th. So we have a little bit of time. Yeah. The speed limit.

Bridge Littleton: That's the speed limit.

Danny Davis: So he sent amendments to the House. The House rejected it. And so it's his choice now to either just take it as passed or perhaps veto it.

Bridge Littleton: No. That's fine. Great. All right. Any information items? No. Wow. All right. We shall now go into closed session. Who would like to read the memo? Or the statement. [off mic]

Chris Bernard: I move that Council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for one consultation with legal counsel employed by the public body regarding specific legal matters requiring the legal advice of such counsel related to the Town Hall project contract, and two consultation with legal counsel regarding specific legal matters regarding zoning matters, both as allowed under subsection A8. Three appointments in Middleburg Arts Council and 4 a personnel matter related to benefits of certain town employees, both as allowed under subsection A1. I further move that the Council thereafter reconvene in open session for action as appropriate.

John Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions. Okay. We're in closed session. All right. I ask that Council certified 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 discussion 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: Okay. Is there any motions?

Pam Curran: I move the Council, appoint Joanne Bertini and Stephanie Burgett to the Middleburg Arts Council to fill two year terms. Said term's to expire June 14th, 2026. I further move the Council appoint Beth O'Quinn. Sorry to the Middleburg Arts Council to fill an unexpired term. Said term to expire June 14th, 2025.

Darlene Kirk: Second

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

All of Council: Aye.

Bridge Littleton: Opposed abstentions okay. Any other items? All right. Meeting adjourned.