



**TOWN OF MIDDLEBURG
HISTORIC DISTRICT REVIEW COMMITTEE
REGULAR MEETING MINUTES**



Monday, March 5, 2020

PENDING APPROVAL

The regular meeting of the Historic District Review Committee was held on Thursday, March 5, 2020 in the Town Hall Council Chambers, located at 10 West Marshall Street. Chairman Turnure called the meeting to order at 5:30 p.m.

PRESENT: William Turnure, Chair
Punkin Lee, Vice Chair
William Anderson
Tim Clites
Margaret Littleton
Linda Wright
Cindy C. Pearson, Council Representative

STAFF: William M. Moore, Deputy Town Administrator
Rhonda S. North, MMC, Town Clerk
Estee Laclare, Project & Planning Associate

ABSENT: Virginia Jenkins (unexcused)

Approval of Minutes

Vice Chair Lee moved, seconded by Committee Member Anderson, that the Historic District Review Committee approve the February 6, 2020 regular meeting minutes.

Vote: Yes – Committee Members Lee, Anderson, Clites, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Jenkins

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

New Business

COA 20-05 (S 20-02): Projecting & Mounted Signs – Premier Promotional Products – 15 S. Madison St.

No one appeared on behalf of the applicant.

The Committee noted the need for the color samples, as well as to know which portions of the signs would be carved, which would be raised, and which would be painted before they could take action. They agreed they had no problem with the sign design.

Committee Member Littleton moved, seconded by Committee Member Wright, that COA 20-02 (S 20-02), a request of Kaitlyn Ahalt for projecting and mounted signs at 15 South Madison Street, be tabled until the next meeting.

Vote: Yes – Committee Members Lee, Anderson, Clites, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Jenkins

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

Discussion Items

Update on Emmanuel Episcopal Church Sign Appeal

Deputy Town Administrator Moore reported that the Council heard the appeal and affirmed the Committee’s decision. He further reported that the sign had been removed. Mr. Moore advised that he was unsure of the next steps that would be taken by the Church. He noted that Councilmember Pearson did outreach to them.

Councilmember Pearson reported that the attorney for the Church was now serving on their sign committee. She advised that she was told to contact Deputy Town Administrator Moore with any questions she may have. Ms. Pearson reported that she also offered names of sign companies that could be of assistance.

Chairman Turnure reported that approximately eighteen people attended the Council meeting and opined that it was contentious. He suggested that if the members were approached about this, they needed to know the application was not taken lightly. Mr. Turnure urged the members to make all of their decisions based on the Historic District Guidelines, as opposed to their personal taste; and, advised that this was what gave their decision legs to stand on.

Deputy Town Administrator Moore suggested this was great advice. He advised that it was okay for members to say they liked something; however, their decisions needed to be linked to the guidelines. Mr. Moore reminded the members of the plan to update the guidelines and advised that he expected a proposal from Frazier & Associates soon.

The Committee noted that they often dealt with items that were not in the guidelines and cited the National Sporting Library’s banner as an example.

Deputy Town Administrator Moore agreed there would always be something that would require the subjectivity of the Committee and noted that this was a good reason to update the guidelines. He reminded the members that they have welcomed the use of alternative materials, such as Hardie plank siding, and noted the need to include them in the guidelines.

The Committee noted the absence of approved colors in the guidelines. They further noted that while a color may be appropriate in one location, it may not be in another.

Chairman Turnure noted that the Church brought in pictures of other signs; however, he explained that each application was considered individually, including whether the building was a contributing one. He noted that the members of the Council had their own opinions about the sign; however, they took the HDRC’s recommendation very seriously and relied upon their decision making.

Councilmember Pearson commended Chairman Turnure and the members of the Committee on doing a good job. She opined that the Council made the right decision because of the HDRC.

Historic District Boundaries

Deputy Town Administrator Moore reminded the Committee that Chairman Turnure and Vice Chair Lee volunteered to serve on a sub-committee to review the existing Historic District boundaries. He further reminded them that they were currently based on an expanded version of the original grid of the town. Mr. Moore opined that this made sense in some areas, but not others. He reminded the members of the National Register District and advised that some parts of the local Historic District were in the national one, but others were not. Mr. Moore suggested the National Register District could help to inform the boundary decisions on the local one. He reminded the members that the 2016 Historic District survey recommended changes to the National Register District. Mr. Moore reviewed those recommended changes.

Deputy Town Administrator Moore reported that the sub-committee identified a rough draft of their recommendations related to the local Historic District, which would remove some properties and add others. He explained that in order to make the changes, a zoning text amendment would need to occur. Mr. Moore recommended the HDRC spend some time formulating their recommendation, which would then be sent to the Planning Commission, who would initiate the amendments. He reminded the members that the Historic District was a zoning overlay. Mr. Moore opined that the changes would not affect any of the properties that were already partially in the district as the regulations already applied to them. He reported that there were three areas that would be affected – the lot on the corner of Reed Street/Stonewall Avenue, the entirety of Chinn Lane and the Hill property. Mr. Moore acknowledged the inclusion of the Chinn Lane properties could be controversial, as they were not currently in the Historic District nor did they fall within the period of significance.

Chairman Turnure noted that the idea was to identify properties that were worthy of discussion for inclusion in the Historic District.

Deputy Town Administrator Moore noted that the Hill property was already on the National Register and opined that it merited inclusion in the local district. He suggested the affects of its inclusion would be minimal, as the building was set too far back to be seen from the street, unless they built closer to it.

Vice Chair Lee explained that in formulating their recommendations, the sub-committee looked at the four approaches to town.

Deputy Town Administrator Moore reported that the sub-committee was suggesting contracting some of the edges of the Historic District to exclude the properties on the west side of Reed Street, the properties on Lincoln Road and the American Legion property.

Chairman Turnure and Vice Chair Lee opined that they agreed to leave the American Legion property in the Historic District.

Deputy Town Administrator Moore advised that the other properties that were proposed for removal from the Historic District included the sliver along the Hill School property, a portion of Steeplechase Run, the houses on Foxcroft Road and a portion of Salamander's property. He noted that the latter was already subject to the HDRC's review as a result of their zoning proffers.

The Committee noted that there were other properties in the town that were subject to the HDRC's review by virtue of zoning proffers. It was suggested that consideration be given to bringing those into the Historic District. It was further suggested that consideration be given to either including the entrances or placing them in a corridor overlay district as they were what made Middleburg great.

The Committee held considerable discussion about the suggestion to remove the portion of the Salamander property that was in the Historic District from it. Some members opined that this was not a good idea based upon what could happen there in the future.

Deputy Town Administrator Moore noted that Salamander was already under a review requirement. He opined that it would be problematic to have it under two different sets of regulations. Mr. Moore advised that he would heavily advocate to remove it to clean up the Historic District boundaries and noted that the zoning proffers were also laws. He reminded the members that the Council would have to approve any revisions to the zoning proffers.

The Committee noted that the only reason the proffer existed was because the property already touched the Historic District.

The Committee suggested the vacant lots behind and across the street from the Community Center should be included in the Historic District so they could comment on their future development. They questioned whether Chinn Lane should be included and noted that it was only one decade away from being within the period of significance.

Deputy Town Administrator Moore noted that while it was now fifty years, the period of significance could change in the future. He suggested the Committee had been given a lot to think about. Mr. Moore further suggested the members think about this over the next month, at which time they could continue their discussion. He noted that he would add the American Legion property back to the proposed map, as well as the vacant lots on Stonewall Avenue and the vacant parcel north of the Charter School. Mr. Moore suggested they further discuss the removal of the Salamander property next month. He advised that he would email the proposed map to the members.

After some discussion, the Committee agreed to hold a work session one hour prior to their next meeting to discuss the boundaries further.

(Vice Chair Lee left the meeting as she had already taken the Appointed Officials Training during the Middleburg Arts Council meeting.)

Appointed Officials Training

Town Clerk North provided the members with training on FOIA, COIA, the Public Records Act, the Appointed Officials Handbook, the Code of Ethics/Standards of Conflict, the Town's gift ordinance and the Council's Attendance Policy. Following the conclusion of the training, the members acknowledged receipt of the documents and agreed, in writing, to abide by the regulations.

April Meeting Quorum

Those members who were present indicated they would be present for the April 2nd meeting.

There being no further business, the meeting was adjourned at 7:00 p.m.

RESPECTFULLY SUBMITTED:

Rhonda S. North, MMC, Town Clerk

HDRC Meeting Transcript – March 5, 2020

(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)

Bill Turnure: Right on the strike of 5:30. Going to bring this meeting to order, first order business is a roll call.

Estee LaClare: Estee LaClare, planning and project associate.

Tim Clites: Tim Clites

William Anderson: William Anderson

Punkin Lee: Punkin Lee

Margaret Littleton: Margaret Littleton

Bill Turnure: Bill Turnure

Linda Wright: Linda Wright

Cindy Pearson: Cindy Pearson

Rhonda North: Rhonda North, Town Clerk.

Will Moore: Will Moore

Bill Turnure: Thank you all. First order business is the approval of the minutes from our February 6th meeting. Has everyone had a chance to read the minutes. Are there any additions or admissions to the minutes? Let's hear a motion.

Punkin Lee: I move we approve the minutes from February 6 2020

William Anderson: I second.

Bill Turnure: All those in favor say aye.

All: Aye.

Bill Turnure: Opposed say nay. Motion passes. Ok. Moving on to action item, new business. Action item IIIa COA 20-05 (S 20 - 02) request of Katelyn Ahalt for projecting and mounting sign at 15 S Madison Street (Premier Promotional Products). Well, the applicant is not here. So we can. So I will like to move on this sign or request that she come back next month. But I think we should go ahead and have a discussion to provide her any input that we might have.

Linda Wright: Keeps referring to carved and painted, what's carved in what's painted? It doesn't really tell you.

Estee LaClare: [Off mic].

Punkin Lee: I think we should have the full information.

Bill Turnure: Is there any other discussion with regards to the sign itself?

Linda Wright: I have no problem with the sign itself.

Will Moore: So just to clarify, you want clarification on the exact colors and then you want to understand which elements are carved and which elements are raised and sets. It says some are carved and it also has raised elements. Is that what you're interested in as far as the additional information? Yeah. OK. Sounds good.

Bill Turnure: Ok. We'll make a motion to table the application.

Margaret Littleton: I make a motion for COA 20 - 0 5 (S 20 - 0 2) request of Kaitlyn Ahalt for projecting and mounted signs at 15 Madison Street table until the next meeting.

Punkin Lee: Second.

Bill Turnure: All those in favor say aye.

All: Aye.

Bill Turnure: Opposed say nay. Motion passes. Thank you all. OK. That's our end of our business part of the meeting, we're moving to the discussion items. Discussion item IVa update of the Emmanuel Church sign appeal.

Will Moore: So we just wanted to inform the HDRC that the council did hear the appeal of your decision at their meeting, at their last meeting in February, and after much discussion, they voted and unanimously affirmed your decision. So they upheld your decision and the sign has

since been removed. So we're unsure what next steps will be. There was some outreach by Council Member Pearson to representatives of the church to kind of have a discussion about, you know, how we might be able to assist them in pointing them in the right direction. Of course, you've made a number of suggestions in your deliberations about how a sign could or signs could possibly be better designed to fit the guidelines and also fit their needs. So that outreach was made, but they have not yet taken us up on that offer.

Cindy Pearson: And I spoke. Well, I called yesterday the lawyer's name that was here.

Will Moore: Mary Gayle Holden.

Cindy Pearson: Thank you. And she stepped away from her lawyer suit. And I believe she's now on that committee to help with the sign. Okay. And they're going to be meeting some time. And I just told them that, you know, make sure they contacted you with any questions. And I suggested a few sign companies could probably help them in their direction. So that's all I did.

Bill Turnure: As a representative of the committee at the council meeting. Just to make you aware, in case you're approached in the street. There were about 15 to 18 members of the church who attended the council meeting. It was a bit contentious. Some, you know, written, you know, comments, you know, from members of the church, as long as it is, as well as their attorney who represented them at the hearing. So I want you to know if anybody approaches you on the street that, you know, it was it was it wasn't just sort of, you know, gone over lightly. We went through a long process of discussing how we arrived at our decision. And, you know, I want to continue to urge everyone that decisions are made on guidelines and not on personal taste. And we need to be really good about that because that we had some legs to stand on. And fortunately, we had an extra month to sort of go through that process. So as you know, as we move forward, I just want everybody to be really cognizant of that. So we don't get into a sticky situation down the road afterwards. Anything else to add to let the committee know there's any?

Will Moore: No. I mean, I think that that's always good advice. Is that when you're having your deliberations, when you're giving comments on application, to always try to link those somehow to the guidelines. And always avoid the you know, I like this or I don't like this. It's OK to say you like something, but it's best if you can find a way to to link your comments somehow to our guidelines. I think that's why it's going to be helpful as kind of a segue that we're going to kick off this update to our guidelines. And I am anticipating a proposed scope from Frazier and associates who came and presented to you last month. Any time now. So hopefully that's something that we can get moving on sooner than later and have an updated set of guidelines. But yeah, that's always, always good. And and you did that in this case, you know, in making

your recommendations, in citing reasons for denying the application. It was very well matched to the guidelines. And that's good.

Bill Turnure: There's strong rationale that we employed to to make our decision. And it wasn't necessarily just strictly by the guidelines there were some other comments, you know, about the architecture of the building itself. You know, obviously we don't find in the guidelines. So, you know, like Will says, just because you don't like something. I mean, just as a point of reference, you know, Tim made the comment about the front porch, that the porch itself was an element that added to the architecture of that building. That that sign, whether it was large, small, yellow, green, doesn't matter. That it distracted from the overall porch. So those aren't going to be in the guidelines, but they are very important you know, decision making thoughts. So I encourage all that. But it was it was an interesting night.

William Anderson: We deal with stuff that's not in the guidelines. [Inaudible] one that comes to mind is the on the museum piece of artwork that hangs from the side of the building. Really, the guidelines, you talk about something hanging on a building. But we've taken on ourselves to look at what's being presented and giving our opinions on it. And I mean, I think that's right. No, it's not in the guidelines. So, I mean.

Will Moore: There's always there's always going to be an element of subjectivity to what you do. It's it's attempting to include some link, but yes. Don't don't shy away from you know, aesthetics are by nature going to be somewhat subjective. So don't necessarily shy away from that, but don't shy away from your guidelines either and trying to make links there. And again, that's a good reason why an update to our guidelines is necessary. So many of the things you deal with, substitute materials, you've been very welcoming to the use of hardy plank siding, for example, in certain situations. But that's not articulated anywhere in our current guidelines and that is something that will be articulated in an update.

William Anderson: I agree. Colors are probably the most subjective of all that are not in our guidelines, so to speak. I mean, it's addressed. [Inaudible]. That is the I think, the best example of you know, personal opinions, or professional opinion sometimes.

Tim Clites: To me, the word that comes to mind when I listen to you all appropriateness. Right. And like even in paint colors, there is the little shop behind Allen what's now Allen's clothier and years ago we we approve this paint color that we would have never approved in many other buildings in town. But because of its location and its kind of quirky little, it seemed appropriate. And I think that it's unfortunate that we had to go through this sign issue, but I think it's good to have it fresh in our minds when we look at the guidelines, because really being able to lay the groundwork for what we think is appropriate is really what the guidelines are about. And then it's a case by case basis where we kind of try to apply that. So.

Bill Turnure: That's a good point, because they did bring in numerous pictures of other signs throughout town to try to say, well, here was one that was approved, but you're not going to approve ours, but I let them know that, you know, each each application is taken on individually, you know, and it just depends upon the building and where it's located and whether it's a contributing building in town. And so, you know, there were a lot of things that tied into that. So and and also just to to let you know for for the council. And, you know, the council. They definitely had their opinion on the sign. Whether it was totally positive, you know, for all of them to say, yeah, we we think, you know, I kind of like that sign. But they they took our opinions and our judgment very seriously. And we are their aesthetic eyes and ears. And so they relied on our decision making, you know, in their in their decision. So, you know, I just you know, I just want to appreciate all that you do here, because it is it is taken very seriously, you know, throughout the Council and Planning Commission as well.

William Anderson: So you must have done a good job, too, I must say.

Cindy Pearson: He did. And Punkin was here, too. She sat back and listen to everything. And it's really hard when you sit on the side and you're facing those 18 people or however many were here. I'm glad Bill was here. But you all do do a great job. And that's what makes it easier. You know, we know you don't take anything lightly. You turn it upside down and inside out. So I think council, you know, made the right decision because of what you always do. And we thank you. Oh, that was hard. I'm sorry. To sit up here with that going on. And then. Yeah, I just it's a lot.

Bill Turnure: Ok. Let's move on to the next discussion item, the historic district. Sorry. Discussion item IVb, historic district boundary. Were there some handouts that you're going to do, Will? Yes. Yes, please. That would be very helpful. So in your packet you had some initial information, but so chairman Turnure and committee member.

Bill Turnure: Vice Chair.

Will Moore: Oh, Vice Chairman Lee agreed to be kind of the subcommittee to start studying some possible revisions to our boundaries. That's an awful lot on one page for you. So what I'm going to do is bring up like individual layers on on screen here to hopefully make it a little less overwhelming at first and maybe it'll read a little better. But so to start with, we have our local historic district, which is kind of this rectangle. It's essentially. Let me make this a little larger and my blue line go away. So this is kind of our rectangle of our historic district, the local historic district. So our local historic district is where we have the regulatory authority. This is where we can act on COAs. And this district was established essentially, if you look on the back wall here, this original grid of the town was a rectangle and we went out a certain number of feet in either

direction of the original rectangle and made a larger rectangle except in the one corner where the rectangle would have gone outside of the town limits. And that was how the district was established. But what happened is on some it makes sense. In some places it doesn't necessarily make sense. In other words, that the boundaries of the district. So if you look on Reed Street, it just jumps to the west side of Reed Street and grabs a couple of homes on Lincoln Road in the other corner of the rectangle. It grabs a couple of houses on Lincoln Road, but not the rest. Now, we also have the National Register district, and that is this one that's in the solid red. So you see a lot of the area that is in our local district is also in the National Register district. But there are some parts that are in the local but not in the national. There's some parts that are in the national, but not in the local. That's not an odd situation. And we don't need to be overly concerned with that. But I think the National Register District, as we consider whether or not we want to make some revisions to our local district, it can help inform those decisions. One of the ways is by the existing boundaries. But also when we updated our historic district survey in 2016, that survey is of the national registered district. By the way, they don't survey something that's in the local district, but not in the National Register district. What I mean by that is when we give you our memos that accompany these applications, we always excerpt the survey sheet and included in there. But occasionally you'll get an application for roofing on Chinn Lane or new construction on Reed Street. Obviously, there's not going to be a survey sheet for new construction, but the applications on Chinn Lane, you never get a survey sheet because there isn't one, because none of it is within the National Register district. But as part of that 2016 survey, the firm that conducted that surveyed made some recommendations for possible revisions to the National Register District. You see those on that map in the dotted red line. Couple of areas they advocated for expansion of the National Register district. For example, the charter school property. It is not in the National Register district. Currently they advocated, including it. The fields directly behind the community center are not in the National Register district. But they're advocating for their inclusion and a couple properties they advocated for carving out of the National Register district. Just because there have been maybe changes to the property that over time have and if it's on the border, have made it so it probably would not merit inclusion. Other areas where you see them advocating for removal are in a couple of areas where when the district was established, it was vacant land. So a good example here in North Jay Street. [Off mic]. But since those townhouses have now been built, they're not contributing structures to the district. They likely will never be considered contributing structures to the district, at least not for another 30 years or so would even be included. They're recommending carving those out so that that's what you see with the dotted red line. So that's what was included in your packet. What Bill and Punkin sitting down with Estee and I yesterday did was come up with kind of just a very rough first draft of maybe some recommendations for revisions to the local district. And that's what we're really focusing on right now. We're not focusing on making a nomination to change the National Register district. That is something that could maybe happen in later years. But so you won't be able to see it very well on screen just yet. But the dotted blue line is kind of the the first draft boundary that your subcommittee came

up with, and that consists of basically three parts and these should show up on the screen. So I'm kind of focusing I'm going to take away right now the the National Register lines. We don't need those, but focusing on the blue rectangle. There are some areas where we're recommending maybe expanding beyond that rectangle and you break those into two parts. One is what we're calling what I'm calling the expansion of partial property. So the yellow areas that border the rectangle here, these are areas that are not within the boundary of the district currently, but they are still regulated by the district. And what I mean by that is the way our ordinance is set up is if part of your property is within the district, then the entire property is subject to regulation. I think what I was advocating for and I think Bill and Punkin agreed if the entire property is going to be regulated by the district, let's revise the boundaries. So it's clear. So somebody maybe who would acquire one of these properties, who or who already owns one of these properties, isn't confused. They don't look at it and say, oh, I wanted to add something on the north end of the charter school property. Well, I don't need a COA because that part of it's not in it would eliminate that confusion. So I think that. So the areas that you see here in yellow. Again, I would recommend they would recommend. Yes sir.

William Anderson: Say on this property on the eastern part of the historic district where partly it's in the historic district now. What do I expect is going to happen to what has to happen to make the rest of this go into the historic district?

Will Moore: Ok. So that's. Yeah. Right. Yeah. So this eventually would take the form of a rezoning. It would be a zoning map amendment. So I think what we would envision is this committee would spend some time on this. And if you got to a point where you wanted to recommend some changes as a full committee, then we would forward your recommendations to the planning commission, who would then have to initiate a rezoning to bring to the changes. Because it's a zoning district.

William Anderson: But you said that if part of your property and this is my whole property, which is now only partly in historic district. So it's zoned in a certain way. So the rest of the property is owned differently.

Will Moore: So, OK. So let me only back up a second. The historic district is what we call a zoning overlay district doesn't read regulate the underlying use. So the entire property for that particular property on the east end of town, for example, is zoned Agriculture Conservancy district.

William Anderson: So this is just an administrative issue because it wouldn't affect anything done on that property since it's already partially an overlay.

Will Moore: Correct.

William Anderson: So it doesn't affect the owner.

Will Moore: I would suggest it doesn't affect the owner for the yellow areas. Correct. Yeah.

Bill Turnure: It makes it clearer.

Will Moore: It does. Yeah, yeah. Takes away that ambiguity. I mean it's in the ordinance but I think it makes it clear. Another area though which would be different are are three areas that you'll see in the bright green. So one of these is the house on the corner that Coe Eldredge is currently rebuilding the home on the corner. So Bill and Punkin felt we should go ahead and include that as well as the properties that he's already built on in a revised district. So that one is currently not in the district. That's why you got a shot at the three new homes that he built. But you didn't get a shot at reviewing the design of the corner one. Another area that they're advocating for inclusion is the entirety of Chinn Lane. And I think there will be a discussion point for us in coming time. So it's one that I think it could be a controversial area for for inclusion. It's not an area that's in our National Register district. It's not an area that would be recommended for inclusion in the National Register district. It doesn't the development doesn't fall within our period of significance. However, there is some local history to that development at least. So. So there was some discussion. Should only the first four homes on both the east and west side of the street be in the local district, which is what currently exists? Should we pull the local district closer to Marshall Street and only grab maybe the first home on either side because it contributes the Marshall Street streetscape, but then exclude the rest? Or should we include it all? And so the first draft we're proposing, including it all.

Bill Turnure: So as we went through this, the idea was let's go ahead and grab everything that we think was worthy of discussion. We're not saying that this is what we really absolutely have to have or anything like that. We just want to put it out there and then we can discuss it and we can add to it. We can pull back from it. But let's have it all in there, at least for discussion. And then we can. And then once we are able to fine tune things, make our decision and then we can pass it along. This has to go through planning commission. It has to go through town council and they're going to have their input. So this is just the first draft.

William Anderson: What about the property to the south?

Will Moore: Yeah. So the property to the south is the property that's known as the Hill property. The owners name. Cochran. So. So that property was one we had some discussion on. It is in the National Register district. It is also one of a handful of properties identified in our survey, which would be eligible for individual listing on the National Register district, which is kind of at another level to it. It's a very important property. I think I think it certainly merits it. For me, it's a

no brainer that it merits inclusion in our local district. Now, the effect actual effect of being in the local district on the property could be somewhat minimal because the improvements are set so far back from the street currently. Many of the changes in your authority is is any changes that are visible from a public street. So the extent of of what that effect might be could be minimal. But if they wanted to start building additional structures on the property closer to closer to the road, that they could certainly come into play. But I think that was one we kind of quickly decided we should, at least for the first draft proposed for inclusion.

Punkin Lee: [Off mic].

Will Moore: It is. It is. It's in the district. So you can be on the National Register one of two ways you can be or both ways you can be as part of the district or you can be individually listed or you can be both. You could be both within the district and individually listed as well. Red Fox Inn for example, is in our National Register district, but is also individually listed on the register. Your property is. Yeah. Yeah. Right. So. So those are the areas that at least in this first draft we're showing for potential expansion of the boundaries. And then there's the areas that you see in solid red here where we're proposing kind of contracting the edges of of the district.

And this can certainly be for discussion as well. So essentially, you're looking at the few homes that would be currently regulated by the district.

There on the west side of Reed Street, and then kind of going in a. I'll go in a counterclockwise manner from there. We have a couple of properties along Lincoln Road that that could be excluded. The American Legion property is is shown here in the first draft for removal from the district.

Bill Turnure: Let just stop you right there. Just for a second. I. I had thought we decided to go ahead and leave that in, the American Legion property.

Will Moore: I didn't have that on my mark up. But again.

Bill Turnure: I think we originally said, okay, we take it out. And then we when we thought about it a little bit more, I think we went ahead because because of its presence as you come into the town.

Will Moore: Okay. Okay.

Bill Turnure: Even though I don't think anything's going to happen to it, but who knows?

Will Moore: Sure. I'll redraw that then. Continuing around. There is a very small sliver of the Hill school property that falls in, to be quite honest. I don't know that that's really ever been on the radar of staff or the Hill school. So when changes technically when changes have happened to anything on the hill school property within the town limits, they should have had a COA. I think that's a that's definitely an administrative cleanup we need to make. Continuing around counterclockwise. You'll go up to the top.

William Anderson: Question.

Will Moore: Yes, sir.

William Anderson: That sliver is presently in a historic district, right?

Will Moore: It's in our local district. Yes.

William Anderson: As was the yellow portion up there on the east side. If the portion of your property is in the historic district, as was the yellow on the east side, isn't the rest of the property then within the historic district control? Which would make the whole school under the control of the present historic district.

Will Moore: Technically, I think it should should be.

William Anderson: Well, that's the rule we're using up here on the east.

Will Moore: Yes. What I'm saying is I don't think I don't think anybody has paid close enough attention to that in the past.

William Anderson: But that's the rule in general.

William Anderson: That the entire property is subject to the regulations?

Bill Turnure: So that's why we're recommending taking it out.

Will Moore: Yeah, it cleans that up. So continuing up to kind of the top right corner piece of red that you see. So that's part of Steeple Chase Run, the townhouse development that was just completed five years ago, maybe five or six years ago, it was completed. So a portion of that development technically falls within our local district. I'm going to pop this back up there. If you look at the recommended revisions for the National Register district. Again, they're not recommending they're recommending carving quite a bit out that we're not recommending carving out our local district. But this this is an area that's not in the current National Register

district, certainly not recommended for inclusion. I think it's another situation where why would we subject maybe four or five of the townhouses to the the regulations, but not the rest of them. And then we move over to North Madison Street. So opposite the charter school where we have eight homes along the west side of North Madison Street. The first, the southern two of which are subject to regulations currently. And after discussion with Bill and Punkin, we decided to show carving those out. And then we have portions of Salamander's property. That property is subject to further subdivision. It's also subject to proffers that relegate any development to your purview anyway. So what we're suggesting is we carve that bit out of the historic district, but you're still going to have regulatory authority based on the properties that are associated with the property.

William Anderson: The proffers for for the development that has already been built. And all future.

Will Moore: So, for example, we had that discussion with representatives of the team that's working on the residential portion right now. You know, you are part of developing those guidelines. You approve individual COAs for each home that's built there.

William Anderson: But there are proffers for the future development that hasn't been, like any commercial development on the east side.

Will Moore: Correct. Correct. Now, those could be subject to change. The proffers could.

William Anderson: Well, but you wouldn't have we wouldn't have any control over that development of those proffers.

Will Moore: Yeah. So you're correct. So this is where we have to kind of walk a fine line of what are we trying to do. Control is is a tricky word, unless that control relates to your purpose, which is protecting the architectural resources in town and such that control otherwise of just what things look like is not necessarily in your purview. So unless we can link, you know, what what is the historic purpose of regulating that bit of Salamander, how how would that relate to your purpose? We have to be careful about including things.

William Anderson: Hypothetical. And I'm talking with little knowledge. But let's say the commercial development comes fast on the eastern side comes faster than we thought. It's to the east of when you come into the property from town, and if we don't have any of the, you know, can use a better word than control if we don't have any say in that portion of the project. So be it. But that's what would what would happen if the proffers went away. But the point is we're trying to understand the future and it's kind of hard to do.

Will Moore: True. True.

William Anderson: What does it get? What is it? What advantage is it to take that out for use of the town, to take that out of the historic district? That's the question.

Will Moore: It goes back to the purpose of this. It's cleaning up the boundaries so that there is some logical reasoning to them rather than just being a big rectangle that was drawn a number of years ago without much reason. I'm not saying there wasn't reasoning put into that, but the edges of the district were not well justified at that time.

Tim Clites: [Off mic].

Will Moore: Limited amount. I think the Virginia Lane development when it was that property was rezoned, so on the west side of town, it's 14 units, I think seven duplexes. So when there was a rezoning that would allow for those duplex units to be built, they proffered that even though they weren't in the district that they would be subject to. I don't think it was the COA. They were subject for review. So they they proffered, it was in their proffers that they would work with the HDRC on design.

Tim Clites: [Off mic].

Will Moore: At all good points. We have to put things in manageable chunks. I think it is. You know, we had a discussion, Bill and Punkin and Estee and I yesterday about the possibility of entrance corridors. Not something that becomes part of this map. This is strictly the historic district. So we're talking about the better defining the edges of our current district. That doesn't mean that we don't have those conversations about, you know, maybe in the future an entrance corridor, I think is a fantastic idea. Particularly on West Washington Street would be a great idea. But that's a that's a different chunk to tackle.

Tim Clites: [Off mic].

Bill Turnure: We had that discussion and we all feel the same way that you do. It's very important that we we broached the subject and then, you know, just don't you know, forget about it, just sort of keep back there and, you know, start moving forward and see what it'll take to actually make that happen. I think it's crucial that something happens.

William Anderson: Going back to this property along Salamander. And politics aside, I just like to go on record and say I don't think it's a good idea to remove this from the historic district because of the nature of what may happen along that property. And, as you said, proffers may

go away. There's no advantage I see to reduce or eliminate that portion from the historic register. Politics aside.

Will Moore: Yeah. I get it. And we could probably go back and forth all night. But I will say it's problematic from a zoning standpoint to have something that's covered by two different sets of regulations. So to have something that's in the historic district. Partially, but also governed by proffers that give you a review of it. It becomes problematic. And I I will stick to my guns and heavily advocate for cleaning that boundary. But I do get what you're saying. But understand that proffers are there voluntary when they're offered, but when they're accepted, they're the law. So when I said they could potentially go away, that that's a process the council would have to approve any revision to the proffers. The applicant or the owner can't simply say, oh, we're taking that back. We're no longer going to be subject to review. There's an entire lengthy process that would would have to be gone through.

Punkin Lee: [Off mic].

Will Moore: Proffers are run with the land. Yes, correct.

Bill Turnure: I completely get your your point of view, Bill, but I lean on the side of a Will in that, you know you know, the charge here just is to get this historic district, you know, so that it makes sense. And if that's the only piece of property that we have, it is partially and partially out. You know, I just you know, the council, you know, the ultimate decision makers. And we work basically for the council, provide services for the council so that they don't have to do that. So I think if it's the council's wish to to remove those proffers, you know, I'm not sure that's our charge to tell them and I think, yes, we went through this as went through this discussion with planning commission and with council. You know, we can sort of flush all that out and council may say, gee, I think we should be in the historic district. So I think it's just up for discussion.

Tim Clites: [Off mic].

William Anderson: You've said that a lot better than I did. I agree. And and I could see the case when the property gets removed of that reverse logic coming back and proffers being removed. [Inaudible].

Tim Clites: [Off mic].

Bill Turnure: I get the logic on that. I do. Since they're underdeveloped, undeveloped lots. I think that makes a lot of sense.

Punkin Lee: [Off mic].

Bill Turnure: That's the that's the point of this discussion.

Tim Clites: [Off mic].

Will Moore: Early, to mid 80s. Yeah.

Tim Clites: [Off mic].

William Anderson: You can also anticipate, I would think, that any of this, which I think is a great job, by the way you guys have done, but if anything, anything's going to cause a problem. It will take time. Chinn Lane. [Inaudible]

Tim Clites: [Off mic].

Estee LaClare: One thing to mention. The period of significance for Middleburg's historic district extends from 1787 to 1966. That's when it was written. And was I did some background research and Will and I were looking at that today.

Will Moore: So when updates occur to our survey. Sometimes that period of significance can change. So 50 years is sometimes kind of a rough guide. So it's no coincidence our survey update took place in 2016. If you go back 50 years, that's 1966. So that's why it is there. But it's not always just a fixed 50-year time window. Sometimes it's if there was something, an event that took place historically in a community that defined the period of significance or if it was a certain phase of type of development that went on during a particular timeframe, and then it that ceased, maybe that becomes the period of significance. Ours just happens to be that fifty years right now. The survey the surveyors looked closely at that tried to decide whether we should adjust that up to 1966 from the previous period of significance, which was a good bit earlier, like 15 years earlier. So. Yeah, that could move, though. So there's a lot to think about here. I might suggest we take this next month just to kind of individually put your thoughts together. I'll make a couple revisions based on what this draft based on what I've heard here this evening. One is to to have the Legion property in and then another would be, I think I'm hearing include the vacant lots on Stonewall to include those.

Bill Turnure: Yes, I think that's right.

Will Moore: And then we'll fight a little more about Salamander next month. I mean, I think it's an important discussion to have.

William Anderson: So, you know, Punkin I think her remarks about when the ownership changes, if one thing we can happens is ownership changes of property, especially commercial properties. It just just happens. Right. And once that happens. Oh, not just change. One of its pieces sold off. I don't know if the proffers allow a piece to be sold off like that. Well, I guess I do, because there's something of a lesser on land lease, the residences. There's some on the property. So theoretically, the commercial property could be sold too. Once a commercial property sold.

Tim Clites: [Off mic].

Punkin Lee: [Off mic].

Tim Clites: Well, I share Bill's sentiments. This is a good job. So thank you. It's nice to see.

Bill Turnure: One other piece, Will, I think we talked about was the piece just north of the charter school I thought we were going to incorporate that.

Will Moore: One little vacant parcel there. Yes, I can I can make an adjustment. Yes. Yes. Thank you.

Bill Turnure: Ok. Thank you all.

William Anderson: Why didn't that go all the way up on this on the National Historic Register? That property line at school didn't go up all the way up either. I wonder why.

Will Moore: Well, it's a it's a separately platted lot. Yeah. So that's why it didn't.

Bill Turnure: The question I want to pose to the committee is would it be a little easier to have a little work session maybe in a couple of weeks? And those interested can attend and we can sit down at the conference room table and chew on this or make it a part of next month's meeting.

Tim Clites: Could we have a work session an hour before next meeting? Or is that too far?

Bill Turnure: That would be fine with me. Can you do that, Punkin?

Punkin Lee: [Off mic].

Bill Turnure: So be here at 4:30.

Punkin Lee: [Off mic].

And I liked it. I mean, Will sort of glossed over, you know, these properties. But I think, you know, we really had a lot of good discussions yesterday and I'd like to really get into all the nuts and bolts and each each individual pieces, we go around and there may be something else we want to discuss, too. And so obviously familiarize yourself with it between now and next month.

Punkin Lee: The more attention we give to this, the more homework we do before we expose it to the next level, the better.

Bill Turnure: Sure, absolutely.

Will Moore: I will e-mail this PDF directly to you. The updated one and you can always do what I've been doing here. If you're not used to navigating PDFs so often, there's a little. Looks like three pieces of paper. And if you click on that, it has these individual layers that you can add and subtract and so you can put on these different things. It's fun to play with, a fun toy to play with.

Bill Turnure: We can have a learning lesson during that same work session.

Will Moore: We can do that. We can do that. Excellent. Okay. Thank you.

Bill Turnure: Thank you.

Bill Turnure: Okay. Last but not least, we have our friend and town clerk, Rhonda North, who's going to give us some training as appointed officials and she's going to do her due diligence and make a smart.

Rhonda North: Now that Will's going off. I'm gonna connect here wirelessly real quick.

Punkin Lee: [Off mic].

Rhonda North: Punkin has done already and she's going to have to do it again.

Will Moore: She's done it this year.

Rhonda North: Yes, she did. She did it during the Arts Council meeting.

Punkin Lee: [Off mic].

Will Moore: And when we have a BZA a meeting and she gives this training, you won't have to stick around.

Bill Turnure: I'd like to note for the record that former Mayor and Councilman Trowbridge Littleton has entered the building.

Rhonda North: So I think most people probably had this last year. Tim, this may be a little new for you, but one of the council's initiatives a couple of years ago was good governance. And as a part of that, they adopted a number of regulations, policies, et cetera, that apply now to the council appointed officials like yourself, as well as the town staff. And they asked the staff to develop a training program just to let you all know, you know, what the rules were regulations were.

We don't expect anyone to become experts. All we expect is that you will have a little bit of knowledge about these things. So if something comes up, you can say, hey, wait a minute, I think there's some rule or some law that applies here. And I need to stop and I need to ask the staff about it. So so that's sort of sort of our mission here.

Bill Turnure: That was wonderful.

Rhonda North: So so some of the documents that apply are the ordinance that establishes the HDRC. We now have a handbook for appointed officials. FOIA, the Virginia Freedom of Information Act has always applied, as has the Virginia Conflict of Interest Act, COIA, as well as the Public Records Act. We also now have a code of ethics and standard of conduct policy. We have an ordinance related to the acceptance of gifts and we have an attendance policy. So I'm going to start and I'm focused mostly on FOIA, the Freedom of Information Act. I am only going to focus on the part that relates to boards and commissions. FOIA is a huge document, huge law, but I'm just going to keep it to to what applies mostly to you all. So the purpose of FOIA is to ensure that the people in Virginia have the ready access to records as well as free entry to public meetings unless an exemption and it's not showing up on there. Why is it not showing up? So I'm sorry, but it's not working, right. So unless an exemption applies, meetings have to be open to the public and public records have to be available for inspection and copying if the person wishes to. So what is a public meeting under FOIA? It's in this case of this committee, a gathering of three or more people who are present, regardless of what location is used, where public business is conducted. In the case of a public meeting, we have to give public notice to the press and anyone who asks for it. The date, time and location of the meeting, at least three working days in advance. So what is not a public meeting is a gathering of two members. Even if you're discussing public business, if you're at a social function where public business is not being conducted. If you're at a social function and somebody says, hey, let's start talking about this that happened at HDRC. You have to say, stop. No, we can't do that. We'd be having a public meeting. We'd be violating FOIA. We can't have that discussion. I've got a little sign on the back of the room just to remind the staff if three council members happen to come in the

room. Stop. Kick one of them out. And I definitely kick them out. Did last week. I had two Council Member is in here for a meeting. A third one happened to walk in for some other reason and I said, get out. He did. He did. We do not want to violate FOIA. So other provisions of FOIA are that minutes have to be taken of meetings, which of course I do for you all. Votes have to be conducted in open. You can't do secret or written votes. You can poll members and usually how folks poll members are via email and I'll get into that a little bit later. However, you can't poll in lieu of having an actual meeting. And I know that periodically comes up here in this in this case. So you can poll. It's not official. And I know there are instances where you all polled and then come back to a formal meeting to actually take action. So close meetings are allowed under FOIA. But only for very specific reasons. They require that you have motion stating the purpose and subject for going into for it into the closed session as well as you have to cite the appropriate state code section. So the most likely reason that's going to apply to this committee for going into a closed session is going to be personnel, specifically the appointment of members to committee. Sometimes if you need legal advice of council, I don't think you all really run into that during my tenure here. But that is another reason that some committees will go into closed session. So once you have a closed session, you have to certify the closed session. You have to certify that only public business matters exempted from open meeting requirements were discussed. And then only the matters that you stated in the motion to go into the closed session were discussed. If there's any deviation from this act, you can discuss something you shouldn't have discussed. You have to state that during the certification process. And the reason that is now important is because if you certify a closed session and it is later learned that you discuss something you weren't supposed to and you did not disclose that effective last July there are now some very steep fines per person each time you do that. I think there are a thousand dollars a piece. Are the fines. So it's very important if you do deviate that you state that you're still gonna get in trouble because you have violated FOIA by discussing something outside, but you don't want to risk those fines. Participating in meetings electronically so you can participate in a meeting electronically that's fairly new. Something the General Assembly's gotten a little more lenient on. The committee has to have a procedure in place first that conforms with state code requirements. And if I remember correctly, we do have that in your bylaws now should you need to do so. There must be a quorum seated in the room for someone to participate electronically. The member has to have the chairs approval in advance of the meeting to do so, can only be done for personal matters or medical reasons. And you can only do two per year or 25 percent of the meetings per year, whichever is lesser. When you participate electronically, your voice has to be heard by anyone in the audience. So we have to set the phone up in the middle of the table there. Put it on speaker so everyone can hear you. You can hear everyone. And when you do so, we'll have to ask you to state for the record the reason you're participating electronically and the location from what you're participating. That has to be recorded in the minutes. If a member should ask the chair to participate electronically and he should disapprove it for some reason. That also has to be recorded in the meeting minutes. So e-mails, mentioned e-mails earlier have to be real careful about emails because the

Supreme Court has held that if your exchanges are too simultaneous, that that can constitute a meeting which then violates FOIA. So what we recommend and what you'll notice what the staff has been doing when we send out e-mails, we actually send them to ourselves. We blind carbon copy all of you all that way. If someone accidentally hits reply all, it's only going to us. It won't go to anyone else. And so that is what helps to avoid the risk of of accidentally having a simultaneous meeting. We recommend if you all have to initiate an e-mail to the committee that you all do the same.

So sort of playing into FOIA, the Public Records Act and under the Public Records Act any writings or recording it doesn't matter whether they're handwritten, typewritten, printed photographs, recordings. It does matter how they're stored as long as they're in the possession of the public body, public officers, which would be you all, or employees and they're related to the transaction of public business. So if you take handwritten notes during the meeting, that is a public document and that is subject to FOI is should someone make a request. My notes that I take here during the meeting. All those are subject to FOIA. No one will ever be able to read my handwriting, if they're asked for one. But I have to have them available in case they do. So, again, public records have to be open for inspection unless there's an exemption that applies. I'll be honest with you very little of what you all do are going to have an exemption that that's going to apply for it. Emails. If you all email back and forth regarding HDRC business, those are public records and what we recommend is if you all are emailing back and forth that you copy either myself or Will or Estee and you allow us to serve as the holder of those records. That way, if someone should ever ask for them, you don't risk exposing your personal emails. We're holding those. Same thing with minutes correspondents, that type of thing. Notes. If you feel you do need to take notes, there are a couple of things you can do. I've got one committee. They're real good. Those folks have notebooks. They make all their notes in the same notebook. And if anybody should ever ask for them, all they have to do is say here, here they all are like my notes that I take a scan them electronically save them on the you know, on the system here. The paper becomes a copy that gets chucked. So I don't have to worry about having paper and can, but I can provide it should ever need to do so. So public records. There is a retention schedule for public records that's set by the state library. Generally for committees, it's three years. If you do have records and you're thinking, I'd like to get rid of these, please come see me. I'm also the records officer for the town and I can help you identify whether they're appropriate for destruction. There's a form that has to be filled out. Lots of information that has to be cited. And then that has to go to the state library to for their approval. So if you do have any and you want to destroy them, just please come see me. Again, emails are public records, but social media posts are also public records. We encourage you not to use your personal social media account to post anything regarding HDRC business. The town has a social media account and pages. We also have software that archives our social media posts. So if someone should ask for a copy of something that we've posted, we can go to that platform, we can pull it up and we can provide it to them. If you do decide you want to take that risk and put it on,

please note if anyone comments, if any of your friends comment on that post, that also then becomes a public record. So you open them up to exposure to and you would have to give that should someone asked for it. So we just highly recommend don't do it. So that's kind of it on FOIA in a nutshell. Does anybody have any questions? Just.

Bill Turnure: I had a couple of questions. One was, first of all, the three years. If you wanted to delete your your records, you're just talking anything in that three year period? I mean, at four years, five years, there's no issue with with deleting any of those records.

Bill Turnure: Oh, no. Any public records that you want to delete. You have to go through the process to delete them. Used to be the state library gave you the option whether you wanted to delete your records or not. They've now changed that. And they they say you must delete your records when the record retention schedule is up. Now, I always have the option of declaring things historical records, which are permanent retention for historic records. So if you've got something that you don't want to destroy, see me and I can I can say, yeah, that's a historic record. But the benefit to destroying records on the schedule. And and I say three years is a guideline. The regulations are like this thick. And it depends on the document. And all sorts of things. But the benefit is if you have not destroyed your records and someone makes a FOIA request for them, even if they are records that were eligible for destruction, you have to provide them if you haven't destroyed them. So I had a citizen not long ago who came in. She wanted 20 years worth of back up her utility bills, records and at one point in well four storage, we had a ton of files and I had luckily gone through all of those and destroyed everything that was was eligible for destruction. Had I not done that, we would have spent weeks up in that dusty room going through piece after piece after piece of paper to find every utility bill record for her account in there. And we would have had to have produced it. But because we had destroyed all those records in accordance with the law, we didn't have to do that. So there is definitely a benefit for for doing it in that manner.

Bill Turnure: The other thing was from time to have time to time, have people on call me sort of preliminary pre-application meeting. Is that something and I need to record as well?

Rhonda North: Phone calls are not public records. And that's one other thing that and I didn't mention is I know we're all just easy to do the emails because that's the easy way to communicate with folks. But if you can pick up the phone and do something in a phone call quickly, you've not created a public record. You've not created anything that you then need to deal with. So if you can do it by telephone, we highly recommend that you do it by telephone.

Bill Turnure: How about if I have a meeting in my office?

Rhonda North: You haven't created a record unless you put it down in writing or you've video recorded it or something of that nature. So yeah. So you're good. So we now have a handbook for advisory committees. You all are little different in that you all have the ability to take action on your own. So there are limited circumstances in which you all function as an advisory committee, one of which you talked about tonight in the historic district boundary changes. You all would be an advisory committee in that role in that you would make a recommendation and planning commission and to the town council. But otherwise you are what is considered to be a regulatory body. So, you know, as such, some of this applies to you all. Some doesn't. Recommend new programs or revisions to existing ones. You know, in the case of the historic district boundaries, you may not recommend revisions. You definitely provide your individual expertise to the town and you all help serve as a way to communicate between the town and the residents. And you provide creative ideas. So annually you elect a chair as well as other officers and you should make an annual report to the council that can either be done in the form of a written report or you can appear before the council and give a given oral report up to you. Members are reminded that they must adhere to all state and local rules and regulations. So part of your roles and responsibilities, we ask that, you know, the reason that the committee exists. I think everybody here clearly knows why you're here and that you be aware of the time, energy and commitment that that comes with public service in a capacity like this. If you need to be absent from a meeting, you're asked to please let me know because we make sure we have a quorum present. And it's great that you let Will know. But sometimes when different people get told who's here and who's absent. That doesn't help us. You know, we walk in the room. We can have a quorum issue. So please let me know if you're gonna be absent, because I keep the actual calendar. You're asked to complete tasks that may be assigned to you to vote unless you have a conflict of interest, which I know everyone here is really good about doing that. To know any legal obligations that you may have and to operate within legal constraints and to work in the spirit of cooperation and negotiation, to reach a consensus with just committee is wonderful. So each of our committees has a staff representative as well as a council representative. Obviously, Cindy is your council representative. Will is your staff representative. And as far as communications are concerned, the chair works with the staff to set up meetings, if any correspondence needs to be drafted or follow up needs to be done. That's how that's handled. And if for some reason the committee should have questions on town or state policy legislative matters, then those would come to me. Any questions with regard to council's position on an issue would go to the town administrator. I can't imagine that you'd have this. But should the media ever come to you and ask you for a statement from you regarding town policy, we do ask you to refer those to the town administrator because the town administrator speaks on behalf of the town with regard to town policy. So committee members can contact any member of council at any time to discuss a committee issue. We suggest you start with your council liaison because that person's going to more than likely be able to respond easier than any other members of council. And if you do feel you need legal advice, if you'll just let we'll know and he can talk to the town administrator and they can decide whether to bring the town attorney into a

meeting or not. Conflicts of interest. So. I know that this has happened a couple of times. Some of you may have a client and that client is going to conduct business here before the HDRC and you are really good about declaring those conflict of interest upfront. Well, we do have a form that you fill out. There are some cases where you have a conflict. You can still vote. There are other cases where you have a conflict and you're barred from voting. So when you have that come up, if you please, just let me know. We can discuss it, figure out which one of those cases applies, get the appropriate form filled out, and then you can get that filed with me. And that way that helps protect you should someone say, hey, he had a conflict of interest. And I can say no, he declared that right up front. We know that's you know, it wasn't an issue. Now moving into the code of ethics standards of conduct. So the council feels that the citizens and businesses deserve fair, ethical and accountable local government. So to that end, they adopted the code of ethics and standards of conduct that they expect all of us to live by. Some of the items are pretty, I think, self explanatory. You know, uphold the laws, big one. You know, easy when they ask that we display the highest of moral principles when we're dealing with the people. And should you see any corruption, misconduct, neglect of duty, please expose that. Ask that members give their full dedication to the positions of trust that they hold and that they use the most equitable, efficient, effective and economical means of accomplishing the task before them, support the rights of citizens who who appear before you, avoid discrimination by dispensing special favors to anyone as a result of your service. You know again and in accordance with COIA, if you have to do business before the committee, then please identify that. And in accordance with FOIA, all of our business must be conducted in public. I don't think you'll see too much confidential information, but should you ever receive any confidential information as a result of your service, you're reminded that you are not to disclose that publicly and you're asked not to use any public resources that are not all ready available to the public for your personal use. You're asked to support a positive environment for citizens, businesses and the staff. Avoid any abusive and threatening or intimidating language during the meetings. Adhere to the attendance policy, which I'll discuss here in a few moments. The big one come prepared for the meetings. Respect the rights of your colleagues to have different opinions. Be courteous and considerate toward everyone. Be open minded and patient and be concise. So that's it real quick on the that portion. I'm going to move to the attendance policy unless someone has a question on any of that. Trying to move through this quickly. I know it's been a long, long meeting for you all. So the attendance policy. If anyone has three unexcused consecutive unexcused absences and the chair does determine whether they're excused or unexcused. Once you hit three, your appointment to the committee is automatically rescinded. If you miss more than half the meetings within a year, regardless of excused or unexcused, again, your appointments are automatically rescinded. Now, there's a process that we go by when we notice that there starts to become an attendance issue. When you have two unexcused absences, the chair will talk to you, send you an email and let you know, hey, we've noticed two unexcused absences. If you have a third one, then your appointment is going to be automatically rescinded. He'll copy me on it and then I'll let council know just so they're aware

that there could be an issue out there. And if a third one happens, then he's going to let me know. And I'm gonna have to send you this nasty letter rescinding your appointment. There is a process where you can appeal it. If something happens, you know, there's something in your life or something that factors that you think needs to be considered. And you can appeal that decision to the to the council. Well, it's not really a decision, but the rescission. Questions on the attendance policy? Acceptance and donations. So we are encouraged. We are, of course, prohibited from soliciting gifts for ourselves or members of our family due to our positions with the town. Now we do recognize that, you know, folks have friends, they have family. They like to exchange birthday gifts and Christmas gifts and all that. Good stuff. And there are exceptions for those. That's fine. You know, companies come and they might give you like a pen, you know, a little bit of swag. As long as it's under \$10, you're fine accepting it. If you go to a conference and they have food or drink that they offer you or or, you know, a little swag things they put out, there are exceptions for all of those. So. So, you know, you can feel free to to participate in those when it comes to the acceptance of donations. And I don't think this applies a whole lot to HDRC, you know, Arts Council, some other groups that put on events. This more applies to them. But if someone offers to make a donation to the town, whether it's cash, real personal property or services, the council are the only folks who can accept that, and there are no anonymous donations, all donations have to be available to the public. Any cash donations unless specifically earmarked by the council go into the town's general fund. So that's it as quickly as I could go through it. Are there any questions? And I'm sorry, my PowerPoint there didn't didn't work. So if no questions, then we'll get you to sign a form acknowledging that you've gotten your training and that you've received the handbooks and all of those things and that you agreed to abide by the regulations. You don't need to do that. So you've had you've had your training. You're off the hook for another year. Three consecutive meetings, unexcused absence. So in the end, it's up to the chairman, whether it's an excused or an unexcused. I appreciate you all taking the training. [Multiple speakers]. I know somebody slipped out the room.

Bill Turnure: Thank you, Rhonda.

Rhonda North: Thank you.

Bill Turnure: You made that as painless as possible. All right. Our meeting quorum for next month, April 2nd. Any thoughts? Everybody going to be here? The plan is to be here. All right. So here's our motion. So moved.