



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, April 9, 2020



PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Darlene Kirk
Councilmember Chris W. Bernard
Councilmember J. Kevin Daly
Councilmember Morris “Bud” Jacobs
Councilmember Peter Leonard-Morgan
Councilmember Philip M. Miller
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Administrator
Rhonda S. North, MMC, Town Clerk
William M. Moore, Deputy Town Administrator
Jamie Gaucher, Business & Economic Development Director
Estee LaClare, Planning & Project Associate
Julie Rivard, Finance Director/Town Treasurer

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, April 9, 2020. Due to Governor Northam’s executive orders prohibiting more than ten individuals from assembling and requiring that people social distance, the Council meeting was held remotely with the Mayor, Council and most of the staff participating from their respective homes.

Mayor Littleton explained for the viewing audience that it was the Council’s responsibility to conduct essential public business despite the COVID-19 pandemic; however, it recognized the need to do so safely, not only for its members but also for the Town staff and members of the public. He further explained that to that end, in accordance with the Council’s resolution declaring a local emergency and its ordinance implementing emergency procedures and effectuating temporary changes to address the continuity of governmental operations, the Council would hold its meetings via remote access until such time as the Governor rescinded his executive orders. Mr. Littleton advised the viewing audience that copies of the agendas were available on the Town’s website and that the meetings would be livestreamed and recorded for viewing on the website. He explained that anyone wishing to participate in the meetings during the public comment periods or the public hearings could do so by dialing (540) 339-6355. Mr. Littleton reviewed the process that would be utilized for the remote meetings.

Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll call was called at 6:01 p.m.

Public Hearing

Ordinance to Amend Schedule of Water & Sewer User Charges - 2020

Town Administrator Davis explained that the proposal was for a three percent (3%) increase in the water and the sewer rates and noted that this was in line with the recommendation of the financial rate model.

No one spoke and the public hearing was closed.

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council adopt the Ordinance to Amend the Schedule of Water and Wastewater Charges to Revise the Water and Sewer User Charges.

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

Staff Reports

COVID-19 Update

Town Administrator Davis advised Council that he would provide them with an update on COVID-19 pandemic related items during each meeting. He noted that his written report identified what the Town was working on and what had been achieved to date. Mr. Davis reminded the members that the public was being encouraged to visit the Town’s website for COVID-19 related information, including information on business assistance programs that were available. He suggested that if businesses needed any assistance, they should schedule an appointment with Business & Economic Development Director Gaucher. Mr. Davis noted that Mr. Gaucher’s written report identified a number of businesses that he had already spoken with.

Town Administrator Davis advised that the Town had not yet identified the financial impacts of the pandemic and expressed hope that the staff would have a better idea within the next month.

Town Administrator Davis advised that as to overall community safety and health, the public needed to assume the virus was around. He explained that he was not saying this to create fear but rather wanted to create awareness so people could take the necessary precautions. Mr. Davis noted the Center for Disease Control’s (CDC) recommendation to wear face masks when in public and explained that the purpose was to limit the spread of droplets when an individual coughed or sneezed.

Town Administrator Davis reported that Town government operations were continuing to run safely. He advised that some projects were continuing. Mr. Davis reported that the Police Department was taking steps to ensure the safety of the officers and noted that Chief Panebianco was working with other police chiefs in the area, as well as the Sheriff, to share information.

Governor Northam’s Recommendation to Reschedule May Town Elections

Town Administrator Davis noted Governor Northam’s recommendation to postpone the May elections until November and reminded Council that this would require action by the General Assembly. He advised that many municipalities were upset by the Governor’s announcement as they were not consulted.

Mayor Littleton advised that this was a topic of discussion during the Coalition of Loudoun Towns (COLT) meeting, as five of the seven towns in Loudoun County held their elections in May. He reported that the Mayors’ concerns were (1) that the County and the towns have already done a great job of getting voters to vote by absentee ballot and those would be disregarded; (2) no information had been provided as to whether more candidates would be allowed to file to be listed on the ballot; and (3) the lack of understanding as to why the May elections would be moved to November but the primary elections would continue to be held in June. Mr. Littleton expressed an understanding of the reasoning for the delay. He opined that the Virginia Municipal League (VML) was going to take the position that the May elections should be moved to June to coincide with the primaries and that the absentee ballots that were already cast should be counted. Mr. Littleton expressed disappointment in the Governor’s Office as there was no coordination with the local governments before he made announcements. He noted that the change must be approved by the General Assembly and recommended the Council send a letter to Senator Vogel and Delegate Gooditis advocating that the date be changed to June 23rd.

After some discussion, the Council agreed to send a letter asking that the May elections be moved to June 23rd. They noted the number of individuals, including many members of the Council, who had already voted by absentee ballot. It was noted, however, that the absentee ballot did not work for someone living alone as it required a witness' signature.

Town Attorney Crim advised Council that the State Code prohibited a general election from being held on the same day as a primary. He opined that this was because primaries were only held for one political party.

Mayor Littleton expressed an understanding; however, he noted that anyone, regardless of party affiliation, could vote in a primary in Virginia. He noted that these were extraordinary circumstances. Mr. Littleton advised that he recently participated in a NVRC meeting and noted that there was frustration by the Governor's lack of communication with the local governments.

In response to an inquiry from the Council about the number of positive COVID-19 cases in Middleburg, Mayor Littleton explained that the Virginia Department of Health did not provide information at the town level – only at the county or city level. He noted that there were approximately two hundred fifty (250) positive cases in Loudoun County. Mr. Littleton explained that HIPPA laws prevented the disclosure of who tested positive.

March 2020 Reports

Town Administrator Davis reiterated that Business & Economic Development Director Gaucher was continuing to provide support for the local businesses.

Town Administrator Davis reported that Well 4 should be brought back online either this or next week. He opined that the Well 4 treatment plant and the Stonewall treatment plant should be able to meet all the Town's needs, which would help alleviate the brown water issues that have been experienced recently. Mr. Davis reported that with the Town Office being closed to public access, he, Deputy Town Administrator Moore, Mark Inboden and Stuart Will were meeting remotely on a weekly basis. He advised that Mr. Will was also checking in twice a day with the Town Office by phone.

Town Administrator Davis noted that Finance Director/Town Treasurer Rivard prepared her first Treasurer's report and opined that it contained good information. He asked that the members let her know if they preferred to have different information. Mr. Davis reiterated that the staff hoped to have more insight into the affects of the COVID-19 pandemic on the Town's finances next month.

Town Administrator Davis reported that Chief Panebianco hired a new Police Officer, who would begin work next week. He noted that he had many years' experience and would fit in well with the team.

In response to an inquiry from the Council regarding the status of the Farmers' Market, Business & Economic Development Director Gaucher reported that it would be managed by Megan Hayes, who was currently developing a web-based tool to manage it. He further reported that a date had not been set for its opening.

In response to an inquiry from the Council regarding the former LePetit Marche location on Washington Street, Business & Economic Development Director Gaucher reported that a gourmet pizza and wine shop signed a lease for the space.

In response to an inquiry from the Council, Business & Economic Development Director Gaucher reported that Ms. Hayes was communicating with the vendors who participated in last year's Farmers' Market in an attempt to identify a target opening date.

In response to an inquiry from the Council regarding the status of the closure of the Salamander Resort, Town Administrator Davis advised that the staff did not know when they planned to re-open; however, they indicated they would not accept reservations until June 10th. Mayor Littleton asked the staff to find out their plans.

In response to an inquiry from the Council regarding whether the bank franchise tax needed to be refunded to all banks, Town Administrator Davis confirmed it did not. He explained that BB&T appealed their tax filing for the period of 2012-2014.

Town Treasurer Rivard explained that BB&T waited until the last day possible to file their appeal and that the Town just received the decision of the Virginia Tax Commissioner, whose determination mandated the refund.

In response to an inquiry from the Council as to why this only applied to BB&T, Town Attorney Crim explained that the bank franchise tax was a self-reporting one and that BB&T asked to correct an error they made. He confirmed this was not a situation of an interpretation of the law or a court ruling that changed the way the tax was calculated.

Mayor Littleton advised that Lovettsville received the same refund notice. He questioned why the towns were being required to pay interest on the money being refunded. Town Attorney Crim confirmed Middleburg was not paying interest as BB&T did not seek it. He advised that when the refunding decision was received, the town attorneys believed the proper notice of the appeal had not been filed; however, it was determined that it was filed in 2014.

Consent Agenda

(A) Approval of Council Meeting Minutes – March 26, 2020 Regular Meeting

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

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, Leonard-Morgan, Miller 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)

Action Items (non-public hearing related)

Council Approval – Appropriations Ordinance - FY '21 Budget

Town Administrator Davis recommended the Council adopt the budget and appropriate the money, with the exception of \$950,000 in expenditures that would remain in the budget but would be administratively frozen until the Town had better insight into the revenue impacts of the current economic crisis. He advised that he would return with a revenue report during the June 11th Council meeting, at which time the Council could release some or all of those funds. Mr. Davis noted that, if necessary, they could remain frozen. He reviewed the list of items he was recommending be frozen, including cost-of-living-adjustments and merit increases for the employees; a reduction in the line items for marketing and special events; and, debt for the new Town Hall. Mr. Davis noted that the Mille Miglia may be postponed or cancelled completely this year and the status of other special events was unknown. He advised that the Town Hall Project was not being stopped; however, it could be if needed. Mr. Davis noted that the debt service amount would likely be less than originally projected as interest rates were falling. In addition, he opined that the full amount of the first debt service payment would not be due in FY '21. Mr. Davis advised that the Town was in a strong financial position as it had the equivalent of 200% of its operating budget in reserves.

In response to an inquiry from the Council, Town Administrator Davis advised that the staff was working with Red Thinking on marketing and would be ready to jump into it when the economy started an upswing. He noted that they were working on banners that contained the brand and advised that they would be displayed beginning next week.

Council held considerable discussion about the proposal to freeze the salary increases. They agreed it was important to take care of the employees, to reward them for their hard work in supporting the residents and for the Town to remain competitive; although, they acknowledged the freeze was the fiscally prudent thing to do. The Council noted that the increases would not take effect until July 1st at the soonest. They asked the staff to contact the other towns in Loudoun County to determine what they were doing. The Council noted that they would do what was best for Middleburg and suggested the staff give the other towns a heads up that it may grant COLAs and merit increases effective July 1st so they would not be caught off guard.

Councilmember Leonard-Morgan moved, seconded by Vice Mayor Kirk, that Council adopt the Ordinance titled "Ordinance to APPROVE BUDGET, ADOPT TAX RATES AND MAKE APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 2021"

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

No – N/A

Abstain: Councilmember Jacobs (not eligible to vote as he was appointed to Council)

Absent: N/A

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

Council Approval – Resolution of Appreciation – Frontline Workforce

Mayor Littleton read the resolution aloud. Councilmember Daly noted that Kriser Pet Shop was now Loyal Companion.

Councilmember Leonard-Morgan moved, seconded by Councilmember Jacobs, that Council adopt a resolution extending its appreciation to the frontline workforce for putting their lives at risk to provide vital services to our community and to the business community for continuing to meet our needs during the COVID-19 pandemic.

Vote: Yes – Councilmembers Kirk, Bernard, Daly, Jacobs, Leonard-Morgan, Miller 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 – Retail Marketing & Service Support Program – COVID-19

Town Administrator Davis reminded Council that they made a significant investment in the business community; however, they questioned what could be done to support those that did not fall under the restaurant voucher program. He reported that the staff worked to develop a program to support the retailers and personal service businesses, as well as to market the Town and any shops that participated. Mr. Davis explained that under the program, participating retailers would offer their customers a discount with the Town reimbursing them for half of it, with the reimbursement to be capped at a 15% discount, up to a maximum reimbursement amount of \$3,750 per retailer. He noted that the program would also involve a collaborative marketing campaign.

Mayor Littleton reported that he contacted some of the businesses, who were excited about participating.

Councilmember Miller opined that this would be a great help to the retailers and would be a good way to implement the Town's new brand.

The Council agreed this was a good, creative way to help the business community. It was suggested that social media be used to advertise the participating businesses.

Town Attorney Crim reminded Council that if any members had businesses that would benefit from participating in this program, they should file a conflict of interest disclosure form with the Town Clerk as soon as possible and should announce their conflict during this meeting.

Councilmember Miller disclosed that he had a conflict of interest as his job was directly affected by a retail business in town; therefore, he would abstain from voting.

Councilmember Daly moved, seconded by Councilmember Pearson, that Council authorize a Retail and Service Business Marketing and Support Program, as outlined in the "Retail and Service Support Program" attachment, and direct staff to develop a marketing agreement with any participating business in accordance with these guidelines.

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

No – N/A

Abstain: Councilmember Miller (conflict of interest)

Absent: N/A

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

Information Items

Town Administrator Davis reported that the restaurant voucher program was going well. He advised that the residents and businesses were grateful and excited. Mr. Davis noted that there would be between thirty to fifty residual packets and noted the need to identify the best way to distribute them. He suggested the Town use them to help those most in need. Mr. Davis noted that there had been some conversation about giving them to frontline workers; however, the challenge was how to do so equitably.

Mayor Littleton noted the need to identify a fair, objective way of distributing them. He further noted the need to do so quickly as the vouchers contained a deadline. Mr. Littleton suggested the staff keep some on hand until just before they expired in the event a resident who did not receive one needed to pick one up. He asked the members of Council to email any ideas they may have for their distribution to the Town Administrator. Mr. Littleton further asked that a plan be developed and executed within the next week.

There being no further business, Mayor Littleton declared the meeting adjourned at 7:26 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

April 9, 2020 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: Ok. So we will call the April 9th meeting to order. So I'm just going to read it for a minute. Everyone, please bear with me. It is the Middleburg Town Council's responsibility to conduct essential public business despite the COVID 19 pandemic. However, it recognizes the need to do so safely for not only its membership, but also for the town staff and members of the public. To that end, in accordance with the resolution confirming a declaration of a local emergency and the ordinance to implement emergency procedures and effectuate temporary changes to address continuity of government operations during COVID 19, the town council will hold its meetings via remote access until such time as the governor rescinds his emergency order prohibiting the gathering of more than 10 individuals and mandating social distancing. These the previously referenced documents are available on the town's Web site for those who wish to view them. The town will continue to livestream record it's public meetings, which are available for viewing along with the meeting agenda packet on our Web site at Middleburgva.gov. Members of the public who wish to participate in the meeting during the public comment periods or to speak during a scheduled public hearing may do so by dialing 540 339 6355. You will be placed on mute until such time as public comment or public hearing periods are open. While the meetings are being held remotely, the council will offer two public comments periods. One the beginning and one at the end of each meeting. As usual, speakers must identify themselves and their address when upon when called upon, and will be limited to three minutes. To ensure trust in the process, the town clerk will ask the council to do a roll call at least once an hour. In addition, I will ask each member by name if they have any comments or questions related to each item as we proceed. All votes of the council will be taken by roll call. Town clerk will announce their name with individual then stating how they vote. And with that, we will now begin the meeting. The first item is Pledge of Allegiance. I guess what I'll do is if as best as everybody wants to participate in. I guess that this is. Let's do it. All right.

All: [Pledge of Allegiance]

Bridge Littleton: Ok. Next time, we'll figure out a way to do that better. There was like literally a half second delay for everybody. So, okay, next item is the public comment. Is there anybody on the phone Rhonda that you can see if they if they would like to make a public comment?

Rhonda North: No, sir, we have no one on the phone other than council and staff.

Bridge Littleton: Rhonda, do we need to do a roll call right now?

Rhonda North: Yeah, let's just do it on the safe side. How about if I call the names and then you I'll just respond? Mayor Littleton.

Bridge Littleton: That's me.

Rhonda North: Vice Mayor Kirk.

Darlene Kirk: Here.

Rhonda North: Council Member Bernard.

Chris Bernard: Present.

Rhonda North: Council Member Daly.

John Kevin Daly: Here.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Here.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Here.

Rhonda North: Council Member Miller.

Philip Miller: Here.

Rhonda North: Council Member Pearson.

Cindy Pearson: Here.

Bridge Littleton: Ok, great. So just one last time. Any is there any member of the public who would like to address the Council for the Public Comment session?

Rhonda North: We have no one on the line.

Bridge Littleton: OK. I'm just announcing it clearly. So we will close the public comment session and now go to the public hearing related to action items. And this is in regards to the hearing for the order to amend schedule of water and sewer user charges. Danny, do you want to give us a quick download?

Danny Davis: Just very briefly, this is the ordinance required for the plans 3 percent increases in both water and sewer user fees and charges. And this is in line with the financial models put forward by Davenport in anticipating the revenues needed and also the future expenditures, including the financings that you've looked at in the past.

Bridge Littleton: Ok. So I will now open a public hearing for the increase in the water and sewer fees. Is anybody here who would wish to speak?

Rhonda North: We have no one showing on the line at this time.

Bridge Littleton: Ok. We will now close the public hearing. And is there any member who would wish to make a motion?

Peter Leonard-Morgan: I move that the town council adopt the ordinance to amend the schedule of water [inaudible].

Bridge Littleton: Is there a second?

John Kevin Daly: Second.

Bridge Littleton: I think when you say second, you have to say your name. When you make a motion, they you are when you second say who you are. So Rhonda can capture it.

John Kevin Daly: Kevin Daly, second.

Bridge Littleton: Is there any other discussion? And I'm going to go around by each member's name and just suggest if you have anything you want to add, please do. If not, just say no.

Bridge Littleton: Cindy?

Cindy Pearson: No.

Bridge Littleton: Philip?

Philip Miller: He shook his head no.

Bridge Littleton: OK, Peter?

Peter Leonard-Morgan: No.

Bridge Littleton: Bud?

Bud Jacobs: No.

Bridge Littleton: Kevin?

John Kevin Daly: Negative.

Bridge Littleton: OK. Chris?

Chris Bernard: Nope.

Bridge Littleton: Darlene?

Darlene Kirk: No.

Bridge Littleton: Ok, we'll now move to a roll call vote, Rhonda. You want to take it from there.

Rhonda North: Vice Mayor Kirk?

Darlene Kirk: What?

Rhonda North: You want to vote yes?

Bridge Littleton: How do you vote?

Darlene Kirk: Oh, yes.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: By.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Ok. So the motion carries. And we're going to go to the next item. There's no special recognition, no public presentation. The next item is the COVID 19 update. And Danny, I believe this is you.

Danny Davis: Yes, sir. Thank you, Mr. Mayor and council members. We wanted just to add each meeting, provide a brief update on what's going on with COVID 19. And so in your report, we tried to capture generally the things that we have either been working on or that the town council has achieved and how we continue to provide support to the community through this. Specifically, when we're looking at information to the public, I continue to encourage residents and interested members of the public to visit our Web site at Middleburgva.gov. There is a specific link to Corona virus. There's also specific links under business for business assistance. We know that there are many businesses that have particular needs during this time. And Mr. Gaucher has set up a specific site just for how we can assist businesses and specifically help them through the navigating the many programs that are out there. I think the challenge in that is that information changes regularly, even as it relates to some of the programs. And so if any business here in town needs assistance walking through that, understanding how to even go through the SBA loan process, Mr. Gaucher is up to speed on all of those and keeps up to date with all of the latest information and is happy to talk with anybody. And you'll see in his report later in the packet the number of businesses that he's already addressed and talked with. And that's almost a week old now. So he probably almost doubled that. Clearly, there is going to be significant fiscal impact to the town. We have not specified what we think that number would be yet because we know that that number would continue to change. We do think that we will have a better idea within about a, you know, say, say a month or so after we have March receipts. And also understand where things may go in terms of what an end of this crisis looks like. So we do hope to provide you better projections or ideas in about a month or so on the fiscal impact. But clearly, we know that it's going to be, you know, challenging for the town, just as it is challenging for our businesses here in town in terms of overall community safety and health. The really important thing is for everyone to assume that there is COVID 19 present around you wherever you are. Here in our community and communities around us and all of Loudoun, of course. And that's not a fear issue. That's merely an awareness issue that everyone should take the best precautions possible. As you note, CDC is recommending wearing masks when going out in public. Frankly, that's that's not necessarily for your for protecting you, catching it from someone who might be sick. But it's really that if you happen to have it have the infection and were to cough or sneeze, it limits how much that spreads. And so it really does serve the entire public well by using masks. When you're especially in a public setting like the grocery store or somewhere where it's hard to always keep an appropriate distance. And then finally, I'll say our operations continue to run safely and fluidly. Utilities, water and sewer, it's going fine right now and we're able to get some projects underway. Still, policing is going well, even though, again, it's a little bit different. They're taking a lot of good precautions to keep the officers separated, even with vehicles and doing a lot of their disinfecting and protection measures. And then the chief is continuing to work with other chiefs in the region and with the sheriff on any information that may be needed to continue to share regularly. So I think the latest thing to happen that we can talk about now, Mr. Mayor, if you'd like to or we can talk about later, is the governor's recommendation that local May elections be postponed to November, and that is his suggestion and recommendation. But it does require General Assembly action. I do know that that has had very varied reactions from municipalities. I would say many of them were very upset by the kind of the statement that

was made without consultation of VML or cities and towns directly. But Mr. Mayor, if you'd like, I'll leave it to you for now if you want to. If you want to talk about that now, we can talk about later.

Bridge Littleton: Might as well talk about it right now. I don't know how much there is to it. Well, I it would be nice to get a sense for everybody on council, both those running and not running. So and I'll just say this bluntly. There's a lot of concern in, well, we called at a meeting last night. We talked about this for God almost an hour, five to seven towns in Loudoun have May 5th elections. Only Leesburg and Hillsborough in November. And there's a great deal of concern on this move to postpone the election until November. Number one, I think the county and I think the towns have done a great job at really getting absentee voters to vote absentee. I've already voted absentee. And the numbers are pretty amazing. The governor states that, you know, his proposal would be that all those get scrapped. So and everybody has to vote again. There is no information on does this open the window back up for additional candidates to file, even though the filing deadlines are, you know, long over, long passed. And there was no restrictions on those deadlines came into place. And I think the other thing that is, I don't want to say it's disingenuous, but I don't understand the move to drive May 5th elections to November. But we're going to keep the November 22nd or 23rd elections for primaries in place. You know, that just doesn't make any sense. Why don't we if we're concerned about May is too early, let's move the election to June. That way, we would still know winners and be able to impanel the new council members by June 30th. [Inaudible]. What's that?

Chris Bernard: Well, what happens if we know the fall flu wave happens? You know, they're talking about the potential that there could be another wave so they're just picking these arbitrary times.

Bridge Littleton: It's just pushing it off from right now. And I think what drove it was the debacle that happened in Michigan or Wisconsin?

Philip Miller: Wisconsin.

Bridge Littleton: On Monday? It was Wisconsin? So which I understand. Right. And it's the reason to do it is all good reasons. It's just being mismanaged very badly. So the analogy I think I think they're going to be taking the position that it should go to the June 23rd that way constitutionally and won't mess this thing up pretty councils and they'll be able to impanel their new members on July 1st. And it just may end. The absentee ballots can count. So it's just. But we'll have to see. I will say I've been very disappointed in the governor's office in the lack of communication to towns and cities on these issues prior to just blasting some announcement. So let me do this. Let me run through and see. I'm not sure how much we can do about it or what we can do about it. I certainly think it would be good if, you know, if there's consensus on the council. We as Danny said, it has to be approved by the state legislature. The governor doesn't have the authority to do it. So I think if everybody is in agreement that we would want to, you know, if not makes it an advocate for June 23rd, I think we could all do a letter and everybody sign it and send it to Joe Vogel and to Wendy Gooditis, letting them know, you know, where we feel, you know how we feel it's appropriate. But I'll just go around the room request and see if anybody has any input. And whether you're up for doing something like that or are feel we should do something different. Darlene, how about you go first?

Darlene Kirk: I think that I like the June date, personally. I think it more positive. There's a positive message. [Inaudible].

Bridge Littleton: OK. Chris, how about you?

Chris Bernard: Yeah. Either May or June and I think a letter is fine.

Bridge Littleton: John Kevin Daly.

Darlene Kirk: Did we lose him?

Bridge Littleton: He's still there.

Philip Miller: He's on mute.

John Kevin Daly: I do feel that we have the capability with absentee voting. I mean, I don't understand why we have a delay and we couldn't do this all via absentee votes. But if we postpone it until June, if everything is lifted then and that's a big if, then I'm willing to go.

Bridge Littleton: Ok. Peter?

Peter Leonard-Morgan: Council Member Daly, you know, my wife is absentee. [Inaudible].

Bridge Littleton: I think it's June 23rd. So there's already going to be a vote for primaries. So the voting polls are going to be open. There's going to be staff demand and they're not proposing to do to delay those.

Peter Leonard-Morgan: [Inaudible].

Bridge Littleton: Ok. Bud, how about you?

Bud Jacobs: I think the governor's action, while understandable, is being completely mismanaged. The Legislative Assembly will not meet until April 22nd. So no decision on May 5th or June 23rd before that date. I also have already voted absentee, and I think assuming all things are equal, June 23rd is the ideal date. If the governor insists on closing down the election on May 5th, which I repeat, he won't have the authority to do before April 22nd. It's a complete goat rope, in my view.

Bridge Littleton: I think that's a technical term and we'll make sure we include in the letter. Philip?

Philip Miller: I have also voted absentee and I believe that we should do a letter. And I think June is the right date.

Bridge Littleton: OK. And Cindy.

Bridge Littleton: Martin keeps wanting to say something. Don't forget to go to him or to check every now and then. Maybe you want to have something read there, Martin.

Bridge Littleton: No, I'm going to keep muting him. [Laughter].

Cindy Pearson: With the absentee vote problem. There's one problem you have a witness to send it in. Doesn't work in this household. What can I say? But I agree with you, what you said. I think they should move it to June.

Philip Miller: Leave it on the porch and I'll come sign it. Or in your fancy new mailbox. Martin, you had something to add?

Martin Crim: Yes, sir. Normally, the state law prohibits having a general election on the same date at the primary election. So because the June 9th primary has been continued as of June 23rd. It's going to be a problem. And I think the reason why they don't want to have primaries and general elections on the same date is that if only one party has a primary, a contested primary, that's going to drive more voters to the polls. So that's not going to be spared the members of the other political party. That's the problem with June 23rd.

Bridge Littleton: I understand. I mean, that makes sense, but I would also say Virginia does not have parties voting. So if you're a Democrat or a Republican, you can show up to anybody's party anybody's primary and vote. So, I mean, Martin, I get it. I do. These are extraordinary circumstances. You know, there's there's got to be a better way to handle it. We had an NVRC call earlier today. The thing that's been most frustrating is the utter lack of communication. I mean, from the governor's office, when when you're in a crisis, the most important thing is communication times three and this is like communication time zero. And it's really, really frustrating. OK. Well, you know what? Well, we'll draft something and get it out to everybody for your for your review. You know, maybe

we recommend June, but say, look, ultimately, this is, you know, sizing up to be a disaster. And, you know, we'd like to be part of these conversations before decisions are made and just thrown out there. So but but no. Thank you. We'll just take it from there. OK. Next. Sorry, did anybody else have anything?

Darlene Kirk: I want to ask something. Do we know? I know that there are some cases in Loudoun. Do we know if there are a lot of cases in Middleburg?

Bridge Littleton: So I can answer that. So the Virginia Department of Health is not and will not provide any case information any lower than the county level or the city level. So like in the city, Richmond will say X number of case. But it is it's a county of Loudoun. They'll say the X and I'm and they are not going they are not giving that information to anybody outside of a BBE. So all the county knows is there are I think it's two hundred and fifty. But I mean, not even the county health department knows beyond how many are in the total county and because of HIPPA a lot of things they are not going to provide it. So OK. So and I will tell you, Darlene, it's a great question. I was over the weekend. I got hit with something on Facebook that, you know. Well, it was this I've heard from a person who's heard from a person that there's, you know, 486 cases confirmed in Middleburg. Oh, I'm making it up. I'm just exaggerating. But yeah, I know what I said in response back was, you know, as responsible government officials and elected officials, you know, the only thing worse than no information is wrong information. And yet we are not going to put something out that is wrong. So we're just we're just not gonna go there and I'm sorry if that's not the answer they like. But that's that's we have to be responsible.

Darlene Kirk: I agree, and I also want to say you did good. I liked that letter to the Safeway too.

Bridge Littleton: Oh, thanks. Yeah, a couple of said thank you from us. It was good. OK. Was there? As we move on. Before we move on, any other questions on COVID? Ok. Staff reports. Go ahead, Danny.

Danny Davis: Yeah. If I can, I'll just I'll cover a few of the major highlights. But of course, as we've talked in the last couple meetings, if there's anything in particular that you want to ask of staff members, please feel free to do so. As I mentioned earlier, Jamie has been in contact with a lot of the businesses here in town and providing support or offering just support as much as they would like. And so he's been doing a lot of that. Even coming into town on a very limited basis, but as needed to meet with either current or potential business owners on the utility side, just highlighting again that Well 4 is getting this much closer to being online. And in fact, we hope that it's actually back in production this week, if not early next week, which is a very good thing. We hope that with that on line and between that and Stonewall that pretty much all the town water can be supplied through those two water plants, which is great just because the extra filtration there, that removes more of the sedimentation. So that should in the long term help real relieve or alleviate some of the discolored water challenges that we've had. So working closely with [Inaudible] on that. And Will and I are having weekly conference calls with Mark and Stuart just to stay up on the issues that they're seeing or facing and how we can assist them. And then Stuart's calling in a couple of times a day just to check in, but he's still trying to do his quarantine, if you will, so that he's as much as he's able to staying healthy and safe. And when I say quarantine, I mean isolation. He's just distancing himself from direct public interactions. In terms of finance staff report, the treasurer's staff report, you'll see that Julie provided that on Tuesday. So it's part of the package. Now, she was able to run through numbers and create her own format in her own information. So when you have the chance, I'd suggest and ask you to look at that and see if that is helpful to you. I think it is. It's good information and see if there's anything in her reports, whether the charts or the graphs that you would prefer to see differently or that would help you as you're reviewing the treasurer's report. And again, the same comment as before. We hope that in next month's report we'll have a little bit better insight into our financial situation. And then the final thing I'll highlight from AJ's report is that he has hired a new police officer who will begin next Monday. Many years of experience seems to have a great attitude. And I think we'll fit in well with our with our team here. We're excited to be bringing him on board. Again, it's a little bit of a strange time to be onboarding new staff, and yet he will get a chance to learn the town. And we are excited to introduce him to you whenever we can. So those are highlights and we're happy to answer any questions that you may have.

Bridge Littleton: I'm just going to run through to a quick see if anybody has any questions. Cindy, any questions for Danny?

Cindy Pearson: The farmer's market. Has there been any more progress on that? And I'll get it two at the same time. The restaurant at the all the Mexican place, has that been announced yet?

Danny Davis: I'm going to give Jamie an opportunity to speak there. I think Rhonda's unmuteing him so he can answer both those questions.

Cindy Pearson: Okay.

Jamie Gaucher: Alright. With regards to the farmers market, it will be manage this year by Megan Hayes we she and I met in town. I can't remember what the date was but we meet and we are setting up a web based tool that would allow us to manage vendors moving forward. I don't have a day when it's going to open just yet. With regard to the two empty stations La Hacienda and Le Petit Marche. I was actually in town yesterday and I think it was meeting with a gentleman that and he's going to be opening a gourmet Pizza and a wine shop in the space that was formerly involved for Le Petit Marché.

Cindy Pearson: With the farmer's market. Have you communicated to the old vendors, what's going on so that they will return to the market?

Jamie Gaucher: And I have I have communicated with the vendors and I just spoke with Megan today. She has the list of e-mails, OK, all the vendors that we have, she is in the process of cutting. Those include this Web based electronic system in all the vendors should be getting to know tomorrow. Hopefully it will happen tomorrow with regard to what we're going to call a target date that is subject to change.

Cindy Pearson: Ok. Thank you.

Bridge Littleton: Philip, any questions?

Philip Miller: No.

Bridge Littleton: OK, Peter.

[Inaudible].

Danny Davis: Yeah. And I'm not I'm not sure. We have not spoken directly with Reggie lately, so I don't know what his timeline is. But have they indicated they're they're waiting until June 10th before any reservations? Sorry, that was a question because I don't I don't know the answer to that.

Peter Leonard-Morgan: No. Sorry. I have no idea. I'm just talking about the man in the memo just [inaudible] through April and I think now because of a new date since that memo was written. [Inaudible].

Danny Davis: Yeah. I don't. It very well may be. I don't know exactly what date they're targeting. We're just going off of the initial information we had from them back in mid-March.

Bridge Littleton: Let's reach out and find out. Thanks. Peter, anything else?

Peter Leonard-Morgan: Oh, that's all. Thank you.

Bridge Littleton: Bud.

Bud Jacobs: Nothing for me, thanks.

Bridge Littleton: Mr. Daly.

John Kevin Daly: Negative.

Bridge Littleton: Mr. Bernard.

Chris Bernard: I'm all good.

Bridge Littleton: And Ms. Kirk.

Darlene Kirk: I'm fine. I have no questions.

Bridge Littleton: Ok, I have one quick question about the bank franchise tax refund. So it says here it's just BB&T. There's no other bank that we're going to owe back for?

Danny Davis: At this time, my understanding is that they had appealed their taxes that were. Julie, you can fill in or Martin it was 2014, 15 and 16. I want to say?

Julie Rivard: 2012, 2013 and 2014.

Danny Davis: Yeah. And literally just made the decision now. So, Julie.

Julie Rivard: What happened, I can fill you had a little bit. What happened was they waited until the end nearly the last day of the statute of limitation period to file the appeal to the Virginia State Tax Commissioner's Office. So and I think about that time window was four years. And so once once it was filed, I think they went back and forth with the Virginia State Tax Commissioner's Office and it finally ended and a ruling from the tax commissioner himself. So I think it was reviewed more than once at the state level in Richmond. So they finally made a determination and it was it was the ruling with a mandated refund request that we received from the Virginia state tax commissioner, from the Virginia State Tax Commissioner's Office, that we have to cut a check for that amount to BB&T Bank.

Bridge Littleton: And so my question was, why only BB&T? Because I know there were multiple banks that this applied.

Martin Crim: [Inaudible] don't think any of the other ones appealed to those years. This is a self-reported tax and they found it. And BB&T went back and said, oh, we got it wrong. We want to correct our filing. And so unless somebody else made the same mistake, coincidentally, they wouldn't be filing for an appeal. It's not like there is some interpretation of law or a court ruling that changed the way we calculate it. They just said, oh, we're correcting our filing.

Bridge Littleton: So, Martin, let me ask you a question. I think because it because, again, this came up with the meeting last night. [Inaudible] got a twenty eight thousand dollar bill from a different bank. And the the point that Nate made was a great one. Why is the town paying the interest? It was not an error on our side. Right. It was an error on the bank's side.

Martin Crim: So we are not. Yeah, I understand it was bank error. We are not actually paying the interest because BB&T is indicated that they are not asking for interest from any of the town.

Bridge Littleton: OK. OK. All right. That's good to know because. Because that was one of the things that they brought up last night, was that they are paying interest on something, you know, on whatever the bank for them was.

Martin Crim: We took a serious look at this. We meaning a number of local government attorneys, because at the time we didn't think that there had been proper notice to the locality of the appeal of the assessment. It turns out that BB&T did send notices to all the affected localities indicating that they were filing its appeal. But that was way back in 2014. Nobody remembers that.

Bridge Littleton: Darlene, don't you remember? So I think I think there is less there's no other redirect on staff reports we'll move on. Any reports of town committees or liaisons? All right. Yeah, exactly. Good point. Yeah. There's been so many meetings this month. OK. Next, one is the consent agenda? So what would anybody like to move the minutes and the consent agenda? Is there something else? Can we have a motion?

Peter Leonard-Morgan: I move we accepted the consent agenda as amended.

Bridge Littleton: And who are you?

Peter Leonard-Morgan: I'm Peter Leonard-Morgan.

Bridge Littleton: Ok. Rhonda, can you do the roll call?

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Rhonda North: Vice Mayor Kirk.

Darlene Kirk: Aye.

Bridge Littleton: Ok. Next item is appropriation ordinance fiscal year 21 budget and let's see here. Who's going to take this, Julie or Danny.

Danny Davis: I will take this one.

Bridge Littleton: Next time Julie gets to take it.

Danny Davis: That's fine. She will. She will own it entirely next year. Don't you worry. This one This is our budget adoption. And there are a couple of ways to approach this. But our recommendation right now would be that having gone through the budget already discussed the expenditures and programs that you consider going ahead and adopting the budget and the appropriations ordinance. So essentially to approve everything, appropriate it in

accordance with required votes and by state law, but that we would put certain of those expenditures on an administrative freeze, if you will, until we have better insight into the actual revenue impacts of the current economic crisis. And then at that time, bring action back to town council to release some or all of those funds or to actually expend in the next fiscal year. So the suggestion would be to to at least come back with an initial discussion on June 11th. And then if need be, they can remain some all of them could remain frozen until later in to the summer or even the fall as laid out on the first attachment. You'll see the the items that we're proposing to continue to remain in the budget but be frozen at this time. That includes both the cost of living market adjustment increases as well as the merit increases. I want to be able to reward our staff for the hard work they're doing, but I also know that we are needing to just take a step and a pause at this time to make sure that we're in a right path and going in the right manner forward. The next two items proposed relate to economic development as nothing against economic development. But these are essentially new dollars being proposed. And so the recommendation there would be to not completely eliminate those line items, but to dial them back at this time until we have a better and clearer understanding of again, how much marketing can we do, when is the right time to start remarketing the town and for people to come here and shop and visit and stay. And also with the events, knowing that at least we believe the Mille Miglia is likely to be postponed, if not skipped. This year, we're not quite sure the status of that. And also even not knowing long term status of other town events. Again, just waiting to be cautious on that one. Finally, the town hall debt service payment there. Again, this is not a signal that we are stopping by any means, but it's a signal that we are wanting to continue through the process that we are working on as it is right now, but also know that if we need to stop, we can or that debt service amount would likely be less than the four hundred fifty thousand anyway for two factors. One, because interest rates are very, very low and two, because likely the full annual amount would not be due in fiscal twenty one, it would be more likely to be do or only half of it if that. So again, these are not signals that we are stopping the projects at all, but that we are essentially pausing those direct expenditures at this time. We're continuing forward with engineering and the other pieces of it that we've discussed previously and we'll have more information for you at an appropriate time. So all of those together, along with the revenue contingency already built in the budget, as you see, is a total of nine hundred and fifty thousand dollars. So it's essentially a large amount of funds that are held in reserve, if you will. And then when we have a better insight into how we're coming out of this, we would ask council to release those. Again, at the end of the day, I'll reiterate to to council and also reiterate back to the public who may be listening or get this information. The town is in an extremely strong financial position. And honestly, I'll say it in at least in comparison to the other jurisdictions here in northern Virginia. I think we are as. Even though we're in a different scale than many of those others, we were probably in the best financial position because of our current fund balance fiscal reserve, that we have almost 200 percent of our annual operating expenditures sitting in the bank as fund balance. And when I mentioned that on a phone call the other day, I got a couple comments back, you know, kindly, you know, jesting with us about how unfair it is. But, you know, we have to still make sure that we are expanding our funds properly and being cognizant of the short and potential long term impacts of this crisis on our revenues. So I don't mean to belabor the point, but I'm happy to talk through any of those specific items that I raised in the item. And then, you know, I'm happy to answer any other questions about the budget at this time.

Bridge Littleton: Does anybody have any questions for Danny about the budget?

Peter Leonard-Morgan: Just observation, thanks Danny for that. And thanks for all you've done on that page. And I think goes saying that once we get back up and running if we focus on [inaudible].

Danny Davis: Absolutely. Absolutely. Okay. Sorry. I don't know if I lost the last thing you said, but I would agree we are even now working with with Red Thinking on getting our marketing campaigns developed, our creative content in line. Because when when we feel that things are starting to be on the upswing for travel and consumer spending like that, we want to be ready to jump right into it. And so getting the branding ready to roll out with new advertisements, campaigns, social, we're already working on street banners so that we can put up hopefully Tuesday of next week that uses our branding, encourages people to relax, dine shop. And even though now's an interesting time, they're going to be useful for many months and years to come.

Peter Leonard-Morgan: Thanks, Danny. I would also like to say thanks a lot. Whoever put up the American flags on Washington today are in a very positive one.

John Kevin Daly: I have a comment. Kevin Daly.

Bridge Littleton: Mr. Daly.

John Kevin Daly: Our list of what we're freezing. Are we putting these in priority when things are good when we come back? I'm I'm uncomfortable saying that the personnel who do so much work for the town. Their salaries are frozen. When we come unfrozen, are they going to be the first to be made whole again?

Danny Davis: Council Member Daly, I would say that that ends up being a council choice and decision. I have had put them at the top because I do believe that it is very, very important to take care of our people and to make sure that they are rewarded for their good work. And also we remain competitive in our marketplace, especially related to know other jurisdictions around us that that may have higher salaries. And so I, you know, leave that up to council. But I would say that that would be a key focus of mine as we get closer to that time.

John Kevin Daly: Is it absolutely necessary to freeze their 3 percent COLA?

Danny Davis: It is not. If you're asking the question, is it is it going? Is it going to make or break our budget? If you were to return or go ahead and authorize the 3 percent increase effective July 1st, I would say that that forty one thousand two eighty four, give or take, would not be the difference in a. I would say a major way in our budget. It's obviously a fair amount of dollars, but it is not something that is necessary to continue operations moving forward. If that makes sense.

John Kevin Daly: Thank you. I would prefer that we not have to have them suffer. We're providing a lot of support to the town. And our people on the staff and in the police department are putting in a tremendous effort to keep this town hall. And I just feel that we should keep our personnel strong and hold without putting them on a pay freeze.

Bud Jacobs: This is Bud. I agree completely with Kevin on this one.

Chris Bernard: We're not talking about a pay freeze, though. We're talking about potentially not authorizing the introvert to increase the yearly increase in July at any time between now and then we can say OK. It looks all good like go for it. I just want to make sure we're all talking about the same thing.

Danny Davis: So if if I can Council Member Bernard, you've you've represented the proposal correctly, which is, you know, anytime between now and July 1, council could go ahead and authorize those expenditures so that that could be as of today, as Council Member as Daley and Jacobs have suggested, go ahead and just allow those to move forward in in the budget without being frozen, you know, at this time. Or you could hold off and do that in June or at some other date. So you're correct. It's a it's a freeze of the proposed 3 percent increase, but that could be essentially released anytime between now and July 1st or after July 1st. And the council's preference.

Bridge Littleton: So let me just ask. So we've had a couple of folks speak on this. Let me ask if, Philip, do you have any input?

Philip Miller: I think it's a pretty standard move. I think a lot of companies have put this into place already as a result. And it's not about punishing anybody. It's about being fiscally prudent and putting the tools in the toolbox to use right now. They can always be changed. But right now it is about just making sure that we have the right plan. We don't know how bad this is going to be.

Bridge Littleton: Cindy, any input?

Cindy Pearson: I agree with what Phillip just said. But with, Kevin. If we do keep the salary increases out of this frozen thing, we should do the other wages, too, and just make it all of it could move forward. But I kind of agree that we should do it. So it's like what Phillip just said.

Bridge Littleton: Was there anybody else, Peter or Darlene?

Peter Leonard-Morgan: Peter here. I mean, I'm inclined to agree with Kevin and thought on this mainly because right now the mission is still very, very good and we are making reductions in other areas and it is the staff [inaudible] you know, but eventually meeting people who. You know we're sitting back. We're at home and I think the staff who are in the line of fire should not be penalized. But should see their benefits received.

Bridge Littleton: Darlene.

Darlene Kirk: I don't think it's a bad thing just to see what they're gonna get it. We know that. And I don't think it's you know, I kind of agree with what Philip said, that a lot of companies are doing this right now. But I'll go either way.

Bridge Littleton: Let me. One one thought I would have to live on. I would also be very interested to see what other localities are doing as well. You know, I mean, clearly plenty of them are not in a fiscal position we are, but some are. I'm just curious with the broader and I don't mean all of the state, but, you know, in our area, you know, here, Fauquier County, Fairfax County. Yeah, there are other towns. And just get a sense of what they're what they're doing. I think Philip does does raise a good point. These raises don't kick in until July 1st. So we don't have to make a decision today. We can, you know, take it up next time or take it up in May. I mean, we literally have three months until these these raises hit or should hit, I should say. And we do need to support our staff and all that stuff, too, for all the hard work that you're doing. I would just want to know a little bit more. So my broad question is, and this isn't really a vote, it's just sort of a group, yes or no. Does everybody feel comfortable with Danny? And I can call the other mayors and whatnot and just getting some information on how the other localities are handling this. And then we can revisit it at the next meeting, the first meeting in May.

Darlene Kirk: Yes.

Chris Bernard: Totally fine. Yes.

Cindy Pearson: Yes.

Bridge Littleton: Kevin, Bud. How about you guys?

John Kevin Daly: Put it as an agenda item in May. As you say this 3 percent increase will not occur until July. So, yes, we do have some time.

Bridge Littleton: Bud, is that comfortable for you?

Bud Jacobs: That's comfortable to me. But I like to point out one thing, and that is that the impact on the budget is going to be minimal. We're talking about a little more than \$58,000. This might be a different discussion if the order of magnitude was much greater, but it's not. So bearing in mind that it's it's prudent probably to do this. I think we still need to maintain pretty strong interest in the welfare and well-being of our employees.

Bridge Littleton: So Danny, let's do this. I mean, I think the eye is towards doing the increases. Let's revisit this in May at the first meeting and let's just, you know, understand what others are doing. And just just I think the biggest thing, too, is we just want to make sure we're not missing anything. And that if we you know, I you know, I do also want to make sure that, you know, we're going to make the decision as best for Middleburg. But if we are going to do these raises, which I think everybody is in favor of. I would like to know if everybody else is not in the other localities because I would want to give them a heads up just for any potential blowback. I can. Yeah. So like when we've like the next program, we're going to talk about for the retail business and the restaurant businesses, all the other mayors in Loudoun, the day before that we we we acted on them. I mean they're are public information but I called each one of them get to give them a heads up because the last thing I want to do is, you know, us put a

program in place that they might not be able to afford to do. And then all their people call them and scream and yell at why are they doing what Middleburg is doing. I just don't like people to get caught off guard.

Danny Davis: So, Mr. Mayor, if I may.

Bud Jacobs: I think that's a that's a fair point.

Bridge Littleton: Yeah. Danny, what's up?

Danny Davis: Just to say, you know, you and I can work together on that. I think NVRC may have already gathered some of that information about other jurisdictions are doing that. We might be able to get more specifics. We may be able use their resources to to gather some of that. And then, Julie and I can also reach out to other localities and and just provide kind of an overview of what we know other places are doing and how this relates.

Bridge Littleton: Yeah. My biggest one is what are the other other six towns doing. Those are those are our [inaudible]. So like I said, I just don't like anybody getting caught off guard. So. So we'll bring this back in May and we'll have that information in advance. OK. Next item.

Danny Davis: Mr. Mayor. If you're comfortable with it with the rest of.

Bridge Littleton: Oh, right. We've got to we've got to approve the budget.

Danny Davis: That that would be helpful. And I do want to remind you, I believe that Mr. Jacobs would not be voting on this item as he is an appointed member and not an elected member of the body.

Bud Jacobs: That's correct.

Bridge Littleton: Bud, you slipped right under the wire on that one. Ok, so let's we'll do a roll vote. This will also count for the 7:00 roll call.

Rhonda North: Mr. Mayor, we need a motion first.

Bridge Littleton: Yeah. Peter, you're up.

Peter Leonard-Morgan: So I move the town council adopt the ordinance approved budget [inaudible] and make the appropriation fiscal year ending June 30th, 2021.

Danny Davis: Council Member Pearson. I don't think we need to add anything else. We capture the the frozen information in the ordinance and we can just come back at the May meeting with the request of council.

Bridge Littleton: Darlene, was that you who seconded? Rhonda, if you want to do a roll call vote.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Rhonda North: Council Member Leonard-Morgan.

John Kevin Daly: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Aye.

Rhonda North: Vice Mayor Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: And Council Member Jacobs would abstain.

Bud Jacobs: Abstain.

Bridge Littleton: Ok. Great. All right. Next item, resolution of appreciation for the frontline workforce. All right. Let me take and read this and bear with me as I do. All right. Resolution of appreciation, frontline workforce and essential businesses during the COVID 19 pandemic. Whereas on March 12, 2020, Gov. Ralph Northam issued Executive Order 51, declaring a state of emergency in the Commonwealth of Virginia just as a novel COVID pandemic, which is a public health threat presented by a communicable disease that in fact that is anticipated to spread. And whereas Governor Northam subsequently issued executive order 53, which closed all public schools for the remainder of the school year, called closed public access to recreational and entertainment facilities, closed in restaurant dining services for all restaurants and similar food and brother beverage establishments, and prohibited all public or private gatherings of groups of 10 or more individuals. And whereas Executive Order 53 continued to allow the operation of essential businesses including but not limited to grocery stores, pharmacies and other food and beverage retailers, home-improvement businesses, automotive retailers, repair services, gas stations and convenience stores, banks and other financial institutions. The Post office and food stores printing and office supplies. And whereas in Middleburg, this includes businesses such as the Middleburg Safeway, Middleburg Exxon, Fox's Automotive, Middleburg Millwork, Kriser's Pet Store, Mr. Print, Atlantic Union Bank, BB&T Bank, Sona Bank, North Western Federal Credit Union, Bank of Charlestown and other financial institutions, Middleburg Post Office and most of the restaurants and beverage retailers who are providing curbside pickup for delivery and for delivery excuse me curbside pickup or delivery services. And whereas in order for these essential business to remain open, their employees must risk their health as well as those of their families to continue to provide vital services to the communities they serve. Whereas these and whereas these employees include stockers, register and window clerks, delivery drivers, pharmacists, bank employees, mail carriers, cooks, waitstaff, auto mechanics, printers, manual staff and many others. And whereas in addition, Mount Defiance distillery has changed its production facilities over to the production of hand sanitizer, which it is distributing for free to the greater Middleburg area residents. And whereas the Middleburg Town Council deems it appropriate to express its gratitude to these businesses and their employees, many of whom are working under trying and difficult circumstances now, therefore, be it resolved. The mayor and members of the Middleburg of the Town Council of Middleburg, Virginia, recognize and express our sincere appreciation for the members of their frontline workforce who are putting their lives at risk to provide vital services to our community. Be it further resolved that the mayor and members of the town council recognize and express our appreciation to the members of our business community for continuing to meet the needs of our community. Is there a second for the resolution. Sorry. Kevin, go ahead.

John Kevin Daly: It's just one comment. The letter may need to be changed. Kriser's Pet Store is now Loyal Companion pet store.

Bridge Littleton: So moved for amendment. Rhonda. You can make that amendment on the printed version, right?

Rhonda North: Yes.

Bridge Littleton: Great. I apologize I asked for a second, but is there a motion to adopt a resolution?

Chris Bernard: Yeah. Kevin, go.

John Kevin Daly: I move that council adopt the resolution, extending its appreciation to the frontline workforce and putting their lives at risk to provide vital services to our community and to the business community for continuing to meet our needs during the COVID 19 pandemic.

Bridge Littleton: Who seconded?

Bud Jacobs: Second.

Bridge Littleton: Bud, was that you who seconded?

Bud Jacobs: Yes. I'm sorry, I should've identified myself.

Bridge Littleton: That's OK. All right, Darlene. Time for a roll call. Excuse me, Rhonda.

Rhonda North: Council Member Jacobs.

Bridge Littleton: Darlene, I'm sorry I momentarily promoted you.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council Member Leonard-Morgan.

Cindy Pearson: You're muted, Peter.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Miller.

Philip Miller: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Rhonda North: Vice Mayor Kirk.

Darlene Kirk: Yes.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Bridge Littleton: Ok. Resolution passes. Next action item is a retail marketing support program. Ok, Danny, do you want to briefly go over this?

Danny Davis: Sure. Obviously, with the council making the significant investment in the community at your last meeting. The work doesn't stop there. And so the question has continued to be, what else can we do to support the overall community and business community and specifically those shops and businesses that may not have fallen under the restaurant program. And so recommendation or idea going forward is that we work on a marketing and support program along with our retailers and personal service businesses that could support them. But really, it is framed in the concept of a marketing agreement where the town is putting dollars into marketing the town in general and marketing those certain stores and service businesses. And those who participate in this agree to also market the town, use our new brand. And part of the way we do this is by encouraging retailers to offer discounts to customers during this challenging time. And that might be in the form of a type of consider a shop shop for you. And curbside delivery type program could be a, you know, appointment based in person type shopping, or it could be using virtual resources and establishing and encouraging businesses to establish online presence through this program. If if a participating retailer or personal service type business were to give discounts to customers, the town would reimburse as part of this agreement up to half of that discount with certain caps built into that. And it's laid out in the in the item here, the cap on the discount would be a 30 percent cap so that the town would cover up to 15 percent of that discount. And also there's a hard dollar cap for participating business at three thousand seven hundred fifty dollars. That number is not just pulled out than there. That number is based on holiday a max. Fifteen percent of twenty five thousand dollars in sales for that particular business. So the idea here is that we're encouraging businesses to continue to provide services, to provide their goods to the public. And if they provide this as a benefit and an encouragement for more people to do shopping, then the town is going to essentially support. But again, with the idea that it's also a collaborative marketing type effort together. So the nuts and bolts are in the item. And I'm happy to go over more details if you have questions. But the idea here is I think we can really provide some incentives to our local businesses.

Bridge Littleton: Thanks, Danny. The one thing I'll add is that I have called a couple local businesses and walked through the elements of the program with them. And, you know, to understand what they thought. And I will say everybody I spoke to was pretty excited. And a what was interesting was they actually got tried to generate ideas of how they could leverage it. So, you know, one person was saying, oh, this would be great. How about if I put a limit that I'll only give the discount if someone makes an order of one hundred hours or more? I said sure. Yeah, absolutely. You know, whatever way you feel can drive the best for your business and be like an accelerant to, you know, drive online marketing to encourage customers to spend money now, whether it's, you know, in their store at a 10 person limit or online or shipping or whatever, I mean, that's been The Fun Shop's doing a great job. You're doing Easter baskets and stuff like that. She was actually one of the folks I spoke to and she was pretty excited by it. So and it it also makes us a partner with that business. But it also they're going to get as much out of it as they put into it. So it's, you know, like the restaurants have, you know, in order to take advantage of the program. They had to be open. This program also, you know, puts equal shoulders behind the grindstone between the town and the business to make good things happen. So with that, I'll I'll stop and we'll just I'll go around the horn and see if anybody has any questions or thoughts. Phillip, you want to go first? No direction, no questions.

Philip Miller: Sure. I mean, I think it's a great a great program to help our retailers. And I've spoken to a few of them. They're very excited by it. And I think it's also a good way for us to implement our branding effort in coordination with them and get the whole thing started immediately, which is exactly why we created this brand to help our retailers and drive traffic. And hopefully it'll help.

Bridge Littleton: Peter?

Cindy Pearson: Martin had his hand.

Peter Leonard-Morgan: [Inaudible]. I'd like to also to suggest or ask that we could also look at using social media platforms to advertise it like each business on a particular day and perhaps [inaudible].

Danny Davis: I think it's a great idea and I think we'll definitely look at that as part of our overall marketing effort around this. And the positive about this is we can market this, you know, of course, locally, but it can also be globally because we're encouraging people to have these online presences as well. So I think it's a great idea and a great use of our part. Some dollars and also our brand. So thank you for that.

Bridge Littleton: Bud.

Bud Jacobs: I think it's a creative idea. I'm really grateful that we're able to do something like this.

Bridge Littleton: Chris.

Chris Bernard: I think it's good. You know, like Phil said I think it's a little bit of help for the business. It's good for the town because it helps her all the marketing efforts and I think it's a good incentive for for some of the small businesses not to just close. But if you get creative themselves and, you know, change the way that they're going to do business over the next couple weeks or months or whatever, they think that's going to help them in the long run once we get back to normal. Glad we were able to keep on.

Cindy Pearson: I agree. I think it's a good program. Martin, did you have something you wanted to add?

Martin Crim: So, yes. Thank you. Yes. The mention of the former mayor reminded me that if any members of the council will be affected, whether businesses will be affected by this action, they should file the conflict of interest tax disclosure form with the clerk at the earliest opportunity. And make that clear orally on the record night.

Bridge Littleton: Martin, it's a great point. And they probably should abstain from voting as well. I know they're are required to file disclosure and all that stuff, but I think it would be a good idea, you know, added prudence. But that's each council members individual choice. Kevin.

John Kevin Daly: Has everyone's spoken?

Bridge Littleton: I believe so. Oh, Darlene, Darlene. No. She'll be the last.

John Kevin Daly: Oh, OK. Let Darlene go.

Darlene Kirk: He's saving the best for last.

John Kevin Daly: OK. Because all I was going to say is I think our branding expert, Phil should make a motion.

Bridge Littleton: Darlene, any input?

Darlene Kirk: I'm behind it.

Bridge Littleton: OK, great. Mr. Daly, I think you recommended Mr. Miller.

Philip Miller: Should I be the one to make the motion?

Bridge Littleton: He's going to abstain. Good point. So, Kevin, you get to make the motion now.

Philip Miller: I guess to that point I should say that my job is directly affected by retail business in town. So, yes, I do have a conflict of interest.

John Kevin Daly: Then I would like to make a motion. I move that the town council authorized a retail and services business marketing and support program as outlined in the retail and service support program attachment and direct staff to develop a marketing agreement with all participating businesses in accordance with these guidelines.

Bridge Littleton: Ok. Rhonda, you will do the roll call.

Rhonda North: Council Member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council Member Miller.

Philip Miller: I abstain.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Rhonda North: Vice Mayor Kirk.

Darlene Kirk: Yes.

Rhonda North: Council Member Bernard.

Chris Bernard: Aye.

Rhonda North: Council Member Daly.

John Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Bridge Littleton: Ok. The motion passes. OK. Any discussion items? Or information items?

Peter Leonard-Morgan: Just one. We can't see the mayor's face.

Bridge Littleton: I know for some reason my my camera stopped working, I've been trying to bring it back. It's just not. Let me try it one more time. I mean, I mean, Peter, you trying to confirm I'm not drinking? Yeah, for some reason it's just it's coming up black. I'll figure it out for next time.

Philip Miller: Your Internet?

Bridge Littleton: I mean, it was working fine. And then all of a sudden it just. It's signed on. But it just shows up black. So anyway.

John Kevin Daly: I got on line and they kicked me off three times.

Bridge Littleton: Well, that was me, Kevin. I was throwing you off.

John Kevin Daly: Oh, OK. Well, I found a way to call in.

Bridge Littleton: Yeah. I can't do anything about the phone. All right. So unless there's no information items. We will also now open up for the tail end of the meeting, the public comment session again. If there's any member of the

public who is dialed in that we'd like to address the council for public comments. We'll now open that. Rhonda, I'm assuming no one else has logged in.

Rhonda North: No, no one else has logged in, Mr. Mayor.

Danny Davis: Mr. Mayor? May I just add one quick thing that I think is for conversation with council. But it can be kind of you talking and Council Members off line. But as we discussed briefly, the voucher program has been going very, very well. The residents are extremely grateful and excited about it. And the businesses participating are as equally excited and grateful and appreciating it. I do think one conversation just for thought is how best to. There will be some not a lot, but some residual packets of those vouchers. And so just thinking ahead of how best to distribute those. Whether it's through specific nonprofits, through, of course, Windy Hill to provide extra is perhaps to their residents or other means. So I I just want council to be thinking about that so that when we get we don't get too far down the line and then have so many leftover without fully utilizing them as best as possible to help, especially those who have the most needs.

Cindy Pearson: How many?

Danny Davis: So we've you know, I would generally say that we will have distributed out around 400, give or take. I think I think we mailed three hundred and sixty to three hundred and seventy. And then there was. Yes, that's true. Right. So I think we'll be around 400, 415 that are distributed out, plus a few extras that have come in that we just Ms. because of different mailing list. So, you know, I'd say at the end of the day, maybe there's between 30 and 50 spares. I heard somebody say I think the word potentially frontline workers or something like that, and we've had that conversation, too, about how, you know, is there an appropriate way to use this for thinking the employees who work in Middleburg establishments, even if they may not be residents in town? And the challenge with that is how to equitably distribute those, because there are so many good workers here in town. We we don't want to get in a situation where there's an appearance of, you know, cheap employment business over another.

Bridge Littleton: All right. I think what we need to do I mean, we don't want to make the sausage right now because we don't actually have a plan of what to do. But I think Danny's point is we don't want to figure out a fair way to, you know distribute the ones that we have left in in a way that is objective and fair to whatever segment of the population gets them, whether it's first line workers or people in need or charities or whatever. I think Danny is right. We do need to move quickly because the longer we wait, you know, the time is going to run out. They're not going to be, you know, have to have less. They're not there. There is a deadline on them. So let us do this. I think no matter what. We should keep in reserve like, you know. Up to the last four or five days, we should keep maybe five to seven on hold because, you know, somebody may come in and say, hey, I didn't get mine and lo and behold, we didn't have the right address. Even if only a couple of days, if they are a resident here in town, they are due a packet. But that once we get all the stragglers in here, we may have had the wrong addresses for. I know there's a bunch of Hill school teachers who live in town that did that. The the school actually paid the water bill, but we didn't have their names. But those are going to be coming in. That's probably 20 to 25 folks right there. Well, we'll we'll work to figure out if anybody's got any ideas, e-mail to Danny and we'll come up with a suggested path by. I want to say Monday or Tuesday of next week. And we can all just, you know, talk at some point. Propose an idea and get that done to everyone and then figure out how to go with it there. But I think the goal would be to figure out that path and executed next week so that those additional vouchers, the people who get them have a good two weeks to use them.

Danny Davis: Thank you.

Bridge Littleton: So I'm going to close the public comment session because I hadn't done that. OK. Any other last minute items from anybody? Council first and then I'll ask staff. OK. Anybody on staff have any last minute items they'd like to bring up a or or address?

Danny Davis: I do not believe so. I have not heard anything else from the from those from afar. But I think we are good to go.

Bridge Littleton: Ok, with that, we will adjourn the meeting, everybody. Thanks so much. I think this went pretty well.