



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, June 25, 2020



PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Darlene Kirk (arrived late)
Councilmember J. Kevin Daly (left early)
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

ABSENT: Councilmember Chris W. Bernard

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, June 25, 2020. Due to Governor Northam’s executive orders 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 led Council and those attending in the Pledge of Allegiance to the flag. The roll call was called at 6:00 p.m.

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of governmental operations, the Council would hold its meetings via remote access until such time as the Governor rescinded his executive orders.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.

Public Hearing & Related Action Item

Amendments to FY '20 Budget

Deputy Town Administrator Moore reminded Council that they were required to hold a public hearing whenever the amendments exceeded one percent of the budget. He noted that the Town Treasurer identified the proposed changes in her memorandum.

No one spoke and the public hearing was closed. (Vice Mayor Kirk arrived at the meeting at 6:07 p.m.)

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council adopt the budget amendments for the Fiscal Year 2020 Budget, as shown in the FY '20 Budget Amendments staff report dated June 25, 2020.

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

Public Presentations

Proposed Brewery East of Town – Kimberly & Don Skelly

Kim Skelly, an adjoining property owner to the proposed Fuel Farm, advised that Messrs. Buzzelli and Yarnell misrepresented her and her husband's position on the project during their presentation to the Council, as they had not spoken with them at that time. She advised that she learned of the project when she read about their presentation to the Council in the newspaper. Ms. Skelly noted that the other neighbors, the Wrights, were also not aware of the project.

Ms. Skelly opined that the proposed project was in violation of the ABC Code as the property was too close to the School Board's property and a public park, which was not allowed. She further opined that an ABC permit could not be granted if the project devalued residential property or disturbed their quietude and tranquility. Ms. Skelly noted that she owned a horse farm and opined that having a bar next door, with two acres of parking and three hundred people drinking and listening to music outdoors would devalue their property. She opined that it would also disturb the residents' peace. Ms. Skelly advised that the ordinance allowed objections to be raised if the proposed use would go against the interest, morals, safety, and welfare of the public.

Ms. Skelly reiterated that objections could be filed against the approval of an ABC permit and noted that she and her husband had filed one. She advised that as a result, there would be an investigation, followed by a hearing. Ms. Skelly asked that the Council also file an objection. She expressed an understanding that the project did not fall under the Town's jurisdiction; however, she advised that stopping the permit was the only way to stop the project. Ms. Skelly opined that Middleburg had an opportunity to protect its entrance by filing an objection and suggested changing the character of the entrance would be detrimental to the town.

In response to inquiries from the Council, Ms. Skelly confirmed the Wrights had also filed an objection. She advised that the investigation would begin in July.

In response to inquiries from the Council, Ms. Skelly confirmed that she and her husband reached out to Messrs. Buzzelli and Yarnell, who then invited them to view their plans. She advised that this did not change their opinions of the project.

Council noted that the property at the Mickey Gordon Park would not perk and did not have enough water; therefore, a school could not be built there. It was agreed that the park was important to the community.

Council expressed concern that Messrs. Buzzelli and Yarnell may have misrepresented the opinions of the adjacent property owners, as well as the size and nature of the project, during their presentation. It was suggested that the Council needed facts before considering whether to file an objection. They questioned whether the code provisions allowed the Town to submit an objection since they were not the local governing body responsible for considering this application. The Council asked the staff to obtain the Town Attorney's opinion. It was agreed that while the individual members could file comments, a letter from the Town would be appropriate if the Town Attorney verified they could do so and the facts supported the need to do so.

Mayor Littleton summarized that the Council wanted to make their feelings known the proper way; therefore, they needed to know the facts. He further summarized that the Town Attorney needed to look at the code to determine whether the Council could submit a letter as a body. Mr. Littleton suggested that if they could, the letter needed to identify the Town's concerns, which include the applicant's transparency, the project being against the morals of the public, the scale of the project, and that it would impact the quiet enjoyment of the surrounding property. He asked that this item return to the Council during their July 9th meeting.

In response to an inquiry from Council as to whether there was any compromise to this matter, Ms. Skelly confirmed that unless the applicants wished to brew beer on the property and serve it elsewhere, there was not as she did not want a commercial bar of any scale next to her property.

Staff Reports

COVID-19 Updates

Deputy Town Administrator Moore reported that the Governor announced that Virginia would enter Phase 3 on July 1st. He noted that the State issued guidelines in advance of this change and reported that they were being advertised to the business community.

In response to an inquiry from the Council, Vice Mayor Kirk confirmed the plans were to still hold National Night Out; however, it would be moved to October if it could not be held in August.

In response to an inquiry from the Council about ensuring Phase 3 went well, Deputy Town Administrator Moore reported that the Town provided links and extracted points from the State's guidelines, which were provided to the businesses. He noted that the State website also contained tool kits for them. Mr. Moore advised that the Town was providing assistance to the businesses to assure they had access to this information.

In response to an inquiry from Council, Business & Economic Development Director Gaucher reported that he was still crunching the numbers on the retail business assistance program. He advised that some businesses had submitted their final reports; however, others had not. Mr. Gaucher noted that the businesses were asked to submit their final reports to him by the end of June and advised that he anticipated having a final report to the Council during their July 9th meeting.

Consent Agenda

(A) Approval of Council Meeting Minutes – June 11, 2020 Regular Meeting

Councilmember Leonard-Morgan moved, seconded by Councilmember Daly, that Council accept and approve the consent agenda as presented.

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

No – N/A

Abstain: N/A

Absent: Councilmember Bernard

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

Action Items (non-public hearing related)

Council Approval – Contract to Update Historic District Guidelines – Frazier & Associates

Deputy Town Administrator Moore reported that the Town just received informal notification that it received the VDHR grant for this project and recognized Planning & Project Associate LaClare for her work in securing it. He reported that accordingly, the contract would be brought to the Council for action during their July meeting.

In response to an inquiry from the Council, Deputy Town Administrator Moore reported that the total contract cost would be \$50,500, with \$37,100 being covered by the grant. He noted that the Town would also provide \$2,500 in in-kind services as a part of the grant match.

Discussion Items

Amendments to Council's Rules of Procedure

Town Clerk North reviewed the proposed amendments to the Council's Rules of Procedures, which included (1) updating the references from the Town Administrator to Town Manager; (2) amending the section on electronic meetings to comply with the new State Code provisions; and (3) amending the process related to proclamations to allow them to be directed to the Mayor for his consideration/action.

The Council held considerable discussion of the proposed amendments related to proclamations. They asked that the staff develop a detailed process regarding requests for proclamations and resolutions that would include an application form, criteria for requesting a proclamation or resolution and the process for considering such requests.

Town Clerk North reported that she would return with a recommendation during the Council's August meeting.

(Councilmember Daly left the meeting at 6:57 p.m.)

2020 Annual Volunteer Appreciation Reception

Town Clerk North reminded Council that planning normally began this time of the year for the annual volunteer reception. She suggested those efforts begin as usual, with the understanding that the event could always be cancelled at the last minute if needed due to the COVID pandemic.

The Council held some discussion and suggested that gift certificates be given this year in lieu of a reception. They noted that this would also help the business community. The Council asked the staff to identify a possible amount based upon the expenditures for last year's reception. Town Clerk North confirmed she would provide this information during the July 9th Council meeting.

Information Items

U.S. Flag Distribution

Town Clerk North noted that Boy Scout Troop 2950 recently placed the U.S. Flags that were purchased by the Town in the residential areas, as well as in the planting beds along Washington Street. She commended them for a job well done and noted that she had received positive comments from the community.

Town Response to COVID-19 Pandemic

Councilmember Jacobs noted that he recently spoke before his homeowners' association. He reported that the members spoke very positively about the Mayor, Council and staff's response to the pandemic.

Unity Walk

Mayor Littleton encouraged the members to participate in the Unity Walk on June 27th. Councilmember Pearson advised that she would be there for the speeches.

Mayor Littleton noted that he received a couple of calls from individuals expressing concern about the potential for things to happen during the Walk like had happened in some cities. He further noted that the walks held in Loudoun County had been successful. Mr. Littleton advised that he was asked how the Town was allowing it to happen and noted that the First Amendment gave individuals the right to express their feelings in a peaceful, respectful manner. He suggested that was something the town was good at doing and advised that he looked forward to the event as he believed it would be a great statement as to who Middleburg was as a community.

Resumption of In-Person and Advisory Committee Meetings

Town Clerk North questioned whether the Council wished to resume in-person meetings. She further questioned whether they wished to allow the advisory committees to resume their meetings.

Mayor Littleton reported that Town Clerk North had identified a way for the Council to hold in-person meetings, while social distancing. It was noted, however, that it would be an issue if many people wished to attend a meeting, as there was no way to social distance a large crowd.

After some discussion, the Council agreed to make a decision on whether to resume in-person meetings during their August meeting.

Town Clerk North noted that if the Council wished to allow the advisory committees to resume meeting and they did so remotely, under the State Code provisions that allowed remote meetings during the pandemic, the meetings must be recorded and posted on the Town's website. She reminded Council that their meetings, as well as the Planning Commission and HDRC meetings, were already recorded so this was not a problem; however, the advisory committee meetings were not. Ms. North further noted that she did not attend the advisory committee meetings; therefore, someone would need to arrange for those meetings to be recorded in the event they resumed.

The Council held considerable discussion regarding the advisory committee meetings. It was suggested that the Council representatives for each committee could be responsible for recording the meetings; however, the members questioned the amount of staff time that would be needed to post those recordings. They asked that the staff research this and provide additional information during their August meeting.

Closed Session – Property Acquisition & Disposition of Public Property

Councilmember Leonard-Morgan moved, seconded by Vice Mayor Kirk, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) the discussion or consideration of the acquisition of property for the Town Hall Building and (2) disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body related to the Asbury Church, as allowed under Subsection (A)(3). Councilmember Leonard-Morgan further moved, seconded by Vice Mayor Kirk, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Bernard and Daly

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

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

There being no further business, Mayor Littleton declared the meeting adjourned at 8:12 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

June 25, 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: All right. So I will call a meeting to order. First is the announcement that it is the Middleburg Town Council's responsibility to conduct essential public business matters despite the COVID 19 pandemic. However, it recognizes the need to do so safely and are not only its membership, but also for town staff and members of the public. To that end, in accordance with the resolution confirming the declaration of a local emergency and the ordinance to implement emergency procedures in effectuate temporary changes to address [inaudible] operations during COVID19, the town council will hold meetings via remote access until such time as the governor rescind this emergency order prohibiting the gathering of more than 10 individuals and mandating social distancing. Copies of the previously referenced document are available on the town's website for those who wish to view them. OK. Next item is the Pledge of Allegiance. Since we have multiple, I guess we can all say it in here. Yeah. All right. Those of you on the phone, just watch it and listen. [Pledge of Allegiance]OK. The next item is one second here. Is the roll call. So I think, Rhonda I did it wrong last time. I will call your name out and then, you know, say your name as well. So. Peter.

Peter Leonard-Morgan: Peter Leonard-Morgan, here.

Bridge Littleton: Philip.

Philip Miller: Phillip Miller here.

Bridge Littleton: Kevin.

Kevin Daly: Kevin Daly, present.

Bridge Littleton: Cindy.

Cindy Pearson: Cindy Pearson here.

Bridge Littleton: Rhonda.

Rhonda North: Rhonda North Here.

Bridge Littleton: Will.

Will Moore: Will Moore, here.

Bridge Littleton: Jamie. [inaudible] Now, just the two of you. OK. Bridge Littleton. Was there anybody else here? Oh Bud. That's right. I'm sorry. Bud.

Bud Jacobs: I don't know if I should be insulted or not. Bridge. Maybe you should say my name first since always seem to forget it. [multiple speakers] Bud Jacobs here.

Bridge Littleton: All right. And you know what we'll do? We'll do it again at the end. And Bud you'll go first. [laughter]. Okay. Next is public comment. Anybody wish to address the council on the any matter they should do so now as we have a public comment session open. Rhonda, is there anybody on the phone.

Rhonda North: [inaudible]

Bridge Littleton: Ok. If there's no member of the public wishing to address the council, we will close the public comment session and we will go into the public hearing. And the first item here is the public hearing for the amendments to the fiscal 2020 budget and I believe that is going to be Mr. Moore.

Will Moore: Thank you. [multiple speakers] Essentially we are required to hold a public hearing and [inaudible].

Cindy Pearson: I can't hear Will.

Bridge Littleton: Who is that? Cindy.

Will Moore: I can't hear Will at all. He's like, he's bubbling.

Philip Moore: Yeah, I think he needs to move closer to the microphone.

Bridge Littleton: Yeah, if you want to sit at the main table.

Kevin Daley: It's ok, Will, you, [inaudible] had the same issue. [multiple speakers]

Will Moore: Ok. Apologies. Just to reiterate of what we were required to hold a public hearing on when the amendments requested equate to more than a one percent variation in the funds. And Julia has enumerated the changes within her memo. And if you have any specific questions about those changes after the public hearing, we can certainly answer those you.

Bridge Littleton: Okay, so at this point, we will open the public hearing for the budget amendment. Anybody may wish to speak during the public hearing.

Rhonda North: I have staff and council. [inaudible] I have unmuted her if she has any comments on here.

Bridge Littleton: Ok. As there are no comments or input from the public we will close the public hearing. Does any members of Council questions for Will or Julia? [inaudible] OK. We're good.

Rhonda North: Mr. Mayor, I just want to note that Vice Mayor Kirk has just joined the meeting.

Bridge Littleton: Ok. Hey, Darlene, could you just say your name and say here? Darlene, could you say your name and say here is part of roll call? [

Darlene Kirk: Missed the button. Here.

Bridge Littleton: Ok. Perfect. So, Rhonda, what's the next step on the amendment?

Rhonda North: We need someone to make a motion and a second [inaudible] [multiple speakers]

Peter Leonard-Morgan: I move that the town council adopt the budget amendments for the fiscal year 2020 budget as shown in the FY 20 budget amendment [inaudible] June 25th, 2020.

Kevin Daly: Second.

Bridge Littleton: Any further discussion? And Rhonda, we'll do a roll call, though, right? [inaudible] Ok. So I will now do the roll call vote. Peter.

Peter Leonard-Morgan: Peter Leonard-Morgan. Yes.

Bridge Littleton: Bud Jacobs.

Bud Jacobs: Bud Jacob. Yes.

Bridge Littleton: Kevin.

Kevin Daly: Kevin Daily. Yes.

Bridge Littleton: Cindy.

Cindy Pearson: Cindy Pearson. Yes.

Bridge Littleton: Darlene.

Darlene Kirk: Darlene Kirk. Yes.

Bridge Littleton: Philip.

Philip Miller: Phillip Miller. Yes.

Bridge Littleton: OK. I believe that everybody so the budget amendment has been adopted. All right. The next item is public presentation. And right now, as we have Kimberly Skelly to speak to the council about the proposed brewery East of Town. So, Kimberly, if you're ready, we will turn it over to you and then if council any questions we can, you know, have a dialog back and forth and go from there.

Kimberly Skelly: Ok. Thank you. Can you all hear me? Thank you. Well, thank you for letting me speak to the town council tonight. I appreciate the opportunity. I am speaking with you this evening about the subject of a proposal by Scott Buzzelli and Brian Yarnell to build Fuel Farm farm on the 10 acres 1 mile ease of Middleburg what is currently the Buzzelli home. Mr. Buzzelli and Mr. Yarnell presented their plan to you all. On May the 14th. And in doing so, they misrepresented my husband and my' s opinion of this property. When asked by a member of the council if what the opinion of the neighbors was, Mr. [Inaudible] replied that the most need immediate neighbors to his west, which are us the Skelly's were OK with the project. That is in no way the truth. In fact, the Mr. Buzzelli nor Mr. Yarnell spoke to either of us about this project in advance of presenting to the town council. And even afterwards we learned about their proposed plans by reading it in the Middleburg Eccentric when they when they reported that this presentation had been made to the town council. Furthermore, Ed and Brian Wright, who have lived on this property for Mr. Wright's entire life, on our immediate neighbors behind us, also were unaware of the project. And Mr. Buzzelli nor Mr. Yarnell have yet to contact the Wrights who are also very concerned. And, well, Brian Wright cannot be with us tonight she wanted me to also convey her concern to the town council. We believe that this property is this project is in violation of the ABC code. The ABC code is very clear that a brewery, a farm brewery is not a permit, is not to be granted. If the location is close to any public or private institution of higher education or a playground or other recreational facility, the [Inaudible] property shares a border with property and by the county school board. I understand there were proposed plans to build an expansion of the Loudoun County Public Schools with a schoolhouse there. It is still their property and just behind the [Inaudible] property is a public park and that is also in clear violation of the law. The ordinance also goes on. The code goes on to talk about a permit will not be granted if the property will devalue any of the residences surrounding it or disturb the usual quietude and tranquility of the neighboring residences. My farm is a seven acre small horse farm. It has been a horse farm for many years. I do have two horses on the property. I have a barn behind my house. I ride in the fields behind my house. I teach my children how to ride in the fields behind my house. I cannot imagine that a bar being built next door that will have a two acre parking lot to accommodate one hundred and fifty cars with plans to expand, with plans to have more than 300 people drinking beer and listening to music outside. It is impossible to demonstrate that that will not disturb my peace and tranquility, nor devalue my farm as a small horse farm surrounded by other small horse farms. What I would consider appropriate use of this agricultural residential area.

The [Inaudible] property is ten acres, which only reaches the minimum requirement by Loudoun County standards. The ordinance, though, governs the code also goes on to say that objection may be raised that if this project is detrimental to the interests, morals and safety and welfare of the public, the board of the ABC board will consider a number of valid ways to demonstrate that, including objections which may be filed by the local governing body or local residents, the residents. I have filed a objection to the ABC board. My husband has filed an objection to the ABC board. This has elicited a hearing. There is an investigator assigned to our case who is conducting an investigation on this project on this property. I implore the town council to please consider filing its own objection and joining us in opposing this project. I know you do not have jurisdiction and I understand. I understand that. But the ABC and defeating their ability to gain this permit is the only way to stop this project. Loudoun County zoning needs to be stricter. And I think that is a long term goal that we should all be working toward, to conserve the countryside, to protect the public safety, to protect the morals of children who live around this project, including my own. And for Middleburg has an opportunity here to protect the entrance to your beautiful town, which is one of the greatest asset to this property. My home is being so close to the lovely town of Middleburg. I don't believe people coming out to drink and to create dust and more traffic on our already busy road to jeopardize future expansion of the park and to to change. Really, the character surrounding town is in the best interest of anyone, including the town of Middleburg. And I very much hope that the town council will take seriously my request, which is in my letter and I've stated to you tonight to submit your own objection to the ABC board. It will be very beneficial and helpful to those of us as we are going through the public hearing process and this investigation with the ABC board. Thank you very much.

Bridge Littleton: Thank you Ms. Skelly. Does anybody have any. Well, I'll go around and see if anyone has any questions of Ms. Skelly. And so Kevin's raising his hand. Mr. Daly.

Kevin Daly: Ms. Skelly, to the best of your knowledge has the Wrights also submitted a protest or objection to the ABC board?

Kimberly Skelly: Yes, they have.

Kevin Daly: Thank you.

Bridge Littleton: Bud, any questions?

Bud Jacobs: Yes. Do you have any idea how long it will take for this process to unfold? When the hearing will be, if you know that sort of thing?

Kimberly Skelly: The ABC investigator indicated on June the 17th that he would begin conducting interviews with the objectors in July. And he is not yet scheduled an appointment with me or my husband. But I anticipate the investigation will begin formally in July.

Bud Jacobs: And you said this will lead to a hearing at some point.

Kimberly Skelly: That's my understanding from the ABC [inaudible]

Bridge Littleton: Bud was there anything else?

Bud Jacobs: No. That's it. Thank you.

Bridge Littleton: OK, Peter.

Peter Leonard-Morgan: Nothing else to say except thank you for coming to [inaudible]

Kimberly Skelly: Thank you.

Bridge Littleton: Philip.

Philip Miller: Yes, thank you for coming and clearing that up. And so, to the best of your knowledge The [Inaudible] Group, they have not come in and tried to speak with you still to this date.

Kimberly Skelly: I proactively reached out to Mr. [Inaudible] in May, shortly after the paper and his presentation to the town council to preempt my concern. He invited my husband and I to come over so he could present the plan to us. We did that. It did not in any way change my opinion of the project, which I told Mr. [Inaudible] and I confronted him and Mr. [Inaudible] they were both at this meeting about their misrepresentation and their dishonesty with the town council to express my grievance that I have with them on that issue specifically. Yes, but they did not contact me. I contacted them.

Philip Miller: Ok. Thank you very much.

Bridge Littleton: Cindy, any questions?

Cindy Pearson: Actually, I was going to ask the same thing about had you spoken to them yet. So that was just answered. But just for I believe I'm correct on this, somebody might want to check the history on it. But when the county bought that property down there, I think it was called what, Mercer Park then. And now it's Mickey Gordon Park. The property wouldn't perk for schools. It didn't have enough water there to be a school, I believe is what the problem was. So not that I'm disputing what you're saying isn't very important about the parks, you know, backing up to that property. But just wanted to bring that [inaudible]out there. But thank you for coming to us. That's all.

Kimberly Skelly: Certainly. And I'm not familiar with that perk issue. I know Mr. [Inaudible] has just received the permit to [inaudible] a little commercial well and expand his septic system immediately adjacent to the project. So I would have to check on that. But thank you for mentioning that.

Bridge Littleton: Darlene did you have anything?

Darlene Kirk: No, I didn't. But thank you very much for coming to us and setting the record straight. I appreciate it.

Kimberly Skelly: Thank you.

Bridge Littleton: Ms. Skelly, thank you very much. So let's just go around real quickly from a council perspective. I think the comment I'll make real quickly is. It is concerning that, you know, there might have been a misrepresentation to us around the nature, not the nature of project, but that the adjacent land owners were onboard. And so that gives me pause. You know, I mean, besides being what it is. And the nature of it now, you know, going to 300. I guess my question for the council is, I guess even though it's not in the town of Middleburg. We're a local governing jurisdiction. So we could. Is that something anybody on council, you know, and maybe there might be more fact finding. You know, I mean, I wouldn't want to make sure that that we had all the facts and all that stuff right if we did want to do that. But is there any interest from anybody on council to contact the ABC? Let's go around here. Peter.

Peter Leonard-Morgan: Yes. When you say if [inaudible] council, are you talking about individuals or the council itself?

Bridge Littleton: Well, [inaudible] individuals, everyone's individual choice. Right. But I mean. So, yes, I meant that the town council itself, because I didn't realize the actual local the local governing body itself could actually send something. I mean, there was that one a year and a half ago. I did it personal and I didn't bring it to town council. So I didn't realize that the governing body could do that.

I think we should definitely do some more investigation. I do have some concerns about the tranquility of entrance to Middleburg, which is so important to our town and the residents, business. And if there are things that we thought we knew that might be different now, I think it's important to do some investigation.

Bridge Littleton: OK. Philip.

Philip Miller: It gives me pause that there might have been a misrepresentation. Clearly, that does not sit well with me in terms of how they presented their case and the support from their surrounding neighbors. I think we all had a bit of pause in terms of size as a gateway to Middleburg. I think it definitely merits discussion more with council. We must get the facts. So. Investigation is necessary. I have real concerns now.

Bridge Littleton: Ok. Yes, understood. Bud.

Bud Jacobs: I agree with Philip. This presents quite a different picture from our initial understanding of the situation based on the presentation we received, I don't know how these things are done. Mr. Mayor, would the investigator, as a matter of course, want to talk to us or do we have to formally raise concern for that conversation to happen?

Bridge Littleton: So I can tell you from my experience when I did it before. You submit a letter and then an agent will reach out to you to talk to you about the love of the letter and ask additional questions and stuff like that. And I guess in this instance, if it was the town and reach out to somebody from the town and I doubt they would interview everybody they, you know, maybe picked Danny or something like that. And then from there or Will, you know, Will's got to be the right guy for that [inaudible]. Right here, right now. Exactly. So, no, but I think what happened then is the investigator, from what I remember, the investigator will then put this together, sort of what he feels is the overall picture of, you know, the pros, the cons, what the different situations are. And then it'll go to an administrative law hearing with an ABC administrative law judge. And so, like, you know, when I did this a year and a half ago, I literally went down to Alexandria is a little courtroom and the [inaudible] on one side and the objection. You know, those objecting on the on the up are on the other side. The judge really worked hard to try to see if the parties can reach a compromise that everybody can live with. And, you know, they don't want to be the one deciding. They'd like to force a compromise. But evidence is presented and people know it's not like evidence, you sort of say you feel what your concerns are and the investigator will present what their findings are. Everybody gets a chance to speak. And then, you know, the judge makes a determination. That's if it goes all the way through everything at any point along the way if the complaining parties and the applicant work out a compromise everybody can live with, that compromise with the ABC agent, the ABC agent will then take with those compromises are actually put them as a condition of the liquor license with a brewery license, and then that's it will be granted. But if they ever violate those conditions, they could lose their license.

Peter Leonard-Morgan: So it's like an arbitration for them.

Bridge Littleton: No, it's a real courtroom. I mean, is there an administrative law judge. They you know, and then she sits on the thing and has a gavel and all like. So that's kind of process from beginning to end. But again, they really want people to try to work it out. So they really every step along the way trying to, you know, help people find a compromise. But at the end of the day, if a compromise can't be found for whatever reason, it does go to a judge. The judge makes that decision. And if the town submitted a letter, we would submit the letter. We're not required. I do remember this. We're not required to go to the hearing. We will you know, we submit the letter. We provide additional information to the investigator. And then we can say my concerns are outlined in the letter so that other people can go or whatever. So, yeah. And we're not compelled to go. That's one thing I do remember. So any way that's where it is. OK, Cindy.

Cindy Pearson: Yeah. Yes. Now, did I hear this right it says that your local their local governing body, meaning Scott Buzzelli and Brian's local governing body can make the complaint, is that what the statement was?

Bridge Littleton: Cindy, I don't have it in front of me.

Cindy Pearson: Does Kimberly know that? She said it I think.

Kimberly Skelly: Yes. Am I unmuted?

Cindy Pearson: Yes. OK.

Kimberly Skelly: So that I can read you the exact words as the code is written. It says the number of licenses existent in the locality is such that the granting of a license is detrimental to the interest, morals, safety or public welfare in reaching such a conclusion the board shall consider one the character of population of the number of similar licenses and the number of all licenses existent in that particular county, city or town. And the immediate neighborhood concern two affect which a new license may have on such county, city, town or neighborhood in conforming with the purposes of this title. And three, objections, if any, which may have been filed by a local governing body or local resident.

Cindy Pearson: OK. I wish I did. You know, I'm just wondering if it's us that needs to make that as a, as a council or if we need to do it individually if, you know, you're so if we desire to do that. But I totally agree with what Philip said, we need. I think we really at this point need to table this discussion and have it looked into some more so we can be more informed and maybe even ask Martin where we should go with this and what his opinion is.

Bridge Littleton: Yes, Cindy, you know it when Kimberly just reread that code provision, you know, putting the glasses on. It sounds like as long as you are a local body, you can but I would actually like Martin to double check that. I want to make sure that legally I mean, it sounds like it. But he can read it in 10 seconds and tell us. If nearby you that's good enough. Or is it that they have to be in your jurisdiction? That being said, it seems it does seem clear that individually we could if we wanted to as well. OK. Darlene, did you have any thoughts?

Darlene Kirk: I just I don't like the idea that we were misled. And I don't know how we can prevent that in the future because I think we really need to. And I don't think it's our responsibility to reach out and double check what we're being told by somebody making a presentation. But I guess we're gonna have to start doing something like that. I also think a letter from the council would be stronger then just individual letters.

Bud Jacobs: Yes, I think that's right. OK. Thanks. Kevin did I ask you yet? I wanted to make sure Bud wasn't last. [inaudible] He did. Kevin.

Kevin Daly: I'll be blunt. I come from a world and we had a code of honor. It was kept very simple. I will not lie, cheat or steal or tolerate anyone who does. I'm not happy being told something, only to find out that two adjacent neighbors have already submitted objections to the ABC board. And I agree with Darlene that a letter from the town is more appropriate that we as individual inhabitants of Middleburg to go to the ABC board. But I also concur with you. We need to have Martin check it out.

Bridge Littleton: Ok. You know, I've got my list all backwards, I must say, but I don't think it is. OK, so, Cindy, I think you've got the right idea. Let me let me see if I can lay this out. Just make sure we're on board. I think the general sentiment sentiment is we do want to, I guess, make our feelings known the right way. We need to make sure, though, that we're accurate on the facts, not that Kimberly or any of the neighbors are inaccurate. But we just we got to double check to make sure. And also, we need Martin to take a look at that code provision and just make sure he doesn't have any issues that. No, that doesn't mean you can do it right. I mean, clearly, any any person can. But because I do want us to be careful that we don't want to submit a letter when the ABC board comes back and says, well, you don't have the right to do that, you know. So we do just want to make sure I follow that third part she read, it seemed pretty clear to me that we could, but I think it's best we have Martin check it out. So I guess from a staff perspective and you guys can sort of you know get into the details later. There's the legal question, that's Martin. That's pretty straightforward. The second question would be, you know, what would we want to highlight as our concerns? There's the concern around transparency. And I'm not sure how much of that is, you know, in the ABC stuff anyway. Well, that the morals piece. But then there's the part about, you know, as Kimberly outlined that

the scale of it, that's a lot larger than we had initially been told that and that's very legitimate. Right. That's about the size scale, quiet enjoyment safety and all that kind of stuff. So I guess those are the two focuses and Rhonda and Will you guys, I think, run all that through with Martin. You know, from a legal perspective, what does he feel that's the right avenues to include in this? We're treading on something that we shouldn't be or we should. Do you, you all feel comfortable enough to put that together.

Will Moore: I think so.

Bridge Littleton: OK. For everybody on and we'll bring it back at the next meeting for review and action. For everybody on the phone, silence is acceptance. Unless you feel we miss stepped the wrong way or we're not the right path.

Peter Leonard-Morgan: There's one question I got. Ms. Skelly, I have one more question. We've been talking about compromise. Is there any compromise that you would because you're so involved in it, and you're so close to it. Is there any compromise that you would see that would benefit you and the community and the area surrounding you? Or is it just a big no.

Kimberly Skelly: If Mr. [Inaudible] wanted to brew beer at the property and serve it somewhere else. I you know, I would be fine with that, but I'm not I would not compromise with the commercial operation bar of any scale being built next to my property. No, sir.

Peter Leonard-Morgan: Thank you very much.

Bridge Littleton: Ok, well, again, Ms. Skelly, thank you very much for for chatting with us. We really do appreciate it. At the end of the day and we want to support businesses, but we also want to make sure we get it right, because, you know, there is the long term and that is the big view. So unless there are any other questions Ms. Skelly. Thank you so much. You're more than welcome to listen to the rest of the excitement of a town council meeting. But if not, you can sign off.

Kimberly Skelly: Thank you very much. I appreciate the opportunity to talk with you all. And thank you for your consideration. Have a nice evening.

Kevin Daly: Take care. Stay safe.

Bridge Littleton: OK. Next item is staff report COVID 19 updates. Mr. Moore, is this you?

Will Moore: Certainly. You have Danny's memo in your pack packet. I think the one thing to highlight is since this time the governor has announced that we will be moving into phase three beginning as soon as July 1st. The guidelines have been issued and fortunately this time the guidelines were issued in advance of the announcement of the date. So it's given businesses and organizations a little more time to prepare for the next stage. So we will be like we have with the other phases. We will do our own kind of extraction that we can put out there to our business community. So they have a direct feed into the guidelines that might affect their individual type of business.

Bridge Littleton: Ok, We'll go around any comments? Bud your first.

Bud Jacobs: Thank you, Mr. Mayor. I don't have any comments.

Bridge Littleton: Darlene.

Darlene Kirk: I have no comments or change.

Bridge Littleton: Cindy.

Cindy Pearson: Is this the place to ask? If not, I can do it at somewhere else. Is National Night still on?

Darlene Kirk: It is. I talked to A.J. about it the other day and he said they've already got the shirts and [inaudible]. If they can have it in August, they will. If not, they're going to have it in October.

Cindy Pearson: Ok. That's all, Thank you.

Bridge Littleton: Cindy were there any other questions?

Cindy Pearson: Did I hit it too quick? No. [inaudible]

Bridge Littleton: Kevin.

Kevin Daly: No comment.

Bridge Littleton: Philip.

Philip Miller: No comments.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Just one question to ask around here, are there any measures that we need to think about to make sure this goes well in Middleburg or are we just go along with the plan.

Bridge Littleton: Which measures.

Peter Leonard-Morgan: Just to make sure that folks abide by the latest changes. Do we need to do anything to we need to issue posters.

Will Moore: This is all right. I think that, you know, as we have done with the previous phases, we have we have provided direct links, extractions of what we think are the most salient points that different business types need to be aware of, but also give giving them the direct links to access the full set of guidelines that are available to them. Those links we and the postings on the state government web site include nice tool kits that businesses can use that give them ready to print posters and, you know, things for their storefronts. So we assist businesses in getting them ready, access to that. But that's those are our plans [inaudible]

Peter Leonard-Morgan: Thanks very much.

Bridge Littleton: Okay, so Will the only question I had it to do. I know it said in there that you guys have some preliminary numbers on the retail assistance programs just ended. Was there any initial sort of thought out where that ended up at?

Will Moore: I'm going to I'm going to ask if Mr. Gaucher [multiple speakers]

Jamie Gaucher: Thank you. Thank you for that question, Mr. Mayor. We are still crunching those numbers. Several people have submitted their final reports between the close of the program, which was Sunday and today. And when I was in town today, I made a point that make sure to stop at all the individual businesses that had yet to submit any requests for reimbursement. And those are forthcoming as well. So I don't have a specific update at this point time, but I certainly will have one by our next council meeting. I've asked for all the participating businesses to submit their final requests for reimbursement by the end of the month.

Bridge Littleton: Ok, great. Unless there's anything else we'll move on. Next item is the consent agenda. Anybody like to make a motion regarding the content agenda. [inaudible]. Please.

Peter Leonard-Morgan: I move the council, accept and approve the consent agenda as presented.

Kevin Daly: Second.

Bridge Littleton: Ok, we'll now go to Roll Call vote. Darlene.

Darlene Kirk: Yes.

Bridge Littleton: Bud.

Bud Jacobs: Aye.

Bridge Littleton: Cindy. Cindy.

Cindy Pearson: Cindy Pearson, aye.

Bridge Littleton: Kevin.

Kevin Daly: Kevin Daly, aye.

Bridge Littleton: Philip.

Philip Miller: Philip Miller, aye.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Peter Leonard-Morgan, aye.

Bridge Littleton: OK. Consent agenda approved. Next here is action items. Contract of the updates of the HDRC guidelines from Frazier and Associates. Mr. Moore.

Will Moore: Thank you, Mr. Mayor. We will actually not be requesting action at the meeting tonight. We were anticipating an [inaudible] earlier time regarding a grant opportunity we applied for we actually did receive informal notification from DHR just yesterday that we are being awarded the grant. And so a lot of credit to Estee on that. She headed up the grant writing and submission, had some help from other members of staff to assemble things but she did a wonderful job on that solution and very happy that we will be a recipient of that. We will come back at your first meeting in July for the request to authorize us to enter the contract.

Bridge Littleton: Was there a [inaudible] win party in the funding as well?

Will Moore: I don't believe so.

Bridge Littleton: Rhonda can do that. Ok, that's great. So no problem. OK. Next is two discussion items.

Peter Leonard-Morgan: Can I ask just one question about that?

Bridge Littleton: About what?

Peter Leonard-Morgan: The grant.

Bridge Littleton: Yes you may.

Peter Leonard-Morgan: Mr. Moore, any idea on the amount of the grant or the proportion of the overall cost of the [inaudible].

Will Moore: Yes. So the contract will be for an amount of fifty thousand five hundred. The grant was for thirty seven thousand one hundred. So it's about 73 percent or so of of the actual cost. It's a 70 percent grant. But in addition to the fifty thousand five hundred contract, we have some twenty five hundred dollars of in kind and it's a 70 30 match.

Bridge Littleton: Wow, that's great.

Bud Jacobs: Well done.

Bridge Littleton: Can we do that for the new town hall.

Will Moore: I don't think that was quite. [laughter] [multiple speakers]

Bridge Littleton: We'll be generous. That's great to know. OK. Next item is a memo to the council's rules of procedure and I haven't pulled it up yet, but I'm going to bet a million bucks it's Rhonda North. Ms. North.

Rhonda North: Thank you, Mr. Mayor. So of course, we needed to make some changes to change town administrator to town manager. But while we were in there, we also are proposing some update to participations in meetings electronically, obviously, with the recent events there been some changes along those lines. So we're proposing to include some of the new state code provisions regarding that. And then one of the items that we were asked to look at specifically with regards to resolutions and proclamations and the practice for putting those on agendas. So I did poll some of my fellow clerks and those who responded indicated and in fact, all but one indicated that for them their proclamations went directly to their mayor and did not even go to the town council. They were not on the agenda. So in keeping with that practice, which appears a lot of localities do, we have proposed that the proclamations be addressed by the mayor with the resolution continuing to come to council. And we have used definitions of each of those in the proposal and then the council, a member of council would still have to sponsor if someone requested a resolution on the agenda, a member council would still have to sponsor placing that on the agenda. But just in summary. Those are the amendments that are proposed. I am happy to answer any questions you may have.

Bridge Littleton: So Rhonda, if you could do me a favor real quickly, because I just want to make sure that we walk through this for the council so you know a little history right, we had a request for a resolution. I think it was a resolution. Yes, [inaudible]. One being for racial equality and the other one is for LGBT month, which I guess is the month of June. Pride month, excuse me. And so the question arose of we had done one the week before we're reaffirming the statement from NVRC. It's sort of a good question, right is that rarely do we get these, you know, resolution requests for things other than just, you know, the Boy Scouts of America or someone's 20 years service on council or something like that. And I know other towns are very challenged in that they you know, like us have limited staff, but they have a very, I guess, an unrestricted policy that almost every request that comes in goes into a formal resolution and then it's debated and voted and actually voted on. And, you know, people sign stuff. And I mean, I know one locality is like fifteen every meeting. So recognizing Rhonda is an army of one being in charge and putting these all together, did we want to put some structure around, you know, how we manage and handle those? And, you know, I think from Martin's understanding from a legal perspective, there's no difference between the proclamation and a resolution. How you do it, but the legal significance is exactly the same as sort of a affirmation of council that, you know, they're celebrating something or recognizing something. But I think from an outward perspective, people see them as differently. I think people see, you know, with one over the other. But so my question really is, and we just need to go around the room. Do we want to look at a structured approach in how these requests. And again, classifying each request. How we want to go about how and I'll say vetting the request, because, you know, as much as you can get a request for recognizing, you know, racial equality you can get one on the other side of the pendulum, which you might not want to put yourself into a situation for something that's very negative, you know, but as a citizen request, it's a citizen request. And and again, also respecting the fact that

Rhonda is an army of one and, you know, the times, the time commitment. So I guess my first question would be for council, do we want to put structure around what one would mean and what the other would mean? And is there a process? Right. You know, is it if you'd like to request a prop, let's say we say ceremonial things are proclamations and just the mayor does it. OK. Great. Is there or is there a form. Right. Hey, what do you want? Why do you want it? And what are the details that need to be in it? Because if not, Rhonda has to go on research how to, you know, make it, you know, be good and capture the right details and stuff like that. And do we want to use resolutions for things strictly for, you know, time in service of an employee or remembrance of, you know, someone who past, you know? Again, I'm not trying to predetermine it, but for these all proclamations and, you know, let it go that way. So completely open book, so I'll just go around the room. Peter, your thoughts?

Peter Leonard-Morgan: Well, I think it's great that we're talking about this. I think it needs a bit more discussion and research because the idea of having a [inaudible], the grant process to really streamline it and make it clear what the process is, what's required in order to, not too difficult, but that structured process to present a request for a resolution or a proclamation and then perhaps some kind of, I'm not saying another committee, but somehow have it fed through a a sort of a review system and a recommendation produced. That's how I would look at it.

Bridge Littleton: Philip.

Philip Miller: How much staff time is this going to add? How many hours, depending on how many requests we get with a new system to go through all of these? That's the concern, I think. I don't have a problem with investigating the idea of using a proclamation differently for more ceremonial purposes. I don't think that's a bad idea. I do think that eventually it could become a very heavy lift.

Bridge Littleton: Rhonda, what are your thoughts? You're the clerk.

Rhonda North: With no disrespect to Council Member Leonard-Morgan. It definitely would add a heavier lift to doing that if we're having a committee who are overseeing it.

Philip Miller: I guess we need to kind of decide what we're trying to accomplish through this. What is the end game? What do we want to. Do we want to have a system that has two different legal, essentially equal legal actions by council. And if so, what's the purpose of that? And how can we do it most efficiently for staff and most equitably for all applicants?

Bridge Littleton: Right. I mean, Philip, you raise a really good point, right? We have to treat the applicants fairly, too. [inaudible]

Philip Miller: Absolutely. And to do that takes time. And it takes, you know, quite a bit of research on the staff's part. That's how I feel about it.

Bridge Littleton: No, that's a good point. Bud.

Bud Jacobs: I've been trying to understand the changes that are being proposed. And let me just summarize my understanding. If a citizen wishes to make wishes to some council to make a resolution or a proclamation they submit it to the clerk, the clerk forwards it to the mayor. And if the mayor or his Council Member wishes to sponsor the request is that it moves forward. Is that accurate, correct?

Rhonda North: Not quite Council Member Jacobs. If this is and is asking for a proclamation, then those requests would automatically be forwarded to the mayor who would make the determination of whether to.

Bud Jacobs: Right. Right. Right. Got it now. Yes.

Rhonda North: And those proclamations would not come to council at all. If there was a request submitted for a resolution. Then the resolution, then that request I would forward it to the council to see if any member wishes to

sponsor it. If someone does, then I would write up the resolution and put it on the next agenda for your consideration.

Bud Jacobs: I think the really the only serious risk we faced in all of this is ending up like a lot of the other towns in Loudoun County who apparently received lots of lots of requests for these things. And I just don't know if that's the best use of either the clerks time or the mayors or council's frankly. [inaudible]

Bridge Littleton: We don't, but I mean, I don't think. Rhonda, do we get a lot of?

Rhonda North: We get enough. And at one time, we were we had started to receive a lot of requests. You know, they're pretty much, you know, days or weeks or months for almost every profession that you can imagine. And we were starting to get a lot of requests for a proclamation declaring those. We received the requests for, I think it was Middle Child Day. And once we started to get that many and, you know, those types of things, that really didn't affect Middleburg directly That's when we amended the policy to say that a member of council had to sponsor the item before it could go on the agenda. Once we made that change it really was the number of requests that we were receiving down dramatically. So we've already eliminated, you know, a lot of it just by having that sponsorship request. You know, the idea now is just do you want to reduce it even further by allowing [inaudible] some of those items.

Bridge Littleton: I got it. OK. Yes. [inaudible] No, I get it. I get it. Well, let's go around the room. So Cindy.

Cindy Pearson: Yeah. And I think it's what Rhonda just said, too. They hit all at one time and then you don't have any for a while. Yeah. And I believe when Betsy was mayor or, you know, I can't go 100 percent on this. I'll give it a 90 percent. That she didn't like receiving all the requests. And that's why we changed it, it was another reason it was changed too because she was making the decisions for all the resolutions or whatever. And I agree, though, that when they do make the request to Rhonda that they need to give her more information because she does have to hunt up that information and to make that resolution on all of them she does. But I think there's a few other things we need to look at. But I don't know if giving it all back to the mayor is a good idea. You know, just because, like she said, it stopped some of it with it not being on the mayor's table again. So that's all I have to say.

Bridge Littleton: Ok. Darlene.

Darlene Kirk: I know it seems like the number has gone down a lot more since that Betsy left. I mean, it's before we did have a lot of things that were middle child day and that sort of thing. I guess the way we're doing it is okay. Maybe it is to have sent you some common sense or some of them like Middle Child Day or something like that. [inaudible] aren't that much, it seems like. That's all.

Bridge Littleton: Ok. OK. So it sounds like, well, the one thing I'll say is that I do think it would be good to for the public to have a clear understanding of what our expectation of them is to provide us if they're going to want to. I mean, someone aspiring, you know, saying, hey, I want a proclamation for Happy Smiles day. It's gotta be more than that. You know, it's. You know, who are you in? But what are the details? It may even be something totally worthy and valuable that we don't even know about. I mean, you know, it's I was telling somebody the other day, you know, there is actually a kidney cancer week in October, which is was very important to me. But how would anybody else know about that. So I think we do have it. And it could be a simple half page request form. Right. Oh, you like you know, somebody e-mails. Hey, here's the form you fill out and send it back in, that'd be great. And maybe, you know, I think they could use to give Rhonda some bullet points, bullets of what they're looking for and what the history of something is, and maybe a link to something online if you wanted to find more information on your own or whatever. And we don't make it burdensome, but it's got to help you get it done more efficiently and more effectively. So I feel like everybody's on board with that, at least so and so right now, as it stands, our processes for a resolution, a member of council has to sponsor it. But if it is a proclamation, what you're saying that most of their towns do is the mayor review's it and if they're fine with it, it just it just goes forward. So the question I have is what behaviors does that force? Right. Does that force everybody to say, oh, well, I'll just ask for a resolution and we never get proclamations, you know? And then what if nobody wants to sponsor because we don't

feel it rises to the level of a resolution. But it's not a harmful thing to say, well, you know, here's a quick little mayor's thing or whatever. So I think we have a feeling of where we want to go, but I don't think we know yet if that makes sense. But I think you've heard everybody sort of what their world juggling with it. And I think you, Rhonda, most of all are, you know, as the Clerk and as future clerks are going to have to be the horsepower behind this. You know, what do you think sort of feel what you feel meets the needs of the public, especially when we get a nice environment like we are now. Right. Were very important issues are raising up to very high levels. And these things could really go would be an appropriate path to to reconcile. OK. Yeah. So I mean, I guess the other clerk but I think everyone on the councils, I don't think everybody is against it, but I think it's, you know that it feels like there should be something a little more formal, but also something a little more structured.

Rhonda North: I will work on this further. I will not be here for the first meeting in July. I'm going to be on vacation. If you don't mind, it won't come back immediately because I anticipate next week I'll be concentrating on fourth of July activities.

Bridge Littleton: Not a problem. Do you need us to approve the other changes?

Rhonda North: If you like to approve the other changes that would be fine. If you'd like to wait and bring them all back at once. That's fine as well.

Bridge Littleton: Okay. So you don't need them for July 1st?

Rhonda North: No.

Bridge Littleton: Ok. All right. So if everybody.

Philip Miller: Can I just. .

Bridge Littleton: Yeah. Philip, go ahead. Sorry.

Philip Miller: So I was going to say it in your thinking about this process. I think you also need to have criteria by which things have moved to sort of the next level and are presented to council or the mayor. All these applications that you may or may not be getting in, that they need to have a process that is that treats everything equitably.

Rhonda North: Will do.

Bridge Littleton: OK. Thanks, Philip. Did anybody else have any other feedback before we move on? Ok. Volunteer appreciation. Let me guess, Ms. North.

Rhonda North: Thank you, Mr. Mayor. So it is that time of year where we normally start to talk about the volunteer appreciation reception that we hold and at least get the date set so that I can book the room through the Emmanuel Episcopal Church. You know, we're kind of in an unknown environment with the Coronavirus. I've been told that there's going to be a second wave coming through in the fall. But if you all are interested, I think we could go ahead and at least book the room with the understanding that if we got closer and we felt the need to cancel, we could go ahead and cancel. And and if you do want to proceed, one of the things that that we are suggesting is some of the committees, particularly like the HDRC, have had to go little above and beyond to try to meet during these times, electronically. You know, it's it's been challenging at times for them. And so we were thinking maybe a gift that's a little nicer than normally we give us some sort of nominal value, like a, you know, a box of candy, or know something like that, that maybe we should give them something a little nicer, five dollar or less range, that Danny and I could put together.

Bridge Littleton: Did you say five dollar or less range per item? [multiple speakers] Explain to me how that's nicer.

Rhonda North: Well, we've been giving them things like Reese's Cups.

Bridge Littleton: Oh, that's true. Those get stickers on them, they're one a kind. [laughter] So I would say this Rhonda. I mean. I would assume [inaudible], I would assume that we book the room, and even if we pay for it, if for whatever reason, [inaudible], whatever that the church would let us [inaudible] keep the money, but we could probably move it with penalty, right?

Rhonda North: Oh, I'm sure. I'm sure they would be OK with us to move in if we even had to do that. Yes. I mean, this is the big thing. It's going to be the social distancing, where we are with regard to the social distancing, because while it is a large room, you know, it's a lot of people.

Bridge Littleton: [inaudible] You know, these [inaudible] come between 5 and 6:30. These [inaudible] come between, you know, 6:45 and 7:45 or whatever.

Rhonda North: And yes, we might have to do something of that nature just to be able to include, you know, all of the committees in. Make for a longer night for us.

Bridge Littleton: [inaudible] OK. So instead of going around the room, I'll just ask openly, does anybody have any questions or concerns with Rhonda's proposal?

Peter Leonard-Morgan: I love it. Thank you.

Cindy Pearson: I'd like to make a comment.

Bridge Littleton: Sorry, Cindy. Could you say said again.

Cindy Pearson: I'd like to make a comment,

Bridge Littleton: Please.

Cindy Pearson: I'm going to be the Scrooge in this. Oh dear. Sorry.

Bridge Littleton: Cindy, that was predictable.

Cindy Pearson: I know. I thought I had that turned off. Yeah. I'm thinking since we didn't have volunteers that did a lot in this year simply because there were no meetings and things that maybe we could postpone it this year and maybe just do something for HDRC because, you know, they are the ones that have hung in there [inaudible] have the meetings. Maybe just have a little. Whatever cookies and punch or something before their meeting and give them a little recognition of some sort. You know, it is this isn't something I mean, that's something that's really great. We need to do it for volunteers. I have no problem with that. But with all of this going on I don't think it's something we have to do to put people in that position. You have to have two waves of people coming and going. I think that would be very confusing. A lot of people wouldn't come. And you have to remember, the majority of our volunteers are old. Older than me even, go figure. And I don't think it's good to put him in that this year. So just my thought to think of postponing it, maybe just doing something for HDRC. That's all.

Bridge Littleton: Ok. I appreciate it. I mean, I guess my only input would be if we don't do it for everybody, we do it for nobody. I don't, that just doesn't feel right calling out one group because they had more phone calls than others. [multiple speakers] And we want to keep the volunteers.

Cindy Pearson: We do. Absolutely. But then you have to remember once again that our volunteers are all the majority are very old.

Peter Leonard Morgan: Well, I dispute that the Go Green Committees is quite young.

Cindy Pearson: There you go. [inaudible]

Peter Leonard-Morgan: I'm the oldest one.

Bridge Littleton: Now, that's interesting. Wow.

Bridge Littleton: So here. So, Cindy, maybe this'll work. We can always cancel it if there's a wave right. Or there's really serious health concerns. But this is October. I mean, we could be in a really good state by then. The second thing is, to your point about older people, we just have to tell them, you know, if the virus is still around, you really consider your health and if you're compromised or whatever, we know you need to make the smart choices to make an all along during this pandemic. Right. I mean, I'm sure they've been smart about going to church and smart about went to Safeway. I would imagine they'd be smart about coming to this where they would appreciate it. But like, you know, I'll think of my father. Right. He's 77 years old. So if COVID was still lingering around, I can tell you he's not going to come, but he would appreciate being invited. So. But, you know, we can wait to a month out and make a final determination there. But if things are looking good, we should plan for it. [inaudible]

Philip Miller: Hey, Rhonda. How many people are we talking about roughly?

Rhonda North: I think roughly we've had maybe 50 at the highest.

Philip Miller: Ok. So I'm just going to propose something and feel free to chime in and comment. What if we did a ten dollar gift certificate like we do at Christmas for our committee members and just sent it out to them as appreciation in lieu of the celebration and a party all gathering together and they can spend it in town and submit it for the business can submit it for reimbursement just like a Christmas.

Bud Jacobs: This is Bud. I really like that idea.

Philip Miller: Anybody else? [laughter]

Bridge Littleton: Let me ask this. How much do we normally spend on the whole event?

Rhonda North: Food wise and just all the little things. I think it's oh no, it's more than that. I think the budgets normally around three thousand.

Bridge Littleton: Three thousand. How many total volunteers do we have?

Rhonda North: 70 something.

Bridge Littleton: What's 3000 divided by 70? I don't do that kind of math. 50 bucks each? [inaudible] I understand your ten dollars. Right. But that's you know, we're doing five dollars with the event. Right. You know, if I mean [inaudible] decision today. We've got to put everything off until the first meeting in July. But if you could take a look Rhonda, let's punt on this and and look back at it, you know, sort of [inaudible] we took our normal budget like three thousand dollars and then just divide it by the number of active volunteers we have right now, maybe take it five bucks down from what that would be. So we're still coming in under, you know, and it's like thirty five bucks for everybody. I mean, that's meaningful, especially if we're not going to have the reception. That could be maybe how we address everybody's concerns. Does anybody have a out and now objection to looking at that the next meeting? [inaudible]

Peter Leonard-Morgan: I like the idea of doing the reception. I think the volunteers enjoy it as long as we are out of this pandemic and it's safe to do so. But I'll go with the majority vote.

Bridge Littleton: Bud I think you're gonna say something.

Bud Jacobs: Oh, I like the idea of not having the reception this year and proceeding along the lines that you just suggested. [multiple speakers]

Philip Miller: I like that it actually promotes, you know, generating a little economic impact for our businesses as well.

Bridge Littleton: Ok. So we'll do a final look at that, we get back or whenever you need. Ok. Next item, one second, I think is a closed session, right? [inaudible] Oh, public comment on. I'm sorry. But then it's the closed session, right?

Rhonda North: Information item. [inaudible]

Bridge Littleton: Hold on. Oh but there are none. OK. All right. Are there any information items.

Rhonda North: Mr. Mayor, I have just like to point out that Boy Scout troop 2950 did install our flag around town yesterday. They did it in less than one morning. And, you know, I think they did a really nice job. If you haven't seen it, I'd encourage folks to ride around and take a look. We do have a few extras in case we need to refill in case something happens to any of them before the Fourth of July. But I just like to commend the Boy Scouts for doing such a nice job.

Bridge Littleton: Very nice. I've already picked up about 15 to 20 for my house. Yeah. [inaudible] Yeah. Anything else, Rhonda? Did anybody else have any information items.

Bud Jacobs: This is Bud. I have one. I spoke to our HOA last night and gave a little Council update and COVID update and I was very pleased with the comments from our 19 or so stakeholders here in [inaudible] say about the council, about the mayor's leadership and about the staff were all uniformly positive and enthusiastic so well done. Everybody should get a pat on the back.

Bridge Littleton: I hope you're patting yourself, too Bud. I think as a town, we've, you know, the town staff and and the hard work everyone has put into, you know, helping in helping the businesses and the residents through COVID. It has been very unique and very special. So Bud thanks for that. I appreciate it. One information item I didn't want to throw out quickly for the walk on Saturday. Just a quick check. Who intends to be there?

Peter Leonard-Morgan: I had but something's come up through work unfortunately. [multiple speakers]

Bridge Littleton: Cindy.

Cindy Pearson: So, I'm sorry I got tied up yesterday when that phone call happened. So they're starting at the Asbury Church [inaudible]. Is the speaking going to be there or will it be when they reach the community center.

Bridge Littleton: Yeah. So it's gathering between 10:00 or 11:00 ish walking [inaudible] the post office coming back and in the speaking will be at Asbury after the walk is concluded.

Cindy Pearson: After the walk. [inaudible] I'm not sure I'm going to do the walk. We'll see.

Bridge Littleton: And I know Kevin was planning on being here too, so. OK. So. So the only reason I ask is somebody asked me in an e-mail earlier, was there any intent to end for the council you know, we get there to do a thing special, like all walk together or something like that. And, you know, I just my response was, I mean, we should just be a member of the other group and mingle and you walk with our family or friend or, you know, whatever feels most comfortable for everybody. So. I didn't think we had any need to do anything specific as that happened.

Philip Miller: So, you know, we're not the focal point. We should not try to make ourselves one.

Bridge Littleton: Yeah, exactly. Exactly. So. And, A.J., thanks for all the hard work and everything together for that. Ok, we will. OK, open the second public comment session.

You know what? I apologize. There was one other thing I wanted to say in the information item. I apologize for saying this, but I just feel it's very important. I did get a couple phone calls over the last couple days around concerns around, you know, potentially things in the walk, you know, like in other cities have had problems. But in Loudoun County, everyone has been successful and peaceful. They've been wonderful. Well attended. And you know what not. And, you know, when one person actually asked me, you know, how could the town permit this? And, you know, I had a long conversation with the individual and, you know, it was fine. But it just it really struck me. I mean I mean, you know, everybody has their own views, but it's really struck home that, you know, this is everybody's First Amendment right, you know, to express their opinions and ideas and feelings in a peaceful and polite and respectful manner. And that, you know, I know what's what's best about this is that's what this community, you know, fully entails and fully exemplifies, you know, is the perfect. No, but is it you know better than just about any place I've ever been. Absolutely. So I am actually really looking forward to Saturday to be, you know, not only representing these issues, but also the broader picture of this is actually what makes us great as Americans. And, you know, I just. I think it's a great statement of who we are as a community and as a nation, especially right around July 4th. So anyway, sorry, I apologize. I just had to say that. So, yeah.

Rhonda North: I think we were going to talk during this meeting about whether to allow the advisory committee to resume meeting and whether you guys want to resume meeting in person or continue to meet remotely.

Bridge Littleton: Yes, that's right. So that was one other question I wanted to ask council. So we'll cover both of them. First is our council meetings. So next Wednesday, we are, you know, all intensive purposes, we should be going into phase three at that point for the meetings thereafter does council want to reconvene in person? Rhonda and the staff have come up with a way in which we can do it and all maintain six foot social distance while we're here in the room on the dais. And that staff will be positioned other places in the room to be able to be done safely. So I guess to just go around the room and see if everybody is on board with resuming in-person meetings and going away from the video conferencing. So I'll just go down the line. Philip.

Philip Miller: If we're in person, does that mean that the public can come and make comment in person?

Bridge Littleton: So I think we will be able to figure out how to make that work. Now, they probably couldn't come past the threshold, but you could you let people be six feet apart from each other all the way in and out the door, down the street, if need be. So the answer to your question, Philip, is yes.

Philip Miller: Ok. I think people should still have the option to remote in anyone who wants to go into the council chamber I think should be allowed to. But if anyone who feels that they are high risk or has someone in their close circle that is high risk, they should have the option to stay remote.

Bridge Littleton: Ok, Peter.

Peter Leonard-Morgan: Good point. Philip and I wondered, will the emergency order still apply to electronic meetings after once we've gone into phase three?

Rhonda North: Well, it's my understanding that we still have social distance and that's the primary reason at this point that we're still meeting remotely is the social distancing issues.

Will Moore: To answer the question maybe a little more directly. I'm not 100 percent sure yet, but we'll look into that. But first glance at the guidelines that have come out still indicate that the that the governor's order would still allow the local option to do the remove me if we wanted to continue to do that.

Peter Leonard-Morgan: Thank you. I'm still I mean, I I'd like to try and resume in-person meetings, but I do agree with this that if, you know, if is members of committees, will the council have a concern about being there, then we should accommodate that if we are able to.

Bridge Littleton: Ok, Cindy?

Cindy Pearson: Yes. The only problem I'd have is with the public, because if we get some issue and everybody in town wants to come make a statement, can we require that they have to wear masks before they can come in and speak? You know, there's just a lot to think about that way. And when we have it remote, we can so have them call in and be part fine. If we have 50 people all in exile, you know, or we can deal with that, but we don't have to be exposed to, you know, people come in, whether they feel well or not. I mean, are you going to have somebody stand there, take people's temperatures before they come in the door? Things like that? No. So I think we should keep it remote and do it, like just for those who want to come into the. I would much rather be sitting around with everyone. Please don't get me wrong. I think it's much better you can, you know, get the feel of things when you're there, which you don't when you're doing it remotely. But I don't think we're where we should be yet. When you see all these numbers gone really high, like in Florida and different places, I think we should just chill out for a little bit longer. That's it.

Bridge Littleton: Bud.

Bud Jacobs: I've changed my mind 180 degrees on this. I was in favor of opening it back up and going back to normalcy however, that's defined. But I think Cindy makes a pretty good case. I guess I'm good either way, but leaning more toward having a few more remote meetings.

Bridge Littleton: Darlene.

Darlene Kirk: I prefer not remote, but I will go with the majority on this because I want us to be safe and I don't want us to cause people to get sick. So that's my point.

Bridge Littleton: So. So if I hear everybody right. What we're saying is it's not going to be mandatory remote. It's going to be your option. So we're removing from mandatory remote to your option. You can come in if you want. Or you can remote in. And it's your choice. Right.

Cindy Pearson: And Bridge, maybe I'll on that just through August. August is a short month for us any way so far. And see how that goes.

Bridge Littleton: And I think if we're going to do that for ourselves, we have to do that for the committees as well. Treat everybody the same.

Philip Miller: Yeah, I mean, my concern with the committees is, is the town staff prepared to do all the extra cleaning as required by the governor's orders?

Bridge Littleton: They have to do it anyway because they're here.

Rhonda North: Yeah. So but the other thing that we have to be aware of is while the governor's orders and the legislation that was passed around those meetings, they're also required to be broadcast on our web site. So while the council and the Planning Commission and the HDRC were any set up to do that for those committees were not set up to do that for the advisory committee. So if they resume meeting, we have to have a way to record those and then to put those recordings on our web site.

Bridge Littleton: So we don't have to do this Swagit thing. We can just record it then uploaded it to YouTube and put a link.

Rhonda North: Correct.

Bridge Littleton: OK. So, I mean, that's I get it because there's a cost for Swagit and all that kind of stuff. But worst case, we could just record it, you know, get Mike from FTL to load it to YouTube and you know. OK. All right.

Peter Leonard-Morgan: Question on that. So normally with our committee Go Green for example, we just meet here at the table. I take minutes. The door is open and members of the public can come in, but generally don't. Will that still be workable?

Bridge Littleton: What Ronda is saying is that you have anybody who calls in you have to video it then.

Rhonda North: No, the whole meeting has to be videoed. Whether anybody. Yes. Yeah. If any of the members call in.

Bridge Littleton: Yeah. Yeah. If one hundred percent of all your participating memberships are here in person. You don't have to. If one person calls in. It's gotta be recorded and made available. [inaudible] Well, I mean, you are just going to need staff help to do it.

Cindy Pearson: Can I ask a question, please. Do you think maybe we're just rushing this just a teeny bit? One more month would not hurt to let the advisory meetings not happen. You know, you're talking you're gonna need staff in all those meetings, whereas they weren't usually and Go Green and different ones of staff is gonna have to be there to do the recording. Now you're put more on their plate. So can we wait maybe and go Like I said, go through the end of August because August is a short month and then shoot go for the 1st of September to go back to our whatever normal may be at that point in our lives.

Bridge Littleton: Well, let's ask Will, from a staff perspective what he thinks.

Will Moore: Thank you, Mr. Mayor. I think we're hearing two different issues, actually. One is whether those bodies, including council, historic district review committee, planning commission, that have continued meeting throughout this period. Whether they should mandate that it's continued to be done on a remote basis or whether they could resume in-person meetings to a point. And then the other question is for those advisory committee that have suspended meetings, should they remain suspended I think. [multiple speakers] So I like the option of speaking as the staff liaison to both Planning Commission and Historic District Review Committee. I like the having the option for members to assemble, but still we would still proceed with anybody who wishes to participate remotely that they could still do that. I like that. There are a couple members of each of those bodies that may struggle with the remote aspect, in particular when we're dealing with discussing review of plans and specifications and things like that, that it's a little easier for them to be in a place where they can put hands on a tangible piece of paper and have a more direct conversation with people who are at least in the room. So that would be my suggestion.

Bridge Littleton: Rhonda, for the advisory committees. If they wanted to me, lets say half of them wanted to meet. How much of the staff burden do you think that would be to be able to do it if one called in you'd have to record it.

Rhonda North: Yes. And we we're talking go green. We're talking streetscape. We're talking culture and community events committee. We're talking EDAC am I missing any, Arts Council. So we're talking five committees that we would have to to arrange to have recordings made and put up on the website. Right. So either someone within the committee would have to be able to to do that or someone on the staff would have to attend five additional meetings per month.

Bridge Littleton: So what's your recommendation?

Rhonda North: Because I don't normally attend. Yeah. I don't attend those meetings.

Peter Leonard-Morgan: I have a question, for example, I'm talking about the Go Green as an example. Is it possible for me for example, to video the entire thing on my iPhone and then send you the link and you upload it? Is that too cumbersome.

Rhonda North: The state code does not identify how we have to record it. It's just that we have to record it and put it on the website. So, you know.

Bridge Littleton: Does have to be a video, could it be voice?

Rhonda North: It can be audio. [multiple speakers]

Bridge Littleton: There's an answer. Someone use an iPhone to do an audio recording.

Peter Leonard-Morgan: That's a great idea.

Will Moore: Again, that's only if somebody is calling in. If you have all your members present [multiple speakers]

Bridge Littleton: So let me throw this out for our next meeting. So really, what the staff, time for that would be is that when the Council Member who is responsible will make the Council Member responsible for use of their iPhone to record it and provide the file to Rhonda or staff the real staff time to be taking that file and uploading it somewhere on the website. Ok, so here's the question for the next meeting. We're getting really down to the nitty gritty of it. You guys think about how much of a burden that might be on the four to five meetings that might happen for the next. Yeah. Well, you know what? Let's be realistic. We need to figure this out anyway, because this emergency order really could be in place for a year. We're not going to not have our advisory board meeting committees meet for a year and a half. So I will figure it out. But we need to understand from you guys how much of a pain in the butt you think that is. And it really is a burden to fix or, you know, whatever. But I think the process would be Council Member records it. Next thing you said, video to one town staff members and then you guys just upload it to the website. But we don't I don't think from Cindy's perspective, I don't think we and I think she's right. We don't want to commit you guys to that yet unless you have the opportunity to understand what it really means. OK. So it sounds like where we are in agreement is that council, HDRC, planning commission. Come if you like, stay at home if you like is going to be the process going forward for meetings. So the other advisory boards you guys will look at if an advisory board does choose meet. And if everybody if someone radios in the Council Member who's the liaison will record it on their mobile device, provide the file to the town who will then loaded the website. But you guys got to see what kind of burden that would be if it's too much then, we'll figure something else out or delay it. If you guys think it'll be do big deal, then we'll think about putting it in place. We'll make a decision next week. OK. [inaudible] You know, I don't know how to load stuff to websites. If you ask me to do it, take an hour and a half. Yes Bud did you have a question?

Bud Jacobs: No, nothing for me.

Cindy Pearson: I do.

Bridge Littleton: Oh, go ahead.

Cindy Pearson: Just to make sure on that list you put a process for the public if they're going to attend the meetings. What they have, so you know. How they have to do that. That they have to stay outside until it's time to come in or form a line or whatever.

Bridge Littleton: Or Cindy they could just do like we do now. The public has to call in.

Cindy Pearson: Yeah. Exactly. One of the other.

Bridge Littleton: Yeah. OK. Rhonda, is it clear as mud?

Rhonda North: Absolutely. [laughter]

Bridge Littleton: Ok. Unless there's no other information items, I think the only other thing we've got now is the motion for a closed session. Who would like to make that Peter?

Peter Leonard-Morgan: I move the council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for one discussion or consideration of the acquisition of property for the town hall building and two disposition of publicly held property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body related to the Asbury Church as allowed under subsection A three further moves that the council will thereafter reconvene in open session for action as appropriate.

Bridge Littleton: Is there a second?

Darlene Kirk: Second.

Bridge Littleton: Any discussion. All right, I'll do the roll call, Bud.

Bud Jacobs: Aye.

Bridge Littleton: Darlene. Darlene. We'll come back to Darlene. Cindy.

Cindy Pearson: Aye.

Bridge Littleton: Philip.

Philip Miller: Aye, Philip.

Bridge Littleton: Peter

Peter Leonard-Morgan: Aye.

Bridge Littleton: Darlene.

Darlene Kirk: Aye.

Bridge Littleton: All right. We're in closed session.