



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, September 24, 2020



PENDING APPROVAL

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

STAFF: Danny Davis, Town Manager
Rhonda S. North, MMC, Town Clerk
William M. Moore, Deputy Town Manager
Jamie Gaucher, Economic Development Director
Estee LaClare, Planning & Project Associate
Julie Rivard, Finance Director/Town Treasurer
A.J. Panebianco, Chief of Police

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, September 24, 2020. Due to Governor Northam’s executive orders requiring that people social distance, the Council meeting was held as a hybrid meeting, with some of the Council and staff participating in-person and others participating remotely.

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of governmental operations, the Council would hold its meetings via remote access until such time as the Governor rescinded his executive orders.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 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 6:00 p.m.

Special Recognition by Mayor & Council

Mayor Littleton wished Catherine “Bundles” Murdock a happy birthday. He thanked her for her many years of service to the Town.

Public Presentation

Options for 2020 Holiday Season – Middleburg Business & Professional Association

Economic Development Director Gaucher reminded Council that the 2020 Christmas in Middleburg Parade was cancelled. He reported that the Middleburg Business & Professional Association (MBPA) thought it would be beneficial for the Council to hear their plans for smaller events that would occur throughout the month of December. Mr. Gaucher noted that they were designed to create a new experience for visitors and residents and to extend the options for shoppers to reach all parts of the downtown area.

Punkin Lee, Chair of the MBPA, explained that they felt they needed to do some small things to create the holiday spirit and move people through the downtown area. She suggested they be implemented after Thanksgiving and run through the month of December. Ms. Lee advised that A Place To Be also offered to provide carolers on Saturdays. She reported that some of the MBPA's ideas included window decorating contests; letters to Santa, with a video of Santa reading the letters; photo opportunities scattered throughout the town, with the hashtag Middleburg Moment; small lit evergreen trees scattered throughout the town; and, enlarged photos of past Christmas in Middleburg events placed in stores throughout the town. She noted that the MBPA would pay for a lot of this; however, they may need to partner with the Town financially. Ms. Lee advised that they wanted to keep what they were doing simple, welcoming, and attractive.

Ann Marie Paquette, of the MBPA, advised that they were also proposing to host scavenger hunts and provide a complimentary hot cocoa kiosk.

Michelle McNaughton, of the MBPA, reiterated that the goal was to move people and to give a feel of the parade through the photos. She explained that the idea was for Middleburg to be an experience, not just a destination. Ms. McNaughton opined that these things would set Middleburg apart from other towns.

In response to an inquiry from the Council, Economic Development Director Gaucher opined that the next step was to determine the details and budget for what was being proposed. He recommended this then be taken to the Town's Cultural & Community Events Committee (CCEC) for their review and recommendation to the Council.

The Council thanked the MBPA and agreed they should work with the CCEC. They suggested the MBPA also follow their discussions related to providing assistance to restaurants and retail during the winter months so everyone's efforts could be coordinated. The Council noted the need to consider the amount of volunteer time needed, including identifying who would manage what activities. It was suggested that they include the bronze fox sculpture at the Community Center, as it was an important visitor focal point. The Council expressed concern that a hot cocoa kiosk could take away business from the coffee shops and suggested the MBPA partner with them. They expressed hope that some of what was being developed could be incorporated into future Christmas in Middleburg's.

Councilmembers Jacobs and Daly volunteered to assist the MBPA.

MBPA Chair Lee reiterated that the idea was to keep people moving, which should reduce the number of volunteers needed. She advised that they would put safety first.

Staff Reports

Town Treasurer's Report

Town Treasurer Rivard reminded Council that the Town was wrapping up FY '20 and entering FY '21. She reported that the meals tax and utility revenues for FY '21 were trending in the right direction thus far. Ms. Rivard noted that the Town's audit would soon be complete and would be presented to the Council during their October 22nd meeting. She advised that the staff was working to identify areas of expenditure savings that may need to be implemented as a result of reduced revenues due to the COVID pandemic.

In response to an inquiry from the Council, Town Manager Davis reported that the cancellation of some of the special events affected both the sponsorship revenues, as well as the event expenditures.

In response to an inquiry from the Council, Town Treasurer Rivard confirmed the meals tax projections were currently down by 20%. She reported that August's revenues compared to this time last year were at 81% and July's were at 74%. Ms. Rivard reiterated that the revenues were moving in the right direction.

In response to an inquiry from the Council, Town Treasurer Rivard confirmed the Town was not looking to go into a deficit this year. She reiterated that the staff was looking to reduce expenditures so it would not have to dip into the reserves unless it was necessary.

Town Manager Davis reminded Council that they froze some items already and advised that the staff was looking to pause others. He noted that the staff was proposing to continue to promote Middleburg to keep revenues up; however, it would be prepared if they fell.

COVID-19 Status Report

Town Manager Davis reminded Council that the private schools in town re-opened and the public schools would resume in-person education in October. He reported that the Town's operations were continuing as normal as possible. Mr. Davis advised that the advisory committees had resumed meeting, with the option for the members to participate either in-person or remotely.

Town Manager Davis reported that he expected to see announcements from the State and the County in the future regarding large gatherings associated with trick-or-treating. He advised that while the Town did not control Halloween activities, it would stay involved with the organizations who planned them. Mr. Davis further advised that the Town would not sanction, nor would it prohibit, trick-or-treating; however, it would encourage that it be done safely. He noted that the Town would disseminate information about Halloween as it was received.

Town Manager Davis reported that early voting had begun in Virginia. He reminded the citizenry that the Town did not handle voting - the General Registrar did. Mr. Davis advised that while the Town staff would provide contact information and the forms to request an absentee ballot, the only voting that was done in the Town Office was on election day.

Town Manager Davis reported that 99% of the unresolved issues associated with the 2020 Census had been resolved. He opined that Middleburg's residents were all accounted for in one way or another.

In response to an inquiry from the Council regarding mask enforcement, Town Manager Davis reported that the police officers continued to provide masks to anyone in need. He advised that they would also assist businesses with compliance if necessary; however, he was not aware of any issues that had arisen.

Mayor Littleton advised that he received a report from a non-resident about a gathering at a local business, in which everyone had removed their masks halfway through the event. He suggested the need to remind businesses and organizations of the importance of ensuring that all their attendees followed the procedures.

In response to an inquiry from the Council regarding poll volunteers, Town Manager Davis reported that during the General Registrar's briefing of the Board of Supervisors, she indicated she had a sufficient number; however, he opined that she would always welcome more. He advised that the poll hours were from 6:00 a.m. to 7:00 p.m. on the day of elections.

In response to an inquiry from the Council, Town Manager Davis advised that while they did some outreach, the American Legion was not coordinating their motorcycle rally with the Town. He noted that he was not aware of any affects it would have on the Town or its operations.

Consent Agenda

A. Council Meeting Minutes – September 10, 2020

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

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

Action Items

Certification to Loudoun County – Second Round of CARES Act Funding

Town Manager Davis reported that he was proposing three uses for the almost \$75,000 in CARES Act Funding, including: \$50,000 for a housing program to assist those in need whose finances were affected by the COVID pandemic, with the assistance being equal to one month’s rent/mortgage payment, up to a maximum of \$2,000; Town operational support; and, general business support for appropriate uses. He advised that the Windy Hill Foundation was willing to administer the housing assistance program. Mr. Davis noted that a mailer would be distributed next week to advise the residents of this opportunity. He announced that there may be an opportunity to use any unused funding for police officers’ salaries.

Mayor Littleton asked that deadlines be applied to the programs so any remaining balance could automatically be applied to police salaries to ensure the Town did not lose any money.

Vice Mayor Miller moved, seconded by Councilmember Bernard, that Council approve the Certification For Receipt of Coronavirus Relief Fund payments as attached (see agenda packet), authorize the Mayor, Town Manager and Finance Director to sign the Certification, and approve the spending plan as outlined in this report.

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

Discussion Items

Draft Amendments – Water Ordinance & Sewer Ordinances Related to Utility Billing

Town Treasurer Rivard reported that three ordinances were being proposed to amend the water and sewer ordinances related to the due date of utility bills, late penalties for delinquent utility accounts and sewer bill adjustments in the case of outside water leaks. She opined that there was confusion as to when the bills were due and advised that under the proposal, the staff would make a concerted effort to get the utility bills out by the 10th day of odd months, with the due date always being the 15th of even months. Ms. Rivard noted that this would give the customer more than thirty days to pay their bill.

Town Treasurer Rivard advised that accounts were delinquent the day after they were due, at which point a 10% penalty was applied. She noted that a second 10% late penalty was currently applied on day eleven; however, the staff was recommending this be discontinued as it seemed punitive. Ms. Rivard advised that currently, services could be cut-off after the account was delinquent for thirty days; however, due to a change in the State Code, they could not be disconnected until sixty days after it was delinquent. She advised that, as proposed, a second 10% late penalty would be applied thirty days after the account was delinquent and would continue every thirty days thereafter until it was paid in full. Ms. Rivard noted that the late penalties were designed to be an incentive for customers to pay their bills on time.

In response to an inquiry from the Council, Town Treasurer Rivard advised that when a customer was having difficulty paying their bill, the staff would refer them to agencies, such as the Windy Hill Foundation or Middleburg FISH, for assistance. She noted that the draft ordinances, as proposed, would also allow her to waive one late penalty per year for customers that normally paid their bills on time.

The Council discussed the need to be flexible in imposing penalties on those experiencing a hardship. In response to an inquiry from the Council, Town Manager Davis explained that the staff encouraged those customers who were having difficulties paying their bills to contact them. He noted that this occurred through articles in the Town newsletters, and the placement of messages on the bills themselves. Mr. Davis further noted that the staff was exploring a self-print billing system, which would allow for custom messaging in the future.

After considerable discussion, the Council agreed to amend the draft ordinance to include a provision allowing the Town Treasurer to waive the late penalties in cases in which a non-profit organization was paying the bill on an individual's behalf.

In response to an inquiry from the Council regarding the cut-off date, Town Treasurer Rivard explained that in 2018 the State Code changed when the Town could cut-off services for a delinquent account.

Mayor Littleton asked that the staff check to make sure no one was disconnected after thirty days between 2018 and today and required to pay a reconnection fee. Town Manager Davis confirmed he would; however, he opined that this did not occur.

Town Clerk North reported that she set up a tickler to check the two State Code sections related to utility billing in June of each year to determine whether any changes were needed in the Town Code.

The Council held some discussion as to whether to allow the Treasurer to waive the late fees in other cases in which an individual could not legitimately pay their bill. Town Manager Davis suggested this be allowed only in extraordinary circumstances and noted that otherwise, it would be subjective. He explained that the staff wrote the draft amendments to be objective. After some discussion, the Council agreed to leave the draft language as it was presented and to address this later if it became an issue.

Vice Mayor Miller moved, seconded by Councilmember Kirk, that Council adopt (1) an ordinance to amend portions of Town Code Chapter 113 pertaining to water and (2) an ordinance to amend portions of Town Code Chapter 83.1, to include that non-profit organizations paying for individuals would not be subject to the penalties.

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

No – N/A

Abstain: N/A

Absent: N/A

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

Town Treasurer Rivard reminded Council that currently, the Town Code allowed for a sewer adjustment due to a water leak once in a three-year period. She reported that the staff was proposing amendments to allow for a sewer adjustment if a water leak was underground or outside of the primary structure. Ms. Rivard advised that the Town currently had a customer with a serious water leak who was in need of such an adjustment; however, they were not eligible as they had already received one water leak adjustment within the last three years. She noted that there was no cost to the Town as the water was leaking into the ground and did not have to be treated. The Council agreed the change made sense.

Vice Mayor Miller moved, seconded by Councilmember Kirk, that Council adopt an ordinance to delete Section 83.1-38(B) and add Section 83.1-40.1 in Town Code Chapter 83.1 pertaining to sewer leak adjustments, said changes to be applied effective January 1, 2020.

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

No – N/A

Abstain: N/A

Absent: N/A

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

Options for Supporting Restaurants & Retail During Winter Months

Economic Development Director Gaucher reminded Council that many of the restaurants were currently using outdoor seating; however, with the weather about to change, this may not be possible for much longer. He reported that the staff explored a number of options to assist the restaurants, including: (1) rent individual tents; (2) cooperative marketing; and (3) augment curbside pick-up/deliveries by providing dedicated parking spaces.

Town Manager Davis noted the need to identify who would take advantage of the options and the cost of them. He reported that this briefing was being provided for information purposes only.

The Council held some discussion and noted that the restaurants would have to want to use these tools. They discussed whether the tents should be purchased or rented and who should do so, the Town or the restaurants. It was noted that the restaurants would need to take on the responsibility of cleaning and bussing the tables within them. The Council expressed concern that there may be some push back from the public about their appearance; however, they opined that if the restaurants closed due to lack of business, the empty buildings would also look bad. They noted that the tents would only be temporary. The Council discussed where any shared tents could be located so they would be central for all. It was noted that some restaurants had the opportunity to put individual tents on their properties, which would better serve them and their customers. The Council discussed the need to heat the tents and noted that the Town could advocate on the restaurants' behalf with the Fire Marshall.

The Council noted that a mixture of things would be needed, not just tents, as the Governor could prohibit outdoor dining if the pandemic worsened. It was suggested that the restaurants and retail establishments be encouraged to focus on curbside pick-ups.

Town Manager Davis reported that the staff would return to the Council with a full complement of solutions. He noted the need for everything to work together. It was suggested that the restaurants needed to determine whether they wished to purchase or rent tents; although, it was noted that the Town may be able to secure a group rate. The Council asked the staff to develop a program recommendation, including cost, that businesses could participate in at their option for discussion during their first meeting in October.

Town Manager Davis advised that the staff would meet again with the restaurants and gather the best information possible to determine whether it could offer a recommendation to the Council during their next meeting. He noted that if they could not, the staff would bring forward a recommendation at the following meeting.

Information Items

Status Report – Plan for Identifying Affordable & Attainable Housing Options in Loudoun County - COLT

Mayor Littleton reported that the Coalition of Loudoun Towns (COLT) was working aggressively to develop a plan for affordable and attainable housing options in the western towns. He noted that the mayors recently attended a Board of Supervisors meeting to tell them they wanted to be a part of the solution and to offer to help create a plan for the right type of attainable housing for the right needs for the Western Loudoun area. Mr. Littleton stressed that these solutions would not be used to alleviate housing situations to the east. He reported that COLT asked for a working group consisting of the town and county planning staffs and planning commissions to jointly develop solutions. Mr. Littleton advised that most of the Supervisors provided positive feedback and agreed to keep the mayors informed as they moved forward. He expressed hope that this would allow for reduced density in the rural areas if the towns were a part of the solution.

Closed Session – Disposition of Publicly Held Property; Property Acquisition

Mayor Littleton announced that the personnel item was being removed from the closed session discussion.

Councilmember Leonard-Morgan moved, seconded by Councilmember Kirk, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) the disposition of publicly held property, related to the Asbury Church; and (2) the discussion or consideration of the acquisition of property for public parking, both items as allowed under Subsection (A)(3). Councilmember Leonard-Morgan further moved, seconded by Councilmember Kirk, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: N/A

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

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 each member so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, Mayor Littleton declared the meeting adjourned at 8:01 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

September 24, 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, we will call the September 24th meeting to order first item is the Pledge of Allegiance.

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

Bridge Littleton: Okay, next item is the meeting announcement, which is not on the agenda.

Rhonda North: It's not?

Bridge Littleton: So let me go to the last meeting's agenda. Hang on one second.

Rhonda North: Danny? [Off mic]

Bridge Littleton: Okay, here we go. We will do the meeting announcement. 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, not only for its membership, but also for the 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 and effectuate temporary changes to address continuity of government operations during covid-19; the town council will permit participation in its meetings via remote access until such time as the governor rescinds his emergency order mandating social distancing. Copies of the previously referenced documents are available on the town's website for those who wish to view them. If you wish to provide public input via remote access during the public hearing or the public comment session advance sign up is required by the town by calling the town office by 4:30 the day of the meeting at the town's number. Otherwise, you may provide public input by attending the meeting in person. And just so everybody knows, we will have two public comment sessions, one at the beginning of the town council meeting and one at the end for anybody who might be calling in remotely. All right, next item here is going to be the roll call. Chris.

Chris Bernard: Chris Bernard.

Philip Miller: Philip Miller.

Bridge Littleton: Bridge Littleton. Peter?

Peter Leonard-Morgan: Peter Leonard-Morgan. Darlene?

Darlene Kirk: Darlene Kirk.

Bridge Littleton: Bud?

Bud Jacobs: Bud Jacobs.

Bridge Littleton: Kevin?

J. Kevin Daly: John Kevin Daly.

Bridge Littleton: And Cindy?

Cindy Pearson: Cindy Pearson.

Bridge Littleton: Okay, Rhonda?

Rhonda North: Rhonda North Town Clerk.

Bridge Littleton: Danny?

Danny Davis: Danny Davis, Town Manager.

Bridge Littleton: Is Martin on?

Danny Davis: He is not.

Bridge Littleton: Okay. Next is the public comment session. We will open the public comment session for any member of the public who wishes to address the town council. Rhonda is anybody online?

Rhonda North: No, sir.

Bridge Littleton: Okay, we will close the public comment session. And we have no public hearing items, so next item is special recognition by mayor and council. Does anybody have any special recognition they wish to make? All right, I would like to make a special recognition, because for those of you who may not be aware, Ms. Catherine Bundles Murdoch is having a birthday today. [Multiple Speakers] She is 39 yet again and is at home enjoying champagne as she watches us and laughs at us. So thanks to Bundles for all her many years of service, and enjoy yet another year of being thirty nine.

Philip Miller: And our birthday present to you is you finally get to bring wine to your Council Meeting.

Bridge Littleton: Yeah, right. [Laughter] Okay, and now Bundles you can go back to drinking. All right, now the next item is the Public Presentation Options for the 2020 Holiday Season from the MBPA. Jamie if you'd like to lead it off, please.

Jamie Gaucher: Thank you, Mr. Mayor, Members of Council.

Danny Davis: [Off mic] seat.

Jamie Gaucher: [Off mic] Okay. Given the fact that the Christmas in Middleburg parade is not happening this year, the MBPA thought it might be informative, might be beneficial for the council to see the direction that they're headed in with regard to smaller scale events that could happen over the course of the month of December. This list and this conversation that we're about to have is not exhaustive. It's certainly a fluid situation, but they've been designed specifically to bring additional beauty to the town to create a new experience for visitors and residents here in Middleburg, and to extend options throughout the downtown so visitors and shoppers reach all parts of our business district. So this evening we have Punkin and Anne Marie and Michelle from the MBPA to talk through some of the potential activities for the month of December. Punkin.

Punkin Lee: Thank you all. Yes, when Christmas in Middleburg was canceled we felt surely that our town needed to have something that would create the holiday spirit but carry it the whole way through to the New Year. We were [inaudible] to keep the small town atmosphere, keep it very welcoming. We wanted to think of things that would move people through town as well as entertain the locals when they come to the post office or something. There might be something else for them to see, just small things, not expensive, attract the locals and the weekenders. We would like to, and these are just ideas, but we feel they can be implemented right after Thanksgiving because we have small business Saturday for Thanksgiving weekend and go right into Christmas and they can be stationary where they are installed. And

then along the way if things can be added, because I know like "A Place To Be" wants to bring carolers on the corners on Saturday, you know, that's just in and out. But some of the ideas that we thought of so far, and they're just ideas just floating the boat here, window decoration contest that would involve all the stores. And we have to think of a prize for them to make it worthwhile, but that's something. We'd like to do Letters to Santa and create some kind of screen, whether we even just hang a sheet on the side of a building where we can zoom Santa on Saturdays and Sundays. And he reads a couple of the letters from kids that have you know, Wesley sends a letter to Santa and it gets pulled out and gets read to make just a nice kind of warm and fuzzy thing. We also wanted to create some photo op places with a backdrop and each thing would have hashtag Middleburg moment. So when you click the picture, you've got something, you know, horses, hounds, stone walls, trees, animals, things that are us. And they would just be placed and then removed January 1st or second it wouldn't be ongoing. Ideally, we'd like to try to have the small, balled, evergreen trees in front of each business with little white lights. And when we light the town Christmas tree, those lights would go on at the same time so we're lighting up Middleburg all on the same evening to kick-off the holiday season. And then I've gotten Jim Herbert sent me a bunch of old photos from the Christmas Parade that we thought would be fun to blow up and have them in stores. So if you went in, and was like, "Oh yeah, I came that year, or look at this missed that one", just to keep people moving and interested so we don't have a parade, but we could have [inaudible] photos.

Bridge Littleton: Hey Punkin, can I ask a quick question? Are you going to blow up my favorite Middleburg Christmas Parade photo of all time, the black and white one of Reggie Dawson? [Laughter]

Punkin Lee: I haven't looked at what Jim sent, but it could perhaps be in there.

Bridge Littleton: Okay.

Punkin Lee: We'll see. So.

Cindy Pearson: Reggie has that already blown up Bridge you could probably borrow it. [Laughter]

Bridge Littleton: I remember they gave it to him in his retirement thing. If we need to we can get a copy of it. [Off mic]

Punkin Lee: You know there is a lot of things that we can pay for and some things if we elaborate, we may have to, you know, obviously partner financially with the town. But from our side we're not like blow it out of the park, just keep it simple, welcoming, attractive. And I think Anne Marie [off mic].

Anne Marie Paquette: Yeah, another element that we could add to this pretty easily is an I-spy or a scavenger hunt activity that could be updated every week. So we could invite, whether it's return visitors or single time visitors that again would bring them throughout town. Also educate them a little bit about our town's history, about the unique architecture, and then having them look for some interesting little [inaudible] cues in the blown up imagery or in other places throughout town. We've also discussed the possibility of having a complimentary hot cocoa kiosk throughout town too, again for visitors, something that would be hopefully easily plug and play, but give you the literal warm and fuzzy's as you walk away with a cup of hot cocoa.

Michelle McNaughton: I mean, I think ultimately the goal is just like Punkin said, to kind of move people about. But I think what people, I know like as a local what I love about the parade is the history that it kind of evokes for me of town and I imagine what it was like. And so I think if we can allow visitors and the locals to kind of get that same feeling each weekend, they can see the blown up images, they can parade through town and kind of experience. So the town becomes an experience versus just a destination. And I think kind of these things we talked about set us aside from some of the other small towns that are doing that, which I think as a community we've worked really hard to do over the last ten years. So we don't want to lose that.

Anne Marie Paquette: It's also a really simple backdrop for other businesses or organizations to have a pop up event or program that will add to the theme, but not drown each other out. We would all be acting in concert.

Bridge Littleton: Okay, I think that's great. So really appreciate you guys bringing it forward. Jamie, what's the next step?

Jamie Gaucher: I think the next step, Mr. Mayor, would be to take some of these ideas, figure out some of the details and, of course, details have numbers, come together with some sort of budget. And I would suggest even bring that budget and refine set of ideas to the Community Events Committee [Multiple Speakers] here in town. And then if there is a financial ask from the MBPA, it could be reviewed by the committee and any suggestion or recommendation could be brought to council.

Bridge Littleton: Okay I think that's why we have the events committee, so that's a great idea. Okay, does anybody have any? I'll just go around the room real quick to see if anybody has any questions. No. So at first I'll just say thank you guys very much. I think it's the start of a great idea. You got a lot of great ideas in there. The first thing I wrote down was cocoa and cider. No, so, yeah, I think Jamie's got the right idea of working with the events committee and whatever help you guys then need from us. I mean, you know, clearly I don't want to speak for everybody, but I'm sure we'd be all there to help. But we'll go around for quick questions. Chris.

Chris Bernard: More of a comment than a question. So I think it's good that you guys are proactively looking at this. We're going to talk about it a little bit later about what we're doing to help kind of the restaurants during that time. So make sure that you follow that and take that into account if they're going to have tents or streets closed when you're planning all of this.

Bridge Littleton: Philip.

Philip Miller: Yeah, I think it's great. I think you also when you're planning need to think about what you guys can actually bite off and pull off with as volunteers. [Laughter] You know, this is a lot of stuff going on. And who's going to be able to manage doing all of these things? And I've got a bunch of ideas for you on this, so maybe we just connect later.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Well I'd just like to say thank you very much for all the ideas here I think could make a lovely alternative in this as a contingency and keep Middleburg looking the quaint, wonderful place that it is.

Bridge Littleton: Darlene.

Darlene Kirk: I like what you've done so far, and I just want to say, don't forget the Fox up at the Community Center because I see a lot of people up there. You can put a nice backdrop and a real Christmas tree out there. It'd look, nice.

Bridge Littleton: Should have a Santa hat all season.

Darlene Kirk: I was going to say. [Off mic]

Bridge Littleton: Cindy.

Cindy Pearson: Yeah, I think they're great ideas. Just wanted to, you know, remind Punkin and the other gals that don't wear yourself out. You know, make sure you plan to get plenty of volunteers. Because we know how it goes with that [inaudible] thing. And I think with the cocoa, it's a good idea, but that is a lot of work getting that set up. And then again, you're taking away from the coffee shops a little bit. So I'd kind of maybe tread carefully on that one, but I think the other one's are great ideas. Thank you.

Bridge Littleton: Thanks. Bud.

Philip Miller: Maybe tap into Jim Herbert's base.

Bridge Littleton: Bud.

Bud Jacobs: Love it. Love every one of them. Really liked the hot cocoa idea until Cindy shot it down. [Laughter] [Multiple Speakers] Maybe there's a way to partner with one of the coffee shops to pull that off.

Bridge Littleton: Let them do it.

Anne Marie Paquette: We'd discussed the option of actually paying a business. [Multiple Speakers] It's a combo answer.

Everyone: Yeah. Great. Yeah. Perfect.

Bud Jacobs: What I really like is the underlying principle that you guys have come up with that perhaps some of this could become part of future Middleburg traditions. I think that's wonderful. [Multiple speakers]. And finally, as a card carrying member myself of the MBPA, let me volunteer if you need warm bodies to do things.

Punkin Lee: You're on. [Multiple Speakers].

Bud Jacobs: Anyway, well done. Thank you.

Bridge Littleton: Wait a minute, you got a card? [Laughter] All I got was a bill. [Multiple Speakers] Kevin any input?

J. Kevin Daly: Thank you both. Well, thank you all for your initiative on this project. And I'll follow up behind Bud and offer my services. I even have an outfit that I could dress up as the turn of the century Dickens character.

Punkin Lee: You're on.

Bud Jacobs: That's your normal outfit.

Bridge Littleton: That's what he wears to church.

Philip Miller: That's what he's wearing right now?

Bridge Littleton: Yeah, right. [Laughter] [Multiple Speakers] Okay, so I think the next. Yeah, Punkin, sorry.

Punkin Lee: I'd just like to say that the things that we're thinking of are to keep people moving, like stop to take the picture and move along because we're not trying to create a place where they're going to gather.

Bridge Littleton: Right. Yes makes sense.

Punkin Lee: And then that makes more volunteers necessary to wear the masks social distancing. So we're trying to keep that in line with everything that we've come up with, which I think is very important; safety is the first thing.

Bridge Littleton: Yeah, absolutely. No, and that's a great point, that the theme of safety is going to be really important for visitors, that they know they can come here and feel safe. [Multiple Speakers] Okay, great. Thank you all very much.

Punkin Lee: Thank you. [Multiple Speakers]. We'll be in touch.

Bridge Littleton: Oh, yeah. [Laughter]. And bundles, you can now have your second glass of champagne. [Laughter] [Off mic] Thirty nine. What's it, it's like, you know, it's your twenty eighth anniversary of your thirty ninth birthday. Okay, Julie.

Julie Rivard: Hello. How are you?

Bridge Littleton: Treasurer's report.

Julie Rivard: Yes. I'll just briefly say that as we wrap up the end of fiscal year 20 and head into the first part of the new fiscal year, we've started to receive some of our fiscal year 21 revenues. In addition, our meals tax and utility taxes revenues are trending in the correct direction. Things are looking a little bit better than they had been the previous couple of months. Things have picked up a little bit and that's due to our restaurants having taken advantage of being able to provide to go meals, and the beautiful weather, and people coming to visit our town. We are wrapping up the fiscal year audit with the auditor and she'll be presenting to you at the second town council meeting in October. And I've also been working with Danny and the other department heads to identify areas of revenue where we can save in light of our situation with the pandemic.

Bridge Littleton: You mean areas of expense?

Julie Rivard: Yes.

Bridge Littleton: What does it say? I don't think we want to save on revenues. [Laughter]

Julie Rivard: Yes. Thank you. Sorry.

Bridge Littleton: That's okay.

Julie Rivard: Do you all have any questions for me or do you have any questions regarding the financial statements?

Bridge Littleton: So yeah I don't have any. Let's go around the room. Chris, any questions?

Chris Bernard: None for me, thanks.

Bridge Littleton: Philip.

Philip Miller: No, none.

Bridge Littleton: Peter.

Peter Leonard-Morgan: Just out of curiosity, really, one question. Donations has a budget of \$34,000. I've forgotten what that would normally be. Is that something we regularly get?

Julie Rivard: Danny can you help me out on this one. [Multiple Speakers] I am not sure.

Danny Davis: No, absolutely. So this is most likely related to the sponsorships that we were anticipating for things like Oktoberfest or other events [Multiple Speakers].

Peter Leonard-Morgan: Oh got it, thank you.

Danny Davis: [Multiple Speakers] Clearly I would let you know that in looking at both revenues and expenditures, if we're dialing back our [inaudible] expenditures, we're also going to dial back on our donations revenues because we're not going to [Multiple Speakers] have anything coming in.

Peter Leonard-Morgan: Appreciate that. Thanks very much.

Bridge Littleton: Darlene.

Darlene Kirk: No questions.

Bridge Littleton: Bud.

Bud Jacobs: So revenues are going to be 20 percent lower than what we predicted, is that your estimate?

Julie Rivard: About that yeah. Our August meals tax, which we receive in September, just came in and we were at about 81 percent of what we were this time last year.

Bridge Littleton: For the month of August?

Julie Rivard: For the month of August.

Bridge Littleton: Okay. So because I thought July was actually like on par, wasn't it?

Julie Rivard: It was about 74 percent.

Bridge Littleton: Oh, that's right. Yeah, that's right.

Julie Rivard: Yep. So that's why I said we're trending in the correct direction. [Multiple Speakers]. It's looking a little bit better than it had been for sure on the previous couple of months. We're not completely back to where we were yet, but things are looking up.

Bud Jacobs: Thank you.

Julie Rivard: Yes.

Bridge Littleton: Kevin, any questions?

J. Kevin Daly: I just want to make sure I'm reading this correctly. We are not now, or we're not looking to go into a deficit situation are we?

Julie Rivard: No, not at this time. And that's one of the reasons why we're looking at areas of potential savings with our expenditures, is to ensure that we don't dip into our reserves unless it's absolutely needed. It's our goal not to dip into them. [Multiple Speakers]

Danny Davis: And I will say that the conversations that we've had looking at the departments, the opportunities, council already froze certain expenditures, and so we have kept those frozen unless otherwise approved by council. And then we've gone basically line by line looking at ways that we can just put things on pause or wait at this point. And so a lot of this depends on the things we'll be talking about tonight and we just talked about, which is the holiday season and the winter season and how visitor activity continues in town. And that's why our goal is to continue to promote as much as possible there so that revenues can continue on. At the pace they're at right now we'll be absolutely fine. If there's a 60 percent drop in meals tax for half of the year then there's a greater challenge, but we're going to prepare for that.

Bridge Littleton: Kevin, any other questions?

J. Kevin Daly: Negative.

Bridge Littleton: All right, Cindy.

Cindy Pearson: No, no questions.

Bridge Littleton: Okay thanks. Julie, thank you. Okay, back to my thing here. Next is the Covid update. [Off mic] What's that.

Danny Davis: [Inaudible] Mr. Mayor and council members, as you know school has begun back for some of the schools here and in the town. And we also understand that the public school system is looking to begin K through 12 in the public schools in late October. Things continue to change, but that also shows some signs of improvement and change throughout the county. We are continuing to operate, as you see here, fairly normal and standard for our current circumstances. I think as much as it is, it's going well. And we continue to have our advisory committees meet as well, virtually or in person, whatever works best for them at this time. We just talked about the fiscal impact and then clearly fall events. And I know that one of the questions was, well what about October? What about trick or treating? And I will let you know that I do expect that we'll see soon formal announcements about large gathering type events around Halloween and what may or may not be happening with those. We don't control those, but we're staying very involved with those who would normally plan those. In terms of trick or treating itself, as you know, we don't directly sanction that event or prohibit that event it's something that happens essentially organically. But we do expect there to be good guidance coming from both the state and the county about how to safely either go trick or treating or trick, or host trick or treaters at your residence or place of business. And we will disseminate that as best as we can and as widely as we can. We know that it's a fun time for children and we want to encourage that, but also to do it in a safe manner. So we will continue to spread that word as best as we can. And then again, always the reminder about voting. Early voting has begun. We've probably had 5, 10 people stop by town hall already saying, "I'd like to vote". And we want to kindly remind anyone who's listening or who might be reading this later that we do not have early voting or absentee voting here at the town office. That's all handled through Leesburg and the general registrar's office. We can print you a form to request an absentee ballot, but you must handle that all yourself. So we can get you forms or get your contact info for the county, but we do not have any early voting here. The only voting that actually takes place here will be on Election Day. So we will continue to serve the residents as best we can but it's just a little bit of a misunderstanding about the process. And then to reiterate on the census, my understanding is ninety nine-ish percent of all unresolved issues in the town of Middleburg have been resolved, if not 100 percent. So I believe all direct locations where there were uncounted folks, have been accounted for in some way or another. So in terms of the census, I believe we've been covered appropriately. And I'm happy to answer any questions about Covid or anything related to this.

Bridge Littleton: Thanks. The one thing I will note, typically the census is due October 30th, but it's been moved up to September 30th. So just a lot of people think, you know, if you've done it in the past, it was always like, oh, you have until the end of October. It's not; you've got six more days. So if anybody didn't make sure you get it tabulated. Okay, any [Multiple Speakers].

Philip Miller: [Off mic]

Bridge Littleton: Yeah, exactly. [Laughter]

Danny Davis: I'm getting better. [Laughter]

Bridge Littleton: It doesn't mean you have to use all the sand.

Danny Davis: [Multiple speakers] It's there. I don't want it to go to waste.

Bridge Littleton: [Multiple Speakers] Rhonda, we need a one minute sand timer now. [Laughter] Okay, Chris, any questions?

Chris Bernard: Congratulations on beating the sand timer.

Bridge Littleton: Philip.

Philip Miller: No.

Bridge Littleton: Peter.

Peter Leonard-Morgan: No, no, no. [Laughter]

Bridge Littleton: Now Swagit's not going to know who that was.

Peter Leonard-Morgan: No.

Bridge Littleton: Darlene. [Multiple Speakers] No. Bud?

Bud Jacobs: How are we doing on mask enforcement in town?

Danny Davis: So we continue.

Bridge Littleton: That doesn't mean it starts over. [laughter]

Danny Davis: We continue to go through town and if we see people in places where they need them, our police are always carrying extra masks in a Ziploc bag with them. They provide them. If necessary they help encourage people to leave a place of business if they're not complying or if the business asks them to leave. I don't think there's a lot of [Multiple Speakers].

Bud Jacobs: Has that actually happened?

Danny Davis: I don't think that's happening very much to be honest. I mean, there are we do hand out masks a little bit here and there, but I don't believe there's any significant issues per say. And I think we're continuing to see people better comply as it becomes more standard, commonplace use the word you want. But we're going to always have the situations in a retail shop where someone just doesn't want to. And then it is up to that business to ask them to leave if desired.

Bridge Littleton: So Bud I will mention one thing on that, and this is more for the awareness of the staff and maybe for the police. I did receive a call from a nonresident who was in town recently for I'll just say a gathering. And so it wasn't like, you know, that person and their spouse in a store walking around. They were here for something where there was many people gathered at a business. And within halfway through the event all the masks were off. And so, you know, that's one thing I think we [inaudible]. You know, gatherings are like few and far between. Right. The day to day is what we've all been focused on. But the gathering piece to it, too, whether it's a church or a wedding or a birthday or something like that, I think we have to remind all the businesses that it is their [inaudible] and or church or whatever. Right. The organization who is hosting an event, it is their responsibility to ensure that the people at the event follow all the procedures. And you know it's just a good practice regardless. So anyway, that's just you mentioned masks, I think we just need to make sure that town staff, the town police, and we let the businesses know if you're hosting a gathering, there's an affirmative responsibility and we're here to help you. Make us the bad guys. You know, we'll be the bad guy police. So but you mentioned that, so I did want to bring that up.

Bud Jacobs: I appreciate it. I haven't seen any difficulties in my own walk arounds. I noticed on the news Virginia seems to be trending in the right direction.

Danny Davis: Generally.

Bud Jacobs: Generally in terms of new infections. And I think we're doing fine but the whole thing is just so incredibly fragile. I just hate to see us backpedal and suffer further economic damage. [Multiple Speakers] To say nothing of the physical harm that can come about.

Danny Davis: And as an example, Arlington County had issued a temporary ordinance that would limit the number of people who could congregate on the sidewalk within a certain distance of each other. And they found that it was near impossible to enforce and near impossible to. And no one wanted to hand a parking ticket just to a group of folks who are waiting to get into a business. And so they ended up letting it lapse and that ordinance actually stopped being effective. And so it's always a challenge. And I think it's using our efforts to encourage people the reason why these masks are important. It is because it's such a fragile tipping point that we're on.

Bridge Littleton: Cindy, any input or questions?

Cindy Pearson: No thank you.

Bridge Littleton: Kevin.

J. Kevin Daly: Going back to the voting. Do we have enough poll volunteers to keep the poll booths open?

Danny Davis: My understanding from the briefing that the general registrar gave to the Board of Supervisors earlier this month is that they currently do believe that they are sufficiently staffed with poll workers.

J. Kevin Daly: Perfect.

Danny Davis: I know they would always take more, though.

J. Kevin Daly: And what time do the polls open again, six o'clock in the morning?

Danny Davis: Six a.m. to seven p.m. on the first Tuesday of November.

J. Kevin Daly: Okay an upcoming event, I don't think I'm giving away any secrets here. The American Legion is having a motorcycle rally or sponsoring one at the American Legion Hall this Saturday. Have they been coordinating with you all?

Danny Davis: I do know that they gave us outreach that it was occurring. They have not coordinated with us that I'm aware of directly. I don't believe there's anything that would directly impact the town operations or raise any concerns from our perspective in terms of the overall town.

J. Kevin Daly: Okay, great. Thank you. Those are all my questions.

Bridge Littleton: Thanks, Kevin. Okay, next item is the consent agenda. Would anybody like anything removed? For example, the one item from the consent agenda? [Laughter] All right, is there a motion?

Philip Miller: I move, we adopt the consent agenda as proposed.

Chris Bernard: Second.

Bridge Littleton: Any discussion? All right, we will now do roll call vote. Peter.

Peter Leonard-Morgan: Aye.

Bridge Littleton: Chris.

Chris Bernard: Aye.

Bridge Littleton: Philip.

Philip Miller: Aye.

Bridge Littleton: Bud.

Bud Jacobs: Aye.

Bridge Littleton: Kevin.

J. Kevin Daly: Aye.

Bridge Littleton: Cindy.

Cindy Pearson: Aye.

Bridge Littleton: Darlene.

Darlene Kirk: Aye.

Bridge Littleton: All right, the motion carries. Next item is the action items, the Certification to Loudoun County for the Second Round of CARES Act funding.

Danny Davis: Mr. Mayor, as we briefly discussed last meeting, we're proposing three overarching uses of the CARES Act funds from the county. The total amount of the funds is almost seventy five thousand dollars. We are proposing to work with the Windy Hill Foundation to establish a housing assistance program or support program for anyone who has had an economic impact due to Covid. So that would be loss of wages, hours or a job completely. Who has a financial need, which might be a challenge paying their housing bill or missed payments and can provide some of the documentation required, such as showing your lease or showing your mortgage. At this point, our proposal would be up to two thousand dollars per household or no more than one month's rent or mortgage, which at that level would help at least 25 households in town. We don't know for certain what the extent of the need is, that the number could be reduced if you would like to start it lower to try to reach more people. But that would, for twenty five people, be up to fifty thousand dollars. We talked with the Windy Hill Foundation. We talked to the county and we believe that, number one, it fits within the CARES Act requirements. Number two, Windy Hill is willing to administer this for the town. And so our goal then, should the council be okay with this, is then to get the word out quickly and broadly. And we plan a mailer that would go out early part of next week, just like we did for the vouchers that says here's our program, here's who it covers, here's what it covers and here's who to contact. And that we would send that out and push that as far and wide as possible. So that's program number one that we're proposing. I'm happy to take any input, if you would suggest any other changes to the details as laid out in the item. The other two items would be number one for operational support of town for some of the things you've seen. And then the final would be for general business activity and support that might relate to other potential uses over the next few months to support businesses that would be appropriate uses of CARES funding. I'm happy to go over any other details. I will also add for the benefit of the entire council, there has been some back and forth from the Treasury Department about an additional potential use of CARES Act funding. And the latest guidance as of September 21st is that we may presume that all police activity, police salaries and activity starting on March 1st has been in response to Covid; meaning the salaries between March 1st and December 30th could be covered by CARES Act funding. And I say that only to say that if for some reason the housing program, we don't exhaust all the funds that we've set aside for that and at December 10th, we need to use those funds. We can then apply those to pay for the police department salaries for a period of time to exhaust those dollars. Again, the guidance went back and forth a few times. But as of now, we're confident that it's going to remain that way, and that's very beneficial to the town if we can't spend the money in other ways. So with that, Mr. Mayor, if there at the end of the conversation, there is a motion to certify the receipt of the funds and the spending plan as we laid it out.

Bridge Littleton: Okay so real quickly, I would say two things to make sure you build into every single thing you do here. There are drop dead dates and put them in the program right.

Danny Davis: They are.

Bridge Littleton: If it's not expended, but and the funds are returned with an X number of days, right, like five days or whatever it is. And then the thing is, whatever we have left outstanding balance as of, pick the right date, that gives you the most flexibility. December 15th, if it's not been expended, it is automatically applied to the police salaries. So that way we ensure we don't lose a dollar.

Danny Davis: Absolutely.

Bridge Littleton: Okay, that'll be my only input. Chris?

Chris Bernard: Nothing for me.

Bridge Littleton: Philip.

Philip Miller: No, I was going to say the deadlines too. [Off mic]

Bridge Littleton: Peter.

Peter Leonard-Morgan: No thank you, very clear, I appreciate it.

Bridge Littleton: Darlene.

Darlene Kirk: I agree with what you said Bridge.

Bridge Littleton: Great. Bud?

Bud Jacobs: Like it.

Bridge Littleton: Cindy.

Cindy Pearson: No comment.

Bridge Littleton: And nah there's nobody else. Oh, wait, Kevin.

J. Kevin Daly: [inaudible] good to go.

Bridge Littleton: Awesome. All right, is there a motion from a member of council?

Philip Miller: I move that the town council approve the certification for the receipt of coronavirus relief fund payments as attached, authorized the mayor, town manager, and finance director to sign the certification and approve the spending plan as outlined in this report. [Multiple Speakers].

Bridge Littleton: Any discussion? Okay, we'll do a roll call vote. Peter?

Peter Leonard-Morgan: Aye.

Bridge Littleton: Chris.

Chris Bernard: Aye.

Bridge Littleton: Philip.

Philip Miller: Aye.

Bridge Littleton: Bud.

Bud Jacobs: Aye.

Bridge Littleton: Kevin.

J. Kevin Daly: Aye.

Bridge Littleton: Cindy.

Cindy Pearson: Aye.

Bridge Littleton: Darlene.

Darlene Kirk: Aye.

Bridge Littleton: All right, the motion carries. Next item is Draft Amendments to the Water Ordinance and Sewer Ordinance Related to Utility Billing. If this just doesn't get you where you live, I don't know what [inaudible] [laughter]. So, Julie are you briefing this one?

Julie Rivard: Yes.

Bridge Littleton: Okay, great. Over to you.

Julie Rivard: Okay, so in your packet you should have had a memo from both Rhonda and myself regarding the changes or the draft changes to the ordinances. And there were three ordinances that there were changes to. The three main changes that we want to discuss or get your approval for tonight are the due date change, the late penalty policy, and then the sewer adjustment for an outside water leak. I'd like to talk a little bit about the first two first, which is the due date change and the late penalty policy. There seems to have been some confusion about when our utility bills are due. And so one of the things that we built into this policy recommendation is that we will make every concerted effort to ensure that our bills go out on the 10th of the month. We're generally there now. Sometimes it might be the 11th or the 12th, but we will be ensuring that they go out on the 10th of the month unless something drastic happens. We also are proposing that we make our due date instead of 30 days from the bill date, we are proposing to make it the fifteenth of the month following. So that everyone knows that the bills are due on the 15th of the month I think it will just make it easier for people. And it gives them a little bit of extra time actually a little bit more than thirty days to receive their bill and make sure it gets paid, especially if we're getting it out by the 10th of the prior month. For the late penalty policy, we took a look and did a review of our current late penalty policy, and then we're proposing a recommendation for an adjustment to that policy. Currently, as I said, the bills are being mailed out between the 10th and the 12th of every month. We're saying that we're going to make every effort to get them out by the 10th. We would like to change the due date to the 15th. There is a past due penalty, so the bills are considered past due on the first day after the due date. That is pretty standard with most utilities, especially in the surrounding jurisdiction. Currently, we have a 10 percent late penalty that's applied on the first day it is past due. The percentage and the application of that penalty are also very standard for utilities and especially utilities within surrounding jurisdictions of the Town of Middleburg. Currently, the policy has an additional late penalty that's applied on the 11th day past due for continued nonpayment. That one seems rather punitive or extra, not a lot of other jurisdictions have that. So we're recommending that that be removed or discontinued. Right now the policy is set that the cutoff date for water, if it continues to be unpaid is at 30 days past due. There was a change to state code that requires us to give them 60 days. So 60 days past due before we can apply cutoff to the account, so that is a change. Right now we also have a reoccurring penalty for nonpayment. It's applied on the 45th day and then on the 30th of the month every month after. That is rather standard and typical. It is 10 percent. We're proposing to keep that at 10 percent. However, we're proposing that it be applied on the 30th day past due and then every month after for continued nonpayment. So that's a summary of those changes.

Danny Davis: And if I may just to.

Julie Rivard: Sure.

Danny Davis: There's a flow chart as part of the package that lays some of this out. But essentially on the first day that's past due, there's a 10 percent penalty. The next penalty won't hit until 30 days later and then it'll essentially just be month

to month to month. So stretching that what used to be at 10 days, essentially now happening at 30 days. And that just continues.

Julie Rivard: It's supposed to be an incentive to to pay or to pay on time. And so we feel that this is more in keeping with that thought process than the current late penalty policy. Do you have any questions for me about the due date or the late penalty policy?

Bridge Littleton: So Darlene, do you have a question?

Darlene Kirk: Well, I have a comment.

Bridge Littleton: Yeah.

Darlene Kirk: Middleburg's always been a really close town. I just want to make sure that we continue to also require things with our heart. We don't you know, if it's something [Multiple Speakers] I can't hear Darlene. [Multiple Speakers]

Bridge Littleton: She can't hear you.

Darlene Kirk: All right. Well, I'm just saying is that Middleburg is a close knit town. We've always sort of been like a family in that if they're hardships, we want to help people. We don't want to be so strict that all of our ordinances we have to charge you 30 percent. No, we have to be able to use our common sense. And we've always been able to do that before and I want that to continue.

Danny Davis: I do think. Oh do you?

Julie Rivard: May I respond?

Bridge Littleton: Go ahead.

Julie Rivard: So one thing that we've been doing, and I think it's probably what Danny was going to mention. One thing that we've been doing is working with the Windy Hill Foundation and then also with Middleburg Fish to make sure that those people who need help or need assistance get that help and assistance. So if someone comes to us and says, "Look, you know, it's not that I don't want to pay my bill, I just can't you know, I'm in a situation and I need help". Then what we're going to do is direct them to those resources and try to put them in touch with someone who can provide that assistance. So that's what we're doing. Also, in the spirit of trying to be kind and fair, there is a change to the ordinance that would allow for me to waive a late penalty. Say you have someone who goes on vacation, just misses their bill or misses the due date and they can usually continually, always pay on time. This is just a one-time fluke happening. It would allow me to waive the late penalty within the first 10 days of it being past due if they catch it and say, "Hey, I'm really sorry". And it would allow me to do that as long as they have paid on time in the previous 12 months leading up to that event. And it would allow me to do it once per year per account.

Bridge Littleton: I think that's Darlene's point. It's not about Fish or Windy Hill.

Julie Rivard: Okay.

Bridge Littleton: Right, because if those programs aren't necessarily available to everybody and you don't know if they're going to be around or have enough money to support everybody in a time of hardship. I think Darlene's point is, if somebody honestly has fallen on hardship and there's no program to support them, are we really going to be the hammer that said, "Nope, you're one day late, here comes 10 percent". And the whole point of that is that we want to have, we need to have as a town the flexibility to waive a 10 percent fee. And I would even say more than once, depending on the circumstance.

Darlene Kirk: I agree.

Bridge Littleton: I mean, you guys are going to have to do the subjective component to this to look at it and say, wait, you were on vacation three months in a row. Come on, you know that's not what we're talking about. Somebody really struggling we have to be able to exercise the right level of compassion when needed.

Darlene Kirk: Absolutely.

Bridge Littleton: Probably very infrequently, but, you know.

Darlene Kirk: Yeah, that was my point, too, because there are a lot of people that have lived here all their life and they're very proud. And they don't want to come to you and say, you're going to send me to Fish or Windy Hill. You know, so follow your heart, listen to what they say.

Bridge Littleton: Bud.

Bud Jacobs: In that regard, for those customers who do qualify for assistance from either of the two foundations, it strikes me as a little unfair to the foundations to ask them to also pay the penalty fees. [Multiple Speakers] And I think I raised this or I asked about this at our last council meeting. Maybe there's a way, if it's legal, if you can, I'm not sure.

Julie Rivard: Sure.

Bud Jacobs: To in those instances where a foundation has certified a need and yes, they're going to pay a given months utility services not to levy the late fee for that, that the foundation should pay. They need their money as much as anybody else to serve the maximum number of people in the community.

Julie Rivard: Absolutely.

Bud Jacobs: Does that makes sense.

Julie Rivard: I think so. Yeah, I think it's something that we have done in the past. I don't want to speak out of turn.

Danny Davis: Yeah, I'm not exactly sure if we have, but I think we can build that as part of the language.

Bud Jacobs: Can we do that?

Danny Davis: You can direct us to include that and we can develop the language, you know, as appropriately with the attorney. But I think in the motion you can have an amendment [Multiple Speakers]

Bridge Littleton: Yeah. Okay. Philip.

Philip Miller: Do we and I'm trying to remember what the bill looks like on top of my head, but do we have any area on there that says, do you need assistance? Please get in touch with us.

Danny Davis: So that's a great question. [Multiple Speakers]

Philip Miller: I think if somebody is having a hard time paying their bills or they've fallen on hard times, that it is intimidating to come in and say, listen [Multiple Speakers] I have this situation. So we need to absolutely direct people that that's an okay thing to do and that we're here for you.

Danny Davis: So three quick things. One, we often do put that in the newsletter, the memo that goes with the bill. Number two, we have an opportunity where we can currently add messages on bills. It's a little unwieldy, but we could put if you need assistance, contact and we could put I think we have four lines essentially. Then the third item is that we're actually looking at potentially self-printing the bills going into the future. It gives us more flexibility in actually managing

some of the texts and some of the things that are stated on the bills. It's something we're working on and may come to you later with what that might be. But that would give us an opportunity to actually make a big, bold statement, you know, need help, contact here. So there are opportunities now and potentially better opportunities in the future.

Philip Miller: And with that self-printing, would we also be able to do e-billing?

Danny Davis: So I believe so. [Multiple Speakers] Because, yes, we would make sure that still is [Multiple Speakers]

Philip Miller: If you're going to make the change, then look for something you can use for that as well.

Danny Davis: We can talk about what that looks like [Multiple Speakers].

Bridge Littleton: Let's not get ahead of ourselves with all that. [Laughter] Let's not talk about what we might be working on the future, let's just talk about what we're doing right now. And when that's ready, then we can talk about it then.

Darlene Kirk: Yeah make sure it works out cost wise too because [Multiple Speakers].

Bridge Littleton: I agree.

Julie Rivard: Right now, Philip, we have put it in letters that have accompanied the bill. We've stuck it on a fliers that have accompanied the bill. And also, like Danny said in the newsletters. We're trying to get the word out as best we can.

Bridge Littleton: Okay.

Philip Miller: I would just say try to put it on the bill.

Bridge Littleton: Chris, any other questions? Philip? Good. Peter?

Peter Leonard-Morgan: Julie, would you mind, sorry, just repeating what you said, I think about the cut off on the sixtieth day. Is that new state code? Is that something we've done.

Julie Rivard: There was an amendment to state code that changed when that cut off was allowed to occur. And to the best of our knowledge, that amendment to state code happened after the town had reviewed its policy in 2012. So I believe that amendment to state code happened in 2018. [Multiple Speakers] So we are reviewing our policy and updating per any changes that were made to state code.

Peter Leonard-Morgan: Great, thanks.

Bridge Littleton: It's a real good question. During that time frame then our town code was out of compliance with state code.

Danny Davis: Specifically related to disconnects. [Multiple Speakers] Yes.

Bridge Littleton: Okay, did we threaten to disconnect anybody after 30 days in that time frame?

Danny Davis: We may have threatened to, I don't know the number of people we may have disconnected, but there would have potentially been disconnect notices issued per our code at the time.

Bridge Littleton: Okay, do we need to go back and look at that?

Danny Davis: I don't believe there's a need to necessarily.

Bridge Littleton: Well, I mean, if we disconnected somebody at 35 days and then they had to pay a reconnection fee. That reconnection fee may have been [Multiple Speakers].

Danny Davis: If you'd like us to talk about this, we can consult with with you and with our town attorney about any requirements that might be upon us to do that.

Bridge Littleton: Okay, yeah, I think we need to look at that.

Darlene Kirk: Yeah, I'd just look into it and see how many if there are any.

Bridge Littleton: I mean, we may not have, but it'd be good to know if we did.

Rhonda North: And I know we didn't do in the last year.

Darlene Kirk: Cut off anybody?

Rhonda North: Yeah. We didn't do that [Multiple speakers] while we had a temp in. And also for the future I've set up a tickler file to check in June to see if there have been any changes to those two state code sections so we can get them taken care of quickly.

Bridge Littleton: Okay.

Bridge Littleton: Darlene, any other questions?

Darlene Kirk: No.

Bridge Littleton: Bud how about you?

Bud Jacobs: Good, thank you.

Bridge Littleton: Cindy.

Cindy Pearson: No, thank you.

Bridge Littleton: Kevin.

J. Kevin Daly: I like the policies you are coming up with, particularly being able to waiver the 10 percent late fee. [Off mic] people that have legitimate reasons for not being able to pay. But I also don't want to let those who have no legitimate reason and have the money, and the ability to pay, and they just simply forgot, or neglected to follow up. The question I have is how many residents are we talking about? Do we have a certain number that are continuously at fault being late in fees or is this a once every 12 months or so type incident?

Julie Rivard: My perspective is probably a little bit different just because having come on right at the beginning of the pandemic, things have not been quote unquote normal since I've been here, I've been told. [Laughter] So during the time of the moratorium, we did have a number of water and sewer service customers that did not pay their bill. And it was not paid off until after the moratorium was lifted on late penalties and shut off notices.

Danny Davis: On average, though, we see between 35 and 45 customers that received late notices. So that's nearly 10 percent, you know, between eight and 10 percent of our customers [Multiple Speakers] Of total customers.

Bridge Littleton: That's a significant number.

Danny Davis: And that number is pretty regular, again, outside of where we are right now. But that in [off mic] in many ways, it's sometimes the same people.

Bridge Littleton: Yeah. Darlene.

Darlene Kirk: Have you had any bills returned to you for any reason? The reason I ask is because I didn't get a bill last time. And so I never saw it until I talked to Rhonda. That's why I was asking, do you get a lot returned or no?

Julie Rivard: We don't get any. We've not received any bills returned in the mail to us.

Darlene Kirk: Okay. All right, thank you.

Bridge Littleton: So Darlene, that was bank error in your favor.

Darlene Kirk: Yeah [Off mic].

Bridge Littleton: Okay, so I guess [inaudible] is there a motion? And what [Multiple Speakers]

Danny Davis: [Off mic] real quick. So those were the first two items. There's one additional item just to briefly go over real quick, and that is the sewer credit for [Multiple Speakers] leaks outside of the building.

Bridge Littleton: So before we do that, let's just do the billing updates. Let's do that motion clear that off the deck.

Julie Rivard: Okay.

Bridge Littleton: Then we can go over the sewer stuff.

Julie Rivard: Absolutely.

Bridge Littleton: So if I recall, the idea was that we do need to make an amendment to the motion. I think it was on Bud's recommendation that if a nonprofit is going to be paying for somebody's bill, if there's a late fee, we don't want to hit the nonprofit with the late fee.

Julie Rivard: Sure.

Bridge Littleton: Okay.

Philip Miller: [Off mic]

Bridge Littleton: What's that? [Off mic] Well, just penalties.

Philip Miller: Yeah penalties.

Bridge Littleton: Okay does somebody want to make the motion?

Chris Bernard: Did we also want to add something so that staff has a little more flexibility with what Darlene brought up?

Darlene Kirk: [Multiple Speakers] common sense yeah. We've always giving them a lot of [Off mic]. I mean, we've always said, given the [Multiple Speakers].

Bridge Littleton: Well the ordinance, I think what you guys are saying right now is that you can do it once in 12 months. [Multiple Speakers]

Danny Davis: If council is interested in as having more flexibility. I would suggest something to the effect of in extraordinary circumstances. Now, that's what requires us to show subjectivity, and again, we wrote this to be objective and it's once for 12 months. And again, that's why we wrote it that way, because it's very clear and there's no having to choose between one person and another.

Bridge Littleton: Well, I mean, all right. Let's think about this from a big picture perspective. There's a responsibility in town to do the best it can for other people, but there's also a responsibility on the user side if they are having trouble to reach out and actively engage, to have people help them. So waiving a late fee once. Right. That also means they're on notice. You know, that they need to be actively working to find people to help them.

Chris Bernard: [off mic]

Bridge Littleton: No, because the next bill is coming up. I'm talking about the next bill.

Philip Miller: You only waive the late fee if they get back to you within 10 days.

Darlene Kirk: Why don't we leave it as it's written and then if we find that there's an issue, we revisit and we can make a change to it.

Bridge Littleton: That's the way to do it. Because I get you, Danny, because the thing I would because, you know, extraordinary circumstances. What does that mean? I mean, does that mean locally or one person? Right. Yeah. Yeah. That's so hard.

Chris Bernard: [off mic]

Bridge Littleton: Right. [off mic] Yeah. And part of the responsibility is on them. Right. I'm sure we've all had that situation in our lives right. Where something was going wrong. And what do you do? You call the bank, you call your credit card company. Hey, I'm going to be late and everybody will work with you. So, OK, so there's the one amendment to waive any fees for nonprofits if they're paying for a user. Ok, so would like to make the motion. OK. [off mic] All right, Peter.

Peter Leonard-Morgan: The amendment here right.

Danny Davis: Just the first sentence. Yeah.

Peter Leonard-Morgan: I move the council adopt an ordinance to amend portions of town code, chapter 113 pertaining to water with. to include nonprofits, which might require assistance.

Danny Davis: Can I suggest. So if I can actually ask number one, go ahead and read the full sentence, including points one and two. So the first of the ordinance to amend chapter 113 and ordinance to amend portions of town code chapters, 83.1 to the full sentence and then add on there.

Bridge Littleton: Just read all the way to I further move. Got that Peter? Halfway down. [off mic] Ok.

Philip Miller: I move that council, adopt one an ordinance to amend portions of the town code, chapter 113 pertaining to water and two an ordinance to amend portions of the town code chapter 83.1, but to include that non-profits paying for an individual are not subject to penalties.

Bridge Littleton: That's fine. Yeah, and Darlene seconded, OK, any further discussion? OK, we'll do a roll call vote. Peter.

Peter Leonard-Morgan: Aye.

Bridge Littleton: Chris.

Chris Bernard: Aye.

Bridge Littleton: Phillip.

Philip Miller: Aye.

Bridge Littleton: Bud.

Bud Jacobs: Aye.

Bridge Littleton: Kevin.

Kevin Daly: Aye.

Bridge Littleton: Cindy. Cindy.

Cindy Pearson: Aye. Couldn't get it to unmute.

Bridge Littleton: And Darlene.

Darlene Kirk: Aye.

Bridge Littleton: Ok, now sewer.

Julie Rivard: OK, so currently in our town ordinance, it allows for a leak adjustment once in a three year period, and it's based on the four previous utility bills. Right now, we don't have a provision in our town ordinance that would allow for a sewer leak adjustment only for someone who has a leak and an underground water line or an outside fixture like a yard hydrant. And we are proposing an amendment to the current town code to allow us to provide an additional type of leak adjustment to someone who has a leak in an outside fixture or an underground line. It would be a sewer leak adjustment only, and this would be in addition to the leak adjustment that may be received once in a three year period. The reason that we are asking for that is because we do have we are seeing a need for such an adjustment. We do have someone who had a rather serious outside water leak. Unfortunately, they had already received a leak adjustment and it was about 18 months ago. They are not eligible for another week adjustment. Relieving the sewer portion would relieve an extensive part of the bill and a little bit of the sting of having to pay for the leak adjustment. But also, we're not having to treat that water. It's not going into our sewer system. It's leaking into the ground or the surrounding area. So because it does not cost us anything to treat that water, we're not treating it. We are asking to be able to relieve the sewer portion of outdoor water leaks.

Bridge Littleton: I think the fair way of saying it is, if it's leaked outside, we're not actually incurring any cost to do anything. So the way it's set up right now, it's actually a penalty. I mean, it's punitive, right? We're actually asking to pay for something that we're not actually doing. So it's nobody's fault. We're just fixing it to make sure it captured accurately ties actual cost to actual dollars. So I think it makes a lot of sense. We'll just go around real quick, see if there is any questions for Julie. Chris. Philip. and Peter.

Peter Leonard-Morgan: None. Thank you,

Bridge Littleton: Darlene?

Darlene Kirk: I agree with you, Bridge.

Bridge Littleton: Thank you. Bud.

Bud Jacobs: No questions.

Bridge Littleton: Cindy.

Cindy Pearson: No questions.

Bridge Littleton: And Kevin.

Kevin Daly: No questions.

Bridge Littleton: All right, who wants to take this motion, and pull it apart?

Philip Miller: I further moved that council adopt an ordinance to delete section 83.1-38B, and add section 83.1-40.0 in town code chapter 83.1 pertaining to sewer leak adjustments said changes to be applied effective January 1, 2020.

Darlene Kirk: Second.

Bridge Littleton: Any further discussion. Ok, we'll now go to Roll Call Vote. Peter.

Peter Leonard-Morgan: Aye.

Bridge Littleton: Chris.

Chris Bernard: Aye.

Bridge Littleton: Philip.

Philip Miller: Aye.

Bridge Littleton: Bud.

Bud Jacobs: Aye.

Bridge Littleton: Kevin.

Bridge Littleton: Aye.

Bridge Littleton: Cindy.

Cindy Pearson: Aye.

Bridge Littleton: And Darlene.

Darlene Kirk: Aye.

Bridge Littleton: Motion passes. All right. Thank you, Julie. Thank you. Next item is options for supporting restaurants and retail during the winter months. Ok. Jamie.

Jamie Gaucher: Thank you, Mr. Mayor. Members of the council, we thought it was important to bring to your attention several options that we're working on to assist members of our restaurant, our food and beverage companies here in town. Given the fact that many of them are utilizing outdoor seating during this time of covid-19 related restrictions and given

the fact that the weather is about to become cold. In what I would describe as adverse to outdoor seating. So the first option would be to have each restaurant gain access to an individual tent. It's probably the most flexible. It would probably create the largest amount of capacity for the restaurants. They could manage that space in much the same way that they currently manage the space that they're using. But it's also probably the most costly. Option number two would be to develop a cooperative marketing program that would require some work specifically around messaging and planning and making decisions around who would want to participate and what that would look like. And then the third option that we're currently working on would be an effort to augment curbside delivery or pickup for our restaurants, allow each restaurant to serve their customers without having to leave their vehicle in inclement weather, and at the same time dedicating parking spaces to specific uses is something that is uncommon here in Middleburg and would require some sort of cultural adjustment. So with that being said, I will also share that to date our restaurants have been slow to express interest or to adopt any of these specific options, but we wanted to bring them to the council so you could be informed.

Danny Davis: And I think it's important to note that we're not asking for you to solve this problem right here because that wouldn't go so well. But what we want to do is inform you where we are to date, the conversations we're having with the restaurants. We're going to continue those conversations and generally to say this is a pathway that we're looking at the various options to implement into the future. However, before we go on any of these paths, clearly we would need more specifics about what an actual cost would be for a tent type program and what the town's involvement would or wouldn't be, what restaurants would actually want to take advantage of that. So we're providing this is really information right now if there are thoughts are things we miss. Happy to talk offline if you'd like two or if there are things we need to discuss now, if there's a flat out no, but again, we're not asking to try to solve these problems at the very moment.

Bridge Littleton: Ok, so, yeah, I think I understand. I mean, I think when we talked about this earlier. Right, your guy's vision is really this is a toolbox of tools we've got. But the restaurants have to want to also pick up the tools. So there's only we can't force them to do things, but we do need to be proactive to be able to help when the call comes. OK, Darlene you have a question?

Darlene Kirk: Yeah, I do. Are you talking about us, the town purchasing the tents and the heaters? That's going to be expensive. And I don't think that's a good use of our money.

Jamie Gaucher: We're not specifically making that request or that suggestion. If that is an option, we'd be happy to price it out. Again we're still looking for hard facts from how many restaurants would want to participate. So we don't know that at this point time.

Darlene Kirk: Ok but like I said, I don't think that's a good use of our money to buy a bunch of tents.

Bridge Littleton: Bud.

Bud Jacobs: The tents would not be for full service, right? They would be for visitors to get their carry out and then have a place to go sit down in a warm place to eat what they purchased.

Jamie Gaucher: It could be both in some restaurants, might use the tent as an extension of their existing dining room with dedicated waitstaff and dedicated, you know, cleaning requirements and regimen protocols. And others, not others might use it as a take out.

Danny Davis: I think the intention would be primarily that those who have outdoor seating right now to be able to continue that outdoor seating with in a full service manner would need a tent to continue on.

Bridge Littleton: Ok. I appreciate it, so we'll go around if anyone has questions, Chris?

Chris Bernard: Yeah, I'm imagining that you're going to get a little pushback maybe from the public on how it's going to look to have tents and everything. And I would encourage people who feel that way to look at Warrenton and their old town. They've done some stuff. It looks a little different. Right. But times are all different and it's temporary. So I think nonpermanent structures might be our best option. [off mic]

Bridge Littleton: The comment I would add, you think it looks bad with a tent. See what it looks like when 15 restaurants are closed? Yeah, you know, that's my choice. I can suffer a tent for six months.

Chris Bernard: I say we also do need to make sure that there is a certain point where it's over. Right. When this is all done, you don't just get to just have tents forever.

Bridge Littleton: When the leaves are out, the tents are gone. Philip.

Philip Miller: I think I've given all my comments to Danny already when we met earlier. So thank you.

Bridge Littleton: Peter.

Peter Leonard-Morgan: So I was curious. It sounded like you approached various restaurants. There's not a lot of take up on the idea, which is, I think, disappointing. And I'd also like to say my thought on the tents is not necessarily that we pay the whole lot. There might be some collaboration. Also, we've got a situation where different restaurants have different opportunities, worse and better. There are some fantastic opportunities with tents, but others have none. So that's an issue. And have we talked about a thought about a place where the problem is logistics, but a place where there's a tent that all the restaurants could use? It sounds difficult. It's not like we have a town center where everyone's around it.

Jamie Gaucher: We've discussed that internally. It really is difficult to find one location to service all the restaurants in town, given that we have several on the west end of town and several on the east side of town, that is a little more difficult from a logistical perspective.

Danny Davis: And also keeping up with the safety standards, cleaning's the problem and all that. So we went back and forth on that idea a number of times. I think there's perhaps not saying 100 percent, but perhaps more opportunity on individual restaurant properties to take advantage of the spaces they have then actually at the end of the day, I think probably would serve them better than setting up. But we've gone back and forth, and if something presents itself, we didn't expect, we definitely would keep that as a, you know, additional consideration.

Peter Leonard-Morgan: And just to follow up the other issues with the heaters, I noticed that there was some issue with fire marshals not being happy is that a problem?

Danny Davis: We're working with them and we're working with the restaurants. And so heaters inside tents are pretty standard. The types of heaters that come with the tents are typically permitted along with the permit for the tent. And so that is not unusual. We are working on that individual situation to help them locate them in a place where they'll be acceptable. And, we'll be an advocate for the restaurants should there be any questions or concerns. And just real briefly on your first point, we can also and it is something I'll talk with Jamie about, we'll make a concerted effort tomorrow and into next week about not just going about reaching out to each restaurant again and in person and in over the phone and start really trying to figure this out because, you know, we've heard from some, but we want to make sure that we're making that direct contact and not just relying on an email.

Bridge Littleton: Chris you had a comment?

Chris Bernard: So I think it's mentioned in there somewhere, kind of. But I think there would be some value to let's say you have five or six restaurants that want to do the tents is getting them together collectively like how we did with the trash and getting pricing from a company and then maybe we subsidize a part of that cost.

Danny Davis: Absolutely.

Bridge Littleton: Yeah. I think the only I think part of your comment to the restaurants. Right. It is the more who can figure out how to make it, make it work for them, it helps everybody. Right. People come to Middleburg for the variety of things to do in the variety of places to eat. So, you know, we have a significant number of restaurants say I'm just going

to close for the winter that affects everybody in town. You know, at the end of the day, they're going to make a smart business choice. And it makes sense to I get it right. But, you know, it's the joint success, you know, lifts all the boats. Right. So that's you know, as you express that, I mean, I think it's part of expressing the you know, the the element there that it's not just about them, it is about everybody. I mean, imagine if all the retailers, half the retail stores closed, that word would get out pretty quick and people go, well, why am I going to go to Middleburg then? It hurts the other ones who are there. So, Darlene.

Darlene Kirk: I still don't like the idea of buying the tents because then we got storage and all that thing is there. Maybe we can rent. Because I certainly don't want us trying to store it. We don't have good storage anyway and tents don't store well anyway. But yeah, I want to help our businesses and I really want to help our restaurants.

Bridge Littleton: Bud.

Bud Jacobs: I agree with Darlene that we don't want to be in a position of bearing the full cost for these tent rentals, but I'd certainly be in favor of cost sharing with restaurants that are interested in participating. It seems to me it's a wise investment for us to undertake and. Philip, is there anything I'd be curious to hear what you shared separately.

Philip Miller: Yeah, I mean, we talked about how basically it's not just about the tent. It's going to it's going to be a mix of all of these things. And so putting this plan together is, I think the there are some major challenges with the tents, especially if we treat all of our restaurants equally and give them an opportunity. And it's not necessarily ideal for many of them and it's not ideal for pedestrian traffic. You know, I think we have a lot of challenges ahead of us. I do think that, you know, we could find ourselves in a situation where we put up tents and then, you know, God only knows we could go to no outdoor seating. So I don't think that that's the silver bullet. I think it's it's a short term solution to a much more hairy problem. It's just one trick that we've got, so, you know, if. And I agree with Bridge, I mean, I don't want to see the restaurants closed for two or three months and I don't want to see them closed permanently. I do think that we need to encourage curbside pickup. And I think that we should encourage that for not just restaurants, but for retail as well. I think that those work very well in in well, basically everywhere I've been lately, there seems to be two or three places in front of restaurants or other establishments that are all offering curbside pickup. I don't know, we talked for a while, Danny.

Bud Jacobs: That's very helpful.

Danny Davis: And that is a conversation that I think maybe we can bring back to you at the next meeting about curbside whether that we can make a recommendation to you about the best way to implement that. And so we can talk about that. And I think that's a good point. And I think the point that you did make is this is a a full complement of solutions working together. And so we want to do our best. And really this and just like you said to MBPA, it's this and the Christmas activities all working together. And so let's make sure that we're pushing all in the same direction.

Bridge Littleton: It's definitely got to be in all of the above strategy.

Philip Miller: And so what we talked about was all of these different solutions that we put together not only need to work cohesively, but we also we want to make sure that we advertise them appropriately with the co-marketing, especially when it comes to the Christmas in Middleburg season, so that we can let people know that these are the safe ways to come.

Bridge Littleton: Bud anything else?

Bud Jacobs: No sir.

Bridge Littleton: Darlene.

Darlene Kirk: I just want to mention that one of the things we try to encourage is people coming out and exploring the town, walking around and looking all over the town and, you know, just going into the shop and looking at things and buying things are seeing something that you want to get later and curbside kind of takes that away. It works well for

restaurants. I'll give you that. And I and I've had picked up a couple of things downtown curbside at the shop, but I just wanted to mention that.

Bridge Littleton: Cindy. Any questions or input?

Cindy Pearson Well, with Chris's comment about, you know, the checkout Warrenton but Warrenton has streets that they can use with which we don't. But I was in Leesburg the other day at [inaudible] and based on what some of our restaurants maybe could do here. [inaudible] it worked really well there. [inaudible] is that maybe what the people do get the curbside, that somehow we can have I want to use the word signage, but somehow to get information out where they can go at eat. People are looking for that the whole time here, that kind of walking around with our food. I've had people come to me, where can I go and sit and eat this. So if there is some way we could get them to the center, get them to the churchyard and the benches. You know, people over here [inaudible] are saying and they can go all the time and come sit at their table. So somehow we can just communicate other places to go sit and eat after they pick up their to go food.

Bridge Littleton: Yep, gotcha, that's a good idea. Kevin, any input?

Kevin Daly: Just want to make sure we're getting some of the input from the restaurants themselves? Are we not you're not giving them solutions. They should be coming up and suggesting and recommending solutions of their own.

Danny Davis: It's a combination of the two. That is correct. We have definitely asked the very open ended question, what can we do to help and what will help you, your operations during the winter months? But some of these ideas are also ones that they did not come up with either themselves. And so that's why I think the follow up conversation will be helpful. And we want to be open to any ideas they might bring forward.

Kevin Daly: Because we want them to have a vested interest to we don't want to be presenting solutions and they're just kind of rolling over and taking whatever it is that we come up with.

Danny Davis: Yes, sir.

Philip Miller: So far, they've really just been a handful and it's been about [multiple speakers]. Yeah, and you did say when we talked earlier that renting them for the four month period is pretty much on par with buying them.

Danny Davis: I think that's what's in the report,

Jamie Gaucher: Very close.

Danny Davis: Except for the cost of the portable heaters.

Jamie Gaucher: Heating, heating depending on its size and is the variable that is hard to pinpoint.

Chris Bernard: What about installation? [multiple speakers]

Philip Miller: But you could potentially sell it.

Bridge Littleton: So let's not solution how we're going to implement tents, let's let these guys go out and look what the options are and put them in front of the business of a business, wants to buy a tent. They can buy a tent. They want to rent one, they can rent one. We'll figure out how best we can help them. But to Darlene's point, we don't want as a town to get in the business of buying tents.

Philip Miller: To get to that point, though, I did mention to Danny that potentially there's an opportunity, if we have enough interest, that we can get a group rate, essentially, if we coordinate it with everybody so we can bring.

Bridge Littleton: Right. Right. But but but what I'm saying is that they're not it's not going to be assets the town owns when this is over. OK, OK, OK. So hopefully that's helpful to you guys. And I think it's probably not a bad idea just at each council meeting, let's not have a full blown memo with all this on it, but just kind of give us an update of I think a good count would be, you know, who's going to do a tent and who's not. And, you know, if people have suggestions they need help on or whatever. But I think especially the next two or three months or probably the next two months until it really starts getting cold, let's just keep our finger on what's going on.

Philip Miller: I would say by first meeting next month, we should probably have an idea of what the budget is going to be and be ready to vote on it or move whatever we need to do to have it, because that's now we're in two weeks into October.

Bridge Littleton: Ok, so then the question is that we're so are we telling the staff to go back and actually develop a program with dollars?

Philip Miller: I think so.

Bridge Littleton: OK, because that's not what's in the memo. So if that's what we're asking staff to do is to now go develop a program and come up with budget dollars, that's different than an info item.

Danny Davis: So this was simply an info item?

Bridge Littleton: Exactly.

Danny Davis: We're happy to if the timing is appropriate and we feel like we have enough interest from restaurants to make a proposal forward with a plan with cost to it and with what it looks like, whether renting or purchasing or [inaudible] and everything else, we can have that ready for the next meeting.

Bridge Littleton: OK. Is that what you're saying?

Philip Miller: That's what I'm saying, because otherwise I think we are in the end of October when we go and tell them to make a plan when we're already in cold weather. And then we can then we're then we're looking at moving on it and approving the budget and all that early November. That's too late. We need to have it next meeting.

Bridge Littleton: So is your vision that the town is now taking ownership of this or the businesses taking ownership for it?

Philip Miller: I think this is our program.

Chris Bernard: [off mic]

Bridge Littleton: Ok, so, all right. I just want to make sure I get it right, because now we're not we're not talking about talking to businesses and asking what they're going to do and talk about options. What we're saying is we're going to create a program where we're going to.

Chris Bernard: [off mic]

Darlene Kirk: And I think it's a good thing to ask the restaurants if they have any ideas of something that might help them even better. I don't know that there is.

Bridge Littleton: Have you guys actually gone to physically talk to the restaurants or has it all been through email.

Danny Davis: Its phone calls, its emails, its people stopping in. There's probably three or four that have not had a verbal conversation. But I think it's fair for us to follow up with every one of them with a verbal conversation. But, yeah, we

talked to a majority of them verbally, either again as they come in to pay meals, tax. Hey, how's it going? Hey, what can we do for you? Are you thinking about the winter. What's your plan? And sometimes the answer is, oh, yeah, we're thinking about it. Well, let me know your ideas and then radio silence. And again, I get there busy, but we've had a variety of conversations with them. And what I'm committing to is we will be taking concerted effort to go have that second conversation with them.

Bridge Littleton: Ok, Darlene.

Darlene Kirk: I just had a thought, and I don't know if this is even doable or workable, how about partnering a restaurant and a business like, you know, I don't know, like. So that they kind of work together to increase each other's business. I'm saying like if somebody goes into one shop, then they're saying, oh, you know, our partner is such and such. And, you know, here's a ten dollar gift certificate for your food at this place. I was just thinking it might help. Both every everybody more, I don't know, I just that just popped into my head and then popped out of my mouth. OK. [laughter] You don't have a quick response to that Bridge.

Bridge Littleton: No, no, I'm just trying to I mean, what I mean, I don't I mean, that that can happen, but it's just, you know, that's like joint marketing and stuff like that. But I'm just I'm like wondering how. I mean, I think the what it sounds like we're talking about now is tents or no tents. How are tents going to happen for restaurants. We're not talking about anything else and marketing and all that kind of stuff. And the curbside. Yeah. So and the curbside and the marketing, those kind of can happen organically already. I mean, it's not like you can't stop and pick up your food, right.

Chris Bernard: [off mic]

Bridge Littleton: Right. But that will happen even if we don't do anything, people can still do curbside. The question is, is it are we it's about additional seating outdoors. In the wintertime, that's covered and heated, that's like the threshold issue right now.

Chris Bernard: It could also be hey restaurant A you have this amount of space. Would you like us to block off a parking spot so that you can use it for curbside pickup because that's your business model? Or would you rather see people there and we can help you with the permitting whatever to get a tent. I mean, every restaurant's going to have a different scenario. And so we just have to have a kind of multitiered program that they can opt in or out of. That's my thought.

Darlene Kirk: I can tell you right now you could pay me and I wouldn't sit outside at a restaurant in the winter because it's you know, you're going to [multiple speakers]

Bridge Littleton: I do. A tent and a heater. I do all the time now. [multiple speakers]

Danny Davis: So my suggestion is.

Bridge Littleton: It's really about visitors and it's really about visitors.

Danny Davis: My suggestion is we go get the best information we can find the restaurants and we see by the end of next week are we in a place where we have enough interest, enough information to put something together for you to make a decision?

Bridge Littleton: OK, that's better.

Danny Davis: And if we don't, then we wait till the next meeting, but we push and try to get as much information as we can.

Bridge Littleton: Ok, so then. Yeah, I agree. I think then so you guys have got to actively go out and press them really hard. And they've got to make a decision.

Chris Bernard: [off mic]

Bridge Littleton: Right.

Danny Davis: He has holes in his shoes.

Bridge Littleton: Yeah. Philip Does that work?

Philip Miller: Yeah. That works.

Bridge Littleton: OK, are you guys good with that. Ok, and let you know what we talked about a lot. Let me just go around real quick. Make sure everybody's good. Chris. You're good. Peter.

Peter Leonard-Morgan: Yes. Thank you.

Bridge Littleton: Darlene.

Darlene Kirk: I'm always good. You know that.

Bridge Littleton: Awesome. Well I know that .Bud. Cindy any, any last input.

Cindy Pearson: No, not right now.

Bridge Littleton: Thanks. Kevin.

Kevin Daly: Negative.

Bridge Littleton: All right. What's next. Oh, information item. We talked about this last time. So this is just an update for everybody. COLT is actually going to work, is actually working very aggressively on this issue. All seven mayors went last week to the Board of Supervisors meeting, and we actually presented to them an outline of how we as towns want to be engaged and be a part of the solution to the attainable housing issue in the western part of the county. And we really focused on the fact that every single one of the towns has something that we can bring to bear that will help create the right type of attainable housing for the right needs based around the western Loudoun community, like the agro workers and the hospitality workers and all that stuff. Some of the towns have, you know, open green fields, which could be rezoned the right way for the right type of housing. We have some things we can do here in town from a redevelopment perspective. And quite honestly, the other piece of this is it cannot be a situation where it's a housing stock item that is just to alleviate issues in the east, you know, we can't we can't prevent anybody from buying something, but we really want to focus this on, you know, there's an attainable housing issue in western Loudoun and western Loudoun towns want to help be the solution for that so we can try to avoid just rampant density everywhere, ruining the open space. And we also asked the county that there be a working group between the county planning staff, our planning staff and our planning commissions, and that they openly and actively commit to doing that, to not just listen, but to jointly develop solutions because our authority stops at the border. So that becomes the county. And so there has to be that holistic view and approach. And we got very positive feedback from all the members of the, not all, but most members of the Board of Supervisors. So as this goes forward, you know, we'll keep everybody, you know, up to speed on it. But, you know, hopefully what we can also do is get some get a lowering of density in the rural area, you know, if the towns are going to be part of the overall solution. So that's just the update there. If anybody's got any questions. If not, we can move right on. Well, OK. Yes, yes. Sorry. Go ahead.

Cindy Pearson: You guys are doing that because that's the only way you all are going to be heard is to be there with your face in front of them. So and I know it's extra time for you all, but it makes a difference. Thank you.

Bridge Littleton: You know, we we were all there in person masks and all. Each one of us took a different topic area of this of this whole issue. And then Scott Ramsey did the the sweep up at the end, basically saying we're committed to help

you be successful. We need you to be committed to help us all be successful. So, yep. Ok, we will now go to the second public comment session before the closed session, if any member we'll open that and if any member of the community would like to speak. Rhonda, is there anybody on the phone?

Rhonda North: No, sir.

Bridge Littleton: OK, we will close the public comment session and move on to the closed session. Would anybody like to read the motion, Peter? [laughter]

Peter Leonard-Morgan: I move that council, go into closed session as authorized under section 2.2-3711 of the Code of Virginia for one, the disposition of publicly property relates to the Asbury Church, two the discussion or consideration of the acquisition of property for public parking, both items as allowed under subsection A three and three for the discussion. Ok, that's it. Yeah, I say, oh, wait, wait, wait. I further move that the council there after reconvene in open session for action as appropriate.

Bridge Littleton: Darlene?

Darlene Kirk: Second.

Bridge Littleton: Any discussion. All right, Peter.

Peter Leonard-Morgan: Aye.

Bridge Littleton: Chris.

Chris Bernard: Aye.

Bridge Littleton: Philip.

Philip Miller: Aye.

Bridge Littleton: Bud.

Bud Jacobs: Aye.

Bridge Littleton: Kevin. Kevin?

Kevin Daly: Aye.

Bridge Littleton: Cindy.

Cindy Pearson: Aye.

Bridge Littleton: Darlene.

Darlene Kirk: Aye.

Bridge Littleton: All right. We're now in closed session. Ok, I asked the council certified that the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and two only such public business matters as were identified in the motion by which the close meeting was convening, were heard, discussed or considered in the closed meeting. I would like to remind those present for the closed session, that any discussion that occurred within it should be treated as confidential. Peter.

Peter Leonard-Morgan: Yes.

Bridge Littleton: Chris.

Chris Bernard: Yes.

Bridge Littleton: Philip.

Philip Miller: Yes.

Bridge Littleton: Bud.

Bud Jacobs: Yes.

Bridge Littleton: Kevin.

Kevin Daly: Yes.

Bridge Littleton: Cindy.

Cindy Pearson: Yes.

Bridge Littleton: And last but certainly not least, Darlene.

Darlene Kirk: Yes.

Bridge Littleton: All right. Uh, any other items? Meeting is adjourned.

Danny Davis: Do I get three more minutes on the timer?

Bridge Littleton: I swear to God I.