



**MIDDLEBURG TOWN COUNCIL**  
**Regular Monthly Meeting Minutes**  
**Thursday, September 26, 2019**



**PENDING APPROVAL**

**PRESENT:** Mayor Trowbridge M. Littleton (left early)  
Councilmember Chris W. Bernard  
Councilmember J. Kevin Daly  
Councilmember Kevin Hazard  
Councilmember Peter Leonard-Morgan  
Councilmember Philip Miller  
Councilmember Cindy C. Pearson

**STAFF:** Danny Davis, Town Administrator  
Rhonda S. North, MMC, Town Clerk  
William M. Moore, Deputy Town Administrator  
A.J. Panebianco, Chief of Police  
Jamie Gaucher, Business & Economic Development Director  
Estee Laclare, Planning & Project Associate

**ABSENT:** Vice Mayor Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, September 26, 2019 in the Town Hall Council Chambers located at 10 W. Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag.

**Public Presentation**

**Annual Report - Wellhead Protection Advisory Committee**

Town Administrator Davis reminded Council that the Town received grants from the Virginia Department of Health (VDH) to protect its water infrastructure. He explained that one of the requirements was to have a Wellhead Protection Advisory Committee.

Bud Jacobs, Chair of the Wellhead Protection Advisory Committee, and Jilann Brunett, a member of the Committee, appeared before Council to present their annual report. Mr. Jacobs opined that the reason the Town was so successful in its grant writing was the staff. He noted that when the Committee was revising the Town's Source Water Protection Plan, he did some research to determine what other localities were doing and found that Middleburg was the leader.

Mr. Jacobs thanked the Council for approving the revised plan and advised that the Committee was working to implement the action items within it. He reported that they have identified wells in town that posed a danger of contamination to the Town's source water, which consisted of eight that only posed a minimal threat. Mr. Jacobs reported that one well was closed, with only \$1,500 in grant funds being expended.

Mr. Jacobs thanked the Council for including \$30,000 in the budget for the Committee; however, he advised that it could be reprogrammed since the Town was able to obtain a grant for the water recharge study. He reported that under a VDH contract, the Town had access to the services of TetraTech who was working to do a larger inventory of the wells. Mr. Jacobs reiterated that the Town received a grant for a water recharge study and that it would relate to the Banberry Crossing Reserve Subdivision that was proposed just outside of the Town's corporate limits. He explained that while the Committee was able to determine that the proposed subdivision would not impact water availability, it was not able to address the question of contamination until the recharge study was complete.

## **Public Hearing**

### **2019 Comprehensive Plan**

Bob Dale, Executive Director of the Windy Hill Foundation, advised Council that he supported the plan as it pertained to earmarking two lots for high-density residential development by the Foundation. He suggested there was a large number of individuals who worked within the town that did not live here due to the high cost of housing. Mr. Dale advised that the twenty additional units from this development would help them, as well as low-income families.

No one else spoke and the public hearing was closed.

### **Special Recognition by Mayor & Council**

Mayor Littleton noted that Kevin & JoAnn Hazard had been stalwarts of the community for more than a decade, both as business owners and as volunteers. He advised that they were moving to Vienna, Virginia and would be missed. Mr. Littleton read aloud the resolutions of appreciation for Mr. & Mrs. Hazard and presented signed copies to each.

#### **Resolutions of Appreciation – Kevin & JoAnn Hazard**

*Councilmember Pearson moved, seconded by Councilmember Leonard-Morgan, that Council adopt a resolution extending its appreciation to Kevin Hazard for his service on the Middleburg Town Council from July 1, 2010 through September 30, 2019 and on the Planning Commission from January 1, 2006 through September 30, 2019.*

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

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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*Councilmember Pearson moved, seconded by Councilmember Daly, that Council adopt a resolution extending its appreciation to JoAnn Hazard for her service on the Pink Box Advisory Committee from 2007 through September 30, 2019.*

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

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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### **Consent Agenda**

#### **(a) Approval of Meeting Minutes – September 12, 2019 Regular Council Meeting**

*Councilmember Miller moved, seconded by Councilmember Daly, that Council approve the consent agenda as proposed.*

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

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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## **Discussion Items**

### **Draft Comprehensive Plan 2019**

Deputy Town Administrator Moore reminded Council that they agreed to review the revisions that were proposed during the last meeting. He reported that the two biggest ones were to add language related to Middleburg being located in a viticulture area and to reference that the Loudoun County Comp Plan had been adopted. Mr. Moore advised that he anticipated further references to the adopted County Comp Plan in the remaining chapters to be reviewed. He reported that he received some other changes, which were mostly grammatical in nature, that he would pass on to The Berkley Group.

**Land Use Chapter:** Deputy Town Administrator Moore advised that the bulk of the chapter focused on the future land use map. He reminded Council that a comprehensive plan was basically a land use plan, which was limited to the corporate limits. Mr. Moore reported that the proposed map was unchanged for the most part from the existing one. He noted that the exceptions were that the proposed map included: (1) the Salamander property; (2) the recommendation that two parcels behind the Levis Hill House be changed to high-density residential development in support of the Windy Hill Foundation's efforts to provide affordable housing; and, (3) that the Asbury Church property and the adjoining office property to the south be changed from residential to commercial use. Mr. Moore reminded Council that the latter property was currently a non-conforming use and advised that the plan supported a rezoning so it could become a conforming use. He advised that the biggest change in the future land use map was the designation of the south side of Federal Street for mixed-use development, which would allow the Town to be open to ideas for its revitalization, including possibly for housing.

In response to an inquiry of Council, Mr. Moore reminded them that they needed to take action on the plan no later than October 21<sup>st</sup>.

Mayor Littleton stressed the importance of the Comp Plan, in particular the land use chapter. He noted the need to make sure the Council got the plan right even if more time was needed or if they wanted the Planning Commission to do more work on it.

Councilmember Hazard noted that during the recent Planning Commission meeting, WPAC Chair Jacobs raised the issue of groundwater and the need for a hydrology study. He reported that there was some language in the plan on that; however, he suggested the need to work with both Loudoun and Fauquier Counties on this issue.

Town Administrator Davis opined that the language in the document was eighty percent there. He suggested that it be tightened to reflect the need to do a recharge and contamination study.

Council agreed with the need to work with the counties on this issue as they frequently looked at what was good for them. It was noted that the Town was sensitive to these issues; however, all it could currently do was ask the counties to include this in their plans as well so there would be a goal that the Town could then use to ask for some authority in the event the water levels hit a certain point.

Town Administrator Davis suggested that once more information was available, the Town could identify the next steps of communication with Loudoun and Fauquier Counties to seek the creation of a program for any development located within xx miles of the Town.

The Council agreed the coordination with the counties would be the key to addressing this issue.

Mayor Littleton noted that Middleburg often talked about having a “hard edge”; however, it did not want a joint land management area. He further noted that the draft plan did not include language related to a boundary line adjustment or annexation. Mr. Littleton suggested there may be an instance in which the Council would want to do an annexation in order to obtain affordable housing.

Deputy Town Administrator Moore noted that this was a deliberate omission by the Planning Commission. He reminded Council that they have historically been opposed to a boundary line adjustment, except on a very small scale. Mr. Moore advised that if the Council agreed it was open to boundary line adjustments, he could create language to that effect and link it to the objectives.

The Council held considerable discussion of this idea. It was noted that the speakers during a recent Planning Commission meeting opposed any kind of growth. It was further noted that a comp plan was a guiding document to help future Council’s make decisions. The members discussed whether goals should be included in a strategic plan as opposed to the Comp Plan. The Council questioned whether their goal was to expand the town or maintain, protect and preserve what existed.

The Council also held considerable discussion regarding how the language as proposed would affect an application similar to the senior housing application that was received earlier in the year. They questioned whether enough guidance was included in the draft plan to protect the Town.

Deputy Town Administrator Moore confirmed that protections were included and advised that as proposed, the plan would only allow small assisted living facilities in residential areas. He opined that an application would require multiple changes to the zoning regulations, which the Town could do proactively or reactively. Mr. Moore reminded Council that only they or the Planning Commission could initiate a zoning text amendment. He advised that it would be up to the Town to determine what was “small”.

The Council suggested that if the Comp Plan was left open ended that a proactive approach needed to be taken with regard to zoning ordinance amendments so they would not be making subjective decisions in the future. They noted the need for objective criteria and advised that the term “small” was a subjective one that could mean something very different to different people or someone in the future. The Council advised that they did not want to set the Town up for defensive battles. They noted that Middleburg knew what it wanted to be and suggested the need to tell the public what it wanted. It was noted that the land use map intertwined with the other chapters and that everything must blend together. It was suggested that this may require a new zoning district. Some members of the Council opined that the Comp Plan would not serve as a guide if it was specific. The Council agreed that the details should not be included in the Comprehensive Plan, but rather should be included in the zoning ordinance.

Deputy Town Administrator Moore confirmed that assisted living facilities were not allowed under the zoning ordinance, with the exception of within the residential districts and even then it would be capped at six units. He explained that if the Council wanted to change this, it would require a zoning text amendment. Mr. Moore opined that the Town was well covered in terms of protecting the character and scale of the town and protecting it against inappropriate uses.

The Council held some discussion regarding the redevelopment of Federal Street, including the proposal to include chicanes in the road. They questioned whether chicanes would have an effect on buildings that encroached into the right-of-way.

Todd Gordon, of The Berkley Group, explained that chicanes would allow non-conforming buildings to continue to exist. He noted, however, that any redevelopment must meet the setback requirements. Deputy Town Administrator Moore reminded Council that the plan did not advocate for the removal of existing buildings.

Council noted that the draft plan did not include any reference to economic development with regard to Federal Street and questioned whether this was on purpose. The members suggested that if the vision was that Federal Street was to become a second main street that this was economic development related and should be clearly stated in the document.

Town Administrator Davis noted the language in the Economic Development Chapter and opined that it could be more direct regarding the importance of the redevelopment of Federal Street for the economic strength and vitality of the town. He opined that Council was saying that Federal Street would play a big role and should be tied to the Economic Development Chapter.

The Council discussed where the language should be located. It was suggested that it should all be connected and should be more explicit as to what was being proposed. The Council discussed whether the redevelopment of Federal Street would be a Town initiated project or whether it would require partners.

Deputy Town Administrator Moore reminded Council that the Comp Plan was the land use plan and noted that there would be other plans/documents that would be related to it. He opined that the Town would take the lead on the streetscape in the redevelopment of Federal Street; however, he suggested the economic development component would be better addressed in the Town's economic development plan.

Town Administrator Davis opined that the draft plan did a good job of identifying that the Town was open to potential redevelopment of the street, without dictating specifics. He suggested the Town's role was to say what was desired in order to let the developers submit proposals.

Council suggested the need for a holistic plan, including changing the zoning to make it work. They further suggested the Town not start with a small commitment. The members suggested the Comp Plan state that the Town was open to a holistic wholesale change and was willing to be a partner with the right development. It was noted that this did not necessarily mean it would be a financial partner.

Town Administrator Davis opined that the intent was in the document. He suggested the following language be added: "The Town recognizes that new zoning regulations are necessary to implement the mixed-use aspirations of the redevelopment of Federal Street. The Town will work in a holistic manner with potential land owners and potential developers to ensure compatibility with the rest of the plan goals." The Council agreed they liked this wording.

It was noted that the need for young family and senior housing was the number one item mentioned during the public input sessions; however, there was only one reference to it in the proposed document. The Council questioned whether the issue was really attainable housing, which was a problem for Middleburg, and suggested the need for a strategy to secure it.

Deputy Town Planner Moore advised that the draft plan did not directly take on the issue of affordability and noted that this was often addressed in the form of housing types. He confirmed there were some details of this in the Population & Housing Chapter. Mr. Moore agreed a better job could be done of linking that to the Land Use Chapter. Council suggested this be accomplished by expanding on the language on Pages 13 and 24.

Council questioned whether it was possible to link the Town's plan to the Loudoun County Comp Plan related to the green belt around Middleburg. It was noted that the Mayor fought hard to keep this in the County Comp Plan. The Council asked that the two documents be aligned so they could push the Board of Supervisors to do this to stop encroachment upon and the destruction of the gateway. They asked that the language in the Loudoun County Comp Plan be quoted in the Town's plan so the Board of Supervisors would be bound to live by it.

Deputy Town Administrator Moore agreed this was good language to include in the Town's plan.

The Council held some discussion about the language related to the redevelopment of the Ridgeview area. It was noted that this was already occurring; however, some of it was not uniform to its surroundings.

Deputy Town Administrator Moore noted that a previous Council had this same discussion; however, they had mixed feelings about it and eventually stopped discussing it. He suggested the Town could make minor revisions to the R-2 District regulations with regard to height and setback requirements to ensure the redevelopment matched the surrounding neighborhood.

### Next Steps

Deputy Town Administrator Moore opined that the Council provided some good direction and advised that he would work with The Berkley Group to revise the document before the next meeting. He expressed hope that the Council could adopt it at that time, otherwise, they would need to call a special meeting on October 17<sup>th</sup>.

The members of Council agreed they could be available for a special meeting on October 17<sup>th</sup> at 4:30 p.m. if needed; however, their goal was to adopt the plan during their October 10<sup>th</sup> meeting.

### Special Recognition

On behalf of Mothers Against Drunk Driving (MADD), Chief Panebianco presented the MADD Award for Enforcement of DUI's to Officer Jason Davis. He reported that Officer Davis made eleven DUI arrests last year with a one hundred percent conviction rate. Chief Panebianco noted that while Middleburg did not have a high DUI rate, Officer Davis lead the department in convictions. He thanked him for his good work.

Mayor Littleton recessed the meeting at 8:10 p.m. so the Council could take a short break. He called the meeting back to order at 8:26 p.m.

### Action Items (non-public hearing related)

#### Capital Project Funding Request – Middleburg Community Center Pool Repairs

Town Administrator Davis reminded Council that during their last meeting, they discussed potential uses for some of the Town's undesignated fund balance, including making repairs to the Community Center's pool infrastructure. He further reminded them that the total cost was \$110,000, although no specific amount had been requested from the Town.

Olivia Rogers, Executive Director of the Middleburg Community Center, appeared before Council representing their request. She explained that if the Center completed all of the repairs at once, it would be more cost effective. Ms. Rogers reported that they had \$20,000 from a private donor. She noted that the first piece of the project would cost \$60,000 and advised that it was the key to opening the pool next season.

The Council noted that the cost to plaster the pool was \$60,000 versus \$6,000 every two to three years to paint it. They questioned whether painting was more cost effective.

Ms. Rogers explained that the plaster would last twenty-five years and would help address cracking and leaks. She advised, however, that this piece could be delayed. In response to an inquiry from the Council, she explained that the coping stones would be removed, the rot repaired and new tile installed. Ms. Rogers advised that the Center only obtained one quote for the work, that being from the pool's primary service provider for the past forty years, and noted that they would only charge for their costs. In response to an inquiry from Council, she reported that the cost to replace the pool would be \$800,000-\$1,000,000, excluding the cost to remove the existing one.

Councilmember Hazard noted that he had built hundreds of pools for \$40,000-50,000. He suggested the need to get other bids.

Ms. Rogers advised that the Community Center's intent was to repair the existing pool not replace it as it was in good shape otherwise.

Mayor Littleton advised Ms. Rogers that if the Town made an investment in the pool, it would need to see a business plan in order to ensure it would be self-sustaining in the future.

Ms. Rogers confirmed that could be done. She reviewed some of the steps the Center was taking to improve the pool's profitability.

The Council requested that Ms. Rogers obtain other quotes for the work to be done. They inquired as to what other funding sources were available and suggested the Center may need to do some fundraising.

Ms. Rogers reported that the Center had \$20,000 in reserve for repairs to the pool steps. She advised that the members of the Board of Directors were talking to private donors. Ms. Rogers noted that she applied for six grants for the repairs; however, none of them were received.

Mayor Littleton inquired as to the donation amount being sought by the Center and noted that it was not fair that they ask the Town to fund the entire cost.

Ms. Rogers advised that they needed \$40,000 for the first phase. She noted however that the total cost would increase by \$15,000 if the project was done in phases. Ms. Rogers opined that while it had great potential, the pool had been neglected for years. She stressed that neither she nor the Board would allow that to happen again. Ms. Rogers advised that they were developing a strategy for the future.

Mayor Littleton acknowledged that the Community Center was a non-profit and noted that they were responsible for their revenues and expenses. He advised that there needed to be changes as the Center could not come to the Town each time they had a financial challenge. Mr. Littleton further advised that if the Town approved this funding request, it would not do so again in the future.

After some discussion, the Council suggested the Community Center cover one-third of the cost and fundraise another one-third, with the Town putting in the final one-third. The members noted that the Town's money would be the last money in. The Council held some discussion as to whether Town residents should receive a price break since the Town would be contributing to the pool maintenance costs. It was noted, however, that they did not want to damage the Center's ability to operate in the future.

Ms. Rogers opined that twenty-five percent of the users were Town residents; however, she noted that they did not track that information. Council noted the need for the Center to know where its users came from.

Ms. Rogers reported that the Center had put \$69,000 into the pool over the last two years and opined that this would be the last project for fifteen years. She expressed hope to have the first phase completed before Christmas. Ms. Rogers advised that while they had not signed a contract, they were on the company's schedule to do the step repairs.

After some discussion, the Council agreed to contribute \$20,000 toward the repairs, with the Town's money being the last in. They advised that they wanted a well-thought-out business plan that would allow the pool to be profitable in three years. The Council noted that it was seventy years old and advised that other repairs would be needed in the future. They stressed the need for the pool to become self-sustaining, including meeting its capital needs. The Council asked that the Community Center's Board of Directors adopt and commit to the business plan, to which Ms. Rogers agreed.

Council discussed the plans to plaster the pool. It was suggested that the Center may find damage under the paint once it was removed.

Ms. Rogers opined that any issues would be visible now. She advised Council that funding was included in the budget to paint the pool in March.

Councilmember Pearson noted the need to market the pool's availability. She announced that she would not be voting on this request as she was employed by the Community Center.

The Council continued to discuss their suggested contribution to the project. Ms. Rogers advised that while she did not believe it would be an issue to raise another \$10,000, raising another \$20,000 may be a challenge.

Dan Morrow, of the Middleburg Eccentric, volunteered the paper's assistance in promoting pool memberships. The Council opined that the Center would make real headway if it increased the number of memberships.

The Council held some discussion of the proposal to plaster the pool. It was suggested that it may be cheaper to paint it annually. They asked that this be tied into the business plan. The Council noted that it would take time to develop and asked that the business plan be presented to them by the end of the calendar year.

*Councilmember Miller moved, seconded by Councilmember Daly, that Council approve a donation of \$20,000 for the Middleburg Community Center for repairs to the pool with the match of an additional matching \$10,000 to the fundraising they have done, with the Town's money being the last commitment in. Councilmember Miller further moved, seconded by Councilmember Daly, that the Council expected to see a business plan for three-year profitability of the pool.*

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

No – N/A

Abstain: Councilmember Pearson

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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#### CIP Funding Request from Loudoun County

Town Administrator Davis reminded Council that during their last meeting, they considered options for submission of capital funding from Loudoun County, including the Town Administration Building Project and sidewalk repairs. He opined that the other ideas needed further development, including cost proposals, before they could be submitted to the County. Mr. Davis reminded Council that he needed a decision during this meeting so he could submit the request before the deadline.

*Councilmember Daly moved, seconded by Councilmember Miller, that Council approve the attached Resolution of the Town Council of Middleburg, requesting County CIP funding for the Town Office Project and for Sidewalk Improvements in the Town of Middleburg.*

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

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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#### Information Items

##### Strategic Initiatives Review – Middleburg Community Charter School

Mayor Littleton noted that the charter school was an important aspect of Middleburg and needed the Town's support. He advised that he and Councilmember Pearson identified some ways in which this could be done, including: (1) providing funding through the Middleburg Community Foundation and other grant applications to be solicited by either the school or through the Town; (2) having the Town Clerk serve as a grants mentor as time allowed; and (3)



the development of contingency plans in the event the School Board tried to surplus the property again to both fight the surplusage and to address what would happen in the event it was surplusd.

Council opined that, based on the reception for the new Principal, there was a lot of interested individuals who would help support the school.

Town Administrator Davis advised Council that classes from the Charter School were coming to the Town Office on Fridays in order to learn about local government.

**Closed Session** – Award of Public Contract and Personnel

*Councilmember Miller moved, seconded by Councilmember Daly, that Council go into closed session as allowed under the Virginia Freedom of Information Act Sections 2.2-3711(A)(29) and (1) for the discussion of the award of a public contract involving the expenditure of funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and for the discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees and employees of the public body. Councilmember Miller further moved, seconded by Councilmember Daly, that these matters be limited to (1) the award of a contract for an economic development study; and, (2) the performance of the Town Administrator. Councilmember Miller further moved, seconded by Councilmember Daly, that in addition to the Council, the following individuals be present during the closed session: Danny Davis for both items and Jamie Gaucher for the first item. Councilmember Miller further moved, seconded by Councilmember Daly, that the Council thereafter reconvene in open session for action as appropriate.*

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

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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

**Award of Contract – Economic Development Study**

*Councilmember Leonard-Morgan moved, seconded by Councilmember Pearson, that Council authorize the Town Administrator to enter into a contract with Camoin Associates based on their proposed submission and the recommendation of the proposal advisory group.*

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

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

(Mayor Littleton only votes in the case of a tie)

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Mayor Littleton left the meeting at 10:00 p.m.

## **Appointment of Presiding Officer**

*Councilmember Leonard-Morgan moved, seconded by Councilmember Pearson, that Councilmember Hazard run the remainder of the meeting.*

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

No – N/A

Abstain: N/A

Absent: Mayor Littleton and Vice Mayor Kirk

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## **Staff Reports**

### **Monthly Project Status Update**

Town Administrator Davis reported that the Mayor asked that the staff provide regular updates on the Town's projects during the second meeting of the month. He noted that more details could be provided if desired. Mr. Davis advised that he would add the electric vehicle charging station project and the RFP for a joint waste disposal contract with other Loudoun towns to future reports.

The Council asked that budgets be included for each project. Town Administrator Davis confirmed he would add one even if it was just an estimate.

Councilmember Hazard noted that he was the Council representative for the Wayfinding Project; therefore, another member would need to be appointed to serve in that capacity.

In response to an inquiry from the Council, Town Clerk North confirmed the Town was still planning a paper shred event. She noted that she was continuing to go through the Town's records stored at the treatment plant and hoped to finish that project this week. Ms. North advised that she had identified approximately one hundred fifty boxes thus far that were eligible for destruction.

### **Miscellaneous**

Town Clerk North advised Council that she would not be present for the October 10<sup>th</sup> Council meeting as she would be attending the Virginia Municipal Clerks Academy. She noted that in addition to attending, she would lead a roundtable discussion on technology in the municipal clerk's office and would serve as the towns representative on a panel discussion on good governance.

## **Discussion Items** (continued)

### **Update on Branding Project & Logo Development**

Town Administrator Davis thanked the Council for their input on the logo options and advised that he expected to see the revisions later in the week. He suggested that one or two of the options be colorized for the Council's review at their next meeting.

Council suggested the options be reviewed by the members individually as opposed to during a meeting.

**Information Items** (continued)

**Event Update – Mille Miglia 2019 USA Warm-Up**

Town Administrator Davis reported that the details of the event to be held October 24-26th were continuing to be finalized. He advised that there would be a small-scale food festival on North Madison Street on Friday night and a Cars & Coffee event on Saturday on Washington Street. Mr. Davis noted that the Town received a press release earlier in the day announcing that Mille Miglia had secured the services of Alitalia Airline in promoting the event on their website and in their in-flight magazine. He advised that they have reached out to Salamander to partner with them in this press opportunity.

Town Administrator Davis reported that twenty to twenty-five cars would participate, although he noted that the number could go as high as forty. He advised that in addition to period cars, it may also include more recent sports cars. Mr. Davis reported that the marketing for the event was going to be organic, with Bendure Communications getting the word out.

Councilmember Miller suggested the need to do the public relations correctly and in scale with expectations and what the town could handle.

**Status & Update on VDOT Progress on Crosswalk Repairs**

Town Administrator Davis noted that the Mayor asked that this be an item on every agenda until the repairs were completed. He reported that VDOT did a walk-through of the town and was in the process of reviewing the engineering and construction, as well as looking at similar crosswalks in other locations. Mr. Davis reminded Council that the Town installed similar brick crosswalks on Madison Street and have not experienced any issues with them. He opined that the issues may have been caused by a rush in the construction project; however, he noted that he would not assume what was the answer. Mr. Davis advised Council that he would keep them updated as more information was received. In response to an inquiry from Council, he noted that the Route 50 Task Force was not meeting often and opined that there was no requirement for them to keep doing so.

There being no further business, Presiding Officer Hazard declared the meeting adjourned at 10:20 p.m.

APPROVED:

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Trowbridge M. Littleton, MAYOR

ATTEST:

\_\_\_\_\_  
Rhonda S. North, MMC, Town Clerk

## September 26, 2019 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](http://www.middleburgva.gov))**

**Bridge Littleton:** We will call the September 26 meeting to order. First action item is pledge of allegiance.

**Everyone:** [Pledge of Allegiance]

**Bridge Littleton:** All right. We'll now do a roll call.

**Chris Bernard:** Chris Bernard.

**Kevin Hazard:** Kevin Hazard.

**Philip Miller:** Philip Miller

**Bridge Littleton:** Bridge Littleton.

**Peter Leonard-Morgan:** Peter Leonard Morgan.

**Cindy Pearson:** Cindy Pearson.

**Kevin Daly:** John Kevin Daly.

**Rhonda North:** Rhonda North Town Clerk.

**Danny Davis:** Danny Davis town administrator.

**Bridge Littleton:** Okay. Next item is public comment. And this is a section of the meeting where anybody from the public who wishes to address the town council on any given topic may do so for three minutes. Does anybody here wish to address the town council on any topic? And we will close the public comment session. Next we're going to go to the annual report for the Wellhead Protection Advisory Committee. OH wait we'll do that last. You guys got to wait. [laughing] Ok. So before we turn it over to you guys. Danny do you just want to give us a quick 30 seconds? Am I putting on the spot?

**Danny Davis:** About?

**Bridge Littleton:** The purpose of going through this with everybody right now.

**Danny Davis:** Sure. Absolutely. So the town is in receipt of and has applied for many years for grants from the Virginia Department of Health as it relates to protecting our groundwater sources identifying potential sources of contamination and then also things to do to protect our well infrastructure water infrastructure. But then looking long term strategically at options there. So part of that is a requirement of those grant funds is to have a wellhead protection committee which we have. And then also to have that committee provide an annual report to the council. So the chairman Mr. Jacobs and I guess I don't know if technically vice chair Miss Burnett will provide the report for us. [off mic]

**Bridge Littleton:** Thanks. Jilann. Bud. Thank you guys very much. And the floor is yours.

**Bud Jacobs:** Thank you very much. And thank you Danny. What Danny didn't say and I'll point it out to you if you didn't know is that our town staff at least for the years that I've been involved with the Wellhead Protection Advisory Committee our Cracker Jack grant writers and one of the reasons that we've been so successful in obtaining funding from VDH has been their ability to capture what we're trying to do identify some of the problems based on the work we do collaboratively with them and put it in a coherent format that VDH apparently really likes because they they keep giving us money. And I think I've told some of you this before but some time ago when we were grappling with the revision of the wellhead protection plan the source water protection plan excuse me I had the bright idea of perhaps going to other jurisdictions and asking them what kinds of documents they were preparing and how they were approaching this problem. And our contractor Tetra Tech said well you're actually it. And when we work with other jurisdictions about what they might do with regard to their own source water protection we show them what you do. So it was no help at all but it was kind of gratifying to know. That's the situation the town is in. I think I hope you all saw the little one pager. I don't think it's necessary to go through it except to perhaps add a couple of the highlights. Thank you first of all for approving the plan earlier this year. We're on the march and town staff is on the march to begin implementing the items that are contained in the. You probably don't remember this but there is a chart in the back of the thing that details action items for this year and for the next four or five years. That's all under way. We were also grateful that you accepted the changes that we proposed to the mandate of the wellhead advisory committee. And beyond that there are only a few things that I can highlight. Highlight for you for the year. We did go ahead on the identification of wells in town that might pose some danger of contamination. And when I say we I mean town staff the advisory committee is not an operational entity but eight wells were identified. I think there was a pretty thorough review of the threat that they might pose. And it turns out that in fact the threat is pretty minimal. One that's near and dear to your heart the wells on [inaudible]. They're fine and they are adequately closed. So that's not going to be a problem. We ended up closing one I think. And we only ended up spending about fifteen hundred dollars of the money that VDH would have made available. And we're pretty confident that as we move through other steps in the process that we've identified. If they have funding we'll certainly be competitive for additional support if we need it. I should take a moment to also thank you for the 30000 dollar placeholder that you put it in the town's budget for our use. As a former federal bureaucrat I'm certainly not going to tell you that we don't need that money because we obviously do. But in the unlikely event shall we say that you find yourself with that funding and have other uses for it. I think it's probably OK. And one of the [inaudible]. It's very hypothetical now. I'm not making any commitments. Anyway one of the ideas for use in capital projects that you might want to consider for that money would be as Danny has suggested at least to me taking a look at reopening Well 4 and perhaps that would be an appropriate use. We have kicked off the larger inventory of wells. That's not really a grant that we're using. That is an existing contractual relationship between VDH and Tetra Tech. Tetra Tech will be conducting the work. And I guess we're the client. VDH is paying and Tetra Tech is doing the work for us and for VDH as part of this much larger contract that Tetra Tech has with them. And finally we did receive an additional twenty two thousand dollars for our recharge study. And next steps will be for staff to figure out an RFP and get it on the streets. Take a look at who bids if anyone and go from there. This is probably worth bearing in mind because it directly related to yesterday evening's discussions about Banbury Cross Reserve development property. We reviewed the hydrological study that the developers contractors prepared. And while it certainly looks like the development likely won't have much impact on the availability of groundwater potentially affecting the town it doesn't address adequately in our view at least the question of possible sources of contamination to the water resulting from that development. And we actually highlighted that for the planning commission yesterday evening. And until we have completed our recharge study I don't know how long that will take. But it's a matter of several months for sure. I don't think we are actually in a position to say one way or the other that the development the additional 38 I guess it is homes won't have potential risks associated with the development to the purity of our groundwater. And I don't know Jilann do you have anything? [inaudible] Any questions?

**Bridge Littleton:** Does anybody have any questions? Awesome. Well thank you all very much. Appreciate it.

**Kevin Daly:** Very well done.

**Bridge Littleton:** So real quick I just realized I completely jumped over the public hearing. So we'll go back. It's all good. [inaudible] Yeah exactly. Actually but we did it out of order. So you're gonna have to do it again [laughing]. So at this point we're gonna open the public hearing. So as everyone knows we are in the midst of finalizing our new

Middleburg town comprehensive plan. Since our last plan was updated in [inaudible] And at this point we are soliciting input on the current draft the public plan as part of our legal requirements. So I'm gonna open the public hearing for any comment that any member of the public might have on the comprehensive plan Two quick notes I want to make. Number one. When you approached the microphone please give us your name and your address please try to keep your input to you know three or four minutes and then just a reminder. This is a public input session for the public hearing. So please give us as much feedback and input as you want. However it is not a discussion. So you can ask questions but the council is prohibited from engaging in a back and forth discussion. So at this point would anybody like to address the council in terms of the comprehensive plan? Bob. Excuse me Mr. Dale.

**Bob Dale:** Mr. Mayor and members of the town council. I'm Bob Dale and I'm the executive director of the Windy Hill Foundation. Believe it or not I am here to express Windy Hill support of the current draft of the 2019 comprehensive plan as it pertains to the ear marking of the two single family lots between Windy Hill Road and Maple Street which the ear marking of those two lots as high density residential for new affordable housing. This could potentially provide up to 20 additional units of affordable housing for which there is a significant need. We continue to have wait lists for all of our properties including the ones in Middleburg. Putting a roof over a family's head is the first step toward stabilizing their lives. Being able to live close to your work saves time money and stress all of which contributes to a healthier environment at home. According to the comprehensive plan it was noted in there that fifty point five percent of Middleburg residents now work in Middleburg which is good. Another statistic that would have been interesting to see is how many people are employed by Middleburg businesses and commuting into Middleburg. I'm pretty sure that's a very high percentage. And the reason for that is the high cost of housing in Middleburg which we're trying to solve. These additional units could possibly have some of these folks along with low income retirees and families. As most of you know Wendy Hill takes care of its residents. Our mission is to help them improve their lives which potentially enables a family to move on to a place where they can pay market rent or even purchase a house. And in the case of our seniors the age will end with a good quality of life. And we are really focused on educating the children and giving them opportunities their parents didn't have. That's how we attempt to break the cycle of low income households. In closing I would like to thank the town of Middleburg for its longstanding and continuing support of Windy Hill.

**Bridge Littleton:** Thank you Bob. Anybody else wish to address council for the public hearing? Going once. Going twice. All right. We will close the public hearing. And next action item is. Special recognition. Yet a third time to embarrass Kevin. So as many of you may or may not know or I should say as you may or may not know Kevin Hazard and JoAnn Hazard will be moving as Kevin said earlier moving out of Middleburg physically but not from their hearts. They are moving to Vienna to really also I guess allow Kevin to regain one hundred hours of his life a week not spent on the road commuting to his job in D.C. But they have been absolute stalwarts of our community for decades both running the Middleburg Country and with Kevin on council and the Planning Commission and JoAnn with all the volunteer work she's done with our various different town council committees. So in recognition of all that they've done we want to present a resolution of appreciation to both Kevin and to JoAnn. So I want to read them both and then haven't both come up and you know. And of course you have to have a paperweight. But wait there's more. You get two paperweights. [laughing] [inaudible] All right. So the first one of you I'm gonna read is for JoAnn. So resolution of appreciation JoAnn Hazard. Whereas JoAnn Hazard has served for 12 years on the pink box advisory committee beginning with her election as chair of the MBPA in 2007. Excuse me September 30th 2019. And whereas Miss Hazard served as a friend of the Middleburg Arts Council from its inception in 2012 through March of 2017 and whereas in addition Miss Hazard served as the chair of the Middleburg Business and Professional Association from 2007 to 2009. And whereas Miss Hazard has been an essential part of the Shakespeare in the Burg event organizing the catering and programs handling their financial matters and providing overall support. And whereas Mrs. Hazard has volunteered her time in support of other cultural activities for the town including Christmas in Middleburg the Christmas tree lighting ceremony and Art in the Burg. And whereas the Middleburg Town Council deems it appropriate to express its gratitude to Mrs. Hazard for her personal dedication exceptional service to our community over the past 13 plus years and therefore now it be resolved that the mayor and members of the town council of Middleburg Virginia recognize and express our sincere appreciation for the exemplary services of JoAnn Hazard as a member of the Pink Box Advisory Committee from 2007 through September 30th 2019 as well as for her service on other community boards and expressed our profound thanks to her and hope for

her continued success in life. JoAnn. [applause] Now on this next one I hope I don't say Mrs. Hazard. [laughing] Resolution of Appreciation Council member Kevin Hazard. Whereas Kevin Hazard has served for more than nine years on the Middleburg Town Council from July 1st 2010 through September 30th 2019. And whereas in addition council member Hazard has served for more than 13 years on the Middleburg Planning Commission from January 1st 2006 through September 30th 2019 including providing leadership and invaluable insight to the commission and its preparation of a major update to the town's comprehensive plan. And whereas council member Hazard has served as one of the council's liaisons with the Christmas in Middleburg Committee and whereas council member Hazard volunteered his time in support of cultural activities for the town including Christmas in Middleburg and Shakespeare in the Burg. And whereas the Middleburg town council deems it appropriate to express its gratitude to council member Hazard for his personal dedication exceptional service to our community over these past 13 years now therefore now therefore be it resolved that the mayor and members of the Town Council of Middleburg Virginia recognize and express our sincere appreciation for the exemplary services of Kevin Hazard as a member of the Planning Commission from January 1st 2006 through September 30th 2019 and as a member of the Town Council from July 1st 2010 through September 30th 2019 and express our profound thanks to him and hope for his continued success in life. [applause] [off mic] [applause] Kevin would you like to say anything? [laughing] I love it Kevin says it's going to be a long meeting. I really appreciate it. It's his last meeting. He still wants the expeditious movement. [inaudible] [laughing] Okay.

**Rhonda North:** We need to make the motion to approve the resolutions.

**Bridge Littleton:** So Kevin would you like to make a motion? [laughing] Exactly. Do we have a motion? [off mic] I think we have to say is I move that we. [inaudible]

**Cindy Pearson:** I move the council adopt a resolution extending its appreciation to Kevin Hazard for his service on the Middleburg Town Council from July 1st 2010 through September 30th 2019 and on the Planning Commission from January 1st 2006 through September 30th 2019.

**Peter Leonard-Morgan:** Second.

**Bridge Littleton:** Any other discussion? Other than say thank you. All in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** [inaudible] We do both at the same time. Sorry.

**Cindy Pearson:** I move that council adopt a resolution extending its appreciation to JoAnn Hazard for her service on the Pink Box Advisory Committee from 2007 through September 30th 2019.

**Kevin Daly:** Second.

**Bridge Littleton:** Any discussion? Again only to say thank you. All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions. Passes. Thank you guys both very much. Okay. Next action. Our next item we have is any reports from town committees or council liaisons. And from that we will move on to the consent agenda.

**Philip Miller:** I move the council adopt the consent agenda as presented.

**Kevin Daly:** Second.

**Bridge Littleton:** Does anybody wish for any item to be removed even though there is only one? All right. All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstention. Passes. All right. Next item. Let me just check here quickly. We've got the comprehensive plan coming up next but I just want to make sure there's nothing on here that we can make it easier for people to move on. Okay. No it will be the comprehensive plan. Will how did I know it'd be you?

**Will Moore:** [off mic] discussion of the comp plan. Todd informed me just a day or two ago on the phone he informed me that [off mic] last couple of weeks with the Berkeley Group. So we were hoping we would get through the adoption of the plan with Todd but just to thank him. He has been a tremendous help to [off mic] throughout this process. So we certainly thank him and wish him well in his next steps here.

**Bridge Littleton:** Todd thank you.

**Will Moore:** So public hearing conducted. We had a couple of things that council would agree to take care of at this meeting. One was to do a quick look back at some revisions that we made based on our discussions at the September 12th meeting. Those were pretty brief in nature but we were expecting this meeting to be really the one where the bulk of comments were generated. But I did want to highlight and literally did highlight. We have updated draft dated September 18<sup>th</sup> that is in your packet now. I tried to do some highlighting of the text throughout there where some words were changed or tweaked a little bit. I think that the two biggest changes that we made based on the discussions at the last meeting page 16 of the plan we added to language at Councilman Morgan's suggestion about the Middleburg viticulture area to the environmental chapter. And then we also updated on that page and then later again in the land use section a couple of references where we were still referencing the draft of the Loudoun plan which has now been adopted. So we didn't do much to the language within that other than to update it having been adopted since then. I think we anticipate from this meeting maybe we'll draw in some more references to the adopted Loudoun plan and we can do that as we get in to the discussion here. So that being said did anybody want to revisit any of the revisions that were previously suggested maybe that you would include it if you had a chance to go through. Did I miss anything? I did get some comments from the vice mayor subsequent to these revisions being made and as well from council member Leonard Morgan as well that we will be passing on. I would say mostly grammatical. So minor things was a little nervous when I was getting grammatical suggestions from Peter. I thought he was going to be asking us to you know have a singular noun and a plural verb to go with it. Sometimes do that. [laughing]

**Philip Miller:** An extra you in some spelling somewhere.

**Peter Leonard-Morgan:** I rewrote it in English English.

**Bridge Littleton:** Will you're creating quite the controversy.

**Will Moore:** They were actually some I think some very good suggestions. So thank you for taking the time to do that in advance. And we will we will pass this on. So that being said if there are no revisions to look back at we should jump into the land use chapter.

**Bridge Littleton:** Absolutely.

**Will Moore:** OK. So structured as though all the other chapters are we have of the overarching goal. And for this chapter we have six individual strategies identified. The bulk of this chapter focuses around really the land use policy. Now that that is the one key element in this plan a comprehensive plan essentially is a land use plan. So now that being said the land use policy map that you see on page 26 is limited to the towns corporate limits. And we do have some other strategies reference that would involve coordination with the surrounding counties and surrounding land use. So they're not reflected on our land use policy map but I thought it would start with the land use policy



map because it is such a large portion of what comprehensive plans are. Many call it the future land use map as opposed to a map that you see a few pages before you which is kind of an inventory of existing land uses. This map essentially is for the most part unchanged from the land use policy map in the existing plan with a couple of notable exceptions. One is that includes the future land use is on the salamander tract. That is adopted in our current plan but as a small area plan that was tacked on. So if you were to compare this map with the existing with the land use policy map in the existing plan that would be a stark difference. Another difference is the one that Mr. Dale mentioned in his comments during a public hearing so there are two single parcels of land that sit in between Windy Hill Road and Maple Street north of some development along the right side of Windy Hill Road and in behind Levis Hill House. So those were categorized in our existing plan as a lower density land use. The commission has recommended in their draft that it be upped to a high density residential designation. That being said there is accompanying language in this chapter that points out that these two parcels [inaudible] it could be considered for high density residential use in support of maybe the Windy Hill's efforts to provide more affordable housing units in town. And then that ties back to the population chapter which includes a strategy of continuing to support Windy Hill's efforts. What that really means is that if a developer sees high density land use on there and wants to come in and build maybe market rate units that that may or may not be well received because we do have that accompanying language in here. But that is a change from the existing map. Another change that you see from the existing map and again these are very small in nature would be along the east side of Jay Street in particular the Asbury Church property and then the property just to the south of that. The office building that sits on the corner of Marshall Street and Jay Street those are both shown on the existing map for residential use. Now we have suggested in here that those be changed for their future designation for commercial use. The office building clearly has been in commercial use since its inception since it was built many years ago. And it's nonconforming use currently. This would support maybe a rezoning something like a C1 designation that would bring it then into being a conforming use. It's not really suggesting a change in the actual use of the property but just to support again a potential rezoning that could relieve that nonconformity and the potential of rezoning the Asbury church property to a commercial use. We're going through the process now of receiving proposals for future use of that so it could support a future rezoning of that property if the right proposal came forward. Again that designation on there does not obligate you to rezone it to a commercial use but it opens a possibility and would give some support. Whereas if remained as a residential designation that could really limit the ability to use or to reduce that property in the future. Those small changes being stated. The really big change that you see on here and the really big change for this plan in general is the designation of the Southside of Federal Street for a new designation of mixed use designation. And then there's additional graphics and text that follows in the plan which goes into more depth on what could possibly happen there. But kind of opening the door to say to potential developers that we are open to ideas for revitalization of some underutilized parcel there whether it be for additional parking that the town might be seeking for public purposes or to support private uses as well as the provision of possible additional housing units additional commercial units mixes uses. So with this plan one big differentiation between this and the previous plan would be that designation on the south side of Federal Street. That being said maybe now would be a time to open up to the council members for individual comments that we have. We could go through page by page if that's more helpful. But just to get your initial feedback on your read of this and if we can help to answer any questions as to why certain things are included or maybe or not included in this draft I think maybe that would be a good way to start if any councilmembers have comments at this time.

**Bridge Littleton:** Sure and before we do that let's just do one thing real quick. I mentioned at the beginning. So from a timeline perspective if you could just walk us through what the timelines are. We've got the 90 day window in which we have to either approve or disapprove which I don't like that word. When is that. So we've had our public hearings. We've met our statutory requirement there. But as far as we have to either approve or disapprove it. That deadline is.

**Will Moore:** It's roughly October 22<sup>nd</sup> 21st. Something like that.

**Bridge Littleton:** Ok. So we have one more meeting really between now. One more regular meeting. We can always call a special meeting. We have one more regular meeting between now and the due date of when we as a council have to act on the plan. Right. OK. By statute. Right OK. So the one thing I want to just lay out here as a baseline for everybody. Everyone here knows how important I think comprehensive plans are. We all think they're

very important. I just want to make sure as we go through it tonight this is the most important section undoubtedly. Right. It's the one that really guides everything. And I am definitely on the side of making sure we get it right. You know the first time and if that means we after go through this and look at everything we decide you know what we really want to have more time where we'd like to planning commission showing a little bit more just to align certain things just have an openness to doing that. One of the and I will say it right now. I think one of the things that was most embarrassing with this comprehensive plan at Loudoun County was regardless of how good or bad it is. By the time we hit the 90 days we're voting on it. Right. And we're voting [inaudible] all came and predetermined to vote to approve it. But it was we want this done by at the end of 90 days and then whatever is bad we'll fix you know the next board will fix it down the road through an amendment that was mentioned multiple times. I just think that's a terrible way to do it. So not saying that's where we are but just you know have us make sure we're all driving towards the goal of getting it right the first time. So anyway with that Will back to you.

**Will Moore:** Yes so again with your timeline. Like you said October 10th would be the last regular meeting potential for a special meeting if things were going in a positive way. We weren't quite wrapped up by the 10th. Maybe the following Thursday on the 17th would give you that kind of opportunity. The hearing tonight was the one opportunity that we had to provide notice for. So we won't be limited by [inaudible] anything along those lines. So again I would open maybe a good place to start if council members don't have any individual [inaudible]

**Kevin Hazard:** In our meeting on Monday I thought Bud brought up a great point about you know the groundwater and the hydrology surrounding the town. And you know somewhere between you know one of the. I can't remember the name of the chapter we've already done and the land use. And you know I don't want to wordsmith that right now but we already have some of the language in here under. Land uses. Number three work with Loudoun and Fauquier County and maybe we can. You know as a long term goal we're allowed to work within a mile of our town maybe we can map. The hydrology in those areas. I'm not saying it has to be done but we are we're looking now to do something with that one subdivision. And now we're under the gun because we don't know. But is that something we could do we can get grants you know work with landowners and try to map that area [inaudible] see how it affects our town mainly in how it affects our town. Not to interfere with the surrounding landowners

**Bridge Littleton:** And Kevin maybe that's something that we develop as I don't call it the JLMA like the towns have but some kind of co joining overlay district for hydrology analysis or something like that with the county with the other two counties. You can do that right?

**Philip Miller:** You're talking about the language from the natural resources section

**Kevin Hazard:** Natural resources section and in the land use there's somewhere between the two we could kind of come up with with appropriate language. I just don't want to wordsmith there right now because I'd bungle it.

**Danny Davis:** [multiple speakers] I think there's language currently in there that's that's probably 80 percent of the way there on page 7 of the comp plan. I think we get out a lot more specificity as it relates to the idea of the actual groundwater the recharge reflecting the study that will be underway hopefully in the next few months. So I think there's a way to kind of tighten that language [inaudible]. Yeah absolutely.

**Bridge Littleton:** Kevin it's a really good point. So is it also something where I mean what are we really trying to do? Do we just want to understand or do we also want to have when it hits certain levels we want to have authority to do something about it? And if there is does that means that some kind of a joint relationship with the county you know in the planning process or whatever that's not a rezoning. That's just a hey you know when you do your hydrological study if it gets below a certain level you know you got to you have to work with the town and with the county to mitigate it. Or you know adjust the development so that it will not create the impacts you know to whatever level it says. Because I mean my fear is this right. The county looks at what's good for the county and not that they don't look out for the town but it's like we are hypersensitive to the issues. And so we know a lot better than they do because we live and breathe it every day. There's gonna be some forcing function that makes that communication link happen. And I mean all we can do is ask the county to develop this relationship. But if we have it in our plan it's we're stating it to the community that's our goal. And it's also holding us accountable to make sure

we try to make that happen. And I'm sure with the county it'll take years but this is a long term anyway. How do you guys feel about that?

**Danny Davis:** [multiple speakers] It's the water supply. So we want to make sure that quantity quality and elimination of potential sources of contamination as much as possible. So absolutely taking on the ideas from Wellhead Protection Advisory Committee and the source water protection plan which again is referenced in here in trying to understand what that is. But I think your point is once we have a little bit more information let that then be the next step of communication and interaction between us and Fauquier County us and Loudoun County to say how can we best then create a program where if there is a potential development whatever it might be within X distance of our wells because we know the the one on Little River is a couple of miles out outside of town and it's just as important to us as the ones that are here in town. So I think we can develop language in here that guides us towards one of these implementations that we put as a key priority for for the council and for the town.

**Bridge Littleton:** Mr. Daly .

**Kevin Daly:** I think the other key is coordination with the other two counties. That's probably even more important. We can take care within the town but there's a lot that goes on that the town has no control of but will affect the town. If development occurs in Fauquier or Loudoun County it will have an effect on Middleburg.

**Bridge Littleton:** So one of the inputs I had was. I think it's one where. Well I don't think it's confusing but I don't think we thought about the broader term of it. Middleburg's always talked about we had this hard edge. You know we don't want a JLMA. We don't want you know to provide water and sewer outside of the town for people that are not part in the community because we want to not encourage dense development. But so that and I'm 100 percent on board for that. I don't want JLMA either. But the question is too we don't have any discussion in here about annexation or boundary line adjustments. Right. So there may be opportunities in the future where there is a parcel where it does make sense. We want to bring it into town for whatever reason. And I think the plan should outline you know and this is as much for the community and businesses and developers and all that stuff to understand. Hey if you have an adjacent parts of the Middleburg and you know this is what we're looking for as an example we're looking for more open space in town and we're looking for more attainable housing in town. Right. Well we don't have a lot of space in town. There might be an adjacent parcel. We could meet some of those policy goals through annexation. I'll just say annexation to make it easy. That's the process. The end result is it becomes actually part of Middleburg. So for me I think it would be good to say you know we are open to annexation under certain circumstances and certain guidelines but it's not because we want to suburbanize the areas because we're trying to meet a specific policy goal which is these three things. But if we don't have anything in there about annexation. We're not actually giving a signal to anybody whether we're for or against it. If we are when if we're not when not. So it could be a very important thing to add. Will.

**Will Moore:** It was a deliberate omission by the commission. Because. Quite frankly the history of this body different members of course has been essentially opposed to boundary line adjustments except on. Salamander's clearly the exception. But except on very small scales we brought in the the animal hospital property on our own property on the West End where our pump station is. But otherwise this body has been historically opposed to both extension of water and sewer outside the limits as well as bringing additional properties within. The commission was not intending to say one way or the other by or maybe just like you said they were not willing to make that call by including a statement. I guess it's hearing what you say. If council as a whole I think it's readable that we should state that we're open to it. I think we could craft something link it to if you want it linked directly to certain plan objectives. If it met population objectives serving certain types of housing but not other objectives we could do that. Or it could just be a broader statement that we're open to the possibility for uses that might serve plan objectives in general gives you a little more flexibility.

**Bridge Littleton:** What's everybody think?

**Philip Miller:** What's the downside to actually putting the language in? [inaudible]

**Kevin Hazard:** We had a planning commission meeting Monday and 40 speakers you know completely against any kind of growth. Even outside of our town and this was and this was a subdivision you know basically 38 units and with what 75 80 percent of it gonna be left in open space so. Again I think that was one of the reasons we left it out because. The community does not seem to really even want to. Do we want to open ourselves up that we're looking for development when I think as a community we're not.

**Bridge Littleton:** [off mic] We don't have enough land for a large park in Middleburg. And if there is a continuous piece of four acres or less we would consider announcing it to make it a public park. And I guess from a planning perspective Todd and Will my question for you guys is you know if we say absolutely nothing what's the downside of that?

**Todd Gordon:** If you don't address an issue like this or any issue in the comprehensive plan. The comprehensive plan is just a guidance document to help support your decisions. So if you don't address the issue then you simply leave it up to yourselves at some future point. If this became an option. If you identified a parcel and you had to make that decision are we going to annex it or not? Your comprehensive plan just wouldn't say one way or the other just would be without the guidance of it. So it's not something super critical either way I wouldn't think. But if you're all in agreement that's an issue that an annexation for a park land or something like that if you're all in agreement then put it down if you're all in agreement.

**Kevin Hazard:** We annexed half the town without anything in the comp plan [inaudible] I just don't know whether we. [off mic] It's a guidance document. And I don't know how specific we need to be to make it a. To make it a working this is guidance not just for this council but for the council in two years and four years and six years. And it's an overarching guiding document. I don't know how much specificity we want to put into it. I'm not totally against what you're saying. I'm just I'm wondering do we need to go to that detail in here?

**Bridge Littleton:** Well maybe that's actually why we do need the detail because council 12 years from now there'll be none of us. And what if that's a very pro-development council? [inaudible] will likely not be that a lot of us. You know that's a great point. I mean that's actually to that point that's the downside. I mean remember what happened in Loudoun county in 2001 and 2003 when the board totally flipped and it went from total conservation to total development. You know I'm not saying that's going to happen but you never know. Right. I mean at least now we're leaving the mark on the plan of what we will and we won't tolerate or what we whatever anyway. You know I've spoken enough. Philip.

**Philip Miller:** Ok. So I think there's a fundamental difference in what we're actually talking about here which is sort of the voice and the path of the plan. If you want an active plan that is going out and seeking very specific things as goals to achieve. And you're going to track those. That's more of a strategic plan as I understood it from my conversation with you Will than sort of the general comprehensive plan which is more of a sort of passive document. It's a blanket statement that is referenced back for years. Obviously you know as issues come up in the zoning is where maybe something like this can be addressed more actively. I mean I am totally for putting the language in if we believe that's going to help us achieve something. But I think putting parameters around it is important so that it's to achieve very specific things because we wouldn't want to leave it open ended by any means.

**Kevin Daly:** Putting it in perspective how many remember Manifest Destiny in high school? Are we looking at expanding out or are we looking at maintaining what we have? Either way I think there should be language too to the point where our purpose is not to go out and acquire more land or to develop more or bring in and enlarge but to protect and preserve what we have and utilize what we have to the fullest extent possible.

**Bridge Littleton:** [off mic] Will or Todd?

**Chris Bernard:** [off mic] kind of it falls into the same as is what language you need and how restrictive it needs to be. [inaudible] So we recently had a situation where someone applied for a like a senior housing area and we had language in our comp plan that it went against. Right. And so we were able to very easily go to the comp plan and say you know what this doesn't go with you know what the vision was and I understand that this draft is similar to

our vision statement. I like that it's saying kind of this is where we want to go where we want to be. But is there enough specificity in there to protect us and give us guidance on making those types of decisions going forward? Does that make sense?

**Will Moore:** It does. And I think this plan is not so much a departure from from the existing plan in that regard with that particular area of the town that you referenced there was some very specific limitations on size or scale of a certain use it could have gone near that helped make the decision to deny a comprehensive. Well it made it pretty easy to say that's beyond what we want. We have some similar things in here. So using the Federal Street idea for an example we're not going up 10 floors with high rise apartments even though we're supporting housing above retail spots or housing that would be attractive to younger professionals those kind of things. We have protections in here. So we have some density limitations written within this plan. So yes we're saying bring us your ideas but here are some parameters kind of a maximum density. It's covered by the historic district design guidelines anyway. But we also reference you know it would have to be a certain design quality to be considered. So it's general in nature it doesn't specifically tell you we want a mix of you know a certain floor area ratio of residential uses a certain square footage of commercial uses but it does have some parameters and protections contained within.

**Bridge Littleton:** I think Chris brings up a really good point actually on the retirement home right in the current comp plan it says units no larger than whatever it was. So we could stand with a great degree of confidence. And it is also our statement to the public. Here is where we will go and where we go no further. And right now in this new plan all it says is we are open to senior housing. It doesn't say where or how or to what degree or to what limits. And it's actually one sentence. So I mean if I'm Joe developer from Fairfax looking at Middleburg's comprehensive plan to go oh they're open to. If I was Orlich I'd come back and say well now they are open to what I might want to do. They've loosened their definition in their comp plan.

**Chris Bernard:** So yeah. And so think about the time and energy we spent on that particular thing. And so I just want to be. And again it's a fundamental thing right? So we've talked about does it need to be specific or does it need to be more broad? I just want to make sure that we're thinking about those types of things and the impact that it could have if we get a flood of people with these great development ideas that we then have to go that and go through all this process with them with our limited staff. So just to think about.

**Will Moore:** I think there's a little a little confusion over over that particular thing. So I mean I think that's a good example. Yes. We no longer state that an assisted living facility should have 20 units or fewer. But we also remove that language altogether from our conservation and open space land use policy area so that one particular piece of land may be a select one or two others where that language would have applied before that. That's not even open in those areas anymore. So you would be the land that is left is so constrained it would by the limitations of area available prohibit that kind of thing. So there's other parts.

**Bridge Littleton:** [off mic] Kevin.

**Kevin Hazard:** You know we've got two things here. We're talking about a comp plan. And there are some ideas in here where we're looking for this. We're looking for that. But we also have some fairly strong zoning which underlie the comp plan that if I'm a developer I'm reading the comp plan. But I'm also going to go see what the zoning say and that that really tells you what you can and can't do. It's a fine line between the two. Do we make this real specific or do we you know this is the guiding document for 10 years. And the the nuts and bolts of it are in our zoning regs.

**Bridge Littleton:** It's a good technical question. So take this scenario right in our comp plan right now it says no more than 20 units. And our zoning ordinances there follow after that. So you do a new comprehensive plan. But then there's the zoning ordinance update which now reflects what it is. So if I'm a developer I look at the new comp plan I was like oh they're now open to bigger. Well don't shake your head before I get there. All right. So you've now made a signal to the community that that 20 unit restriction is something you are no longer concerned about. So I come in in now I've filed for rezoning request or your or say you are zoning is no longer in alignment with your comprehensive plan. Right. Because you've now said senior housing any type anywhere any kind. We're open to it. But the zoning doesn't match that.

**Will Moore:** It does not say anywhere any time. It's specifically not anywhere.

**Bridge Littleton:** No I get that. I'm saying is that we've given no defining parameters at all. All we've said we have one sentence that says we want to encourage senior housing.

**Will Moore:** Ok so. It's not in the section of pages that you were reviewing.

**Bridge Littleton:** I know it's back in the housing [inaudible].

**Will Moore:** Housing. So goal strategies. So the really [inaudible] the stuff is intentionally made the jump out strategies number two use the town's development regulations to ensure that housing features benefit senior citizens including universal design independent living apartments and small assisted living projects. So small. Now that could mean a number of different things. But see this the comprehensive plan then leads into changes to zoning regulations. Sometimes you make those proactively sometimes you make those reactively. So a developer comes in wants to do a project and you weigh the merits of the project you're looking at. Is the zoning in place? And do we just need to change the zoning regulations to allow for assisted living right there? We only allow for assisted living in a residential district right now. So anything like that would that one example of assisted living is going to require multiple amendments. Orlich's proposal would have required [multiple speakers]. It's bad but it stopped very early on. But having small assisted living in here. It's not that specific. But it's through changes to our zoning regulations which we would have to proactively make a developer. Only the council or the commission here can initiate changes to your zoning regulations. So it's up to us to determine exactly what small means at that point in time and maybe that becomes relative to the piece of land that they're looking at. But that kind of protection is in here. It doesn't say 20 units or fewer anymore. And I think that's a good thing because one of the if Mr. Orlich had any legitimate criticisms of us I think one would be that saying that that model doesn't work. Maybe it does maybe it doesn't. It works for Windy Hill at Levis Hill House. It's not technically assisted living but that threshold does. I'm not in that business. But I think it's a fair statement to say a 20 unit assisted living facility doesn't get built pretty much anywhere. So you take that artificial cap off there you put in a term like small in there which is relative. There's some flexibility there. But in order for a project like that to happen here it would have to go through multiple steps of changes to development regulations. And again we could do that proactively and come up with that number or that density or it's how what that number is relative to the land area. Or we could do it in conjunction with a development proposal and we weigh that. Does that really meet small? Does that really meet for character and scale of what we're looking at here at Middleburg. So I think that's in here. It's just not as like you said is straightforward. Here's a hard cap number. So I hope that helps maybe explain a little bit.

**Chris Bernard:** Tie up real quick. So all right that makes sense. So if we're gonna leave the comp plan open ended though we need to I think be proactive and make sure that our zoning and everything else is really buttoned up. So I just don't want to leave us with a gap where it's kind of open here and it's kind of open here where it's going to slide you know whatever development it is right through. And yes we can potentially vote on it to stop it. But if it's not very objective and it's looked at like we're making these subjective decisions oh this is small but this isn't small then that just leaves us vulnerable.

**Kevin Hazard:** I was just thinking that. What we're not remembering about the assisted living on the east end of town when that came before the Planning Commission it was not an up or down on the on the projects itself. It was strictly to. They wanted to make a change to our comp plan. And that's kinda what I was trying to say earlier not very successfully. They wanted to make something very specific in the comp plan and that's usually not a really good idea. And that was one of the main reasons we. It was really a no brainer turning that down. So making real specific things here. And then you look at it five years later and it makes no sense because the economy's changed. You know everybody's doing something different. This thing should be you should be able to go to this in 20 years and it still be relevant.

**Bridge Littleton:** I think this has been very helpful because Chris just said a very important word. Objective criteria. Small is not an objective criteria. Small is subjective. Right. That's where we want to make sure that our

plan gives an objective baseline that people can read it and say oh I know exactly what that means because small to me is five small to Kevin is 20 small to Will is 100. And what I really want to be careful of is five years down the road small is now ten fifty and three hundred and then twenty years down the road small is one hundred three hundred nine hundred. Right. But the word small has been the same. Small is a relative term both between people and over time. So it actually is a definition you can't rely on. Twenty I can rely on for twenty years I know what twenty means. Twenty means twenty. Small can mean whatever it means by commission or whatever. And then I start thinking about how very very smart people get around this stuff what do they do. They go across Virginia and they find fifteen towns the size of Middleburg who have assisted living and it says small and they're all 40 units and they go well that's a common place objective definition of small. And it's like no that's not what we meant. Well but you didn't define what you meant. You said small. And this is a reasonable interpretation of towns like yours of what small means. And I know I'm going way down a rabbit hole and I'm not saying that this is the reason for this but where I'm going with this is in the overall comp plan. I think we need to be very careful that we don't set ourselves up for these defensive battles that have to be then fought you know by future planning commissions and future whatever. So that's and I think we also have a responsibility to people in the comp plan. I mean this is Middleburg. We know exactly who we are. We know exactly what we want. We know exactly what we want to be. We know we want it to be twenty or less. There's no ambiguity there. Right. We don't want something bigger than 20. So I think it's a responsible of us to also tell the public at large when we know what we want and we know what we want it to be. We need to tell them that. So that's my. Peter sorry.

**Peter Leonard-Morgan:** Well to that point there's something that may concern us as well in back in population and housing which states under housing initiatives future housing stock can be managed using the town's zoning ordinance adjusting regulations to allow more housing variety and extending mixed use zoning into areas currently zoned commercial etc.. Does that maybe add to that problem? Does it give people sort of but as you come in and say hey. It says here that we can adjust the zoning rules and change the housing.

**Danny Davis:** But I think all ties back to under the land use discussion page 25 the comp plan where there are specific expectations of what each of these areas on the land use map would or would not include. So for instance conservation targeted use has some fairly specific language about the density or honestly the lack thereof the amount of open space that would be expected in in a conservation targeted use area on the land use map. So to your point council member Leonard Morgan that you know if someone came in to a parcel and said I want to come I'm doing affordable housing so therefore give me what I want in there in a low density residential area. If it doesn't match with comp plan and they can't just come in and say make a zoning district to meet this because we want to get it done and it accomplishes your affordable housing efforts we would still go back to the land use side. It all really interweaves together. And I think that's the key part of this conversation is that there is specificity in some parts as it relates to density levels and expectations in each of these areas of the land use map. And then there's some aspirational goals or expectations whether it relates to a type of particular use. And so making sure that we see all this blending together and working together and not taking one separate from another. And then again after the comp plan is completed through the process then the zoning as necessary to say do we need to look at potentially and new zoning district to help plummet and accomplish the goals laid out here in the comprehensive plan. And as Mr. Moore mentioned do we do that proactively in advance and say this is where we want to start detailing maximum heights maximum whatever it might be? Or do we wait for a proposal to come in and have a zoning district discussion at the same time as a development proposal?

**Bridge Littleton:** Can you do something like this? I mean I get both points right. I understand Peter's point where it actually says that we were in favor of. But I think what we're saying is under the right conditions in the right circumstances the right time. We're open to looking at it which is different than you know hey we will consider these. Can you say something like you know right now we see no fit in the town for this but every five years we will review this to see if you know community input or assessment is changed make it on our timetable not someone else forcing it. Do you see where I'm going?

**Kevin Daly:** Since we're quoting out of the document what the document is and isn't it states I thought pretty clearly on page 24 land use regulations. This comprehensive plan is a guide for long range planning and decision making. It is not a land use regulation and lacks the legal authority to regulate how properties in the town are used and proved

or divided. If we make this an all-encompassing document then it doesn't serve its purpose as a guide. The regulations are the town zoning and subdivision ordinances and subdivision ordinances those are the legal authorities and you have to go to those to come up with saying whether this or that fills the bill. But let's keep this as the guide as the vision and keep the regulations and the ordinances.

**Bridge Littleton:** So one thing to be cautious of though is while it's a guide it's a visionary document it is also something you're held legally to. So if you say something in your comprehensive plan or don't and then you do something in your zoning which is contrary to that or somebody says hey you said your comprehensive you can set yourself up to a legal challenge on a later zoning decision or rezoning request if you are comprehensive plan is not in alignment with that decision. Because remember while it's a guide as Todd said it's also a policy document. You're telling the community it's more than a guide. It's much more than the guide. It's a policy statement from the town as to where we will and won't go over the next 20 years with our zoning. It's not the zoning but it's saying this is what our zoning will say. So if we say one thing in our comprehensive plan and then we do something different in our zoning that can come under legal challenge because your zoning has to be in alignment with your plan. So it does have legal significance.

**Will Moore:** Your zoning does not have to be in alignment with your plan but request.

**Bridge Littleton:** [multiple speakers] But you can come under legal challenge if you don't. That's happened to the county. And they lost.

**Will Moore:** I don't mean to sound flippant when I say come under legal challenge for anything but [multiple speakers] it's not a regulatory document. [inaudible]

**Chris Bernard:** So I think we're probably all in agreement correct me if I'm wrong that we just want to make sure that if it's if the details aren't covered in the comp plan which to me is fine if it's gonna be broad we just need to double back and make sure that those details are covered in the zoning regulations. So for taking that 20 unit max out of comp plan and we haven't already put it in the zoning there's a gap. So I want to make sure that were covered on either end. And again I hate to keep using that same example.

**Will Moore:** So it's not even in zoning right now except for in a residential district and the cap is actually six units. So you are covered. The question then becomes if you want to allow for it at some point in time you have to initiate a zoning change in terms of zoning text to apply that in a certain zoning district where it's not already in use. And you decide what those parameters are at that time and how that melds with the term small. And here you decide at that time the developer doesn't decide at that time. And if you decide at that time that 20 is the number that equals small or maybe it has more so to do with the massing of the building the scale of the building you decide at that time. So that protection is in there in this case.

**Kevin Hazard:** You know in our zoning regs we have a lot of those things. It's twenty five foot tall. It's 40 percent of the lot. And you know and there are some undeveloped parcels but there are not many. But then we also have in a lot of our zoning regs you know or you can apply for a special use. So we already you know we have our zoning regs are fairly restrictive. But we have the [inaudible] having you know especially use these uses are by right. These can be done with a special use permit. So I think we're covered both ways in our zoning regs and this document.

**Will Moore:** I would just say I think you've covered really well with most of your existing regulations in terms of protecting the character and scale of the town and use-wise to in terms of being protected from having uses that would be deemed appropriate in town. The question is. If we want to see some changes and again one of the big ones is maybe more variety of housing stock. What changes do we make to those regulations going forward that still allow us to maintain that character and scale. But I feel comfortable with your existing zoning regulations as it is. You're not open to the Orlich facility coming in. We're well protected from those types of things.



**Bridge Littleton:** Okay. Like I said 15 years from now there's a new council and a new Will. They say we're gonna change that. Comp plan says we can. So anyway. All right. Next issue. [multiple speakers] Hey we can change it tomorrow. Pass it tonight. Change it tomorrow. I just don't want to do a CPAM. Okay. Anything else? Yes sir.

**Peter Leonard-Morgan:** I had a question about Federal Street. Two questions really. One is the existing buildings that encroach into the right of way. Is there any definition about what happens if someone decides to develop? Tear down something and put something else up?

**Will Moore:** That's not really specifically addressed in here.

**Peter Leonard-Morgan:** [inaudible] once again zoning or is that. Because that was a mistake 100 years ago probably. So the other question I had was about the [inaudible] and it's maybe a silly suggestion being a Londoner. What about one way streets?

**Will Moore:** Correct me if I'm wrong. Kevin I think that was briefly considered there were ideas of considering maybe Marshall Street/Stonewall the companies one way and one direction. Federal becomes one way and another direction and that went away fairly quickly. [laughing]

**Todd Gordon:** The two things you mentioned actually go together pretty well The reason those chicanes are in the Federal Street concept is to allow for non-conforming buildings to continue to exist. The ones that are well within the public right of way. And if those sites were redeveloped then then those sites would be held to the setbacks of your actual zoning ordinance. And so they'd have to be a little farther back on their own property rather than on the town's property.

**Will Moore:** No advocacy whatsoever in here for tearing down somebodies building or portion of their building to make way for development on our part.

**Todd Gordon:** I think the only advocacy is that you know the concept was specifically drawn very creatively with these chicanes to accommodate not having to do anything with those buildings.

**Philip Miller:** On the subject of Federal Street correct me if I'm wrong there's no reference to economic development with the potential mixed use redevelopment of Federal Street set on purpose? And there's no reference to the Federal Street in the economy section.

**Will Moore:** I'm not sure what you mean by the first.

**Philip Miller:** So in the redevelopment statement here about Federal Street and the vision of it. There's no piece that connects this to the economic section of the plan. And there's no reference to this being any kind of economic development type of initiative. [off mic]

**Kevin Hazard:** You know one of the things we thought about with that is. Do we want to tie the town to economic development of that or do you open it up and if somebody comes to us with the plan we're open to it and we're open to listening rather than tying up our money. [inaudible] Well you're you're saying we're tying economic development. From the town. Are you saying we should go out and solicit or I guess.

**Bridge Littleton:** [multiple speakers] What he's saying is is that the vision is that Federal Street becomes a second main street. With mixed use development of you know retail shops restaurants in the bottom maybe living quarters above. [multiple speakers] That's a residential component and an economic development component as to what we would support. So if we want to encourage that kind of development we need to be saying that to make a clear statement to you know outside investment or whatever of hey if your vision is this vision you know we're on board with that. Is that capturing it?

**Danny Davis:** And I think a way to maybe easily wrap this up. There's a strategy the reference is that under the economy section. But it's not as explicitly stated in the text. We do reference the town shop property as a potential future. But I think we can be a little more direct in that language about the importance of potential redevelopment of Federal Street for economic strength and vitality of the town. So if that's what I'm hearing which is saying for economy economic development we see Federal Street playing a big role in this. We address Federal Street in the land use section but we want to make sure that we're [inaudible] both sections that yes this is important to us from an economy standpoint. I think definitely we could add language to that effect.

**Philip Miller:** Yeah it just doesn't make any sense to me why we wouldn't tie those two together because creation of a second main street through encouraging mixed use redevelopment of an entire street as our second main street. I mean that's obviously an economic development issue right? That's something we've all talked about on many levels as something we'd like to see happen for the sustainability of the economy not to mention the improvement of Federal Street. [multiple speakers]

**Bridge Littleton:** When you guys were talking about Federal Street redevelopment was that it this is a question for Will too. Was that the vision you guys were looking at right. It is an expansion of you know a walkable retail based restaurant based experience based on maybe some housing above. OK.

**Will Moore:** There's language in here somewhere. I'm trying to find it really quickly. That talks about. Federal Street the redevelopment and revitalization of properties along Federal Street performing an emerging commercial and mixed use area that provides new shopping service and there's language elsewhere that talks about it being kind of not the same as Washington Street but an emerging district to be on that kind of same idea. So we do have language in here similar to that but maybe we just need to be a little more explicit about this is what we're proposing along federal street and explicit purposes. Is that what I'm hearing?

**Peter Leonard-Morgan:** I think also what you're saying is to put something into the economic section that marries up with the land use section which is I mean good in the land use sections. Plenty of words about [inaudible].

**Will Moore:** So number three strategy under economy is expand the central the town's central business district to include Federal Street as an emerging destination for shopping dining.

**Philip Miller:** But it doesn't say anything about encouraging redevelopment through mixed use. See what I'm saying? They're not connected.

**Danny Davis:** That's where I think on page 21 there's a small header economic development just above marketing and branding. And I think that's where we can adjust and amend some of that language to identify the encouragement of redevelopment in mixed use along Federal Street. As you've mentioned that fits along with some of the texts already in there relating to town owned properties.

**Bridge Littleton:** [multiple speakers] So here's the thing. Yeah I think the thing is like so Phillip. You know it's actually there. But sparse down in four different parts. So if you really want to see all in one. Hey here's what we really mean. Soup to nuts about Federal Street because you have to I mean this is a 50 page document. You gotta think back to what you read the economic section then come forward to. So yeah I'm not saying I'll be in one but just.

**Philip Miller:** They need to be connected. And I think to your point Kevin I actually do think we want to handcuff ourselves to this one because I think it's the only way it's ever gonna get done if we're involved because I think if we honestly leave this to somebody to come up with 14 different parcels it's you know 14 different landowners to come to us with something as we're trying to put together something else. It's never gonna work. I think it's all got to be a united front. It's all gonna be one unified plan to move it forward. And I think if we tie ourselves to the idea of that and the initiative of taking that on then we're gonna be much further down the path of potentially getting something put together. [inaudible]

**Kevin Hazard:** I don't disagree. When I first heard what you said I was thinking we were going to you know allocate this huge sum and be like the developer and that's you know to me.

**Bridge Littleton:** [multiple speakers] fitting right in with what we want to do.

**Kevin Hazard:** And the town went to [inaudible] Hoffman and and that's how the wharf got done. I mean they they put together a we want to do this in this area. And I think that's what you're saying. Make me an offer. And we've also have already done and we already have done a plan for that area or have had a plan done. Well that can be updated obviously. But if we have a start on that and that's something we can do. But I think we want to go get a partner not do it ourselves.

**Philip Miller:** So you said an interesting word there partner. There's nothing in this document about public private partnerships. [inaudible] Just asking while we're on this topic.

**Will Moore:** So a couple of things. Back to the idea of a comprehensive plan is primarily a land use. There are sometimes other plans that help implement the land use portion of this town's involvement in Federal Street for example were very explicit. Hear about the town may be taking the lead in some streetscape improvements which could help maybe send the message and encourage send the message that we're investing into it. But some of these things about partnering with developers to public private partnerships. Those might be things that are born out better in an economic development plan an economic development strategy which we're going to be working on rather than explicitly stating in a comprehensive plan. It's not to say that you won't see language like that in a comp plan. [inaudible]

**Philip Miller:** But an economic development plan is not a land use plan. So if we're interested in working with private landowners or private organizations to encourage redevelopment even if it's something that's part of an economic development action plan. Wouldn't we want that backed up with what's in our overall comp plan as our land use philosophy?

**Danny Davis:** But I think the land use is that would be needed down there are included within here. The conversation is how do we then tell the development community landowners? We are open to this right. And this is I mean I believe it's laid out and the planning commission has done a good job laying out what potential redevelopment looks like. And I think the intent of the planning commission was to say we're not going to dictate that it is you know X number of units or X number of stories or X number of what have you. It's going to be our goal is a potential expansion of the central business district retail services residential altogether. Landowner developer. We're giving you the maximum flexibility to come to us with a proposal within the confines in the context of the entire comp plan but specifically in this mixed use district. The town's role there is less of a public private partnership per se and is more of a setting a desire to say this. What we'd like to see on Federal Street. Come tell us what you think that looks like. Providing them again that flexibility which I think is key because we don't want to dictate to a developer. It must be you know 10 units per every thousand feet of retail. We don't want to get into those kind of specifics because we may be going down the wrong path and not get anything.

**Bridge Littleton:** I don't think anybody suggesting that no. That's thousand feet [multiple speakers]

**Danny Davis:** How do we get businesses to say urban landowners to say I want to redevelop this? And I think that's what we've laid out here. I think that's what the plan has clearly said. And then the zoning if zoning amendment zoning new district is required to implement that that comes along with those conversations. So if I've misunderstood I can.

**Bridge Littleton:** So I think the challenge localities have nowadays is it's just not as easy for localities to do it on their own anymore. Right. Anything. I mean they can't pay for their roads anymore. I mean and I'm saying public private partnership or whatever you want to call it. And it's not always about money. A lot of times now it's not even about the money. It's about the regulatory process to go forward and do the things you want to do. That's still a public private partnership. I mean there's the assumption that PPP means money. A lot of times it doesn't mean that

at all. Right. It means hey you need to access right away to this. You need usage of you want to condemn this piece of an old street and convert it. No problem. Right. There's more things you can bring to the table. And because you know unlike 50 or 100 years ago you know the operational capital really is in the private sector now. And local government is very strapped to be able to do things and pay for things. To your point Kevin? I don't want to sign a check. But also if we're going to do Federal Street the right way holistically that action needs to be a word in there. Holistic approach. Right. You're going to we have to look at it from the totality of what the whole thing looks like. Which means that's tens and tens of millions of dollars you know to make this and I don't think we'd want to ever start it with you know a 10 percent commitment for one corner. And then you never know what's going to happen to the rest. It's like downtown Winchester where they did that whole redevelopment. They got 80 percent of that kind of set and before they really ever poured into it. I don't mean the money piece. It's all about the planning. So my question is and I'm fine with it being an economic development plan. And if we want to then incorporate the economic development plan by reference into our comp plan that's fine with me. My question is. If we want to actually see Federal Street happen. Do we want to provide the right kind of signals and message to development or whatever investment community that you know we're willing to do things to help. That doesn't mean I'm writing a check but I'm willing to do things you need to make the project work.

**Danny Davis:** But I think my question back to you would be what are those other things that we need to identify that we'd be willing to do? I mean it we're saying we're willing to potentially invest as Mr. Moore mentioned in the streetscape and we've identified some of these plans could cost one point eight million dollars. So we're saying we're willing to put money in it. We own land down in the general vicinity here. So I think the question I'm just trying to get is what specific things do you want us to identify that the town will be doing.

**Bridge Littleton:** holistic plan will require a complete change in all the zoning and maybe require a whole new zoning district to make it work. You know the town will be your partner and making that happen the right way so long as the plan isn't or your plan is in conformance with what we want. Otherwise it's parcel by parcel by parcel. So and again it's a question. I mean Kevin you're a builder right? When you have to go through like the guy at the wharf right I remember reading that D.C. came in and said from a zoning perspective what do you need from the city? the number of people?

**Kevin Hazard:** [off mic]

**Bridge Littleton:** [off mic] I totally get that. It's an example right? It's one of the inhibitors to a project like this. Not inhibitors challenges.

**Kevin Hazard:** [off mic] a new town hall and we find that frightening. And because it's a big undertaking for a small town and to try and us take this on as you know like a second front in a war. I think that's outside. [off mic] And I think Will's point about you know we've talked about it here. Let's develop the street. Let's get the street ready and develop a plan for this street. And then if it goes by parcel that's fine. If you start developing the streetscape and we get the streets right [off mic]

**Philip Miller:** [multiple speakers] And I just don't see that happening. And I think then you end up with by parcel like Bridge was saying you know I think we should at least in this document say that we're open to holistic wholesale change across this section and the town is willing to be a partner with the right development that meets these things.

**Bridge Littleton:** But to your concern Kevin I'm not saying we're going to do it. Someone else is doing it. But I mean think about this. What if a group came in tomorrow and said I love your fellow street project idea I'm going to buy eighty five percent the lots. I need you to be my partner to redevelop this in the right way. What would we say no?

**Kevin Hazard:** I might run. I mean.

**Danny Davis:** If I may I think the town's intent is laid out here in a couple of places under land use where it talks about identifying necessary zoning changes as it relates to the discussions at hand. I mean one of the strategies is evaluate our existing residential and commercial zoning district regulations and identify necessary or desirable amendments. A couple of pages later talks about understanding that the town needs to continually review and update the zoning ordinance to fit the vision and goals expressed here in. But it all applies. It all works together. So we definitely can add language in the Federal Street section that says the town recognizes that new zoning regulations are necessary to implement the mixed use aspirations of redevelopment of Federal Street. The town will work in a holistic manner with you know potential or with land owners and potential developers to ensure compatibility with the rest of the plan the goals etc.. Easily can add that in. I mean I think that is something that is getting to what you're looking at and helps. What I'm hearing you say is we you want to just continue to link all this together. We say this and we say that we need to bring them together. So we're sending the right message to potential land owner urban planners or potential developers that yes it's important to us. We will work with you in the right context to make sure this comes about and to help you as much as possible to see this come about.

**Kevin Daly:** Well I think it's exactly what we're looking at. You have as you mentioned in this paragraph three paragraphs below it states this. Take that and just re-emphasize it under Federal Street and bring it together. And the one sentence here you came up with. [laughing]

**Bridge Littleton:** Okay so one thing I want. I mean Kevin that's perfect. I mean so here's one thing I do want to say for Kevin and for Will and Todd and Danny. You know you guys have been living and breathing this document for years. So you are at a level of immersion with it to a degree that no one else ever will be. So when we say well what about this? You were there for the sausage making and the way in which all the discussions happened. And you see the linkage because you wrote it. But for us. We've had it for a month. To us it's all fresh and new. We didn't see the sausage made. And so when we read it the first time or two it's like we're going through the economic sections like okay great. And then I read the land use section. I don't remember. And so you know our view is also a little bit of what the public's view will be. In the sense that I mean it's one of the things that when you get so immersed in something you're so close to it it's actually hard to see it from far away again. So I also want you guys to understand that our view is that far away view and yours is the close in view and it's trying to get the. So it's not that anything's wrong or bad or whatever. It's just with. [inaudible] No it's not becoming anything like that. But it's just you know when I think I'm trying to say is it understand the level at which these comments are coming from. And it's not a personal challenge. It's a hey I'm at the 10000 foot level and I can't see three and seven over here together. Whereas if I was a 50 foot level I totally see it. So anyway I think Danny's sentence was perfect. Thank God we have the video recorder. A.J. you got that? [laughing] Leadership. Yeah right. Okay. Phil does that? OK. Okay so one other thing that I picked up was youth housing. I hate calling youth housing but you know attainable housing for younger families. [inaudible] So when we do this public input sessions that was if I remember correctly that was the number one thing that came up and in. And it was also green open space and you know parks whatever one and two and two and one. At least this session I was at it had like 80 people at it. So I could only find one reference in the plan I think was under housing about you know [inaudible] But it was just you know housing for youth. But then it also senior citizens and you know whatever. So are we missing that goal of the public? And there's no reference to it in the land use section. None. The only thing we say in the housing section is we want to have housing for youth. I don't know what that means. [inaudible] What's that? Does it mean that or does it mean it's about the size right? How's the Middleburg average cost is four hundred twenty five thousand dollars. The average income of a household in Middleburg is sixty thousand dollars. The affordability curve for someone at sixty thousand dollars in annual household income is two hundred grand. So it's the county wide problem of attainable housing. So it's a problem for Middleburg. It's clearly by the data a problem for Middleburg. So you know I think we do want to have a strategy. I'm not saying the zoning. We want do have a strategy. Some of that strategy might not be through zoning might be through other means. Do we need and want to have a strategy to address that and the public told us that was something important to them.

**Will Moore:** Oh yes. So I don't know that we directly take on the affordability aspect of that. We definitely address it somewhat from the type of housing units. So one of the things we know one of the strategies the first strategy actually the population and housing is target housing development and features that appeal to young people and families. Again not necessarily affordable not about affordability. [off mic] Price and type of housing though

oftentimes go together. Not always. But so we have in that population section we have a section that talks about demographic strategies and it goes into a little more detail about encouraging apartments condos smaller townhouses. So that's kind of captured in there. And then you link that to the land use section and maybe again it's being more explicit about that linkage. But when we're talking about opening up for additional residential units federal streets are a great example that those that could be an opportunity to provide that those types of housing those smaller units that might be appealing to young people family. So I think maybe in the land use section we can do a little better linking that back to the population.

**Bridge Littleton:** And maybe that's the linkage of how you bring all three together with Federal Street. Right. Really give a great signal to somebody who might want to make this an exciting project. Hey if you can help us tackle this attain ability and youth welcoming housing stock option. You know now we're really saying how we're going to we're giving signals to the investment community of how we can how we would be encouraging tackling these challenges.

**Peter Leonard-Morgan:** I mean I think there's a simple fix on page 13 because you do reference attracting young people and families by planning for blah blah blah. Maybe affordable and appealing for single individuals. So perhaps that could be expanded. I mean you've got the wording there and I think it can just be modified slightly to really reflect what we're talking about.

**Todd Gordon:** I think that's great. I think that was as Will says the intention of describing a greater variety of housing including smaller units was that they would be more affordable. And maybe we've fallen short in explicitly saying that's what was meant. That smaller units maybe a greater density would be more affordable and therefore more accessible to young people.

**Kevin Hazard:** You know it is pretty explicit on 24 under the land use regulations. While some residential users are already permitted in commercial zones to promote housing variety that attracts and retains young people apartments over shops and offices should be further encouraged in C2 and C3 zones including making dwelling units by right and C3. So I mean there is some specific language to that already in the land use part of the...

**Will Moore:** And that's a good point. I think beyond that though specific to Federal Street although that is what is now C3 maybe that isn't C3 [inaudible].

**Kevin Hazard:** And if we could we could tighten this up a little more and make it more specific.

**Bridge Littleton:** I'm just gonna run through these real quick. Did you guys have any? So that one question I sent you about making the Lincoln connection in our comp plan with the greenbelt that the county talked about in their comp plan did you have any issues with that?

**Will Moore:** [Off mic].

**Todd Gordon:** Yeah we sort of arrived at a draft while the Loudoun's [inaudible].

**Bridge Littleton:** No I know there's was yeah yeah yeah.

**Todd Gordon:** And I think there is an opportunity to go back and make sure that they're aligned as well as they can be aligned.

**Bridge Littleton:** Yeah. So to me you know I personally fought very hard. They wanted to take it out. It was in the last comp plan. They did nothing about it but you know we've got a different board it's a different county now and all that kind of stuff. I fought very hard to make sure that stayed in there because I thought it's a great plan. I mean you look at the city of Edinburg and Scotland 50 years ago they did this green belt around it and it is really [inaudible]. It has kept that density in the urban area and has preserved their villages and farms outside. And it's been masterfully successful but everybody's got to be in on it. So if we can align ours with theirs then as elected officials

go to elected officials and say it's in your plan we copied your plan into our plan we're in alignment we've got to do it. We both made public commitments to do this. I think it'd be really helpful. I'm sure you guys had the language from the county plan. OK. Gateways. We talk about preservation of rural roads but Route 50 is not a rural road. So you know how we're going to protect our east west gateways? You know again this is about working with the county. Now in their CTP they talk about you know rural village and town gateways. Right? So I can't remember what it says I can send it to you if you go look at the CTP but is that enough? And if it is great we should reflect that as well. And then if it's not how do we encourage? Cause you know after this new board gets elected there's gonna be a CPAM and that might be an opportunity for us to encourage what that strategy might look like. I just you know I drive in well we all drive in right? We take the dual lane. We hit Lena and up to about Hammerdown you go yeah that's right. This is what it's like to be in the country and then you go oh wait there it goes. And then you get to the first traffic circle and you go okay yeah it's back you know which five years ago was not the case. You know? We have a lot of hard work to do with accounting to figure out how you know we stop that encroachment and destruction of the gateway because it is what makes Middleburg you know unlike all the other towns we are the closest to the transition area. Right? We're four miles or five miles away. Every other town except for Leesburg is like 10 miles or more. Right? Or 15 miles or more. They've got a lot more breathing room than we do so ask on that one. Do you guys have any concerns with that?

**Will Moore:** I think linking like you said the county actually did include some good language in their plan in just making that direct linkage to what's adopted there. I kind of prefaced at the beginning that we'd change a couple of paragraphs just a little bit to reflect that the plan was adopted but we didn't really make those linkages.

**Bridge Littleton:** Yeah.

**Will Moore:** [Off mic].

**Todd Gordon:** I think just specifically being able now they've adopted a plan being able to point specifically to where to find this information.

**Bridge Littleton:** Let me ask you guys this question. Is there strength in saying like quoting what they say or quoting their section reference and saying we wholeheartedly you know agree with this? I know that you can incorporate other people's plan into your own. And it has the effect of being part of your own you know? Because we actually mentioned that to the county. Why don't you adopt each of the towns' comprehensive plans? Why don't you adopt ours and then you agree to live by what we say? They refused but whatever. Is there value in some of these sections in adopting what they've said so that we can again go back and say look we took what you said and are willing to hold ourselves. It is going to be about developing the relationship and being able to point to something specific that everybody's going to live by and that's going to be our job. Todd I mean as is the true professional in this you know will that help us when we go to county zoning and the planning commission? And I mean not to say it's a legal fight but you know?

**Todd Gordon:** Yeah and obviously the comprehensive plan doesn't have that legal authority. It helps to the extent it help start the conversation and then you find out how willing they are to listen to you in the conversation as I think we found some limits during their comprehensive plan drafting process.

**Will Moore:** But to your point I think there is value if there is an explicit statement in their plan that they did adopt that we are absolutely in agreement with pointing directly to that and saying calling that specific reference section out is not only is it okay it's a good idea. [Inaudible].

**Todd Gordon:** It can help keep that statement from getting lost should they in a few years decide to revise right away from that statement.

**Bridge Littleton:** So look at the sections in the CTP and then in the one in the town section right? There are those actions and strategies. There's like 12 of them. I trust your guys' judgment. Whatever ones you feel like help you

know? Absolutely. Wholeheartedly. Let's put that in. I'm all for that. And maybe there is a [inaudible]. Ah I don't know where you'll put it. You'll figure it out. The only other question I had was Ridgeview. Yeah yeah yeah so I mean that's a you know an overly broad comment right? Ridgeview a great small Hamlet community but you know there is now a lot tear down and rebuild that's happening that's you know it's permitted but it's certainly not conformance to what I don't want to say conformance it's not uniform to what the you know size and scope and whatever is around it. So what are your thoughts on that? I'm gonna let you take the lead. Yeah.

**Todd Gordon:** I think in the longer term is that discussion specific to Ridgeview or is it town-wide?

**Bridge Littleton:** [Off mic].

**Will Moore:** So it's interesting and again worthy of say a previous council. I think Mr. Hazard Vice Mayor probably only two on at that time. We had this discussion within my first probably six months here and that discussion had actually taken place prior to that as well. The discussion that I was involved with with the council at that time there were mixed feelings on that happening. And in particular there was a property on Chestnut Street at that point in time that had just been torn down a short bit before and was being framed up at the time and it was raising a lot of concerns with a lot of citizens. Once that house went under roof it was buttoned up it got very quiet again though I think there was something very stark about seeing the bones go up but it actually I'm not going to say it fits in with the surrounding properties. It clearly doesn't. There's very small like maybe a 900 square foot single level next to it but it once it was buttoned up it wasn't such a stark difference at that point in time. And a second one of those has happened since on Locust Street much less stark in its height comparison to surrounding ones but the discussion at that time with council was it was a mix and some members of council actually were in favor of not changing anything and they thought that you know many people oftentimes can be land rich but maybe money poor and that if this is something that gives somebody some more value in their land knowing that that's a possibility that they could sell to somebody even though that person might tear down their existing home that wasn't such a bad thing. I think there could be some regulations that could be tweaked a little bit in the R2 district in particular which is pretty much all of Ridgeview with regards to possibly height possibly setbacks and in particular the side yards. And I discussed with the Planning Commission at one point in time maybe that that becomes something that those two dimensions become relative. Like a seven and a half foot side yard in a 7 1/2 foot side you are if you have 15 feet in between homes and both of them go up 30 feet that that looks very strange. But you know maybe 30 feet is still okay but only if you have an increased the side yard. So there are ways to address that. So that's my thought on it is that I don't think the regulations overall need to be drastically changed but there are some things that could help alleviate maybe some crowding issues.

**Kevin Hazard:** Council asked planning commission to look at it and we actually built scale models of some of the houses in Ridgeview and we looked at and actually Tim Clites was on the planning commission we built models and put them side by side. And we had a number of public meetings here that nobody came to and then it went back to Council and Council goes forget it. [Laughter]. So I'm just saying it's not a bad idea but we can probably go back through the records. The models are probably hidden under Will's desk.

**Will Moore:** [Off mic]. [Laughter].

**Kevin Hazard:** But it's a good thing. And we actually looked at massing like Will said will increase the the you know the side yards. But you know and I think there are some zoning regs around the country that give precedence to that right? So like you make this narrower if you're going like this your house is coming down too.

**Will Moore:** [Inaudible] certainly enabled. So maybe and this is just random so don't quote any of these numbers in particular but like existing now you can go 30 feet in Ridgeview [inaudible] the height limit is 22 feet in Ridgeview and you can keep your existing seven and a half foot side side yard but for every additional foot of side yard set back and you can go up another foot in height and then it becomes [inaudible].

**Danny Davis:** That's a very common regulation.



**Kevin Hazard:** And I think we tried to go to 25 feet and there was riots in the street.

**Bridge Littleton:** So that's not something then that really is comp plan driven. That's something that we after this is done we go the planning commission and say hey look at the setbacks you know because there's been a couple more right? In. And it's not that we don't want a lot of people to tear down the house and build a new one. It's just what they build let's make sure it matches as best as possible to the character and nature of the houses that surround it. You know you go to some these I mean you drive through Arlington and these beautiful old mature neighborhoods and these little you know it's a Sears craftsman house and all of a sudden wow you know it's oh my God you know and I get it right? But it's sort of like. Yeah. Yeah exactly. So that was my last comment. Yeah.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Just the dirt. OK. Danny.

**Danny Davis:** [Off mic].

**Bridge Littleton:** Okay we're moving on. Does anybody else have any other inputs comments or thoughts? Trust me Danny we're coming back to. You can't get away with that. Philip.

**Philip Miller:** No not at this time.

**Bridge Littleton:** OK. Peter?

**Peter Leonard-Morgan:** No. Thank you very much for answering my questions.

**Kevin Daly:** Good to go.

**Bridge Littleton:** You good? Mr. Hazard as the final word.

**Kevin Hazard:** [Off mic].

**Bridge Littleton:** OK.

**Philip Miller:** What's our process from here on out?

**Bridge Littleton:** Well let me just say real quick. You know again it's not meant to be easy but it is meant to be thorough. And I really appreciate you guys suffering through all the discussion and all that kind of stuff tonight. So compared to Loudoun County this was a breeze. Now y'all spend as much on Berkeley right? [Laughter].

**Todd Gordon:** [Off mic].

**Bridge Littleton:** Yeah I bet. [Laughter]. What is that Kimley-Horn? Is that who it was? No it was...

**Todd Gordon:** Among others.

**Bridge Littleton:** Yeah right. Among the various twelve other. Yeah exactly. Yeah so Will and Danny. Yeah AJ we're almost done. What do you got? So clearly I don't think it's ready for a vote tonight.

**Will Moore:** [Off mic].

**Bridge Littleton:** OK. No. OK. Good good good. So what do you guys want to feel is the next process? Next step?

**Will Moore:** I think we've been given a lot of good direction here I think. And I think it started to solidify even better as the conversation went on. We will endeavor to work with Berkeley to try to flip yet another revised draft in advance of your October 10 meeting. We'll do our best to do that if we're able to. Then we can have another discussion like this but to kind of highlight what we've revised based on tonight's meeting you could potentially adopt at the October 10th meeting if we were able to get all these changes in and if you were satisfied with them. If not I would ask you to maybe even proactively at this time look at your schedules and consider whether or not you would have availability on the 17<sup>th</sup> because if we still had to make a few tweaks...

**Bridge Littleton:** You need more time.

**Will Moore:** To do that.

**Bridge Littleton:** Can everybody look right now? Just check what the 17<sup>th</sup> looks like. That way these guys these guys will have a idea. All good.

**Danny Davis:** It is I'm sorry there is one conflict that is the opening gala for the film festival which... What's that?

**Peter Leonard-Morgan:** [Off mic]. [Laughter].

**Bridge Littleton:** So what time is that opening gala?

**Danny Davis:** I had no idea the schedule of that. I'm sorry. I mean we could still call a meeting and probably still make it over there but I just wanted to alert you to that. 5:00?

**Bridge Littleton:** We could do a 4:30 meeting. I can't imagine would take us more in an hour.

**Kevin Daly:** [Off mic].

**Bridge Littleton:** OK. So the gala is probably like it's 6:30 so okay. So right now if you need it it looks like everybody's okay mid-late afternoon on the 17<sup>th</sup>.

**Philip Miller:** [Off mic].

**Bridge Littleton:** Exactly. Black tie meeting. [Laughter].

**Will Moore:** And like you said we'll do our best.

**Bridge Littleton:** Yeah. I got you.

**Will Moore:** And then you make your decision on the 10th or on the 17th and you make a decision on 17th at the latest and then take it from there.

**Bridge Littleton:** So I would say the plan would be as best as what you get to us by the 10<sup>th</sup> we'll go through it. And if there's a little bit left to get to we'll do on the 17th and then we'll take the vote on the 17th. I mean one way or the other we gotta vote on it. So if we get it done on the 10<sup>th</sup> great. If not you know we'll leave the last piece for the 17<sup>th</sup>. OK. Will we see you again before you quit and abandon your employer?

**Todd Gordon:** It's unlikely.

**Bridge Littleton:** OK. [Laughter].

**Todd Gordon:** My last day with the Berkeley group is October 8th. I'll be moving along but we've got some people who you'll be in good hands with the others.

**Bridge Littleton:** Where are you going to?

**Todd Gordon:** I'm going to another firm a relatively similar firm based in Charlottesville. It's called EPR.

**Bridge Littleton:** Okay.

**Todd Gordon:** It has a little more of an engineering bent does some federal work. It's a slightly different [inaudible].

**Bridge Littleton:** Gotcha.

**Todd Gordon:** Not going too far.

**Bridge Littleton:** Well again thank you guys very much for all your help. You've been great throughout especially with everything you did with the public. I mean that was great. I mean those were run very professionally very well. You really sincerely took the input and tried to answer questions as best as possible. We really appreciate it. Will thanks for all your hard work. Danny you as well. But most importantly Kevin thanks for leading the planning commission through this. Okay. And that being said we will take hold on hold on hold on. Hold on hold on. We will now move on from the comprehensive plan and I believe Mr. Daly who didn't inform me in advance has something he wants to do.

**Kevin Daly:** [Off mic].

**Chief AJ Panebianco:** We'll be a stress reliever something nice something happy something friendly. urge charity. Any time we have the opportunity to recognize great work in our department we try to do that. [Laughter]. [Inaudible]. However every year MADD has an award for the officer who perform high or do well with enforcing [off mic]. On September 25th they had their awards ceremony for the Fairfax Prince William it was Haymarket everybody was included and of course Middleburg as well is part of Loudoun so we were included as well. And I had the honor to get in front of the group and talk about Jason. Jason come on up here if you would and his efforts to enforce DUI and DUI's in town. Jason arrested eleven DUI eyes last year and I believe he had 100 percent conviction rate if I'm not mistaken. I think he has a lifetime 100% conviction rate to be honest. So he's doing a really good job. And we're fortunate Middleburg doesn't have a high number of DUIs but really one DUI driver is too many because that could be the driver who causes a life changing injury or ends a life. So we really take that enforcement seriously and we're honored that MADD includes us in that award ceremony. And Jason led the department in DUI arrests and convictions. And as a result we nominated him. They accepted the nomination and he was given an award. So Jason I want to say thank you publicly.

**Officer Jason Davis:** Thank you sir.

**Chief AJ Panebianco:** The council needs to know when there's good work being done and I appreciate the work that you have done.

**Officer Jason Davis:** I greatly appreciate that sir thank you.

**Kevin Daly:** One other thing I want to point out. Our officers are not awarded based upon the numbers of tickets they give out. They're awarded for what their main mission is the protection and enforcement of our ordinances and community safety. They are here for the community. They are of the community and they work for us. His reward is being presented for preserving our safety in our community. As Chief would say yeah 11 tickets went out and what would have happened if those eleven tickets hadn't gotten out? Is that eleven possible potential deaths or more deaths on the highway because of a drunk or drug driving induced accident? This is what we're rewarding is preserving our community and the safety of the community. [Applause].

**Chief AJ Panebianco:** [Off mic]. Thank you.

**Officer Jason Davis:** Thank you guys.

**Chief AJ Panebianco:** Thank you for your good work. Jason. Part of the award ceremony was we did get to hear from or not get to because it's kind of sad that you had to hear from the mother of a young lady who was killed by a DUI offender in Fauquier County. That's what motivates us and it really emphasizes why we do what we do and the job that we do [off mic]. So Jason I really appreciate that. You take it seriously as you do everything. I'm very happy with your service.

**Officer Jason Davis:** Thank you sir. I appreciate that.

**Bridge Littleton:** Jason thank you.

**Kevin Daly:** [Inaudible] is tomorrow you only have to work half the day. [Inaudible]. [Laughter].

**Bridge Littleton:** Hey wait Jason you're salary hours are unlimited. [Inaudible]. [Laughter]. Nevermind.

**Officer Jason Davis:** [Off mic].

**Kevin Hazard:** [Off mic].

**Bridge Littleton:** OK we're going to take a quick five minute break and then Olivia your next. And here we go. So next action item we're going to skip the CIP funding request for Loudoun County and go to capital product funding requests Middleburg Community Center Pool Repairs. And Olivia.

**Olivia Rogers:** Hello. Thanks for having me.

**Bridge Littleton:** All you need to do is state your name.

**Olivia Rogers:** I'm Olivia Rogers.

**Bridge Littleton:** Just so we get it in the mic. Okay so Danny are you? You're the staff [inaudible].

**Danny Davis:** [Off mic].

**Bridge Littleton:** All right. Would you like to start it off?

**Danny Davis:** Sure. At our last meeting we brought to you a discussion of potential sources of using one time capital funding from our unassigned fund balance for the past year. And one of those items that had been discussed previously with council and then in discussions with Ms. Rogers from the community center was the opportunity to support and invest in their pool infrastructure there at the Middleburg Community Center. They have some repairs and some opportunities to make improvements to the pool there. So at the last meeting we brought to you that initial discussion of what those potential repairs and improvements are. The council's...

**Bridge Littleton:** [Off mic].

**Danny Davis:** That's all right.

**Bridge Littleton:** [Off mic].

**Danny Davis:** The council's questions at the time centered around particulars of the funding request. At which time we suggested that Olivia come and speak to the council about their request about the opportunity what other funding

sources may be available to them or that they've reached out for for these needs and maybe just to help the council better understand what the particular request is. Overall the total number of the project if all the pieces put together is about one hundred and ten thousand dollars. There is no specific amount stated just saying any support from the town would be appreciated and so I'm happy to chime in as we go through the discussion but I really think it's helpful to hear from Olivia their goals with this project and what the pool really means to them and their operations.

**Olivia Rogers:** Thank you. Good job. [Laughter].

**Bridge Littleton:** Way to go Danny. [Laughter]. Questions for Olivia? Input? Or Olivia do you want to? Yeah actually you have the floor first if you like to say anything.

**Olivia Rogers:** Well as Danny said we if we did everything at one time it would actually be the most cost effective because they wouldn't have to come back. Ideally if we had to split it up it just depends on funding. But right now we have funding for twenty thousand from some private donors. I am looking to at least get the first part of the project done which is 60 thousand. That's kind of key for us to open next year. So that's where we're at right now and it's gonna be done this Fall going into probably January they'll finish everything up.

**Peter Leonard-Morgan:** First of all thanks for all you do for the community center it's great. Really appreciate it. I did want to ask you one question. I was looking at the swimming pool painting vs. the plastering of it and I wondering whether because it looked to me if I'm not mistaken it was sixty thousand-ish to plaster it or six thousand every two to three years is what you're probably currently paying?

**Olivia Rogers:** Yeah.

**Peter Leonard-Morgan:** So to me unless I'm missing something I would have thought that's a lot of investment 60 grand when you could just keep doing it every two or three years and we don't even know if the 60000 would then last 20 years. So is there more to that or is it just stop having the problem of constantly doing it?

**Olivia Rogers:** Yeah. We were told by our pool company the plaster would give us at least 25 years and it would help with the infrastructure of the pool. So it would help you know the paint is just it's a layer of paint whereas the plaster would help with any potential cracking or leaks. I don't really know more about it past that but you know fair question.

**Peter Leonard-Morgan:** I don't know a ton about pools although I do sometimes see issues with them and the cracking and then the leaking and then maybe it's a bigger problem.

**Olivia Rogers:** Right and that would be the second leg of the project that doesn't have to be done this year. I mean it would be nice to get it all done at one time but we can put that off for a year or two without any issues.

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** In what way?

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** They had to take off every coping stone and then there's rot underneath so they clean out the rot and then they restructure and reform around the whole 40 by 70.

**Danny Davis:** It sounds like they actually would have to go down two or three feet ripping out some of the sides of it.

**Kevin Hazard:** [Off mic]. [Laughter]. [Off mic].

**Danny Davis:** Yeah no. It's not just the stones. It's really getting down and then as Olivia said repairing it. It's new tile along the seam of the coping stone.

**Kevin Hazard:** [Off mic].

**Danny Davis:** Side work and they're really gonna be scraping off the vertical edge of the pool again probably down two or three feet and then fixing all that rotted area behind essentially underneath.

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** We just have one bid from Paynes and he assured us that he's charging us at cost so he is actually not making money on it. It's just it's a lot of concrete. And the last time they did a job this big was 40 years ago.

**Peter Leonard-Morgan:** And I read somewhere that they know a lot about that pool don't they?

**Olivia Rogers:** They do. They have been our pool's primary pool servicer for the last 40 plus years so they know all of the inner workings. You know that's valuable to have a company that knows all that.

**Philip Miller:** So other than these repairs it's structurally sound and they believe that it shouldn't need major structural improvements for how long?

**Olivia Rogers:** Probably a good 15 years. We were in good shape we're in really good shape.

**Bridge Littleton:** What's the cost to just tear it out and build a new pool?

**Olivia Rogers:** To build I don't know the cost to tear it out but to build something similar is eight hundred thousand to a million. We had him kind of spec it out for us.

**Kevin Daly:** [Off mic].

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** I believe because it's...

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** Yeah.

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** Yeah our intent would just be to repair it. We're not really interested in replacing the pool because everything else is in good shape so that's our viewpoint.

**Bridge Littleton:** So you guys said that this was the first year in seven years you've made a profit. So for seven years prior you've lost money.

**Olivia Rogers:** We have or barely broke even.

**Bridge Littleton:** OK. What is your plan to actually make this value add from a monetary perspective? Right? Because if you think about it in a normal business you go to a bank right? You get a loan for hundred thousand dollars or whatever it is. The bank would say OK well how much money are you gonna make and how are you gonna pay back the loan and da da da da? You know here's my interest rate blah blah blah but they want to see a business plan.

**Olivia Rogers:** Right.

**Bridge Littleton:** It goes along with the investment because it's an investment right? So in the town we don't do loans right? But I mean I want to see if you're asking us to contribute money to the project and you're asking us to contribute significant money to the project I want to see that it's going to go into something which is going to be self-sustaining. So how do you address that?

**Olivia Rogers:** We have some great ideas actually. We want to extend our swim lesson program. It was only two weeks this summer but it could be a lot longer. I think a lot of it has also to do with accessibility that kids are so little that they were just kind of hanging on the edge. So to have the steps would be a really really good option for them. We want to do. I have two teachers to teach senior aerobics or senior water kind of like an exercise class. And that could be in continuation from May to September. And I would love to market more memberships pool memberships. We sold the most memberships ever this year. But with having it being a really nice pool going into the 2020 summer we can really push that you know starting in January. And building more partnerships with daycares. We had a lot of daycares and camps that came this year s really capitalize on that and be more of you know in union with them. So just kind of like a continuation of what we started this year but to really use it more be more accessible. We want to extend our hours so that's kind of the vision.

**Danny Davis:** We also had the opportunity to meet with Steve Torpy Director of Parks Recreation for Loudon County and he has some good ideas from his side and on things they've done that some of their pools that have enhanced the desirability of families and kids to come and use the pool. I'm not saying that they have the funds to implement some of them but some cool cool new things that they can actually accommodate here at the community center because it's such a deep pool that many of the new pools being built these days aren't deep enough. Like literally pseudo rock climbing walls on the edge of the pool that then you jump back into the water. It's pretty cool stuff. They're diving board is unique. You don't get that in a lot of places. Not to speak for Olivia but knowing that talking with Parks and Recreation helps continue build that relationship and they send some of their groups in camps from their community centers over the summer as well.

**Peter Leonard-Morgan:** I'm curious about talking about diving board does that impact your insurance a lot? I heard these days having a diving board could be a nightmare or is it not a big deal?

**Olivia Rogers:** It's not really a big deal. We're grandfathered in so it's not a huge expense. Also we've never had really an accident that's caused an issue. So yeah.

**Peter Leonard-Morgan:** And to Council Member Hazard's point would you consider getting another couple of quotes in to see whether this is the right sort of ballpark?

**Olivia Rogers:** I would. Yeah I would.

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** OK. Sure. OK.

**Chris Bernard:** [Off mic]. So hypothetically let's say the town doesn't have it in their budget this year to give you guys anything what's the plan? What's the backup? What other funding sources are we thinking about?

**Olivia Rogers:** I would just have to fund raise it elsewhere. I'll have to talk to some donors and see if anybody else want to partner.

**Chris Bernard:** [Inaudible] private.

**Olivia Rogers:** Yeah. Yeah.

**Bridge Littleton:** Your guy's income right now does not cover any of these expenses.

**Olivia Rogers:** No.

**Bridge Littleton:** OK.

**Olivia Rogers:** We knew we had some repairs to make going into this fall to get ready for next year but we didn't know the full scope of the work so we had in reserve twenty thousand I've set aside. I have confirmation on to do the step and some miscellaneous repairs but with the new survey on the pool it's going to be a lot bigger job.

**Bridge Littleton:** So what is your plan to raise the hundred and ten? I mean I know you just said you'll fund raise some other sources but if you want to get this work started in a month or two what's the plan?

**Olivia Rogers:** My board is working on that. We have to speak to individual donors to do that. We do have a capital account so if we need to tap into that just to kind of cover until we get the work done we'll do that. That's the last last case scenario.

**Chris Bernard:** Are there have we looked into any like grant opportunities or anything like that that's out there the state or county level?

**Olivia Rogers:** We have yeah we've not received any no.

**Bridge Littleton:** Applications did ou guys put in for this?

**Olivia Rogers:** Six.

**Bridge Littleton:** So what's the ask? I mean it's I don't know how fair it is the town to say whatever you can do because now I feel like it's sort of like you know hey [inaudible]. So and I don't think it's fair to ask the town to pay for it all. So what's the ask? I need a number.

**Olivia Rogers:** My ask would be our immediate what needs to be done immediately would be the sixty thousand dollar job. And that does all the coping stones the expansion joint repair in the steps. So we already have 20 of that so really it would be 40. And then that second phase of the project I can push off for a year or two. I know that's a big lump sum of money. Ideally it will be a little bit more and in a year or two because they are going gonna have to come in with all of their infrastructure and their scaffolding. So it's gonna be a little bit more expensive than what we have now.

**Philip Miller:** What is the cost savings of doing it all together versus you know them having to basically tear out some of the work that I'm sure we're gonna be doing with the coping stones and the tiling and everything to replaste?. I mean is that a fifteen thousand dollar difference?

**Olivia Rogers:** It's ten to fifteen thousand dollar difference.

**Philip Miller:** Okay.

**Olivia Rogers:** Have you guys been up to see the pool lately? It looks pretty bad. It's pretty scary yeah. Yeah. It has great potential you know? And we want to get to that point but it's definitely needs some help. It's kind of been neglected the past few years.

**Bridge Littleton:** How do we know that won't continue to happen?



**Olivia Rogers:** I won't allow it to happen. If I have to fundraise extra every single year I won't because it's a representation of us as a community center. It's a representation of the town and it's just I wouldn't allow it to happen. My board wouldn't allow it to happen because they're in vision in line with that idea. You know we need to keep our facilities our grounds everything really nice. If that means we need to adjust our budget we adjust our budget. But that's a new strategy.

**Bridge Littleton:** OK. Well I tell you what so I'm just gonna throw out a couple comments and then let's see where everybody else is. I mean don't get me wrong the town is in 100 percent support of the community center but at the end of the day you're a nonprofit like a lot of nonprofits here in town and everybody's responsible for their own budget their own revenues and their own costs. Our job as a town is to be here and be as helpful as possible but I also want to make sure that we're you know there needs to be a level of responsibility through this whole thing too. Right? I mean I know I sound like I'm preaching but I'm very nervous of getting in the cycle of every time a nonprofit has a big monetary issue they're facing they just come to the town council. And you know I know you guys have challenges with budgets and you have challenges with fundraising and revenues and keeping everything going. So you know there needs to be changes in let's put it this way status quo is not working. So how is status quo changing? Because status quo changing is not just coming to us when there's that big need for something and just you know because we're not going to be there every time.

**Olivia Rogers:** Right.

**Bridge Littleton:** We're not. Assuming if we do this right? To whatever degree next time when it's the roof or next time it's the door or whatever.

**Olivia Rogers:** Right.

**Bridge Littleton:** I mean you know. I mean I'm almost thinking along the lines of you know for every dollar we give we expect your board to give a dollar and we expect you to raise a dollar. So we'll be in for a third of it but you got to do the other two thirds.

**Olivia Rogers:** Right.

**Bridge Littleton:** Or something like that right? There has to be joint accountability where everybody pulls together so anyway.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** [Off mic].

**Kevin Hazard:** [Off mic] and part of it is because we're doing something for our residents who live in town.

**Peter Leonard-Morgan:** [Off mic].

**Olivia Rogers:** Are you saying for like admission like pool admission?

**Chris Bernard:** [Off mic].

**Philip Miller:** We also don't want to hamper them logistically.

**Chris Bernard:** [Off mic].

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** I don't know. Maybe 25 percent yeah. [Inaudible].

**Bridge Littleton:** Wait a minute wait a minute. You don't know what percentage of the users of the pool are in town versus out of town?

**Olivia Rogers:** No we don't track that. There's really no way to track it.

**Bridge Littleton:** Sure you can. Do you live in town or out of town?

**Olivia Rogers:** We haven't done that. We could do that.

**Bridge Littleton:** You should do that.

**Olivia Rogers:** Yeah.

**Bridge Littleton:** It's good to know where your visitors are coming from and then finding out what they need and then you can provide those services and charge for them.

**Philip Miller:** But as you well know with Middleburg people say they live in Middleburg but they actually don't. They actually live up Foxcroft. They actually live...

**Bridge Littleton:** [Off mic].

**Danny Davis:** [Off mic].

**Bridge Littleton:** [Off mic]. How much is your water bill? [Laughter]. Yeah. [Off mic].

**Peter Leonard-Morgan:** I think the letter here from Beth Ann is really interesting the first few lines. The [inaudible] campus from Windy Hill School Hill School Bluemont Community Center [inaudible]. I mean you're obviously doing a lot for the community and I agree it be great if we could somehow find out a bit more about you know numbers and what have you. But we are very supportive of this obviously and I think that trying to make it a little bit more.

**Olivia Rogers:** Absolutely.

**Peter Leonard-Morgan:** Stand on its own it would be wonderful.

**Olivia Rogers:** Right. I don't want the council to feel like we just want want want. We've put a lot of money into the pool the last two years almost sixty nine thousand dollars in repairs and infrastructure changes on things that have been kind of put on the wayside. So we are in it financially it's just this one last project to get us through the next 15 years is kind of our hangnail where we're at now.

**Philip Miller:** Is that really going to get you through the next 15 years? I mean I doubt it with the pool's age.

**Olivia Rogers:** Capital expenses yeah. Yeah because everything else has been replaced our filters our pipes.

**Philip Miller:** So no improvements to the locker rooms or bathrooms would be needed things like that?

**Olivia Rogers:** That would be a different fund raising project and I am absolutely willing to do that. But I won't need to do that in order to open my pool. In order to open my pool I have to get these changes made first.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** It's probably a three month job so it might spill into January. They're hoping to have it done before Christmas.

**Philip Miller:** So you're already on the schedule than?

**Olivia Rogers:** We are yeah. Yeah.

**Philip Miller:** Yeah exactly. [Inaudible].

**Bridge Littleton:** [Off mic].

**Olivia Rogers:** No we have not. No. They just we've got a great relationship with Mr. Payne where...

**Bridge Littleton:** [Off mic].

**Olivia Rogers:** He was on our schedule anyways just to do the steps and the miscellaneous repairs which was a lot less expensive.

**Philip Miller:** All right so...

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Well and competition always makes people sharpen their pencil. But that's... OK. So I mean what's everybody's feeling?

**Philip Miller:** So I will just say I know we've we've talked about this a little bit and I know Cindy knows this. One of those 10 family pool memberships was the Miller family just conflict of interest.[Laughter]. We spend a lot of time at the pool.

**Bridge Littleton:** You're recused! [Laughter].

**Philip Miller:** And some of these improvements are things that I started a conversation over a year ago with your predecessor back with Martha about pool steps and some other improvements that obviously needed to happen for not just for the kids but for our aging population too. You know it is an incredible thing to see you know three generations of a family hanging out at the pool together. And that's something that you know I think we should definitely encourage and it's an important part of the community. So I am I'm fully supportive of it.

**Bridge Littleton:** [Off mic].

**Philip Miller:** Well of the pool improvement project as a totality but I don't think that the...

**Bridge Littleton:** [Off mic].

**Philip Miller:** So my suggestion would be that we take a hybrid approach. We make a firm commitment of X dollars but then we also make an X plus as a matching commitment if they can go out and raise more money.

**Kevin Daly:** What would you say we agree to twenty thousand and we'll match an additional twenty thousand if they get funds going up an additional 20?

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Well and the 20 has got to be last in.

**Philip Miller:** Yeah.

**Bridge Littleton:** So if you need 110 and you only get to 80 you don't get our other 20.

**Philip Miller:** So the question is what's the ultimate goal? Are we going to just try to do the 100 or the 60 or are we trying to do the hundred and ten?

**Chris Bernard:** [Off mic].

**Bridge Littleton:** [Off mic].

**Philip Miller:** What are your terms with Payne? How long will they let you...

**Olivia Rogers:** I have like a few weeks.

**Philip Miller:** Okay.

**Olivia Rogers:** Yeah. Yeah.

**Kevin Hazard:** So he's paid it when he's finished kind of a thing?

**Olivia Rogers:** Yeah he is.

**Kevin Hazard:** Probably a little bit up front covers materials and then..?

**Olivia Rogers:** No everything is after everything is after.

**Kevin Hazard:** Everything is after.

**Philip Miller:** This is not to exceed?

**Olivia Rogers:** Correct.

**Philip Miller:** So you've got till December.

**Bridge Littleton:** [Off mic].

**Philip Miller:** Well a couple weeks to make the commitment.

**Bridge Littleton:** [Off mic]. Do or no do by mid-October.

**Olivia Rogers:** Correct.

**Bridge Littleton:** How long have you guys known these repair costs were needed?

**Olivia Rogers:** Two weeks.

**Philip Miller:** Since you sent the letter.

**Olivia Rogers:** Yeah what date is the letter?

**Danny Davis:** I was out there the day of...

**Kevin Hazard:** [Inaudible] and he came in and said you got to do these coping stones.

**Olivia Rogers:** Yeah. They're like falling off the pool.

**Chris Bernard:** [Off mic].

**Kevin Hazard:** But he's saying that...

**Philip Miller:** Fifteen thousand.

**Kevin Hazard:** Absolutely you can't open the pool without doing that?

**Olivia Rogers:** Correct. That's the sixty thousand. We can't open the pool without 60. We wouldn't pass with the health department.

**Bridge Littleton:** All right. From my perspective on the numbers you know there's a million ways to cut it and slice it. I'm on board for whatever everybody else is on board in terms of I mean we've got the money. We can do it. I do want to see like Philip and Chris said right? The last in part or a matching part or whatever but something I want to see I want to see a no kidding legit well thought out well planned staffed and organized business plan how the next three years you're going to get this thing profitable.

**Olivia Rogers:** OK.

**Bridge Littleton:** Because I don't want to see in three years oh yeah well we broke even last year and the year before that and now there's yet another issue. Right? I mean it's a 70 60 year old pool. 70 year old pool as much as you put money into it other things can happen that you don't even think about. Like a year ago you had no clue these coping stones were where they were. Right? So I get that hopefully you've taken care of everything over the last couple of years with investment but it's like an old house. No matter how much you put into it next year you're gonna find something else. So no kidding legit business plan that your board commits to of how you're going to make this pool self-sustaining not only self-sustaining but also able to meet its capital needs. And you owe it to the board and the board owes it to the 501(c)(3) to do that.

**Olivia Rogers:** Yeah we can do that.

**Bridge Littleton:** OK.

**Olivia Rogers:** We can absolutely do that.

**Bridge Littleton:** And I mean that they adopt and that they are 100 percent bought into and committed to. I don't want it to be just a plan we sit on the shelf and go isn't that great and we wave at it every year.

**Olivia Rogers:** No it would be a good challenge for the board too. It gives them ownership in the pool. It keeps them mentally physically emotionally invested into the pool which is something people forget about a lot. We have a pool.

**Bridge Littleton:** [Off mic].

**Olivia Rogers:** Yeah.

**Kevin Hazard:** I got one last question on number three. [Off mic].

**Olivia Rogers:** From my understanding you would see the issues are ready because the paint is just it's literally like [inaudible] already see the concrete.

**Bridge Littleton:** [Off mic].

**Olivia Rogers:** Yeah.

**Kevin Hazard:** I've done demolition and the only thing holding some together was the caulk. [Laughter]. It's the scariest thing you've ever seen in your life.

**Philip Miller:** So you have twenty thousand set aside essentially?

**Olivia Rogers:** Yeah we do yeah.

**Kevin Hazard:** [Off mic].

**Philip Miller:** Realistically.

**Kevin Hazard:** I need 46.

**Peter Leonard-Morgan:** I bet you could do a with fundraising event there as well. I went to Oatlands when they needed a new roof. It's amazing isn't it how you can get.

**Bridge Littleton:** [Off mic].

**Olivia Rogers:** Yeah.

**Philip Miller:** Twenty five thousand for the diving board.

**Cindy Pearson:** [Off mic] diving board.

**Bridge Littleton:** [Off mic].

**Chris Bernard:** Sell tickets and Bridge" belly flop off the diving board. [Laughter].

**Bridge Littleton:** [Off mic]. Chris in some countries they call that a coup. [Laughter].

**Philip Miller:** But realistically she's not gonna be able to organize that and pull it off in the next couple of weeks.

**Olivia Rogers:** No no. We have our big fundraiser in December.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Or 15 and 15.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** Right.

**Bridge Littleton:** Oh yeah yeah.

**Philip Miller:** [Off mic].

**Olivia Rogers:** It does have to be but we have that in the budget.

**Philip Miller:** Is they're gonna tear as they do the coping stones are gonna tear all that out.

**Chris Bernard:** [Off mic].

**Philip Miller:** So it'll have to be recoated.

**Chris Bernard:** [Off mic].

**Philip Miller:** Even if they don't plaster it.

**Olivia Rogers:** That's a normal expense.

**Philip Miller:** [Off mic].

**Olivia Rogers:** Yeah. And that's next spring so we don't have to worry about that unless you want to just throw that in there. [Laughter].

**Bridge Littleton:** No I mean dead serious.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** No they wouldn't paint until all the work is done and winter is over. So it would be right next March and April.

**Philip Miller:** So that's an additional six thousand.

**Olivia Rogers:** Right but that's in our budget.

**Chris Bernard:** [Off mic].

**Cindy Pearson:** So I don't know this answer. So when they put the new plaster on the third step does that get painted over? Or is that just that color plaster its into it now and you don't ever have to quote paint again.

**Olivia Rogers:** No it's whatever color we choose. It's like what is it Kevin like..?

**Kevin Hazard:** [Off mic].

**Olivia Rogers:** Yeah.

**Cindy Pearson:** So will that have to be redone?

**Olivia Rogers:** No. No.

**Cindy Pearson:** Oh okay. That's where I was going.

**Olivia Rogers:** That's good for like twenty five years.

**Cindy Pearson:** All right. Thank you.

**Olivia Rogers:** And you can pick the color.

**Cindy Pearson:** Can I say something quickly too? I was up there one day this summer and there is a lady that lives in North Fork. Sorry I said that wrong. And she was moving to Front Royal and she said she loved the pool and it's

the best kept secret in Loudoun County that nobody knows about it. And she hopes it stays that way. And we go well we don't.

**Philip Miller:** Cindy it was the best kept secret. [Laughter].

**Cindy Pearson:** Yeah exactly. But you know there are people that have come there this year from different parts of the county and they just never knew about it before. So I think if they do do some good marketing and deals and events that it will bring more awareness there.

**Olivia Rogers:** Yeah.

**Cindy Pearson:** And please be aware that I do not vote on this because I do work at the community center do a part time job there. So I will not be voting tonight.

**Kevin Hazard:** [Off mic].

**Philip Miller:** [Off mic].

**Kevin Hazard:** [Off mic]. [Laughter].

**Philip Miller:** [Off mic].

**Olivia Rogers:** I mean I will say long term I would like to take obviously this is what we want to take care of now but big picture I want it to be more of a part of the community. I want to have you know more of a park up there. I want to do an aqua wall which is what Steve Torpy kind of presented to us. I want to have a pavilion up there. And those are all projects that I have started to build the infrastructure for. So this you know this is part of a bigger bigger picture. Just so you know I have a vision for it all.

**Kevin Daly:** And you do provide a lot of support to the community. When we had our national night out wasn't that your field that we were using?

**Olivia Rogers:** Yeah.

**Kevin Daly:** I'm sure we probably paid something for it. Oh we didn't pay for that.! So that was given free. Wow! I'm not done yet. I still have the thing. [Laughter]. So the community center helps to take care of the community too. Wow! What an awesome concept. So by helping them we're helping ourselves. All right. Just just wanted to throw that out. Now you may speak Peter. [Laughter]. [Off mic].

**Peter Leonard-Morgan:** [Off mic].

**Olivia Rogers:** We do give you very discounted rates.

**Peter Leonard-Morgan:** The discount's been going down though just to mention it. [Laughter].

**Olivia Rogers:** Hey I'll give you a little bit more.

**Bridge Littleton:** It's okay! Hey Peter pay the woman!

**Kevin Daly:** Did you give Go Green a discount?

**Bridge Littleton:** It's a business pay the woman.

**Olivia Rogers:** Yes.



**Philip Miller:** Where else are you gonna host it Peter? [Laughter].

**Kevin Daly:** So go Green got a discount from the community center.

**Olivia Rogers:** I will say in 2018 we partnered with 70 other local businesses and nonprofits. So yes we are really trying to be more integrated with our community. So I appreciate you pointing that out. And Peter I'll give you a bigger discount. [Laughter].

**Bridge Littleton:** [Inaudible].

**Philip Miller:** But she's going to need more money for the pool. [Laughter].

**Olivia Rogers:** Yeah.

**Bridge Littleton:** [Off mic]. [Laughter]. [Off mic]. [Laughter]. [Off mic]. How does everybody feel? 20? You've got 20 you need 40 and ours is the last money in like we did with the... I mean I think we're going to start funding things like we did with the bronze fox right? We're the last money in. right? So it's on you to raise the next 20 wherever that comes from and then once you do that we're in it for the 20. Yeah.

**Philip Miller:** So you know your fundraising abilities and your donors. What's the appetite here? You pick up the phone and call your biggest couple of fundraisers and what do you think you can accomplish?

**Olivia Rogers:** I don't think I will have an issue getting 10 if you guys wanted to match 10. 20 it would be more challenging for me to get 20 in this amount of time but I'm confident that I can definitely get 10.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** Yeah I know but we have our big holiday ball fundraiser and that's kind where people that's their fundraising you know they spend the money at the end of the year for that so I just want to make sure I'm not double dipping.

**Philip Miller:** You want to get him before that so the well doesn't dry up.

**Olivia Rogers:** Right.

**Philip Miller:** Gotcha.

**Bridge Littleton:** Well you don't want to sign a contract without the money.

**Philip Miller:** Yeah.

**Bridge Littleton:** Last thing you wanna do is welch on a deal. Well I'm just looking at your board. You got what 18 members of your board. Everybody chip in 1400 Bucks you're there. Just saying.

**Olivia Rogers:** We have 14 members.

**Bridge Littleton:** I know.

**Olivia Rogers:** But yeah yeah that would be great.

**Bridge Littleton:** I know I just wrote a check the other day.

**Kevin Daly:** [Off mic] Chris your proposal was? We'll go for 20 and match the additional 10. All right? That way you raise your 10 you already have 20 so there's your 60.

**Chris Bernard:** [Off mic]. I think that makes sense. [Off mic].

**Olivia Rogers:** We've never really marketed it until this year and it's a great revenue stream for us and pool parties too. I'm happy to be looking at things differently.

**Philip Miller:** And the rocket pops and the pizza.

**Olivia Rogers:** Yeah.

**Peter Leonard-Morgan:** [Inaudible].

**Olivia Rogers:** Margarita bar?

**Peter Leonard-Morgan:** I think a Margarita bar in there.

**Olivia Rogers:** Absolutely. Sure.

**Olivia Rogers:** We'll name it the Peter...

**Bridge Littleton:** Non-alcoholic. [Laughter].

**Cindy Pearson:** [Off mic].

**Kevin Daly:** [Off mic]. [Laughter].

**Philip Miller:** [Off mic]. [Laughter].

**Bridge Littleton:** [Off mic]. [Laughter].

**Kevin Hazard:** [Off mic]. [Laughter].

**Olivia Rogers:** 26.

**Kevin Hazard:** 26 total?

**Olivia Rogers:** And my expenses were 19.

**Kevin Hazard:** So you made seven?

**Olivia Rogers:** Yeah. Yeah. Which is incredible considering last year I didn't make any.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** This year we had 10 yeah.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** It depends. It's like 250 to 400 a family just depending on the family size.

**Philip Miller:** A family of four would be what 350? Family five would be 400?

**Olivia Rogers:** Yeah.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** Absolutely. Especially if you start doing like an early bird special in January.

**Philip Miller:** I'm in.

**Olivia Rogers:** All right. [Laughter].

**Chris Bernard:** [Off mic].

**Olivia Rogers:** Oh I know.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** And if you have ever tried to get in the pool isn't it terrible?

**Cindy Pearson:** [Off mic].

**Olivia Rogers:** Like you had to jump in the pool. You had to jump in the pool and then kind of climb out.

**Bridge Littleton:** [Off mic].

**Kevin Daly:** [Off mic]. [Laughter].

**Cindy Pearson:** [Off mic].

**Bridge Littleton:** All right. So is that where everybody is at. I mean Olivia I don't think the appetite is here to do the other 50 on something you don't need and quite honestly we're looking to you for you all to own that.

**Olivia Rogers:** Yeah I'm more comfortable with the 60 and then we'll re-approach the plastering in a year or two.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** And it also gives me time to get additional bids under something like that.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** Yeah.

**Chris Bernard:** If that's really going to last twenty five years to pay back [off mic].

**Bridge Littleton:** I mean I did the math. If you do plastering over 25 years it comes out to twenty four hundred dollars a year. If you do the painting it's two thousand dollars a year. It's actually cheaper to not do the plastering.

**Olivia Rogers:** Right.

**Philip Miller:** Yeah.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Oh I get all that. No. Yeah yeah. Yeah just on pure dollars. It's cheaper just to do the... Exactly. And then as technology improves maybe you know who knows. Whatever right? All right. Is everybody comfortable with also tying this to a legit business plan of how they're going to turn profitability into this pool that you're gonna execute to?

**Philip Miller:** I think we've got to make the commitment now and we...

**Bridge Littleton:** I get that. [Multiple speakers] maybe the fireworks funding next year is subject to that or something.

**Philip Miller:** We expect that as a condition of this that we will see a business plan that shows the profitability of this.

**Bridge Littleton:** How they're going to get to it right? A legit.

**Philip Miller:** Yeah.

**Bridge Littleton:** You know committed planning.

**Olivia Rogers:** Yeah.

**Chris Bernard:** [Off mic].

**Olivia Rogers:** That's reasonable. I thought you were gonna say like next week.

**Bridge Littleton:** Oh no no no. [Laughter]. I mean Olivia you guys in fairness too...

**Kevin Daly:** [Off mic].

**Bridge Littleton:** That if it's really going to be the deep soul searching you do that's gonna be hard and it 's gonna take a while to do it if you're going to get it right. And then you're [multiple speakers]. Exactly. Your board it's going to also require investment. And your board's got to commit to that investment. Right? I mean that's you know if you want to grow or you want to expand it that's what it's gonna to take.

**Olivia Rogers:** Right. Yeah we do have a strategic planning session in mid-October so that would be a great subject to bring up then.

**Bridge Littleton:** [Off mic].

**Peter Leonard-Morgan:** And I think also for us also on council it would be great to be a little bit more involved in seeing what's going on because you never know.

**Olivia Rogers:** Sure.

**Peter Leonard-Morgan:** What that spawns you know?

**Olivia Rogers:** Absolutely. Yeah.Yeah. I would like us to be more connected you know and I want you guys to know that we're open for that regardless of how things have been.

**Cindy Pearson:** And they're always looking for new board members. If anyone's interested please speak to them.

**Bridge Littleton:** I nominate Kevin Hazard. [Laughter].

**Kevin Daly:** [Off mic].

**Chris Bernard:** [Off mic].

**Philip Miller:** How do I...?

**Bridge Littleton:** Wing it. You move that the council approve...

**Philip Miller:** I move that the council approve a donation of twenty thousand dollars for the Middleburg Community Center for the repairs to the pool with an additional matching ten thousand dollars to additional fund raising that they've done.

**Bridge Littleton:** [Off mic].

**Chris Bernard:** [Off mic].

**Philip Miller:** That's not fundraising. That's fundraised.

**Chris Bernard:** [Off mic]. [Laughter].

**Kevin Daly:** [Off mic].

**Cindy Pearson:** [Off mic].

**Philip Miller:** And that our money is the last commitment in? And we also expect to see a business plan for the three year profitability of the pool.

**Kevin Daly:** Second.

**Philip Miller:** [Inaudible].

**Bridge Littleton:** Any discussion? I forgot that part. Okay all those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** All those opposed. Abstentions?

**Cindy Pearson:** I do.

**Bridge Littleton:** OK.

**Cindy Pearson:** I abstain.

**Bridge Littleton:** Yup. All right. It passes. Olivia thanks.

**Olivia Rogers:** Thank you!

**Philip Miller:** Go make some phone calls.

**Olivia Rogers:** I do appreciate it. Yes

**Chris Bernard:** [Off mic].

**Olivia Rogers:** No this is fantastic. I really really appreciate it.

**Kevin Daly:** If it helps to bring up more money we'll make sure that Peter doesn't show up in his Speedos

**Olivia Rogers:** Hey you might be fun. We could do like a calendar or something.

**Kevin Daly:** [Off mic]. [Laughter].

**Philip Miller:** They were gonna sell tickets to that. [Multiple speakers]. [Laughter].

**Bridge Littleton:** Okay. Next item.

**Philip Miller:** Mr. January Mr. Dan Morrow. [Laughter].

**Olivia Rogers:** Thank you guys.

**Dan Morrow:** [Off mic].

**Philip Miller:** [Off mic]. [Laughter].

**Bridge Littleton:** [Off mic].

**Kevin Daly:** [Off mic]. [Laughter].

**Bridge Littleton:** All right. Moving on CIP funding request from Loudoun County. [Inaudible] should say for Loudoun County.

**Danny Davis:** We're requesting funding from Loudoun County.

**Bridge Littleton:** Okay.

**Danny Davis:** So this item we did also discuss last time as an opportunity just to consider options for CIP funding from the county for particular projects. We talked about two specifically the town office project and then also some dollars that would support some of our sidewalk repairs or improvements where there may be some drainage issues or some other repairs. This would not be a massive sidewalk project but just trying to get into some of these specific targeted areas. There were other ideas thrown out but I think they need a little more development of a scope and development of potential costs. Before we specifically ask the county for support in that. Some of those ideas could be South Madison Street at least investigating that. Could be Federal Street you know as we look at streetscape improvements or other things.

**Bridge Littleton:** Are we gonna do this one tonight?

**Danny Davis:** But this one needs to be done tonight.

**Bridge Littleton:** Right because our time limit runs out [inaudible].

**Danny Davis:** We need send it Monday.

**Bridge Littleton:** OK.

**Danny Davis:** So the request would be if appropriate to authorize the resolution as attached and then we would send this to the county for their process.

**Bridge Littleton:** Kevin?

**Kevin Daly:** Well as someone who walks around quite a bit throughout the town I move approval of the attached resolution of the Town Council of Middleburg requesting County CIP funding for the town office project and for sidewalk improvements in the Town of Middleburg.

**Philip Miller:** [Off mic].

**Bridge Littleton:** Any other discussion? I have one question. I can't remember when we've ever done this before. So we tell them what we want to do but we don't tell 'em an amount.

**Danny Davis:** No I will be specifying an amount. Well it's in the resolution attached and it's also they asked for project information that gives a little more detail to it. So we'll provide all the information that we have.

**Bridge Littleton:** Got it. I see it. OK. Yeah. I didn't see the resolution [inaudible] memo. OK. Any other discussion? All those in favor say aye.

**Everyone:** Aye.

**Bridge Littleton:** Opposed? Abstentions? Cindy. No no. All right. Passes. Thank you.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** [Off mic].

**Rhonda North:** Oh no information items.

**Bridge Littleton:** Whoa whoa whoa. What?

**Dan Morrow:** [Off mic].

**Bridge Littleton:** What?

**Rhonda North:** Charter school. The charter school item.

**Peter Leonard-Morgan:** Come back Dan. [Laughter].

**Bridge Littleton:** We can do that after.

**Rhonda North:** Okay.

**Bridge Littleton:** It's just Cindy and me.

**Rhonda North:** Okay.

**Bridge Littleton:** Yeah.

**Kevin Daly:** [Off mic].

**Dan Morrow:** [Off mic].

**Bridge Littleton:** Oh okay. Hold on. [Off mic].

**Cindy Pearson:** [Off mic].

**Bridge Littleton:** [Off mic].

**Dan Morrow:** [Off mic].

**Bridge Littleton:** [Off mic].

**Danny Davis:** [Off mic].

**Bridge Littleton:** [Off mic].

**Danny Davis:** Mr. Mayor may I also mention that you have recommended that we move a few items on the agenda after to be discussed after a closed session. So if there is any one member of the public or the press that is interested in sticking around after a closed session there may be additional topics of discussion.

**Kevin Daly:** [Off mic].

**Philip Miller:** [Off mic].

**Bridge Littleton:** Yeah. So Dan I will tell you right now afterword after the closed session there's an update on the branding project the Mill Miglia update status of VDOT progress on crosswalk repairs and then monthly project status update. So those will be after the closed session but we're going to cover the charter school right now.

**Dan Morrow:** [Off mic].

**Bridge Littleton:** We're gonna do one more.

**Cindy Pearson:** We're gonna do one more before you go.

**Philip Miller:** [Off mic].

**Dan Morrow:** [Off mic].

**Chris Bernard:** [Off mic]. [Laughter].

**Bridge Littleton:** [Off mic]. [Laughter].

**Philip Miller:** [Off mic].

**Bridge Littleton:** Okay Strategic Initiative Review Cindy and I got together. You know thank God we actually put this on the calendar because it does force us to make sure we do these things and talked about it's really about the charter school right? So when we talked about the strategic initiative initially everybody agreed that the charter school is a really important aspect to the town. It's something we want to support and they need our support. Right? There's plenty of elected officials who do not believe in charter schools and have multiple times tried to undermine its existence through various different means. So I think Cindy and I really brainstormed came up with a couple of really good ways in which the town could help drive that. And so what I'll do is I'll just say what those things were and then you can add some color to it and then just see what the council's appetite is for how we want to approach these things. So one of them is you know the charter school is a creature of funding so they get X amount of dollars from the county per pupil but they're then also responsible for all the costs. And we don't need to go into the fees the county charges back on the money they're supposed to get the lack of CIP that they get or whatever but funding that you know they're always under a challenge for funding. So there's an opportunity there and Cindy what were the two



ideas we had? One was about the foundation. We could set the 501(c)(3) up you know as long as the funding's there. Again it's like Chris said last in or always be matching.

**Cindy Pearson:** And the other one was that they can apply for funds themselves but they need to apply. It's not just gonna be a given that they get X amount every year through the health center or whatever that is these days not the health center anymore. Yeah foundation.

**Bridge Littleton:** And I think we also said that we would be... Well would the council be on board with us if we can making CIP funding requests through the county. You know the town bring that to the county on behalf of them? You know because the community uses that thing all the time. They use it for Christmas with Santa. It's open fields of kids playing on on the weekends the basketball thing.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Exactly.

**Cindy Pearson:** [Multiple speakers] outside. Their parking lot and their play areas and things like that need attention.

**Bridge Littleton:** And it's open to the community so like on Sundays there's a whole church. Well you know you've helped me open the building. They let a Catholic Church use it for services and confirmation. So that was one thing. What are your guys' feeling about that?

**Cindy Pearson:** [Off mic].

**Peter Leonard-Morgan:** I'm all for it and once again it's one of the things that the more involved we are I think the more ideas we can come up with to help the school.

**Kevin Daly:** This is a community and I've always seen communities having schools and churches and community centers. And it's I think it's one of the big selling points of Middleburg as a town that we have all those items all within the town and all supporting each other.

**Kevin Hazard:** One thing that I'd like to see them do is to to come see us once in a while.

**Bridge Littleton:** [Off mic].

**Kevin Hazard:** Okay.

**Bridge Littleton:** [Off mic].

**Kevin Hazard:** Yeah. Or even quarterly I mean five minutes.

**Bridge Littleton:** Well in an open discussion maybe twice a year with hey what do you guys look like this year? How can we help? You know what can you do for us? Right? It is a two way street. So yeah that was on there. So I think we're on board for that.

**Kevin Hazard:** [Off mic]. How many Middleburg kids do you have?

**Bridge Littleton:** Yeah well you know so I think it was Randy who got that passed in the state legislature. So if you're a charter school and you live in the locality of your charter school you don't have to go through the lottery process. You get first dibs.

**Kevin Hazard:** First dibs. Okay.

**Bridge Littleton:** Because before it's a lottery right? It was an open lottery. And you could live across the street and you know you may or may not get it picked.

**Kevin Daly:** [Off mic]. [Laughter].

**Chris Bernard:** [Off mic]. [Laughter].

**Bridge Littleton:** So yeah Kevin so we had that. We'll definitely do that. We talked about the 501(c)(3). Rhonda I'll let Cindy tell you this one.

**Cindy Pearson:** [Inaudible]. We're hoping with your expertise that maybe you could find some grants that they could apply for. You know maybe with a little bit of guidance from you but they'd probably have people that could do it they just don't know where to go with that.

**Bridge Littleton:** They just need mentorship as needed as time allows. Then the last thing we had on here and this might be a Will Danny Planning Commission thing but a contingency plan if the board again tries to surplus the land and is then successful. You know? There's two kind of contingency plans. Number one how do we fight it so it doesn't happen? If it does happen what do we want to do? How would we want to handle it? I mean ultimately if it comes up to the county surpluses and it and it's like okay do we want it to be sold to the highest bidder or do we want to buy it for a dollar but now we own all the issues and property. You know we've got to figure out what all that looks like. So you and I were talking about this one of the problems is as a town we don't have sovereign immunity. So if we own the dirt and the school is there and a kid slips and falls on a squeaky board we ultimately could get sued. So I'm not saying you know there's not a path to fixing it but the worst thing would be yeah the county surpluses it some developer buys it and puts a bunch of townhomes there. Not you know shuts the school. Right? He owns the land and the school. And we have no say in it. No control. So Danny's got his ponder eyes.

**Danny Davis:** [Off mic].

**Bridge Littleton:** Yeah.

**Cindy Pearson:** Once you ponder on that get back to us.

**Bridge Littleton:** Right. Yeah. What we said is we just need a contingency plan.

**Kevin Hazard:** [Off mic].

**Bridge Littleton:** Whatever right.

**Kevin Hazard:** [Off mic].

**Bridge Littleton:** I don't know. But not being prepared is not an option because last time...

**Kevin Hazard:** [Off mic].

**Bridge Littleton:** It damn near happened.

**Danny Davis:** [Off mic].

**Bridge Littleton:** Yup. And that was all we had for right now. Any other ideas from council?

**Peter Leonard-Morgan:** I had the great pleasure of going to Stephen Robinson's inauguration his inaugural event with the press and the board members and we Jill Vogel was there and [inaudible] was there. It was an excellent

[inaudible]]. It made me really realize there are quite a few very interested parties in making sure the school not just survives but thrives you know? And of course we helped to put in some money to find Stephen which I think has been a really great investment.

**Bridge Littleton:** [Off mic].

**Kevin Daly:** [Off mic]. [Laughter].

**Peter Leonard-Morgan:** I thought great. [Inaudible]. [Laughter].

**Dan Morrow:** [Off mic].

**Kevin Daly:** [Off mic]. [Laughter].

**Bridge Littleton:** [Off mic].

**Peter Leonard-Morgan:** So my real point is that I think there is a lot of people out there. [Inaudible] people who really want it to stay open and with their help we can keep generating their support and their interest and things to do to keep it going. It's clear that people want it to be there and it's doing great for the community.

**Kevin Daly:** Absolutely. This local school was something a lot of people throughout Middleburg fought to keep and keep Loudoun from closing it and then bussing everybody to what's the term? Pack them deep and teach him cheap at one consolidated school. Having a community school where kids can walk to school and it makes for a more vibrant town.

**Bridge Littleton:** And I will say being on the board and going around that school and every survey has happened I mean you know that test scores and all the stuff you've got to educate but those kids there are the happiest. It's amazing. I mean because they do that project based learning approach instead of just you know teaching arithmetic.

**Cindy Pearson:** And they get to play.

**Bridge Littleton:** Yeah it's amazing.

**Cindy Pearson:** They get outside time yeah.

**Chris Bernard:** [Off mic].

**Bridge Littleton:** Well they call it the DaVinci method. It's like project based learning but it's a hybrid of it yeah. Yeah sorry.

**Danny Davis:** If I may just real briefly I think it's kindergarten class one of the classes is coming tomorrow to meet with me and the staff who are here just to learn about town government as well. You've seen 'em walk through town. If you've been around they've gone to the post office they're gone to the bank a couple other places. They do these Friday afternoon field trips through town where you see a whole line of them walking through and it's fantastic. So we're excited to have them come through. Any of you are welcome if you want to come tell about local government.

**Bridge Littleton:** And you'd never see that in an elementary school with two thousand kids.

**Danny Davis:** Nope.

**Cindy Pearson:** [Off mic].

**Danny Davis:** 12:30

**Bridge Littleton:** All right. Any other input on the charter school? Okay cool. Now Dan you're ejected.

**Kevin Daly:** Get out.

**Cindy Pearson:** [Off mic].

**Kevin Daly:** [Off mic].

**Dan Morrow:** [Off mic].

**Bridge Littleton:** Request denied. [Laughter].

**Peter Leonard-Morgan:** [Off mic]. [Laughter].

**Dan Morrow:** [Off mic]. [Laughter].

**Bridge Littleton:** [Off mic]. Okay Philip.

**Rhonda North:** [Off mic]. [Laughter]. You may have to make the motion first.

**Cindy Pearson:** [Off mic].

**Bridge Littleton:** That's what I'm doing. That's what I'm saying. [multiple speakers]

**Philip Miller:** I move that council to go into closed session as allowed under the Virginia Freedom of Information Act. Sections two point two dash 3711 A twenty nine and one for the discussion of the award of public contract involving the expenditure of funds involving interviews of bidders or offers and discussion of the terms or scope of such contracts where the discretion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. And for the discussion consideration or interviews of prospective candidates for employment assignment appointment promotion performance demotion salaries disciplining or resignation of specific public officers appointees and employees of the public body. I further move that these matters be limited to One the award of contract for an economic development study and Two the performance of the town administrator. I further move that in addition to the council the following individuals be present during the closed session. Danny Davis for both items. [inaudible]. I further move that the council thereafter reconvene in open session for action as appropriate.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Opposed abstentions. Okay closed session we are. I asked the council certify to the best of each member's knowledge one only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and to only such public business matters as we're identifying the motion by which the closed meeting was conveyed were heard discussed or considered in the closed meeting. I would like to remind those present for the closed session and any discussion that occurred within it should be treated as confidential.

**Chris Bernard:** Yes.

**Kevin Hazard:** Yes.

**Philip Miller:** Yes.

**Bridge Littleton:** Yes.

**Peter Leonard Morgan:** Yes.

**Cindy Pearson:** Yes.

**Kevin Daly:** Yes

**Bridge Littleton:** Okay. And do we have a motion for the EDAC contract?

**Peter Leonard Morgan:** I move that the town council authorize the town administrator to enter into a contract with Cambone Associates based on the proposal submitted and the recommendation of the proposal advisory group.

**Kevin Daly:** Second.

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

**Everyone:** Aye.

**Bridge Littleton:** Oppose abstention. Motion carries. At this point, I will be leaving and you guys need to appoint someone since Darlene is not here to run the remainder of the meeting.

**Peter Leonard Morgan:** I move that council member Hazard run the remainder of the meeting.

**Cindy Pearson:** Second that.

**Bridge Littleton:** All those in favor.

**Everyone:** Aye.

**Bridge Littleton:** Opposed. Abstentions. Mr. Hazard the gavel is yours. [laughing]

**Cindy Pearson:** You got five minutes. [multiple speakers] [inaudible] [laughing]

**Kevin Daly:** Quick. Tell them what agency it's for. [laughing]

**Kevin Hazard:** All right. We have three items left. One is the discussion item. Oh, I'm sorry four staff reports if applicable. Monthly project status update.

**Danny Davis:** Thank you, Mr. Interim Mayor. The mayor had requested that we provide some regular updates on various projects happening within the town. So we wanted to capture those. This is just one way of providing updates. We can provide more detail or a different method if you would like. I'm not going to necessarily go through all of these listed currently unless you have questions specifically on these items. I realized after the fact that there were two additional things that I did want to capture here. One is the electric vehicle charging project that we just want to keep on top of. And we're still waiting on Electrify America at this point for some more information from them on potential opportunities. And so we'll be continuing with that. And I'll keep you posted on that. And then. There was another one. There was, But we'll put that in the next report. Yes.

**Peter Leonard Morgan:** I noticed you got budgets in some of these and not the others. Is it possible to get rough numbers in each one do you think?

**Danny Davis:** Sometimes, yes. So some of them. Yes, we can definitely put budgets in the ones that we know about. Pinckney, for instance, we don't really have an idea what that's gonna be. Way finding we have a general idea that actually and on that note, we do plan to bring you an item at the next meeting to kind of give a kind of rundown of the way finding program. I don't believe at least this council has ever seen the list of places that would be wayfounded too. Wayfound. That we would sign, too. There are specific restrictions by VDOT out of what you can and cannot sign as part of a way finding program. And then also to talk a little bit about design. Again, as we're preparing for branding to complete to get this as far down the road as possible in preparation for that. So we kind of have a budget, but that could change depending on the number of signs and locations. And then on the ones that we have numbers or estimates for, we will definitely include budget in there.

**Kevin Hazard:** I've got a quick comment on the way finding. That was gonna be one that I was working on. So the council needs to at your next meeting to come up with, you know, assigned another, and I am sure the mayor is gonna want to be involved in that, but that needs to be something that's taken care of. [laughing] Does anybody have any questions for Danny?

**Philip Miller:** I have a question on laser [inaudible]. Are we still doing the big shred day?

**Rhonda North:** Yes. I've been working a good bit this week and I hope to finish up tomorrow morning. About 200 boxes up at well, four days that I've been going through. I've identified about 150 so far that can be destroyed under the. [multiple speakers] [laughing] No, but I did find a watch that somebody must have dropped in the file box. I said I bet they looked for their watch for weeks. And so, like I say, I hope to finish that up tomorrow because they'll be coming next week to pick up the boxes. They're about 30 so far that I've identified that do need to be scanned and digitized out of all of those up there. And once I finished that, then I'll arrange a paper shred day and we'll advertise that to folks as well.

**Kevin Daly:** I want to pass some kiddos over to Rhonda. I went up there while she was working. It is a literally a sweat shop. She was wearing a filter mask. Dust is going on all over the place. Absolutely. No air conditioning, no vents. And Danny was here just laughing up a storm when I told him about. [inaudible] This is above and beyond. And drink some water when you're up there.

**Rhonda North:** Oh, I take one two bottles of water with me.

**Philip Miller:** Two hundred and thirty years of documents that, you know, are finally going to be gone through and made available.

**Rhonda North:** I have to say, I did make the mistake the first time I went up there not wearing a mask. I was sick as a dog the next day, I couldn't even come into work. So I learned my lesson the hard way.

**Kevin Daly:** I was only up there for five minutes and leaving it. It's like it was tough getting breath to go below this deep into the lungs. [inaudible]

**Rhonda North:** Yeah, it's pretty nasty.

**Kevin Hazard:** Peter.

**Peter Leonard Morgan:** On the subject of paper shred BB&T has one on October 19th.

**Rhonda North:** We cannot participate in that one because what they're doing is they're bringing in a big box and people are just leaving their documents. And we can't do that. We have to see them shredded and we have to certify and send that certification to the state library that we watched and witnessed the shredding. So we can't do that. Yes.

**Philip Miller:** Perhaps Go Green would like to tack on. [multiple speakers]

**Kevin Daly:** [inaudible] Open air burning on that.

**Rhonda North:** I was going to say, if we're done with the discussion on the projects, I do have one report to.

**Danny Davis:** Yeah. I think the other project I was gonna list on here will be one of Miss North's projects, which is the RFP for waste disposal services. We're talking about working with the other towns in Loudoun County on that project. And I know that's one of interest to the mayor particularly, but to all of us to try to see how we can work together as towns. That would be actually pretty groundbreaking effort to do this. It could be beneficial to all the towns. So we're going to begin putting a plan together for what that looks like and how we partner with the other towns through that.

**Kevin Hazard:** Colt's been a really good organization for us. Rhonda?

**Rhonda North:** Yes. Thank you. So I just wanted to let you know that I will not be at your next council meeting. I will be at the Virginia Municipal Clerks Academy. I originally had been asked to lead a roundtable discussion on technology in the municipal clerk's office. But then later on, I got called and asked to serve as the town's representative on a panel discussion on good governance. So I will be at the academy that week doing those things.

**Kevin Hazard:** Good. Congratulations.

**Kevin Daly:** Yeah. And make sure that's reflected because that's in one sense, a big honor. They're seeking her out to teach everybody else.

**Rhonda North:** Just shows I'm getting old. [laughing]

**Kevin Hazard:** Do we have anything else on the projects status? Let's move on. Okay. We have an update on branding project and logo development.

**Danny Davis:** Just very briefly, thank you all for your input and comments on looking at the logo options. We also heard from a number of the ambassadors from our ambassador team. We spoke with the consultant Red Thinking and talked through a number of those comments and they distilled down the same kind of next steps that Council Member Miller and I had kind of distilled down. So I think it was good to hear that they saw the input the way that we had seen the input. We expect to see the next iterations or revisions of those tomorrow, and then we will likely see how that goes. And then look to take one or two of those likely to color for them to provide some color palettes. And then I would hope to be opening that to potentially the next council meeting. But Philip and I will talk about next steps of that process. So we're excited, we're progressing, making good steps. So very happy with the product and the approach of this firm. Yes.

**Cindy Pearson:** So I like the way that we came in, were able to speak to you with that. Maybe we could do that again for the next step so we wouldn't have so much discussion at a meeting. Because that one time that was a bit long.

**Danny Davis:** Yeah. I mean I think the the one to one or even two coming in either way to talk through it is great. And then if we feel like we're going in a good direction, we can still have a public conversation about it is necessary to kind of take next steps. So we'll keep moving in that way. Thank you.

**Kevin Daly:** Phillip, do you have anything to add?

**Philip Miller:** No.

**Kevin Hazard:** Told you keep the track shows. [laughing] Do we have anything else? Any questions for Danny concerning the branding? Danny, thank you for the update. And now information items. Event update Mille Miglia 2019 USA warm up.

**Danny Davis:** So we're continuing to work to finalize details from the team in Italy and as well as the team locally. It is all coming together. We've had some initial discussions with property owners just a couple doors down at the end of North Madison about our Friday night event. We are looking at trying to host a small scale street festival food truck type thing on North Madison. Likely that would allow the participants to park their vehicles, mingle with the drivers, mingle around the cars, have food trucks that people can grab food, just make it a fun kind of community event without it being a huge, big deal this Saturday morning. Then be the cars and coffee again perhaps a different group of folks come out with their own cars. They can park along Route 50 perhaps, or they can park along maybe South Madison, and then they can again mingle amongst the drivers and cars with coffee in the morning. Dwayne Ellis has expressed some very strong desire to support the town in that event because he's big in the cars too. They just sent us a news release today or yesterday. Alitalia, the Italian airline, is trying to make really big inroads here in the D.C. market. They now have non-stop service between Rome and Dallas. And so they have actually put the Mille Miglia USA warm up on the very front page of Alitalia's Web site. And they're going to be doing a photo shoot and a big article in their in-flight magazine is the way I understood it. That reaches like two million people. So, I mean, Salamander and Middleburg is already being promoted. And so we're very excited about that. I've reached out to Salamander about taking advantage of this press opportunity with their press team and with their ability to partner with and maybe jump on board with this. So it's our goal now to get these details finalized, to get the right process in place. Public safety is on board. It's now getting kind of the details of what this event on Friday night especially kind of looks like.

**Kevin Hazard:** What's the date on this?

**Danny Davis:** I'm sorry. October 24th is Thursday 25th and 26th. And then that Saturday morning, they leave from here and eventually end up at the Italian ambassador's residence in Rock Creek Park, it's about 20 acres of property. It's pretty sweet.

**Peter Leonard Morgan:** How many cars are scheduled?

**Danny Davis:** Yeah, we're not quite confirmed. We've heard likely probably 20 and 25 is potentially less. I heard that on the high end. Yeah. and I will say, you know, up to 40 is potential this year is gonna be more non-specific perhaps period cars. I mean they definitely are trying to get some from the 27 to 57 timeframe, but they're also still allowing others out newer than 57 to participate. So I think we'll see a number of nice more recent sports type cars participating in the 60s or 2020. 9/11. So it should be be a good time, though, and we're just want to make sure that we do our best to welcome them and have fun and make it feel like a great time, but not also expect that it's going to be huge. The very first year because they're still building the brand as well. In terms of in the U.S.

**Philip Miller:** And truthfully, it's really the first year that they've been this involved in doing the USA warm up, that it's actually official. It's part of the full worldwide package of, you know, getting involved in the actual race in Italy. So this is really this is the first time that this has really been done. So it's all coming together little by little.

**Kevin Hazard:** So marketing, we're doing a Friday night event. How are we doing the marketing for that?

**Danny Davis:** So it's gonna be a organic marketing primarily. I know that Vicky has already worked on getting some of the information out there as a here's what's coming. And in fact, the Italians are coming was front page of the Eccentric, which is great. Right now, the plan is, is PR instead of traditional marketing. Yeah. We're gonna try and do keep it small. Do it right. Since we're not sure of all the details and how close we're getting to it, we want to make sure that we keep it scaled appropriate for our expectations and what we can handle. We also think it's a assuming weather it's gonna be good on that Friday evening between 5 and 7 o'clock. It's Gold Cup weekend. We expect a fair amount of walking traffic throughout town anyway. So as people are already in town, hopefully we capture them coming up the street. So it may be a little bit more organic than normal, but.



**Kevin Hazard:** Anybody else have anything for Danny or Phillip? Ok, on to our last item. [off mic]

**Danny Davis:** This is an item that the mayor's asked that we just put on every agenda for the time being. We're waiting on VDOT to provide some more specifics on what they have found in terms of the crosswalks and what may be potential solutions down the road. As you know, that cradles the concrete cradles have cracked in some places, bulging and others. The bricks cause problems and so. They did a large team, VDOT internal team, walk through throughout town to look at each one. Part of that scope was then to go back and look at the engineering of it, to see if the engineering was done right. To look at the construction as built, to see if the construction was done properly. And also then to go look at other jurisdictions who have similar type crosswalks to see what they do differently. That maybe doesn't cause the same type of problem. As Mr. Moore has noted before, we have almost very similar crosswalk right here on Marshall near north Madison and haven't experienced any of the same issues there. [inaudible]. It doesn't. But then there are other crosswalks just like ours on Washington, in Charlottesville and Virginia Beach that do receive heavy traffic and don't seem to be having the same problems. [inaudible] It's different contractors could have been different, could have been concrete could have been. I mean, there was a rush to get it completed because of the project. So, you know, a lot of things could have played into maybe some just. So I don't want to assume what the answer is. But all that being said, we've asked for an update. They're going to continue providing those to us and we want to provide those updates to council as we receive them.

**Cindy Pearson:** They used to have the Route 50 task force meetings, are they still doing that at all?

**Danny Davis:** Not as frequently. Just because there aren't as many projects going on. I know the last time we met was about a year ago. Sounds right I think I just started and it was talking about kind of the long term maintenance and some of these smaller issues that kicked off a couple extra meetings with Mr. [inaudible] about the crosswalks, about a few [inaudible] Road and a few of the other items as well. If you didn't notice the brick wall in Aldi Mr. Burton to all has been taken down and smoothed out because it was just [multiple speakers] I don't think there's a requirement necessarily for that task force to keep meeting unless there's just there are issues that they need to do as either follow up with something like this or other other items that come to the forefront.