



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, May 12, 2022



PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Peter A. Leonard-Morgan
Councilmember Chris W. Bernard
Councilmember J. Kevin Daly (arrived late)
Councilmember Morris E. “Bud” Jacobs
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Manager
Rhonda S. North, MMC, Town Clerk
Martin Crim, Town Attorney
William M. Moore, Deputy Town Manager
Ali MacIntyre, Director of Business Development & Community Partnerships
A.J. Panebianco, Chief of Police
Tina Staples, Town Treasurer/Director of Finance

ABSENT: Councilmember C. Darlene Kirk
Councilmember Philip M. Miller

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, May 12, 2022 in the Town Hall Council Chambers, located at 10 West Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

Special Recognitions by Mayor & Council

Council Approval – Resolution in Recognition – Salamander Resort & Spa

Mayor Littleton noted that Sheila Johnson, Prem Devadas, and David Mars, of the Salamander Resort & Spa, were present. He advised that the resort received their first Forbes Five Star rating four years ago and has continued to receive it annually. Mr. Littleton announced that the spa received this rating for the first time this year. He opined that obtaining the recognition was easy; however, the hard part was taking the vision to be a Five Star facility and making it a reality. Mr. Littleton noted that it was the people who made the resort and spa so special and advised that the Five Star rating was just a recognition of their success. He expressed appreciation to Salamander for being a great partner with the Town and congratulated them on their success. Mr. Littleton read the resolution aloud and presented a signed copy to Dr. Johnson following the Council’s vote to adopt it.

Councilmember Pearson moved, seconded by Vice Mayor Leonard-Morgan, that Council adopt a Resolution in Recognition of the Salamander Resort & Spa for attaining two Five Star Ratings from Forbes Travel Guide.

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

Council noted that in addition to the economic benefits that the Salamander Resort brought to the town, it also brought cultural benefits. They noted that Salamander was not just a business, it was a part of the community.

Dr. Johnson noted that she worked closely with the citizenry and Town to identify the vision and make it happen. She advised that she was proud of the residents and Council, who helped develop the vision, and opined that it turned out great. Dr. Johnson thanked everyone for their support. She suggested the new Town Hall would also be a game changer.

Council Approval – Resolution in Memory – Kathy Fisher

Mayor Littleton noted that the Town had lost a lot of great people over the past ten months. He advised that Ms. Fisher was a joy to be around, as she was a kind person who volunteered for many activities and not only provided input, but made things a reality. Mr. Littleton noted that she would be missed and expressed condolences to her family on behalf of the community. He read the resolution aloud and, following the vote, presented a signed copy to Paige Dimos, Ms. Fisher’s sister.

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Pearson, that Council adopt a Resolution in Memory of Kathy Fisher’s service on the Board of Zoning Appeals from November 14, 2008 through March 1, 2022 and on the Middleburg Sustainability Committee from June 28, 2018 through March 1, 2022.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Daly, Miller, and Kirk

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

Vice Mayor Leonard-Morgan noted that Ms. Fisher was the epitome of giving and advised that she was a delight to work with.

Mrs. Dimos advised that her sister loved the town and the people in it. She noted that she would have loved this recognition.

Council Approval – Resolution of Commendation – Middleburg Common Grounds

Mayor Littleton recognized the tenth anniversary of the Middleburg Common Grounds, which was a pillar of the community. He noted that the employees greeted visitors as if they were a part of the community and opined that they epitomized the word “community.” Mr. Littleton expressed appreciation for their hard work. He read the resolution aloud and, following its adoption by the Council, presented a signed copy to Christian Ellis, one of the owners.

Councilmember Pearson moved, seconded by Councilmember Bernard, that Council adopt a Resolution of Commendation recognizing the Middleburg Common Grounds for achieving their tenth anniversary on May 17, 2022.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Daly, Miller, and Kirk

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

Christian Ellis acknowledged his employees, without whom the business would not be possible.

Mayor Littleton called for a brief recess between 6:32-6:34 p.m., following which he called the meeting back to order.

Public Comments – Non-BLA Related

Mayor Littleton noted that the Council would hold two public comment opportunities during the meetings over the next several months – one for non-BLA related items and one for BLA related comments. He advised that the Council wanted as much public comment on the proposed boundary line adjustments as possible. Mr. Littleton noted that the Town had a webpage devoted to it, which included the public comments received to date, a FAQ sheet, and a survey form. (Councilmember Daly arrived at the meeting at 6:39 p.m.)

No public comments were offered of a non-BLA nature.

Public Comments – Annexation/Boundary Line Adjustment Related

Bundles Murdock, 609 Blue Ridge Avenue, advised that her neighborhood was changing and opined that only older people could afford to move into the houses. She suggested the need for starter homes in order to keep the town vibrant. Ms. Murdock asked that the Council look at the units proposed as a part of the boundary line adjustments to determine whether that many were really needed. She also asked that a traffic study be performed. Ms. Murdock questioned whether an exit (for the Homewood Farms property) could be provided on Route 50, as well as on Foxcroft Road. She suggested the public do some homework before commenting on the proposals.

Status of BLA Proposals

Staff Updates on BLA Proposals

At the request of Mayor Littleton, Town Attorney Crim reviewed the processes associated with boundary line adjustments (BLA) and annexations in the Commonwealth of Virginia. He advised that the process for a by-agreement BLA was the simplest, with the two local governments agreeing to the adjustment. Mr. Crim noted that any affected property owners must be notified of the proposed BLA and if one-third of them objected, they could ask the court to review the process; however, that review would only be to ensure it was being done in accordance with the procedures identified in the State Code. He noted that an annexation was a lawsuit, which was heard and decided by a three-judge panel appointed by the Supreme Court of Virginia.

Town Attorney Crim advised that in the case of the two proposed BLAs, there were no residents involved; therefore, the Town would not be diluting minority voting rights if the BLAs were approved. He reiterated that there was a three-step process for a BLA, which included (1) an agreement between the Town and County to do a boundary line adjustment; (2) public notice, which included a mailer to the affected property owners, and a public hearing; and (3) filing a joint petition.

In response to inquiries from the Council, Town Attorney Crim reported that the Town would be responsible for providing the survey, as Loudoun County's position was to require the town to pay for the survey if a town requested a BLA. He advised that he was aware of a BLA that was completed in less than six months. Mr. Crim advised that if the Town wished to evaluate a property to see whether it would perk, etc., it would need to get the property owner's permission to enter the property. He reported that "affected parties" would involve anyone who owned property within the boundary line adjustment area or resided there.

Mayor Littleton requested that Town Attorney Crim's presentation be placed on the Town's webpage.

Council Discussion of BLA Proposals

Council noted that the proposal was to place some of the property on Foxcroft Road (Homewood Farm proposal) in a conservation easement, which did not necessarily mean it could not be built upon. They questioned how the Town could control whether it was built upon and, if so, how much development would occur.

Town Manager Davis explained that the BLA process provided for the opportunity for both sides to reach an agreement. He suggested this agreement could include a commitment on what would or would not be done on the land. Mr. Davis reminded Council that the details of the requested boundary line adjustments had not been worked out and suggested that if the Council wished to pursue them and wanted to restrict the uses on the properties, they would have the opportunity to influence the documents. He cited as an example that when Salamander was brought into the Town limits, it involved a water/sewer service agreement. Mr. Davis suggested a memorandum of agreement could be developed to help guide the BLA process.

Public Comments – Annexation/Boundary Line Adjustment Related (continued)

Mandy Pless advised that she hated suburban sprawl and noted that once open space was gone, it was gone forever. She suggested Virginia should bring the thoroughbred horse industry back. Ms. Pless agreed that affordable housing was important; however, she questioned whether there was a demand for \$500,000 homes. She suggested the need to pull horse people back to Virginia and to get more property into preservation easements. Ms. Pless opined that this area could not accommodate more traffic or people and lacked the services to do so.

Pam Curran, 800 Blue Ridge Avenue, questioned whether there was a process to look at what additional amenities and infrastructure would be needed to support the additional homes if the Town moved forward with the requested BLAs. She questioned how the Town could maintain what it already had.

Council Discussion of BLA Proposals (continued)

Mayor Littleton suggested the need to hire a consultant to help the Town analyze the proposals and answer questions. He reminded the audience that this was not a choice of by-right development or the boundary line adjustment and noted that there was a third choice of something else. Mr. Littleton noted that no change was not, however, a choice. He suggested the need for the Town to gather information and provide it to the applicants. Mr. Littleton reported that he reached out to Safeway's General Manager to ask about meeting the residents' needs. He noted that the number of units could be less than currently proposed. Mr. Littleton encouraged people to submit their questions regarding the proposed boundary line adjustments so they could be considered.

Council expressed concern about the affordability of the proposed units. They questioned how the Town could ensure that even the small units would be attainable. The Council questioned how the Town could ensure that investment corporations did not purchase the units and rent them out at high prices.

Mayor Littleton opined that these were all great questions and reiterated the need to study the issues.

Public Hearings

FY '23 Budget

Town Manager Davis reminded Council that they adopted the real estate tax rate of 13.69 cents and reported that the proposed budget was balanced and included an \$800,000 contingency reserve that could be used to cover revenue shortfalls, capital projects or pay down debt. He noted that no action was needed at this time on the proposed budget. Mr. Davis reminded Council that the only issue they asked be returned to them was employee compensation and noted that they wanted to see what would happen with inflation. He advised that he felt his recommendation was appropriate based on inflation and comparable markets.

Mayor Littleton clarified that the "contingency" was simply that revenues would exceed expenditures by \$800,000 in FY '23.

No one spoke and the public hearing was closed.

Ordinance to Amend Schedule of Water & Sewer Charges

Town Manager Davis reminded Council that the rate model recommended the continuation of modest three percent water and sewer rate increases to keep up with the cost of inflation, the Town's infrastructure needs and the debt service for major projects. He advised that the staff was also proposing to simplify the rate structure for contractors who purchased Town water.

Mayor Littleton noted that inflation was running at 7-8%; however, the Town was still able to maintain a 3% rate increase. He thanked Town Manager Davis, Town Treasurer Staples, Stuart Will and IES for helping to make that possible.

Councilmember Bernard noted that the Strategic Finance Committee recommended the Town continue with the 3% rate increases.

No one spoke and the public hearing was closed.

Discussion Items – Windy Hill Repairs

Mayor Littleton noted that during its last meeting, the Council discussed the need for repairs at the Windy Hill properties. He advised that the Windy Hill Foundation asked for the opportunity to report on their efforts in this regard.

Ned Quinn, President of the Windy Hill Foundation's Board of Directors, reported that they had a contract for the ramp repairs on Virginia Lane. He advised that the work would begin next week and would take approximately three weeks to complete. Mr. Quinn reported that the Foundation was seeking bids for the Llewellyn Village playground fence repairs. He further reported that the repairs to the HVAC systems and windows at Barton Place were underway. Mr. Quinn advised that work on three of the five units would be done immediately; however, the materials were on back order for the remaining two units. He reported that the damaged siding would be replaced next week. Mr. Quinn advised that the Board appointed someone to oversee the work to ensure it was done and noted that this individual would communicate with the Town staff weekly until all of it was complete.

Mr. Quinn advised that the Board established a property maintenance committee to work with their maintenance contractor. He noted that they were in the process of hiring a new contractor. Mr. Quinn advised that they would also use property maintenance software to assist them. He noted that they were in the process of getting a detailed report on the short- and long-term maintenance needs for their properties, as well as the costs, which would be available in three months. Mr. Quinn explained that this would allow them to develop a priority list for the projects that needed to be done.

In response to inquiries from the Council, Mr. Quinn confirmed the heat/air units were still working at the Barton House units; however, they were not working properly. He confirmed they could install temporary air conditioning units for the two units whose repairs would be delayed. Mr. Quinn advised Council that the issue was not a financial one, but rather was a contractor and scheduling one. He reiterated that they were working to address the issues.

Staff Reports

April 2022

Town Clerk North reported that Alan Gernhardt, of the Virginia FOIA Council, would provide FOIA training in Middleburg on August 30th. She reminded Council that under the State Code, the members must take FOIA training either from Mr. Gernhardt or the Town Attorney this year. In response to an inquiry from the Council, Ms. North confirmed the training could be done in-person or via Zoom.

Business Development & Community Partnerships Director MacIntyre reported that the recent Job Fair was a success with twelve vendors participating, thirty individuals having registered and seventeen attendees. She expressed hope that the numbers would increase next year. Ms. MacIntyre reviewed the upcoming events in Middleburg. She reported that the Safeway donated cans for the Arts Can Help event associated with the upcoming Art in the Burg. Ms. MacIntyre noted that the results of the business survey were in the Council's agenda packet and reported that the biggest challenges that were identified were workforce related, the need to increase foot traffic, and inflation. She reported that she was working with the Middleburg Business & Professional Association to develop workshops to address these concerns. Ms. MacIntyre announced that she would hold a grant writing workshop in June.

Council noted that Bluemont's Human Resource Director received an award for innovation in hiring practices during a recent Visit Loudoun event. They suggested Ms. MacIntyre reach out to her to see if she could share her insights.

Town Treasurer Staples reported that the Council had an overview of the revenues and expenditures to date for each fund, followed by the details. She further reported that they had information on the Town Hall Project and noted that the revenues would be updated as grant funds were received.

Mayor Littleton advised that he recently had a conversation with Congresswoman Wexton's office regarding the \$2 million in HUD funding for the Town Hall Project. He expressed hope that the Davis-Bacon Act may not apply.

Deputy Town Manager Moore reported that the Planning Commission received the consultant's report on suggested zoning text amendments for the R-2 Residential District in March and discussed possible next steps in April. He advised that they would receive draft text amendments for discussion during their May meeting. Mr. Moore announced that starting May 16th, Pinkney Street would be closed for repaving.

Police Chief Panebianco reported that a vehicle that was stolen in another area was recovered in Middleburg. He further reported that the police officers were continuing to take training. Chief Panebianco noted that Officers Riley and Ingignoli would take the Oath of Office next month during a Council meeting. He advised that earlier in the day, he met with the Governor and Attorney General and attended the first Police Officers Memorial Event at the Public Safety Wall in Richmond. In response to an inquiry from the Council, Chief Panebianco reported that Tim Tharpe was doing well and looked forward to his retirement party in early August.

Town Attorney Crim noted that he provided Council with a summary of State legislation that was passed during the recent General Assembly session that would affect the Town.

In response to an inquiry from the Council, Town Manager Davis reported that the Blink contract had been signed.

In response to a comment from the Council, Town Attorney Crim confirmed the new definition of a "gift" under the Virginia Conflict of Interests Act was difficult to parse. He reminded the members that they had three levels of protection, including: (1) asking him for an opinion, which would be admissible as evidence in a court proceeding; (2) seeking an opinion from the Commonwealth Attorney, which would bar the member from being prosecuted; or (3) obtaining an opinion from the Virginia Ethics Advisory Council. Mr. Crim noted that the second and third options would be public records. Mr. Crim suggested to avoid any conflicts, the Council decline to accept tickets from lobbyists.

Town Hall Project Report

Town Clerk North reported that the contractor had begun work on the installation of the stormwater management infrastructure and that temporary power was being run to the site. She further reported that the staff worked with the engineer to identify an option for providing permanent power to the property that would accommodate both the building's needs and the EV charging stations. Ms. North advised that the footers should be poured within the next week. She reported that the Town contracted with an arborist to take some of the weight off the Mulberry tree that was overhanging the neighbor's house and trim a Holly bush that was on the property line to help assure they would thrive. Ms. North reported that she had begun to draft an RFP for the design and installation of solar power facilities to serve the building.

Town Manager Davis noted that the project schedule was quite lengthy. He reported that the project continued to be on schedule and noted that Downey & Scott continued to press the contractor on both the schedule and the budget. Mr. Davis advised that work had begun on the stormwater management system.

April 2022 Reports (continued)

Town Manager Davis reported that he had a successful meeting with the representatives from the Millie Miglia in preparation for their event in October. He advised that the Town was beginning the meter replacement/radio read project. Mr. Davis noted that for those meters that just needed to have radios added, the work would go quickly; however, there would be brief impacts for those properties whose meters needed to be replaced. He noted that the staff would give advance notice to anyone who would be impacted by the change outs.

Town Manager Davis noted the contractors use of a hoe ram for The Residences at Salamander project and advised that the Town asked that they not begin work before 8:00 a.m. on Saturdays, to which they agreed. He reported that the contractor anticipated completing the rock removal by the end of the week.

Mayor Littleton suggested the Council consider amending the noise ordinance to change the starting time for construction work from 7:00 a.m. to 8:00 a.m. on Saturdays.

Consent Agenda

- A. Council Approval – Resolution of Appreciation – Tim Tharpe
- B. Council Approval - April 28, 2022 Regular Meeting Minutes; April 19, 2022 Public Information Meeting Minutes

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

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

Discussion Items

Request for Short-Term Parking Permits in Liberty Street Parking Lot – Catawba Corporation

Town Manager Davis reported that Catawba submitted a request for the short-term lease of ten parking spaces in the Liberty Street Parking Lot, as their parking would be affected by a gas line project. He noted that the policy did not address short-term parking; therefore, this item was being brought to the Council for guidance. Mr. Davis opined that it would be difficult for Catawba’s tenants to find parking and noted that they could end up in the parking lot or on Washington Street. He advised that the staff was recommending that if the Council was open to the request, the spaces be leased for \$40/each for a month, Monday through Friday only to assure public parking continued to be available.

Mayor Littleton suggested that given the short period they were needed, Catawba be allowed to lease the spaces seven days a week.

In response to an inquiry from the Council, Town Clerk North reported that currently permits had been issued for two parking spaces in the Liberty Street lot.

After some discussion, the Council agreed to lease ten parking spaces to Catawba, seven days a week for a month, at a cost of \$40 per space.

Information Items

Reusable Grocery Bags

Vice Mayor Leonard-Morgan reported that the Boy Scouts would begin to distribute reusable bags to Town residents on June 6th. He noted that residents would be able to pick up bags at the Town Office if were not home when they were distributed.

Loudoun County Zoning Text Amendments

Mayor Littleton reminded the audience that they had two months to provide input on the County’s proposed zoning text amendments. He volunteered to assist anyone who needed help in doing so, as the software was cumbersome to use.

Rural Preservation Summit

Councilmember Bernard reported that he and the Mayor met with Business Development & Community Partnership Director MacIntyre to discuss organizing a rural preservation summit to be held in late summer or early fall.

Closed Session – Disposition of Public Property

Vice Mayor Leonard-Morgan moved, seconded by Councilmember Bernard, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for the discussion or consideration of the potential sale of Town-owned property located within the Town limits, where discussion in an open meeting would adversely affect the negotiating position of the public body as allowed under Subsection (A)(3). Vice Mayor Leonard-Morgan further moved, seconded by Councilmember Bernard, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Miller and Kirk

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

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

There being no further business, Mayor Littleton declared the meeting adjourned at 8:35 p.m.

APPROVED:

Trowbridge M. Littleton, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk

May 12, 2022 Middleburg Town Council Meeting

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting that is on the Town's website – www.middleburgva.gov)

Bridge Littleton: All right. We will call the May 12 meeting to order. First item is Pledge of Allegiance.

Everyone: [Pledge of Allegiance]

Bridge Littleton: Ok next item is Roll Call.

Chris Bernard: Chris Bernard.

Bud Jacobs: Bud Jacobs.

Bridge Littleton: Bridge Littleton.

Peter Leonard-Morgan: Peter Leonard Morgan.

Cindy Pearson: Cindy Pearson.

Rhonda North: Rhonda North, Town Clerk.

Danny Davis: Danny Davis Town Manager.

Martin Crim: Martin Crim, Town Attorney.

Bridge Littleton: Next items here we have some special recognitions. We actually have three tonight. Two we're going to move to later as the recipients are going to be getting here late. But we have one that we want to do first and foremost, which is for Salamander Resort and Spa. So and we have the not only the owner, founder, creator, inventor of Salamander Resorts and Spa, Sheila Johnson, but we have Prem Devadas from the resort as a whole as an enterprise. And David Mars is the new general manager for Salamander. So as many of you may or may not be aware last year, or was it two years ago that you got the first Forbes Five. [off mic] COVID just makes the time go like that. [off mic] So Salamander Resort and Spa has received its fourth five star rating overall. But I believe it's the first year for the spa getting the five star rating as well, which I know is something that you guys had worked very, very hard on. And anybody who's ever been to the spa can totally understand it is a a wonder to behold and enjoy when you go there. So what we wanted to do was have a resolution of recognition for the outstanding achievement that you guys have received. But I think a couple of comments before we get into that is first and foremost, the recognition by Forbes, not only for the four years for the resort, but but also for the spa. That's the easy part. The hard part is going back 25 years, taking a vision and then creating something and putting all the hard work in that it makes that that that it requires to have that vision through the ups and downs, through a great global recession, through a pandemic, to bring it out on the other side. And I think one of the most important aspects of that is it's actually not the building, it's not the grounds, it's it's not the marketing, it's the people and it's the people that make anything worthwhile special. And Forbes is simply a recognition of that 20 years of hard work and creating a dynamic and amazing team to achieve the success that you all have achieved. And I think that achievement is only more highlighted by the fact of what Salamander has meant for this town, how it's transformed a lot of the businesses here, and really how it's made an unbelievable mark on the quality of the life of people who live here, but also who work for Salamander Resort, because their happiness is what transmits and translates into the experience that people get when they visit. And I think there's nothing that captures it the quickest and the simplest than the award that Walter got earlier this week. That was amazing. [applause] And you just see the smile on his face, right? That is exactly what you guys have captured because of the great team that you guys have built. So we are

just more than humbled by your success and we've always appreciated the great partnership that you've delivered to us. And, you know, we always want to be the best partner to you as well. So, again, the Forbes is just that's the icing on the sun. So we wish you guys all the do credit and congratulations for the success. What's that? So before I read the resolution, any other member of council wish to say anything.

Peter Leonard-Morgan: I will say something, if you don't mind. My wife and I moved to Middleburg in December of 2013 and the month before I think you opened, if I'm not mistaken. [multiple speakers] So my wife and her sisters took their mother to the resort and had an amazing time and they said, okay, we need to buy a house in Middleburg. So that's part of the story there. Congratulations. It's wonderful.

Bridge Littleton: So the first thing we'll do here is read the resolution and then Sheila and Prem, David will present it to you guys. But then if there's anything you would like to say afterwards, by all means, you know, take a moment, but we'll start this. [off mic] Cindy earlier gave me a box of reading glasses. But as Chip Stein has told me, my arms are still long enough. So let me just read this real quickly here. No, I'm good. Going to have to be from space pretty soon. Resolution recognition, Salamander Resort and Spa five star rating. Whereas in August of 2013, the Salamander Resort and Spa opened in Middleburg, Virginia, at which time Sheila Johnson, founder and CEO of Salamander Hotels and Resorts, established an ambitious goal for the resort to achieve the highest recognition in the hospitality industry for service excellence as designated by Forbes Travel Guide. And. Whereas, in January of 2019, Forbes Travel Guide awarded the Salamander Resort its coveted five star rating, making it one of only two properties in the United States to receive that honor that year. And whereas, on April 26, 2022, the resort's [multiple speakers] Oh yeah, sorry. Whereas since that time, the Salamander Resort has continued to receive that lodging distinction. And. Whereas, on April 26, 2022, the resort's Salamander Spa was awarded this coveted honor for the first time, making it the only five star spa in Virginia. And whereas, having the distinction of two five star designations makes Salamander Resort and Spa one of the most iconic and revered properties in the world. And whereas, these high rankings provide tremendous economic benefit to the town of Middleburg and the other businesses in the greater Middleburg community now therefore be resolved that the Mayor and members of the Town Council of the Town of Middleburg applaud the Salamander Resort and Spa. Sheila Johnson, its owner, Prem Devadas, president of Salamander Resort's Hotels and Resorts. David Mars, general manager and the dedicated employees of the Salamander Resort and Spa for their commitment and dedication to attaining two five star ratings from Forbes Travel Guide. Be it further resolved that we express our appreciation for the many contributions of the Salamander Resort and Spa to the Middleburg community. [applause] So we now have to make it official would somebody like to make a motion. Cindy.

Cindy Pearson: I move that council, adopt a resolution in recognition of the Salamander Resort and Spa for attaining two five star ratings from Forbes Travel Guide.

Peter Leonard-Morgan: Second.

Bridge Littleton: Any discussion. Other than congratulations. All those in favor say aye.. Oh, Bud, I'm sorry.

Bud Jacobs: I want to make one point, which I think we overlooked in our resolution. We commemorate, I think, appropriately, the economic benefits that your activities bring to our town and to our citizens. But we should also mention the cultural benefits and the fact that you're not just a business in our community, you're part of our community. And we've used the word partnership and friendship, and those things are all true. But I think the word that most aptly describes your presence in Middleburg is community. So I thank you.

Bridge Littleton: Okay. Now all those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed, abstentions. Ok resolution is approved.

Prem Devadas: We would love to get a quick photo because there will be some people that won't believe this. And I'm sure Shelia wants to say a couple of things.

Bridge Littleton: So we'll do the photo first and then you guys like to make any remarks.

Sheila Johnson: Yeah. I just want to say, what was the last time I was in here? Boy. This brings back memories. Remember the [off mic]

Bridge Littleton: If it's with her you know, I would question it.

Sheila Johnson: She put me through the wringer [off mic] It was a tough go, as we all know. And I have to say, I knew that we were going to get to this point. I really had the vision from the very, very beginning when I thought about doing that resort up there buying the land. And I know that there were so many people that just did not want this to happen. But I could see the handwriting on the wall when I moved here. Economically, this town was so depressed and [inaudible] an anchor of some sort here, and I knew that once I bought the Harriman property that by building that resort up there, it was going to as everybody said, you're going to change the town. I said, no, we're going to re-envision the town. It's going to become a very wealthy, economically sustainable town. Businesses will start coming back. And I know there are a lot of people that have been here for years and years. They didn't want it to change. The change can be a good thing if it's done correctly. And I worked very closely with the citizens and the town council to make sure that I did not want to ruin the town at all. I really wanted to make this the most wonderful place in the world to not only live, but to visit for our tourists. And I'm so glad that finally the vision has happened. And I couldn't be prouder of the people here, the people that live here, the town council for your support. And it almost brings me to tears, because I remember sitting right over there when the final vote went down. And I am writing a book on us. [cheers] [off mic] got all the papers from from here and my ghostwriter and I are working very hard, but it will all be in the book of how everything turned out great. It's wonderful. And we can't thank you all enough for your support. And I am here for you. I will continue to work hard to make sure that we continue in the right trajectory. I can't wait till the new town hall is built. I think this is going to be a game changer for the town and for the police department to have us all right here. And it's going to be one big happy family. So thank you all so much. [applause]

Bridge Littleton: And Shelia, just to mention for your book, it's B U N D L E S. [laughter]. Ok. The next item is a resolution in memory for Kathy Fisher. So Kathy's sister Page is here. And I tell you what. I'm going to make a comment for a second. This last nine, ten months has been really, really tough. I mean, we have lost a lot of really, really great people who have been part of this town and a part of this community forever and have left a indelible mark and have just been so special in so many ways. And, you know, so many of those folks were were taken too early, you know. Kathy, Mary, Mark, [inaudible]. This is probably one of those responsibilities you have as mayor that are it's not bittersweet, it's, it's sad, but it's also joyful. It's very sad that you lose a member of the community, but it's also very joyful because it does give you an opportunity to remember who they were, what they did, and the impact that they've had. And if any of us can leave Earth making a community a stronger and better place, we couldn't do anything better than other than what we can do for our families. So as many folks know, Kathy was an absolute joy to be around at all times, always had a kind word, always willing to help out. She volunteered selflessly for the town on so many different activities. Never one to shy away from giving you her opinion or her input at the post office, but always in a great, great, respectful and encouraging way. And also the one who said, would say we need to think about doing something or we need to think about this and how can I help, you know? So it's great to give ideas, but it's also better to help make that idea come to reality. I'm going to miss Kathy a whole lot. Page, I know you are as her sister, and. But she will always be in the heart and the spirit of Middleburg, you know, for now, forever going forward. So we're going to miss her deeply and we really express our sincere condolences to you, Nelson, who I know she adored dearly and the rest of your entire family. So, you know, Kathy embodied what is great about Middleburg. So so we have a resolution in her memory. Let me read that first and then we can go into any additional council feedback. So resolution in memory of Katherine D Fisher. Whereas Ms. Fisher was appointed to serve on the Middleburg Board of Zoning Appeals on November 11, 2008. And. Whereas, Ms. Fisher was later appointed to serve on the Go Green Committee, now known as the Middleburg Sustainability Committee on June 28, 2018. And. Whereas, during her tenure, Ms. Fisher handled the Sustainability Committee's social media and was an avid participant in the semiannual town wide cleanup events, with her distaste for litter resulting in the Rolling Brook at the end of South Pendleton Street, being nicknamed Cathy's Creek as she paid special attention to it. And Whereas, Ms. Fisher volunteered for many years as a docent at the pink box, greeting visitors and residents alike. And. Whereas, Ms. Fisher was also a strong supporter of the Meadowbrook Homeowners Association. And. Whereas, Ms.

Fisher passed away suddenly on March 1st, 2022, leaving her family and the community to grieve our great loss. And Whereas, the Middleburg Town Council deems it appropriate to posthumously express its gratitude to Ms. Fisher for her personal dedication and exceptional service to our community since she made Middleburg her home in 1997. Now therefore, 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 Katherine D, Kathy Fisher, as a member of the Middleburg Board of Zoning Appeals from November 14, 2008 through March 1st, 2022, and the Middleburg Sustainability Committee from June 28, 2018 through March 1st, 2022, as well as for her contributions to the Greater Middleburg community. Be it further resolved that the Mayor and members of the Town Council express our deepest condolences to her family and friends. So. Would any member council like to make a resolution? Well I was going to do that. Yeah Yeah. After the motion.

Peter Leonard-Morgan: I move that council, adopt a resolution in memory of Kathy Fisher's service on the Board of Zoning Appeals from November the 14th, 2008 through March the first 2022, and on the Middleburg Sustainability Committee from June the 28th 2018 through March 1st, 2022.

Cindy Pearson: Second.

Bridge Littleton: Any discussion.

Peter Leonard-Morgan: I just like to say, when the mayor was reading this, it just. The how clear it was that she was the epitome of giving back to her community. And I had the pleasure of working with Kathy all the time. She was on the Go Green and then the Sustainability Committee and just a delight to be with and delight to work with. And we will truly, truly miss her and think of her often.

Bridge Littleton: Yeah. Oh, I'm sorry, Cindy.

Cindy Pearson: And I just like to say to that she always was one that whenever there was music, Kathy would be there. You'd see her pop in. Might not be right when it started, but she was always there. She so enjoyed the music around town.

Bridge Littleton: All right. On the resolution, all those in favor say aye.

Everyone: Aye.

Bridge Littleton: Oppose. Abstentions. Ok the resolution passes. Page again, our deepest condolences to you and your entire family for your loss. So we have this for you. And if you like to say anything you're welcome to. If not, I totally understand.

Page Dimos: Well, Kathy, she did love this town and she loved the people in it. And she's my buddy. We used to go wine tasting, we go antiquing, we go to Williamsburg. Actually, that's where she's buried. There's a family plot down there. And I really it's very nice. I mean, she would love this and she would think this is very cool. So. Okay. I guess I could take a picture of it. [inaudible] Oh, I should do that. I'm supposed to take this?

Bridge Littleton: Yes, ma'am. It's all yours. [off mic] [multiple speakers]

Page Dimos: You could never get Cathy to smile for a photo. And she said, I always had my eyes closed.

Bridge Littleton: True siblings. And then we have one more resolution that we need to do for recognition, and then we'll do so there's a lot of folks here just for their resolutions. We'll take a short break if folks need to, to get on to another activity. But this one is a resolution of commendation for Middleburg Common Grounds. So anybody here ever heard of that? Exactly. Exactly. So, believe it or not, Common Grounds is ten. I'm 21. But no, I mean, it is hard to believe it's been ten years. I can remember when you first when you guys first opened, I went in there with my father right before Christmas. And, you know, snow is falling everywhere. And he was sitting in the high back leather chair and he fell

asleep, so. But no, I mean. [off mic] Well, he does half and half, so. He does decaf. So anyway. No, in all seriousness, you all congratulations. You guys run a fantastic business. But what you really are is a pillar of the community, the service you all provide, the the friendliness in which you greet everybody and just go over backwards to make everybody feel like they're part of the community, even though they might be from Fairfax or Pennsylvania or whatever. And you guys like Salamander truly epitomize, I think, as Bud said earlier, the word community. So we really thank you for everything you do and how hard you work and you really make that spot across from getting our mail. The most special place to be. So, so let me read the resolution and then we'll see if any other members of council would like to comment. Ok Resolution Accommodation. Middleburg Common Grounds. Whereas, on May 17th, 2012, the Middleburg Common Grounds open for business at 114 West Washington Street in the town of Middleburg. And. Whereas, the Middleburg Common Grounds, the local neighborhood cafe offering an assortment of hot and cold beverages as well as sandwiches. And Whereas, the Middleburg Common Grounds operates as a family owned business with the owners Duane, Cindy and Christian Ellis, overseeing the daily operations. And. Whereas, the Middleburg Common Grounds offers a cozy atmosphere both inside and out for their patrons, including their dogs, to relax and enjoy Middleburg. And Whereas, in addition, the Middleburg common grounds offers social activities such as coffee and cars for their patrons and visitors to enjoy. And Whereas, the Middleburg Common Grounds exemplifies the charm and friendliness that draws visitors from near and far to our historic villages, our village. And Whereas, The Middleburg Common Grounds is celebrating its ten years in business on May 17th, 2020. Now, therefore, it be resolved that the Mayor and members of the Town Council, the town of Middleburg, applaud the Ellis family and the dedicated employees of the Middleburg Common Grounds for their faithful support of the community as well as their long standing service to our visitors and citizens. Be it further resolved that we congratulate the Middleburg common grounds on reaching this ten year anniversary milestone and express our hope for many more to come. [applause] You know, and I actually I do want to add one more thing to. And it's a little bit of what I touched on about Salamander. What truly makes Common Grounds special is not the walls or the floor or the scones. It's the people, and it's the owners. Well. [off mic] it's the tea. It's the tea. Yeah, but no. And honestly, you know, whether it's folks who used to work there or who work there now or folks we know that you will employ in the future, you guys have a community of people who work there that's I don't even want to call them employees. Right. It's like family members. I mean, you guys are like family. So we really appreciate all you all do. And you know how you really bring a little bit of joy in everybody's life. And then there's the coffee. [laughter] With that would somebody like to make a motion?

Cindy Pearson: I move that council, adopt a resolution of commendation, recognizing the Middleburg Common Grounds for achieving their 10th anniversary on May 17, 2022.

Chris Bernard: Second.

Bridge Littleton: Any discussion? All right, all those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed. The motion passes. Yeah?

Cindy Pearson: I did want to quickly say that up on my Facebook account came the picture of your dad up there with a big thing that says we're finally open from ten years ago. That was perfect.

Christian Ellis: Wow. Please share that with me, Cindy. I haven't seen that for a lot. That'd be great. Thank you, Ok.

Bridge Littleton: We'll present this to you guys. But Christian and if you guys would like to say anything, you're more than welcome or. [off mic]

Christian Ellis: I appreciate it. Thank you. Everything. Oh, absolutely. And I want to represent a. Absolutely speechless. Yeah. Thank you. But I want everybody to recognize that this would not happen if not for Justin and Kayla. These guys have been like my right and left hand and without the right on his hand. What do you got? You know, I mean, seriously, at the end of the day, what do you what do you have? What I have is this. Absolutely. [off mic] So it's really nice. It's really nice. And and I speak behalf on my mom and dad. They would love to be here, you know, but they couldn't be

here. You know. Yeah, and they're here in my spirit. Yeah. And that's where they live. And they will forever live in my spirit. So thank you. This is absolutely [inaudible]. [applause]

Bridge Littleton: Ok. We'll take a quick two minute break for again, we're going to go right on to regular business, public hearing, all that kind of stuff. So if anybody would like to depart from the. Thank you all so much. Moving right along. We're now going to move into the public comment session. As everybody or many folks might be aware, we're breaking the public comment session in to two sections for the next couple of months. We're going to do a public comment session on any item or matter that a member of the committee or the member of the community would like to address the town council on that is not related to the annexation boundary line adjustment proposals. And then we will hold a special public comment session on annexation and boundary line adjustment. And then we will go right into after that council discussion or staff updates on the annexation and boundary line adjustment status. Just to level set a couple of things. For the boundary line adjustment slash annexation. I'm just going to start saying annexation. I mean, I know it's going to be a boundary line adjustment, but it's easier to say annexation and people understand what that means. The way we're going to be handling these public engagement is every council meeting we'll be doing this specifically. We have on our website a all the information that's been submitted up to date or any other town council information or public information on the annexation proposals are on the Web page, and there's also an online form by which any member of the community can ask a question, tell us what they think, provide input or whatever. And we really encourage the public to have as much input on that as possible. We are tracking them and logging them, as you can see, on a nice, very long, detailed spreadsheet. There's no limit to how much information somebody can provide that the goal and that will be available online as well. And the goal here is that we want to receive as much input and feedback from the community as possible. No proposals have actually been submitted to the town. We thought it best that they present their ideas. We present those ideas to the community and get feedback so that we can then provide that feedback to the potential applicants to allow them to modify any proposal they might wish to make to best reflect the views, hopes, visions of the community very much like we did with the with Salamander. And every Friday there is a there is also an FAQ that is on the town website every Friday all of the input that we have received during the week, we are going to be updated on that FAQ. So you can always go there to find the most up to date information to answer questions that have come in from the public. Also, the last piece of this is when we get done with the boundary line or with the annexation component of the public comment session, the council will then go to discuss that. And our goal is if a member of the community has a specific question at that time and we have the answer, we want to give the answer to the community right then and there. And if not, we will take that down and provide the answer in the updated FAQ by that Friday. So with that, we're going to open the public comment session for the non-annexation related input that we may have from the community. So as the as it works, every member of the community has 3 minutes to speak. And again, public comment is only a one way delivering of any input of community member likes to make on any topic to the council. It is is not allowed for for a back and forth discussion. So at this point, is there anybody who would like to address the town council on any matter other than the annexation proposals? Rhonda, you have somebody online, right?

Rhonda North: We do have some some folks online. So just to let them know if you'd like to speak either during this public comment period or the next or even the public hearings, if you'll use the raise the hand function on your device or send me a message via chat. If you're on a telephone, you can press Star nine. We'll then unmute you and then we ask you to unmute yourselves. Again. If you're on a telephone, you would press Star seven. Star six. Excuse me to to unmute yourself. So if anyone online would like to speak, if you can please let me know.

Bridge Littleton: On a non-annexation related topic or about anything other than annexation. Rhonda is there anybody? We will wait another 5 seconds.

Chris Bernard: Sir, do you have a public comment?

J. Kevin Daly: It's hard to believe that [inaudible] from Middleburg all the way to Fairfax County Courthouse and back with a union general and 40 head of mule all in one night. I tried driving Route 50 [inaudible].

Bridge Littleton: Hey, Kevin. That was actually rhetorical.

J. Kevin Daly: Oh, I'm sorry.

Bridge Littleton: [inaudible] No one online? Okay. We will now close the public comment session on all other items and open the public comment session on annexation. Ms. Murdock. Oh, and real quickly, for those online, we will go to folks in the room first and then we'll go to folks online. So please, name, address and.

Bundles Murdock: 3 minutes, 3 minutes. So that's why I've written it down. Bundles Murdock 609 Blue Ridge Avenue. I've written it down so I can just stay to three. Mr. Mayor and Town Council. When I first heard of the Homewood and Windy Hill BLA housing, I was horrified because I just listened to chatter and read a letter in the newspaper. And then I listened to the presentation and talked at length to the mayor and looked around my own neighborhood. When I moved to Ridgeview for the third time in my life and built a house on the land next to my mother. It was a quiet neighborhood. She gave me the land and asked an architect if we could build a little house for \$250,000. Well, it was about double that, but I was happy with great neighbors of all ages, from newborn babies to retirees. The school bus rolled down the street every day on my street. Now I live next to two new houses that are sold for over \$1.3 million. And the new house being built two blocks away is on the market for over \$1.5 million. My neighborhood is changing. I see only older people who can afford these houses moving in. There will be no diversity in ages. I do not see a future for our town. We will exist with just retirees and tourists. We must start to build starter homes for families, teachers, firemen, policemen and workforce to keep our town vibrant and alive. This is per our comp plan, which residents of the town wanted, not just for me, but the people of Middleburg. Now, I ask the town council to look at the number of units for each of the proposals. Do we really need that much? Also to do a traffic study. Can we have an exit onto Route 50 as well as on Foxcroft Road? I ask the public to do more homework before they leap and comment. Come to Blue Ridge Avenue and Locust Street and have a look. Call me if you have any comments or questions. I'm not an expert, but I sort of have an opinion. Thank you.

Bridge Littleton: Thank you, Ms. Murdock.

Bridge Littleton: Anybody else in the room wish to address the Council on the Annexation topic. Going once, going twice. Ok. Rhonda, is there anybody online who would like to speak on the annexations?

Rhonda North: So I'm not seeing anyone raise their hand. No chats.

Bridge Littleton: This is where technology is a blessing and a curse. Nope. Nothing. We will close both public comment sessions and quickly now we'll just go to any staff updates. I don't know if there is any and then just any other conversations around from council on any topic related to the annexations. Danny, anything specific from you.

Danny Davis: Mr. Mayor, you had asked the town attorney to provide a briefing.

Bridge Littleton: That's correct.

Danny Davis: About the process of BLAs. Just a very brief history of BLAs and the process. So if it's acceptable to you, we can have Mr. Crim.

Bridge Littleton: No, that's right. I think it'd be a great idea. So one of the things one of the questions, several questions I think some of us have gotten is, well, how exactly does it work? What does a BLA mean? What does an annexation mean? How does it work? Who can do what? Who's responsible? And then kind of how does the process get engaged and what does it look like as it goes through it? And so we talked with Danny and the town attorney. We thought it would be a good idea for the town attorney just to say legally by state code, here's what it means and here's how it works. Because I don't think any of us have ever been on council for an annexation. So this is new to us as well. So, Martin, if you want to walk through your presentation, I think that'd be great.

Martin Crim: Thank you, Mayor. I'm happy to.

Bridge Littleton: So, hey, Danny, can you real quickly turn that so the public can see it as well.

Martin Crim: As the mayor said, the mayor and the manager and I spoke about this and thought a basic orientation to boundary line adjustments in Virginia would be a good idea. So if you could have the next slide, please. Here we go. So the process for boundary line adjustments has changed over the decades. Prior to 1902, it was all done by special legislation. The General Assembly decided they didn't like having to spend all that time adjusting people's boundaries and looking at metes and bounds descriptions. So they in the 1902 Constitution, they changed that so that it is now done entirely by general act. And then by 1979, that was it was found that that was not an adequate system. So the General Assembly created a commission on local government that advises with regard to boundary line adjustments. Subtitle three of Title 15.2 The Code of Virginia provides the general law that's referenced by that's authorized by the Virginia Constitution and the the Commission on Local Governments reports are admissible in evidence and the court must consider the report, but it's not bound by its findings or recommendations. If you go to the COLG website, they have a lot of reports that they've done in the past. It's very helpful to see what they've done. Next slide, please. So there are three main types of boundary line adjustments that we're considering here. One would be a simple by agreement boundary line adjustment, which is what we're discussing with regard to the town. The other alternatives are contested annexation initiated by a town or city. You can kind of mentally strike the words or city. There hasn't been a city initiated annexation since I was in middle school. And the third type is contested annexation initiated by citizens or property owners. And those are pretty rare on the ground as well. But they can be brought when somebody thinks they need additional services. So next slide, please. So let's contrast the simple BLA by agreement with contested annexation. Simple BLA is a lot simpler as its name implies. You don't have a process of going to court to prove facts. All you need to do is to have the two local governments agree and provide notice to the property owners that are affected. If the property owners, one third of the property owners affected are unhappy with that, they can ask the court to examine the the process. But the court's review is limited to whether the procedure was complied with and the petition is otherwise in proper order. So in other words, the only thing the court is looking at is did you give notice and does the petition contain everything that the statute says that it has to contain. A contested annexation is a very different process. It's a lawsuit. It's filed to either by the municipality or by the majority of the voters or property owners in the affected area. And the Commission on Local Government investigates and reports. Commission and local government doesn't get involved. Does not get involved in a simple BLA. The contested annexation goes to a special three judge court. Judges are selected by being put on a list. Not all circuit court judges are on that list. And then the Supreme Court of Virginia names a three judge panel, which then sits and hears evidence with regard to the contested annexation. The voters or property owners may become parties and put on evidence and contest whether the annexation should go forward and the court can accept, modify or reject a proposed contested annexation. So and if they approve it, they can require the local governments to the municipality to take on part of the county's debt, pay for county public improvements that are taken in to the municipality, make new public improvements. A lot of things. There's a list of powers that the three judge panel can do. So that would be an example of that would be if you had the locality taking over areas that had just been upgraded in their public facilities and those become town facilities, then the county should be compensated for that because they lost the benefit of those facilities.

Danny Davis: But again, that's only in the contested.

Martin Crim: Only in the contested. That does not come up at all in the simple BLA. That's that's that's a major difference. Just to give you an idea about how different these two kinds of annexation are, the statutes for a simple boundary line agreement run two pages, the statutes for contested annexation run ten pages. So, you know, at least five times more complicated. And if you go to the COLG website, you'll see the reports that they create for those and they go into great detail about water, sewer, roads, other public services. Okay. So next slide, please. This isn't going to come up. The first bullet point isn't going to come up so much with your area, your proposed annexations, because there aren't any residents. But under what the Virginia passed last year as kind of the state equivalent to the Voter Rights Act, you can have a covered practice which requires either pre-clearance or a public input process if you are diluting the the minority voting rights under Virginia law since last year, you have to go through a process and the attorney general can object, citizens can object and so on. But that, as I say, is not a concern with the unpopulated areas coming in. If you do bring in new voters, you have to notify the voting registrar. They have to know where the people can vote. And you may have an impact on taxes and utility rates in the covered area is depending on what the situation is. I don't think any of those really impact you. But I wanted to be make sure that we had that in there just so you know that there are things that we look out for. And this slide gives you the process. So it's a three step process for a simple BLA. You basically the two localities reach an agreement, they have a map in front of them, they have a draft agreement which can run a few pages, but it's not

particularly lengthy because it's a simple BLA. And they once the two local bodies have looked at that and said, yes, we're willing to move forward on that, then both of the public bodies have to have a public hearing after public notice. They publish once a week for two successive weeks and mail a notice to every affected property owner with a summary of the proposed agreement and the proposed new boundary. Once the notice has gone out, then they have the public hearing. They hear from the public if the two bodies are still willing to go forward with the agreement. After hearing from the public, they vote to approve the the draft agreement and then they file a joint petition. So what you typically see is a motion to approve the agreement and direct the attorneys to proceed with a joint petition. You have to attach a map. It has to be a specific kind of map that meets the statutory requirements. And you can't drag your heels. You have to file it within a reasonable period of time. Again, if one third of the owners object, they can intervene. But the only thing that they're intervening on is to see if the notice was properly provided and the petition complies with the statutory requirements and all the judge is going to review the petition for is whether statutory compliance occurred. So that's it. That's a pretty straightforward, streamlined process. It doesn't require this was added to the general to the code of Virginia. In fact, because the contested annexation process was overkill for so many of these agreeable unobjectionable boundary line adjustments. So this is this process is designed to be streamlined and simple. And do you have any questions? Happy to answer.

Bridge Littleton: Any questions for Martin. Peter.

Peter Leonard-Morgan: Martin, thanks a lot for that. What would you say in an ideal world is the time frame for this and also in terms of surveys, who is responsible for doing surveys of the new plats?

Martin Crim: Well, typically the town is responsible for doing a survey and plat because they're going to be getting the benefit of having those properties come in and the increased tax revenue and whatever other benefits there are from bringing in those those properties. So in Loudoun, in particular, the county's position is you want it, you pay for it. Well, that's pretty reasonable position. And the time frame I saw one go through the Loudoun County Circuit Court in like a less than six months. So it's not a particularly lengthy process.

Bridge Littleton: Any other questions? Yes, sir.

Bud Jacobs: In a hypothetical scenario, if a municipality is looking at a parcel of land that it wishes to consider for a BLA, does that municipality have any rights in terms of entering the property? Evaluating it, I'm thinking I don't know [inaudible] requirements, land contours, anything like that. Is is any of that covered in the statute?

Martin Crim: I think the authorities the first thing you would want to do is to ask for permission to enter the property. You know, there is a statute that provides for surveyors to go on to private property without the consent of the property owner in for certain municipal actions. I don't. Without getting into a detailed legal analysis of that, in light of recent US Supreme Court decisions, I think we would want to ask for permission.

Bud Jacobs: Got it. Having asked for permission.

Martin Crim: Yes.

Bud Jacobs: Do we have rights to go ahead and move forward with an evaluation or a survey, with or without the owner's permission?

Martin Crim: We probably would want to examine that issue very carefully in light of the exact circumstances and what we plan to do with that property. I think it's difficult to answer that in the abstract.

Bud Jacobs: Yeah, it's just a hypothetical. Thanks.

Chris Bernard: Affected parties is that the parties within that boundary line adjustment or is it does that include adjoining or neighboring?

Martin Crim: I'm glad you asked that question. Yeah. I should have made that clearer in my presentation. The affected parties are only those people who own the real estate within the boundaries of the proposed boundary line adjustment or who live there. Does not include.

Bridge Littleton: What about a renter that might be who doesn't own the land. That's renting on something, they could be they are an affected party.

Martin Crim: If they are a resident there. Yes. But yeah, you can be five feet outside the boundary line and you're not in an affected party.

Bridge Littleton: Any other questions for Martin? Thank you. I appreciate that. And we'll put this up on the website as well if anybody wants to download it. And if there's questions related to Martin's presentation, email them to the town and we'll put it on the FAQ. We'll get Martin's answer and we'll put it on the FAQ every Friday. So, Martin, that was really helpful. Thank you, sir. Ok Any other questions or updates or feedback or anything on the annexation process or where we are currently? Peter.

Peter Leonard-Morgan: A couple of questions. So I wasn't here last time, so maybe they would cover it. I tried to watch the video. Talking about the Foxcroft Road property. We've been talking about a lot of it going into conservation easement, which doesn't necessarily mean that it will not be built upon. I mean, I've been involved in quite a lot of conservation easement work and the and they allow you to build X number of houses. It depends on how it's written, the conservation easement. So I was curious to learn how we or whether we can control how much development, whether they can do wineries and breweries in the conserved section north of the area that we want to bring into town. Whether that's been discussed at all, to your knowledge?

Bridge Littleton: Danny, do you want to cover that one?

Danny Davis: Yes, sir. And I do not want to pretend to be the town attorney. However, the BLA process gives, I would say, a lot of opportunity for the town to come to particular agreements or commitments from both sides, from both the town side, that there would be things the town would do or provide, such as water and sewer service, as well as from the property owners side, which could include such things as what they would commit to do or not do on the land, as well as potentially include in conservation easements. So there are a lot of those details that have not obviously been fleshed out as of yet. But I do believe the town is in a position that once if we were to get to that stage and there are particular items that would wish to be restricted from use in that conservation easement, the town has the opportunity to influence those documents. I think one one item that we're still working on and would have to be discussed is the exact timing of those items. I mean, there are various considerations that come into play when you're talking conservation easements. And so I don't think I have a good answer for you right now of what that looks like, of which comes first, the chicken or the egg. But I do know that we're typically in these processes in Salamander is a good example of this. There was a water and sewer service agreement. That was really the big discussion point because without water and sewer, you can't come into town. And so that piece of it could help guide it as well as an MOU or an MOA for moving forward with the boundary line adjustment.

Peter Leonard-Morgan: I appreciate that. And in fact, your analogy or example of Salamander is a perfect one, I think, because I mean a 340 acres in total and a huge portion of that. I mean, we know some of it is being built on now. That was all agreed upon, you know, but all that Western section is just grass. Yeah. So thank you for that. I appreciate it.

Bridge Littleton: I think the other thing I would say is I think it's been made clear in all of the. Not all of them, but I think it's been made very clear publicly by the town as this started off, that, you know, what you described as exactly something that we would feel is not in alignment with what the town's citizens or residents would want to have, and that if it's going to be an open space conservation easement, it's an open space conversation, it's an open space conservation easement that nothing gets built on. I mean, I personally I know that's what I think is the only thing it would be acceptable but any other. Yes, ma'am. Well.

Cindy Pearson: I'm sorry. I thought there was more people. Is it still open to make a comment?

Bridge Littleton: I'm sorry. It's not. Well, I tell you what. So you know what? We can open it back up. So if you'd like to join here and have three more minutes, you're more than welcome. Okay. I forgot. We can open, close it open, close it open, close.

Mindy Pless: My name is Mindy Pless. I live on 2536 [inaudible] Lane. It's right on the border. I just want to say, I have lived outside of New York. I lived outside of Philadelphia. I moved here five years ago because what is in Middleburg is different from anywhere else. Just going up Route 50, like you were saying. And believe me, I was in D.C. today. It's the suburban sprawl. I hate it. I'm sick of it. I'm a horse person. I don't currently have horses, but I do live on a farm. My kids will hopefully take over someday also. I was also in D.C. today lobbying on behalf of our Wild Horses and burros, where the government wants to take another million acres away. I know a million acres sounds like a whole heck of a lot out of 23 million. But right here, what we have here is what nobody else in Virginia currently has. And they're trying to eat it up as fast as possible. And once it's gone, it's gone. I've seen this during my lifetime. I hope that there's still horses right here and out west. To me, we could be bringing back the thoroughbred industry to Virginia. You have Churchill Downs coming to Colonial Downs. I'm not happy about that. I like it more a little bit laid back. But this can now be the next Lexington if it was marketed correctly. You've got some of the most beautiful big farms here. They don't have that too much in Lexington. Every year they're losing more and more acreage. I know it's important about affordable housing, but even like the lady was saying, what is affordable housing in this region with the land, you're still talking 500 grand or less or more where I am in Leesburg. I work in Leesburg and I live here. They're putting up little townhouses that cost 5 to 600000. So is there a demand for that? I think what the demand should be or we should make it be is let's pull in the horse people back to Virginia. Let's put Virginia on the map between racing, showing, eventing. You have the beautiful acreage here. Let's get more preservation easements. Let's give them tax credit, let's give them something. They then will bring their families, their clients, their people, the housing that you will need, just like in Wellington, you know, there's no housing there. You have to live or stay in a hotel outside of the area. This area cannot accommodate any more traffic, any more people. The Internet isn't fantastic. The phone systems aren't great. You can't have little kids that can't get on their cell phones and lack all of that what they're getting up the road in some of the other school districts. This is not that you have this enclave here that's becoming a rare gem, not just in Virginia, but in the entire United States. And we need to hold on to it. Thank you.

Bridge Littleton: Thank you. I'm awake now with that alarm. All right. We will close the public comment session again. [off mic] Ok Pam. [off mic] No, no go ahead.

Pam Curran: So I'm Pam Curran, and I live at 800 Blue Ridge Avenue. And I just have maybe it's a process question, but if we do end up annexing both properties. Is there a process where we start to look at additional amenities and infrastructure for the town? For example, what I mean, just to put it in a bucket, people have said, well, what's in it for the town if we do it? So is there a process after we make the decision to move forward where we talk about. Expanded police, the roll, the roads, our little Safeway is kind of sometimes it's fun to go to, but, you know, it's still our little Safeway. I mean, so will we be looking at quality of different things that we enjoy now and with more people here? Is there a process next to talk about what we do to maintain what we have? So that would be the question I have and I appreciate the process to.

Bridge Littleton: Pam, thanks. So I will touch on that right now. That's an excellent question. It's one in which a member of the community actually reached out who has several different consultants they've worked with in the past to help with analysis like this. And what do you need in terms of police per person and all that kind of great stuff. And so we're figuring out kind of what's the best one to work with to help us answer all these types of questions. But I would say, you know, Pam, from that perspective, those are all the questions we want to ask before we make any decision. That's not a question after. That's a question before, because, you know, those impact, whether we should say yes or no or if we say no unless you do this right. So like to Danny's point with the Salamander thing, right, it was well, only if. Right. And I think somebody else made the comment earlier, which I thought was a great question or was a great point. And I think when I gave the public presentation, there was one piece of it. If I could go back, I would redo. And it was it's not a choice of, you know, by right development or this. There's also a door three and the door three is something else. The point is the door of no change is not here. You know, the change is going to happen. It's going to be what can be done by right their proposal as is or something that is we get information from the community. Again, I think, you

know, I said this in the op ed this week, we want to get all this information to the community and then we want to give it back to the proposers and say, this is what people have said. You need to take this to heart because if you want to have any chance of the town ever potentially saying, yes, you need to account for this, and then what we'll come back is we can do that or we can't do that. So the answer is no. But everything you just asked, what's the impact on the police force? What's Safeway? You know, I've actually reached out to the general manager of Safeway and said, I got a question, you know, what would you do if those are all things that we need to give to the community before we make any decision and also before we take all the information we do collect and give it to the applicants. So, you know, it might well be that it's, you know, both proposals are about 60. This proposal, Z 60 don't work, but everybody's comfortable with 20. So does that work for you? And again, I'm not I'm picking stuff out of the air. So, Pam, I would encourage anybody who has a similar exact question that you have put all those questions in the form so that we can capture them because that's the stuff we've got to consider or we'll never get it right, you know? And again, the perfect right answer might be thanks, but no thanks, but we got to be fully informed to do that. Yeah.

Peter Leonard-Morgan: To the lady at the back. Thank you very much for your comments actually, it's something that's concerned me from the beginning is about the actual attainability or affordability of the units we're talking about north of north of town. I tried to wrap my head around how we will end up with properties. Even small one bedroom apartments are going to be worth. They are in Middleburg and they are brand new. They're going to be worth a lot of money. And therefore, are they going to be attainable to the folks that we're hoping will attain them? You know, folks who are working in town, folks who, you know, work at the stores, work at the resort, work at different places in Middleburg. So that has been a concern of mine from the beginning. And I think it's something we really need to look at and and and find a way for it to work. And I don't I don't know the answer to that at all might be pie in the sky.

J. Kevin Daly: And if I may piggyback on Peter, one of my concerns is, yes, we could probably right price these apartments. But I've also seen in the Midwest, in the Northwest, investment corporations coming in, swooping in, buying up everything and turning them into rentals. And those rentals, anyone trying to rent a place here in Middleburg lately, I'm paying less in my mortgage than some people are paying in a two bedroom rental, and that's one of my concerns. How do we guide that so that it doesn't happen?

Bridge Littleton: So, you know, it's a great point that's come up several times from folks. There was that great 60 Minutes thing about two months ago about hedge funds are actually out there buying small houses just to do Airbnb. So, I mean, I know we can have zoning districts where you can't do Airbnb, but that still doesn't, you know, somebody last week. Yeah, it was last week came stopped me on the street and said, hey, have you thought about this? This community has done this. It was. [off mic] Right. Yes, yes, exactly. Jonathan mentioned that. Exactly. So there actually are a lot of. [off mic] Yeah. It was a you see UC Irvine. That's right. University of California at Irvine had the exact same issue. Very desirable place to live. But they didn't have places for teachers, so they created this structure. Now, again, it has to be legally permissible in Virginia and stuff like that. But he had a lot of really good ideas that was like, Oh wow, you could do that. Well, that would kind of kill the rental, you know, the sort of open rental thing that you're talking about. So yeah. And I asked the community, like Jonathan or anybody else, got great ideas that you've seen these issues resolved in the past in other places. You know, let's hear them because, you know, if we do it, we've got to make sure it's meeting the goals. So. But yeah.

Bud Jacobs: May I ask, where can we find that study?

Bundles Murdock: He's very happy to willing to share it, to help. He knows the guy who's got the study. He will share it with anybody at any time.

Bud Jacobs: Can I make a request? Bunny, can you get it for us?

Bundles Murdock: Yes. He's Peter's neighbor. Peter knows him.

Bridge Littleton: He lives over on Chin Lane. Yeah, yeah. Don't give it to a unfortunate member of the public. Our job is not to load them up with work.

Bud Jacobs: I wanted it. I wanted it done right.

Bridge Littleton: Wow, man. Ok. I swear, we all really like each other. Ok. So just real quickly. Any last quick feedback on the BLA? We'll move forward again. We're going to be doing this the next couple of months. Yep. Yeah. Emphasize again to everybody.

J. Kevin Daly: Yeah. Emphasize again to everybody. No decisions are being made. This is collecting information and gathering knowledge because with knowledge comes the power.

Bridge Littleton: No. It's all good. It's all good. Ok, we're going to move on. So we've got two public hearings coming up and we've also got a discussion with the representative, Windy Hill. I think a quickest way to do this. I tell you what, let's do the two public hearings real quick and then we'll go into the discussion around the the Windy Hill. So the first item, Danny, very quickly, do you want to review with us the public hearing for the budget.

Danny Davis: Thank you, Mr. Mayor. Very quickly, we presented the budget to you in late February. You've had a number of work sessions. We've discussed the budget a number of times, both the general fund and utility fund. As a reminder, you have already adopted a real property tax rate of 13.69 cents per \$100 of assessed value. The budget is fully balanced and at this time has an approximate \$800,000 contingency in there to be used for either revenue shortfalls throughout the year or to be used in the future for capital projects or to pay down debt. So as of now, the next steps of this public hearing would be to hear from the public, and then no action can be taken this evening. But then we would prepare an appropriations ordinance for your next meeting. I would note that there is one issue that had been discussed coming back to have a conversation about, and that is the proposed increase employee compensation for this fiscal year. Part of that was to see what was happening with inflation and with the world around us. I would reiterate from my perspective that our proposal is appropriate based on inflationary levels and also based on neighboring jurisdictions and comparable markets. So but we can discuss that once the public hearing is closed or at a later time, but without any further guidance from council, we would move forward with the budget as proposed to the next meeting.

Bridge Littleton: Anybody have any questions for Danny? Wait. You have a question?

Peter Leonard-Morgan: It's funny enough I do. I just. Am I the only one who is confused where we've got red numbers in parentheses, which are positives. And then black.

Bridge Littleton: That's accounting.

Peter Leonard-Morgan: Is it accounting?

Bridge Littleton: That's accounting. [off mic] Yes.

Peter Leonard-Morgan: So a gain is shown in red with. And a loss or reduced is in black. Okay. Yeah. I've never seen that before in my life. That's okay.

Bridge Littleton: Actually, we have an accountant in the house, Bob. [multiple speakers] Spoken as a truly retired man.

Danny Davis: So Vice Mayor in this particular instance, the way we're showing on this spreadsheet would be considered impacts to the budget. And so we would be showing, if it were a positive number, that would mean additional expenditures than what was originally proposed in the budget. The two. Well, the first item is, is a revenue adjustment for the positive. So in this case, the positive being looking like a negative.

Bridge Littleton: You're failing on the you're failing on the quickly, by the way.

Peter Leonard-Morgan: Danny, I got it. Thanks.

Bridge Littleton: Okay. Yeah, it's the funniest thing. I never understood it. An accountant one time just told me, he said trust me.

Cindy Pearson: That's just how it is. That's how it is.

Bridge Littleton: The one thing I do want to note, though, and we have it is listed on here as a contingency. But what the contingency is, is actually, as we all know, the anticipated revenues over the actual expenses. Right. So we have anticipated revenues for 2023 of 4.4 million and anticipated expenditures of 3.6 million. So we are anticipating to have a 800,000 surplus, which is then categorized on the budget as a contingency for 2023. So, you know, I get questions sometimes like what's the contingency? You know, there's this big, it's not like there's a risk. It's not like there's a, you know, there's a concern or a big problem that we don't see. It's just that's the revenue over expenses we anticipate. So ok, I'm going to open the public hearing for the proposed fiscal year 2023 budget. Would any member of the community like to address the Town Council on the proposed budget? Rhonda, is there anybody on the phone who would like to address the council?

Rhonda North: We no longer have anyone online, Mr. Mayor.

Bridge Littleton: Okay. All right. [multiple speakers] Yeah. Danny, good job. Okay, so we will close the public hearing on the budget amendment, and the next one will be ordinance to amend schedule for water and sewer charges.

Danny Davis: And thank you, Mr. Mayor, very briefly. As a reminder, also on March 31st at your special meeting, we received an update from our utility rate model consultant New Gen Strategies related to the utility fund. And the consultant continues to recommend ongoing modest rate increases for the town to keep up with the cost of inflation, contractual costs and infrastructure needs, as well as debt service for major projects that are either underway or likely to occur in our capital plan in the future. The proposal this year, again, is to increase rates in each side of the utility fund by 3%. In addition, the town is simplifying the calculation for contractors who buy bulk water from the town, and that would just simply be double the rate of in-town water users. And if they come forward to us, we will just simply charge them double that price. And so we've advertised all of those changes as required by state code.

Bridge Littleton: Anyone have any questions for Danny? So the only comment I want to make is I think we really owe Danny and the team and IES and Stuart a thank you. So we had always planned for 3% rate increases. That was always scheduled as sort of the outlook for the next four or five years going on. And the fact that we're having seven and a half, eight and 9% rates of inflation, but they were able to manage the utility system whereby we're going to stick with the 3% rate increase and still meet all the obligations is a real testament to the great job they're doing and managing the utility system. So I really want to thank you guys for doing that. Thank IES. Thank you. Thank Stuart as well. That's something to really be commended.

Danny Davis: Sir, Thank you.

Bridge Littleton: What's that? And Tina. Sorry. That's right. She makes sure paid. We get paid.

Chris Bernard: I would say and the Finance Committee for looking at it a couple of years ago, I think, and really going forward with that 3%, instead of saying, hey, let's cut it to zero, but let's plan for what we know is going to be incrementally higher.

Bridge Littleton: Yeah. And that's really allowed us to weather the ups and downs. I will open the public hearing on the ordinance to amend the schedule for water and sewer charges. Anybody like to address town council on this item? And Rhonda, we still have no one online. Okay. We will close the public hearing. Thank you very much, Ok. The next item is discussion with Windy Hill regarding maintenance and repairs. So Ned, come on up. All right, thank you. Appreciate it. Just a level set. Last council meeting, I know some of us, we had a short conversation about some question around repairs and maintenance and stuff like that at Windy Hill. So Ned and Bob reached out and said, Hey, we've been doing a lot of work, so we'd like to just come and let you guys know what's going on. So I thought, Hey, great, let's just let's hear from them and see where everything is.

Ned Quinn: Absolutely. Absolutely. Good evening, Mayor. Members of council. My name is Ned Quinn. I serve as the president of the Board of Windy Hill Foundation. I'd like to thank you for the opportunity to speak here tonight about some concerns that were brought up at the April 28th Town Council meeting. Please excuse my reading from written remarks, but I want to make sure that I don't leave out any of the details because I know that this is very important. First, I'd like to update you on the status of the items identified at last week's meeting and other capital expenditure projects that we have in process. The Virginia Lane ramp. This project is under contract. Our contractor has agreed to pull a crew off of his existing projects and start repairs early next week. Within 3 to 4 business days. This project will take 2 to 3 weeks once it's started and we'll attempt to expedite the schedule. The chain link fence at Llewellyn Village Playground. We've started the process of bidding this out. We will diligently pursue the bid process and provide updates on this process and project timelines as soon as we can receive responses from a number of fencing companies. Barton Place HVAC Replacement. This includes new HVAC units, windows and other building envelope work. The HVAC window and building envelope work is all under contract. HVAC work has started and will be finished within 2 to 3 weeks. For the units that are available, which is three of the five units being replaced. Two units are on backorder due to manufacturing and supply issues. The windows have been measured, approved and ordered. Windows are currently a long lead time item as well due to manufacturing and supply. Current timeline we have received is 2 to 3 months for delivery. These will be installed once the HVAC work is complete and the windows arrive. We also another item that's come up is that there are some burned siding at cottage number seven. The replacement siding has been measured, approved and ordered. The siding is non stock size and profile but should only take a few days to get in. We believe we can get this installed next week. In addition to the above actions, we've recently dedicated a point person from the board to oversee these specific projects. He's a former real estate director for the Maryland Department of Transportation with experience overseeing projects of much larger size and scope. And we'll make sure each of these projects is pursued diligently and with quality workmanship. We would like to suggest that he communicate with town staff each Friday to update the town on progress. We hope that this will offer some reassurance that we are intent upon not only completing these projects in an expedited manner, but also dedicated to communicating our progress on a regular basis until these items are complete. I would also like to take this opportunity to briefly provide some background as well as a broader view of what we have and are in the process of doing to address future maintenance at our properties in the Middleburg area. Over the past year we have done the following established a property management committee to address maintenance issues, worked with the property management company that performed maintenance at our Middleburg properties to attempt to elevate the level of service. Reviewed our existing contracts to determine legal rights. Our legal rights to bring in a different contractor to perform maintenance services. Worked with the local contractor to develop terms of service and scope of work. Notify the company that perform maintenance at our Windy Hill owned properties in Middleburg that we would be moving to a new contractor. Worked with onsite resident management coordinators to enter all maintenance requests into YARDI, which is a property management software. Tasks have recently started going to our new contractor. Signed contracts to perform larger CapEx projects like the ramp at Virginia Lane, put out an RFP for a reserve study of all of our Middleburg properties, executed the reserve study contract and we are now in the inspection scheduling phase. This will lead to a detailed report of all property conditions anticipated short term and long term maintenance needs and associated costs. We believe we have made and continue to make considerable progress toward and steady progress toward comprehensively identifying, anticipating and addressing maintenance items that are properties, including both immediate and long term needs. We anticipate that we will have the results of the reserve study within about 3 to 4 months, and that is very comprehensive. Every property that is exterior, interior, mechanicals, etc.. Of course, the background and planning I just described is not meant to take anything away from the importance and the immediacy of the needs I mentioned at the start. We're in the process of, in many cases, days away from beginning these projects, and we'll give them the utmost priority and attention. So thank you very much for your time.

Bridge Littleton: Ned, thank you very much. Real quickly, just before you leave, does anyone have any questions? Yeah, Cindy.

Cindy Pearson: I do. You know, as we're. I've been here in town forever. There's always people saying how much they like Windy Hill and how much they've seen that a few things need to be repaired there. So thank you very much for doing this. The Barton House one, you said the new HVAC system. Do they not have air conditioning and heat right now or is it just not working properly?

Ned Quinn: Not working properly.

Cindy Pearson: Yeah. I was going to say, do you have the ones that are going to be put off for a long time is there temporary air conditioning units you can put in for them to have during the hot months if it's not working?

Ned Quinn: I hadn't considered that. Honestly, that's a great concern. That's a that's a great suggestion.

Cindy Pearson: Yeah. Yeah. Used to do a lot of care at Hill School was part of my job there to take care of the buildings and things and help set up. So, you know, there's a lot of little things you can do in between. Yeah, but no. Thank you so much for doing this, both of you.

Ned Quinn: Absolutely.

Bridge Littleton: The only thing I would add is, well, number one, I mean, you know, as we said when we had the public meeting a couple of weeks ago on the annexation stuff, Windy Hill has always been a marker of pride for the town. I mean, it's something we're very, very proud of. We're very, very committed to. And, you know, everybody who lives at Windy Hill is a town citizen, is a part of this community. And, you know, that's what I love about this town, you know, is that it's I say it again, it's not the buildings. It's the people who are here that really, really make the town special and the diversity of backgrounds and, you know, socioeconomic and education and just everything, it's everybody really cares about one another. So I think from a town perspective, we are dedicated to making sure Windy Hill is the great place it's always been. And so any so number one, we really appreciate you guys coming and given some of the feedback in the background on what you guys are working on. But secondly, we are here to help in any way we can. So if there is a if it's a financial issue, we can't do everything, but we can always help if it's a getting labor or assistance. You know, we have a great network of people that may not be in the same network of folks that you guys have, that you may it may take you three months to get somebody in. We might be able to get somebody in in two weeks, you know, broadening the network and scope as much as possible. That's what we want to do to, you know, help you guys because your success is the community's success. That's our that's what we want to do.

Ned Quinn: You all. I appreciate that. And just from the standpoint of providing a little bit more information, it is not a financial situation. It's a contractual and scheduling situation. Yes, we are working hard on it.

Bridge Littleton: Awesome. Thank you. Anybody have any questions?

Peter Leonard-Morgan: Just a quick, quick [inaudible] if you don't mind. We worked with Lisa Capraro quite a bit a couple of years ago on the planter boxes. And also the Virginia Lane raised boxes. And there was a lot of, you know, involvement by the residents there. It was fantastic to see. They really embraced it. And that was at [Inaudible] Hill the [inaudible] The Virginia Lane one as well. And it's amazing once, you know, folks see what they can do and get involved and grow things and clean it all up beautifully. It's really impressive.

Ned Quinn: She was just out there the other day delivering flowers. Yep. Absolutely.

Bridge Littleton: Ned, Bob, thank you guys very much.

Ned Quinn: Of course.

Bridge Littleton: Ok next item is public presentations. I don't think we have any. So on the staff reports, Rhonda.

Rhonda North: Thank you, Mr. Mayor. I most of my time is on the town hall project, which is later on in the agenda. So I just have really one item. As a reminder, Alan Gernhardt of the Virginia Freedom of Information Act Council will be here on August the 30th to give FOIA training. And just as a reminder, this is the year that the council is required to complete the training. So if you're available to take it that evening, that would be great. If not, we'll need to schedule something separate for you with the town attorney.

Bridge Littleton: Could you send out an invite?

Rhonda North: I did send out.

Bridge Littleton: Oh, you did okay. Yes.

Peter Leonard-Morgan: But that's on Zoom as well, isn't it.

Rhonda North: Yes.

Peter Leonard-Morgan: Just on Zoom or we could do it here.

Rhonda North: You can you can come in person or you can participate via Zoom either way.

Bridge Littleton: Okay, Ali.

Ali MacIntyre: All right. Good evening. So I tried to condense my report down with a few little bullet points. So we had our Middleburg job fair yesterday at the Middleburg Community Center. I just wanted to share a little bit of information about that. We did have 12 vendors participate. We had 30 people register and 17 in attendance. So I thought overall it was good for our first job fair. Obviously, I do expect the numbers to be higher and participation both from the employer and the talent side next time. But overall it was really great and our community partners were wonderful. Visit Middleburg Loudoun Workforce Research Center, the Middleburg Community Center, as well as Oh my gosh, I'm completely blanking right now. But Mike [Inaudible], he was lovely and he actually couldn't make it but was calling me, I'm pretty sure, sniffly and sinus infection and was so making sure it was beautifully run. And we actually had [inaudible] from Windy Hill volunteer and she was so lovely. So it was a really, really great event. And actually three interviews are set that day from it, so I'm excited to hear about that. Next step. We do have quite a busy week next week. For those of you that don't know, we have Doc Week, [inaudible] Country Music Festival, 5K. The Middleburg Legion has an event going on next Friday. Art in the Burg, Saturday in the Park over at the Middleburg Museum and as well as a ribbon cutting at Safeway. Just one piece about that. I actually got the email during the meeting. I just wanted to share that Safeway has been a really good partner lately in the past couple of months, I'm pretty sure I've been emailing their store manager over there and Beth, their corporate contact, and she actually just notified me she's going to be donating 300 cans of canned goods to benefit Seven Loaves Services for Art Can Help for Art in the Burg. So I just wanted to share that because that's really exciting. And then last but not least, I did include our survey in there. We had about 60 responses and you can actually see who skipped what, not who, but questions answered and questions. skipped. So a lot of people did skip my open feedback part of the survey, which is ok, but the main challenges that they face were workforce. So we're starting to remedy that by hosting the career fair, which was really encouraged by EDAC. So I'm glad we ended up doing that and then, you know, increasing foot traffic and then dealing with inflation. So I am in conversation because Visit Middleburg also sent out a survey to create these business development workshops to address these issues. And we do have one next month scheduled at the Middleburg Community Center on June 15th. And I'm just going to be talking about grants and sponsorships and the town awards. So yeah, okay. That was concise, right?

Bridge Littleton: Any questions for Ali. [off mic]

Ali MacIntyre: It'll get better, I promise.

Bridge Littleton: Yeah. Yeah.

Peter Leonard-Morgan: You mentioned about people not giving feedback, so it says there's 18 answers, but there's a blank page. Is that something? Am I missing something.

Ali MacIntyre: Oh, no, I did some. I didn't want to include the names, so I can, of course send them.

Peter Leonard-Morgan: No problem.

Ali MacIntyre: But I didn't know that was. [multiple speakers]

Peter Leonard-Morgan: That's totally fine. Gotcha. Thank you. Okay.

Bridge Littleton: Any other questions? Yeah, Chris.

Chris Bernard: I'm terrible with names, but we were at the Visit Loudoun event last week, and I believe it was the H.R. director from Bluemont. That got recognized. She wants some kind of award. And one of the things they highlighted was her innovation in their hiring practices. And so I thought maybe it just hit me when we were sitting there that maybe she'd be a good person to reach out to. I don't know if it's her recruiting or what, but that's probably a tricky area to hire for, much like we are. So maybe she has some insight that she'd be willing to share.

Ali MacIntyre: Thank you.

Bridge Littleton: Any other questions? Ali, thank you. [off mic] You mean the temperature. You don't want it colder. All right, Tina. [off mic]

Tina Staples: So on the front page, I just gave you a top line overview of where the revenues and expenditures are for each fund. After that is the detailed listing of each of those funds and what their totals are compared to the budget. I just had a couple of notes real quick that the town hall financing information as we get more funding in from grants and things, I'll add to that. So this is just what's financed so far. And just to make a point about it, just to be clear that the total amount expended covers FY 21 and FY 22 and it does not equal money spent. Expended means pulled from that SNAP fund. Some of that money is still holding in the operating account waiting to pay bills. So that's something to keep in mind, too. But otherwise, if you have any questions, I'm happy to answer them.

Bridge Littleton: Any questions for Tina? So real quick. That reminds me, I spoke to Chris Gibson yesterday in Congresswoman Waxman's office. They are running down the \$2 Million Grant with HUD to figure out exactly where it's at because they're coming up to a specific deadline.

Danny Davis: They have to obligate the money to us by May 15.

Bridge Littleton: Yeah. And he said they're working on it really hard. But also he would also have more guidance on the limitation around what we can and can't spend it on. Good. Because apparently there were. There was. So you got Davis-Bacon Act, but it might not apply.

Danny Davis: And that's a huge question. Absolutely.

Bridge Littleton: Yeah, exactly. So I told him I would get back to him tomorrow, which. Oh, yeah. So I'll [inaudible] by Monday. All right, Tina, thanks.

Tina Staples: Thank you.

Bridge Littleton: All right. Next, Will.

Will Moore: Thank you, Mr. Mayor, and members of the council. You have my report. I just want to highlight two things really quickly. I did receive a question from council member Kirk that she intended to ask tonight, but not being here. But I thought I would just quickly address it. And it had to do with where we are in the process of addressing some of the redevelopment concerns in the R2 district. Oh, yeah. So that's been covered in the Planning Commission report portion of the report this month as well as previous months. But just a reminder that we did bring in a third party consultant to help us do some research into the issues, do some benchmarking from other communities that have addressed similar concerns and things like that. We received a presentation from the Berkeley Group at the Commission's March meeting and then at the Commission's April meeting. In the interim, we received their final report. There were just

a few tweaks to it. The Commission had a very long, involved detailed discussion at their April meeting about next steps and how to proceed. And then this month I'm presenting to the Commission a first draft of a zoning text amendment based on the report and the discussion that the Commission has had to this point. So we are moving forward in that regard. The other thing to highlight is beginning Monday, we will be closing down Pinckney Street and doing the repaving there. 2 to 3 day time frame.

Bridge Littleton: It'd be really nice as a resident who lives there. If I've been given some kind of notice by the town, you know, I mean.

Will Moore: The one that was hand-delivered to your door yesterday. [laughter] [multiple speakers]

Danny Davis: It would be nice if the mayor opens his email.

Bridge Littleton: I like when it says 1608 unopened. I tell people it's a year.

Will Moore: That's all I have to highlight in case. But if you have any questions, happy to answer them.

Bridge Littleton: Any feedback from the Berkeley Group stuff? Any questions for Will? All right. Great. Thanks, A.J..

A.J. Panebianco: First one to address the returned or recovered stolen vehicle. It was not stolen here. We found it here. So if you read, it's the last bullet. So just letting you know we didn't have a vehicle stolen. We had one recovered. As you can see in the report, a lot of the officers are getting trained up where they need to be and we're happy about that. Jamie Riley, our new officer, will be bringing him before council to do the swearing in probably maybe at the next month's council meeting, as well as Joe, which is our new part time guy as well. Jamie's doing very well and seems to be a hit with the citizens and the staff seem to like him very well, so we're happy about that. This morning I was able to spend the morning at the Capitol in Richmond and with the Governor Secretary Bob Mosher and the AG, as well as a few other people for the first inaugural police officer memorial event at the Public Safety Wall in Richmond. Hasn't been done before. We're very pleased that it was it was a good turnout. And Governor gave a really moving speech with some of the family members there. He has had the unfavorable position of having to attend four funerals for police officers since he took office. So that were killed in Virginia. So but very happy that they did that. Very, very long overdue. Long overdue. So any questions?

Bridge Littleton: Yes, Peter.

Peter Leonard-Morgan: I just wondered if you got any updates on Timmy.

A.J. Panebianco: Timmy is doing well. Matter of fact, Timmy is ahead of schedule. According to what he's telling me his doctors are saying they released him early and they are bumping up pretty much everything he's doing. They're removing him from some meds that they told him he would be on for longer periods. We anticipate that he will be able to attend his retirement party sometime in early August or late July, but probably early August, giving his immune suppressant drugs time to finish working. So.

Cindy Pearson: Yes, and Tim and I text every now and then and I checked on him today and he wanted to tell everybody, you know, how much he missed being here, but that he was doing well. [off mic]

A.J. Panebianco: Yeah, absolutely. Any question? Any other. Thank you.

Bridge Littleton: Thanks, A.J. And A.J., by the way, next time, if you want to make sure you keep that car, don't park in Middleburg.

A.J. Panebianco: Yeah, exactly.

Bridge Littleton: Yeah. All right, Martin.

Martin Crim: Thank you, Mayor. You have my report. And I also did a little summary of the important legislation from the town's perspective. Stand ready to answer any questions or I sit ready to answer any questions.

Bridge Littleton: Anybody have any questions for Martin? Yeah.

Peter Leonard-Morgan: Blink.

Martin Crim: Yes.

Peter Leonard-Morgan: Any updates on that? I know we had difficulty getting in touch with Andrew and then he's back in contact.

Martin Crim: Yeah, we approved that contract we have.

Danny Davis: So we did work on that and the document has been signed.

Peter Leonard-Morgan: Fantastic. Thank you very much.

Bridge Littleton: The only question I had, Martin, was the change in the definition of gift.

Martin Crim: Yes.

Bridge Littleton: That's a little complex. I want to make sure I know.

Martin Crim: A little complex.

Bridge Littleton: It means this, but it only means this if it means this when it means that. So.

Martin Crim: Oh yeah. No, it is absurdly lengthy and very difficult to parse. You know. [off mic] It's bad. Well, stay away from lobbyists. Run the other direction if you see a lobbyist, because they're the gifts that are going to get you in trouble. Yeah. So this might be a good time to remind everybody that under the Conflict of Interest Act, you may get three levels of protection for and proposed action that you are thinking about taking, whether it's gift related or not. One is you ask me for an opinion and after you disclose all the relevant facts and I give you an opinion that you're good to go, that opinion is admissible in evidence to show you didn't intend to break the law if you end up getting prosecuted for it. Well, that's not very reassuring. So let me tell you about the second level. The second level of assurance is that you can go to the Commonwealth Attorney's Office and do the same thing, give it a disclosure of all the relevant facts and get an opinion that is good to go. Typically when I've done those, when I've seen people do those, I write a draft opinion because the Commonwealth Attorney's Office doesn't get a lot of these. It doesn't have somebody dedicated to do them. They don't really get the statute that well. So I mean, why should they? And so I will write a draft opinion and if the Commonwealth Attorney agrees, they will sign that. And that's your your bar to any prosecution. If the Commonwealth Attorney has approved what you're proposing to do, you cannot be prosecuted for it. And then the third level is you can go to the Ethics Advisory Council and get an opinion from them. The problem with both the Commonwealth Attorney and the Ethics Advisory Council is that that's a public record. So just bear that in mind.

Bridge Littleton: So no tickets from lobbyists?

Martin Crim: I wouldn't take any. No. I mean it's just of course, you have to know the person's a lobbyist. But what if the lobbyist is a personal friend? There's a definition of personal friend in the statute. I kid you not.

Bridge Littleton: I can only imagine how much it cost to write that. Oh, yeah, it was a lawyer, trust me. All right, well, anybody have any other questions for Martin? All right, Martin, thank you very much.

Martin Crim: Yes, sir.

Bridge Littleton: All right, Rhonda.

Rhonda North: Thank you, Mr. Mayor. So the town hall project continues to move forward. The contractors are working on the stormwater infrastructure installation, recently installed one of the inlets. They're also starting to set the temporary power for the site. The town staff met with our engineers who had worked with Dominion Power. And I think we have finally achieved an option for bringing power to the site that will accommodate both our building needs as well as the EV charging fast chargers. So we think we have that worked out, which will now allow us to proceed to the footers for the building and then followed by the foundation work. So hopefully things will start moving a little faster in that area. One of our neighbors had some concern about the trees that are adjoining the property line. We did bring an arborist in to take a look at them and we've signed a contract with him. He's going to fertilize the mulberry tree as well as the Hollybush, and then we're going to do some trimming on the mulberry tree. It's leaning badly and they're going to take some of the weight out to help keep that from toppling over. So I think the the neighbor is is happy with that. And finally, I've started to draft an RFP so we could seek some assistance with designing solar power and possibly adding solar power to the building right up front. We had talked about doing that in the future, but with our grant money, we think we may be able to go ahead and include that in the project.

Bridge Littleton: All right. Any questions for Rhonda?

Danny Davis: I would also note, Mr. Mayor and council members that Rhonda did include the full project schedule. Not that we expect you to review that, but for those who are of interest, it is quite enjoyable to read through at least once and know certain things of course fluctuate throughout the schedule, but generally everything is currently on schedule and Downey and Scott continues to press very hard on both schedule and budget, but we're really excited about how things are going. If you see the work out there right now, they're digging the stormwater detention pond or detention facility, which is completely underground. And if you see the big yellow, you look like plastic. I don't know plastic. Anyway, there are semi circles that is actually the underground stormwater facility and that directs it for both slowing it down, but also filtration.

Bridge Littleton: In the future if you could. Anyone have a question?

Bud Jacobs: No. I wanted to make a comment.

Bridge Littleton: I was going to only simply ask in the future, can we not have the MS Project file itself? I'd like to. I'd like to tweet this a little bit. No, no, no. We're going to move. I'm going to move some stuff to the left. We'll be in by August.

J. Kevin Daly: But I wanted to propose a new metric for the material that you've put before us, Rhonda. I'm calling it the Rhonda satisfaction meter. Quotient. Quotient is better. If at any point, if we want a top line analysis from Rhonda of where the project is going, we can simply ask, what's the Rhonda satisfaction quotient today? [off mic] Well, I had a interesting experience. I was I was telling her how impressed I was with the progress they're making. And her response was, hmm. [laughter] Apparently. Yeah.

Rhonda North: It's not done yet.

Bridge Littleton: All right. Moving. Yeah.

Danny Davis: Could I add three quick items? I know I don't always have direct reports. As staff reports. we had a very successful two days meeting with representatives from the Mille Miglia the last two days and preparing for October. Very successful. They also met with the Salamander folks. And so we're putting a lot of details together. We're working with our event management firm, but very much enjoyed having them in town. They were hoping to have been here tonight to actually be here for the council meeting, but they're flying out this evening so they couldn't be here. Also wanted to note for you that we are beginning the meter replacement project and the radio read system. We had our first

meeting today and in fact, they're already starting to replace some of the touchpads with the radios. And it's a very simple process. And that portion will go very quickly. When we get into replacing meters, there will be very brief and limited impacts to each house as you take a meter out and put a new meter in. But we will give advance notice to the general community as well as you'll see folks working when there may be some very brief impacts. And then finally, I would note that we've heard a few phone calls from folks who live down Stonewall Avenue about the large rams that are breaking up the rock at the Salamander Project. One outcome of that was that we requested that they not work before 8 a.m. on Saturdays because they began right at 7 a.m. this past Saturday and they agreed to that. In addition, they did anticipate that they should be completed, they hope with that large rock project by the end of this week. So it's been a lot of rock if you've been out there and seeing how much has been piled up. So we'll continue to keep an eye on it. They've been within all the ordinances and appropriate, but just wanted to share that with the rest of council if you had not heard any direct comments. Thank you, Mr. Mayor.

Bridge Littleton: Thank you. Maybe we should think about changing our ordinance from 7 to 8 on a Saturday on the weekends. I mean, 7 is pretty early on the weekends. So. But discussion for another time. Okay. Next items here are where am I? Consent agenda. Anyone like to make a motion?

Chris Bernard: I move that we adopt the consent agenda as proposed.

J. Kevin Daly: Second.

Bridge Littleton: Oh, first. Would anybody like anything removed from the consent agenda?

J. Kevin Daly: No.

Chris Bernard: Negative.

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

Everyone: Aye.

Bridge Littleton: Opposed, abstentions. Ok. Next item is discussion item. Request for short term parking permits in Liberty Street Parking lot from Catawba Corporation.

Danny Davis: Mr. Mayor, we received a request from Catawba, who owns the buildings where sorry, Tremolo, Wild Hair Cider, Italia, Second Chapter Books. They are doing a gas line improvement project that will be running behind their buildings and will impact their parking area. Contractually, in their leases, they are to provide parking for ten vehicles for their tenants. And so they approached us with a request to reserve spots in the Liberty Street parking lot. Working with Miss North, we identified that our current kind of parking pass policy doesn't really address this issue or this topic of a very short term lease request or rental request. So that is why we're bringing it to you for some guidance. At the end of the day, the folks that need to park to run these businesses, we'll have to find a place to park somewhere in town that might be in the Liberty Street parking lot. Whether we allow them to rent the spaces or not, it might be on Washington Street, which could take spaces from the public. It's at this point, it's kind of a policy choice or policy decision. There's no right or wrong answer, per se. The recommendation would be that if they wish to if the council is open to this idea of allowing them to purchase a one month of a parking permit, that would be \$40 per permit. Our suggestion would be they be limited to Monday through Friday to keep as much parking available to to the public as possible on weekends. However, again, knowing that these are retail businesses, they will still have employees needing to park somewhere in town. So. We're kind of bringing it to you to see if there's any guidance, suggestion, recommendations here. I'm happy to answer questions as you have.

Bridge Littleton: I mean, my view is how many days we're talking about?

Danny Davis: Two weeks.

Bridge Littleton: Two weeks. Just give it to them for all seven days. You know, because to your point, when they're really going to need it is on the weekend. So yeah.

Cindy Pearson: Do we have some that are rented out now. I know they used to.

Rhonda North: Two spaces right now that are currently rented.

Cindy Pearson: [off mic] And they want ten.

Rhonda North: So when. So when council established the Liberty Street Parking Lot program, they they set a maximum limit of ten spaces. We have at times had all ten spaces rented, but we're currently down to just two.

Chris Bernard: So they want ten more than. So it'll be 12, two weeks. Great.

Bridge Littleton: It's not even about the money. Just be good neighbors. Okay, you guys are good.

Danny Davis: But we're going to charge them.

Bridge Littleton: Oh, yeah, yeah, yeah.

Danny Davis: When you said not about the money, I just want to be clear.

J. Kevin Daly: We're not that good neighbors.

Danny Davis: Very good. All right.

Bridge Littleton: Woah, add a zero and then. No. Okay. We don't need to make a motion on this, do we?

Danny Davis: We're okay. Yeah.

Bridge Littleton: All right, next item here is where are we? Any information items? But we're going to close session on Asbury Church.

Peter Leonard-Morgan: So we've got our 1500 bags. Yes. And we're going to get the scouts very kindly are going to help us distribute them on the 6th of June. So we're working on that right now. So thanks, Jay, and thanks, Terry, for that. We're also going to work with Salamander to have a table out front at some point, probably mid to late June, and working together with Ali and Tina to get a list, you know. Thank you very much. I appreciate that. And so that we can check off people as we've delivered them. And we're going to do some cards so that folks will if they're not home, we can slip it in the door and they can come and pick them up from the huge, spacious town office [inaudible] we'll talk about that, obviously. So that is the plan in advance of July the first with the new five cent disposable plastic bag tax. Oh. So I was not at the cleanup, but evidently it went very well. [off mic]

Bridge Littleton: I would just say, despite your absence, it went off famously.

Peter Leonard-Morgan: Sorry, A.J.?

A.J. Panebianco: Deeply missed.

Peter Leonard-Morgan: Oh, thank you. Well, I appreciate what everyone did. It went really well. Evidently. Same with the battery collection. Did we get any razorblades delivered? I mean, that's one thing. [off mic] Fantastic. [off mic] Oh, okay. Oh, right. So a great day. Apparently. Lovely weather and the drug takeback went well as well. Yeah. Thanks, AJ. Thanks, everyone.

Bud Jacobs: For the record, Peter, you were missed.

Bridge Littleton: So one thing I want to mention, I'm going to mention this all the way through the remainder of the time. We are one month in and two months left for people to provide public input to the draft Loudoun County Zoning Ordinance Rewrite. The ZOR was released a month ago. It's a 90 day referral for public input. If you need help going through it. If you want me to show you how to put the comments into Encode Plus, it is a utterly confusing and cumbersome tool to get your comments into the zoning ordinance. I've figured it out. I'm not efficient, but I figured it out. Or well, no. It would be good to hear from more than one. More than just me. But this is the this is the Public's one shot to put comments in on what you like and don't like about the zoning ordinance. And this is it. This will not be touched again in an en masse rewrite for another 20 years. So if we don't like how Loudoun County has gotten today, this is your once in a 20 year opportunity to do it. So you got 60 more days. And again, anybody in the community wants to reach out. I'm happy to sit down with you, walk you through the issues and concerns and the county zoning and help you put it in the Encode Plus.

Cindy Pearson: Is there a link somewhere that we can?

Bridge Littleton: It's all on the county website. [multiple speakers]

Danny Davis: If you go to our web page, scroll to the bottom under news flash items. There will be a direct link to the county page.

Chris Bernard: So that reminds me, at our strategic planning session, we set a council initiative to have a Rural Preservation Summit. Just to catch you all up Ali and Bridge and I have had a few meetings discussing format, location, time and all that stuff, and it looks like we are putting something together for late summer or early fall, but it looks like hopefully it's going to happen. So that's it. Nothing, more details to follow.

Bridge Littleton: Ok. So the only other item we've got is closed session to discuss the proposals for Asbury Church. So before we go into closed session, is there any last questions? Ok So exactly who would like to read the so we're going to go to a public session to discuss Asbury Church. Thanks, everybody. Appreciate it.

Peter Leonard-Morgan: I move that council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for the discussion or consideration of the potential sale of town owned property located within the town limits, where discussion in an open meeting would adversely affect the negotiating position of the public body as allowed under subsection A3. I further move that the Council thereafter reconvene in open session for action as appropriate.

Chris Bernard: Second.

Bridge Littleton: All those in favor say aye.

Everyone: Aye.

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

Danny Davis: We'll need our closed session certification. Then we can adjourn. [off mic] We just need the motion to come out a certification. Then we can move to adjourn.

Bridge Littleton: I ask that council certify to the best of each member's knowledge, only public business matters=lawfully exempt from open meeting requirements under Virginia Freedom of Information Act and 2 only such public business matters as identified in the motion by which the meeting, the closed meeting was convened were discussed or considered in the closed meeting. I would like to remind those present for the closed session that any discussion that occurred within it should be treated as confidential.

Chris Bernard: Yes.

Bud Jacobs: Aye.

Bridge Littleton: Yes.

Peter Leonard-Morgan: Yes.

J. Kevin Daly: Aye.

Cindy Pearson: Yes.

Bridge Littleton: Any other items? Any other items? Meeting adjourned.