



## MIDDLEBURG TOWN COUNCIL Regular Monthly Meeting Minutes



Thursday, August 13, 2015

**PRESENT:** Mayor Betsy A. Davis  
Councilmember Kevin Hazard  
Councilmember Trowbridge Littleton  
Councilmember Catherine "Bundles" Murdock  
Councilmember Erik J. Scheps  
Councilmember Mark T. Snyder  
Councilmember Kathy Jo Shea

**STAFF:** Martha Mason Semmes, Town Administrator  
Angela K. Plowman, Town Attorney  
William M. Moore, Town Planner  
Debbie J. Wheeler, Town Treasurer  
A. J. Panebianco, Chief of Police  
Cindy C. Pearson, Economic Development Coordinator

**ABSENT:** Vice Mayor C. Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, August 13, 2015 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis led Council and those attending in the Pledge of Allegiance to the flag.

Mayor Davis thanked the Council, staff and community for their support following her mother's passing.

### **Public Comment**

Tony Buffington, candidate for the Blue Ridge District seat on the Loudoun County Board of Supervisors, appeared before Council to introduce himself. He noted that he lived in Brambleton. Mr. Buffington advised that he had twenty-one years of military, federal and community volunteer service and currently worked for the U. S. Capitol Police. He further advised that he served on the Loudoun County Heritage Commission and was Vice President of one of the largest HOA's in the County. Mr. Buffington expressed an understanding of the duties the Council held and opined that no one understood the needs of Middleburg better than the Council. He advised that he supported and respected the Council's authority and acknowledged their knowledge of the wants and needs of the community. Mr. Buffington further advised that he looked forward to having a close working relationship with the Council. He noted that Middleburg was a beautiful town that all of the County's residents enjoyed and advised that he wanted to help keep it that way.

### **Approval of Minutes**

*Councilmember Snyder moved, seconded by Councilmember Murdock, that Council approve the July 9, 2015 Regular Meeting and July 23, 2015 Work Session Meeting Minutes as amended.*

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Scheps, Shea and Snyder

No – N/A

Abstain: N/A  
Absent: Vice Mayor Kirk  
(Mayor Davis only votes in the case of a tie.)

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### **Staff Reports**

Councilmember Murdock thanked Councilmember Snyder for donating a weather station to the Town. Councilmember Snyder reported that it was a Davis Instruments Weather Station that would be mounted on a pole outside of the Stonewall Treatment Plant. He noted that IES had been taking readings wirelessly from the unit in his back yard. Town Administrator Semmes explained that IES wanted the rain data so they could track the rain fall. Councilmember Snyder noted that this unit measured wind speed and direction, rain fall by the hundredths of an inch, temperature and humidity.

Councilmember Shea noted the comments in the **Town Administrator's** report regarding the State Fire Funding Program. She further noted that she spoke of the fire department going from a volunteer to a paid staff. Ms. Shea suggested the paid staff be invited to attend a Council meeting to introduce themselves so the community could put a face with those who would be serving them.

Councilmember Murdock noted that the amount of the State fire funding was \$20,000. Town Administrator Semmes reported that the \$10,000/year was an apportionment, not a grant; and, explained that the money came from fees that were charged on insurance. She further explained that the money from those fees was apportioned to all communities in Virginia regardless of whether they had a fire company or not. Ms. Semmes noted that this was simply a pass through of funds. She advised that the fire department must show how the money was spent, which the Town must then report to the State. Ms. Semmes noted that she tried to get the State to give the money directly to Loudoun County; however, it must come to and be spent in Middleburg. She reiterated that the Town would know how the money was spent as the department must report it to the Town. Ms. Semmes noted that the money did not necessarily have to be spent in the same year and advised that it could be carried over from year-to-year to save for a large purchase. She advised that, in that case, the department must report that it was carrying over the funds.

Councilmember Shea questioned whether there would be training on the new Southern Software. She further questioned whether more staff would be trained. Town Administrator Semmes noted that two members were currently trained on the existing software and advised that at least two would be trained on the new one. She opined that she would have an understanding of the new software as well. Ms. Semmes advised that the details on the training were something she asked Southern Software to provide.

Councilmember Shea noted that the Town Administrator's report indicated the bid documents for the utilities improvement system would be advertised by the end of the month. She questioned whether this would be the end of August. Town Administrator Semmes confirmed it would. She opined that the Town would know who the contractor for the Route 50 Project would be by then. Ms. Semmes noted that this project would connect to that one and advised that she would make sure that company received a copy of the bid proposal in the hopes that they would give the Town a bid.

Councilmember Shea expressed happiness that the Town would no longer experience paper littering the Liberty Street Parking Lot as the result of the replacement of the paper towel holders with hand dryers. She questioned the noise impact of the dryers and noted that the new cooling system that was installed had a big impact in terms of noise. Town Administrator Semmes advised Council that the hand dryers would be located entirely inside the building and would not circulate air outside of it.

**Economic Development Coordinator Pearson** invited the Council to attend a new artist's exhibit at the Byrne Gallery following the conclusion of the Council meeting.

Councilmember Shea advised Council that earlier she asked the Economic Development Director whether the Town had any guidelines related to its weekly e-newsletter and Facebook page. She noted that Ms. Pearson indicated that priority was given for Middleburg items; however, this was not identified in writing. Ms. Shea asked that Ms. Pearson prepare a set of written guidelines.

Economic Development Coordinator Pearson noted that the weekly e-newsletter contained a disclaimer on the bottom. She expressed an understanding of the desire for written guidelines.

Councilmember Shea questioned whether there have been any discussions of the drop off coming out of the Red Fox Inn's parking lot that was created as the result of the Madison/Marshall Street Intersection Project. She explained that motorists were jarred when coming out of the lot if they had a car that sat low to the ground.

**Town Planner Moore** reported that this area was designed as a mountable curb rather than a typical driveway. He advised that it was intentionally designed that way although he was unsure of the reasoning behind it. Mr. Moore explained that it had to do with storm water management. He reiterated that the parking lot entrance was constructed in accordance with the plans. He confirmed that if a car sat low to the ground and had any speed to it, it would bottom out.

Councilmember Murdock questioned whether the Town received any sales tax revenue during this fiscal year. **Town Treasurer Wheeler** reported that the July payment was not received until August 2<sup>nd</sup>; therefore, it would be reflected in the report for August. She opined that the Town would probably receive two sales tax payments in August.

Town Administrator Semmes reminded Council that some items would be moved around due to the audit. She opined that the monthly reports would not "start settling down" until October when the Town received the first new utility payments. Town Treasurer Wheeler reminded Council that the utility payments for the June billing that were received in this fiscal year would be put back into last year's receipts by the auditors.

**Chief of Police Panebianco** recognized his staff for the efforts they put into National Night Out, in particular Lieutenant Mike Prince, who primarily organized the event. He opined that this year's event was the best ever. Chief Panebianco advised Council that the dunk tank would return next year. He noted that in addition to the Police Department staff, they also had a tremendous turn out from the business community and residents who volunteered to assist. Chief Panebianco thanked the Middleburg Eccentric for providing their centerfold and helping to publicize the event. He also thanked Jay Hubbard for providing a video of the event for the last two years. Chief Panebianco opined that National Night Out brought the community together and suggested that Middleburg's event did it more than it did in other areas. He advised that every person that he came in contact with wanted to participate and noted that there were more than three hundred fifty people present at any given time. Chief Panebianco reported that the Department was focused on getting as many people there as possible and noted that it was a true community event. He advised that he was proud of the staff, volunteers, community and Council for their support.

Chief Panebianco expressed hope that in a short time, he would make an announcement on a project he has been working on with the Commonwealth Attorney's Association. He opined that it would be groundbreaking. Chief Panebianco noted that he was the Chair of the Professional Image and Ethics Committee for the Police Chief's Association and explained that this was their project. He advised that Middleburg was deeply involved in it.

Chief Panebianco opined that the Special Events Committee would give Council a report next month.

Chief Panebianco noted that he looked at parking options while on vacation and expressed hope that he and the Town Administrator would have a report for the Council next month.

Councilmember Shea asked that the Town have a policy of announcing that drones were at a Town event as not everyone knew this. She noted that she taught self-defense and participated in battered women's programs for years and advised that some people did not need to have their pictures put on the Internet. Ms. Shea reiterated her request that the Town have a policy of announcing to the public when a drone would be present at a Town sponsored event so people could elect to not attend. Chief Panebianco agreed to put up a sign at the entrance stating that "this was a public event and participants could be photographed". Councilmember Littleton agreed with the need to post such signage.

Councilmember Scheps advised Chief Panebianco that he and his wife recently called the Police Department due to noise coming from the Salamander Resort. He suggested the need to have a baseline of the noise and noted that the only way this would occur would be to use the decibel meter.

Chief Panebianco advised Council that he was aware of the incident and has advised the officer that he needed to use the decibel meter when there was a noise complaint. He reminded Council that the officer would need to enter the complaining party's house and take the measurement four feet from the wall with the doors and windows closed. Chief Panebianco noted that sixty-five decibels was the equivalent of a loud conversation and advised that the noise would have to be louder than that to be a violation. He reminded them that after 10:00 p.m., the allowable decibel level must be below fifty-five decibels, which was louder than the noise from a television.

Councilmember Scheps opined that when he could hear the words from the lyrics in his house, the noise level was too loud. Chief Panebianco opined that the noise was probably not a violation. He suggested that he set up a test using a radio so Councilmember Scheps would have an idea of different noise levels. Chief Panebianco noted that he has advised his officers that even if something was not a clear violation, it would not hurt for them to ask the other party to turn the volume down. He advised that the officer could not make them do so in that instance; however, he noted that Salamander tended to be very hospitable and would make an effort to address a complaint if they knew there was a problem. Chief Panebianco advised that in this case, the officer was waiting until 10:00 p.m. to contact Salamander; however, the noise went off at that time. He confirmed that he would like for his officers to use the meter.

Councilmember Scheps suggested the need to reduce the allowed noise levels in the ordinance. Chief Panebianco noted that when setting the decibel levels, the Town used what was identified as acceptable levels based on what the insurance company said the Town should do.

Councilmember Scheps opined that the noise was probably in line with the ordinance.

Chief Panebianco asked that Councilmember Scheps call him at home if the officer did not respond the next time he called in a noise complaint. He advised that he wanted to make sure these issues were being addressed. Chief Panebianco reiterated that the officers have been advised of the need to use the noise meter. Councilmember Snyder noted that the Town did not buy the meter to have it put on a shelf.

Councilmember Scheps reiterated his suggestion that the noise levels be lowered. Town Administrator Semmes noted that Loudoun County was going through this same issue and hired a consultant to advise it. She advised that she would see if she could obtain a copy of the consultant's report.

Councilmember Scheps noted that Salamander would be developing forty-nine lots. He questioned how that would work from a noise standpoint. Councilmember Shea reminded Council that the lots would belong to residents of Middleburg, not residents of Salamander. Councilmember Snyder noted that they would be luxury resort homes and could be second houses for some individuals. Councilmember Littleton opined that they would be primary homes for the majority of the owners.

Councilmember Murdock advised that she was honored to do a police ride along with Officer Fadely last weekend during the 6:00 p.m. to 5:00 a.m. shift. She noted that it reinforced her appreciation for the Police Department. Ms. Murdock advised that an incident occurred in Sterling that evening that required a response from every available unit, which meant there were not many units available to assist Middleburg if something happened that required back-up. She further advised that if something happened in South Riding, Officer Fadely would have been the nearest unit to respond and would not have had anyone to back her up.

Councilmember Scheps expressed an interest in doing a police ride along.

Chief Panebianco noted that the night Councilmember Murdock did the ride along was a busy night. He advised that she saw the majority of what went on in one night. Councilmember Murdock noted that it was a positive, learning experience.

Chief Panebianco invited the members of Council to do a ride along; however, he suggested that they not do one for an entire twelve hour shift. He further suggested that they only do a half a shift during a peak period. Chief Panebianco explained that they would go through him to schedule the ride along and noted that the members would need to sign a waiver and complete some paper work, at which point, he would make an assignment for the ride along.

Councilmember Murdock suggested the Town Administrator do a ride along.

Chief Panebianco suggested the members do a ride along during good weather when things were more active. He advised that this was educational for both the members of Council and the officers, as they both had the opportunity to get to know each other better.

**Addition of Item to the Agenda**

*Councilmember Snyder moved, seconded by Councilmember Shea, that Council add the discussion of an NEA Our Town Grant for Asbury Church to the agenda.*

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Scheps, Shea and Snyder

No – N/A

Abstain: N/A

Absent: Vice Mayor Kirk

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

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

Council Approval - Proclamation – Blood Cancer Month & Lymphoma Awareness Day

*Councilmember Murdock moved, seconded by Councilmember Littleton, that the Council adopt a proclamation declaring September as Blood Cancer Awareness Month and September 14, 2015 as Lymphoma Awareness Day in the Town of Middleburg.*

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Scheps, Shea and Snyder  
No – N/A  
Abstain: N/A  
Absent: Vice Mayor Kirk  
(Mayor Davis only votes in the case of a tie.)

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**Council Approval** – Resolution – Request for Traffic Calming Measure – Marshall/Madison Street Intersection

*Councilmember Snyder moved, seconded by Councilmember Shea, that Council adopt a Resolution Requesting All Way Stop Control as a Traffic Calming Measure at the Intersection of Marshall and Madison Streets.*

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Scheps, Shea and Snyder  
No – N/A  
Abstain: N/A  
Absent: Vice Mayor Kirk  
(Mayor Davis only votes in the case of a tie.)

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**Discussion Items**

**Request to relocate Art in the Burg to South Madison Street**

Councilmember Shea expressed concerns about this request. She noted that, based on past experience, VDOT would allow the road closure for an evening; however, they would not do so during the daytime as it created access issues for the Hill School or the residents on Landmark School Road. Ms. Shea noted the need for emergency vehicles to access those locations. She suggested the event be held in a location other than a street and recommended that consideration be given to the parking lots.

Peter Wood, Chairman of the Middleburg Arts Council, advised Council that there were other options that they were considering. He explained that they wanted the event to be held in one central location.

Mayor Davis reminded Council that when this event started, the idea was that it would be held throughout the town so it would pull people throughout it as opposed to having it in one location.

Mr. Wood noted that he has watched people who attended an event at the National Sporting Library. He agreed that people did not walk far.

Mayor Davis noted that this was her concern. She opined that it would be great for the artists to have the event in one location; however, she reiterated that part of the idea behind the event was that it would get people throughout the town.

Mr. Wood explained that the reason they wanted to place the tents in the center of Madison Street was so pedestrians could walk on the sidewalks and go into the businesses.

Councilmember Hazard suggested the need to canvas the retailers before closing the street. Mr. Wood advised that he spoke with representatives from three businesses who were in favor of this and one who was not. He noted that the one who was not was open on Saturdays and was handicapped, with the handicapped parking spot being located on Madison Street.

Mayor Davis noted that when the Town allowed events to be held on the street in the past, too many merchants said “they did not like having events there”. Mr. Wood agreed they disliked having the Bluemont Concerts on the street as that put people on the sidewalk in front of their stores. Councilmember Murdock noted that the concerts occurred at night when the shops were closed.

Mr. Wood asked that he be allowed to work with the Chief to determine if they could put the tents against the sidewalks to determine whether there would still be room for cars to traverse the street.

Chief Panebianco advised Council that one of his issues was that he must pay two officers to work the event and noted that this was not in his budget. He advised that if it was a Town sponsored event, which this was, the costs would be covered through payroll. Chief Panebianco noted that the officers would be paid overtime unless he could get part-time officers to work, in which case the cost would be \$25/hour/officer. He suggested the need to consider this as well.

Councilmember Shea noted that the Town owned one parking lot and leased another. She advised that VDOT would have to make this decision. Councilmember Littleton agreed with the need to explore other options. Councilmember Murdock suggested the use of the Methodist Church property, including the parking lot, and noted that this would provide visibility from Route 50.

#### NEA Our Town Grant – Asbury Church

Town Administrator Semmes advised Council that she and Tom Sweitzer, of A Place To Be, have been working for some time now to help find a location for his business. She further advised that she just found out that it would be staying in town. Ms. Semmes reminded Council that they have asked the public what they would like to use the church building for and noted that the responses kept coming back that it needed to be kept as an open space that could house a variety of different uses, mostly related to the arts.

Mr. Sweitzer agreed it should be a community space. He suggested it be used to house art work, for recitals and for meetings. Mr. Sweitzer advised Council that A Place To Be has been invited by the National Endowment for the Arts (NEA) to do a grant. He explained that the grant must include a non-profit, whose income was over \$500,000, who has been around for more than three years and who must partner with the Town to renovate the space. Mr. Sweitzer suggested the older children in his program could do things such as operate the facilities, including scheduling and cleaning. He advised that he would love to hold one or two recitals per month in the building, with the Town then using it for other uses. Mr. Sweitzer reiterated that he could seek an NEA grant, in the amount of \$200,000-300,000, with his clients doing the work, even though it would remain a Town space. He advised that he had people who would start a website and take care of the building.

Town Administrator Semmes noted that the grant contained different subcategories and suggested this application be for a design grant. She noted that the grant would not cover construction costs and would only cover the design and planning costs to turn the building into a multi-purpose, cultural facility. Ms. Semmes opined that once the plans were in place, it would make fundraising easier.

Councilmember Murdock questioned whether the Town would have to solicit designers. Town Administrator Semmes advised that it would not have to do so before the grant was received. She noted that the technical advisory group would meet next week to go over the building’s structural analysis report. Ms. Semmes advised that once they did, the items that were identified as needed would be put out to bid.

Councilmember Snyder opined that the staff had the Council's consensus to pursue the grant. He questioned whether anything else was needed of them. Town Administrator Semmes confirmed that a formal resolution of support would need to be approved and suggested this be done during the September meeting. She noted that this would give the staff time to look at the grant application. Ms. Semmes suggested A Place To Be may want to apply for a grant for other things, such as programming costs, and noted that the different applications could be submitted as one grant package.

Councilmember Shea noted that she agreed with this; however, she wanted to make sure the building did not become "A Place To Be" in town but rather was used for the arts. She suggested the Middleburg Arts Council be included in the discussions.

Councilmember Snyder noted that the activities that would occur in the space remained to be defined; however the intention was that it would be what the community wanted. He suggested that Mr. Sweitzer be involved. Councilmember Shea suggested that Mr. Wood also be involved in the planning stage.

Mr. Sweitzer opined that his non-profit's inclusion made sense for this grant. He noted that this was an opportunity to teach children what a town/community did. Mr. Sweitzer advised that he could see amazing things happening for everyone.

Councilmember Shea asked the staff to make sure that Martha Cotter, of Piedmont Community Music, and the Middleburg Arts Council were involved in the planning process.

Mr. Sweitzer advised that it would be easy to share this space with fifteen people who cared about the arts. He reiterated that A Place To Be could serve as the host and provide cleaning services. Mr. Sweitzer noted that there was a list of organizations who wanted to be in the space. Councilmember Shea suggested the core groups be involved in the planning process.

Councilmember Murdock noted that the Town received letters this week regarding the Asbury Church.

Town Administrator Semmes suggested the Council respond to them and thank the individuals for sending in their ideas.

Councilmember Murdock suggested the Council wanted the kind of people who wrote those letters to be involved, not just those involved in the arts.

Town Administrator Semmes cautioned Council about putting the cart before the horse. She reminded them that they have not decided whether the Town would keep the building. Ms. Semmes noted that the Council has not voted to do anything beyond fixing it up.

Councilmember Snyder agreed the Town needed to stabilize the building and then determine the cost to renovate it.

Councilmember Shea agreed it was not a given that the Town would keep the building; however, it would be easier for someone to take it over if there was a valuable use for it. Councilmember Littleton agreed.

#### Status of Route 50 Streetscape Improvement Project

Town Administrator Semmes reminded Council that the bids for this project were high and opined that this was not unusual for a small project as the contractors only wanted big ones. She advised that the bidders were good, including the low bidder. Ms. Semmes reminded Council that they have entered into two agreements with VDOT that affected this project, the first being the water line agreement to



allow the water line to be replaced as a part of the Route 50 Project. She noted that this agreement helped the Town keep the overhead costs down as it limited the Town's share. Ms. Semmes advised, however, that the agreement did bind the Town to cover whatever the cost would be, including possible over runs. She reminded Council that they have already agreed to pay for the project. Ms. Semmes further reminded them that the Town was getting a twenty-one percent (21%) discount on the water line project as VDOT was paying for part of it because it was already digging up the street for the crosswalks.

Town Administrator Semmes advised Council that VDOT asked her to inform Council of the cost overruns to make sure they understood them. She reported that VDOT was also coming up with more money for the project. Ms. Semmes advised that the bottom line was that the Town would incur an additional \$285,326 in costs. She reported that the money for the water line portion was available from the bond proceeds. Ms. Semmes noted that this may impact the Town's ability to do the other projects it wanted to do; however, it would not know that for sure until those projects were bid.

Councilmember Snyder questioned whether the cost overruns were for the utility work. Town Administrator Semmes confirmed that \$255,000 of the shortfall was assignable to the Town due to the water line project. She advised that \$30,522 was assignable due to the transportation enhancement/streetscape portion of the project, for which the Town has also signed an agreement.

Councilmember Snyder asked that the staff make sure that the expenses that were not related to utilities were not attached to the bond debt. Town Administrator Semmes confirmed that she would be able to show the expenses by line item as to how the bond money would be spent. She noted that she could not provide Council with an individual line item list at this time as VDOT had a policy prohibiting the release of that information until they selected a bidder. Ms. Semmes opined that the Town was lucky that VDOT provided the information before them and was moving forward with this project. She noted that experience has found that when VDOT rebid a project, it came in at a higher cost; therefore, everyone wanted to save the bid. Ms. Semmes advised that the Town still did not know why the costs were higher and noted that the Town's utility engineer could not believe the price for the water line.

Councilmember Scheps questioned whether the Council needed to amend the budget if VDOT proceeded with the project. Town Administrator Semmes confirmed it would in the future. She noted that there was enough money in the Contingency Reserve to cover the General Fund costs; therefore, the Council would not have to allocate money from its reserve funds. Councilmember Snyder noted that the mid-year budget amendment would ensure the Town had the right amount in each account.

Councilmember Snyder reminded the Town Administrator that several months ago, they talked about securing a quote from MSF&G to update the utility rate model software. He suggested this be done in the fall in order to be prepared to activate the update in the spring.

Councilmember Littleton questioned whether the staff had a list of the bidders. Town Administrator Semmes reported that A&M Concrete was the low bidder, with two others being higher. She noted that it was not a large firm; however, VDOT and the Town's utility engineer have worked with it before. Ms. Semmes advised that they indicated that A&M did good work in Prince William County.

Councilmember Hazard questioned whether it was correct that the Town would owe \$254,804 for the utility work, \$30,522 for streetscape and \$0 for traffic calming over what has been budgeted. Town Administrator Semmes confirmed this was correct. She noted that VDOT would pay an additional \$155,000 in traffic calming costs. Ms. Semmes advised that overall, the Town would come up with an additional \$285,326, with VDOT coming up with an additional \$347,037. She noted that she was able to pull out an additional \$40,000 due to the agreement that the Town would only pay construction costs plus ten percent.

## **Information Items**

Councilmember Shea noted that during the recent Middleburg Business & Professional Association (MBPA) meeting, DeeDee Hubbard reported that on a weekly basis, cars could be seen going the wrong way on Route 50 at the intersection with Zulla Road. She advised that the existing warning signs were not stopping motorists from doing this and noted that Ms. Hubbard talked to VDOT, who said it would paint arrows on the pavement. Ms. Shea advised that they have not done so and noted that the MBPA was asked to contact VDOT. She questioned whether the Town should do so as well.

Councilmember Murdock requested the Chief's reaction. Chief Panebianco reminded Council that this was not within the Town's jurisdiction. He reported that he contacted the Sheriff's Department and requested permission to set up a Town police vehicle to do enforcement; however, his request was denied. Chief Panebianco advised that they indicated they would put up a speed sign and assign deputies to patrol the area; however, he had not seen a difference. He noted that he had assigned officers to sit in the cross over in order to make motorists think and advised that motorists did not make this movement when they were present. Chief Panebianco reiterated that he contacted the Dulles South Office to explain the issue to them. He reported that the County Attorney said "he thought it was best if the Sheriff's Department handled this matter as it was in their jurisdiction". Chief Panebianco opined that VDOT was part of the problem. He suggested that something drastic needed to happen. Chief Panebianco advised that he considered placing the Town's signs at this location; however, he was afraid that motorists would turn right and then make a U-turn.

Councilmember Snyder noted that years ago, there was talk about closing one of the lanes; however, no one liked the idea. He suggested that if there was only one lane in each direction, motorists would not go the wrong way.

Councilmember Shea noted that the problem was that motorists sped up at this location in order to pass slower cars before they reached the town; therefore, they were increasing their speed.

Mayor Davis noted that she has even observed this behavior during the day. She opined that it was worse at night, particularly if a motorist was not familiar with the area.

Councilmember Shea reiterated her request that the Town ask VDOT to address this issue, as the signage was not addressing it. Councilmember Hazard agreed with the need to have markings on the pavement. Chief Panebianco suggested the need for the installation of a flashing light on a sign on Zulla Road with the message "divided highway ahead".

Councilmember Littleton suggested this was the number one priority out of all of the items that have been discussed during the meeting. He noted that someone could get hurt or there could be a tragedy at this location. Councilmember Murdock agreed the Council needed to write a letter to VDOT and use its Commonwealth Transportation Board contact if necessary.

Councilmember Snyder suggested the Town reach out to the County to solicit their recommendations as this was their enforcement area.

Councilmember Shea noted the importance of having law enforcement in this location. She further noted the need to stop this movement before something happened.

Councilmember Scheps advised that he wanted to bring the need for gates at the Residences at Salamander to the Council's attention to ensure there was on-going discussion between Salamander, the Planning Commission and the Town Council. He questioned who would determine when it was necessary to impose the gate installation requirement due to traffic. Mr. Scheps suggested the need for a continuing dialogue. He noted that his wife sent an e-mail to the Town Planner. Mr. Scheps opined

that the Town may not be able to force Salamander to do gates and suggested the need for a plan. He advised that motorists would use the new roads according to the traffic study, with traffic increasing by sixty percent (60%). Mr. Scheps reiterated the need to keep talking about this issue.

Councilmember Hazard reported that the Planning Commission did not leave this as a dead issue; however, they agreed it was not something that needed to be addressed for the preliminary site plan. He advised that the Commission agreed to work on identifying an event trigger. Mr. Hazard noted that the solution may not be a gate but would be something. He advised that he personally did not like gates because they did not work in five years. Mr. Hazard opined that there were other ways to address the concern and reported that the Town Planner was looking at other methods. He reiterated that the Planning Commission would continue to work on a plan and advised that they would keep it on the front burner.

There being no further business, Mayor Davis declared the meeting adjourned at 7:12 p.m.

APPROVED:

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Betsy A. Davis, MAYOR

ATTEST:

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Rhonda S. North, MMC, Town Clerk