



**MIDDLEBURG TOWN COUNCIL
REGULAR WORK SESSION
MINUTES**



Thursday, February 26, 2015

PRESENT: Vice Mayor C. Darlene Kirk
Councilmember Catherine “Bundles” Murdock
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder

STAFF: Martha Mason Semmes, Town Administrator
Rhonda S. North, MMC, Town Clerk
A.J. Panebianco, Chief of Police
Debbie J. Wheeler, Town Treasurer

ABSENT: Mayor Betsy A. Davis
Councilmember Kevin Hazard
Councilmember Trowbridge Littleton
Councilmember Erik J. Scheps

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Thursday, February 26, 2015 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Vice Mayor Kirk called the meeting to order at 6:00 p.m.

Annual Report – Go Green Committee

Andrew Gauldin and Nelina Loiselle, Co-Chairs of Go Green, appeared before Council to offer their annual report. Ms. Loiselle provided a recap of what the committee accomplished in 2014 with the support of the Council and other committees. She reported that they completed their third Annual Spring Clean-Up. Ms. Loiselle advised that they were able to initiate, along with the Police Department, the Drug Take Back Program. She noted that this program was very successful and advised that they were already receiving requests that the Town do it again.

Police Chief Panebianco reported that the Town would do it again this year even though the federal government would not. He reminded Council that last year, a DEA agent took away the drugs that were collected; however, this year, he would treat the drugs as evidence that he would destroy. Chief Panebianco reported that the take back would occur sometime in April or May.

Councilmember Murdock suggested this event be included in the next newsletter. She opined that the Town should get in the habit of reminding people to recycle their batteries, pills, ink cartridges and compact fluorescent light bulbs. Councilmember Shea noted that phones could be recycled at Second Chapter Books.

Chief Panebianco noted that information on the drug take back event would be put on the department’s Facebook page. He advised Council that their last post had over five hundred viewings. Councilmember Murdock suggested it also be posted on the Middleburg page. Ms. Loiselle noted that they posted the event last year on the Middleburg page. She opined that it helped to post events often.

Ms. Loiselle advised Council that the committee would like to have a plan for everything that they could think of that could be recycled. She reminded them that in 2014, the committee hosted an event on the greening of barns/farms, during which John Blackburn spoke. Ms. Loiselle advised that the committee was also invited by the Planning Commission to speak about the creation of a heat island mitigation plan. She noted that this presentation was also given to the Council and the HDRC. Ms. Loiselle expressed hope that they could offer more presentations this year.

Mr. Gauldin advised that in looking forward to 2015, the committee has isolated a few broader things that it would like to accomplish, including continuing to raise awareness of environmental issues through education and activities, including guest speakers. He further advised that they would like to identify businesses that were green and disseminate that information to the public. Mr. Gauldin reported that they would like to encourage residents and businesses to use environmentally sensitive practices and wanted to make sure businesses were involved in recycling. He opined that coordinating with the businesses would be a big thing for the committee this year and noted that participating would give those businesses exposure. Mr. Gauldin reported that the committee would like to continue to do research for the Council and committees and continue to assist with the Comprehensive Plan update. He noted that they were also working to support the new Healthy Eating, Active Living (HEAL) resolution. Mr. Gauldin opined that the pursuit of healthy eating would be one of the big things in town.

Mr. Gauldin reported that Go Green had some educational events that they would like to be a part of this year. He advised that they would like to create a quarterly event for business owners and environmental experts to communicate their expertise to the citizenry and noted that they have had some success with this on a small scale. Mr. Gauldin further advised that they would like to be a part of the Spring Clean Up on April 11th and would like to coordinate their participation in the Arbor Day event with the Middleburg Beautification Committee. He reiterated that they were coordinating their participation in the National Drug Take Back with the Chief of Police. Mr. Gauldin reported that they just completed an internship with students from the Foxcroft Academy and explained that they were working to design a healthy eating and green shopping guide. He advised Council that the students would present their design for the guide to Go Green on March 4th.

Ms. Loiselle opined that the students had a lot of fun as they walked around town looking for green, healthy products. She advised that one of the projects that Go Green hoped to complete included the creation of a comprehensive green vision that would be presented to the Council. Ms. Loiselle noted that they had a lot of different projects that they were working on, such as recycling. She opined that there was a lot of overlap in the environmental aspects and advised that they would like to put it all together into a nice plan. Ms. Loiselle reported that Go Green would love to be more active in town events, such as Christmas in Middleburg and the Sidewalk Sales, to make them greener. She advised that they wanted to design a comprehensive recycling program that included different items, such as batteries, paint, etc. and explained that they would develop a graphic that could be distributed in Middleburg. Ms. Loiselle reported that they would love to help research the costs and benefits of bicycle racks and car charging stations. She reiterated that they wanted to help the Council implement the HEAL resolution and further reiterated that they were working on a green/healthy shopping guide. Ms. Loiselle advised that they would like to develop a webpage to share information on their activities that could be connected to the Town's website.

Mr. Gauldin requested that the Council give Go Green \$1,200 in the upcoming budget.

Vice Mayor Kirk agreed with this request and noted that the Committee did a lot of good work.

Councilmember Murdock suggested that Go Green have a table at as many events as possible, including National Night Out and the Fourth of July event. She suggested they work with the Community Center in advance of the Fourth of July event so they would have enough recycling bins available. Ms. Murdock noted that they could also have a table with information.

Ms. Loiselle advised Council that the Committee has discussed getting additional temporary recycling containers for events. Councilmember Murdock opined that people would use them if they saw them. She noted that there were no recycling bins at the opening of the Middleburg Charter School, which meant everything was thrown into the same container. Ms. Murdock suggested that temporary bins should be provided at every event in town.

Councilmember Shea suggested the Council could support Go Green by encouraging event coordinators to make contact with them. She suggested this be mandatory for Town sponsored events.

Councilmember Murdock questioned whether recycling bins were provided at the Farmers Market. Vice Mayor Kirk suggested Go Green have a table of educational materials at the Market. Mary Woodruff, a member of Go Green, noted that they could put information at the Farmer's Market Manager's table. Councilmember Murdock reiterated her suggestion that there be recycling bins at the Market.

Vice Mayor Kirk questioned whether there were any car charging stations in town other than at the Salamander Resort. Mr. Gauldin noted that they were not aware of any.

Councilmember Murdock questioned whether there were many chargeable cars in town. Ms. Loiselle confirmed there were quite a few.

Town Administrator Semmes noted that she recently read an article, which she forwarded to Councilmember Shea, about a community that used charging stations as a tourism marketing tool.

Vice Mayor Kirk noted that Salamander had charging stations on their light poles. She advised that the car owner needed to provide the cable to connect the car to the pole.

Town Administrator Semmes noted that she has been talking to Councilmember Shea about putting one in the Liberty Street Parking Lot. She suggested that Go Green talk to Salamander to determine how they did their stations. She suggested the Town may be able to retrofit some of its poles.

Councilmember Shea confirmed that Go Green would look into it. She noted that the Town Administrator forwarded information to her about the State looking into the effect of weather on local governments. She suggested that Go Green look at this as well.

Jilann Brunett, a member of Go Green, invited the members of Council to attend their March 4th meeting, during which time the Foxcroft students would make a presentation on their guide.

Council Discussion - Amendments to Town Code pertaining to Personal Property Taxes

Town Clerk North reminded Council that the Town Code still contained an ordinance related to personal property taxes on vehicles. She advised that in researching this matter and talking to members of Council, she has received conflicting opinions as to whether the personal property tax exemption was intended to apply only to residential vehicles or business and residential vehicles. Ms. North reported she could find a 1998 report from the Finance Committee recommending that the elimination of the tax be effective January 1, 1998; however, she could

find no indication that the Council ever officially took action to remove it from the books. She advised that the former Town Attorney, Liz Whiting, opined that at that time, the consensus was that the ordinance would be left in the Town Code; however, the tax rate for residential vehicles would be advertised as \$0. Ms. North reported that research revealed that this did not occur. She advised that regardless of the history, the Town needed to address this matter. Ms. North explained that before she and the Town Attorney could complete their draft of an ordinance amendment and determine whether a public hearing was needed, they needed guidance from the Council on whether this exemption should apply to just residential vehicles or to both residential and business vehicles. The Council agreed that they wished it to apply to both. Town Clerk North advised Council that the staff would prepare an ordinance removing the language completely for their consideration at a future meeting.

Town Clerk North reminded Council that the item that initiated the review of this section of the Town Code was a question as to how to exempt the property now owned by the Middleburg Museum Foundation from taxes. She advised that the State Code contained a section that addressed exemptions by designations, under which properties owned by museums would be exempt. Ms. North noted that the staff has prepared a simple application that would be completed by the applicant. She explained that once the qualification was verified, the exemption was automatically applied. Ms. North advised that the State Code contained a second category that allowed for exemptions by local designation and noted that this would require action by the Council. She explained that the Council would have leeway in whether to grant the waiver after considering some items that were outlined in the State Code. Ms. North questioned whether the Council would like for similar language to be inserted into the Town Code. She acknowledged that doing so may encourage more people to apply for tax exempt status. After some discussion, the Council agreed it would not like to include such language in the Town Code.

Council Discussion – Parking

Parking Meters

Town Administrator Semmes reminded Council that the parking stations were more expensive than the staff originally thought. She advised that at this point, the Town had two options – it could upgrade the existing parking meters or it could remove them. Ms. Semmes recommended that if the Council wanted to see the impact of removing the meters that the staff do a trial removal.

Police Chief Panebianco advised Council that there were times when the meters were not working and other times when they were, depending on the weather. He noted that this created an ethical issue for the police officers when it came to writing tickets as they did not know whether the motorist fed the meter.

The Council held some discussion regarding the meters. It was noted that the point of them was to turn over the parking spaces. It was further noted that it would be better for the brick sidewalks if the meters were removed as they tore them up.

Councilmember Murdock questioned how, if the meters were removed, the Town would address the “bagging of meters” when a business was doing something like building maintenance and needed to reserve a particular parking space. Chief Panebianco reported that the Department could utilize a system that involved cones that contained a sign that read “reserved”.

Councilmember Murdock inquired as to how the two hour parking would be enforced. Town Administrator Semmes reported that signs would be installed alerting motorists of the two-hour parking restriction, with the Police Department then chalking tires to enforce it.

Chief Panebianco reported that the officer would chalk the tread of the tires and would return in two or three hours to determine if any vehicles remained. He explained that if they did, the officer would issue a ticket. It was noted that this would eliminate the complaints of broken meters.

Councilmember Shea noted that this would address Washington Street; however, she questioned what would happen in the parking lots and the remainder of the town. She further noted that there were different parking limitations depending on the location of the space.

Chief Panebianco suggested the trial be done to first see how it went. He suggested that if the Council decided to implement the removal on a permanent basis that it also look at parking, including where it wished the longer term spaces to be located. Chief Panebianco recommended that any changes be implemented with the Washington Street Streetscape Project and noted that it would be easier to implement them with that change. He suggested that at that time, the Council could address where the two-hour, eight-hour and fifteen minute parking should be located.

Councilmember Shea suggested the need to create more fifteen minute parking spaces. Town Administrator Semmes reminded Council that she asked J2 Engineering to look at parking on South Madison Street; however, she had not yet received their report. She noted the existing "handicapped parking space" that was not really a handicapped space and suggested there would be an opportunity with the Washington Street Streetscape Project to look at where loading zones should be located. Ms. Semmes reminded Council that that project would result in the removal of the existing area in front of the Home Farm Store where trucks unloaded.

After some discussion, the Council agreed to do a trial test for all two-hour parking spaces on Washington Street, from Liberty Street to The Plains Road, and on Madison Street.

Chief Panebianco asked that the trial begin when the materials arrived so the Department would have the ability to start the enforcement. He noted that chalking the tires would be the big issue. Chief Panebianco suggested that white trash bags be placed over the meters that would contain a sticker with the message "free parking - two hours only".

Councilmember Shea questioned whether the Council should also look at the parking fines. The staff noted that those fines were just increased in 2012. Councilmember Snyder expressed a desire to reduce the fines.

Councilmember Shea suggested that before discussing the fines, the staff determine how often motorists honored the two hour restrictions. She opined that if they did not, the fine was needed. Councilmember Snyder acknowledged the need for a fine; however, he suggested it be modest.

Vice Mayor Kirk noted that there were other towns that had parking meters that worked fine. She inquired as to what was happening in Middleburg. Chief Panebianco reported that he was told that when the Town purchased the existing meters, the company that sold them gave the Town a great deal because the meters were a discontinued model. He noted that at the time, the Town was not told they were a discontinued model. Chief Panebianco advised that whenever the Facilities & Maintenance Supervisor had to fix one, he had to hunt for parts. He recommended that if the Council wanted to continue to use meters that they get new ones. Chief Panebianco reiterated that it was an ethically issue for the police officers as they must feel comfortable writing a ticket.

The Council held some discussion regarding the existing meters and their reliability.

Town Administrator Semmes suggested that another option was to go to double-headed meters. She noted that this would reduce the number of poles in the sidewalk from one hundred seventy-eight to ninety. Ms. Semmes advised Council that upgrading the meters could be the fallback position.

Vice Mayor Kirk expressed concern that several residents on Sycamore Street did not clean the snow from their driveways and instead parked in the street, blocking traffic. Councilmember Shea noted that this was an issue on Stonewall Avenue for a while. The Council held some discussion regarding snow and other traffic emergencies.

Councilmember Snyder described an incident in which his fuel line froze, resulting in his truck stopping so it was obstructing traffic until he could have it towed. He noted that the officer politely told him he needed to take care of the matter.

Chief Panebianco explained that the Police Department viewed this as obstructing traffic. He advised that when this occurred, they contacted the owner of the vehicle based upon the existing laws.

Councilmember Shea suggested the Police Department carry bottles of antifreeze for fuel lines that they could use in an emergency situation. Chief Panebianco confirmed they could and noted that they already provided gas when motorists ran out. He advised that they have probably used two gallons of gas for this during his tenure.

Councilmember Murdock noted that it was a business' responsibility to remove snow from the sidewalks. The Council held some discussion on the need to alert businesses that this was their responsibility. Town Clerk North noted that the Economic Development Coordinator recently included such a notice in her Friday E-Mail Blast. It was suggested that the staff talk to the businesses to remind them of the need to remove the snow.

Councilmember Murdock expressed concern that during the recent snow storm, she witnessed a VDOT snow plow riding around town looking for snow to push when there was snow piled on the sidewalks from the snow removal operations that needed to be addressed. She noted that the Town had to hire a contractor to remove the snow from the sidewalks.

Councilmember Shea noted that VDOT only cleaned the driving lanes, with the rest of the snow removal being the Town's responsibility. She suggested that in the future, the Council have a discussion on its winter weather policies, such as when the office closed and why and how to take care of the sidewalks. Ms. Shea noted that the snows were the result of climate change and opined that the Town would continue to have this kind of weather. Councilmember Murdock suggested this discussion be held in July or August.

Liberty Street Parking Lot Pass Program (continued from 10/09/14 meeting)

After some discussion, the Council agreed to wait until after the test of the removal of the parking meters on Washington Street to discuss this further as that change may affect the demand on this program.

Report – Asbury Church Citizen Input Received To Date

Town Administrator Semmes opined that it was great that people cared enough to share their ideas. She noted that the only responses came from the Facebook posting. Ms. Semmes reminded Council that this poll was also put in the newspaper and on the Town's website.

Councilmember Shea advised that what she got from the responses was that people wanted another kind of meeting place.

Councilmember Murdock opined that this would be a wonderful place for *A Place To Be* to hold events.

Town Administrator Semmes advised Council that there were some economic development initiatives underway that may affect what the Town did with the property. She noted that someone told her that the Middleburg Academy wanted to do a black history museum in this location and would talk with Sheila Johnson. Ms. Semmes reported that she also spoke with Phyllis Cook Taylor, who used to be a member of the congregation at the Asbury Church, and she offered to provide a history of the congregation. She noted that Ms. Cook thought it would be good to tell the history of the church even if the building was used for other things.

Councilmember Snyder noted that he had heard from many African Americans who wanted a black history component in the museum. He suggested it would be nice to highlight it in this building as well.

Councilmember Murdock suggested there be a display case in the building that talked about its history.

Vice Mayor Kirk questioned whether money was included in the FY '16 budget to shore up the building. Town Administrator Semmes noted that she needed to talk with Councilmembers Hazard and Littleton about what needed to be done next. She reminded Council that she talked with representatives from the Department of Historic Resources about what resources may be available. Ms. Semmes noted that the Journey Through Hallowed Grounds was holding a webinar in mid-March on the non-profit organization "Partners for Sacred Places" for those who were trying to restore/reuse a church structure. She advised that there would be no funding associated with it; however, they would provide ideas for how to approach a restoration. Ms. Semmes advised that she would get some input from Councilmembers Hazard and Littleton and would then put some money in the budget.

Council Discussion – FY '16 General Fund Budget

Town Administrator Semmes stressed that this was an early draft of the budget. She noted that Chief Panebianco was going to update his draft; however, he did not get it done.

Vice Mayor Kirk opined that the Town needed to give the employees a three percent (3%) raise. Town Administrator Semmes agreed that this was needed in order to stay competitive.

Vice Mayor Kirk and Councilmember Snyder noted that they had a problem with a one hundred percent increase for Visit Loudoun. Ms. Kirk opined that they have done nothing for Middleburg that Middleburg was not already doing for itself.

Town Administrator Semmes opined that Visit Loudoun was a wonderful organization. She noted that Leesburg gave them \$80,000 and advised that they were asking Middleburg for \$50,000.

Vice Mayor Kirk advised that she would like to know how much other towns in Loudoun County gave them. She advised that she could not support a \$50,000 donation.

Councilmember Shea noted the need to look at the median income of the town residents.

Councilmember Snyder acknowledged that the Town had considerable transient occupancy tax money; however, he advised that he could not agree to give Visit Loudoun twice as much money when they have not justified what they were receiving. Vice Mayor Kirk agreed.

Town Administrator Semmes questioned whether the Council would like to give her direction regarding the budget and acknowledged that there was no support for doubling the donation. Councilmember Snyder advised that he would consider \$30,000. Vice Mayor Kirk noted that she would not even support \$25,000. Councilmember Shea advised that it was difficult to measure. She noted that while Visit Loudoun's efforts may not be directed to Middleburg, they did provide an impact. Ms. Shea advised that she could not support a 100% percent increase.

Councilmember Murdock opined that Middleburg was helping Loudoun County more than the County was helping the Town.

Town Administrator Semmes noted that Visit Loudoun's role was to put heads in beds. She advised that she could let Ms. Erikson know that the Council felt that other towns that benefited from their services should be asked to make donations. Ms. Semmes suggested that she tell Ms. Erikson the Council was not comfortable with a \$50,000 donation.

Councilmember Snyder suggested the Council ask how they were using the \$25,000 and what they would do with more money. Councilmember Shea noted that this could not involve items such as promoting Christmas in Middleburg, which did not need promotion. Vice Mayor Kirk noted that it should also not involve the promotion of Salamander. She reiterated that she would not support a \$50,000 donation and noted that there were other organizations in town that were just getting by. Ms. Kirk advised that she would rather give an extra \$25,000 to Seven Leaves to feed people in this area.

Town Administrator Semmes noted that the Town could use the money to do its own initiatives to directly help the businesses.

Councilmember Shea noted that the budget summary page showed the General Fund numbers for FY '15 and FY '16; however, the Health Center Fund numbers were for FY '14 and FY '15. Town Administrator Semmes noted that she had not prepared the Health Center Fund budget at that time; therefore, that information had not been updated.

Vice Mayor Kirk expressed concern regarding the reduction in the proposed expenditures for Buildings & Grounds. She suggested the numbers were not accurate. Town Administrator Semmes explained that the drop occurred because a large project was completed. She suggested the Council focus on the individual department budgets during this review.

Administration Budget - Town Administrator Semmes reported that there was nothing new in this budget yet. She reminded Council that this draft did not include the insurance increase and noted that those numbers were just handed out this evening. Ms. Semmes reported that the Town should receive the VML insurance rates in mid-March and noted that it has not yet received the VRS rates. She reminded Council that the fireworks donation was moved from this budget to the economic development budget so it would be with the other special events items.

Councilmember Shea questioned the details of the Salamander agreement. Town Administrator Semmes explained that the Town had an agreement to repay Salamander the \$40,000 in stewardship fees that they fronted the Town.

Vice Mayor Kirk noted that the line item for elections was proposed at \$2,500 as opposed to \$3,500 and questioned why. Town Administrator Semmes explained that the Town did not spend that much during the last election. Town Clerk North reminded Council that several years ago, the State required localities to pick up some of the costs of the local elections. She advised that at that time, the General Registrar provided a cost estimate of \$3,500. Ms. North noted that since the cost was only \$2,500 during the last election, this was probably the better number.

Town Administrator Semmes noted the need to meet with the Town Attorney regarding her fees. She suggested the Council may wish to adjust her retainer as it did last year.

Councilmember Snyder inquired as to the details of the stewardship fee repayment. Town Administrator Semmes advised that the Town paid Salamander \$10,000 last year, \$8,000 this year and would pay another \$10,000 in the coming year.

Councilmember Snyder suggested that if there were any other fees to be paid in the future, that the Town pay them. Town Administrator Semmes confirmed there would be no more fees.

Councilmember Murdock noted that the draft budget only included \$1,000 for Go Green. She reminded Council that they just agreed to give them \$1,200.

Town Administrator Semmes explained that she only included \$1,000 because they did not spend any money this year. Councilmember Shea noted that this was because they paid their own way this year.

Town Administrator Semmes noted that funding has been included in the draft budget for upgrading the office software and reported that the staff was looking at moving to the government version of Microsoft Office 365. She advised that this was a part hard drive, part cloud based system.

Councilmember Snyder advised that he would like to talk to the Town's IT support staff about how the Town's data was being stored and transmitted as he did not want it to be stolen.

Town Administrator Semmes noted that while it would be redundant, Office 365 offered retention, which was more secure. She advised that the staff would also be able to share calendars and talk to the Police Department. Ms. Semmes noted that they were now on a separate system. She opined that this software offered a number of advantages. Ms. Semmes noted that the cost was \$17/user/month. She advised that the staff would look into it and bring this back to the Council.

Building & Grounds/Maintenance – Vice Mayor Kirk questioned whether any funding was included in the proposed budget for the Asbury Church. Town Administrator Semmes reported that this would be a separate capital expense. She noted that this budget was mainly for the Town Office. Ms. Semmes confirmed that the Asbury Church was not yet in the budget.

Maintenance - Town Administrator Semmes advised Council that the only major increase that the staff was proposing in this budget was for the Liberty Street Restrooms. She noted that the Facilities & Maintenance Supervisor told her that after talking with a vendor, he found that the Town could not install self-flushing toilets as it would have to remove the wall to replace the plumbing. Ms. Semmes suggested that the Town instead install light/heavy flush toilets in order to save water. She advised that as to the motion activated sink fixtures, all the Town would have to do was to change the fixture. Ms. Semmes noted the need to find a vendor for the hand drying units. Councilmember Shea suggested the Town purchase Dyson units.

Streets & Maintenance/Capital Expenditures – Town Administrator Semmes noted that the wayfinding sign program number was an estimate. She reported that she has asked John Ralph and LPDA for an estimate for the signs that would be installed on Washington Street while that project was underway. Ms. Semmes noted that a placeholder has been included in the budget for now. She reminded Council that in addition to the wayfinding signs, the Town would be replacing the street signs, some of which were damaged. Ms. Semmes noted that the staff was not proposing to do the wayfinding signs for the entire town and explained that what was included in the budget was just for Phase 1. She advised that the reason the budget total has decreased was that the Marshall/Madison Street Project and Middleburg Meandering Trail Project would be gone next year as they would be completed this year.

Councilmember Shea questioned whether the signs on Washington Street would be directional to the businesses located off the main street. Town Administrator Semmes confirmed they would.

Police – Chief Panebianco advised Council that he was still waiting to get some firm numbers for his budget as there were some mandated things that were coming down the pipe that would require expenditures. He noted that he provided a rough estimate of the budget and opined that the numbers would be close. Chief Panebianco noted that some of the costs associated with the mandates would occur in this budget cycle and others in the following one. He opined that he would have better numbers by the Council's next budget discussion.

Town Administrator Semmes noted that funding has been included in the draft budget for the purchase of a new car. Chief Panebianco noted that this purchase was part of the car replacement cycle. He advised that the cost would be offset by not making other purchases that have been made in the past. Chief Panebianco reiterated that the numbers may change as he thought there were some items that may be mandated. He opined that if he acted now, he may get a better deal on those items.

Economic Development – Town Administrator Semmes advised Council that the funding that was proposed for Visit Loudoun was a place holder. She noted that they originally told the Economic Development Coordinator that they planned to ask for \$40,000; however, their letter asked for \$50,000. Ms. Semmes advised that \$5,000 has been added to the budget for Christmas in Middleburg in order to support better parking at the Mickey Gordon Park.

Councilmember Snyder noted that the EDAC grants were proposed to increase from \$29,000 to \$52,000. Town Administrator Semmes reminded Council that the draft budget contained funding for special events, the Middleburg Film Festival, the Journey Through Hallowed Grounds, Mosby Heritage Area, and the Fourth of July event. She further reminded them that they agreed to form the Economic Development Advisory Committee and advised that one of its charges was to decide how the special events money should be used to support economic development/tourism efforts by other organizations. Ms. Semmes advised that the Economic Development Coordinator thought it would be simpler to have the money lumped together and to have the organizations come to EDAC annually so they could determine their needs. She reminded them that EDAC would make a recommendation to the Council, who would then approve the donations. Ms. Semmes advised that Visit Loudoun was shown as a separate line item so the Council could decide the amount of their contribution.

Councilmember Shea questioned why Christmas in Middleburg was not included in the EDAC grant line item. She opined that if the Town was looking at the needs for some organizations, it needed to do so for all of them. Town Administrator Semmes noted that this was up to the Council. She questioned whether the Council wanted Christmas in Middleburg to go through EDAC each year for their funding.

There was some discussion as to whether the Council had an outline of how EDAC would operate. It was noted that while the Council created the Committee, it had not determined the process it would use.

Town Administrator Semmes opined that the members of EDAC would come up with the process and send it to the Council for their review. She reminded Council that they did not get involved in how the Health Center Advisory Board made their recommendations to the Council. Councilmember Shea suggested the Council needed to be involved in deciding the process as the committee was established. Town Administrator Semmes confirmed this would be discussed at a future meeting once the committee was established.

Town Clerk North advised Council that the deadline for submitting letters of interest for serving on EDAC was March 2nd. She further advised that a closed session has been scheduled for March 12th so the Council could discuss the appointments to the committee.

Councilmember Shea asked that the Economic Development Coordinator contact Mark Metzger and Anne Hallmark regarding service on the committee. She noted that both have expressed an interest; however, they have not submitted applications as they missed the announcement and did not know what they needed to do.

Councilmember Shea noted that the economic development budget included the FISH and Cherry Blossom Breast Cancer Fund donations for FY '15. She further noted that the Health Center Fund gave those organizations money. Town Administrator Semmes advised Council that the staff would research this and suggested it may have been miscoded. She noted that the Economic Development Coordinator was not proposing that this be included in her budget next year.

Councilmember Snyder expressed concern about the steep rise in the economic development budget. He advised that even if \$15,000 was removed from the contribution for Visit Loudoun, it was still a substantial increase.

Councilmember Shea reiterated her suggestion that any event that the Town was asked to sponsor should follow the same process, including Bluemont. The Council held some discussion as to whether the funding for the Middleburg Arts Council should fall under this process as it was a Town committee. Councilmember Snyder questioned whether the Arts Council's events were considered to be business development that belonged under the economic development budget or whether they were cultural things. It was suggested that the Council think about where that expenditure should be place.

Councilmember Shea explained that this was why she thought the EDAC grants line item was where all of the expenditures should be located. Councilmember Snyder noted that the goals of some of the events may be different. He opined that Christmas in Middleburg was for the businesses; therefore, it could be justified as economic development. Mr. Snyder opined that Bluemont, which probably started as a way of encouraging people to come out around dinner time to visit the restaurants and then go to the concerts, could not be justified as economic development by itself. He suggested that if it was mixed with other things that contributed to business development, it would get short changed as the businesses would say they did not care about it.

Councilmember Shea reminded Council that when they started talking about EDAC, she insisted that it include looking at the impacts on residents. She opined that events were events. Ms. Shea suggested that EDAC should look at the limited dollars the Town had and that the event organizers should tell them how their event served the community.

Councilmember Snyder expressed concern that their focus would just be on business development. He suggested the need to make it clear to the committee that business development and cultural activities were important to the Town. Councilmember Shea agreed and noted that this was why she included language on the residents in the ordinance establishing the committee. She reiterated that while different in one way, these were still events that the Town gave money to; and, opined that they should reflect the entire community.

Councilmember Snyder noted the need for EDAC to prepare a charter for the Council's review and approval. Councilmember Murdock noted that their considerations should include what was good for the town both financially and culturally.

Town Administrator Semmes questioned how the Council would like this to be reflected in the next version of the budget. She further questioned whether they were comfortable having a line item titled "EDAC Grants". Ms. Semmes noted that the Council could decide the funding amount at a later time.

Councilmember Shea noted that the amount would increase if the Bluemont and Christmas in Middleburg line items were included in it. She further noted that these were not EDAC grants, but rather were Town grants for events.

Councilmember Snyder suggested the budget needed to specify what was included in that line item.

Town Administrator Semmes suggested the donations for the Journey Through Hollowed Grounds and Mosby Heritage Area be removed as they were organizations, not events. Councilmember Snyder noted that they did have events in the town. Councilmember Shea noted that while Mosby Heritage had events, they did not interact with the town. Town Administrator Semmes reminded Council that last year, Mosby Heritage did provide statistics on who attended their events and how long they stayed. She noted that other communities, when they provided funding, required the organizations to do surveys so they knew the impacts of the events.

Councilmember Snyder suggested the Economic Development Coordinator be invited to provide Council with input on her budget recommendations. Vice Mayor Kirk agreed and noted that they may get a better idea of why she did what she did. She noted, however, that she did not like having one big category.

Town Administrator Semmes suggested that if the Council did not want EDAC to do the grants, they should say so now and leave the budget the way it was. Councilmember Shea reiterated that EDAC was not giving the grants, they were making a recommendation, with the Council giving away the money. She stressed that this needed to be clear.

Town Administrator Semmes reminded Council that previous budgets specified the amount the Council wanted to give certain organizations. She noted that it also included other money for those organizations that requested donations. Ms. Semmes advised that the idea for EDAC was that everyone would come to this group to ask for funds, with EDAC then making a recommendation to the Council.

Councilmember Snyder advised that he would like to see a total budget, with an amount for each subcategory based on what the Council has approved in the past. Councilmember Shea noted that the list should be similar to what the Council received from the Health Center Advisory Board. Town Administrator Semmes reminded Council that in terms of the budget, the Health Center Fund simply included a number for donations.

Vice Mayor Kirk noted that requests could come in on a monthly basis. Town Administrator Semmes recommended the Committee only meet once or twice a year to consider donations.

Councilmember Snyder advised Council that he would like to see what was spent last year in this category, a proposal for this year and any difference. He noted that the final approval for this year's sub-numbers would be subject to the final approval of the Council. Vice Mayor Kirk noted the need for some wiggle room.

Town Administrator Semmes questioned whether the Council had a sense of how much it wanted to include in the budget for Visit Loudoun. Councilmember Snyder advised that unless they were willing to convince him otherwise, he was not willing to raise what the Town has been giving them. Vice Mayor Kirk agreed that their donation should remain at \$25,000. Councilmember Snyder noted that he would agree to this under protest as Visit Loudoun has not justified the existing \$25,000. Vice Mayor Kirk agreed. Councilmember Shea noted that Ms. Erikson gave a few examples of what applied to Middleburg, such as Christmas in Middleburg. She noted that they did not need to promote Christmas in Middleburg.

Councilmember Snyder advised that he wanted a written report on what Visit Loudoun spent the \$25,000 on and what they would do with the additional funding.

Councilmember Shea noted that part of the rub for her was that the Economic Development Coordinator was doing a lot, as was Bendure Communications; and, now Visit Loudoun wanted a much increased amount. She advised that her initial reaction was "no".

Vice Mayor Kirk noted that everyone's efforts overlapped and opined that when groups came into Middleburg, it was not because of Visit Loudoun, it was because they saw something elsewhere.

Councilmember Shea noted that Visit Loudoun did arrange tours for the Pink Box docents, which was a direct service to the Town. She opined that this fell in line with what Councilmember Snyder was saying in that Visit Loudoun should tell the Council where it spent the money.

Town Administrator Semmes opined that the reason that Middleburg and Leesburg were the only towns that gave Visit Loudoun funding was because they were the only ones to have major tourism events and lodging. She noted that this did not mean they should not contribute. Ms. Semmes opined that Visit Loudoun was aware that the Town was collecting lodging tax and felt it should give some of it to them, as they were getting thirty percent of the County's lodging tax.

The Council continued its discussion of funding for Visit Loudoun.

Real Estate Tax Rate – Town Administrator Semmes advised Council that once she received the real estate assessment information, she tried to get a rough budget together so the Council could see how far off the numbers were. She reminded them of the need to advertise the real estate tax rate. Ms. Semmes reported that at this point, the equalized tax rate based on the assessments would be seventeen cents. She advised that using that rate, there was a little less than \$350,000 in the Contingency Reserve; however, she noted that this would disappear as the Council moved through the budget process. Ms. Semmes advised that she felt comfortable that the Council could equalize the tax rate; however, she noted that she did not yet have all of the numbers.

Closed Session – Personnel

Councilmember Murdock moved, seconded by Councilmember Shea, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(1) pertaining to the discussion, consideration or interviews of prospective candidates for

employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the public body. Councilmember Murdock further moved, seconded by Councilmember Shea, that these matters be limited to a discussion of a personnel matter involving the Chief of Police. Councilmember Murdock further moved, seconded by Councilmember Shea, that in addition to the Council, the following individuals be present during the closed session: A.J. Panebianco. Councilmember Murdock further moved, seconded by Councilmember Shea, that the Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Kirk, Murdock, Shea and Snyder

No – N/A

Abstain: N/A

Absent: Mayor Davis and Councilmembers Hazard, Littleton and Scheps

Vice Mayor Kirk 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. She reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, Vice Mayor Kirk declared the meeting adjourned at 7:53 p.m.

APPROVED:

C. Darlene Kirk, Vice Mayor

ATTEST:

Rhonda S. North, MMC, Town Clerk