



**MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes**



Thursday, March 13, 2014

PENDING APPROVAL

PRESENT: Mayor Betsy A. Davis
Councilmember Kevin Hazard
Councilmember Trowbridge Littleton
Councilmember Catherine “Bundles” Murdock
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder

STAFF: Martha Mason Semmes, Town Administrator
Angela K. Plowman, Town Attorney
Rhonda S. North, MMC, Town Clerk
David M. Beniamino, AICP, Town Planner
Cindy C. Pearson, Economic Development Coordinator
Debbie J. Wheeler, Town Treasurer
Charles “Mike” Prince, Police Lieutenant

ABSENT: Vice Mayor C. Darlene Kirk
Councilmember David B. Stewart

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, March 13, 2014 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.

Public Hearing

Zoning Text Amendment 14-01 – Helistops

No one spoke and the public hearing was closed.

Action Items related to Public Hearings

Zoning Text Amendment 14-01 – Helistops

Town Planner Beniamino advised Council that the proposed ordinance would create a definition of a “helistop” and would require a special use permit for a helistop in the AC District.

Councilmember Murdock questioned whether the pilot must own the helicopter. Town Planner Beniamino advised Council that the Town Attorney provided the Planning Commission with an overview of the issue of a commercial helicopter versus one for personal use. He explained that the issue was one of enforcement as the staff would not know who was flying the helicopter. Mr. Beniamino advised that the ordinance would allow the Town to prevent someone in the AC District from chartering helicopters to fly to and from an airport.

Councilmember Snyder moved, seconded by Councilmember Shea, that Council adopt ordinance ZTA 14-01 amending the Middleburg Zoning Ordinance pertaining to helistops.

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Shea and Snyder
No – N/A
Abstain: N/A
Absent: Councilmembers Kirk and Stewart
(Mayor Davis did not vote as there was no tie to require her vote)

Addition of Items to the Agenda

Councilmember Snyder moved, seconded by Councilmember Shea, that Council add items XII(B) (Council Discussion – Bluemont Concert Performers) and XII(C) (Council Discussion – Marshall/Madison Street Pedestrian Improvement Project) to the agenda.

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Shea and Snyder
No – N/A
Abstain: N/A
Absent: Councilmembers Kirk and Stewart
(Mayor Davis did not vote as there was no tie to require her vote)

Special Recognitions by Mayor and Council

Mayor Davis read a Resolution of Appreciation recognizing Stephen Plescow for his service on the HDRC from December 9, 1999 through January 4, 2001 and on the Middleburg Planning Commission from December 14, 2000 through March 3, 2014, including having served as its Chairman beginning January 26, 2005. She presented him with a signed copy, as well as a Middleburg paper weight. Ms. Davis thanked Mr. Plescow for his service.

Mr. Plescow advised that it had been an honor and a privilege to have served the Town of Middleburg; and, expressed hope that he could continue to do so in the future. He thanked his colleagues on the HDRC and Planning Commission and noted that the Town had a lot of talented and dedicated citizens who were willing to pitch in when needed. Mr. Plescow also thanked his wife for her support.

Public Presentations

Dave Quanbeck and Martha Cotter, of the **Middleburg Charter School Committee**, appeared before Council to provide a status report on their application. Mr. Quanbeck reported that the School Board unanimously voted to approve the charter school subject to working out the details of the three-year contract. He further reported that the School Board agreed to give preference in admission to students who currently attended the school and ones who would reside now or in the future in the current attendance zone. Mr. Quanbeck explained that as a result, children who lived in Middleburg would have a place to go to school as long as it was not full.

Mr. Quanbeck reported that the interest in the school was strong, with up to seventy-four children having filed an intention to enroll form, forty of whom were returning students. He advised that they have received applications from a lot of kindergarten students and may have to do a lottery for that class. Mr. Quanbeck reported that the Committee would begin holding a series of public information meetings around the County to inform people as to what was available at the school.

Mr. Quanbeck advised Council that the application envisioned having a member of the Council serve on the Charter School Committee and asked that they consider making an appointment. He noted that this would allow the Council to stay informed and be involved in the school.

Councilmember Hazard inquired as to what would constitute full enrollment. Mr. Quanbeck reported that the capacity of the building was one hundred thirty-seven students. He opined that it would be nice if they could operate with one hundred twenty students.

Councilmember Hazard inquired as to the status of the property. Mr. Quanbeck reported that they would begin by leasing it; however, the School Board understood and many members agreed that it would be in the best interest to transfer the property to the Town if the Council was willing to accept it.

Town Administrator Semmes opined that it was good to lease the property for the first year in order to give the Charter School Committee time to see where they were going.

Mayor Davis thanked the Committee for their hard work and noted that they were organized and knowledgeable.

Ms. Cotter expressed gratitude to the Council for their support throughout the process. She noted that those who signed an intent-to-enroll form represented over twenty different schools. Ms. Cotter opined that this showed the charter school was offering something new that grabbed parent's attention.

Mr. Quanbeck reported that the school would open August 4th.

Councilmember Hazard questioned whether the charter school would be a twelve month school. Mr. Quanbeck reported that the children would go to school the same number of days as the public school students; however, they would have two-week intersessions in October, at Christmas and again in the spring, during which time they may offer some remedial school and arts enrichment opportunities. He noted that the children would begin their summer break on the same date as the County schools; however, they would not take off the entire month of August. Mr. Quanbeck reported that they would survey the student body and parents to determine what they would do during the enrichment periods. He noted that they were also working with the County Parks & Recreation Department.

Councilmember Murdock suggested the Mayor be appointed to serve on the Charter School Committee as she has been participating in the group that has been meeting and has spoken on this issue many times. She noted that Mayor Davis was as knowledgeable as anyone on the Council and was passionate about the school.

Mayor Davis noted that she would be happy to do so.

Genie Ford, of **Shakespeare in the Burg**, appeared before Council to provide a status report on the event. She reported that they were selling tickets, with approximately one hundred tickets having been sold thus far among all of the events. Ms. Ford advised Council that they would sell tickets during the flag unveiling later this week; and, reminded them that the Middleburg Arts Council held a contest to design flags for the light poles.

Ms. Ford reported that the event had received a lot of publicity that she hoped would stimulate ticket sales and noted that she would be interviewed next week by a reporter from Leesburg Today and had already been interviewed by a reporter for the Northern Virginia Magazine.

Ms. Ford reported that the committee has selected the winning play from the one hundred sixty-five entries received. She further reported that they selected the one that they thought the community would like the most. Ms. Ford reminded Council that the Middleburg Players would present the play; however, she noted that it would be more of a public reading. She advised that the author would be coming from Connecticut for it.

Ms. Ford advised Council that they would sell tickets at the door and noted that they were also available for sale at Second Chapter Books. She reported that she has already committed to a contract for next year. Ms. Ford advised Council that she wrote individual letters to each of the playwrights who submitted entries, with many having written back to say they would submit one again next year.

Town Administrator Semmes volunteered to help judge the one-act plays next year.

Ms. Ford reported that people were saying they would do more next year when it came to sponsorships.

Mayor Davis thanked the Committee for their hard work.

Approval of Minutes

Councilmember Snyder moved, seconded by Councilmember Shea, that Council approve the February 20, 2014 Regular Meeting and February 27, 2014 Work Session meeting minutes as amended.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Stewart

(Mayor Davis did not vote as there was no tie to require her vote)

Staff Reports

Town Planner Beniamino reported that the HDRC met in a special meeting in February and would do so again in March to discuss the updates to the Historic District Guidelines. He further reported that due to the loss of Chairman Plescow and the absence of some other members, the Planning Commission decided to delay their business to their March meeting.

Councilmember Murdock noted that the **Treasurer's report** indicated that revenues from parking violations have increased.

Lieutenant Mike Prince reported that the Police Department received four hundred eighty-nine calls for service during the month of February. He further reported that they performed fifty-three foot patrols, two hundred ninety-three business checks and had three reportable traffic accidents. Lt. Prince advised that he and the Chief were proud of the staff who dealt with the snow storms this year. He offered their appreciation to Maintenance Supervisor Semmes and VDOT for their hard work.

Councilmember Snyder thanked the officers for being on the streets during the snow storms.

Town Attorney Plowman reported that given the adjourned session of the General Assembly, she would wait to give the report on their activities until after their special session.

Town Administrator Semmes reported that the staff held a pre-bid meeting for the Town's solid waste contract, with four companies having attended including the current contractor. She opined that all were very interested in the contract and noted that the Maintenance Supervisor took the representatives for two companies around town. Ms. Semmes reminded Council that the bid responses were due March 26th.

Town Administrator Semmes introduced Terry Inboden, President of Inboden Environmental Services (IES), and noted that they have been on the job for almost two weeks. She reported that Mr. Inboden would provide an initial **utilities report** to the Council.

Mr. Inboden thanked the Council for hiring his firm and noted that they were excited to serve the Town. He opined that it had a lot of potential and noted that it had beautiful facilities, some of which needed work. Mr. Inboden advised that he was from the Shenandoah Valley, where he owned a couple of farms; however, water and sewer operations were his main business. He noted that his firm also did engineering and “anything in the environmental field”.

Town Administrator Semmes noted that Mrs. Inboden was a certified operator. She further noted that Stuart Will, the Chief of Maintenance for IES, has also been helping the Town. Ms. Semmes reported that she and Mr. Inboden met with a representative from the Virginia Department of Health earlier in the day to review the list of items she had for the Town. Mr. Inboden noted that he knew the regulators and had credibility with them.

Councilmember Snyder expressed excitement to have IES on board.

Councilmember Shea advised Mr. Inboden that the Go Green Committee would love to have him attend a meeting.

Councilmember Murdock asked that Mr. Inboden assure that there was no brown water and that he put his company’s name on his truck so citizens would know who he was.

Town Administrator Semmes reported that she and Mr. Inboden reviewed his punch list of items that needed to be addressed. She advised that some would be reflected in the proposed budget and all would be reflected in the CIP. Ms. Semmes reminded Council that IES would be here eight hours/day during the week and four hours/day on the weekends. She advised that Mr. Inboden would be here full-time for the first two months of the contract period.

Mayor Davis welcomed IES to Middleburg.

Councilmember Snyder reported that he and the Town Administrator have started updating the rate model for the coming year.

Reports of Town Committees/Council Liaisons

Councilmember Shea reported that Go Green has developed a webpage. She further reported that they would start doing on-line advertising for their fundraiser in April.

Mayor Davis asked whether the webpage would be linked to the Town’s website. Councilmember Shea confirmed it would.

Action Items (non-public hearing related)

Council Approval – Proclamation – Arbor Day

Mayor Davis announced that the Town has been named a Tree City USA community for 2013, which was the twelfth year it has been so named.

Councilmember Murdock moved, seconded by Councilmember Hazard, that Council adopt a proclamation declaring April 26, 2014 as Arbor Day in the Town of Middleburg; and, urging, all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Stewart

(Mayor Davis did not vote as there was no tie to require her vote)

Councilmember Murdock opined that the Arbor Day event was a great one and noted that it would be held at the Middleburg Library this year. Mayor Davis noted that a tree would be planted in memory of Bud Morency.

Discussion Items

Madison/Marshall Street Pedestrian Improvement Project

Town Administrator Semmes noted that the Town was in the final stages of this project. She reminded Council that the staff was able to get the Middleburg Meandering Trail sidewalk on East Marshall Street added to this project so both would be done at once. Ms. Semmes further reminded them that the Charter School would open August 4th; therefore, this project may not be finished before school opened. She advised that they were currently working on developing the specifications and needed Council to be involved in the details of the materials. Ms. Semmes distributed copies of the presentation for this agenda item.

Jim Bishoff, of J2 Engineers, expressed hope to submit the final construction documents to VDOT this week. He noted the need to make a decision regarding the materials. Mr. Bishoff advised that while this was a small project, it would have a big impact on the traffic circulation at the triangle for two months. He reviewed the proposed location for the new sidewalk. Mr. Bishoff reminded Council that the project would include traffic calming measures in the form of an elevated intersection that would be four inches higher than the existing grade of the road. He advised that this would not disrupt emergency vehicle response. Mr. Bishoff noted that as a driver approached the intersection, he must be notified of the change in grade; and, advised that in this case, he opted to do so using brick pavers.

Mr. Bishoff reported that Phase 1 of the traffic management plan would include the closure of all access to Foxcroft Road from North Madison Street, with traffic being detoured to Liberty Street. He explained that by closing off the entire intersection, seventy percent of the intersection improvements could be constructed at the same time.

Town Administrator Semmes suggested the contractor remove the vegetation from behind the Red Fox Inn first as it made it difficult to see at the intersection. She advised that this vegetation would be replaced with landscaping that would make the sight distance safer.

Councilmember Murdock questioned whether the delivery trucks for the Salamander Resort would be able to make the turn at Liberty Street. Town Administrator Semmes advised that if the trucks could not make the turn, they would have to utilize Salamander's main entrance. She noted the need to meet with them to discuss this.

Mr. Bishoff advised Council that Phase 1 would take thirty to forty days to complete. He reported that the specifications called for the use of a higher strength concrete that would cure over seven days. Mr. Bishoff noted that he spoke with a contractor on how to reduce the time for the road closure and advised that the contractor suggested the use of large steel plates over the concrete. He opined that the plates could be set within a week of pouring the concrete so traffic could be placed back on the street.

Councilmember Murdock inquired as to who would notify the school and residents of the traffic changes.

Mr. Bishoff advised Council that the project would be advertised in April for thirty days, with the bids then being due. He further advised that he would bring his recommendation to the Council in May for the awarding of the contract. Mr. Bishoff advised that the work would not begin until school was out.

Town Administrator Semmes advised Council that the Town would notify everyone in the area of the project. Mr. Bishoff noted that Steve Plescow recommended the triangle be signed. He suggested a link also be placed on the Town's website that would direct visitors to theirs and advised that he would post a project status update on it.

Councilmember Murdock expressed concern about the ability of horse trailers to make the turn at Liberty Street, particularly those attending events at Glenwood Park. She noted that those trailers could not use the Salamander entrance. She suggested the need to offer an alternate route for large horse trailers.

Mr. Bishoff reported that Phase 2 would involve the closure of a portion of Marshall Street for the installation of the sidewalk improvements and for the construction of the other half of the intersection improvements.

Councilmember Shea questioned whether any site clearance was gained on the corner at the new stop looking south. Mr. Bishoff confirmed there would be a minimal amount due to the decreased radius, which would allow a car to pull closer to the intersection; however, he noted that the wall would continue to block the line of sight.

Mr. Bishoff reported that Phase 3 would involve the construction of half of the project section in front of the school. He noted that they were talking about using the steel plates for this area as well. Mr. Bishoff advised that a flagman would be assigned to this location during the day; and, noted that they hoped to use the steel plates at night to open the road back up to traffic. He reported that Phase 4 of the project would involve doing the other side of this area. Mr. Bishoff advised that Phase 5 would involve the final asphalt layer for the entire project. He noted that this would be done over two nights.

Councilmember Hazard questioned whether there was a need to relocate any utilities. Mr. Bishoff confirmed there was not. He noted that the project only involved an adjustment to a water meter in the sidewalk and the raising of a gas valve.

Mr. Bishoff advised Council that the Town Administrator asked him to give them an idea of what was being proposed on Washington Street in order to ensure these improvements were compatible with them. He further advised that the Washington Street Project would involve materials that were a blend of grays and reds, with the crosswalks being in a herring bone pattern. Mr. Bishoff noted that in the areas where the heavier loads would travel, the herring bone pattern, which was an angled pattern, would be used as it would allow the load to be taken across a number of blocks. He advised that running bond would be used for all of the sidewalks. Mr. Bishoff reported that they had some discussion regarding the use of a mountable curb using rubble (small stones); however, this was four times as expensive and was not in the budget.

Councilmember Shea questioned whether there would be concrete under the brick. She opined that this system did not work well as it did not allow water to get out. Mr. Bishoff confirmed concrete would be under the brick. He noted that the pavers in Aldie were laid on asphalt and because the asphalt was subject to temperature changes, it moved. Mr. Bishoff reported that he was proposing the use of eight inches of concrete, with #4 and #6 rebar, that would contain weep holes on the low sides where the pavers met a different material.

Councilmember Hazard questioned who would check the signage when each phase of the project started and suggested the Town double check it, especially for Phase 1. He further suggested the Police Department be involved the first couple of days of the project.

Mr. Bishoff reported that the project would begin the Monday after school closed. He advised that message signs would be installed a week before work began.

Mr. Bishoff advised Council that as to paver materials, Holland was a pre-approved product for VDOT. He noted that it was used in both Upperville and Aldie. Mr. Bishoff advised Council that they could use a color blend or a solid color. He reviewed the location of each type of material to be used and noted that there would be asphalt paving in the center of the project. After some discussion, the Council agreed to use Corey Red blend pavers for the crosswalks and light beige for the grade change approaches.

Mr. Bishoff reported that there was an area along the edge of the triangle where he needed to accommodate turning movements as school buses and medium sized semi-trucks tracked across the area. He suggested that rather than having ruts at the edges, Grasscrete be placed in this area. Mr. Bishoff explained that Grasscrete created an impervious surface so water could infiltrate the ground. Town Planner Beniamino noted that Grasscrete was used at the National Sporting Library's parking lot.

Councilmember Hazard inquired as to the width of the Grasscrete strip. He questioned what would be used as the base. Mr. Bishoff confirmed the Grasscrete strip would be five feet wide and that the base would consist of seven-inches of stone. He noted that the Grasscrete came in two by two foot sheets and was very inexpensive. Mr. Bishoff opined that the grass would grow well through the voids.

Councilmember Hazard inquired as to the existing material in this area. Mr. Bishoff confirmed there were simply ruts there now. He advised that they would install underdrains to convey the water runoff in this area.

Town Administrator Semmes suggested that prior to starting the project, the Town get VDOT to improve the drainage along North Madison Street to the school. Mr. Bishoff confirmed he would ask VDOT to recut the ditch lines and flush the culverts.

Councilmember Murdock inquired as to how the children would get from the school to the library. Mr. Bishoff reported that they have aligned the sidewalk to be as close as possible to the school's door. He further reported that the Loudoun County Public School System had input into the design.

Councilmember Murdock questioned what would make the cars stop at the crossing where the children would cross. Mr. Bishoff confirmed there would be stop signs and pedestrian crosswalk signage. He reminded Council that in Virginia, motorists must stop for pedestrians. Mr. Bishoff advised that the children would cross the street at the intersection and noted that there would be a landing in the intersection. He reminded Council that the pavement width would also be reduced by four feet as there was no need for it since this was no longer a two lane road.

Councilmember Hazard noted that there would be stop signs on East Marshall Street and Foxcroft Road. He questioned whether there would be a stop sign on West Marshall Street. Mr. Bishoff confirmed there would be stop signs on three of the four roads in the intersection.

Mayor Davis inquired as to the number of stop signs associated with the project. Mr. Bishoff confirmed there would be a total of four.

Town Administrator Semmes questioned why the intersection would not be signed like a roundabout. Mr. Bishoff explained that he wanted to limit the number of signs. He noted that he was trying to identify the crosswalks.

Town Administrator Semmes questioned whether the intersection would include “do not enter” signs. Mr. Bishoff confirmed there would be multiple ones and reviewed their proposed locations. He noted that an island would also be painted in this area as a traffic calming measure.

Councilmember Hazard opined that the crosswalk signage was critical as the grade change ramps looked like crosswalks. Mr. Bishoff explained that this was why they were selecting different colors. He noted that the signage would be primarily for pedestrians, with advisory signs being installed where needed.

Town Administrator Semmes questioned whether the ramp could be an asphalt one. Mr. Bishoff confirmed it could; however, it must be striped to give vehicles a warning.

Councilmember Hazard reiterated the importance of the signage. He opined that the change of material colors was critical as the intersection changes would be confusing in the short term.

Mr. Bishoff suggested he could reduce the width of the band by half. He opined that this would still provide motorists with a warning that they were entering a new elevation.

Councilmember Shea noted that even if there was a difference in the pavement, the children would not notice as they would not care about the change in color. She suggested the warning band be reduced so it looked less like a crosswalk.

Mr. Bishoff reported that he would redesign it.

Councilmember Hazard inquired as to the type of concrete to be used. Mr. Bishoff reported that it would be A-4 concrete, which was a higher strength concrete that had an accelerated curing time.

Councilmember Hazard suggested Mr. Bishoff reconsider the proposed phasing as the school was opening sooner. He suggested the RFP state that the sidewalk must be done before August 3.

Mr. Bishoff opined that the contractors would do the project quicker. He advised Council that he would include a penalties clause in the bid documents for not having things done by certain times. Mr. Bishoff noted the need to find out what VDOT required as far as incentives.

Councilmember Murdock expressed a preference to start the project while school was still open. Councilmember Hazard noted that there was not enough time to bid it and start it sooner.

Bluemont Concert Performers

Councilmember Snyder reminded Council that they had a list of the performers that Bluemont used last year. He reported that Bluemont’s Board of Directors would love to have the Council’s input. Mr. Snyder suggested they offer their preferences and noted that Bluemont could not guarantee any particular performer.

After some discussion, the Council agreed to request the following performers: Pan Masters, Martinsburg Jazz Orchestra, Darryl Davis, The Taters, Dixie Power Trio (if the Martinsburg Jazz Orchestra was not available), Mary Ann Redmond (not in top four), and Kathy Fink & Marcy Marxer. They suggested Bluemont survey attendees after each concert to see how well the performer was received.

Councilmember Snyder reported that he would send the list to Bluemont and would copy the Council on the request.

FY '15 General Fund Budget

Town Administrator Semmes reminded Council that there were still uncertainties as the Town did not know what the State would do with its budget. She noted that for the Town, this mostly was related to the 599 funds; however, if VDOT did not have a budget on July 1, the Town would not be able to do the proposed grant projects. Ms. Semmes advised that it was still unknown as to whether the County or State would give the Town the money it requested, which came to \$1.72 million that would require a match of \$102,800. She noted that the match could be split over two fiscal years as could the cost of the associated water line project. Ms. Semmes advised that the staff was not sure about the bids the Town would receive for refuse collection services. She noted that she did include the adjustments to the budget that were requested by the Council during the last meeting.

Town Administrator Semmes advised Council that she did not know what other jurisdictions were doing with regard to salary increases; however, she provided information on the Consumer Price Index (CPI), which was 1.9% last year, in order to give the Council an idea of what it would take to keep the staff's salaries from eroding. She noted that some towns provided bonuses and advised that the State was also talking about doing that as opposed to granting a COLA. Ms. Semmes opined that a COLA was preferable from an employee standpoint. She reported that the work sheet in the agenda packet showed what the salaries would be under a 2% and a 3% increase. Ms. Semmes noted that the staff did not know what the VRS rate would be yet; however, based on the State budget, she estimated the cost of a two percent and a three percent increase to be \$19,700 and \$21,500 respectively.

Town Administrator Semmes reported that she provided Council with revised tax rate options, including a 16.5 cent real estate tax rate. She noted that other revisions included the enhanced fireworks donation and the addition of a Gator without a blade. Ms. Semmes noted that there was some discussion of purchasing a used Gator and advised that the staff would do so if one was available at the time. She advised that she previously forgot to remove the revenue for the Tax Relief for the Elderly program; therefore, she removed \$12,500 from the real estate tax revenues. Ms. Semmes advised that after looking at Salamander's revenues, she believed the meals tax revenue would be more than expected; therefore, she thought it would be safe to adjust it upward a bit. She reminded Council that this year's budget included \$432,000 in meals tax revenue and advised that \$291,000 has been received through January. Ms. Semmes suggested that in looking at the monthly revenue provided by Salamander since its opening, the meal tax revenue would be approximately \$610,000 excluding the other restaurants in Town. She advised that she was not comfortable going that high; therefore, she was proposing \$500,000 be included in the upcoming budget.

Councilmember Murdock questioned whether there should be an adjustment in the occupancy tax revenue. Town Administrator Semmes reported that the Town was not seeing the same increase in the lodging tax revenues. She confirmed the Town has seen an increase in revenues due to Salamander; however, it was not growing as quickly as the meals tax revenue.

Councilmember Hazard noted that the lodging industry has experienced a brutal winter. Town Administrator Semmes noted that Visit Loudoun's reports showed that hotel stays in Loudoun County were down even though the national trend was up. She opined that Middleburg's tourists were here for leisure travel whereas the rest of Loudoun's visitors were here for business travel.

Councilmember Shea noted that Salamander has reduced some of its room rates, which would affect the lodging tax revenue.

Town Administrator Semmes opined that it would be a couple of years before the Town had a reliable feel for the revenues. She advised that she was trying to be optimistic; however, she did not want to over-estimate the revenues as that decision affected decisions on other rates. Ms. Semmes reminded Council that local taxes were still a large portion of the revenues and allowed property taxes to be lower.

Town Administrator Semmes reminded Council that they asked her to put in revenues based upon a 16.5 cent tax rate. She advised that based upon the Council's previous revisions and some budget corrections, the equalized real estate tax rate did not provide sufficient revenues to allow for a contingency reserve, employee increases or the VDOT grant match.

Council reviewed the current tax rate and the projected revenue. Councilmember Littleton opined that the rate should be 17 cents as many of Middleburg's residents were retired and lived on a fixed income.

Town Administrator Semmes inquired as to Council's thoughts with regard to the staff. She noted that the Town has been providing COLAs, which allowed the staff's salaries to keep up with inflation.

Councilmember Shea reminded Council that there was a period when the staff did not even receive a COLA. Councilmember Murdock opined that the Council must give the employees a COLA.

Councilmember Snyder noted that the staff experienced three years with no pay increase; whereas, other jurisdictions have not offered increases in four or five years. He noted that the Council was looking at either a 2% or 3% COLA.

Councilmember Hazard inquired as to the VRS costs based upon the current salaries. The Council held some discussion as to the total cost of a 2% versus a 3% COLA. They asked the Town Administrator to provide the total cost for each during the next work session.

Councilmember Hazard inquired as to the increased cost for health insurance coverage. Town Administrator Semmes reported that the increase was 3%. She advised that the Town's total cost for health insurance was \$111,000 last year and would be \$115,779 this coming year, assuming everyone stayed in the same category.

Town Administrator Semmes reminded Council that the Town Attorney allowed the Town to craft a retainer contract that captured the normal legal work load at a reasonable rate. She noted that the staff was unsure as to what that would be at the time. Ms. Semmes suggested that based upon experience this last year, the retainer be increased so the Town would not have to pay for the extra hours at the higher hourly rate. She reported that the net increase would be \$4,000 to the Town and noted that the Council would have to amend the Town Attorney's contract.

Councilmember Shea reminded Council that the Town Attorney received more money for overtime if the Council followed the current contract.

Town Attorney Plowman reminded Council that the contract provided them up to sixteen hours of legal services at a lower rate. She advised that there has never been a time when she "took a free hour". Ms. Plowman reported that there have been times when she held off doing work so she would not go over the sixteen hours; however, there have been other times when a contract needed to go out, which required her to go over sixteen hours, thus kicking in the higher rate. She noted that amending the contract would result in a pay reduction for her; however, she was okay with that as it provided her with the knowledge of consistency. Ms. Plowman reported that based on past experience, she was working an average of 18.2 hours per month.

The Council agreed they were fine with amending the contract.

Town Administrator Semmes suggested the Council forgo updating the Council dais in the coming year, as well as replacing the carpet. She recommended the staff work on developing a staffing plan this year, with the space needs study being done the following year based on the staffing plan.

Councilmember Shea noted that the economic development budget contained a lot; however, it did not contain other things such as Go Green and the Farmers Market. She further noted that the Middleburg Arts Council was included in the budget, as was the Pink Box. Ms. Shea reported that she would like to put all of the groups that fell into the committee category in as a separate listing under the economic development budget so the Council would know what was being spent on economic development and what was going to Town committees.

Councilmember Hazard questioned whether this should be in the economic development budget. Town Administrator Semmes suggested the Go Green Committee budget request should be listed under committee support in the administration budget. She opined that Councilmember Shea wanted all of the committees to be treated the same.

Councilmember Hazard agreed; however, he suggested they should not be under the economic development budget.

Councilmember Shea suggested that all of the committees be put into one section of the budget.

Town Administrator Semmes asked whether the Council wanted them listed separately and noted that the Middleburg Arts Council came to them with a budget, with the Council then making them a line item in the budget. She noted that their activities were events related and questioned whether the Council wanted to keep them under the economic development budget. Councilmember Murdock agreed they were an economic development group.

Councilmember Shea opined that Go Green's activities could be considered economic development and noted that they were offering lectures. She suggested that all of the committees could offer some form of economic development activities. Ms. Shea opined that it would be easier to see them if they were all listed together.

After some discussion, the Council agreed to let the staff make a recommendation as to how to address the committees in the budget.

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 this matter be limited to discussion of special compensation for the Maintenance Supervisor. Councilmember Murdock further moved, seconded by Councilmember Shea, that in addition to the Council, the following individuals be present during the closed session: Angela K. Plowman and Martha Mason Semmes. Councilmember Murdock further moved, seconded by Councilmember Shea, that the Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Shea and Snyder
No – N/A
Abstain: N/A
Absent: Councilmembers Kirk and Stewart
(Mayor Davis did not vote as there was no tie to require her vote)

Mayor Davis 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.

Councilmember Shea moved, seconded by Councilmember Snyder, that Council authorize giving a special recognition to Marvin Simms in the amount of \$500 for the extensive and dedicated work he did over the winter.

Vote: Yes – Councilmembers Hazard, Littleton, Murdock, Shea and Snyder
No – N/A
Abstain: N/A
Absent: Councilmembers Kirk and Stewart
(Mayor Davis did not vote as there was no tie to require her vote)

There being no further business, a motion was made and approved to adjourn the meeting at 8:29 p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk