



MIDDLEBURG TOWN COUNCIL Regular Monthly Meeting Minutes



October 8, 2015

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

STAFF: Martha Mason Semmes, Town Administrator
Angela K. Plowman, Town Attorney
Rhonda S. North, MMC, Town Clerk
A. J. Panebianco, Chief of Police
Cindy C. Pearson, Economic Development Coordinator

ABSENT: Vice Mayor C. Darlene Kirk
Councilmember Catherine "Bundles" Murdock

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, October 8, 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.

Public Presentations

INOVA Loudoun Hospital

Patrick Walters, CEO, for INOVA Loudoun appeared before Council to offer them an update on what was happening at the hospital, including new programs and their master plan. He reminded them that INOVA Loudoun has been serving the community for over one hundred three years. Mr. Walters advised that they had one thousand four hundred employees and seven hundred physicians associated with the hospital. He reported that they had seventeen thousand patients who stayed overnight and saw almost seventy thousand patients in the emergency room each year.

Mr. Walters further reported that they assisted in two thousand six hundred births last year and anticipated having over three thousand this year. He noted that of those, five hundred were to patients who had no insurance and were taken care of during their pre-natal and delivery phase in their clinic.

Mr. Walters advised that while Loudoun County was a very wealthy county, there were also a lot people with no insurance or who had Medicaid. He reported that last year, sixteen percent of their emergency room patients did not have insurance and twelve percent had Medicaid.

Mr. Walters reported that INVOA Loudoun has received a number of awards and recognitions, including being named as one of the sixty safest hospitals in the country by AARP Magazine. He advised that they were certified in stroke care and held a Gold Plus Certification for heart services by the Joint Commission. Mr. Walters further advised that last month, they were recognized as one of

four hospitals in the country by the American Association of Emergency Room Nursing for excellence in nursing in the emergency room. He reported that their nursing home and long-term care facility in Leesburg was one of the five-star nursing homes recognized by CMS.

Mr. Walters reported that they have seen growth in their cardiac care business, with over one thousand patients having visited their facilities last year for coronary interventions. He noted that patients could also be transferred to INOVA Fairfax Hospital if they needed specialized care.

Mr. Walters reported that INOVA Loudoun offered robotic surgery and was the first hospital in the region to offer concussion treatment services. He further reported that they have implemented a fully automated electronic medical records system; therefore, they were virtually paperless. Mr. Walters advised that they worked with Winchester Medical Center to implement this same system in order to share the cost. He noted that this system allowed any INOVA facility to view a patient's medical records, with their approval.

Mr. Walters reported that in the Middleburg area, they had a long-term partnership with Glenwood Park. He explained that Daniel Sands left the park in a land trust, whose revenues were used by the hospital to support patients without care insurance. Mr. Walters noted that two events would be held at the park this weekend - the Fall Races and a Southern BBQ. He advised that there would be health/wellness presentations coming up soon in at the Middleburg Community Center, including one on concussions. Mr. Walters noted that they have also partnered with A Place To Be, who did a great job of providing music therapy.

Mr. Walters noted that the hospital that was built in Lansdown was undersized from the day it opened. He reported that their first project was to complete redevelopment of the Cornwell Campus, which included a state-of-the-art emergency room and imaging center. Mr. Walters noted that they had the finest behavior health unit for psychiatric patients who need an overnight stay. He advised that they offered free clinic space, as well as donated space to Loudoun Child Advocacy. Mr. Walters opined that they were a busy campus. He noted that they also had a large medical office building. Mr. Walters advised that the system was set up so that if a patient transferred from one of the facilities to the hospital, there would be no charge for the transport. He reported that they have added a new fourteen bed observation unit at the hospital and explained that a lot of patients must stay in observation status for insurance purposes until the insurance companies were convinced of the need to admit them. Mr. Walters noted that they have opened a natural birthing center, which offered a home-like setting. He advised that they were in the final stages of an operating room expansion that would allow for three new operating rooms, with robotics. Mr. Walters reported that next week they would open a health flex facility at the intersection of the Loudoun County Parkway and the Greenway, with twenty-four hour emergency room services, as well as imaging and physician services. He advised that they have partnered with Children's Hospital to provide sub-specialty physicians who were hard to recruit. Mr. Walters noted that they were working on an expansion to their catheterization labs; to reconfigure the Lansdown emergency room; to expand their cancer center; and, to upgrade the Leesburg rehabilitation center and nursing home.

Mr. Walters reported that their largest expansion would begin in November and would include a new bed tower, which would allow all of their rooms to be private. He advised that it would also allow for a new birthing unit and would double the size of their ICU unit. Mr. Walters opined that a lot of the patients were much sicker than they were ten years ago. He advised that the expansion would involve an upgrade to the rooms, a change to the hospital entrance and the construction of a parking structure. Mr. Walters noted that they hoped to have the facility complete in 2019 and open in 2020. He opined that they had a super team who were providing individual care.

Mayor Davis inquired as to where the new facilities would be located in relation to the existing ones. Mr. Walters reported that they would be in front of the main entrance in the existing parking lot. He reiterated that they were building a new parking garage. Mr. Walters noted that the main entrance would be temporarily moved to the other side of the building during construction and would return when it opened.

Mayor Davis noted that INOVA has talked about offering a satellite facility in this area for a long time. She further noted that the Town was the owner of the Health Center Building; however, it was talking of selling it. Ms. Davis suggested INOVA consider this opportunity. Mr. Walters noted that there were limitations to the kind of services and spaces that were available. He advised that he would be interested in discussing this with the Town.

Mayor Davis opined that INOVA could bring that facility to life and offer specialists. She suggested that those specialists could rotate through the facility once a week so patients would not have to drive to get services.

Town Administrator Semmes questioned whether INOVA had an imaging center “down the road”. Mr. Walters confirmed they did and advised that the CT scanner was moved to their new facility. He advised that the imaging center coordinated with the urgent care facility that was located next door.

Mayor Davis expressed appreciation to Mr. Walters for the update. She noted that she or her family has received care at INOVA and were always treated extremely well.

Mr. Walters noted that he has been associated with INOVA for over forty years, including serving as the CEO for the last four. He opined that there were no finer nurses anywhere and advised that they cared about their neighbors and friends.

Councilmember Scheps noted the cancer center at Merrifield. He questioned whether there would be an off-shoot of it at the Lansdown facility. Mr. Walters noted that INOVA recently took possession of the Mobil Exxon site, with the intention of using that property to create an international cancer center. He noted the need for more research space and an expansion of their educational areas. Mr. Walters noted that they did not have a medical school and advised that they would like to add those capabilities to their campus. He reported that this campus would provide for another fifty years’ worth of development.

Approval of Minutes

Councilmember Snyder moved, seconded by Councilmember Shea, that the Council approve the September 10, 2015 Regular Meeting and September 24, 2015 Work Session Meeting Minutes as amended.

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

Staff Reports

Terry Inboden, of IES, reported that the Town processed 4.6 million gallons of water last year.

Town Administrator Semmes reported that the Council would hear good news from the auditors with regard to the unaccounted for water.

Mr. Inboden reminded Council that the Town experienced a significant rain event at the end of the month; however, the sewer treatment plant was able to handle it. He further reminded them that they cleaned the membranes and reported that this worked well. Mr. Inboden noted that he spoke with Mr. Will daily about the treatment plants and opined that the sewer treatment plant was remarkable. He reported that the water that was being put into the stream was cleaner than the stream itself.

Town Administrator Semmes reminded Council that under the previous operators, when the Town experienced a huge storm, the plant operator would camp out at the wastewater plant because of the way they operated it. She noted that they kept the water level high and advised that the Town experienced an overflow during a huge storm. Ms. Semmes explained that IES adjusted the amount of water they kept in the basins; therefore, there was room to handle the flows during a storm event.

Mr. Inboden reiterated that the plant ran well. He confirmed they were not keeping as large an inventory of water in the system; therefore, they had more ability to handle large volumes of water. Mr. Inboden reminded Council that all of the water must pass through the membranes and advised that they did not want it to pass over the top.

Mr. Inboden noted the safety grant that the Town applied for, which allowed for the purchase of a tripod and wench so they could safely enter the manholes.

Mayor Davis advised Mr. Inboden that his son did a great job of representing him during the meeting when he spoke.

Mr. Inboden advised Council that Mr. Will was not present as he was working the night shift in order to flush the water lines. He reported that they were using a lot of water as they were flushing the lines long and hard in order to scrub "stuff" from the mains.

Councilmember Snyder inquired as to the path they were taking for the flushing. Mr. Inboden reported that they started with the west side and have done parts of Marshall and all of Federal Street. He advised that they planned to flush the lines in Washington Street tonight. Mr. Inboden reported that Mr. Will spoke with him before and after each flushing event.

Town Administrator Semmes expressed appreciation for the staff's support, particularly that of Economic Development Coordinator Pearson, during the transition. She also expressed appreciation for the Council and Town Attorney's support. Ms. Semmes confirmed the staff had everything under control. Councilmember Snyder suggested the need to consider employee bonuses.

Town Clerk North reported that the staff has been working with a business, which recently changed ownership, on their business license. She further reported that despite the fact that this business has existed since the 1990's, it had not secured a license for several years. Ms. North advised that when they applied for a business license, they reported no gross receipts despite the fact that their website indicated they did billions of dollars in sales over the last ten years. She further advised that the staff has provided them with a copy of the BPOL ordinance and a deadline for reporting and paying on their gross receipts; however, they failed to do so. Ms. North advised that the staff would be calculating a bill, including late fees and penalties, which would be sent to the business in an attempt to collect it. She opined that they were not happy with the staff's ruling and suggested the Council may hear from the owners as the staff attempted to secure payment of their business license tax. Ms. North reiterated that the ownership changed over the past year; therefore, the new owners were not entirely to blame for the non-payment.

Town Administrator Semmes reported that the Town secured a snow removal contractor for the season - Tilton Enterprises. She noted that he helped Bart Wines in the past. Ms. Semmes reminded Council that Mr. Wines was not available this year as he was having shoulder surgery.

Councilmember Scheps asked the Town Administrator to report on the Route 50 Project meeting. Town Administrator Semmes reported that a good number of business people were in attendance, as well as citizens, and advised that she counted approximately forty people, excluding staff. She opined that VDOT offered a good summary of the project. Ms. Semmes noted that she had the displays and project sheets that were used during the meeting for anyone who wished to see them. She reported that she spoke with a citizen this morning who did not attend the meeting, but who had concerns about the construction. Ms. Semmes advised that she and the Police Chief spoke about her concerns and opined that the availability of the parking in front of her house would not be a problem as she would probably be parked in the parking space when the construction workers arrived.

Mayor Davis suggested the Town find a location for the construction workers to park. Councilmember Shea agreed with the need to develop a parking plan related to the construction.

Town Administrator Semmes reported that she would develop a list of parking lots that were available and noted that she has spoken with the National Sporting Library, who was willing to make their lot available on a permanent basis, not just for the construction vendors but for town people. She noted the need to encourage motorists to park elsewhere during the construction period and advised that she and the Police Chief were brainstorming how this could be done. Ms. Semmes questioned whether the Council was willing to spend money to lease parking lots. She noted that the National Sporting Library would not charge for the use of their lot; however, she suggested others may.

Councilmember Shea questioned whether there would a liability issue for the National Sporting Library if there was no contract for the use of their lot. Town Administrator Semmes advised Council that she discussed this with their Executive Director and suggested the Town could sign an agreement with them. She advised that she would work with the Town Attorney so everyone would have a mutual understanding of why people were parking there. Ms. Semmes asked the members of Council to let her know if they had any ideas for possible parking locations.

Councilmember Shea suggested the use of the BB&T parking lot. Town Administrator Semmes advised that that lot was used by their employees and was usually full. Councilmember Scheps suggested the use of the Community Center's property where the Farmer's Market was held. Town Administrator Semmes noted that she could not guarantee it would be available if the Center had an event. She suggested she could talk to the Community Center about partnering with them to expand the parking lot if they would let the Town use it during the week. Ms. Semmes advised Council that she would approach the Community Center about using the lot during the construction project; however, she questioned how the Town would know when to tell people it was available.

Councilmember Shea suggested it would be needed when construction was occurring on that end of town. Councilmember Snyder suggested the staff ask the Center when it would be available. He opined that a lot of people already used it.

Mayor Davis announced that the new address for the Town's website was www.middleburgva.gov.

Town Administrator Semmes reported that the staff was getting the bills paid, including payroll, and was working to get the vehicle decal forms out. She further reported that she was in the process of changing over the administrative contacts for systems such as VRS. Ms. Semmes advised that she and Economic Development Coordinator Pearson would hold a staff meeting with the auditors on October 21st. Town Clerk North noted that the auditors were scheduled to give the Council the annual audit report during their October 29th work session.

Chief of Police Panebianco opined that the staff was doing a good job following the staff change. He noted that INOVA Loudoun was a sponsor of National Night Out by providing their health screen bus. Chief Panebianco reported that the air marshals who have been conducting training in Middleburg over the past several months were now done.

Town Administrator Semmes reported that part of a documentary could be filmed in Middleburg. Chief Panebianco noted that the documentary was about a bicyclist and opined that it would be good publicity.

Chief Panebianco announced that he has posted a link for the Route 50 project on the Department's Facebook page and advised that one thousand two hundred twenty-three people have seen it since this morning. He noted that he would add the construction project updates as they were received.

Councilmember Shea reported that she distributed the sign-up slips at the stores for people to fill out. Chief Panebianco noted that the Police Department did so as well, visiting every store to leave a meeting notice and slips for the updates.

Chief Panebianco reminded Council that the Town was a member of the Alcohol Safety Action Program (ASAP), an organization that offered lessons when an individual received a DUI or under the influence charge so they would not do it again. He presented a copy of their annual report to the Town Administrator for distribution to the Council. Chief Panebianco reminded Council that this organization was self-funded; therefore, there was no cost to Middleburg other than a bit of his time.

Reports of Town Committees/Council Liaisons

Councilmember Shea distributed copies of a drawing of a fox, prepared by Andrew Gauldin's wife, for use by Go Green as their logo. She noted that the term "Middleburg, we recycle" would be added to the sketch. Ms. Shea questioned whether the Council was okay with its use before the committee had it digitized. The Council agreed it was.

Councilmember Shea advised that Go Green would like to make sure there was wording on the events calendar to remind people that Middleburg recycled and noted that she had the wording they would like to use. She reported that Go Green had a proposal for the Council for the purchase of both permanent and disposable recycling bins that could be used at Town events.

Mayor Davis questioned whether there were recycling bins located on the streets. Councilmember Shea confirmed there were five that were purchased by area businesses.

Councilmember Hazard reported that the Planning Commission was exploring changes to the Town's building height restrictions. He reminded Council that a couple of years ago, the Town reduced the height limit in the R-2 District from thirty-five to thirty feet. Mr. Hazard noted that based upon what was coming up in the next couple of years in the R-3 District, the Commission believed it should look at changing the height limit there as well and have started discussions along that line. He explained that he wanted to advise Council of their plans in order to see if it had anything it would like to offer. Councilmember Snyder agreed it was a good idea.

Councilmember Shea reminded Council of the planning charrettes that were held years ago. She questioned whether the Commission planned to look at all of the recommendations that came out of those charrettes or whether they were just looking at height limits. Councilmember Hazard confirmed the Commission was looking at a couple of things. He explained that their goal was to keep development in conformance with what the remainder of the town was like on a scale basis.

Councilmember Shea requested that the Commission also talk about the use of lots and the amount of green space that was available. Councilmember Hazard opined that there were a couple of ways to address that and noted that one of the concepts being explored by the Commission was to allow for an increase in height limits if there was an increase in the front, side and rear yard setbacks. He opined that a lot of options would be discussed. Mr. Hazard suggested the need to develop models in order for the members to see how something would look. He reiterated the need for changes to the setback and height regulations.

Councilmember Shea reiterated the need to encourage the use of green space. She noted that this was part of the town's character, especially in the Ridgeview Subdivision.

Town Administrator Semmes reminded Council that the purpose of regulating a yard was to provide open space, including adequate light and air.

Action Items (non-public hearing related)

Council Appointment – Middleburg Arts Council

Councilmember Snyder moved, seconded by Councilmember Hazard, that Council appoint Elizabeth Rice to the Middleburg Arts Council to fill an unexpired term, said term to expire June 14, 2017.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Murdock

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

Discussion Items

Town Administrator Semmes reminded Council that the Town's credit cards currently had a limit of \$1,000 each. She advised that when purchasing large items, such as the new television for the Council Chambers, the staff was finding it challenging to use the credit cards. Ms. Semmes requested the Council consider increasing the spending limit on one or two of the Town's credit cards to \$2,500 each. After some discussion, the Council agreed to increase the spending limits on the Town Administrator and Economic Development Coordinator's credits cards to \$2,500.

Councilmember Shea reminded Council that they wanted to check with the various boards and committees to determine if they wished to continue offering their annual reports. She advised that Go Green not only wanted to come before Council once a year, but wanted to come once a quarter.

Closed Session – Property Acquisition & Personnel

Councilmember Shea moved, seconded by Councilmember Scheps, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(3) and (1) pertaining to the discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body and 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 Shea further moved, seconded by Councilmember Scheps, that this matter be limited to a discussion of (1) property acquisition for the Police Department and (2) the resignation of the Town Treasurer. Councilmember Shea further moved, seconded by Councilmember Scheps, that in addition to the

Council, the following individuals be present during the closed session: Martha Semmes, Angie Plowman and AJ Panebianco for the first part and Angie Plowman and Martha Semmes for the second part. Councilmember Shea further moved, seconded by Councilmember Scheps, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Murdock
(Mayor Davis only votes in the case of a tie)

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.

There being no further business, Mayor Davis declared the meeting adjourned at 8:08 p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk