



MIDDLEBURG TOWN COUNCIL REGULAR WORK SESSION

Thursday, January 25, 2018



PRESENT: Mayor Betsy A. Davis
Vice Mayor Darlene Kirk
Councilmember J. Kevin Daly
Councilmember Kevin Hazard
Councilmember Peter Leonard-Morgan
Councilmember Trowbridge "Bridge" Littleton
Councilmember Philip Miller
Councilmember Mark T. Snyder

STAFF: Martha Mason Semmes, Town Administrator

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Thursday, January 25, 2018 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis called the meeting to order at 6:00 p.m.

Report - Christmas in Middleburg

Jim Herbert, Chairman of the Christmas in Middleburg Committee, reported that anecdotal comments were that the 2017 event ran better, performed better and presented better than ever before, which was encouraging. He advised that from a marketing standpoint, there was very significant coverage in Garden & Gun Magazine and the event was in the calendar notice for Southern Living Magazine. Mr. Herbert advised that Northern Virginia Magazine, Northern Virginia Style and Alexandria City Living covered the event extensively in advance of it. He opined that some of the best coverage was on the Facebook page and reported that a new high was hit in terms of reaches for an individual post, with over 50,000 on one individual post. Mr. Herbert advised that most of them received 7-8,000 reaches. He noted that the individual comments were very positive.

Mr. Herbert reminded Council that the weather was very good the day of the event. He advised that they only had one glitch, which was flow versus bottle necks. Mr. Herbert explained that it occurred when the Hunt left the back of the Red Fox property and turned onto Marshall Street. He noted the need to close Marshall Street when many people were trying to get to the Salamander field for parking.

Mr. Herbert reported that the Christmas in Middleburg website showed all three locations for parking, as well as specific directions to get to each site. He advised that they also posted the location of the Pink Box as "Town central" for people to get to Middleburg. Mr. Herbert noted that this became confusing when people pulled up to the Pink Box looking for a valet to park their cars.

Councilmember Littleton noted that some people put that address into their GPS systems.

Mr. Herbert advised that they were going to eliminate the Pink Box location from the website. He further advised that they would provide GPS information for the three parking lots only and would let people find their way from there. Mr. Herbert noted that they also planned to put three different parking products on the website. He explained that they would show the three lots on a

map, with the individual picking which field they wanted. Mr. Herbert advised that once chosen, only the information for that field would be present on their parking ticket. He noted that a calendar reminder would be added to the purchaser's smart phone, along with the parking lot location information, as an additional reminder.

Mayor Davis questioned the number of parking spots available at Salamander and opined that everyone would select that location. Mr. Herbert reported that they have not yet reached that point. Councilmember Hazard opined that a lot of people coming from the east selected the Mickey Gordon Park as it was the first one they reached.

Councilmember Snyder inquired as to the capacity for each of the parking lots. Mr. Herbert reported that they were not even coming close at the Mickey Gordon Park or the west end of Town. He advised that they could easily park five hundred cars on George Wilshire's property; however, they were only parking two hundred. Mr. Herbert further advised that at the Mickey Gordon Park, they had not even gone two-thirds the way up the hill, much less toward the ball fields, or use the rear parking. He noted that that field had produced a remarkable change in their logistics. Mr. Herbert advised that it was good, had easy access and was easy for the shuttle buses to enter/exit. He noted that they spent more on shuttle buses this year and reported that there were no back-ups at any time. Mr. Herbert advised that he received no complaints and opined that the shuttle bus capacity was strong.

Councilmember Snyder advised that the shuttle buses looked like they were running smoothly. Mr. Herbert confirmed they were. He noted that there were some initial issues when the drivers were calling asking "where should we go". Mr. Herbert advised that while they had a good relationship with the shuttle bus company, they did not send pre-informed and pre-routed drivers the day of the event. He noted the need to remedy that in the future.

Councilmember Daly opined that this was the first time some of the drivers had been to Middleburg. Mr. Herbert opined that not only was it the first time, but some were still in training.

Vice Mayor Kirk suggested Mr. Herbert request specific drivers if he knew of any who were good. Mr. Herbert agreed they had good drivers and opined that the town may be getting the best they had. He noted that the supervisors came out the week before the event to drive the route with him and advised that next year, he planned to insist that the drivers come out the day before to take a shuttle bus tour of the route.

Councilmember Snyder explained that the reason he asked about the capacity was that he would like to consider eliminating parade parking in the residential areas in order to free them up, make them more passable and safer for pedestrians and to reduce congestion. He suggested the parking be restricted to the three main parking areas, assuming there was parking capacity. Mr. Herbert confirmed there was parking capacity and advised that he was in favor of this suggestion.

Councilmember Miller reminded Council that this would take a great deal of enforcement. He noted that he had already discussed this with the Police Chief and reported that the Police Department already had their hands full that day. Mr. Miller suggested that enforcement would be a problem.

Mr. Herbert advised that the other thing that he ran into was people who complained that they had never had to pay for parking before. He noted that these were comments from locals who knew where the nooks and crannies were located. Mr. Herbert advised that he had people from The Plains railing at him about having to pay for parking. He noted that his response was that "they were from The Plains and knew where the free parking was so they should come early and take care of themselves". Mr. Herbert opined that this was an issue.

Mr. Herbert reported that he thought they could handle a maximum of four hundred seventy-five cars at the Salamander field; however, it turned out that almost six hundred cars could be parked. He noted that there was almost a complete turnover of those spaces. Mr. Herbert reported that they almost parked more cars over the course of the day at the Salamander field than they did at the Mickey Gordon Park.

Vice Mayor Kirk noted that Salamander also had the area in front of the building where cars could be parked.

Councilmember Littleton likened the flipping of cars to the turnover of tables in a restaurant. Mr. Herbert agreed. He noted that a lot of people came into town for the Hunt, but did not want to be a part of the children's Christmas Parade in the afternoon. Mr. Herbert advised that those people wanted to get out of town before noon.

Councilmember Snyder advised that he was more sensitive to parking in the residential areas on the western side of town because there were no sidewalks.

Vice Mayor Kirk noted that people walked down the middle of the road. She reminded Council that the Town posted signs all over the place; however, she witnessed someone pull up one of the signs and park in someone's yard.

Mr. Herbert opined that the town may be a part of its own bad attitude. He suggested that by the time people were turned away after being close to Salamander and could not find an alternative, they were upset.

Councilmember Hazard questioned why they were turned away from the Salamander lot. Mr. Herbert reported that there was a back-up. He advised that it was the determination of the police officers at the intersection of Pendleton and Marshall Streets that they could not have people coming east and turning westward. Mr. Herbert explained that they made a decision not to let people turn in even though they were within eye sight of the Salamander field.

Councilmember Hazard reported that he was at the gas station and heard that the Salamander lot was full. Mr. Herbert reported that it never was full. He advised that there workers at the Salamander field who had nothing to do until the Sheriff's Department got things moving again.

Councilmember Hazard opined that this was part of the logistical problem that Mr. Herbert alluded to. Mr. Herbert confirmed it was and suggested it was an educational problem. He noted the need to educate the shuttle bus drivers and the people who were public safety/traffic management/police officers.

Councilmember Hazard suggested the need to route traffic south around the town and then north. Mr. Herbert opined that if Federal Street came behind the National Sporting Library and connected to Route 50, this would be ideal; however, the current detour was the best one possible.

Vice Mayor Kirk noted that there was also a conference at the Salamander Resort that day from 11:00 a.m. to 2:00 p.m. She advised that the participants had difficulty getting into it and complained.

Mr. Herbert agreed this was a problem and noted that he had to refund two hundred parking pass fees. He opined that if more people had realized that he was amenable to refunding the parking fees, he probably would have gotten even more requests. Mr. Herbert noted that he did not offer it; however, if someone asked, he refunded it immediately.

Mr. Herbert reported that they could handle the parking capacity; however, he noted the need for everyone to be on the same page, including the police officers who were routing the traffic.

Councilmember Hazard opined that by the end of the day, the participants did not care about having to stand in line as they had a good day. He noted that the buses ran continuously.

Mr. Herbert confirmed that after 11:00 a.m., there were no glitches and that everyone got to where they wanted to go. He reported that the parade lasted an hour and nine minutes, which beat their goal of one hour and fifteen minutes. Mr. Herbert noted that far exceeded what occurred a few years ago when the parade was one hour and thirty minutes. He reported that there were eighty-two elements, including more bands and music.

Councilmember Leonard-Morgan questioned whether Mr. Herbert received comments from anyone regarding the delay between the Hunt Parade and the Christmas Parade. Mr. Herbert confirmed he did have people who were suggesting they run everything at once at 2:00 p.m. He explained that the reason this was done was so visitors could be spread out. Mr. Herbert suggested that as long as there were people who would prefer to see one or the other, but not both, that this was a good solution. He noted that they did not make people wait to see an hour long parade when they only wanted to see the Hunt.

Mr. Herbert advised that the other anecdotal report, which were from sophisticated retailers in town, was that this year their number of sales were not necessarily what they were before; however, the gross revenue and average dollar per sale were higher than before. He advised that he had been learning about social media and Facebook marketing, including how to build certain envelopes of who saw the posts. Mr. Herbert reported that he was targeting certain posts to certain individuals, such as men, women, families, decision makers and age groups and then boosting them to laser target who saw them. He reminded Council of the year when the event brought in twenty-five thousand people and advised that rather than bringing in quantity, they were working on marketing that brought in quality. Mr. Herbert reiterated that the retailers were telling him that they were having better gross revenue days and better average dollar per sale days even though there were not twenty-five thousand people in the audience. He opined that there were not even twenty thousand people there.

Mayor Davis noted that she walked up the route after the parade and advised that because of the barricades, the sidewalks were walkable. She noted that you could not move the year the crowd was so large.

Councilmember Miller advised that, with the exception of the areas where the trees have taken over, the sidewalks were generally clear.

Mr. Herbert opined that the Town and Chief Panebianco were great partners. He noted that they sat up the barricades on the inside markers of the public parking spaces; therefore, most of the visitors were in the street where cars would park – leaving the sidewalk open.

Councilmember Snyder opined that the barricades effectively widened the sidewalks.

Mr. Herbert noted that the Committee went to the expense of doing the barricades last year and advised that a lot of people did not like them. He advised that this year, the comments were positive. Mr. Herbert reminded the Council that, last year, they put banners on every other barricade and people complained that the children could not see through them. He advised that after the parking arrival detour issue at 11:00 a.m., he received no negative comments about anything.

Mr. Herbert reported that the only thing they did not do that they did the year before was make as much money. He advised that revenues were down and expenses were up and reported that they netted a little over \$1,200. Mr. Herbert noted that he was asked why charitable donations were higher and advised that there were a couple of items that were listed as charitable donations that should have been listed as parade operations expenses, including a \$1,500 payment to the Aldie Ruritans and a \$300 payment to the Lions Club. He acknowledged that these were charitable organizations; however, the Lions Club provided entertainment and the Ruritans managed the parking.

Mr. Herbert advised that the bottom line was that they added to the surplus. He further advised that last year's surplus of \$9,000 remained. Mr. Herbert reminded Council that last year, the Middleburg Business & Professional Association participated; however, this year, they purchased a half page ad as opposed to making a \$4,000 donation. He suggested that if the Committee was able to continue to operate the parade profitably and the MBPA felt they could do more with their money elsewhere, this was fine. Mr. Herbert noted that they were not trying to create a large surplus each year and reminded Council that not too long ago, they only had a couple hundred dollars at the end of the year.

Councilmember Miller noted that just because the Committee was a non-profit, this did not mean the event did not need to generate a profit. Mr. Herbert agreed and noted that a non-profit that did not have income that exceeded expenses did not stay in business very long. He advised that he was all for having a fund balance and building rainy day capacity. Mr. Herbert noted that in the past, he wrote personal checks to cover expenses and advised that he was very happy to see the event make a profit. He opined that everyone was happy to have the event wash out, market the town and create the biggest cash flow day for retailers. Mr. Herbert opined that as long as they could make money doing that, this was all he wanted.

Mr. Herbert expressed hope that the weather would be good for the next one. He reported that they were already talking about entertainment additions and were inviting two more bands.

Councilmember Leonard-Morgan noted that there had been comments about the post-parade clean-up and advised that officials from The Hill School and volunteers were cleaning up the trash left on the streets. He acknowledged that there was an issue with the street sweeper that evening. Mr. Leonard-Morgan noted that it rained the next day and the trash was trampled into the street.

Mr. Herbert agreed the street sweeper was vital. He reminded Council of the engagement with Robinson's and reported that for less than \$2,000, they were picking up trash from all of the municipal cans throughout the day; monitoring the food court trash; sweeping the American Legion property; and, sweeping the parade line-up road twice – once at the beginning and once at the end of the parade. Mr. Herbert advised that, with proper notice, he could ask them to pay attention to other things.

Mr. Herbert reported that The Hill School was one of the charitable distributions and explained that the Committee tried to support them by sponsoring their spring and fall fundraisers. He noted that he was very particular about that relationship and advised that the event could not be pulled off without their assistance. Mr. Herbert expressed sadness that so few people appreciated the community engagement with The Hill School within Middleburg at large and noted that they were involved in events such as this. He advised that in the past, he returned to their property with a rototiller because parade units had left ruts in their grounds. Mr. Herbert noted that he reseeded the area so The Hill School did not have to deal with it.

Councilmember Leonard-Morgan noted that the trash was the only negative comment he heard. Mr. Herbert thanked him for bringing it to his attention as that comment had not gotten back to him.

Councilmember Hazard noted that there were a couple of people who walked the streets after the event to pick up trash, including Punkin Lee.

Mr. Herbert noted that he engaged the Boy Scouts to hand out program guides. He reported that they would change next year as he heard comments about them being too big and bulky. Mr. Herbert noted that they included a readable map. He suggested that in the future, they may be a four-fold pamphlet, with advertising on the back and a map on the inside.

Councilmember Leonard-Morgan opined that someone would complain about something. Vice Mayor Kirk agreed and noted that the Committee did a great job of putting on the event.

Mr. Herbert advised that the advertisers loved the new format as they received a two hundred percent increase in their advertisement space; however, the price remained the same. He noted that the only thing he was told afterward was that people looked at the advertisements, then took out the center map and put the rest in the trash. Mr. Herbert reiterated that the retailers said that more qualified buyers came into their store and opined that the product locator items were probably a good idea.

Councilmember Miller inquired as to the number of sponsors. Mr. Herbert reported that there were thirteen.

Councilmember Miller inquired as to where the Town's sponsorship went. Mr. Herbert reported that the Town was a partner, with \$9,000 coming from it.

Councilmember Miller advised that his only concern about Christmas in Middleburg was that Mr. Herbert was Christmas in Middleburg. He noted that if anyone asked about Christmas in Middleburg, he usually sent them to him. Mr. Miller opined that Mr. Herbert did not want to do this forever and questioned the succession plan. He further questioned who knew how to organize the event should something happen to him. Mr. Miller expressed concern about the amount of institutional knowledge that would exist to repeat the event in the absence of Mr. Herbert.

Mr. Herbert opined that there was a good committee of people who were "heavy lifters" and advised that Councilmember Daly had a fundamental knowledge of everything that occurred. He reported that he had a detailed written list of everything that needed to occur and when. Mr. Herbert noted that he shared that with the Chairman of EDAC when they were reviewing petitions for money from the Town. He advised that Joanne Hazard and DeeDee Hubbard had always been involved in the event and suggested that if any of the four or five individuals disappeared, the others would know what needed to be done. Mr. Herbert recognized that they may not have all of the contact information that may be needed.

Councilmember Daly concurred with Councilmember Miller. He opined that Mr. Herbert did not need to have someone trailing behind him; however, he noted that there was a lot of information in his head. Mr. Daly recognized that there were contacts that Mr. Herbert had created that were on more of a personal basis. He opined that someone could not come in, look at the list of notes and do what Mr. Herbert did seamlessly each year.

Mayor Davis questioned whether Mr. Herbert had the big binder that Reggie Dawson assembled.

Mr. Herbert reported that it was a lot less efficient and functional than could be judged from its thickness.

Mayor Davis suggested the need for something along those lines. Vice Mayor Kirk reminded Council that Mr. Herbert had prepared a four to five page listing of what needed to be done.

Mr. Herbert confirmed he had and noted that he updated it annually. He expressed appreciation for the Council's point and noted that he did not disagree. Mr. Herbert advised that those who did the heavy lifting liked the idea of stepping back if an entity could be found to take over the event. He opined that finding a volunteer entity was difficult. Mr. Herbert acknowledged that Councilmember Miller had done some heavy lifting for sustained periods; however, he opined that running a business and this event was more difficult than one would think.

Councilmember Daly opined that it would be better to seek a younger individual to assist. Mr. Herbert advised that the Committee would welcome that person with open arms; however, they have never stepped forward. He reported that there was one young person on the operations side who was taking over more responsibilities and opined that he would continue to do so. Mr. Herbert opined that he could assume the entire mantle at some time in the future. He suggested that if the Committee could manage parking to create additional revenue, it may be possible to bring someone in on a paid staff level. Mr. Herbert noted that there were also event companies that took on this type of work; however, he had disastrous interviews with two.

Vice Mayor Kirk noted that part of this was that Mr. Herbert put his heart and soul into the event, which was what made it so good.

Mr. Herbert noted the relationship with the parade elements and vendors and advised that it was fun. He opined that this was why people wanted to continue to do it each year. Councilmember Daly noted that those were things that could not be written on a piece of paper.

Mr. Herbert opined that this was a good question; however, there was no good answer. He confirmed the Committee had discussed it.

Councilmember Miller suggested it would be great if the Business & Economic Development Director was more involved in the event.

Mr. Herbert questioned whether this should migrate back to being a Town function or whether it was better to have separation, with the entity being a not-for-profit that had a relationship with the Town. He asked the Council to let him know if they wanted the event back.

Vice Mayor Kirk opined that the Town did not have the staff to do it. She noted that Mr. Herbert devoted a great deal of time to it and did it beautifully.

Mr. Herbert advised that he was not trying to go anywhere; however, he was wide open for an institutional legacy to occur. He noted that he even asked his own son if he would be willing to take it over; however, he was not. Mr. Herbert opined that young people had careers and did not have the time for something like this. He suggested the need to find the youngest, newest retiree in town and advised that he would put them on the Committee.

Mayor Davis presented Mr. Herbert with a Resolution of Appreciation for organizing the 2017 Christmas in Middleburg event. She read the resolution aloud. Ms. Davis noted that it no longer listed each of the volunteers for fear of leaving someone out. She advised that this was a special day and acknowledged that Mr. Herbert was the reason. Ms. Davis noted that the Town would not let him go.

Council Approval – Ordinance authorizing Town’s Participation in VML/VACO Investment Pool

Town Administrator Semmes reported that there were seventy-five jurisdictions that participated in this investment pool. She advised that this week’s rate for the liquid asset fund was 1.5% and noted that the maximum the Town was making was .9% on its certificates of deposit, with one earning only .4%. Ms. Semmes reminded Council that the CDs were laddered. She reported that the investment pool was more liquid and opined that this was a good move.

Vice Mayor Kirk moved, seconded by Councilmember Miller, that Council adopt an Ordinance to Authorize Participation by the Town of Middleburg in the VACO/VML Virginia Investment Pool for the purpose of investing in accordance with Section 2.2-4501 et seq. and 15.2-1300 of the Virginia Code.

Councilmember Hazard noted that the Town had a relationship with the Middleburg Bank. He further noted that he was not sure whether that had changed because of its sale. Mr. Hazard reminded Council that a couple of years ago, the Town borrowed money from the bank at a low rate. He questioned whether that was because the Town did business with them.

Town Administrator Semmes reminded Council that the Town’s checking account would remain with the Middleburg Bank. She explained that the staff was not recommending removing all of the Town’s money from it.

Councilmember Littleton advised that what Councilmember Hazard was suggesting was illegal. He noted that banks could base interest rates on the amount of money being put into the bank; however, they could not give favorable terms simply because an individual banked with them.

Town Administrator Semmes noted that the Town also sought competitive bids in that case; therefore, Middleburg Bank knew that another bank was bidding against them.

Councilmember Snyder advised that the Town has seen the rates fluctuate, including both the VML/VACO and the bank rates. He noted that sometimes one was more advantageous than the other. Mr. Snyder reiterated that this fluctuated over time and was not a steady barometer. He opined that it was good to have another option for making investments.

Vote: Yes – Councilmembers Kirk, Daly, Hazard, Leonard-Morgan, Littleton, Miller and Snyder
No – N/A

Abstain: N/A

Absent: N/A

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

Council Approval – MOA – Visit Loudoun

Economic Development Director Gaucher advised Council that he met with the Town Administrator earlier in the week and opined that the Town was “spinning its wheels” with regard to the MOA. He noted that it was eight months into an agreement and had only one quarterly payment left. Mr. Gaucher suggested that continuing to work on the document did not bring a lot of value. He further suggested that if the Town wanted to have a formal relationship with Visit Loudoun next year, it could do that; however, he opined that the opportunity had passed for this year.

Councilmember Miller questioned whether the Business & Economic Development Director felt this should be a formal agreement with a contract. Business & Economic Development Director Gaucher suggested it should be. He noted, however, that he and the Town Administrator have discussed whether the Town should make an appropriation to Visit Loudoun. Mr. Gaucher reported that he had drafted his budget for FY '19 and advised that he did not include funding for them. He advised that he could work with Visit Loudoun without the need for the Town to make a \$35,000 payment to them.

Councilmember Leonard-Morgan noted that the Council increased the amount of funding to Visit Loudoun after receiving a request from them. Councilmember Littleton noted that the Town had been giving them \$30,000 and increased it to \$35,000.

Councilmember Leonard-Morgan noted that the Council acknowledged the benefit that Salamander was getting from Visit Loudoun; however, they questioned the benefit to the Town.

Business & Economic Development Director Gaucher noted that Salamander's General Manager was on Visit Loudoun's Board of Directors and opined that there was no doubt that they would continue to work with the resort. He advised that at the end of the day, Visit Loudoun was a marketing agency and opined that they would market Loudoun County regardless of whether the Town had an agreement with them.

Councilmember Leonard-Morgan opined that the concern was Leesburg received lots of hits and Middleburg only received one or two.

Councilmember Littleton noted that Leesburg had been contributing \$90,000 to Visit Loudoun; however, they reduced it to \$60,000. He further noted that they also put an MOU in place that indicated that if Visit Loudoun wanted to get \$60,000 from them again next year, there were certain things that must be done. Mr. Littleton suggested the Town check with Leesburg to see how their agreement was going and noted that this was discussed a year ago.

Councilmember Leonard-Morgan opined that the reason the Council increased its donation was to support the Salamander Resort.

Business & Economic Development Director Gaucher recommended that if the Town was going to do something like that that the relationship be tied to a specific event(s). He noted that it was easier to track and manage the budget if it was tied to a specific event. Mr. Gaucher suggested that if the Town and the Salamander Resort wanted to partner with Visit Loudoun on an event that had a large Visit Loudoun component, it would not be precluded from doing so.

Councilmember Leonard-Morgan suggested it could be a specific event with Visit Loudoun.

Councilmember Snyder advised that he would be more comfortable working through the budget for the coming year. He suggested the Council take advantage of whatever the Business & Economic Development Director recommended and agreed it was too late to address this year's budget.

Vice Mayor Kirk advised that she found that whenever the Town partnered with Salamander and someone else, Salamander usually sent the other person to the Town to ask for the money. She further advised that the Town usually ended up paying for the entire thing. Ms. Kirk agreed with the Business & Economic Development Director that this should be event based.

Councilmember Snyder advised that he would feel more comfortable having the Business & Economic Development Director coordinate this for the Town.

Councilmember Hazard suggested the MOA be eliminated. Councilmember Miller opined that it did not have any metrics in it anyway.

Town Administrator Semmes confirmed the Town would have received the same thing it was already getting. She suggested that if the Council wanted to have performance measures that the staff should work toward better ones.

Councilmember Hazard suggested the Town do the agreement first and then give Visit Loudoun the money.

Councilmember Littleton suggested the Town could break its payments up quarterly, with the payments being made only after Visit Loudoun performed whatever it was that the Town wanted from them. He further suggested that if Visit Loudoun did not complete all of what was required that they receive nothing.

Business & Economic Development Director Gaucher suggested it be tied to receipts. Councilmember Littleton suggested it be tied to activity or whatever made sense. He further suggested it be something where the Town could say whether Visit Loudoun had done it.

Business & Economic Development Director Gaucher advised that he would welcome a conversation around setting aside money in the budget for that type of activity. He suggested he could sit down with Visit Loudoun to determine what that would look like. Mr. Gaucher opined that changing the dynamics was important.

Councilmember Miller noted that the way the Council got from \$30,000 to \$35,000 last year was not based upon the occupancy taxes. He reminded Council that Salamander's General Manager sent the Town a letter that indicated that \$37,000 was the amount of occupancy tax dollars that was specifically generated by Visit Loudoun working with the resort to put heads in beds. Mr. Miller noted that they made an interesting appeal, with Mr. Devadas advising the Council that when they were in talks with the Town about the resort that they said that supporting Visit Loudoun was incredibly important to them. He explained that this was how the Council reached \$35,000. Mr. Miller advised that in terms of return-on-investment, he did not like the ratio if the Town was giving them \$35,000 but only receiving \$37,000 back.

Councilmember Littleton noted that when the Council discussed this, they said that this was everyone's tax dollars and that it did not just come from Salamander. He advised that the Council wanted to see Visit Loudoun engage with Salamander; however, it also wanted them to actively engage with the smaller businesses that were not as sophisticated. Mr. Littleton noted that the Council wanted Visit Loudoun to do two trainings with the businesses, including how to be better with social media.

Business & Economic Development Director Gaucher opined that the staff could put a structure around events like that in a more efficient way.

Councilmember Miller noted that the Council also wanted to see marketing metrics in terms of how often Middleburg was being portrayed on any of their platforms. Business & Economic Development Director Gaucher opined that the Town should still be able to get those numbers.

Councilmember Littleton questioned how much of the \$35,000 had been given to Visit Loudoun. Business & Economic Development Director Gaucher reported that they had received three-quarters of it.

Councilmember Littleton noted that Visit Loudoun knew of the Council's expectations that they would directly engage with businesses because Beth Erickson appeared before the Council and committed to doing so. He acknowledged that while there was no active agreement, the Town was paying Visit Loudoun. Mr. Littleton questioned whether Visit Loudoun had come to Middleburg and done anything. Business & Economic Development Director Gaucher advised that while Visit Loudoun had worked with the resort, they had not worked with the business community. He reported that they attended the B-2-B Expo and periodically attended the Main Street Middleburg Committee meetings; however, he was not aware of any technical assistance being provided by Visit Loudoun.

Vice Mayor Kirk asked that the Town Clerk pull the meeting minutes from that discussion and that the Business & Economic Development Director then remind Ms. Erickson of what the Council expected of them and that it had not yet been received. She suggested the Council go with whatever the Business & Economic Development Director recommended.

Councilmember Miller asked that if the Town decided to enter into an agreement with Visit Loudoun next year, it not wait until eight months into the fiscal year. He suggested the work begin within thirty days of that decision.

Council Approval – Resolution Opposing HB 1258 and SB 405 – Wireless Infrastructure

Mayor Davis noted that this legislation would take control away from municipalities.

Councilmember Snyder moved, seconded by Councilmember Daly, that Council adopt a Resolution Opposing HB 1258 and SB 405 Related to Wireless Infrastructure. Councilmember Snyder further moved, seconded by Councilmember Daly, that the staff be directed to forward a copy of the resolution to Governor Northam, Delegates Gooditis and Kilgore, Senators Vogel and McDougle and the Virginia Municipal League.

Councilmember Littleton noted that this addressed the State legislation; however, there was also Federal legislation that was being considered. He advised that the wireless industry was not pulling back from this issue. Mr. Littleton noted that on the federal level, the legislation was titled "The Shot Clock Harmonization Bill to amend the 1934 Communications Act". He explained that the Act gave certain timeframes for notifications before a federal taking could be done for communications infrastructure. Mr. Littleton advised that the way the wireless companies were trying to do it in Virginia was different than how they were trying to do it on the federal level. He explained that on the federal level, they were trying to reduce the days a municipality had to object from ninety to five or ten. Mr. Littleton noted that they were not seeking to change the rules, they were only seeking to reduce the notification period.

Councilmember Littleton moved to amend the motion to ask the staff to thoroughly read the legislation and come up with letters from the Council for Barbara Comstock, Tim Kaine, Mark Warner, and Senator Thune who was the Chairman of the Commerce Committee and Bill Nelson who was the ranking member on the Commerce Committee, saying that as indicative of small towns all across America, we vehemently oppose the bill". He suggested the staff could come up with the language.

Councilmember Snyder advised that he would accept that as a friendly amendment if Councilmember Littleton would accept it as follow-on to contacting the State legislators.

Councilmember Littleton agreed. He noted that this would be two separate letters as it involved two separate pieces of legislation. Mr. Littleton advised that the federal legislation was in the Commerce Committee and was working through the staff.

Vote: Yes – Councilmembers Kirk, Daly, Hazard, Leonard-Morgan, Littleton, Miller and Snyder
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Davis only votes in the case of a tie.)
(on motion as amended)

Discussion – Contract for Building Management Services – Health Center Building

Town Administrator Semmes advised Council that the Town was not receiving value out of this company and noted that in terms of the uncertainty of the Health Center’s future, it did not make sense to continue the contract. The Council agreed.

Councilmember Littleton questioned whether the staff had a plan to manage the building. He further questioned when the contract would expire. Town Administrator Semmes confirmed the staff had a plan to manage the building. She reported that the staff had given the contractor thirty days’ notice. Ms. Semmes further reported that the contract expired on February 23, 2018.

Town Planner Moore advised Council that the Town’s Facilities & Maintenance Supervisor was managing the building. He reported that he was doing all of the work related to the clean-up from the burst pipe and was coordinating with the insurance adjuster.

Councilmember Daly suggested the need to make note of all the additional things that the Facilities & Maintenance Supervisor was doing. He opined that the Town was paying people until February 24th to do what the Facilities & Maintenance Supervisor was doing.

Vice Mayor Kirk noted that the contractor was responsible for filling the building, which the Facilities & Maintenance Supervisor was not doing. She confirmed he was not doing the same thing as the contractor.

Discussion – Draft CIP Plan

Councilmember Miller advised that he was disturbed that the Council was going to have this discussion without having the projected budget and a report from the Property Committee. He opined that all of those things went hand in hand.

Councilmember Snyder noted that the CIP was amendable once the Property Committee came up with its recommendations. He suggested they could be wrapped into the FY ’19 Budget or there could be an amendment.

Town Administrator Semmes explained that the CIP was a planning document. She noted that the Council could discuss it and advised that new information would come forth as the Town got additional information from things such as the space needs study. Ms. Semmes noted that there were some things in the CIP that were important for the coming year’s budget. She advised Council that the staff was happy to answer any questions about the CIP as a planning document.

Councilmember Snyder advised that these were known items that the staff knew were needed for maintenance and to keep the current infrastructure going. He noted that a lot of new infrastructure was not being proposed. Mr. Snyder opined that that was not the purpose of a five-year CIP unless a need was identified in advance. He advised that this was assembled and reviewed by the Planning Commission, with the information that was available at that time. Mr. Snyder reiterated that it was something that could be updated over time.

Councilmember Leonard-Morgan advised that he would need education on some of the items and noted that some of the numbers were very large. He cited the example of \$500,000 for a treatment system to remove minerals from water. Mr. Leonard-Morgan questioned how the staff arrived at the numbers.

Town Administrator Semmes advised that in that case, the Town's utility engineers provided the cost estimates. She opined that it would probably be more and advised that this was the current estimate. Ms. Semmes encouraged Council to look at Well 4 and noted that what was proposed was the construction of a water treatment plant, with filters, pumps and a connection to the water from the well. She reminded Council of the amount of work that would be involved.

Councilmember Leonard-Morgan noted that he toured the treatment plant when he was first appointed to Council and advised that it was very educational. He opined that the Stonewall treatment plant was fairly new.

Councilmember Snyder confirmed it was new, as was the sewer treatment plant. He reported that the cost estimates were based upon engineering best practices and advised that it was based upon what they currently knew. Mr. Snyder reminded Council that the Town would not know what the actual cost was until they bid the project and signed a contract. He opined that engineering bids could come reasonably close or be way off; however, they were usually within a general area.

Councilmember Leonard-Morgan noted that he could see spending \$20,000 for a new generator and acknowledged the importance of it. He opined that it was a no-brainer. Mr. Leonard-Morgan noted the radio read water system, which had a projected cost of \$135,000. He advised that he could see the efficiency of it; however, he questioned whether it was really needed.

Town Administrator Semmes explained that this was what the Council wanted to talk about in term of priorities. She confirmed the Town could do without it; however, she noted that the current system was less efficient. Ms. Semmes reminded Council that a contractor provided this service.

Councilmember Snyder noted that if the Town did not spend the money on the system, it would spend the money on labor. He advised that in Ridgeview, the water lines were so old that they were about to be lost. Mr. Snyder noted that the Town was also taking advantage of VDOT's repaving project so the Town could get the economies of scale. He advised that the west end pump station was something that was always months away from a major health catastrophe and from having raw sewage overflow into the creek. Mr. Snyder reported that the Town has had a number of emergencies over the years; however, it was just now able to address it in the CIP. He advised that some of the items had been waiting until the Town was able to address them in the budget.

Vice Mayor Kirk noted that all of the vehicles were replaced in the Police Department. She questioned whether the proposal was to replace them all at once or to go back to a replacement schedule. Town Administrator Semmes confirmed that Chief Panebianco tried to set up a phased replacement system. She noted that the staff did not want to replace them all at once and would try to stretch them out.

Town Administrator Semmes reported that as to the Ridgeview Water Line Upgrade Project, the staff was just now getting a cost estimate. She noted the need to get a VDOT permit for the water lines. Ms. Semmes explained that VDOT required a certified engineer's estimate for the surety estimate and advised that the staff would be getting a better cost estimate than the \$829,000. She noted that this also included the design costs; therefore, the construction costs would be less.

Vice Mayor Kirk noted that this project would result in better water pressure in that area.

Councilmember Littleton opined that there was one set of numbers for some things on the project sheets, there was a different set of numbers for them on the 2018-2023 sheet and even another different set of numbers on another sheet. He advised that he would not go into detail and noted that he prepared a spreadsheet of the discrepancies, which he would email to the staff. Mr. Littleton reported that the cost was \$3,030,000 for everything on the CIP plan; however, the individual projects sheet costs totaled \$2.6 million, for a differential of \$400,000. He noted that the worksheet indicated it was the five-year capital improvement plan and expressed an assumption that everything on it was what the Town planned to do in five years; however, four of the sheets indicated those projects would not be done until after 2023. Mr. Littleton opined that there were projects on the lists that indicated that they were to be done within five years; however, the individual sheets indicated they would not. He reiterated that the prices were not the same. Mr. Littleton advised that in looking at another document, the information listed on it was different than on other documents. He questioned how the staff decided, regardless of the item, whether something would be done within or outside of the next five years. Mr. Littleton acknowledged that all of the items were necessary things that must be done; however, he questioned the criterion that was used for setting up the prioritization. Councilmember Miller noted that he had the same question.

Councilmember Snyder explained that on the utility side, the question was how badly the item was needed, how soon it was really required and whether it could be fit into the rate model so the Town could pay for it.

Councilmember Littleton expressed an understanding. He noted that there were utility projects in the CIP that were important as they were public safety related. Mr. Littleton advised that there were items in the CIP, such as the Asbury Church and wayfinding signs, that were important; however, if he had a choice between clean drinking water and new road signs, he would much rather prioritize the clean drinking water in order to get something accelerated if needed. He explained that the challenge for him was that he did not know enough to determine whether this was holistic. Mr. Littleton cited the items that were structural but were non-utility related, such as the sidewalk for Marshall Street/Stonewall Avenue.

Councilmember Snyder reminded Council that those projects fell under two different budgets.

Councilmember Littleton expressed an understanding of this; however, he noted that the General Fund lent money to the Utility Fund if the Council felt it was a priority that needed to be paid for because it was a health issue.

Councilmember Snyder expressed an understanding; however, he explained that when the CIP was developed for the Utility Fund, it was included in the rate model so the Town was generating the revenue to pay for it. He noted that the rate model took care of operations, general mundane maintenance, utility operators and long-term needs, such as things that were in the CIP. Mr. Snyder advised that he would not put the Ridgeview line project on there unless he knew it was possible to put it into the rate model and/or borrow money from the General Fund to off-set what could not be generated in rates. He opined that that would be legitimate. Mr. Snyder noted that there was a precedent for borrowing from the General Fund.

Councilmember Littleton reminded Council that last year, the utility system ran \$250,000 into the negative and the Utility Fund borrowed from the General Fund. He noted that there was nothing wrong with that and opined that it was the responsible thing to do. Mr. Littleton advised that to him, the replacement of the water lines in Ridgeview was absolutely something the Town needed

to take care of immediately. He noted that it was a choice if the Council just looked at the rate model and the utility improvements as its sphere of understanding the funding dynamic when deciding whether the Town could afford improvements. Mr. Littleton suggested the Council should also understand the bigger choice in that the Council may not want to spend money from the General Fund on wayfinding signage but instead may want to loan money to the Utility Fund in order to get the lines replaced immediately. He advised that he was not saying this was right or wrong; and, explained that he was only saying, it should be looked at that way to make sure the Council was spending all of the Town's money the right way.

Councilmember Hazard suggested this was why the Council was doing the CIP. He opined that Councilmember Littleton was right and suggested the Council needed to give the staff clear instructions to postpone something so it did not return a few months later and ask "why isn't this done". Mr. Hazard cited the Asbury Church as an example and noted that the Council talked about it for a couple of years until it reached the point where something had to be done or it would be lost. He suggested that wayfinding signage may not be the most critical thing; however, it was if the Council was looking at Middleburg as being a destination. Mr. Hazard opined that something may not be the most critical for the water and sewer system but may be for the General Fund. He opined that the Council was having a healthy discussion.

Councilmember Snyder noted that the Town had struggled for many years not only with the utilities but also with overall Town funds. He advised that it struggled to make up for what the Council felt was the misuse or loss of funds. Mr. Snyder noted that the Town no longer had that issue and had the luxury of doing things such as loaning money to the Utility Fund. He advised that the Town also had a rate model so it could make sure it understood where it was putting the money and how it was spent. Mr. Snyder reported that the west end pump station, as well as the water lines in Ridgeview, had been a problem since he and the Mayor were elected to Council twenty years ago. He advised that it had been a long time coming and noted that the Town was addressing those lines this year. Mr. Snyder reiterated that the Town was addressing long-standing, critical problems this calendar year.

Mayor Davis questioned whether the Council wanted to go through the items in the draft CIP and mark the ones that the members felt were not as critical.

Town Administrator Semmes suggested that if the members needed more information on the urgency of the utility projects, the staff could provide it.

Councilmember Littleton suggested they provide it for all projects and cited the example of the Asbury Church. He noted that it reached the point where the Town had to spend money to shore the wall up and install a roof. Mr. Littleton questioned the schedule for what needed to be done by when. He further questioned whether the Council was up against the wall with regard to the adoption of the CIP.

Town Administrator Semmes reminded Council that they could adopt the CIP as a part of the budget. She explained that it would help the Council to plan as they were making budget decisions and noted that they may have to move money around. Ms. Semmes reminded Council that all they would be adopting was next year's budget, with the CIP going beyond that. She explained that the FY '19 Budget was the most critical item at this time.

Councilmember Littleton noted that the other projects would go out beyond the coming fiscal year and advised that, once committed, the Town would go all the way through. He questioned whether the staff anticipated the General Fund lending the Utility Fund money next year.

Town Administrator Semmes confirmed the plan did not; however, the Council had that flexibility. She reminded them that when they talked about loaning money from the General Fund to the Utility Fund, they did not know what other projects may come out of the Comp Plan that may be a priority, such as investments in the Federal Street corridor. Ms. Semmes noted that it may be possible to secure grants; however, there would be a match requirement.

Mayor Davis advised that in looking at the FY '19 numbers, the only thing she saw that was not important was the replacement of the old street signs.

Councilmember Leonard-Morgan reminded Council that they have discussed overall branding and suggested this was something they could think about.

Town Administrator Semmes reminded Council that the replacement of the street signs was the first phase of the wayfinding project. She noted that it involved combining the street and route number signs so the Town could eliminate some sign poles.

Mayor Davis noted that this was something the Town had been working on.

Councilmember Daly advised Council that he considered fresh drinking water and water treatment to be a priority. He noted that there were eight hundred people in town that the Council was supposed to be taking care of. Mr. Daly acknowledged that water was not seen; however, people appreciated it when they did not see it coming out of the faucet. He noted that he had witnessed women hauling dirty water all day long on their heads in some countries. Mr. Daly opined that fresh drinking water was a basic human right and noted that it was the Council's responsibility to ensure the Town had it, including the distribution system, as well as a good sewer system. He suggested this was what should be done and noted that it benefitted everyone.

Councilmember Snyder noted that the service relied on infrastructure that, if it had to be replaced today, would cost close to \$20 million. He further noted that there were only eight hundred residents and businesses to cover those costs and opined that it was not an easy balancing act.

Councilmember Daly noted that he was not disagreeing; however, he opined that this was where the Council's priorities should be directed first, as opposed to white-washing a building.

Mayor Davis questioned whether there was anything on the list for the next budget that was not needed; and opined that everything on it was.

Town Administrator Semmes advised that all of the water and wastewater projects, with the exception of the membranes, were on the 2003 Master Water/Sewer Plan. She noted that the Town had just not been able to get to them.

Vice Mayor Kirk noted that wayfinding signs were listed under the General Fund budget, including the replacement of old street signs. She further noted that they were \$90,000.

Councilmember Littleton noted the Well 3 treatment plant (WF-06) project that was proposed to cost \$500,000. He reminded Council that it was shown as being past 2023 and questioned why it was this far out. Mr. Littleton questioned whether it was that the Town could not afford to do it sooner or that it was not needed sooner. Councilmember Snyder and Town Administrator Semmes confirmed it was both.

Councilmember Littleton advised that this information was helpful to him.

Councilmember Miller inquired as to how often Well 3 was used. Town Administrator Semmes confirmed the Town tried to minimize its use. She reported that the only thing it needed to be treated for was iron and manganese. Ms. Semmes noted that the staff did not like to see the water that color; however, it was not a health issue, just an aesthetic one. She noted that while the Health Department would like all of the water to be treated, the Town was able to mix it with the other water in the system that was treated. Ms. Semmes explained that it was not that the water (Well 3) was untreated; and, advised that it just did not receive extra treatment.

Vice Mayor Kirk noted that Year 2021 showed the replacement of vehicles at a cost of \$73,000 and questioned why it was that high. She further questioned whether the proposal was to replace two vehicles. Town Administrator Semmes confirmed it was to replace two vehicles. She advised that Chief Panebianco noted that the take-home vehicle was driven more than the ones that were used around town. Councilmember Miller noted, however, that the ones that were used around town ran all day long.

Vice Mayor Kirk questioned when the truck would be replaced and opined that it was not on the list. Town Administrator Semmes reported that it did not get much use. Councilmember Miller noted that it was a Ford F-150 and advised that it would run for a long time. Town Administrator Semmes noted that the staff looked at its mileage and estimated how long it would last. Vice Mayor Kirk opined that it was a long time before it was planned for replacement.

Councilmember Leonard-Morgan questioned the age of the truck. Town Administrator Semmes confirmed it was new. She noted that it was damaged during the hail storm; however, it was repaired.

Councilmember Hazard opined that the Council could re-prioritize the list; however, he noted the need to also look at it in comparison with the projected budget. He questioned the percentage of the budget that was for capital items. Mr. Hazard further questioned whether the Town needed to borrow money while the interest rates were cheap.

Town Administrator Semmes advised Council that the staff was not projecting the need to borrow money on the water/sewer side next year or the year after.

Councilmember Snyder opined that this was a prelude to preparing the budget. He suggested that if the Council agreed these were their CIP priorities, the Town Administrator could return and show the Council how they fit into the Utility and General Fund budgets. Mr. Snyder further suggested the Council could then talk about moving things.

Councilmember Miller opined that Councilmember Snyder was suggesting the Council look at the revenues, not the final budget.

Councilmember Hazard suggested this be done not so much for the Utility Fund budget, but rather for the General Fund budget. He acknowledged that the Utility Fund budget was tweaked fairly well. Councilmember Miller agreed the Utility Fund budget would be close to the margin of error.

Councilmember Snyder noted that the General Fund budget was fuzzier; therefore, it was hard to drill down to a real number.

Councilmember Hazard opined that the Council could be successful for a year or two; however, it was difficult to identify it further out.

Councilmember Littleton noted the Washington Street Project and reminded Council that there were some hiccups on the contractor side of the project, which had to be repaired. He advised that even though everyone complained, the revenues for businesses were flat. Mr. Littleton noted that there was a point where people reached construction fatigue. He reminded Council that this needed to be done. Mr. Littleton questioned whether the Council wanted to accelerate a few of the projects in order to get them done. He expressed concern that people would become exhausted if projects were done four or five years in a row.

Councilmember Snyder noted that he was concerned about the same thing. He reminded Council that the Washington Street Project was just finished last year; and, now Ridgeview would be ripped up.

Vice Mayor Kirk opined that not all of Ridgeview would be affected. Councilmember Snyder reminded Council that the Town would be tearing up the roads for the water lines and then VDOT would come in to rebuild the roads. He stressed that it was going to be a major project and would inconvenience the people who lived or traveled through Ridgeview. Mr. Snyder questioned how large a Band-Aid Councilmember Littleton wished to rip off at once.

Councilmember Littleton explained that he was only asking whether this was considered when prioritizing the projects and opined that the answer was “no”. Councilmember Snyder agreed when it came to the Washington Street and Ridgeview Projects.

Councilmember Littleton noted it may not be a big deal; however, it was worth asking.

Mayor Davis questioned whether Councilmember Littleton was asking about the Stonewall Avenue and Lincoln Road sewer line extensions. Councilmember Littleton confirmed he was.

Councilmember Snyder opined that the Town did not have the money to do those projects unless it did some massive borrowing. Mayor Davis noted that this was what Councilmember Littleton was asking.

Councilmember Littleton reminded Council that the Town had unassigned money and questioned whether it should be used for this purpose.

Town Administrator Semmes opined that these were good questions to ask. She reminded Council, however, that another question was whether the Town had the capacity to manage multiple projects. Councilmember Littleton agreed.

Councilmember Miller questioned whether there were other projects that needed to be considered.

Councilmember Littleton noted that he did not want to beat this item to death by going over minutia; however, he suggested the need to be thoughtful when the Council identified when projects would be done, including the inconvenience to people.

Councilmember Leonard-Morgan noted that VDOT planned to do a lot of work in town this summer.

Councilmember Snyder advised that it would be nice to include sewer projects; however, he was already nervous about spending \$750,000 on Ridgeview and another \$500,000 on the west end pump station. He noted that while they would not be done simultaneously, they would be done in close proximity in time. Mr. Snyder opined that this would stretch the Town’s management ability. He advised that he would be afraid to add the design and construction of new sewer

sections in the two to three areas of the town that needed them. Mr. Snyder suggested this would equal the cost of the Ridgeview water lines as it was a lot of work. He reiterated that it would be expensive and would involve a lot of engineering and design work. Mr. Snyder advised that he would be hesitant to add it to this calendar year.

Councilmember Littleton reminded Council that they were all responsible for this. He explained that he just wanted to make sure they were thinking it through and being thoughtful about all of the parts that would be impacted. Mr. Littleton suggested that at the end of the day, what was proposed may be fine.

Town Administrator Semmes suggested that another thing the Council may wish to consider, if they wished to accelerate projects, was that it was possible to hire people to oversee them. She noted that this was very expensive; however, it was an option.

Mayor Davis questioned how the Council wished to address the CIP given Councilmember Littleton's concerns.

Councilmember Leonard-Morgan noted that Councilmember Littleton raised the issue of the reconciliation of the spreadsheets and advised that he was having difficulty figuring out what was wrong with them.

Councilmember Littleton advised that he was going off the five-year CIP that was distributed a couple of months ago. He further advised that he was also looking at the project information sheets. Mr. Littleton explained that he was double checking the numbers from one sheet compared to the other and reported that he found some that were different. It was suggested that the sheets may have been updated from the version that Councilmember Littleton was using.

Councilmember Littleton suggested the need to double check everything. He explained that the other things he found were that some of the projects that were shown as being past 2023 were actually in the five-year plan on one of the sheets. Mr. Littleton displayed a spreadsheet that was distributed in a packet in November. Councilmember Leonard-Morgan opined that the spreadsheet had been updated since that time. Vice Mayor Kirk suggested the staff check the numbers.

Councilmember Miller advised that he would like to see a simple, short paragraph that explained the rationale behind why a project was placed in the year for which it was proposed. He suggested this would be an easy way for the Council to hold its discussion.

Town Administrator Semmes reminded Council that there were some large questions with regard to parking improvements, which would be known once the parking study was complete, and for the Town's government space planning, which only included the cost of the space needs study at this point. She asked that the Council bear in mind that this was a work in progress. The members of Council agreed.

Vice Mayor Kirk noted the need to identify the source of funding.

Councilmember Miller noted that this was the reason he prefaced his comments with this being the need to see everything together. He reminded Council that there was only so much money to use on capital projects.

Councilmember Snyder reminded Council of the infinite number of inputs with regard to the CIP and noted that the Property Committee would have a huge amount of input.

Councilmember Littleton suggested the Utility Committee, Wellhead Protection Committee and Town Administrator use a check box to indicate whether a project was related to health and safety. He opined that a SCADA system was not related to health and safety but rather was related to efficiency. Mr. Littleton suggested the same applied to the water meters.

Mayor Davis reminded Council that the SCADA system was an alarm system. She further reminded them that the Town had issues when the system went down and a pump burned up.

Councilmember Snyder noted the small difference between the height of the Well 3 and Stonewall water towers and reminded Council of the desire to implement a SCADA system in order to eliminate the overflow problem that occurred at the Well 3 tower.

Councilmember Littleton acknowledged that that was a bad example. He suggested that the Council wanted to make sure that the things that were a priority were done. Mr. Littleton noted that the Asbury Church project could be a health and safety item, as the building could fall on someone. He suggested the need for the staff to identify this.

Councilmember Leonard-Morgan reminded Council that they have had conversations about that project and noted that the building may actually fall down. Mayor Davis reminded Council that the project was already in the budget.

Town Administrator Semmes confirmed it was and explained that it was shown in the CIP as the Town was spending money on it. She advised that it would be removed from next year's plan.

Mayor Davis questioned what the Council wanted to do. Town Administrator Semmes suggested the staff double check the numbers and make sure the Council had the same documents. She further suggested the staff provide information on how it determined the timing and priorities for each item. Ms. Semmes advised that they would also identify some projected revenues for the Council. She noted that the Town Treasurer was working on the revenue projections and advised that the staff just received the real estate forecasts. Ms. Semmes advised that she would also add a color-coded check box to identify whether a project was health/safety related.

Councilmember Leonard-Morgan noted the sewer line extensions and opined that those people had been left out in the cold. Councilmember Snyder explained that these extensions would be expensive and opined that there were more critical priorities at this time.

Town Administrator Semmes reminded Council that Lincoln Road and Stonewall Avenue were added to the list many years ago because these were locations where people still had drain fields.

Councilmember Littleton noted that in the 1980's, his father fought to have the sewer extended down Lincoln Road as it was the one part of town that did not have a paved road and sewer.

Town Administrator Semmes reported that the sewer main was extended to the top of the hill; however, there were two houses that would have required a forced main, which was expensive. She opined that there was no money to do so at that time. Councilmember Snyder explained that those were the biggest issues with getting the two areas of sewer line completed.

Town Administrator Semmes opined that she had some good input and suggested this item continue to be placed on the agenda for discussion.

Councilmember Miller inquired as to when the Council would have a report from the Property Committee.

Vice Mayor Kirk reported that the Committee was waiting for the space needs study and noted that it was supposed to be ready in February. She further reported that they were also waiting on the parking study, which was due in less than a month.

Councilmember Hazard suggested the report would be available for the March work session, which would give the Property Committee time to put everything together.

Vice Mayor Kirk noted that the Committee was also looking at a few other things that it would forward to the Council.

Councilmember Miller suggested it be presented in one large packet.

Town Administrator Semmes advised Council that she would have the Town Clerk put that on the March work session agenda.

Town Council Reports

Councilmember Hazard reported that the Planning Commission met with the Comp Plan consultant and noted that he had some good ideas, including ones for use of the town and its streets. He advised that the Commission would like for him to come to a Council meeting to discuss some of his ideas and requested time on the February 8th meeting agenda. Mr. Hazard opined that he had some nice ideas; however, he did not want to spring them on the Council at the last minute.

Town Administrator Semmes questioned whether the consultant would be present to give a presentation. Councilmember Hazard confirmed he would.

Councilmember Miller reported that EDAC elected Vincent Bataoel as Chair and Aleco Bravo-Greenburg as Vice Chair, with the Business & Economic Development Director serving as the Secretary. He noted that they noticed a discrepancy between the ordinance that established EDAC and their by-laws; therefore, they would be recommending changes to their by-laws.

Councilmember Snyder reported that both the Wellhead Protection Advisory Committee and the Utility Committee met this month.

Discussion

Councilmember Littleton reminded Council that Senator Vogel introduced the Town's charter amendment to the Local Government Committee and reported that he and the Town Administrator drove to Richmond to attend the committee meeting. He opined that Senator Vogel did a great job as the patron of the bill. Mr. Littleton noted that he and the Town Administrator met with the Senators, or their staff, who served on the Committee to explain the amendment and solicit their support and reported that all of them supported it with the exception of one member. He advised that the Senator who voted against it had signed the Grove Norquist Never Tax Pledge; therefore, he would not vote for anything that was tax related. Mr. Littleton noted that the charter amendment was listed as an emergency clause, which raised the bar from requiring a fifty percent plus one vote to pass to an eighty percent plus one vote; therefore, the Town put itself into a corner.

Town Administrator Semmes noted that she told the Town Attorney this during their recent phone conference and advised that he was not aware of that. She suggested the Town could always back out of that if desired.

Councilmember Littleton reported that Delegate Gooditis had introduced the charter amendment on the House side and opined that it would be heard on January 31st. He noted that he would be in Richmond for VML's Legislative Day; therefore, he would already be there to speak to the amendment.

Councilmember Hazard noted that the bill would come out of the Committee and go to the floor for a vote. He questioned whether it would need eighty percent in order to pass.

Town Administrator Semmes advised that on the Senate side, she felt comfortable as Senator Vogel had good relations with her fellow Senators. She noted that she was unsure of what would happen on the House side as Delegate Gooditis had no experience.

Councilmember Snyder opined that most of the House relationships were new.

Mayor Davis opined that once the legislators understood that the Town was doing it so it would not have to charge a car tax again, they would support it.

Councilmember Hazard questioned whether the Council could set the car tax at \$.10. Councilmember Littleton noted that if it did so, it could only set the business personal property tax at \$.10.

Town Administrator Semmes opined that it was worth the Town's time to have someone go to Richmond to represent the amendment as it was not apparent from reading it.

Mayor Davis opined that it was sad that the Senator voted against it as he was hurting the citizens since the amendment was trying to save them from paying more in taxes. She noted that he only voted against it because it had the word "tax" in it.

Councilmember Littleton noted that the Senator did not even ask a question. He reiterated that he had signed the tax pledge. Mr. Littleton advised that while the other Republicans on the Committee had also signed the pledge, they voted in favor of the amendment.

Town Administrator Semmes advised Council that they asked Michelle Gowdy, the Executive Director of the VML, whether it would be worth spending any time with that Senator as he would have to vote on the amendment when it was before the full Senate; however, she said it was not.

Mayor Davis thanked Councilmember Littleton and Town Administrator Semmes for traveling to Richmond to represent the Town.

Vice Mayor Kirk noted that she contacted the Town Administrator because Salamander was talking about having people come into the resort in helicopters. She noted that she reminded them that this was one of the things the Town did not want them to do and that it was very upsetting to the animals in the area.

Closed Session

Councilmember Littleton moved, seconded by Vice Mayor Kirk, that the Town Council go into closed session as allowed under the Freedom of Information Act pertaining to the discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property where discussion in open session would adversely affect the bargaining position or negotiating strategy of the governing body. Councilmember Littleton further moved, seconded by Vice Mayor Kirk, that these matters be limited to the disposition of publicly held property related to economic development and the acquisition of property within the

town. Councilmember Littleton further moved, seconded by Vice Mayor Kirk, that in addition to the Council, the following individuals be present during the closed session: Martha Semmes. Councilmember Littleton further moved, seconded by Vice Mayor Kirk, that the Council reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Kirk, Daly, Hazard, Leonard-Morgan, Littleton, Miller and Snyder
No – N/A

Abstain: N/A

Absent: N/A

(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 the members 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 8:03 p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk