



**MIDDLEBURG TOWN COUNCIL  
REGULAR WORK SESSION MINUTES**



**January 23, 2014**

**PENDING APPROVAL**

**PRESENT:** Mayor Betsy A. Davis  
Councilmember Kevin Hazard  
Councilmember Trowbridge Littleton  
Councilmember Catherine "Bundles" Murdock  
Councilmember Mark T. Snyder  
Councilmember David B. Stewart

**STAFF:** Martha Mason Semmes, Town Administrator  
Rhonda S. North, MMC, Town Clerk  
Cindy C. Pearson, Economic Development Coordinator

**ABSENT:** Vice Mayor C. Darlene Kirk  
Councilmember Kathy Jo Shea

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Thursday, January 23, 2014 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis called the meeting to order at 6:00 p.m.

**Council Approval** – Resolution of Support – Middleburg Community Charter School

*Councilmember Murdock moved, seconded by Councilmember Snyder, that Council adopt a Resolution of Support requesting the Loudoun County School Board approve the application for the establishment and operation of the Middleburg Community Charter School.*

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

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**Council Appointment** – Go Green Committee

*Councilmember Snyder moved, seconded by Councilmember Murdock, that Council appoint Patti Zielinski to the Go Green Committee to fill an unexpired term, said term to expire May 12, 2014.*

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

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**Council Discussion** – Request for Seed Money – Shakespeare in the ‘Burg

Genie Ford reported that most of the events would occur at the Community Center. She advised that the festival would consist of two plays – the Merry Wives of Windsor and Henry IV Part I. Ms. Ford reported that the weekend would kick off with a movie and a party at the Community Center. She advised that workshops, which would be taught by the actors from the American Shakespeare Center, would be held on Saturday morning at the Emmanuel Church. Ms. Ford further advised that Saturday afternoon, the Middleburg Players would perform the winning one act play. She noted that they received one hundred sixty-five one-act play submissions from all over the world; and, advised that they would be judged within the next week. Ms. Ford reported that the Merry Wives of Windsor performance would be held on Saturday evening, with a performance of Henry IV Part I being held on Sunday afternoon.

Ms. Ford advised that Hunters Head would offer a pre-theater dinner that would in essence be a birthday party for Shakespeare. She further advised that the French Hound would do a pre-theater special menu and the Red Fox would give a dessert to anyone who mentioned they were with the festival. Ms. Ford noted that the Goodstone Inn indicated they would do something.

Ms. Ford reported that their redesigned website went live this afternoon. She noted that the only thing left to address was the online purchase of tickets. Ms. Ford reported that they have started to accept reservations and had received four thus far.

Ms. Ford advised that Visit Loudoun was helping with publicity and a reporter from the Philadelphia Inquirer had expressed an interest in writing an article. She noted that she was also pushing the event through Facebook and was trying to get it before Arch Campbell. Ms. Ford reported that the American Shakespeare Center would do a special mailing to their followers that were located within forty miles of Middleburg.

Ms. Ford noted that there has been one change in that A Place To Be would not be participating in the event.

Mayor Davis questioned whether attendees would pay to participate in the kickoff event. Ms. Ford confirmed they would pay \$25. She noted that this was the reason they were offering food and wine with the movie.

Mayor Davis noted that the budget indicated there would be a \$4,450 shortfall. Councilmember Murdock noted that this was based upon selling one hundred seats per performance. Ms. Ford advised Council that the American Shakespeare Center said they would sell one hundred tickets per performance; however, she was not sure.

The Council held some discussion regarding publicity for the event. It was noted that Bendure Communications was already working on it. Ms. Ford reported that the local newspapers were also mentioning it. Councilmember Murdock suggested it be sent out via Twitter and Instagram.

Mayor Davis questioned whether the Town had funds that could be used for the event. Town Administrator Semmes confirmed it had contingency funds that could be used.

Councilmember Murdock suggested the Town initially make a small donation and see how ticket sales and donations went. She noted that a second donation could be made if needed.

Mayor Davis noted that there was a shortfall even with the revenue from ticket sales and donations.

Ms. Ford noted that DeeDee Hubbard agreed to do a two page spread with ads similar to the one she did for Christmas in Middleburg. She further noted that Joanne Hazard agreed to help with the ad sales. Councilmember Hazard noted that the income from this was already included in the budget.

Mayor Davis questioned what the Town did for the Bluemont Concerts and Christmas in Middleburg. Town Administrator Semmes reported that the Bluemont Concerts received \$5,000 from the Town plus the \$5,000 State matching grant, for a total of \$10,000.

Councilmember Snyder noted that with the tourism revenue increasing, the Town had some leeway in the budget. He opined that this event was what the Town was trying to do.

Councilmember Murdock inquired as to how much the Council wished to donate. Councilmember Snyder suggested it be \$4,000-5,000. Councilmember Murdock advised that she could support \$5,000. She expressed hope that the restaurants would make money from the event.

*Councilmember Snyder moved, seconded by Councilmember Murdock, that Council authorize the Town to fund the Shakespeare in the Burg with seed money up to \$5,000.*

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Shea

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

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Ms. Ford advised Council that she would provide them with regular reports. Mayor Davis asked that she contact the Town Clerk if she wanted to be on the agenda and noted that Council received public presentations during their regular meetings.

Councilmember Murdock noted that the Virginia Commission for the Arts matched what the Town gave Bluemont Concerts. She questioned whether it was possible to apply for a grant for the Shakespeare Festival. Councilmember Snyder noted that it was too late to apply; however, he suggested they plan to apply for the grant next year.

Peter Dunning, of Bluemont Concerts, advised Council that there were a number of options within the County that his organization could discuss with the Shakespeare Committee.

Town Administrator Semmes noted that Visit Loudoun had money for these types of events. She opined that it was important for the Town to give the Committee seed money and then let it “spread its wings” the next year.

**Council Discussion** – Bluemont Concerts

Economic Development Coordinator Pearson reminded Council that it was time to apply for the Virginia Commission for the Arts grant for the Bluemont Concerts. She reported that the Town received a request from Bluemont seeking \$15,000 this year. Ms. Pearson explained that they wanted \$10,000 from the Town plus the \$5,000 grant. She advised that they have provided everything she needed for the grant application.

Economic Development Coordinator Pearson advised that in looking at the appropriations Bluemont received from other towns and cities, the other localities paid much less even though they were much larger than Middleburg. She noted that Middleburg had the lowest median household income in Loudoun County. Ms. Pearson advised that while the resort was open, the Town was seeing revenues at the level projected by the Town Administrator, not the level projected by Salamander. She noted that she was leery of increasing Bluemont's funding before the Town knew what revenues the resort would provide. Ms. Pearson reminded Council that the Town also had other events, such as the Shakespeare Festival, that wanted funding.

Councilmember Snyder advised Council that he was the Treasurer for Bluemont Concerts. He noted that the communities were at risk of losing them and advised that Bluemont needed the Town. Mr. Snyder noted that in the past, local funding of the organization was much higher; and, advised that Leesburg used to have a higher level of involvement. He opined that if the Town pulled away or did not step up more, it would risk losing the concerts. Mr. Snyder advised that he wanted to grow them so they did not just occur during the summer.

Economic Development Coordinator Pearson agreed the Town could help Bluemont grow; however, she opined that there were other options for doing so. She advised that another issue that has arisen was location. Ms. Pearson reported that some people have expressed a desire to move the concerts back to the downtown area and have suggested the Liberty Street Parking Lot. She advised that she was not in favor of this as it was not a pretty area. Ms. Pearson explained that there were no concerns regarding the Community Center, it was simply that these individuals wanted the concerts downtown again. She reminded Council that they started at 7:30 in the evening after the businesses were no longer open. Ms. Pearson opined that the Community Center was a better location, particularly since the Salamander Resort was just across the field.

Councilmember Snyder opined that moving it would confuse the public. Councilmember Murdock advised that she liked the location at the Community Center as the children could play on the playground equipment. Councilmember Littleton noted that people could put a blanket down at the Community Center, whereas they could not on the street. Mayor Davis noted the electricity issue associated with the concerts.

Councilmember Snyder reported that Bluemont would like to have a stage for the performers; however, they were struggling to provide one.

Lilly Dunning, Executive Director of Bluemont Concerts, acknowledged Ms. Pearson's hard work and noted that they could not offer the program without her assistance. She also acknowledged the Hill School for providing an indoor location during inclement weather and the Council for their support over the last nineteen years. Ms. Dunning advised that the increased allocation would be a great help as they moved forward. She opined that there were a lot of ways to invest in the concerts to get more people to them.

Peter Dunning, of Bluemont Concerts, expressed an understanding that there may be a change in revenues as the result of Salamander coming on line. He suggested that as it grew, the Town would have the opportunity to start branding itself in terms of cultural activities. Mr. Dunning opined that offering quality programs could evolve how people thought about Middleburg. He advised that years ago when Bluemont started, there was an evolution in how people thought about the communities that were involved as a result of a small investment by the localities. Mr. Dunning reported that Ms. Dunning was incredible at getting quality programs. He agreed that Bluemont was in a financial crunch and explained that whatever the source, they needed to change their financial picture within the next year in order to grow the program in terms of publicity. Mr. Dunning advised Council that Ms. Dunning had an understanding of social media and used it in an effective way. He noted that the Town has been generous in the past and

provided additional monies without being asked and advised that they were now asking. Mr. Dunning advised that they were also looking at other sources and have held preliminary conversations with Salamander.

Ms. Dunning reported that they have met with Salamander to discuss how they could work together, including working with the Town; however, they had no firm plans. She advised Council that they worked with Salamander to bring in local school choirs to do Christmas caroling over the holidays and were discussing summer plans that could involve a series at the resort that would be complementary to the one offered by the Town. Ms. Dunning noted that they were also discussing package deals.

Mayor Davis questioned whether there was a way for each locality to get their preference with regard to performers. She noted that sometimes there have been groups that were not as popular as others. Ms. Davis advised that it was frustrating to pay for a service but to have no control over what came to the Town.

Councilmember Snyder confirmed that Bluemont wanted and would be asking for local input.

Mayor Davis advised that if the Town was funding the concerts, it wanted entertainers that people in this area liked. Economic Development Coordinator Pearson agreed it would be nice to have input.

Town Administrator Semmes suggested that priority be given based upon contributions.

Mr. Dunning reminded Council that they used to do this regularly each year; however, it was a financial issue.

Councilmember Snyder advised Council that he was happy to work with Bluemont's Board of Directors to develop a list so the Town could identify its preferences.

Councilmember Hazard suggested the list of entertainers be used for fundraising purposes.

Mr. Dunning noted that in the past, none of the communities could afford the groups; therefore, they assembled a coalition of communities to share the costs. He noted that a big band could cost \$3,000 for one night; however, if they booked them for three nights, it may only be \$6,000 – making them affordable. Mr. Dunning explained that this was what they did to make things possible.

Town Administrator Semmes opined that the Town may choose to give more if it got the groups it liked.

Councilmember Murdock suggested the Council increase the Town's contribution to \$7,500.

Economic Development Coordinator Pearson reported that the Middleburg Arts Council has agreed to offer *Arts in the Pink Box Park* before each of the Bluemont concerts in the hopes of bringing people into town. She suggested guests could come for the arts, have dinner and then go to the concert.

Councilmember Hazard noted that the Town needed to provide \$5,000 for the grant match. He suggested the Council revisit this issue in a couple of months. The Council held some discussion as to whether to increase the contribution at this time or review the issue later.

*Councilmember Littleton moved, seconded by Councilmember Snyder, that Council authorize \$7,500 be given to the Bluemont Society. Councilmember Littleton further moved, seconded by Councilmember Snyder, that in the event they needed extra funds that the Council agree down the road to review and possibly increase the funding.*

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

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Shea

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

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Mayor Davis asked Councilmember Snyder to provide a list of entertainers for the Council’s review. Economic Development Coordinator Pearson noted that it would be helpful to have the list early.

**Council Discussion** – Review of Fireworks Ordinance

Town Clerk North reminded Council that in August, they adopted an aerial fireworks display ordinance. She further reminded them that at that time, they asked that this ordinance be reviewed in six months. Ms. North reported that since the adoption of the ordinance, no applications have been received. She reminded Council that the ordinance required permit holders to send written notifications to members of the public who requested them, with the Town Clerk being responsible for compiling the list. Ms. North reported that as of this day, five individuals have signed up for such notifications.

After a brief discussion, the Council agreed to leave this item alone. They asked that the staff bring the ordinance to their attention if an issue arose.

**Council Discussion** – Development of an Automated Phone Alert System

Town Clerk North advised Council that she conducted two tests of the Dialmycalls system utilizing their free test service. She explained that the first test, which was conducted in December, utilized the system’s automated voice. Ms. North reported that she received comments back from the Council indicating that the message was fuzzy, robotic and that they thought it was spam. She advised that for the second test, she recorded the message using her own voice. Ms. North opined that since she received no comments regarding the use of her voice that this was acceptable. She noted that she did receive comments during the second test regarding the branding ads that were located at the beginning and end of the message and explained that this occurred only because the Town was using Dialmycalls’ free test system. Ms. North advised that once the Town was a regular customer, those branding messages would no longer exist and the first thing the citizen would hear is “This is a message from the Town of Middleburg...”

After some discussion, the Council agreed to implement the automated phone alert system.

*Councilmember Littleton moved, seconded by Councilmember Hazard, that the automated phone alert system be limited to Town residents and merchants only. Councilmember Littleton further moved, seconded by Councilmember Hazard, that the messages be limited to emergency, public safety and weather-related messages only; and that they be as succinct as possible. Councilmember Littleton further moved, seconded by Councilmember Hazard, that the staff be directed to purchase \$250 worth of credits to begin the system.*

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

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Councilmember Murdock asked that the system be put in place as quickly as possible. Town Clerk North advised that it would be put into place as soon as the staff could get people to sign up for the service.

The Council held some discussion as to whether members of the Council should be allowed to sign up for the system utilizing more than one telephone number. It was agreed that citizens would only be able to sign up using one number; however, because the Council needed to know the information being disseminated in order to share it with the citizenry, they could sign up using multiple numbers.

Councilmember Snyder asked that the calls be limited to normal business hours. Town Clerk North advised Council that she would anticipate that the only calls that would occur after hours would be the emergency related ones. She noted that the staff could identify when it wanted the messages to be sent, regardless of when they were recorded.

There was some discussion as to how the messages were recorded. Town Clerk North explained that she could enter the electronic information from the office or her home computer, and then used the phone to actually record the message. It was agreed that the Economic Development Coordinator and Town Administrator should also have access to the system.

### **Town Council Reports**

Councilmember Snyder reported that he and the Town Administrator planned to work on the utility rate model. He questioned whether the staff had heard from Inboden Environmental Services (IES) regarding the utility management contract. Town Administrator Semmes reported that the contract has been sent and Mr. Inboden was reviewing it. She advised that they planned to start the transition in February.

Mayor Davis noted the list of individuals who served on the Wellhead Protection Advisory Committee. She further noted that Snooks Swain was the new Fire Chief for the Middleburg Volunteer Fire Department. Ms. Davis suggested he be contacted to see if he was interested in serving on the Committee. She asked whether Mr. Triplett would continue to serve. Councilmember Snyder noted that he planned to ask Mr. Inboden about attending the meetings.

Town Administrator Semmes reported that the Mayor was sending a letter to the Governor requesting state funding for the additional crosswalks on Washington Street so the entire project could be completed at once. She noted that a funding request was also submitted to the County.

Mayor Davis opined that a good group of people attended the Public Information Meeting regarding the crosswalk project. She noted that Dan Kaseman owned a building that had utility issues that he must repair and advised that a large portion of the cost was for paving. Ms. Davis advised that Mr. Kaseman suggested the Town let the businesses know the street would be torn up so they could upgrade their utilities at the same time.

Town Administrator Semmes reported that the Town's utility consultants, Whitman Requardt & Associates, were going to come to Middleburg. She advised that they already had a description from Mr. Kaseman of his problem and would look at it when they were here.

Councilmember Murdock noted that Mr. Kaseman also owned the Middleburg Real Estate building and indicated he would probably upgrade the service lateral for that location as well.

Mayor Davis suggested the Town contact everyone connected to the line.

Town Administrator Semmes noted that this must be approved by VDOT as an add-on; and, advised that they were seriously considering it.

Mayor Davis opined that this was something good that came out of the public information meeting. She noted that the Town was still waiting to hear about its grant application.

Town Administrator Semmes reported that VDOT has approved combining the construction of the sidewalk associated with the Middleburg Meandering Trail Project with the Marshall/Madison Intersection Improvement Project that was also planned in that area. She expressed hope that both projects would be completed this summer.

Town Administrator Semmes reported that VDOT would be digging test pits in the morning related to the crosswalk project in order to locate the water lines.

Town Administrator Semmes reminded Council that with the General Assembly now in session, legislation has started to be submitted, some of which would affect BPOL tax revenues. She noted that a bill has also been submitted that would allow an individual who received approval of a zoning application to sue the town years later over any conditions imposed on it, with the town being required to pay the attorney fees. Ms. Semmes reported that she would be contacting the legislators regarding some of the bills. She noted that she would send Council an alert on some of the bills so they could also contact them.

Mayor Davis asked the Town Administrator to send an e-mail to Senator Vogel and Delegate Minchew regarding the crosswalk funding.

There being no further business, a motion was made and voted upon to adjourn the meeting at 7:01 p.m.

APPROVED:

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Betsy A. Davis, Mayor

ATTEST:

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Rhonda S. North, MMC, Town Clerk