



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, May 22, 2025



PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Chris W. Bernard
Councilmember Pamela Curran
Councilmember J. Kevin Daly
Councilmember Morris E. “Bud” Jacobs
Councilmember C. Darlene Kirk
Councilmember Peter A. Leonard-Morgan
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Manager
Martin Crim, Town Attorney
Rhonda S. North, MMC, Town Clerk
William M. Moore, Deputy Town Manager
Shaun Jones, Chief of Police
Angela Fletcher, Town Treasurer/Finance Director
Ali MacIntyre, Business Development & Community Partnerships Director

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, May 22, 2025 in the Town Hall Council Chambers, located at 10 West Marshall Street. Mayor Littleton led Council and those attending in the Pledge of Allegiance to the flag. The roll was called at 6:00 p.m.

Public Comment

Kathyjo Shea, 21854 Foxcroft Road, thanked the Mayor, Council, Town Manager, and staff for their presentation on water conservation on May 20th and for allowing for an opportunity for discussion by the community. She noted that during her tenure on the Council, when she raised the issue of groundwater, she was told it was “never going to be an issue” and advised that after watching it for a long time, she was happy the community was taking steps to assure the issues of groundwater quantity and quality and the impact of weather and other emergencies that could affect water availability were being considered. Ms. Shea acknowledged the work of former mayors, councils, and town managers; however, she noted that the current ones had really moved this item forward, for which she was grateful. She noted that it was now common to see water conservation measures being implemented. Ms. Shea advised that when she was on the Council, the Town’s water line locations and sizes were not properly mapped, the meters were read manually and there were active septic tanks in town; however, that was not where the town was today. She acknowledged that leaks and other unplanned events could occur; the Town had two updated, functioning water treatment plants; the Town had eliminated the septic tanks; the Town continued to plan for maintenance; and, best of all, it was now looking at its source water. She expressed hope that the community would engage in active discussion on what was being proposed in order to develop the best policies possible.

Punkin Lee, 1759 The Plains Road, thanked the Police Chief and police officers for their help with Art in the Burg. She noted that there was a good crowd present for the event and advised that the officers represented the Town well. Ms. Lee reported that the Middleburg Beautification Committee’s Foxes on the Fence fundraiser raised almost \$23,000 and thanked everyone who participated.

Jilann Brunett, 21854 Foxcroft Road, thanked Mayor Littleton and Town Manager Davis for their presentation on May 20th and opined that it was well done. She further opined that the questions were good, and the responses were great.

Oath of Honor

Chief Jones introduced Police Officer First Class Melvin McCord, who brought twenty-six years of law enforcement experience to Middleburg. He administered the Oath of Honor to Officer McCord. Chief Jones presented him with his Certificate of Promotion, as his experience allowed him to come to Middleburg as an Officer First Class.

Officer McCord advised that he was here to be helpful, to do what he could to keep the community the way it was, and to be proactive in addressing issues. He noted that, based on his observations, a lot of the issues were related to mental health and advised that he and some of the other officers were trying to deal with individuals who just needed someone to talk with. Officer McCord explained that they were trying to make themselves available to have a conversation with them. He suggested that if people were having issues, the officers could talk to them to try to clarify what was going on so they could help. Officer McCord reiterated that his job was to help as much as possible. He thanked the Town for hiring him.

Public Hearings

Water Conservation Ordinance

Town Manager Davis thanked the public and members of Council who attended the public information meeting on May 20th and opined that it was a good meeting. He encouraged those who could not attend to watch the video of the meeting.

Town Manager Davis reported that Middleburg and Loudoun County continued to be in a drought. He acknowledged the rain that had been received recently; however, he advised that it would take continued rains before an impact was made. Mr. Davis advised that last year when the Town imposed water conservation measures, it recognized the need to update its ordinance; therefore, the staff conducted research to find ways to implement best practices and identify potential restrictions that could be imposed that would have a meaningful effect on the water demand in town. He explained that the proposed steps included in the draft ordinance were intended to be implemented in a step-by-step manner. Mr. Davis advised that the Council was not voting to implement water conservation measures and explained that this was only a conversation about what steps the Town could put into place that could be implemented as needed. He reiterated that three steps were being proposed and that they would be done on a step-by-step basis; although, he acknowledged that there could always be an emergency that would require a higher level be imposed. Mr. Davis reiterated that in a drought situation, the intent was to implement each phase one step at a time and noted that there would be a public conversation during a Council meeting before they were implemented. He advised that last year when water conservation measures were imposed, they had a significant effect on demand and noted the need to retain that capability. Mr. Davis explained that the goal with the ordinance amendments was to have the first level be voluntary measures and the second to be mandatory conservation measures, which the Town hoped would resolve the demand issue and allow the wells to catch back up. He expressed hope that the Town would not have to proceed to the final level, which was water rationing; and, advised that this would only be imposed if there was an extreme or unplanned emergency or if the Town's water supply decreased in such a way that it could not continue to serve water to its customers. Mr. Davis noted that under water rationing, the Town would impose a cap on usage, with a surcharge being imposed on customers who exceeded the cap. He advised that the staff were still having conversations about how to calculate the cap. Mr. Davis noted that originally, the draft ordinance called for a customer's water to be shut off if they continued to exceed the cap and advised that the staff realized this was going a step too far. He suggested that instead, appropriate measures be implemented to incentivize customers to watch their water consumption to ensure the system was able to supply water to all its customers. Mr. Davis noted that the Council would continue the discussion of what the appropriate cap should be.

Mayor Littleton suggested the Council hold the public hearing and then have a conversation about the proposed ordinance, so those members of the audience who were present for it could hear the discussion.

Megan Gallagher, 214 East Marshall Street, appeared before Council in support of the proposed changes to the water conservation ordinance. She noted that the issue of water supply in the region, and in particular in the town, was urgent. Ms. Gallagher opined that the Town needed to protect its water aquifer and do more to reduce the stress that was placed on it before an emergency occurred. She advised that she supported the addition of enforcement measures in the form of surcharges and penalties when consumers did not demonstrate good faith efforts to reduce their water use. Ms. Gallagher

acknowledged the Town Manager's proposed alternatives for calculating water rationing limits and opined that they were interesting. She suggested they showed a good faith effort on the part of the town to get ahead of this issue. Ms. Gallagher expressed hope that the Town would develop more public outreach tools to help homeowners reduce their water usage before things got so bad that water rationing was required. She opined that there was a lot of confusion regarding water rationing and advised that it would take some "crazy usage" for her to reach 150 gallons per day. She volunteered to assist the Town if it was looking to develop tips for reducing residential water usage that did not involve the purchase of new high energy efficient appliances. Ms. Gallagher reiterated her support for what was being proposed.

Scott Little, of the Salamander Resort & Spa, thanked the Town for hosting the public information meeting earlier in the week. He advised that the Salamander Resort and Salamander residents supported the efforts to enact water conservation measures. Mr. Little opined that everyone recognized that the question of capacity was one that deserved deep deliberation and volunteered to participate in a committee to help be a part of the solution. He suggested that some of the data provided versus that presented during the public information meeting left him with questions in terms of reconciling the two and understanding how the triggers may work. Mr. Little opined that there was a big difference between a single-family home that was occupied by one person and one that was occupied by seven and suggested there were a number of residences in Middleburg where the latter would apply. He suggested the Council consider a sliding scale. Mr. Little opined that there were questions about the Town's metering of water usage. He assured the Council that the Salamander Resort and residential community were eager to participate in the solution.

John Kidder, 6 Piedmont Drive, expressed pleasure that the Town was looking at the conservation end of the question; however, he suggested it also needed to look at the supply end. He opined that the Town did not want to have even worse problems ten years from now and suggested it address water supply issues as well.

There being no further public input, the public hearing was closed.

Mayor Littleton thanked the staff for pulling together the information in order to understand the usage trends. He expressed appreciation to the community for attending the public information meeting and noted that the discussions went into more than just water conservation. Mr. Littleton advised that the Town was looking into how it could invest in wells and water storage. He noted that utility systems were complex and advised that there was a lot to understand. Mr. Littleton noted that the Town Manager talked about the capital improvements needed for the water and wastewater systems annually during budget preparation and suggested that in the future, a separate meeting be held to discuss the utility strategic plan, during which the staff could go over everything related to the utility system for the community. He further suggested the Town could present its plans for that year, as well as the next three, and could answer questions. Mr. Littleton noted the question related to the cost of drilling a new well and advised that it was approximately half a million dollars, which was half of the annual budget. He noted that it was great to say the Town needed a new well; however, it needed to plan for it because it could not be done immediately. Mr. Littleton suggested the need to provide the community with the long-term view of the utility system, so everyone was fully informed. He reiterated his suggestion that the staff provide an annual strategic utility review for the community, with the Council then discussing it on a quarterly basis, to which the Council agreed.

Vice Mayor Bernard agreed the water conservation public information meeting was a good one. He opined that it was great that the suggestion was raised to also look at the supply side. Mr. Bernard explained that the water rationing option was intended to be put into place only if the Town ran into a serious issue with its water supply. He advised that whatever the cap ended up being, if that's what the Council ended up doing, it was not intended to be punitive. Mr. Bernard noted that at the end of the day, it was the Council's goal to be good stewards of the water system and to make sure everyone in town had the ability to operate on a survival base of water. He explained that there needed to be a safeguard to protect that ability.

Councilmember Curran acknowledged that one speaker only used seventy gallons of water a day; however, she lived alone. She noted that other homes may contain a family of four and would go over the cap. She noted that the Council had heard a lot about planning for infrastructure. Ms. Curran acknowledged that this would be expensive; however, she noted the need to look at the utility system. She suggested the need for the Town to develop a budget, timeline, and a plan so the citizens did not have to worry about quality of life and their property values. Ms. Curran acknowledged Mr. Little's offer for Salamander to be part of the solution. She suggested the need to take the infrastructure issue as seriously as water conservation and noted that both fed the other. Ms. Curran noted the need to take care of the future of Middleburg.

Mayor Littleton noted that some of the public comments made about the Town's infrastructure during the public information meeting were inaccurate. He advised that the Town had worked hard over the past twenty years to replace a lot of its mains. Mr. Littleton acknowledged that there were more to be replaced; however, he advised that the vast majority were within their useful life. He noted the importance of being accurate when talking about the utility system and to correct inaccuracies. Mr. Littleton advised that he did not want anyone to think the Town's water and wastewater systems were not safe. He advised that the Town had never had a safety problem and advised that the statement that was made that there was sewage leaking into the water lines was not true. Mr. Littleton stressed that the water was completely safe. He advised that in addition to the Town needing to be transparent, it was also incumbent upon the public to read all the data.

Councilmember Jacobs agreed utilities were hard and noted that the good news was the Town had a great deal of expertise to draw upon and acknowledged Jilann Brunett, a professional geologist, and Vince Gugliotta, of IES. He advised that he did not know what the right cap would be for the water rationing limit or how it could be handled in an equitable manner. Mr. Jacobs noted that if the Town found itself to be in an extreme situation, things like the potential impact of water rationing on property values or the inconvenience of it would recede into the background, as the Town would try to provide a survivable amount of water to its residents. He noted that this was what the Council was supposed to do and that it was in the strategic planning. Mr. Jacobs asked that the residents not lose sight of that and noted that this was not a consumer issue but rather was a health and safety issue if the Town ever reached that point.

Councilmember Daly noted that the Town would control what it could; however, it was limited by what it could not, including the use of water outside of the town. He advised that the town and county shared the same aquifer and noted that there were thousands of straws drawing from it. Mr. Daly noted that as new development occurred, more straws were added. He questioned whether it was possible to talk to the County about controlled development. Mr. Daly advised that he was not trying to take away anyone's development rights; however, he noted the basic survival need for drinkable water.

Councilmember Leonard-Morgan noted that he served on both the Town's Utility Committee and the Sustainability Committee. He advised that the work behind the scenes was incredible and noted that the Town's infrastructure had been under discussion for well before this meeting. Mr. Leonard-Morgan acknowledged a speaker's point about habits and advised that water usage was about one's personal habits. He advised that water conservation was the number one way the Town would keep this issue under control. Mr. Leonard-Morgan opined that it was a community responsibility to do things like not leaving the water running when brushing one's teeth in order to conserve water. He advised he had seen his client's wells run dry on private property and noted the effect on them. Mr. Leonard-Morgan opined that people took water for granted. He noted that if it was not available, there was nothing the Town could do. He agreed the proposed measures were needed to protect the Town's ability to provide water. Mr. Leonard-Morgan noted that by asking people to conserve water, the Town would actually get less income. He advised that this was all about keeping the water flowing, which was why this was such an important conversation. Mr. Leonard-Morgan advised that he fully supported having a measure in the case of an extreme situation.

Mayor Littleton noted that Mr. Little previously asked him whether there was something the Town could view in the environment and advised that he conducted a lot of research on that. He further advised that it was easy to measure the amount of water above the wells' pumps and transducers and whether those levels stabilized as the water was consumed. Mr. Littleton noted that during last year's drought when the Town went into water conservation and banned outdoor watering, the daily consumption reduced from an average of 150,000 gallons to 110,000 gallons and the wells stabilized. He advised that if the summer heat got worse and there was no rain, the well levels could start to recede again, as the water table would not be recharging. Mr. Littleton noted the need to take additional steps if that occurred. He suggested that looking at the well levels was the best trigger for each step of water conservation. Mr. Littleton opined that the level marks were not something that could be set in stone; however, he questioned whether it was possible for the Utilities Committee to identify levels at which each measure should be implemented. He suggested this would allow the community to know what was coming down the road.

Town Manager Davis noted that Ms. Brunett pushed the Town to get the data from the transducers so it could track the trends and compare the data. He advised that he was not sure there was a perfect number; however, the Committee could look at that. Mr. Davis suggested that as the Town gained more trend data, it would analyze where the levels would go

based on the past performance; therefore, it could develop trigger points. He reminded Council that the Town currently only had a year's worth of data; therefore, it was in a best choice mode until it had five years' worth of data. Mr. Davis advised that the more data the Town had, the better decisions it could make.

Jilann Brunett explained that this was not just about water usage and water levels and advised that it was also about rain, whether the wells were recharging and where the recharge was coming from. She further advised that it was also about whether the wells were interconnected and whether one would go down if the other was pumped or whether they operated independent of each other. Ms. Brunett explained that by gathering this data, it would help the Town lay out its plans. She agreed with the need to implement water conservation measures. Ms. Brunett noted the need to also look at how much the wells could be pumped when they all got low, which was why data was valuable. She advised that the Town needed to determine which wells were the most productive in cases in which some went up and others went down. Ms. Brunett agreed there was a lot that went into these decisions. She advised that the Town was getting the data it needed and doing a good job of focusing on its utilities.

Mayor Littleton noted the need for the Council to discuss the three levels of water conservation. He reminded Council that the banning of outdoor watering was a measure the Town already had in place. Mr. Littleton opined that the question was related to the water rationing measure and inquired as to whether the Council felt the staff's recommendation of 150 gallons of water a day on average was appropriate.

In response to inquiries from the Council, Town Manager Davis advised that he selected that number because it was used by the Town of Round Hill. He explained that in their experience, they saw substantial changes in demand based on that level. Mr. Davis advised that he did some testing of that number against the usage levels of Middleburg's customers and found there were fifteen to seventeen customers on average whose usage was in the next tier of up to 250 gallons of water usage per day. He advised that the variation between the two levels was approximately 2,000-5,000 gallons of water per day, which equated to about 5% of the Town's daily water production if the cap was changed from 150 gallons to 250 gallons per day. Mr. Davis reminded Council that 54% of the Town's consumption was used by the top five to ten users. He opined that a reduction in consumption by those users and the reduction in irrigation would accomplish the vast majority of what the Town was trying to achieve.

Vice Mayor Bernard opined it would not be an issue to raise the cap to 250 gallons of water per day during water rationing, which would eliminate the concerns of residents. He questioned whether this was a fair statement.

Town Manager Davis opined that it would not; however, he asked for the opportunity to test this to see what it actually looked like.

Vice Mayor Bernard expressed concern that people could start to use up to the cap, which could have a negative impact on the water supply. He advised that he wanted to carefully allow for variations, such as more people in a household, while not opening the door to encouraging people to use more water.

Mayor Littleton opined that if the Town ever got into a water rationing situation, which he believed would be a once-in-a-century situation, it would occur in the summer. He noted that the impact would be on things such as swimming pools and outdoor irrigation.

Vice Mayor Bernard suggested the Town illustrate what could be done with 150 gallons of water a day so customers would understand what that meant.

Mayor Littleton noted that 80% of Middleburg's households did not use over 150 gallons of water per day. He further noted that in Loudoun County, the average number of people who lived in a home was three. Mr. Littleton noted that he lived alone, did not have an outdoor irrigation system, and considered himself to be an average water user. He advised that he used forty-four gallons of water per day and opined that three people living in a home would use approximately 150 gallons of water per day.

Vice Mayor Bernard questioned whether the Town could look out for households that had five or six people so it would not be at the expense of everyone else.

Mayor Littleton noted that a speaker suggested the cap be based on occupancy. He advised that this might be unmanageable for the town and suggested it may even be a legal issue. Mr. Littleton suggested that if it was legally permissible, the Town would have to figure out a way to verify it. He noted the need for a solution that was fair and objective for everyone, using fair and objective standards.

In response to a suggestion that the Town offer a financial incentive if customers conserved water, Mayor Littleton advised that the Council would not want to commit the town to something like that because it would already lose revenue, and if it paid people to use less, the water rates would have to really increase.

Councilmember Daly noted that individuals could calculate their average daily usage based on the information provided on their utility bill. He questioned whether it was possible to include the average daily usage amount on the bill.

Town Manager Davis opined that it was; however, the Town's billing system did not include that as a mathematical function. He noted that the bill included the total consumption and number of days covered so the customer could do the math. Mr. Davis advised that he was not sure the Town could provide this information.

Mayor Littleton noted the amount of staff time needed to perform those calculations. He advised that if the Town was in water conservation, having that number only once every two months would not be helpful.

Councilmember Curran acknowledged the Mayor's point about fairness across the board. She suggested that if the Town ever reached the point of water rationing, it impose a reduction of 5% or 10% in usage across the board.

Councilmember Jacobs advised that he had no faith that something like that would work because people would exempt themselves from it.

Mayor Littleton opined that under such a system, people would simply increase their usage before the conservation measures went into place.

Town Manager Davis suggested the staff identify two alternatives for the Council's consideration based upon their discussions. He offered to meet individually with the members to review the options. Mr. Davis opined that one option would involve a cap based on the implications of the demand on the water system. He opined that the second option would be based on the historic usage of a property, such as winter usage. Mr. Davis suggested that if a percentage reduction on any usage above that level was imposed, there could be a surcharge for usage above that level.

Mayor Littleton advised that what he did not like about that was that if someone was an over user already, it would not force the behavior changes necessary in a dire circumstance. He noted that the Council had a moral responsibility to the greater community to get everyone to reduce their usage as much as possible, while not impacting the basic necessities of life, in order to see if the Town's wells stabilized. Mr. Littleton opined that asking someone who used 1,000 gallons of water a day to reduce it by 10% was not really trying hard when the Town was in a dire situation. He acknowledged the point of minimizing the harm as much as possible; however, he noted that if the Town was in a crisis, it needed to resolve the problem as quickly as possible. Mr. Littleton reminded Council that once the water table rose again, the Town could then loosen the restrictions.

Vice Mayor Bernard asked that the staff look at how much water would be used for a family of five if they took a shower every other day in a crisis situation.

Councilmember Kirk asked that the staff provide information on what a limit of one hundred fifty gallons of water a day would look like.

Mayor Littleton opined that it would be great to have whatever data was available to back up each analysis. He noted that the Council had thrown a lot of ideas at the staff and advised that the staff needed to give the Council an idea of whether they were manageable or not.

Town Manager Davis advised that he would be happy to do so. He opined that if the Town reached the point of imposing water rationing, he would have to drop everything else and focus his attention on that, as it would be critical. Mr. Davis advised that he would provide information on each option, including staffing impacts; however, he would not propose an option that was not feasible.

Councilmember Jacobs noted that the Mayor started the discussion by asking Councilmembers their thoughts on the one hundred fifty gallon per day cap and advised that he was fine with it. He noted that it would be more difficult to reduce a cap than to raise it in a given circumstance. Mr. Jacobs recommended that for the moment, the Council stick with the one hundred fifty-gallon number and go from there. He suggested that if 80% of the customers fell under that cap in terms of their usage, the Council was only talking about managing the behavior of the other 20% if the situation required it.

Vice Mayor Bernard expressed concern that the people who were above the one hundred fifty-gallon mark may be there by necessity.

Mayor Littleton described what happened to his water bill when he watered new sod for thirty minutes in the morning and thirty minutes in the afternoon. He opined that the point was that this was about behavior changes. He advised that in the case of a family of seven, it was not about filling a swimming pool but was about their daily activities. Mr. Littleton questioned how to make the system equitable for them.

Councilmember Pearson questioned whether it would be possible to ship water into Middleburg if necessary.

Town Manager Davis confirmed there were alternative ways to fill the Town's water tanks, such as contracting with another water system for potable water. He noted the need to ensure there was a fail safe and advised that it was currently Well 3, which could be run if needed. Mr. Davis noted that the implication of doing so was discolored water and advised that this was better than having no water at all. He opined that the likelihood the Town would reach this point was minimal; however, he noted the need to be prepared for the worst situation. Mr. Davis advised that he had spoken with Mr. Inboden about having partners it could work with in an emergency and advised that there were regional water supply plans and agreements in place. He noted that it would not be cheap or easy; however, the Town could find ways to continue to serve the needs of its customers.

FY '26 Budget

Town Manager Davis reported that the Town had received most of the meal tax revenues for April and advised that it was a very good month. He noted that the revenues were trending in the correct direction and were going away from the way they looked in February and March. Mr. Davis reported that the revenues for January through April were 3% above that same period last year; and 5-10% below projections. He opined that this did not change where the Town stood. In response to an inquiry from the Council, Mr. Davis confirmed that revenues were up for April; however, he did not plan to make any changes to the proposed budget at this time. He advised that the staff would continue to update the Council as the revenues were received. Mr. Davis reminded Council that, under the State Code, they would hold a public hearing; however, they could not vote on the budget during the same meeting. He advised that the staff were proposing they adopt the appropriations ordinance during their next meeting.

There being no public input, the public hearing was closed.

Ordinance to Amend Schedule of Water & Wastewater User Charges

Town Manager Davis reported that the proposal was for a 3% increase in the water rates and a 3% increase in the sewer rates. He reminded Council of the previous discussion of changing the rate structure and advised that it had been paused so the Council could discuss it in the future. Mr. Davis noted that the Mayor asked him to explain why Middleburg's rates

were a bit higher than other surrounding towns. He explained that Middleburg was a very small system, which was purposeful, as the Town did not extend its utilities outside of its boundaries. Mr. Davis noted that many other towns did and imposed a surcharge on out-of-town customers, which allowed it to subsidize their in-town rates. He advised that Middleburg's policy was to limit its water and sewer system to in-town customers, which limited the potential for higher density development on the edges of the town. Mr. Davis noted that there were many different factors that went into why Middleburg's rates were higher than other systems and offered to answer any questions the public may have. He advised Council that, should they wish, they could adopt the ordinance during this meeting.

There being no public input, the public hearing was closed.

Councilmember Daly moved, seconded by Councilmember Pearson, that Council adopt AN ORDINANCE TO AMEND THE SCHEDULE OF WATER AND WASTEWATER USER FEES AND CHARGES EFFECTIVE JULY 1, 2025.

Vote: Yes – Councilmembers Bernard, Curran, Daly, Jacobs, Kirk, Leonard-Morgan, and Pearson

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Littleton only votes in the case of a tie.) (by roll call vote)

Non-Exclusive Franchise Use of Public Rights-of-Way for Telecommunications Facilities

Town Manager Davis reminded Council that five years ago, they received a similar franchise agreement request from Segra Lumos Network to place fiber optic lines in the Town's rights-of-way. He reported that that franchise expired last week but would continue until renewed. Mr. Davis reported that he had been in discussions with representatives from Segra about updating the franchise agreement, as they have an interest in continuing to serve their customers, specifically the Loudoun County Public School System. He advised that their proposal would eliminate the \$16,000 per year conduit fee and would instead offer to provide services to the Town that would allow it to have dedicated fiber service for the Town Hall that would serve as the Town's primary internet source and would allow Comcast to become its backup source. Mr. Davis explained that because of the use of the rights-of-way, a public hearing was required. He noted that others could offer proposals as well. Mr. Davis advised Council that there was no expectation that they would adopt the ordinance during this meeting and encouraged them to consider taking action during the next meeting. In response to an inquiry from the Council, he advised that the agreement would open the door to other internet service providers to provide services to residential customers to some degree. He explained that the Mayor questioned whether it was possible to use the fiber as a back end for residential users and noted that while Segra did not provide residential services, it could wholesale their fiber to an ISP. Mr. Davis advised that the agreement would not force them to do so; however, the goal would be to find ways to partner firms together and make additional options available to the residents.

Mayor Littleton opined that there was a potential conversation to be had with Comcast during the franchise renewal discussions. He inquired as to whether anyone else wished to submit a bid. No other bids were received.

There being no public input, the public hearing was closed.

Mayor Littleton suggested that he and the Town Manager get together to discuss the other franchise agreement and the need to follow up on it. He further suggested the need to see if the Town could find an ISP to partner with Segra.

Public Presentations

Annual Report – Historic District Review Committee (HDRC)

Tim Clites, Chair of the HDRC, appeared before Council to offer their annual report. He advised that there was nothing to report in terms of needing changes to the ordinance that established the HDRC; although, the Committee planned to look at its membership in the coming year and determine whether it should recommend some flexibility be built into the ordinance.

Mr. Clites noted that the Committee did not currently have a problem; however, it felt that looking at while it did not was the right time to do so. He reported that in terms of short-term goals, the Committee would like to investigate the possibility of establishing an entrance corridor overlay district on possibly two of the Town's entrances and develop standards for a historical marker program. Mr. Clites further reported that in terms of long-term goals, the Committee would like to review the Historic District boundaries. He advised that as to budget and resources, there was nothing that was needed in the short term; however, if the Committee recommended the implementation of an entrance corridor overlay district, it would probably need from expert guidance in developing the regulations.

Vice Mayor Bernard questioned how the Planning Commission interfaced with other committees, such as the HDRC, as it was conducting its review of the Comprehensive Plan.

Deputy Town Manager Moore noted that the Planning Commission was early in the review process and advised that they would do an initial review of each chapter. He suggested that if needs were identified as a part of their review, they would probably consult with others.

Chair Clites noted that the HDRC did have a discussion about having the Planning Commission and HDRC meet once a year, as it looked at some of the same issues from slightly different vantage points.

Mayor Littleton opined that this would be a great idea.

Chair Clites noted the items for which the HDRC was responsible under the ordinance, including historic structures, and volunteered to assist with any projects, such as the Asbury Church.

Councilmember Pearson thanked the members of the HDRC for their dedication and the expertise they brought to the committee. She opined that the members were a great combination of what was needed to make the committee run. Ms. Pearson advised that the Town was fortunate to have such a great committee.

Staff Reports

April 2025 Utilities Report

Vince Gugliotta, of Inboden Environmental Services, reported that the water system maintained compliance with all required samplings. He further reported that the town's demand for water averaged 127,000 gallons daily, for a total monthly finished volume of 3.8 million gallons. Mr. Gugliotta noted that a number of generic maintenance items were performed during the month and advised that a second round of PFAS samples were collected from Well 3. He reported that all three water treatment plants were back in service. Mr. Gugliotta noted that there was a water leak on Stonewall Court that was repaired in late April, which resulted in the finding of a lost valve. He reported that the wastewater system maintained compliance with all required samplings. Mr. Gugliotta advised that the plant treated 103,000 gallons of wastewater per day, for a total monthly discharge of just over 3 million gallons. He noted that numerous maintenance items were performed on the wastewater side, most notably, the completion of the televising of the sewer mains and manholes. Mr. Gugliotta reported that the motor control center was inspected, and some loose wire terminals were repaired, which he suspected was the cause of the failure of one of the VFD drives earlier in the year. He further reported that he was in the process of sourcing a spare replacement nitrate recycle pump. Mr. Gugliotta advised that they also changed the oil on multiple operational units. In response to inquiries from the Council, he explained that the State now had their own PFAS testing program, as they were trying to get an idea of how abundant they were in the water systems throughout Virginia. Mr. Gugliotta noted that this generally occurred as a precursor to setting regulations.

Town Manager Davis noted that there was some talk about the EPA rolling back the limits of their PFAS requirements and advised that the staff were keeping an eye on that and what it would mean.

In response to inquiries from the Council about the drop in the percentage of water billed to water produced, Mr. Gugliotta advised that he was looking at possible leaks to determine if they were the source of the unbilled water.

Town Manager Davis noted that he was also looking at the reason for the decrease. He advised that water main breaks did cause the loss of a lot of water that was sometimes hard to capture. Mr. Davis noted that the leak on Stonewall Court was a fairly slow one, which could have resulted in the loss of up to 50,000 gallons of water. He advised that the staff were trying to dive into this to determine whether there was a leak somewhere or whether there was something else going on in the system that was not allowing the numbers to match up properly. In response to inquiries from the Council, Mr. Davis advised that he would work with Mr. Gugliotta to compare the well-pumping data to the weekly reading information.

Mr. Gugliotta advised that the readings from the meters at the water treatment plants were normal and showed nothing of concern.

Mayor Littleton expressed a desire to identify any possible leaks as soon as possible and before the next billing cycle.

Special Projects Project

Town Manager Davis reported that there were no significant updates on the South Madison Street Project at the moment. He advised that the staff were still working to refine the AE and CM contracts for the Asbury Church Restoration Project. Mr. Davis advised that the project team was continuing to work hard on the Oral Histories Project and noted that it was going very well. He recognized Town Clerk North for her hard work on that project and expressed appreciation to Councilmember Pearson, who would handle the project coordination in Ms. North's absence next week. Mr. Davis reported that the first phase of the sewer line inspection project was complete and noted that he was awaiting information from the contractor. He advised that they would work to televise as much of the remaining lines in town as possible.

Reports of Town Committees/Council Liaisons

Councilmember Curren noted that the Middleburg Arts Council met to conduct a debriefing on Art in the Burg. She further noted that while there was less traffic this year, letters had been received from the artists, in which they indicated that they did much better this year when compared to previous years. Ms. Curran reported that the committee was now working on plans for Oktoberfest, which was scheduled for September 20th.

Mayor Littleton noted that the Arts Council did a great job of organizing Art in the Burg. He advised that it was a really nice day and that things were done really well.

Councilmember Leonard-Morgan reported that the Middleburg Sustainability Committee held its annual retreat to identify the future programs it would like to bring to the Council for consideration. He noted that they also planned to ask the Council what it needed from the committee. Mr. Leonard-Morgan acknowledged the comments related to water conservation and noted that it was the sort of thing that sustainability was all about and opined that the Committee would love to get involved in it.

Councilmember Pearson thanked Facilities & Maintenance Supervisor Tim Cole for updating the planter boxes at the Town Hall and opined that the colors looked great. She noted that the Streetscape Committee had suggested using a local nursery; however, it was decided to let Mr. Cole handle it in order to keep the costs down. Ms. Pearson opined that he did a great job.

Vice Mayor Bernard reminded the audience of the Second Annual Middleburg Day to be held on May 30th from 5:00-9:00 p.m. at the Town Hall.

Consent Agenda

A. Council Approval – May 8, 2025 Regular Meeting Minutes

Councilmember Jacobs moved, seconded by Councilmember Leonard-Morgan, that Council adopt the consent agenda as presented.

Vote: Yes – Councilmembers Bernard, Curran, Daly, Jacobs, Kirk, Leonard-Morgan, and Pearson

No – N/A

Abstain: N/A

Absent: N/A

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

DISCUSSION ITEMS

Amendments to Town Code Chapter 6 Pertaining to Special Events Permit

Town Manager Davis thanked Town Clerk North and Town Attorney Crim for their assistance in drafting the suggested amendments. He reminded them that this was proposed as a result of the review of the proposed memorandum of understanding with Christmas in Middleburg and the Council's desire to have more information related to large events held in the town. He noted that the proposal was to define a "small event" and a "large event" and advised that the framework provided was intended to start the conversation. Mr. Davis noted that Council was not being asked to approve anything during this meeting.

Town Manager Davis advised that under the proposed amendments, a small special event would be defined as one between 50 and 499 people held in a public space and that would require the closure of a public street or sidewalk. He advised that anything above 500 people, regardless of whether on public or private property, would have to go through a permit process. Mr. Davis noted that this number was chosen because Middleburg was a small town and advised that there needed to be a plan for handling public safety, traffic, parking, restrooms, etc. when bringing that many people into town. He noted that the Town wanted to be reasonable and not create a burden; however, it needed to establish a process in order to give organizers an awareness of what needed to be considered for proper planning. Mr. Davis advised Council that the memorandum included some questions that needed to be considered, such as whether what was proposed was the right threshold for small and large events; whether there should be an exemption for parcels over a certain size that hosted an event for more than 500 people because they have the infrastructure and capabilities to do so; and, whether the Council wished to review the permit applications for large events. Mr. Davis reminded Council that during their last meeting, they discussed requiring organizers to appear before them to explain their plans so the public could hear them. He advised that after speaking with the Town Attorney, he wanted to make sure that when the amendments returned, it was clear that this was being done for public safety reasons and for the protection of the community.

Councilmember Pearson suggested that only new events be brought to the Council for their consideration, with the Town Manager continuing to approve them otherwise. She suggested the need to explain the reason for the permit to organizations.

Mayor Littleton expressed concern that Council approval could be granted for a small event that could grow in the future.

Vice Mayor Bernard suggested the event could continue without the need for a new permit unless something substantial changed.

Mayor Littleton noted that the other concern was the growing number of events. He questioned whether the Town should start saying "no" and how it would treat an organization differently than one it had already approved.

Vice Mayor Bernard suggested that large event organizers needed to give the Council a presentation. He questioned whether the Council was okay with leaving the approval authority with the Town Manager. Mr. Bernard suggested that after hearing the presentation, the Council could always give direction to the Town Manager.

Councilmember Leonard-Morgan inquired as to why the Council should not have oversight authority of permits for large events. He opined that the Council needed to maintain control over them.

Town Manager Davis opined that there were currently no events at the National Sporting Library or Community Center that had 500 or more attendees. He opined that this would only apply to Christmas in Middleburg and the Family Reunion. Mr. Davis noted the Middleburg Film Festival; however, he advised that it did not have 500 people in one location at one time. In response to a comment from the Council, he confirmed the intent was that this would apply to one place, at one time.

Mayor Littleton noted that there could be 400 people at the Community Center, 400 at the school, and another 400 at the resort all at the same time. He advised that while they were at different locations, there could be twelve hundred people in town at the same time, which could create a public safety issue.

Vice Mayor Bernard noted that, in that case, they would be applying for three small event permits.

Town Manager Davis confirmed they would need a permit if they closed a public road or sidewalk. He advised that currently, the Middleburg Film Festival and the Family Reunion did not need to get permits, as they were on private property. Mr. Davis advised that this was currently a work in progress. He noted the need to have something in place so that when someone wanted to host a large event, they had the capability to implement and execute the event from a safety perspective.

Mayor Littleton questioned how this could be managed. He further questioned whether the Town would just get to a point where people were tired of events. Mr. Littleton questioned what would happen if the organizers handled the policing and filed the permit applications; however, there were now twenty-seven events in town and the community said it had gotten to be too much. He questioned whether the ordinance would give the Council the right to reject the permit application even if they complied with all the requirements.

Town Manager Davis noted the need to defer to the Town Attorney on the Town's abilities under such a scenario.

Mayor Littleton noted that if the event was held on private land, it would not be a public gathering and suggested this was a legal question. He noted that the Council had all heard concerns expressed by residents that the town was getting too crowded at times and it was getting a little tiring. Mr. Littleton opined that the town was "not there yet"; however, there could always be more events proposed. He suggested the need for the Town Attorney to opine on the legal element and questioned, if the Council could do something like that, whether it wanted to.

Information Items

Councilmember Curran noted the Farmers' Market would be held again on Saturday.

There being no further business, Mayor Littleton declared the meeting adjourned at 7:51 p.m.

APPROVED:

ATTEST:

Trowbridge M. Littleton, MAYOR

Rhonda S. North, MMC, Town Clerk

May 22, 2025 Middleburg Town Council Meeting

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting that is on the Town's website – www.middleburgva.gov)

Bridge Littleton: Alright. We will bring the meeting to order. First item is Pledge of Allegiance.

Everyone: [Pledge of Allegiance]

Bridge Littleton: Okay. We'll go to the roll call.

Peter Leonard-Morgan: Peter Leonard-Morgan.

Bud Jacobs: Bud Jacobs.

Darlene Kirk: Darlene Kirk.

Bridge Littleton: Bridge Littleton.

Chris Bernard: Chris Bernard.

Cindy Pearson: Cindy Pearson.

J Kevin Daly: John Kevin Daly.

Pam Curran: Pam Curran.

Rhonda North: Rhonda North, Town Clerk.

Danny Davis: Danny Davis, Town Manager.

Martin Crim: Martin Crim, Town Attorney.

Bridge Littleton: Okay. Next item is public comment. Two things I want to mention real quickly before we open the public comment. We have several different hearings, public hearings on the agenda tonight. So this public this public comment opportunity is, if you do not wish to speak on one of the three public hearings or one of the four public hearings that are on the schedule. I wasn't finished, but any other topic you wish to address town council on? You may do so at this public comment portion, and you may approach the podium. State your name and you have three minutes. Oh, wait, we have people who signed up.

Rhonda North: Yes, Kathyjo Shea.

Bridge Littleton: It's an exhaustive list.

Rhonda North: I knew.

Bridge Littleton: How did you know?

Kathyjo Shea: As you said, I'm Kathyjo Shea and I live at 21854 Foxcroft Road. But I came here tonight to thank the town council, the mayor and the town manager and staff for the presentation on the 20th and the opportunity for a discussion by the community members. This is the first time in many years that I've been involved with the town as a

citizen and as a former member of the town council, that we have seen the discussion expand to include issues of groundwater. And in fact, at one time when I was on the council, I said something about our source, water, and was told that that was never going to be an issue. So it's been a long time for me watching this, and I'm very, very happy that we've gotten where we are. And I'm encouraged that the community the community that I consider home is taking steps to think beyond the faucet and look forward to assuring issues of groundwater quantity, quality and impacts of weather and other emergencies which might affect water availability as part of the considerations for developing the policies today. I know that we are where we are because of previous councils, mayors and town managers as well. But this council is really moved it forward as a step and I'm grateful for that. When I began my business in Middleburg, it was not uncommon in the summer and fall to see a chalkboard outside the post office with an announcement about drought measures, or don't drink the water today. And it was pretty common. The lines of the water lines weren't well mapped or properly sized. Meters were not read, were read manually building by building and there were active septic tanks in town when I started working with it. That's not where we are today. Although breaks, leaks and unplanned events can and do still happen. We have two functioning and updated treatment plants. We have eliminated septic tanks in town and we continue to plan for maintenance. And best of all, we're now looking at the source water. I truly hope that we as a community engage in active discussion and questions. What is being about, what's being proposed, and in hopes that we will be thorough in developing the best policies possible. Thank you.

Bridge Littleton: Thank you. Next on the list is Megan Gallagher.

Rhonda North: No, she she's up for water conservation.

Bridge Littleton: Okay. I'm sorry. Megan stand ready. Anybody else wish to address council on any topic other than the four public hearings? Yes, ma'am.

Punkin Lee: Good evening. Punkin Lee, 1759 the Plains Road. I just want to thank our police chief and his good staff for all the help we had with Art in the Burg. We had a good crowd. It flowed all day and the officers were very cheery and helpful, and I think they represented the town so well. They couldn't do it without their help. So thank you. And also a quick update on foxes on the fence. Another hat for beautification. We raised almost \$23,000. Yeah. So thank you everyone. I know people enjoy it. It's a fun diversion to see something different. So thank you.

Bridge Littleton: Thank you. Anybody else?

Jill Ann Brunette: I'm Jill Ann Brunette, I live at 21854 Foxcroft Road. And this is going to be really brief. I want to thank Bridge and Danny for the presentation last Tuesday at the town hall meeting. I thought it was done well. I thought the questions were good and I thought your responses were great. Thank you very much.

Bridge Littleton: Thank you. Okay. Anybody else? All right. We will close the public comment session and move on to the public hearings. The first public hearing is on the water. Okay. Oh, God. Is that on there? Yep. I'm sorry. I went right past it. There we go. Shaun, you're up, I apologize.

Shaun Jones: No problem, sir.

Bridge Littleton: See, that was a test everyone is reading. It worked. [off mic]

Shaun Jones: So I just wanted to bring before you. Before he takes the oath of office for our police department. This is Officer Melvin McCord. Everyone should have seen him around town. He has been released on independent patrol. This is his second shift by himself. Melvin brings to us 26 years of law enforcement experience. He actually started his career in 1988. So it's over a little bit over 26 years. By 1988, he was in Florida basically running a juvenile boot camp program. In 1990, he came to Virginia, where he ran the first intensive juvenile probation program in the state of Virginia from 20, I'm sorry. 2001 to 2015, he was employed by the Delaware River Bay Authority Police Department, where he was served in multiple roles. He was a trainer at the Academy. He was also a canine trainer liaison at the airport between the police department and the airport. He also was a canine explosive canine handler. So he has experience working with dogs. 2015 to 2017, he was with the Alexandria Sheriff's Office. In 2017 until he came here he was with the Spotsylvania County

Sheriff's Office. So he's an added addition to our team. So I'm going to go ahead and give him the oath of honor and present him with a certificate. And then if you guys have questions, feel free. So if you would stand right here and raise your right hand on my honor. Repeat after me. On my honor.

Melvin McCord: On my honor.

Shaun Jones: I would never betray my badge, my integrity, my character, or the public trust. I will have the courage to hold myself [off mic] and others accountable for our actions.

Shaun Jones: I will always uphold the Constitution.

Melvin McCord: I will always uphold the Constitution.

Melvin McCord: My community.

Shaun Jones: My community. And the agency I serve. Okay. Officer Melvin McCord. [applause]

Bridge Littleton: You're no longer the new guy now.

Shaun Jones: Also based on his years of experience and training and on the program that you guys approved last year, Melvin actually came in to us as an officer first class. So I'd like to go ahead and present him with a certificate of promotion from the Middleburg Police Department, this is to certify that Melvin McCord has been promoted to officer first class in recognition of your dedication, professionalism, and exemplary service to the Middleburg Police Department and community Melvin McCord has demonstrated the commitment and qualifications required to achieve the rank of Officer First Class. So based on his experience, he's coming in as an officer First class. Thank you. [applause]

Bridge Littleton: Melvin. [off mic]

Melvin McCord: Any questions? My whole job from coming here to try to be helpful and do whatever I can to make keep the community the way it is and kind of expand a little bit too and letting people know that we're trying to be a little bit more I would say ahead of things instead of waiting until things happen. The biggest part that we've found a lot around the area has been mental health. Myself, Daniel and a couple more guys we've been trying to deal with a couple guys. One name in particular, Mr. Jarvis. Before he left, we would sit down with him every hour because he said he just needed time to talk to someone. So myself and the other guys on our agency, other than our chief, he wasn't here. But we sat down with him each one of us had an hour just to talk to him and let him talk and get things out of his head, and helped him a lot. So that was one of the things he said he did miss, he didn't have anyone to talk to. So we made ourselves available whatever hour he needed to talk to us we sat and talked with him. So it's one of the things we want to try to bring kind of like a behavioral health unit, but not really. But if people are having issues, we can sit down and talk to them and try to clarify what's going on with them and try to help them move along without any issues. So my job is to be here to help as much as I possibly can. And thank you for having me.[off mic]

Bridge Littleton: Thank you.

Bud Jacobs: Can I can I go ahead and schedule an appointment with you?

Bridge Littleton: Oh. Copay. There you go. But Bud just got better. Okay. Next item we're going to have is the we're going to have the public hearings. The first public hearing will be on the water. The water the proposed water conservation ordinance. Danny, do you want to give us a quick overview and then we can open the public hearing?

Danny Davis: Thank you, Mr. Mayor and council members, I do just want to give a quick briefing on Tuesday's meeting, as well as on what is the proposal before you. So I do want to say thank you to all the members of the public and the council that came on Tuesday. We thought it was a very good meeting, good conversation with the community. For those who did not have a chance to attend I would encourage you to watch the recording, it's on our website. We give you some

background information to help you see a little bit more of the details that we did discuss. But as a brief overview, the town and county do continue to be in drought. While we have had some reprieve over the last few weeks, it will take continued rains like this to make an impact. So last year, when the town implemented water conservation measures, we recognized that our ordinances needed to be updated. So over the last few months, I worked with the town attorney, the town clerk to find ways that we could implement some best practices and also potential restrictions in our ordinances that would actually have a meaningful effect on the water demand in our town. So as we look at what these ordinance amendments are, I do want to provide just a couple of quick notes before we go into the public hearing. First of all, the proposed phases that we presented, both in the item here as well as on Tuesday, those are intended to be implemented in a step by step manner. And I think it's just important to remind the public, first of all, you're not voting on anything tonight. You're not implementing water conservation measures tonight. This is a conversation about what steps can we put in place that could be implemented at such time as they might be needed. And there are three steps and intended to be subsequent to each other taking in phases. Now, there can always be the one in a million chance where there's some emergency. But our intention would be, especially as we see drought situations like this, that we go step by step through those phases. And that would be a public conversation and held at council meetings. We did find last year that limiting the use of outdoor water, specifically irrigation and sprinkler systems, had a significant effect on demand. And so we want to make sure that we retain that capability in the new ordinance amendments. And our goal and our hope is that that the second tier so the first tier being voluntary measures, the second tier being mandatory water restrictions, that that tier would resolve the demand issue and allow our system to catch back up to where it needs to be. And so in most cases, we would not have to proceed beyond the second phase. However, in looking at our current ordinance, we found that we have no additional steps beyond that currently to take any other meaningful efforts to reduce demand in case the situation progressed or did not get better. And so the final proposal of water rationing measures would be a new step and a new part of the ordinance and process. But it's only one that we would consider if we faced an extreme or unplanned emergency, or if our water supply was decreasing in such a way that we could not continue serving water to our customers. That particular step, as proposed, would put some kind of cap on use before a surcharge would then be imposed upon customers. That cap we are still having conversations about as we heard on Tuesday evening, a lot of good input from the community about how to calculate that cap properly. And I'm sure we may hear about that again a little bit more this evening. One important note just for anyone who read through the proposed amendments, there had been a proposal that if someone continued to exceed that cap, we would be able to actually shut off your water to kind of give you a really strong incentive. We realize that's a step too far. We won't, we need to provide water to people, right? That's our job. But we still need appropriate measures in there that will incentivize folks to watch their water consumption because overall, we need to make sure that our system has is able to supply our customers. And so I know the, the discussion about what appropriate cap levels or numbers look like will continue to be a discussion with council. But this just a brief overview of where we are Mr. Mayor and Council. And I'm sure once we hear from the public, I'm happy to answer any questions that you might have.

Bridge Littleton: Okay, thanks. Does anybody have any initial questions for Danny? Rhonda?

Rhonda North: Oh, no. I'm just. I've got a list of folks signed up.

Bridge Littleton: Okay. [multiple speakers] No worries. All right. No, I saw your light on I thought. Okay with that we will open the public hearing on the water conservation ordinance, and I think what we'll do, because I think that's what most people are here for. We'll do that hearing you know, we'll listen to the public. And then I would my thought would be we actually have the debate, I shouldn't say debate, but the conversation about it then, that way folks who are here can hear it. And then we go to the other really, really exciting stuff like budget and whatever if folks don't want to have to stay for that hearing, you know, we won't wait to do the discussion after those. We'll do it right after the after the hearing. Is everyone okay with that? Okay. I mean, I know everyone's going to stay for all of it, so All right, with that, we will open the public hearing. Again, the conversation anybody who wants to speak has three minutes, but it has to be on the topic. And with that, do we have anybody signed up?

Rhonda North: Megan Gallagher is our first speaker. All right.

Megan Gallagher: My name is Megan Gallagher, and I live at 214 East Marshall Street. I was really sorry to miss the community meeting on Tuesday, but was lured away to a great conference. It was worth it. But I wanted to speak tonight in support of the proposed changes to the Water Conservation Ordinance, notably the description of voluntary water

conservation, mandatory conservation and water rationing, the issue of water supply in our region, and particularly for our town is urgent. We need to protect our single source aquifer, and we need to do more today before emergency to reduce our stress, the stress we place on it. So I also support the addition of water and force water conservation enforcement with teeth, which if you take away the threat of shutoffs, you still have the opportunity for surcharges, for monetary penalties in water rates and or fines. And I would support those, but I think they need to happen when water consumers, large or small, can't demonstrate good faith efforts to reduce their water use, and the town seems willing to work with water within the limits to try and help people sort out how do you meet a 10% reduction if you're a business or the 150 limit. Town Manager Davis's memo today outlines some alternative ways to calculate water rationing limits that might trigger a surcharge. And those I thought were really interesting. I can't speak to one or the other. They show, again the good faith effort by the town to get on top of this issue. I also hoped that the council and town staff might develop even more public outreach tools to help homeowners reduce their water use before things get so bad that rationing is required. There seems to be a lot of confusion by residential users. I know if I'm not watering HOA beds, I use 73 gallons a month and I mean a day, that's all. It would take some sort of crazy usage for me to ever get to 150, but I'm one person and a cat. If the sustainability committee or the town was looking for volunteers to help work on, it's not that hard to look up ten tips to reduce your residential water Use that don't involve buying new high energy efficiency appliances. I'd be very happy to volunteer for that. So thank you. I support what you're doing. I wish I could stay, but the Master of Foxhounds Association's in town. There's a real Donna Strom is serving drinks over at the Museum of Hounds and Hunting. And there's a free meal waiting for me at tremolo, so I'm not going to stay, but I'll watch the video.

Bridge Littleton: Thanks for letting us know the fun you're going to. Thank you. Thanks, Megan. Has anybody else signed up?

Rhonda North: Scott Little.

Bridge Littleton: Sir. And you're offering free drinks and dinner afterwards?

Scott Little: Yes. Yes. Interesting. Well. Good evening. Good to see you all and Mr. Mayor and Council. Firstly, I really wanted to thank you all, and especially Danny, just for taking the extra steps this week to engage in that public meeting. I thought it was really informative and helpful. I had great feedback from some of the other participants that night. We absolutely both the resort and the residents of Salamander that I head up the property owners association there, we totally support the work and the efforts to enact conservation. We think that, you know, I think everybody recognized this week that capacity is another whole question that that really deserves some deep deliberation. And you know, I'll echo Miss Gallagher's comments, I'm eager to participate in any committee that might be set up however, we can help facilitate and be a part of that solution. We understand the motivations however, some of the data this week versus the public presentation, I think, left just some questions, you know, in, in just reconciling the two and understanding how the triggers might work and, you know, taking the historic data and what might be available to inform the statute that you're, you're working so hard on. From the information that we saw presented and we've looked at every word Danny has written and spoken just a couple of thoughts to consider providing for consumption based and occupancy based variables around the statute. You know, there is a big difference between a single family home with one and seven, and there are a number of residents in town that that that would apply to. Also consider a sliding scale or consider a sliding scale for those use thresholds based on some historic comparable there are I think I've heard the number 50%, only 50% are actually owner occupied in town in the residences. And it would seem that to fairly assign that threshold it should you should consider those usages even if it's in the last 12 months. Also, I would just suggest it seems like there's a lot of questions about metering and maybe an audit would be. Oh, wow, that was three minutes. Rhonda, I. Okay, great. Well, listen, I'll submit this. I'll get this to you, Danny. But just finally, I just want to assure the council and the mayor and the public that we are the resort and the community, the residential community are really eager to participate and really be a part of the solution. Some of what was talked about this week about property and land and wells we understand all of that and are eager to, to participate in that. Okay.

Bridge Littleton: Thank you.

Scott Little: You're welcome.

Bud Jacobs: Thank you.

Rhonda North: I have no one else signed up.

Bridge Littleton: No one else signed up. Okay. Now it's open mic night. So if anybody would like to address council on this topic in the public comment session or the public hearing, you may do so. Going once, going twice. Oh, almost. How are you?

John Kidder: I'm John Kidder. I live at 6 Piedmont. And I was here the other night for the open meeting, and I was really pleased to see that we're taking this on. I did talk to Bridge a little bit that night about kind of two sides to this thing. So while I'm very pleased to see that we're looking very hard at the conservation end of this, we also need to be looking at the supply end. And I know there's challenges and Bridge you mentioned a number of those. I won't go into that now, but just to say that what we don't want is to get ten years down the road and we're and we've got even worse problems. We've got to address supply as well as conservation. So I just leave you that point and hopefully we can, you know, we can do that preferably and in tandem with each other. So that's all I had to say unless you have a question for me.

Bridge Littleton: We can't. The limit of a public hearing, so. Okay. Last call, anyone else? Okay. We will close the public hearing. Just, I guess I think two real quick. God, is it me or is this louder? Okay just two quick comments before we get started. Number one, I really want to say thank you to Danny for putting together everything and with Will and Rhonda and all the other staff pulling together all the information that we were able to you know, it's hard. It's a town staff of six and a half or, I guess, seven and you know it's a lot of work. It's, you know, you think it's a town of 700. It's not that big. Well, it's a lot. It's, you know, hundreds of accounts, thousands and thousands of lines of data and trying to pull it together and make sense of it and understand trends and stuff like that. So I thought Danny did a great job. And I really also appreciate the community coming out and the conversation that was had in the way it was. I mean, it absolutely took it went into more than just, you know, water conservation. The conversation also went into our wells and water storage. And, you know, how we're looking down the road in investment and stuff like that. Danny and I were talking about afterwards. And it's funny, it's one of those things where they're all awesome questions. But utility as I have, I think we've all learned utility stuff is really, really hard. It's complex and there's a lot of ins and outs to understand. So this is a quick thing I was going to mention it later to council when we were in the in the discussion, but I'll, I'll go ahead and mention now. I did talk to Danny earlier about, you know, every year we do a budget for the water and wastewater system. We talk about the capital improvements that are needed, and we need to put this in or need to put that in, and we all live it day by day. The community doesn't. So the thought is maybe once a year as we put together our utility strategic plan, we have a good hour and a half, not in a council meeting, a separate session where we really just go through everything about the utility system for the community. So if they've got questions they can ask, it's all in one form. And you know, we can show what our plans are for that year, for the next three years. Because, you know, Mr. Carter, to your point I was talking to Danny about, like well, how much is it to drill a new well? Half a million bucks that's just to drill it, you know, that's almost like 50% of our utility budget. So it's a great thing to say we need more wells. It's like, okay, how do we plan for it? Because we couldn't we couldn't build one tomorrow if we had to. But really providing that provide that long term view and in that way everybody's fully informed. So it's stuff like this happens, the public's already way more informed about all the ins and outs. So I throw that out as an idea. Just curious if you feel that that that would be something worthwhile. I think it's once a year is fine, right? It's like a strategic review and we can talk about it quarterly council meetings and things like that. But I just thought that would be helpful.

Darlene Kirk: So thank you.

Bridge Littleton: Back to the water conservation. First thoughts from anybody on either the data, the premise, or the ordinance suggestions, Chris.

Chris Bernard: Yeah. No, I think the meeting the other night was great. Good conversation, good questions from everyone. I think it was good to bring up the fact that we do need to look at the supply side. But just like taking a step back from everything, I think you know, both from our perspective and for, you know, the, the users and or the water system users is, this is meant to go into place if we run into a serious issue with our water supply, like a short term acute issue, and that, you know, the whatever that number is that we land on at the cap, if that's what we end up doing it's not

meant to be punitive. Those are, you know, multiple, I guess, infractions or whatever, you know, if people are continually going over. But at the end of the day, our goal is to be stewards of the water system and make sure that everyone in town has the ability to run on a like base survival level of water. And there needs to be some sort of failsafe to protect that. So thanks again to Danny for digging into that number a little bit more if we need to talk.

Bridge Littleton: Pam.

Pam Curran: On the water conservation side Danny and I talked about it, and to Megan's point, you know, she's an individual living at home alone I think she said with the cat and she's 70, 70 gallons, right, a month is what she said. So a day, a day, a day, I'm sorry in a day. So you multiply that times four, though, you know, if you're a family of four and you're over the proposed cap so that we're talking about, right, with the 150 a day. So I was just going to say, you know, we need to make sure that we look out in some of the residents said that too, to take care of people that are taking care of their parents, people with special needs, things like that. And I know you I know you will, we will, you will. And so then and then the other thing is, I've heard a lot and we heard a lot about, you know what, you know, the plan for infrastructure. And to your point, you know, it is very expensive, but without the plan to look at the pipes, you know, and to your point, again, Bridge about being transparent, you know, which is great so the community knows. But really, to put a budget together, a timeline together and a plan together so that we don't have a new gentleman sitting in the audience saying he's worried about the quality of life here and the property value. And I heard that since the meeting ended. And then lastly, I just heard Mr. Little say that he wants to be part of the solution and maybe, you know, maybe there is a, well opportunity, something else opportunity. But I think we need to take the infrastructure issue as serious as we're talking about the conservation, you know, one feeds the other. And we have you know, I know we want to take care of the future of Middleburg. So that would be what I've heard since the meeting.

Bridge Littleton: The, the one comment, the one element I want to add to that, there was some information during the public meeting which was inaccurate. Right. So and again, this is really, really hard stuff, you hear and you see one element of something, but it's got 17 things attached to it and you got to see the whole picture, right? So I mean, we have worked really, really hard over the last 20 years replacing a lot of the lines. Now there are old lines that still need to be replaced and, Danny, I know we've been trying to get them mapped out and stuff like that. But you know, the vast majority of the lines through town are well within their useful life. So, you know, I know that was one thing that came up that these lines are 50-60 years old and, you know, okay. Yes. But, you know, a lot of them have been replaced over time. This the one other part to that too is and again, it's really important that, that when we speak about the utility system that you know we ugh this is very delicate. We have to be, we have to address inaccuracies from the community in a way that's not, you know, in a way that sets forward what the real facts are, you know, and I don't want a single person to leave this room or watching on camera to think that our water and wastewater system is not safe. It is absolutely, utterly safe. We have never had, you know, a safety problem. And I, you know, some of the comments, you know, saying that there were sewage leaking into water lines, that is just not true. It is, it is an utterly untrue statement. And I have gotten several phone calls and one email saying, oh my goodness, do I need to boil my, absolutely not. The water is completely safe. So and you know, a lot of times that stuff comes from folks just not knowing, you know. So we have to be the ones to provide as much to your point about transparency, right? But it's also incumbent on the public to read all the data. So I don't want anybody to ever come out of this room thinking our water is not safe. So yeah, sure, sure, sure. Yeah, absolutely. Yeah. I think Bud you [off mic]. Yeah.

Pam Curran: Yeah. I think that comment was about to your an instance, but I think there was a leakage and a break and there was, you know, holes that the water was tested and things like that. So I think, you know, I think there was a little more to it than, than that, that that's all, you know, that I, that I heard that I know. Yeah. But anyway. Okay.

Bridge Littleton: Bud.

Bud Jacobs: On the, on the, one hand, I think everybody realizes that this is really, really hard. The other hand and the good news is we have a, a lot of expertise in town to draw on to help deal with this problem and to plan for contingencies. Looking at you, Jilann and Vince and Vince, of course. Yeah. Yeah. Oh hi, Vince. In my own thinking about this, I've kind of focused on that last in-extremis contingency, and I don't I don't know what the right cap is. I don't know how we handle capping usage in an equitable manner. But I would like everyone to understand that if we ever find ourselves in

that in-extremis situation, things like the potential impact on property values or convenience are going to recede very far into the background as we continue to try to do what Chris just mentioned, and that's provide a survivable amount of water to our residents. That's a main part of what this council is supposed to do. It's in our strategic planning, and I would like people not to lose sight of that. This isn't if we get to an extremist position this is not a consumer issue. This becomes a safety and a health issue. And it's helpful. And I think, frankly, the town understands this, but it's helpful to bear that in mind. That's all I have to say.

Bridge Littleton: Nope. Agreed. Yeah. Kevin.

J Kevin Daly: One of the things that I drew from and it's been on my mind since Tuesday. You know, the town can control what the town can control, but we're limited to what we can't control, and that's outside of the town. If we are all sharing the same cup of water and we have a thousand straws going into it, we can control the straws here in town but what happens if we have new development on Foxcroft Road? What happens if we have new development? Are we able to get the county involved in looking at controlled development? I'm not trying to take away anybody's right to go out and make money, but if you've got survival, the basic survival need is drinkable water and there is none. Then we're destroying our environment because it's not cost effective to save it. Just a thought.

Bridge Littleton: Anybody else? Peter.

Peter Leonard-Morgan: Thanks, Mr. Mayor. I'm on the utility committee and the sustainability committee and so this impacts me. And I see the work the utility committee goes through every day. The work behind the scenes is incredible. And we've talked quite a lot about infrastructure well before this meeting and the meeting before. But to Megan Gallagher's point and we had the conversation the other night about habits, you know, and I went, I'm embarrassed. I'm embarrassed to say that I won't go into what you told me, but I'm kidding. I was embarrassed. Thank you. I'm embarrassed to say that, you know, I looked at my own water bills recently because I couldn't quite remember how many thousand gallons we used, just me and my wife. And, you know, it fluctuates, and some months are better than others. But I realized, you know, it is all about our own personal habits. Conservation is the number one way that we're going to keep this under control. And it's just a it's a community thing that we're all going to, you know, we all do it when we brush our teeth, don't leave the faucet running, for example. And there's just so many things that we can do to, to elevate our understanding about conservation. And I think what Megan said is really, really important. In my business, I've actually seen clients wells run dry on private property, and I've seen the effect it's had on them that literally we take water for granted, don't we? And yet, if God help us, if we don't have it, we can't do anything. I mean, that is just insane. But so I absolutely agree that, you know, these measures. And by the way, the irony is that we are proposing something that if we had to do it, we ask you to spend less money on your on the water bill, so we're getting less income. So it's all about the, the water and all about keeping the water flowing. And so this is such an important conversation to have. And I fully support having a measure, to use your phrase, in extremis. And that today we're going to try and work on that. So appreciate it.

Bridge Littleton: You know, and I think when we were talking about this on it was like two months ago. Is it Tuesday? Yeah. I think, Scott, it was you who brought up the question. Right. Is there is there something that we can view in the environment? And I've actually went and did a lot of research on it over the last two days. Is there something in the in the environment that we can say, oh, we've only had this amount of rainfall and this has happened here and this has happened here. So therefore these conditions have been met and so we should or we shouldn't. And Jilann I have an unbelievably higher level of respect for the complexity and hydrology. Oh my God. It is insane. And, I mean, I probably gave up after about a half an hour. But the one thing that's easily measurable on our end is how high the water table is above the pump and the transducer. And as we reduce consumption, does it stabilize and start to go back up? You know, those to me are the things that we can see direct correlation from, you know. So like as an example, it's like it was last summer. We go into the no watering outside and we went from 150,000 gallons a day to 110,000 a day. And all the wells stabilized. So now we know, okay, we you know, we've kept it at bay, we're good we don't have to do anything else. And then if the summer gets worse and the heat gets worse, we have no rain and it starts to recede again. Well, now we know that the table is, you know, has not recharged. We need to now take a second step or a third step or whatever you call it. I think that's probably the best way to look at what a trigger would be. You know, it's averages 280ft. And if it goes to 250, we don't care if it goes to 200, we don't care toes to 190. We don't care if it goes to 180 okay now we care okay. Now we have

now we need to, you know, so the question I've got for Danny and for Jilann, Utility Committee, and I don't think it's something we want to set in stone because things can change over time. But are those types of things that you think would be good as an objective measure to allow us to at least see it coming so we can let the public know, hey, the water column is going down. We're not in a measure yet, but we might be in a month, so just be prepared. I'm curious, Danny and Jill Ann, your thoughts?

Danny Davis: Well, I definitely won't step on Miss Brunette's toes, but I do believe the push that that she has made for us to get the data from the transducers to track it, and then to be able to actually see that data on trend lines and compare that data from, you know, where were we at because of this seasonal. Right. It's but it's also we can see okay, we've dropped 10 feet, but we dropped 10 feet last year as well. And we came right back up. When we were in a drought, we dropped 50ft. Okay. So we're not bad. And so I don't know if there's, again, a perfect number. I'm sure we could look at that. But as we use those trends and analyze that based on where we're going versus where we've been in the past, I think that could be one of those trigger points where we have the preparation conversation with Council to say, I think, and the well, of course, I'm sorry, I, I always assume those are public conversations, but yes, for the public as well, that we're, we're we've dipped slightly, but assuming this goes back up like it's done for the last three years will be fine. If it doesn't come back up hey, just be prepared, we might need to start looking at conservation measures, now the caveat to all this is we have a year's worth of data. You know, the information that that I think we wish we had had from five years ago would have helped us make these decisions a little more data driven, right now, we're in a kind of feel as you go mode, but also make the best choice you can mode. So I think that's the voice of Miss Brunette in my ears constantly that the more data we have, the better decisions we can make.

Jilann Brunett: Yes, I think that's [off mic] it isn't just usage and water level. You got to deal with the rain, you know. Did you get the recharge and where's the recharge coming from? And how are the wells interconnected? If I pump one, does the other go down? Do they do this or are they enough independent that they don't? And that's what gathering this data is going to help us lay out that, yes, we can do conservation and that's great. We have to do conservation. That's the bottom line. But we also can start looking at what wells can we pump effectively when they all get low. And that's the value of the data. And I can't tell you that I am thrilled beyond measure that my 10 years of screeching has finally gotten some results. Sometime it'll be interesting Vince is doing a great job of crafting this stuff, and we have two wells that work with that. One goes up, one goes down. Well, you have to decide which one is most productive. So there's a lot to it, as you said Bridge. But I think we're getting the data and I think we're doing a good job. I think utilities is really focused on this now.

Bridge Littleton: Thank you. I guess the next piece too, is we really want to talk about that level three conservation measure. I mean, that's the main the main point, right? One we already had in place for, you know, no outdoor watering stuff like that. How is what is everybody's initial thoughts on the, the you know, a measure I would imagine will I won't have to see in my lifetime. But if it does go really, really south, we might have to think about it. What are everybody's initial thoughts on that? So I think Danny's proposed a 150 gallon a day average, you know, so it's not you did 150 today, but 10 yesterday. Sorry. You went over by a gallon, you know? Yeah.

Chris Bernard: The 150 that was. We picked that number kind of based on, like, average consumption or like, picking, like, you know, a certain amount of users fell under that on a normal basis. What was that?

Danny Davis: So to be honest, I pulled that number because it's one that Round Hill has used.

Chris Bernard: [multiple speakers] It came from somewhere.

Danny Davis: Yeah. And in their experience that that would help them see some substantive change in demand.

Chris Bernard: Okay. So then you tested that against our levels or whatnot. That's correct. Did we model different levels? So 250 that kind of thing.

Danny Davis: A little bit. Yes. And the those kind of above 150 gallons a day, there's 15 or 17 user I'm just looking at one billing cycle. But they all are generally average. There's another 15 or 17 users to the next tier. If you went to 250 there's

another 15 or 17 users, each one of those if you, you know, combine them together and say, okay, if we let the cap be 250, how much more water is that in a day? I can run the numbers a little more specifically. It's you're looking at probably variations of 2 to 5000 gallons a day. So, I mean, in the grand scheme of things, that's, you know, 5% or 3 to 5% of our total water production in a day to change that cap from 150 to, say, 250. Again, a lot of this is because 54% of our consumption is our top five or top ten users, right? And so not that we're going to pick on those top ten users, but, you know, reductions in consumption by those users and reduction in irrigation probably, again, accomplishes the vast majority of what we're trying to achieve.

Chris Bernard: So it seems like, and correct me if I'm reading this wrong, it probably wouldn't kill us to raise the cap, but it would eliminate a lot of these I guess, concerns from residents about being too close to it if they have four people in the house. Yeah. And it doesn't seem to make, like a market difference to have it be at 150 maybe, let's say two we'll just make up 250 or 300. Is that fair?

Danny Davis: Yeah. And I think it would be better if I put some actual numbers to that. I tested over tested over a couple of different billing cycles and just see what that looks like.

Chris Bernard: But because it's, it'd be grouping people that are in that consumption bracket already. But then it might be worth looking at if you, if you make the cap 300, if everyone under that then started using, you know, maybe using up to that, what are those implications. Because that might make a negative.

Bridge Littleton: That's a reverse incentive.

Chris Bernard: Sure. So I just want to be careful that we're allowing for those variations where there are more people in the household, maybe not opening the door for people to go crazy and then push it the wrong way.

Danny Davis: That's right.

Bridge Littleton: I think a piece of that, too, Chris, is the reality is, if we ever get into these once in a century situations, it's going to be in the summer. Sure. Right. I mean, it's most likely going to be in the summer where it's and it's going to be a hot summer, which, you know, and then it's the pools, it's the irrigation. It's all that stuff. Right?

Chris Bernard: So it's also maybe worth illustrating, like what you can do with 150 gallons a day, like, like an infographic of like, here's what, 150 gallons a day can get you. It can get you like two showers and it can do your laundry or whatever that is might be helpful just so that everyone understands what that means.

Bridge Littleton: Well, and I think the what's really important to know is that 80% of the households don't use over 150. Right. And, you know, in Loudoun County, the average number of people who lives in a home is three, right? So I live alone, right? I don't have an irrigation system, but I consider myself a probably an average water user. Right. Shower every day, cook, dishwasher, washing machine. You know, regular usage. And I use 44 gallons a day. So if there's three people in a home, there's 150, right? Makes total sense. And I think that's the same analysis they did in Round Hill. Now Round Hill has 12 wells. But then again, they have 2000 outside users. So it's, it's a different their needs are different. So yeah, I mean, I, I understand your point, right, is.

Chris Bernard: Well yeah. Can we look out for the people that have 5 or 6 people and, and it doesn't sound like it would be at the expense of everyone else, right?

Bridge Littleton: I mean, I know this is not a preferred method that Danny wants to consider, but I think Scott brought up occupancy you know, now that might become unmanageable for the town. Right. And there might be a there might be legal issues, that's a Martin question. But if it was legally permissible, then you got to figure out how to I don't say monitor it but to verify it. Right. Because to your point, we want to be fair and objective to everybody using objective standards. Right. No one special. We're all the same. And again, I don't know that that's the right answer. So yeah.

Darlene Kirk: I was just going to say something that maybe consider incentives, you know, like X number of dollars off your bill if you. Yeah, if you stay under certain totes.

Bridge Littleton: I don't think we want to commit the town because then what people would do is they wouldn't use anything and they were actually losing revenue. And we're paying people. And then the water rates are going to have to really go up. So But I see the point, right? You're trying to incentivize the right behavior. Yeah, exactly. I don't know. Kevin. Yeah.

J Kevin Daly: Well, this this has to do with incentives. How did you know how much water you used during the day?

Bridge Littleton: I took my bill and divided it by 60.

J Kevin Daly: Okay. Did you know it was actually 61 for this past period?

Bridge Littleton: So it's 43.7 gallons.

J Kevin Daly: Okay. No, the point I'm trying to make is that the individual has to do that calculation themselves. Could we not have that done automatically on the billing so that individuals could see exactly what their on per day? Is that possible?

Danny Davis: Anything is possible Mr. Daly. Our current export and output from our system to create the bills we do does not include that as a mathematical function. We do provide the consumption and the number of days listed on the bills so I would ask our residents to potentially do the math if they can. But if you are asking us to try to find a way I'm not sure I can. I'm just going to be honest with you.

J Kevin Daly: It was it was just a thought.

Bridge Littleton: So, so the problem is not that the problem is someone's got to drive around and get all the data, download it, and then manually manipulate it. That's hours and hours' worth of work every time you want to do it. So again, it's not that we can't do it, we can. But where is the 15 hours of staff time coming every week to do it? Oh, on the bill once every two months. Oh, sure. Sure. But yeah, yeah. Gotcha. But here's the problem if you're in a conservation mode once every two months, it doesn't matter. You know, that's the problem because they need to know.

Chris Bernard: Two every two months they need to understand what they are using on a normal.

J Kevin Daly: Sure. Sure. I mean.

Bridge Littleton: I think that's kind of easy. All right. It's a question. It's a question that can be asked. Yeah, it would seem easy, but it could be harder. Yeah.

Pam Curran: I don't know if this gets us there, but your point about fairness across the board, if we got to the point that we had to look at rationing, I mean, could we look at something along the lines of reducing everybody reduces by 5%. Everybody reduces by 10%. So you know it's across the board. It speaks to you know what I use what you use what a family of four uses by asking that we all reduce by a certain percentage. I don't know what the percentage is that we would need to get there, but it would be you know, it would speak to individual consumption.

Bud Jacobs: I have absolutely no faith that that would work, because there will be people who will exempt themselves from that kind of consideration. [off mic] Well, but they do. And therefore the system doesn't work, and it's not equitable.

Bridge Littleton: Well, you know what? Yeah. Yeah. Real quickly, the other thing that actually and, you know, you always got to think about the, the person who thinks about the other way, right. Is okay so what I'm going to do is I'm going to increase my water usage.

Chris Bernard: You're going to pay for it.

Bridge Littleton: No no no no no. Hold on, hold on before conservation measures go into place. And then once conservation measures go in place, reducing by 10% well I upped it by 30 so yeah.

Chris Bernard: [off mic]

Danny Davis: I think it might just be helpful if, if I were to come to you with, with two alternative considerations based on what I'm hearing right now at your next meeting. And we can meet individually prior to that meeting, just to kind of walk through it with you and look at what, you know, I would envision one scenario is we have a cap and we can look at what the implications of various caps would be on our water demand. And then the other be that we find historic use on a property based on some kind of number, it might be winter usage or historic average or what have you. And if we were to put a percentage reduction on that anything above that, you know, then this surcharge that there are two different kind of approaches that we can take. I can work with you guys on that, discuss it and see the implications of each of those options.

Bridge Littleton: Yeah, I mean, absolutely I will, I will just personally, what I don't like about the percentage is if someone's an over user already, it's not actually forcing behavioral changes to get, you know, we're talking about the once in a century dire circumstances, right? I, I just, you know, we all have a moral responsibility for the greater community, right? And if we're in a dire situation that the first measures didn't work and the table's still going down, you know, we got to get everybody down as much as we can, but not impact the basic necessities of life and see if we can stabilize the wells. That's my concern, is if we have a user who's using, you know a thousand gallons a day asking them to, you know, as a single family home. And I'm, you know, I'm picking this out of thin air, asking that person to reduce by 10% so they're using 900 gallons a day. That's not really trying hard when we're in a dire, dire situation. So I get Pam's point we're trying to find ways to be as minimally harmful to people as possible. But the part for me is it's the other way around. When you're in a crisis, you got to get solved as fast as you can. And then we can loosen it. Right? If the table comes back up, we can raise it, we can loosen it. So that's my only concern about it.

Chris Bernard: So and last thing, when you're looking at the number of what the caps would be, maybe it's worthwhile looking at for a house of five people again, just kind of filling up the bucket, like, think about it. Okay. So like, if everyone needs to take a shower, you know, every other day or whatever it looks like in a crisis situation, crisis, whatever. What is a reasonable number? And maybe that's the level.

Darlene Kirk: And could you also show us what, like 150 gallons a day looks like too, thanks.

Bridge Littleton: So, Danny, I we've probably given you a lot of gray mud. But I think, you know, it's a good it's a no, it's a this is hard. I mean, you know, we're doing this for the first time we're trying to muddle through it. Two things, number one, whatever data is there to help back up each one of these analyzes, you know, whatever you can do that would be great. The other thing, too, though, is we've thrown a ton of ideas. Some of them might be good ideas, but might be utterly impossible for you guys to do the workload to manage it. So give us a sense of, you know, oh, if we have to monitor this way, this is probably what it will take or this would be very easy to monitor, we can do it like that. Because we don't want to come up with a great idea that then, you know, makes you guys work 80 hours a week too. It's just unmanageable.

Danny Davis: Sure. Yeah. Happy to do that. I kind of liken this if you if it's appropriate to the Covid situation where if we get to a point where we're into rationing, I'm 100% dealing with the water issues, the, the numbers, the data. And so just like we did in Covid, we kind of drop everything. And so I think that yes, it will take some time, but also that means it's, it's critical. So we'll, we'll give you some info on what that would look like in terms of staffing impacts. But I wouldn't propose something to you that is not feasible.

Bud Jacobs: Mr. Mayor, I believe you started this discussion by asking people's thoughts on the 150 gallon cap. And as a notional starting point for planning this, I think 150 gallons is fine. I think Chris mentioned that it can be a lot harder to reduce a cap than to raise it in a in a given circumstance. So for the moment, I'd recommend that we stick with the 150 gallons and go from there. If, in fact, 80% of our citizens fall under the cap in their usage, we're really talking about how do we manage the behavior of the other 20% if we find ourselves in a situation that requires us to do so?

Bridge Littleton: No I think that's fair. And I think, you know, to Chris's point, what is you know, it's a it's a formula now, which is good. Right. What does 250 look like, you know. So add that in there for the for when we talk about it. But I don't think anybody's proposing going below 250.

Chris Bernard: The concern is that the 20% of the people who are above the 150 are above the 150 by necessity or a certain percentage. So I just we have to cover it somehow.

Bridge Littleton: So to that point, right? Maybe, maybe not.

Chris Bernard: There might not be.

Bridge Littleton: Yeah, yeah. I mean, you know. And look, I mean, this is not about picking on any one person, but people who have irrigation systems use a ton of water. And it might only be I mean, when I had the new sod put in, I mentioned this on Tuesday when I had my new sod put in on in last May. I mean, they said water for 30 minutes in the morning and water for 30 minutes in the afternoon. I thought, okay, that's easy, that's no big deal. And that was just one of those cheap little ones we had as a kid that we would run through. I couldn't believe how much water it was. I mean, my bill that one month went up. You know, I'm normally the minimum, right I'm \$85 bucks. It was like \$650 bucks. I couldn't believe it. And that was just 30 minutes. You know, that was 30 minutes in the morning, in the afternoon. So to your point, it wasn't because I had extra people in the house, it was it was a behavioral change. So but I do empathize with the folks who were here on Tuesday said we got seven people who live here. That ain't about a pool, right? That's seven people taking showers, eating food, washing dishes, washing clothes. So how do we make sure that it's equitable for them? So again, Danny, we've made the mud darker. Is that good? Yeah, exactly. Don't use any water in the production of your report. Any other last comments or thoughts on this item before we go to the next public hearing public hearing item? Yes, ma'am.

Cindy Pearson: As we were sitting here and, some of the people had a huge concern on if the water was really restricted, you know, that we would have to of course, you said you can't cut it off, but it's probably the next thing before that. Would there be some way to have water shipped in and to help us out? They need to hear there's other ways that things would be helped if needed.

Danny Davis: Yes. So thank you, Miss Pearson. There are always alternative ways to bring in water to fill our tanks. You know, our storage tanks whether that's contracting with another water system, a potable water company. Obviously. And I think, as mentioned on Tuesday evening, you know, we want to make sure that we're always we always have a fail-safe in place. And well, three for us is that fail safe. We can run well three when we need to run well three. There are implications to that, but I'd rather have a little discoloration in the water than have no water at all. Right? So there that is why I think the likelihood of us even getting to this point is minimal, but we have to be prepared for the worst of the worst. But absolutely. And I've spoken with Mr. Imboden a few times in the past about this, you know, help me just give me comfort. You know, I lose my wells, I lose this. What can I do? And there are ways that we can work with partners. There are regional water supply plans and agreements in place. And so we have that capability. Is it easy? Is it cheap? No. But we you make it happen just like we do when our sewage plant gets close to overflowing. You call a bunch of people and you tank it out and you send it to Loudoun water. So we find ways to make sure that we still are able to serve the needs of our customers.

Bridge Littleton: Okay. We'll go to the next public hearing item, which is the FY 26 budget. I know we've had 632 meetings on the budget already.

Danny Davis: Yes, that's right.

Bridge Littleton: Danny, if you want to give a quick two minutes.

Danny Davis: Sure. Briefly I will say thank you to council for your time on this and for the review, I will note that we have received most of our meals, taxes from April sales. And it was actually a very good month, which is a trend in the

correct direction away from the way that February and March were looking. If we were to take January through April and totality combined together. Excuse me. We those months are 3% above last year, whereas for a brief period of time, we looked like we were going to be 5 to 10% below. So April was a very, very strong month compared to fiscal 24. So that's good news. However, you know, it doesn't change any of where we stand with.

Bridge Littleton: Real quickly. It was 3% above this April from before.

Danny Davis: April was 21% as a as a as a month. [multiple speakers] Yeah brought the whole thing up, which is yeah very good. But considering where things are, I don't plan to change anything right now in the budget. We'll just keep tracking it. We'll keep updating you as Fletcher will keep the reports coming to you, and you'll see that month by month and hopefully Mr. Leonard-Morgan's green Line will bounce back above the blue line. Let's go. So that's kind of the latest information that we have on the budget for now. But as it stands by state code council holds a public hearing. You cannot vote on the budget this evening. And our proposal is that you would adopt the appropriations ordinance at your next meeting.

Bridge Littleton: Any questions for Danny on the budget item? All right. We will open the public hearing on the FY 26 budget. Anybody wishes to address council, they may do so. Okay. We will close the public hearing. Any other discussion from council? Okay. The next one is the ordinance to amend the schedule for water and wastewater usage charges. Danny, if you want to give a quick, quick overview.

Danny Davis: Yeah. Thank you, Mr. Mayor. Again, briefly, the proposal is for 3% increases in water and sewer fees as we've discussed in the budget discussions and also with our rate consultant. We have put on kind of a pause or figure this out for next meeting or next, excuse me, next budget year, the idea of changing the rate structure. We'll talk about that in future months and leading up to the next year's budget. But the mayor had asked for just a little bit of a description to remind ourselves and also remind the public of why our water costs might be a little bit higher than other towns around us. Number one, we're a very small system. Number two, we purposefully keep it a very small system. Number three, we don't extend our utilities outside of our system. Many other towns outside of our town boundaries. Excuse me, many other towns can help subsidize their in-town rates because they serve customers outside of the town limits and actually have a significant surcharge on those rates. The, the town's policy and purposeful decision has been to limit its water and sewer users to in-town customers. And that limits the potential of development higher density development on the edges of town. So many different factors that go into why our system is higher in rates than other systems around us. But if you have any questions about the information in there, happy to answer it. But it's probably helpful for you as well as for your neighbors and the members of the public, just to have a little bit more of that context of what we deal with here in a small system such as ours. Other than that, the ordinance is ready. You can adopt this this evening if you wish, but no requirement to, you can also choose to adopt this at the next council meeting, if you like.

Bridge Littleton: Any questions of Danny before I open the public hearing? Okay. We will open the public hearing on the water and wastewater rate charges. Okay. We will close the public hearing. Does anybody have any questions for Danny or any reason why we wouldn't want to adopt the ordinance tonight? Okay. If someone would like to read the motion for it. All right, Kevin, you're up.

J Kevin Daly: I move that the town council adopt an ordinance to amend the schedule of water and wastewater, user fees and charges effective July 1st, 2025.

Cindy Pearson: Second.

Bridge Littleton: Any discussion? Rhonda, will you call the roll?

Rhonda North: Vice Mayor Bernard.

Chris Bernard: Aye.

Rhonda North: Council member Curran.

Pam Curran: Aye.

Rhonda North: Council member Daly.

J Kevin Daly: Aye.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Rhonda North: Council member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council member Leonard-Morgan.

Peter Leonard-Morgan: Aye.

Rhonda North: Council member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay. Thank you. And the last one here we have is the public hearing and invitation to bid on a non-exclusive franchise use of public rights of way for telecommunication facilities. Danny, you want to give a quick overview?

Danny Davis: Yes, sir. Thank you, Mr. Mayor. Very quickly you may recall those who were on council five years ago that you saw a similar franchise agreement from Segra Lumos Networks for placing fiber optic in our rights of way. And that franchise agreement expired maybe last week, but will continue until renewed. And so we've been having discussions with the representatives of Segra about updating the franchise agreement that that is currently in place, and they have an interest of continuing to serve customers in town, specifically, they serve the school system in Loudoun County government facilities with fiber that connects all of their buildings across the entire county. As noted in the memo here their proposal would eliminate the \$16,000 per year conduit fee. But in its place would offer services to the town that would allow us to have dedicated fiber service here at the town hall that would then serve as our primary internet and allowing us to use Comcast as a backup or secondary internet service. There are also a few other terms here noted out. This is a public hearing because it is a use of right of way. Others can provide bids or other proposals if they wish. There's no expectation of adopting this tonight because we want to hear any input from the town council. But at the end of the day, we do encourage you to consider taking action at your next meeting as well on this topic.

Bridge Littleton: Okay. Any questions for Danny before I open the public hearing? Bud.

Bud Jacobs: Danny, am I correct in reading this your memo actually describing the agreement as opening the door to other internet service providers to residential customers?

Danny Davis: To a degree, yes, sir. And that's one of the conversations unfortunately, our calendars did not sync with representatives from Segra prior to this meeting. But one of the items the mayor had brought forward was whether this fiber could be used as a backbone or the back end for residential users. Segra itself does not provide residential services, but they could wholesale their fiber to an ISP that services this area whether through their ownership company, which is Cox, or whether through a local ISP that is in the western Loudoun County region. So that is the idea. It would not force them to do it, but it would say if a ISP came to them and said, we'd like to work together, that our, our goal would be that we find ways to, to partner firms together and make additional options available to our residents.

Bud Jacobs: I this is just my own particular interest, but I would very much like to see some competition in this domain.

Bridge Littleton: Yeah. So no, it's a great point. And I think when we finally got our draft franchise agreement from Comcast. So I think there's a conversation. They literally said it this afternoon. So I think there's a potential conversation there. But to go back to them as well. Okay. Any other questions for Danny? Okay. Is there anybody in the room who would like to also provide a bid? We now allow them to do so. Invite them to bid, I should say. Okay with that, we will open the public hearing. Anybody wishing to speak on this item may now do so. Okay. Okay. We will close the public hearing. Danny, if I have this right, no action needed tonight, right?

Danny Davis: That's correct.

Bridge Littleton: Okay, so I think, you know, let's definitely get together tomorrow or not Monday or Tuesday about the other franchise agreement. And, you know, to Bud's point, we can follow up on that and find, you know, see if we can get an ISP to partner with Segra. Okay. Was that it? That was it. Now it's time for public presentations Annual report from the HDRC [off mic]. With bated breath.

Chris Bernard: [off mic]

Tim Clites: Thank you. I was going to report how many gallon uses when a 26 year old is in but I thought I'd better not. Thank goodness we don't live in town we couldn't afford. No, I'm just kidding. Actually, we'd love to move back, but Historic district review committee update. I guess this is just our annual. I think you all have a copy of this. I would say not much new to report in terms of any needs, suggested changes or developed goals. But one of the things we thought we should look at in this current year is the membership number of people and whether that's appropriate or if we should build some more flexibility into the number of people that are required versus available to meet. We don't currently have a problem there but it seems like looking at that while we don't have a problem, is the right time to look at it. Looking at the short term goals. I think last year we mentioned this as well, and that was the possibility of at least considering the entrance corridors and some kind of an overlay. And I think recent discussion with Mr. Moore suggested that really there's only maybe two, there's five entrances into town, but there's two primary from the east and from the west. And I know you've all spent, along with the Planning Commission, a lot of time looking at the neighborhood from a zoning perspective. And that's an example of a neighborhood that abuts the entrance corridor. And so maybe some, some suggestions about ways to add some oversight just to the main street coming in from the east. Most of the town is in the current historic district. A few properties at the extreme eastern part of the town. The other thing we thought to look at is developing some standards for historical markers or plaques, particularly on the buildings that are in town, just so that there's a recommendation to those building owners and a consistent kind of plaque, something that people could easily identify as they walk through town. And so we thought, it seems like a reasonably simple thing to do. There's a lot of historic towns and.

Bridge Littleton: Almost like they do in London when you walk around, says Sir Walter Raleigh was born here in 1580. Okay. Yeah.

Tim Clites: Right. Right. Right, right. There's a series of ways of doing it right? Exactly. So we thought maybe we should look at that. And then long term, there actually was some review of the historic district boundaries. I don't know, it seems like it was a couple of years ago, maybe during Covid. And then we put that on hold. And just looking at, you know, are there certain properties that for whatever reason, doesn't really make sense to have them part of the district and, and the boundaries kind of not arbitrary right now, but the way it sites interlock with the boundary makes some of them seem arbitrary. I won't get into some examples of that, but that's kind of a long term goal. And in terms of budget and resources, I don't think in the short term there's anything that we need. I would think, if we passed on to you all the entrance corridor overlay suggestions. At that point, we probably would also try to pull together some thoughts about some guidance there. I know when we did our redid our guidelines, we realized pretty quickly that there's experts that do this and could give us some good guidance, both us and then, of course, you all about how that might happen. So we'll start with first things first and look at that, make some recommendations. And then give you enough of a heads up that if that needs to get worked into the fiscal planning, you have what you need to do that. Otherwise, I think the committee perks right along just fine.

Sometimes we're kind of busy and it takes an hour. So I'm really grateful for you all because you've been here for over an hour, and you just got to me, right? Like it's. Any questions for me?

Bridge Littleton: Any questions?

Chris Bernard: I don't know if it's for you, but you're involved in it. It kind of is about the comprehensive plan. So maybe it's Danny, but as the as the planning commission goes through their comp plan review how do they interface with the other committees like HDRC, which might be a very important cog in that wheel, or [off mic] I don't know why I didn't go straight to you. I should have known.

Will Moore: Yeah it's okay. We're very early on in the process with the planning Commission. The idea is to have the commission itself do an initial review of each chapter as we go along. And if there are needs identified within that review to consult with others, we probably will do so. So when we get into the chapter dealing with our water resources, we may wish to consult with the utility committee when we get into a chapter about business economic development, we may wish to pull Ali in as the staff person or the Economic Development Advisory Committee if we identify the needs for some inputs there.

Chris Bernard: Okay I was just curious if they're thinking about their time for the next year or so. I didn't know if there would be a significant need for their attention, but it sounds like maybe not.

Tim Clites: Well, I think that's related to that. We did have a little discussion at the committee level, that's our five year cycle. And someone made the comment that maybe at least once a year, the Planning Commission and the historic district committee could try to find a way to either us come to one of their meetings or have them come to the joint meeting just to share notes, because we clearly look at some of the same issues from a slightly different vantage point. And it seems like we did that a few years ago, can't remember whether it was around a specific issue or just, you know, to have that opportunity to meet together. So I think that our committee would certainly be open to doing that if that worked.

Bridge Littleton: I think that's a great idea. You know, I mean, the Planning Commission response to the comp plan, the comp plan, which is what codifies all the policies and codifies HDRC and all that stuff. So I, I, I think it's a really good idea, you know, just once a year.

Tim Clites: And then the only other thing I would add, and I don't want to speak out of turn or on behalf of the committee, but when we read through some of the things that that the committee is responsible for, as the council has to interact around any issues that maybe aren't directly inside the historic district but do relate to particularly historic buildings or infrastructure, that there's something that you think our committee or members of our committee as a subcommittee could help with. And one thing that comes to mind is, for example, is Asbury Church. I think you should not feel uncomfortable to at least, you know, have staff bring that to us. And, and with, you know, anything that we can help with there. Because I know you all have plenty to do. And so yeah.

Bridge Littleton: All right. Add three meetings to the calendar. All right.

Tim Clites: Perfect.

Bridge Littleton: Yes.

Cindy Pearson: I just want to thank the members of HDRC for their dedication and expertise they bring to the committee. All the members together are a great combination of what's needed to make that committee run, other than me. And we're so fortunate to have such a great committee. And I just want to thank them.

Tim Clites: The only other thing I think we really should have is term limits for the chairman. So he has to, because the vice chair has been waiting all evening for that. You know.

Bridge Littleton: Let me put it this way. The moment you surpass Bill, you can step down.

Tim Clites: I don't think you want to see that. [off mic] No, thanks.

Bridge Littleton: I tried the quality and the and the and the sincerity and the and just the professionalism your all's work had you know how much it's gone up since.

Tim Clites: Degraded. So sorry. Yeah. Anyway.

Bridge Littleton: Well, thank you very much.

Tim Clites: You're welcome. Thank you.

Bridge Littleton: Appreciate it. Thank you. Okay. Next up is staff reports. Vince, what are you going to talk about?

Vince Gugliotta: Good evening. I think one thing I'd like to point out first is I updated the glossary in the back of the utility reports. If you see some, just maybe check that out now it's updated. Starting off with the water system treatment facilities, distribution system, maintain compliance with all required sampling. You can see both of our PA samples just below that line they both came back absent. Great. Water treatment plans with the town's water demand, with an average daily production rate of 127,000 gallons a day which equates to a total monthly finished volume of a little over 3.8 million. Just quite a bit of generic maintenance items you'll find in the report. I don't want to go over too many of those, but a couple to point out we collected a second round of PFAS samples from the three wells that are in service. Actually, I take that back, three water plants that are in service. I'm still waiting to get results back from that. But there was the leak over on Stonewall court that was repaired kind of later in the month of April. We found a lost valve that we were looking for during that leak. Fortunately, we didn't find it the day of but we found it now. Made it accessible. Let me switch over to the wastewater side real quick. Wastewater plant maintained compliance. They'll require the sampling. The plant met the town's discharge needs with about 103,000 gallons per day. With the total monthly discharge of a little over 3 million. Again, there's quite a bit of numerous maintenance items performed on the wastewater system, but a few very important ones to note is the CCTV project was started early in April. I think it's about done. I think Danny's gonna talk about that next. There was a generator or generator issue came up that got resolved quickly. A couple other things we had a, I think a very important maintenance item was getting the motor control center, the wastewater plant thoroughly looked through and checked. There's quite a bit of loose wire terminals and connections that were found and addressed. This is important because we suspect this issue probably burn up one of the VFD drives earlier in the year. I think the tail end of last year and just as simple as making sure screws are tight can prevent quite an expensive repair in the future. We made some more progress. Other parts of the wastewater plant. We were able to retrieve a lost what's called the nitrate recycle pump. We were able to remove that, get a nameplate information off of that. And we're working on sourcing a spare replacement pump. Another large maintenance item was we changed oil on multiple operational units mainly the blowers. I'd like to switch over now, if anyone has any questions or would like to discuss the transducer graphs you see in the back of the report. Yeah.

Peter Leonard-Morgan: Going back to the PFAS, is that a required testing? Is that like a specific time? You have to request that?

Vince Gugliotta: Not necessarily. I think it's more state of Virginia did actually EPA did initial testing or sampling last year. And now State of Virginia is doing their own kind of program. Mainly they're trying to get an idea like what where exactly is this stuff? How much of it, you know, how abundant is it in water systems throughout the state? Usually with that said, that's kind of the footsteps to, you know, setting regulations for it. You got you got to know, I guess, what you're dealing with first and then what's, what's an approachable limit to try to reach and try to treat, too. So I think we're still kind of in that infancy stage of it. Just trying to get more information.

Danny Davis: And also there's been some chatter about EPA rolling back certain of the limits on PFAS requirements. So we're continuing to keep an eye on that as well and see what that means, you know, across the board. So you know, a lot of information gathering at this point, I think is kind of where we are.

Bud Jacobs: Thanks for your briefing, Vince. It's always very helpful. In your memo, you note that the percentage of water billed to produced dropped significantly during the billing cycle. And it says that more information will be shared about this issue in the meeting. Can you walk us through that a little bit?

Vince Gugliotta: Sure. I want to take all the credit for that. A lot of that's town office you know, staff doing the billing software, getting those figures. But it is something we're looking at. I know I forget what the figures were. You mentioned the other day, Dan, but there was a large discrepancy. So we're trying to hunt down some leaks or suspected leaks and see where our unbilled, you know, water is going to.

Danny Davis: Yeah Mr. Jacobs, the number surprised me as it would surprise you by looking just at the chart here. And trying to figure out was there a maintenance project that I missed? Was there a heavy use of water that we weren't accounting for? So right now not... So main breaks do create a loss of water, and that's something that's sometimes hard to capture how much it could be. The one on Stonewall Court was fairly slow leaking from what I understand it, it leaked overnight, and then they fixed it the next morning. So, I mean, if anything, some sometimes you might see 50,000 gallons you know, 30 to 50,000. But this one's not a gusher, per se, it was a service line. But yeah, when we do have main breaks, we do try to capture that in this in, in, in that kind of other water that wasn't billed just so it makes the percentage more accurate. So we're going to we're going to try to dive into this a little bit more, because obviously this plays into the conversation we're having on other topics too. So is it a potential leak? Is there something else going on in the system or you know, numbers not matching up properly? Thank you.

Bridge Littleton: What's the data look like for [inaudible] so far? It's still like this.

Vince Gugliotta: As far as production from the water plants or meter reads?

Bridge Littleton: No, no. The water going out, or going out versus what the meters are reading. Yeah. I mean, you collect it, like, what, once every two weeks?

Vince Gugliotta: Oh, roughly. Yeah. We started collecting every once a week we're trying to read meters now.

Bridge Littleton: I mean, is that is that discrepancy still there? Which means, you know, it's still a large leak? Because we don't want to figure this out after the next billing cycle, which is weeks away.

Vince Gugliotta: Sure.

Danny Davis: So I'll get with Vince on that because two separate data points with two separate inputs. So we'd have to combine the well data pumping data with our weekly reads. So we'll talk about that. I don't have that information for you.

Vince Gugliotta: I just kind of answered on my end. Just a quick glance over the total numbers from the meters at the water plants. They do look fairly, you know, average and normal like we don't see another, you know, 40,000 gallons per day being produced. And I'm just throwing that number out. But they look fairly normal at the moment. Nothing concerning just yet.

Bridge Littleton: Yeah. No, I mean, like, don't get me wrong, we want to build it, but billing can wait. You know, if we've got a leak, that's what we want to find and stop. Sure. Real fast. Okay. All right. Thanks. Anybody have any other questions for Vince? Okay, Vince. Thank you.

Vince Gugliotta: All right.

Bridge Littleton: Welcome. All right. Next up is special projects updates.

Danny Davis: Thank you, Mr. Mayor. No significant updates on South Madison at this time. We are still refining on Asbury Church we're still working on refining contracts for your consideration for the A and E services and the construction management services. Miss North and the team continue to work really hard on the oral histories project.

And that's going very well. And again, kudos to her and to the team and thank you to Council Member Pearson, who's going to step in and help with some of that coordination while Miss North is on a well-deserved vacation. The sewer line inspection services are the first set of that is complete. I'm just awaiting for some information from the contractor, and then we'll look at trying to continue that and finish as much of the town as we can. And then no other updates for you now. So happy to answer any questions.

Bridge Littleton: Any questions for Daniel. All right. Next up is any reports of town committees? Pam.

Pam Curran: So the Arts Council met this week. Is it still the Arts Council Rhonda, I know we're in the process of changing the name, but I don't I don't know if it's official yet. No, it's not official. Okay. All right. So the Arts Council met, and they debriefed on Art in the Burg. And the traffic was it seemed to be nice. The vibe was nice. Less traffic. But the good news is we've gotten letters from the artists. They did much better compared to the prior years. Yeah. Really? Yeah. And, yeah. And they've really. [off mic] And they actually sent letters lifting up gratitude for the council but always worked to they thought it was done really well. So and they're working on Oktoberfest which is September 20th as we all know. So here we are.

Bridge Littleton: It's going to be here like that?

Pam Curran: Yes.

Bridge Littleton: Awesome. Yeah. No, they did a great job. I mean, it was a really nice day. Everything was done really, really well. I was really impressed. Peter.

Peter Leonard-Morgan: Just to mention the sustainability committee. Go green. We missed you here. That's not true. We had our annual retreat at Slater Run Vineyards, but in the room where there's no wine so don't worry about that. And you know, we sat down together to try and work out what future programs we can try and bring to council, and also to come to council to ask council again, you know, what do you need from us? And we were talking about the water conservation and Megan Gallagher was offering to take part. I think those sort of things are really what sustainability is all about. So we'd love to get stuck in with that. Thank you.

Bridge Littleton: Yes, Cindy.

Cindy Pearson: I'd like to thank Tim and whoever else helped with the planter boxes out around the building. If you've noticed, the color looks great. I'm glad Mother Nature has been helping with the watering so far, but Tim is on schedule to make sure they get watered and taken care of. And streetscape put forth a plan for that to use a local nursery, but we the we decided to let Tim do it instead of quite the cost that was going to be involved. So it's I think he's done a great job and thank you.

Bridge Littleton: And thank you. Any other one, any other council updates? All right. Oh. Go ahead.

Chris Bernard: Just a reminder to everyone that next Friday. Second annual Middleburg day. Pick 5 p.m., 5 to 9. Back here if you somehow didn't get an invitation, reach out to Ali. But be there. It's going to be awesome.

Bridge Littleton: Yeah. If you're from the community.

Chris Bernard: From the community and you're watching this get help.

Bridge Littleton: Any other discussion items? Alright. Next up is the consent agenda. Would anyone like the one item removed? All right. Is there a motion to approve the consent agenda?

Bud Jacobs: I move that we approve the consent agenda as presented.

Peter Leonard-Morgan: Second.

Bridge Littleton: Any discussion? All those in favor say aye.

Everyone: Aye.

Bridge Littleton: Opposed? Abstentions. Okay. Last item is a discussion item on amendment to the Town Code pertaining to special events. So who will be reviewing this one?

Danny Davis: I'll take it. Thank you, Mr. Mayor. And thank you to Miss North for her assistance in drafting this up, as well as we worked with Mr. Crim on this as you know, as we discussed the idea of the MOU with Christmas in Middleburg. The conversation came up about maybe there just needs to be a little bit of additional information that we ask of certain event organizers in town when they host large events in town. And as we went through the development of trying to separate what would be a small event and a large event, I started with a particular number and then said, that's still really big. And then said, well, another number said, that's still really big for our town of 700 people. So again, this is a framework of a conversation not asking for adoption or approval this evening. But the idea here would be that we define a small event which would then follow our current procedures as anything from 50 to 499 people. And that would be using, say, public spaces. So needing to close the street, using sidewalks things such as that. And that would go through the same process that we see today. So someone holds a 5K race or they come in and host one of the events that small events privately hosted that we see in town. Anything 500 people and above, whether it's also using public property or on private property, would have to go through a permit process. And that's a change, because right now, if it's on private property and you have 75 people come to your backyard, there's, you know, there's no permit and there still wouldn't be for that size, but this would implement the requirement that if you're hosting something larger on private property 500 people is the threshold. We chose that number because we're a small town and if you're going to be bringing in 500 people, there needs to be a plan for how you're handling public safety, traffic, parking, restrooms, all those normal things. And so again, we want it to be reasonable. We don't want it to be burdensome on, folks, but we also want to set in place a process where folks doing this are, are giving us an awareness and we can make sure they're planning properly. So there are a couple questions here. One is, is that the right threshold between a small event and a large event? And we can talk more about that. Another question that's not listed here is should there be an exemption for parcels in town that are over a certain size that might host an event more than 500 people because they have the infrastructure and the capabilities to do so don't necessarily need to come to us for approval at the resort. Right. If they have an event that has 700 people. Right. Hill School, right. Things like that. Should there be a carve out for that. The next question is, does Council want to review those large those permits and approve those when it is something like a Christmas in Middleburg, something like a larger event, or should that all come to me, there just needs to be reporting out to council. And that was one of the conversations we had the last meeting is we would ask them to come to council and say, here's our plan, here's what we're doing. You know, it's for the public, it's for the town council. The question is, do you want to retain that authority or leave that with me? I'm happy to keep it if you'd like me to keep that. And you don't want to, to have any part in that approval process. And then ultimately in speaking with Mr. Crim, we just want to make sure that when we bring this back for consideration and adoption that we are laying out the why behind this, the why for public safety, protection of our community proper planning and ultimately the health, safety and welfare of both our residents and our visitors. So the proposed ordinances in front of you. Happy to walk through any more details you like, but essentially happy to answer any questions. As laid out in the memo.

Bridge Littleton: Questions for Danny?

Cindy Pearson: I was thinking maybe only bring new events to the council for approval. And you continue to do what you're doing to date and when because that will mean, like the community center, the sporting library will be coming to you for certain permits for over 500 because they do have some, but occasionally, not often. But so you need to communicate the reason we are doing that with them not that we're throwing a new permit out there you know, for the safety, for everything that you just said a few minutes ago. So there would be reason.

Bridge Littleton: My only concern with that is if they get approval for an event and they decide a couple of years to really grow it. Same event, same name, same title, same everything. But they're going to go from 200 people to 600.

Cindy Pearson: Gotcha.

Bridge Littleton: So I mean, you know, it's or, you know, something around that threshold or they want to make it longer.

Cindy Pearson: Or so maybe you could say bring new events and those that have changed back to us.

Bridge Littleton: Yeah.

Chris Bernard: Substantial changes or something. As long as it's basically the same thing you can bring it back.

Bridge Littleton: Yeah. So the. Yeah. No I do the other, the other part that starts to become becoming complex with that is as we have more and more events. Right. Do we have to start saying no? Right. So how do you treat somebody who's got a really great idea? But now they can't go adopt it because there was the four person event from 30 years ago that still has the and I'm not trying to pit people against each other, but it's almost sort of like, you know, it's the real time situation at the time when you're looking at all the individual factors.

Chris Bernard: So is there something to where, you know, these very large events have something in here where they need to come in and they need to, you know, give us some kind of presentation about what's going on and everything. Are we okay with leaving the actual authority to approve with the town manager? But after hearing their input, I mean, we can give direction to the town. I mean, I don't know. Is that enough?

Peter Leonard-Morgan: So that was the first thing I thought about is I think with a larger event, I don't see why the council should still not have that oversight authority. No disrespect to you or to your successor or whoever it might be because it could be a slippery slope. I think we need to just, I would say maintain some control over that. And I'm talking about the larger events.

Bridge Littleton: So you're talking about the ones that are over 500? Yeah. Yeah. And so anything that's 500 or below is standard. Yeah. No, I get it. It's. Yeah. Yeah, exactly.

Chris Bernard: [off mic]

Danny Davis: And I could be completely off base, but I'm not sure there are any events, even at NSLM or the community center that would have 500 people or more. Even the concert nights or a few hundred people. So really, the only events I can think of would be the ones we sponsored, Christmas and Middleburg, and then family reunion. Even, well, film festival. I'm not sure you have 500 people in one place at one time. Right. They're spread out. They're spread over a number of days. Right. And it's different having.

Bridge Littleton: You does your ordinance delineate that.

Danny Davis: It was intended to be in one place at one time. Because, you know, you spread it out over three days and four locations, right.

Bridge Littleton: Well, no I got it. But I mean, here's the here's the challenge. Right? Okay. There's 400 people at the community center for a meeting or for a movie at the same time, there's 400 people at the middle school. At the same time, there's 400 people that are at the resort for a show, right? They're all in different locations, but it's all going on in town at the same time. That is a policing safety, you know, public safety. But that's 1,200 people in town.

Danny Davis: In that scenario yes. That's not how many people they have. But yes.

Bridge Littleton: But you know, who knows what it could be, right? Or I'm just thinking of other events.

Chris Bernard: So in that case, they would have to they would have to apply for three small events.

Danny Davis: Or if they're closing public roads or sidewalks under 500 if it's on private property. Yeah. They don't. So for instance, I mean, film festival doesn't have to get a permit today. Family reunion doesn't have to get a permit today. Right.

Bridge Littleton: Okay. Just something to think about.

Danny Davis: Yeah absolutely.

Bridge Littleton: Any other questions? Okay. And again, this is this is a work in progress, right?

Danny Davis: It is, it is. And I think part of this is making sure that we have something in place so that when we want to ensure that people hosting large events of this nature have the capability to implement and execute that event for safety purposes.

Bridge Littleton: So how do we manage this? There is just we get to a point where there is a the level of events is to the, to the to such that people are just tired. Nothing wrong with it. You know, they're going to do all the policing stuff. They're going to file all the permits, they're going to whatever. But we're now at 27 events in town and we're just tired, you know, or the community says it's we've gotten to be too much. Does this give us the right to tell them no, even though they would comply with all the requirements.

Danny Davis: I would need to defer to Mr. Crim on our abilities there under that particular scenario, because I think there's the permitting side of it. There's the conversation with organizers side of it as well. Right?

Bridge Littleton: Well, and there's just the legal side because people have a well, it's all private land. It's not a public gathering, but I yeah, I mean, it's a legal question. I don't know if anybody else got that same concern. You know, we we've all heard it from neighbors and residents in town that sometimes the town gets too crowded and it gets a little tiring. I don't think we're there yet, but we could, you know we certainly always have more events. So maybe just a bigger question. And there's a legal element to it that Martin has to opine on. And then if we could legally do that, do we want to have something like that? And again, it's a thought for the future. So okay. Any other questions or feedback? Anybody have any other information items?

Pam Curran: Great farmers market Saturday.

Bridge Littleton: Last week or this coming.

Pam Curran: Coming.

Bridge Littleton: Okay.

Chris Bernard: Bring your friends back.

Bridge Littleton: You hear that Bud? That's right. But you do have big bags of money.

Chris Bernard: Yeah, yeah.

Bridge Littleton: Actually, you can give me the money. Don't worry. I'll spend it wisely. All right. With that, there's nothing else. Meeting is adjourned. Thanks, everybody.