MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, May 28, 2026

PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
Councilmember Pamela Curran
Councilmember Deborah Scott Gallagher
Councilmember Chris Hersh
Councilmember C. Darlene Kirk (arrived late)
Councilmember Cindy C. Pearson

STAFF: Danny Davis, Town Manager
Bryan Foster, Acting 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, Finance Director

ABSENT: Vice Mayor Chris W. Bernard
Councilmember J. Kevin Daly

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, May 28, 2026 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 Comments

Treavor Lord, Headmaster of The Hill School, advised that he received an email from Jane Covington asking what he thought about the possibility of installing a crosswalk on West Federal Street at its intersection with South Pendleton Street. He noted that The Hill School had many faculty, staff and students who crossed that intersection daily, including himself, and opined that a crosswalk would be a helpful safety improvement. Mr. Lord further opined that in addition to The Hill School, the town would benefit, as there were a lot of tourists who walked their campus, which they were welcome to do. He noted that a crosswalk would also support special events, such as Christmas in Middleburg and Art in the Burg, as people parked on their property and walked into town. Mr. Lord reiterated that a crosswalk would be helpful and opined that this was a safety issue to which the Council needed to give serious consideration.

Chip Dicks, of Gentry Locke, a Richmond law firm, appeared before Council representing Salamander. He reminded Council that he appeared before them during their last meeting to ask for several things. Mr. Dicks noted that he urged the Council to not vote on the tiered water and sewer rate proposal at that time and acknowledged that it was on this meeting's agenda. He noted that as explained by the Town Manager during past meetings, the Town was looking at no fiscal impact on the budget regardless of whether it adopted the tiered rate proposal. Mr. Dicks reminded Council that he also asked that the Town and Salamander work together, along with other business owners, to see if they could find common ground on the utility rate structure. He opined that the Town and Salamander should be partners and not adverse parties with each other. Mr. Dicks acknowledged the Town Manager's report and justification for the tiered rate proposal, including that other towns have one. He noted, however, that other towns did not have a 2005 Memorandum of Understanding (MOU), which was binding. Mr. Dicks advised that with all due respect to the Town Attorney, he disagreed with him on whether the MOU was an agreement to agree or a binding contract. He opined that for more than twenty years, the County, Town and Salamander had been bound by the uniformity rate provision in the 2005 MOU and suggested this had not changed. Mr. Dicks opined that during the closed session that was scheduled for this meeting, the Town Attorney would describe the

memorandum that he (Mr. Dicks) submitted to him and advised that the last thing Salamander wanted was a disagreement between the Town and the resort. He requested the Council not vote on the ordinance and allow the Town, Salamander and other business owners and high-volume users to work together over the next year to see if they could find a common ground.

Special Recognition by Mayor & Council

Council Approval – Resolution of Appreciation – Danny Davis

Mayor Littleton noted that Town Manager Davis had accepted a position with Loudoun County. He described the hiring process when Mr. Davis was first hired and advised that there was an instant connection between him and the Council. Mr. Littleton advised Mr. Davis that he had been a Godsend to the Town. He noted that he upped the level of the game and brought the staff together. Mr. Littleton advised that his commitment to the community was second to none. He expressed appreciation that Mr. Davis looked at people as individual human beings and wanted to do his best for them. Mr. Littleton noted that he thought about those who had the least, not the most. He advised that it had been a joy and privilege to work closely with him. Mr. Littleton noted that while the Town was losing a Town Manager, he had gained a close friend. He thanked Mr. Davis for all he had done and noted that he was amazing.

(Councilmember Kirk arrived at the meeting at 6:17 p.m.)

Councilmember Pearson noted that the Council and staff held a gathering last week for Mr. Davis. She expressed appreciation for him and advised that she looked forward to hearing about the good things he would do at Loudoun County.

Mayor Littleton read the resolution of appreciation aloud. Following its adoption by the Council, he presented a framed copy to Mr. Davis.

Councilmember Curran moved, seconded by Councilmember Gallagher, that Council adopt a Resolution of Appreciation for Daniel "Danny" Davis for his service to the Town of Middleburg from October 25, 2018 through July 1, 2026 as Middleburg's Town Manager.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmembers Bernard and Daly
(Mayor Littleton only votes in the case of a tie.)

Town Manager Davis noted how much he loved Middleburg and expressed appreciation for the opportunity to work here and with the Council. He thanked his family for their support and noted that they were the strength behind what he did. Mr. Davis advised that the Council was wonderful and a pleasure to work with. He noted that they were kind to each other even when they did not agree, which meant a lot in a small town. Mr. Davis advised that he would tell anyone that Middleburg was a great place to work because it had a great Council that was encouraging and supportive. He thanked Deputy Town Manager Moore, Town Clerk North, Chief Jones, and Finance Director Fletcher, as well as the entire team, and noted that they were phenomenal. Mr. Davis advised that they were the people on the front line who got the work done. He expressed appreciation for the way the team had been able to work together and bond to accomplish a lot. Mr. Davis reiterated that Middleburg had a great team. He noted that the community was fantastic and recognized all the volunteers who gave back, which made Middleburg so special. Mr. Davis advised that it had been a true privilege to work here and thanked the Council for giving him the chance to gain greater experience so he could take it and hopefully succeed in his next role. He noted that he looked forward to being an advocate for Western Loudoun and the towns in that new role. Mr. Davis opined that Loudoun County was a special place and the towns were a key part of it. He reiterated his appreciation for having the opportunity to work with everyone.

Staff Reports

April Utilities Report

Vince Gugliotta, of Inboden Environmental Services, reported that the water system saw an average daily production of 123,000 gallons of water, for a monthly finished volume of 3.8 million gallons. He noted that this was equal to the volume treated at this same time last year. Mr. Gugliotta reported that the wastewater system had an average daily discharge of 84,000 gallons, for a total monthly volume of 2.5 million gallons. He reviewed some highlights of the wastewater system operations over the last month, which included the repair and reinstallation of a reuse system pump; the identification of issues with the control cabinets, which would be addressed later; the replacement of a leaking chlorine injection port; updates to the SCADA (supervisory control and data acquisition) system; and, repairs to a manhole that was damaged during snow removal. Mr. Gugliotta also reviewed some highlights of the water system operations, which included the repair of a service lateral leak by a resident; continued improvements to the Well 4 treatment plant; and other maintenance issues, such as meter replacements.

Mr. Gugliotta displayed a Department of Environmental Quality map showing the drought updates. He noted that Middleburg was finally seeing some rainfall; however, it had not improved the groundwater yet. Mr. Gugliotta opined that it would take some time before that happened. He displayed the transducer graphs for the Town's wells and noted that Well 4 was sitting at a water depth of 203 feet, which was a 36-foot reduction since last month. Mr. Gugliotta advised, however, that this was higher than it was compared to this time last year. He noted that Well 3 was not being operated; therefore, it exhibited no change in water level and was sitting at a depth of 280 feet, which was a reduction of 13 feet since last month. Mr. Gugliotta reported that Well P continued to decline and advised that it was 21 feet lower than this time last month. He reported that all the wells had a fairly healthy static water level and advised that this was something he was keeping a close eye on because of the extended drought. Mr. Gugliotta displayed a graph that combined the graphs of the three individual wells. In response to an inquiry from the Council, he advised that the changes that occurred during the same time periods for the last two years could be attributed to the wells being turned off to force them to recover or the plant being turned off for maintenance. Mr. Gugliotta explained that in such cases, he had to run the plant twice as long the following days to replenish the tanks, which was why the spikes occurred. He noted that a large special event with a high-water demand could also cause the plants to be run longer.

Special Projects Report

Town Manager Davis reported that the staff was still coordinating the potential removal of large stones on South Madison Street and advised that they were waiting on the party who would take those over. He noted that Deputy Town Manager Moore and Acting Town Manager Foster would ensure this was coordinated properly, especially as it related to summer and business activities.

Town Manager Davis reported that the Asbury Church Fundraising Committee met and noted that Town Clerk North would provide an update on the project in the future. He reported that she drafted the application for the Virginia Department of Historic Resources BIPOC grant and advised that it was well written. Mr. Davis opined that it would be finalized in a week or so. He noted that the Town was receiving three letters of recommendation to include with the application and advised that the Virginia Piedmont Heritage Area Association's was compelling and identified the importance of the Asbury Church to the community and region. Mr. Davis expressed appreciation for their support. He expressed hope that the Town would be successful with the grant application, which would make a huge difference in the Town's ability to proceed with the project. Mr. Davis reported that the Town was continuing with the restoration design and noted that the Asbury Church Project Committee held a 50% design plan meeting last week and was happy with how it was progressing. He advised that the 100% construction plans would be available in July; therefore, this project was on track.

Town Manager Davis reported that the staff continued to coordinate with the sewer line contractor and advised that the goal was to begin work on June 22nd, after school and the major horse events had ended. He noted that there would be impacts on West Washington Street and advised that flaggers and traffic control would be in place. Mr. Davis reported that once completed, the contractor would begin work on Pendleton Street, which was anticipated to occur after the Fourth of July. He noted that there would be communications with the public before the work began.

Town Manager Davis noted the major enhancements that had occurred on East Washington Street due to the removal of a tree and the placement of flexi-pave or brick where appropriate. He advised that the staff was continuing to identify small areas where additional sidewalk repairs were needed and would repair them to address any tripping hazards.

Mayor Littleton opined that the Asbury Church Fundraising Committee meeting held earlier in the week was great. He further opined that Town Clerk North did a great job of pulling it together, issuing the RFP for fundraising services and getting good responses. Mr. Littleton advised that they had a great path forward for the restoration of the church.

Closed Session

Councilmember Pearson moved, seconded by Councilmember Hersh, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for consultation with legal counsel employed by the public body regarding the proposed water and sewer rate structure, as allowed under Subsection (A)(8). Councilmember Pearson further moved, seconded by Councilmember Hersh, that Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmembers Bernard and Daly
(Mayor Littleton only votes in the case of a tie.)

Mayor Littleton asked that Council certify that, in the closed session just concluded, to the best of each member's knowledge nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in the motion, which each member so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

Action Items

Council Approval – Adoption of FY '27 Appropriations Ordinance

Town Manager Davis expressed appreciation for the Council's hard work on the budget. He noted that they held numerous discussions on the different aspects of the Town's operations, capital program, fiscal reserves, and long-term planning. Mr. Davis advised that the budget and appropriations ordinance were ready for adoption. He opined that the budget would set the Town up for great success in the future.

Councilmember Hersh moved, seconded by Councilmember Curran, that the Council adopt AN ORDINANCE TO APPROVE THE BUDGET, AFFIRM TAX RATES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2027.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmember Bernard and Daly
(Mayor Littleton only votes in the case of a tie.) (by roll call vote)

Council Approval – Ordinance Amending Schedule of Water & Wastewater User Fee Rates Structure and Charges

Town Manager Davis reminded Council that this was a holdover from last year's budget discussions when a tiered rate structure was first brought forward for potential consideration by the Council. He explained that the proposal before them was to move from a flat rate structure to a tiered one that would provide for increased rates the more water was used above

a certain threshold. Mr. Davis noted that there were a few key reasons for this, including encouraging conservation. He further noted that higher users who had high and variable demands required a greater investment by the Town for operations and maintenance and opined that the infrastructure required to support it was for a higher level than for those who were low volume users. Mr. Davis explained that the tiered rate structure appropriately allocated the charges for those who had a higher demand over a certain threshold. He noted the need to maintain proper standards for all users and reiterated that greater investments were needed for high volume users. Mr. Davis advised that low volume users may be subsidizing higher volume ones in a flat rate structure. He noted that a tiered rate structure was fairly standard and had been implemented in other towns in Loudoun County. Mr. Davis explained that the proposal before the Council would lower the minimum bill and usage rates for under 10,000 gallons, with users who consumed more than 10,000 gallons paying a higher rate. He stressed that it was important to note that this was for any user, not just those who the Council may have heard from during the public comment periods. Mr. Davis advised that the rates would be applied consistently and fairly across the board. He noted that the ordinance was being presented to the Council for their consideration.

Mayor Littleton opined that it was important to remember how the Town got to where it was and noted that the Council had been working on a water and sewer rate structure for over a year. He further noted the studies conducted by the Town's water rate consultants. Mr. Littleton acknowledged Town Manager Davis's comments about high volume users and noted that those with industrial-sized needs put a much greater demand on the town in the form of larger infrastructure and storage. He opined that what was proposed was a typical way to allow for everyone to pay their proportional share of the strain on the system. Mr. Littleton noted that the Strategic Finance Committee held meetings, which were public, to discuss the rate structures and information provided by the rate consultants. He reiterated that the Council had discussed it for over a year. Mr. Littleton expressed appreciation for the offer to have further discussions with the Council to work this out; however, he advised that he did not know what that meant. He reiterated that the Town had put a lot of time and energy into the analysis to see what fit right and best for the town and opined that the Council wanted to move forward with it. Mr. Littleton suggested that any user could propose a different rate structure or alternative approach for next year. He noted, however, that it needed to be for everyone, not just the highest users. Mr. Littleton advised that the Council heard from residents who were struggling the most about the water rates and noted that Middleburg's were the highest in Loudoun County with respect to individual residential users. He further noted the need to respect their position in the utility system as well. Mr. Littleton acknowledged Town Manager Davis's point about the cost of infrastructure being higher when there was an industrial-sized need as opposed to just being a residential town.

Councilmember Hersh moved, seconded by Councilmember Kirk, that Council adopt AN ORDINANCE TO AMEND THE SCHEDULE OF WATER AND WASTEWATER USER FEES AND CHARGES EFFECTIVE JULY 1, 2026.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmember Bernard and Daly
(Mayor Littleton only votes in the case of a tie.) (by roll call vote)

Council Approval – Amendments to Town Code Section 3-5 Pertaining to Council Meeting Minutes

Town Clerk North advised Council that she and the Mayor held discussions about amending the Town Code to allow the Town Clerk only to sign the Council meeting minutes once they were approved, as opposed to being signed by the Mayor and Town Clerk. She noted that as she began to draft the ordinance, she realized it included language that needed to be modernized; therefore, she also proposed some housekeeping changes to bring the language up to date.

Mayor Littleton opined that this system would be more efficient.

Councilmember Pearson moved, seconded by Councilmember Hersh, that Council adopt AN ORDINANCE TO AMEND TOWN CODE SECTION 3-5 PERTAINING TO COUNCIL MEETING MINUTES; APPROVAL OF MINUTES.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmember Bernard and Daly
(Mayor Littleton only votes in the case of a tie.)

Council Approval – Digital Accessibility of Town's Information & Communications Technology/Acquisition of DocAccess Solution

Town Clerk North reminded Council that as the Digital Accessibility Coordinator for the Town, she had been working to bring Middleburg's digital communications in line with the requirements in the recent U.S. Justice Department ruling related to the ADA, as well as the State Code requirements related to VITTA. She noted that she was currently focusing on bringing the Town's website into compliance and explained that the reason for this was that the Town received a free refresh of the website every four years and noted that this refresh would begin at the end of the year. Ms. North further explained that she wanted the current website to be fully compliant when it as ported over to the new one that would be launched in the Spring, which would make it compliant before the Justice Department's deadline, and would avoid additional costs for the Town. She advised that one of the things that was needed to make the website compliant was to make sure any documents posted on it were converted over into an HTML format. Ms. North noted that she spoke with Loudoun County's Digital Accessibility Coordinator and the Town's website provider, and both recommended the Town procure DocAccess, which was software that would handle that conversion. She advised that if approved, CivicPlus, the Town's website provider, would implement the software and convert all existing documents to an HTML format, after which any added documents would automatically convert to the HTML format. Ms. North recommended the Town procure DocAccess and advised that the implementation cost would be $1,500 and the annual cost would be $3,159.

Mayor Littleton noted that his sister was dealing with the same issues at Virginia Tech.

Town Clerk North advised that she would also bring forth a contract with Swagit to add closed captioning to the meeting videos in the next couple of months. She noted the need to address this in small pieces. In response to an inquiry from the Council, Ms. North advised that she had not seen any grants that were available to assist with the costs. She opined that the Justice Department was getting some pushback because it moved the date for small communities to comply from April 2027 to April 2028; although, the State Code requirements were already in place. Ms. North suggested the Town address this now so it could be included in the free website refresh. She reiterated that she was not aware of any funding to assist and opined that it was another unfunded government mandate.

Councilmember Hersh moved, seconded by Councilmember Kirk, that Council authorize the Town staff to amend the contract with CivicPlus to add the DocAccess module to the Town's website, said implementation fee to be $1,500 and at an annual cost of $3,159.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmember Bernard and Daly
(Mayor Littleton only votes in the case of a tie.) (by roll call vote)

Discussion Items

Water Drought Status

Town Manager Davis expressed appreciation for the four inches of rain received over the past week and noted that it had made a difference. He advised that the National Integrated Drought Information System had moved all of Loudoun County out of the severe drought category and into the moderate drought one. Mr. Davis noted that 36% of the Commonwealth

was still in extreme drought conditions, which was pretty serious. He acknowledged Mr. Gugliotta's earlier report that the DEQ metrics were showing slight improvements; however, he noted that all but two of the regions were still showing an emergency level for groundwater. Mr. Davis advised that groundwater continued to be a serious issue for Middleburg and the Commonwealth. He noted that the staff would continue to watch the well levels closely and would be very cautious about regular maintenance items. Mr. Davis reminded Council that the water lines had not been flushed in three years. He noted that a project at the Stonewall Water Tower was planned for the next month or so, which would require the draining of the tank, and advised that if the Town started to see challenges, it would be paused quickly. Mr. Davis reminded Council that the challenge for Middleburg was not just the daily provision of water but was also being able to maintain the system to the standards it held itself to. He reported that the well levels were still holding steady enough to not require any conservation measures at this time. Mr. Davis recommended the Town continue to monitor the situation for now.

Councilmember Hersh thanked Town Manager Davis for getting the drought information on the Town's website.

Information Items

Flower Beds at Town Entry Sign

Councilmember Pearson recognized the Streetscape Committee for their hard work in installing a flower bed at the entrance sign on the west end of town. She noted that it was only partially done and that work would continue on it. Ms. Pearson advised that she was unsure as to when work would begin on the flower bed at the entrance sign on the east end of town.

Middleburg Day

Mayor Littleton reminded those present and those watching remotely of Middleburg Day on May 29th at the Town Hall.

Closed Session

Councilmember Pearson moved, seconded by Councilmember Kirk, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for (1) consultation with legal counsel pertaining to actual litigation involving Salamander Farms LLC vs. the Town of Middleburg; and, (2) probable litigation involving the enforcement of zoning regulations involving a parking lot, both as allowed under Subsection (A)(7). Councilmember Pearson further moved, seconded by Councilmember Kirk, that Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Curran, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmembers Bernard and Daly
(Mayor Littleton only votes in the case of a tie.)

Mayor Littleton asked that Council certify that, in the closed session just concluded, to the best of each member's knowledge nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in the motion, which each member so did. He reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, Mayor Littleton declared the meeting adjourned at 7:48 p.m.

APPROVED:

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Rhonda S. North, MMC, Town Clerk

May 28, 2026 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: All right, we'll call the meeting to order. First item is Pledge of Allegiance.

All: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands. One nation under God, indivisible, with liberty and justice for all.

Bridge Littleton: Next item is roll call.

Deborah Gallagher: Thank you. Deborah Gallagher.

Chris Hersh: Chris Hersh.

Bridge Littleton: Bridge Littleton.

Cindy Pearson: Cindy Pearson.

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. If anybody would like to address the Town Council on any matter. I know we have people signed up, so you may do so. You have. Give us your name, address and you have three minutes. We will go to the signup sheet first.

Treavor Lord: Hi everyone. Good evening. For those of you whom I haven't met, I'm Trevor Lord. I'm the head of the Hill School. I live at 500 West Washington Street, Middleburg, Virginia, 20117. And I'm going to keep this to three minutes. I really only have four things I'd like to say. First is a thank you to Rhonda for squeezing me in at the very last minute. I will honor the three-minute directive. Now there are only three bullets remaining. Secondly this is about I got an email from Janie Covington just yesterday. So, this is a very last-minute thing where she asked what I thought about the possibility of putting a crosswalk in. Let me get this right across West Federal at South Pendleton. And I just want to say, as head of the school that we have many, many faculty, staff, and children who cross that intersection every day because at the end of it, right behind Joey Schneider's shop or at Joey Schneider's old shop behind the Millwork is the footbridge onto our campus. And many of us, including me, walk to school every day and walk to town during the day to run errands. And I think it would be a really helpful safety improvement to have ideally a crosswalk and a stop sign, but at least a crosswalk at that intersection. In addition to the Hill School community benefiting from that, I think the town would benefit. We have a lot of tourists during the week, as you all know. I hope our campus is open. We have 170 acres. A lot of people walk their dogs, picnic on the property. They're welcome to do that. And the best

access on the Hill School campus by foot is over that footbridge. As well as supporting certain town events such as the Christmas Parade. Art in the Burg when the vendors park on our property and then walk to town. So, for all those reasons, I hope the and I hope this is the right venue. As I said, this is last minute, but I just want to formally let you know that I think it would be helpful. I think it's a safety issue and I hope you will give it serious consideration. Thank you for your attention.

Bridge Littleton: Thank you. Rhonda, was there anybody else signed up?

Rhonda North: No, sir.

Bridge Littleton: Okay. Now it's open mic night. So, if anybody would like to address Council, you may do so. Approach the podium.

Chip Dicks: Mr. Mayor, Members of Council. My name is Chip Dicks and I'm here representing Salamander tonight. I'd like to pass out something, and I'll give it to the Police Chief, if that's okay. Thank you, thank you, sir. Like last time, if you could stop the clock on me until things get passed out, I'd appreciate it. So, Mr. Mayor, I appeared before you on the 14th of May, and at that time what I did is I asked for several different things. I indicated that the tiered rate proposal was something that I urged you not to vote on last meeting, and I understand it's on your agenda, and I've seen that this evening. Second thing is, as the Town Manager discussed last time and in previous meetings, you're looking at a no fiscal impact, a neutral budget, whether you adopt the tiered rate proposal or not. Third thing, last time I was here, I asked and requested that you allow the town and Salamander to work together, along with the other business owners, to see if we could find common ground on the utility rate structure. We believe that Salamander and the town should be partners and shouldn't be adverse parties with each other. We don't want that and hope you don't want that either. You're capable Town Manager has set out a number of different things on your agenda, and in his report tonight that explain the justification for the tiered rate proposal. So, I'm not going to go through that because Town Manager's already outlined that for you. Next thing is that the Town Manager pointed out that other towns have the tiered rate structure. They do, but they don't have the 2005 MOU, which is binding. And with all due respect and I respect your Town Attorney a great deal. He and I respectfully disagree on whether this is an agreement to agree and the 2005 MOU, or whether in fact it is a binding contract. For more than 20 years the three counterparties, the county, the town, and Salamander have been bound by the uniformity provision that's in the uniformity rate provision that's in the 2005 memorandum. And that hasn't changed. So, this is my only opportunity to speak to you before you go into closed session. I know on item 11, the Town Attorney will describe to you the memorandum that I submitted to him that explains in detail why this is not an agreement to agree and set out all the case law. The last thing we want is another disagreement between the Town and Salamander and the Resort. So, I would respectfully request that you not vote on the ordinance tonight for the tiered rate structure and that you allow the Town and Salamander and the other business owners and the high-volume users to work together over the next year and then see if we can't find common ground. Thank you for the opportunity.

Bridge Littleton: Thank you.

Chip Dicks: Yes, sir.

Bridge Littleton: Would anybody else wish to address Council? Going once, going twice. Okay. We'll close the public comment session and move on to special recognition, which I don't think any of us wants to actually do. [off mic] Yeah. I mean, it's you know, I spoke to Tim this morning and he's reconsidering the offer. [laughter] So as many of you are probably aware, unfortunately Danny Davis, who's been our Town Manager now for seven years, going on. Yeah, going on seven years. Seven and a half years has decided to besmirch our community, leave us in the dust, and head off for the big brick box that is Loudoun County. [laughter] And I

think you're going to be on the fifth floor, right? That's where all the action is. So, if you ever need anything, now you know who to call. Don't call us anymore. Call him. But Danny had. Well, let me back up. I'm just going to say a couple of things. I remember when we were doing the interview process to replace Oh, God. What was her name? Martha. Martha Sims. And we had hired a firm to do it, and they did a really nice job. They, you know, got lots of applications and they whittled it down and they did online interviews and, you know, then you can see the online interviews. We whittled those down to, you know, the top 4 or 5 that we wanted to interview, and you know, brought those folks in and Danny wasn't the last, but I think he was the second to last. And, you know, the first interviews were fine. They, you know, they were competent and knew what they're doing and know what they're talking about and whatever. And then Danny comes in, we have an interview, and it was more like a joking and laughing session. I mean, there was just an instant connection between the Council and Danny on a human level, right? I mean, everybody just got along and the interview. It wasn't an interview. It was actually a fun conversation. So, I knew in my mind, you know, right then and there, I was done. Even though we had one more interview to do and Danny left and we did the last interview, and then we all huddled in closed session to decide what we were going to do. And I can't remember who it was who said it, but it was like, you know, is there any discussion here? And yeah, and everybody was like, no, I think it's number three. And I mean, it was unanimous across the board, but we wanted to make sure that we gave the public perception that we had thoughtfully considered every candidate. So, we stayed in there and talked about it for another 20 minutes just in case. But no, Danny, you have been an absolute Godsend to this town. You came in and upped the level of the game. And what we've done here you know, bringing the staff together, bringing the team together getting this building, you know, getting us in this building. And just your commitment to the community is second to none. What I always appreciate about your character is that you look at people as individual human beings, and you want to do the best for them. And you think about those who have the least, not the most. And it's been an absolute joy and a privilege for me to be able to work with you very closely, even though you almost killed me twice at the Mille Miglia. But and I say this, you know, with all, you know, sincerity and you know, meaning you know, we might be losing a Town Manager. But I have gained a close friend, so I know we will always stay friends and we'll always stay connected. And again, thank you for everything you've done for us. You've been amazing. So open mic if anybody would like to add anything.

Cindy Pearson: We had a gathering this past week, last week.

Bridge Littleton: Two weeks.

Cindy Pearson: Two weeks ago, with Danny. It was the staff, employees, and us. And we kind of set our farewells then. So don't think we're sitting up here not saying anything. Couldn't do it again if I had to. [laughter] So I just want to, you know, let you know how much we have appreciated you being here. And we look forward to hearing really good things about what you're doing.

Bridge Littleton: And we look forward to getting what we want from the county. [laughter] Yeah. Yeah. Yeah. All right. So, we have a resolution of appreciation that I want to read for Danny. Now, you guys are going to have to bear with us. This isn't the normal one. It's a little bit bigger. Yeah. No. Yeah. So, and Rhonda, you know, very graciously printed it for me in larger font type so I can somewhat read it. And so here we go. Whereas Daniel, Danny C. Davis was appointed by the Mayor and Members of the Town Council as the Town Manager for the Town of Middleburg on October 25, 2018. It was 18. I thought it was 19. And whereas during his tenure, Mr. Davis was a catalyst for positive change and made significant lasting contributions to the Town of Middleburg and the greater Middleburg community. He was the driving force behind Middleburg's enhanced quality of life and improved civic vibrancy. And whereas from the first day of his employment, Mr. Davis began building positive and lasting relationships with the residents, businesses, and employees, ensuring the town was responsive to their needs and fostering their engagement in town events and activities. He represented

Town with distinction and integrity, treating the citizens, employees and customers with dignity, respect, and kindness. Whereas Mr. Davis elevated the Town's fiscal health through enhanced transparency and revenue and expenditure forecasting. He supported the establishment of the Middleburg Strategic Finance Committee, worked with the committee to develop rigorous financial policies and then align the town's fiscal excellence with these policies. Mr. Davis achieved exceptional results by more than doubling interest income through strategic reserve investments. He also established a strong, proactive Capital Improvement Program. And whereas, as a key economic development driver, Mr. Davis modernized the Town's promotional capacity by developing marketing and branding tools, engaging consulting services to assist the Town in marketing efforts and engaging with the Economic Development Advisory Committee to develop wayfinding signage and restructure the Town's tourism promotion efforts to focus on off-day tourism growth. He improved key relationships with Visit Loudoun, the Middleburg Business and Professional Association and other Town partners. Mr. Davis helped create new Town events, including the USA Mille Miglia Warm Up, Oktoberfest, Middleburg Day, and Burns Night. And whereas Mr. Davis was instrumental in sustaining Middleburg's businesses during the COVID pandemic, he implemented a multifaceted recovery plan that allowed businesses to continue to thrive despite the shutdown by establishing a restaurant gift certificate program that provided immediate income to the businesses and two go meals for the Town residents. This plan also provided crucial grants for outdoor dining infrastructure, such as dining tents, which assisted the restaurants in maintaining social distancing. Finally, the plan included a subsidized discount program to assist retailers with their digital sales. And whereas Mr. Davis focused on robust, future focused infrastructure, highlighted by replacing the aging Town office with a state-of-the-art Town Hall that will serve the Town of Middleburg's needs for the next 50 years. Some of the other key accomplishments included utility system upgrades protecting the Town's water source through regular meetings with the utility committee, projects that allow the Town to better understand its water resources and their water resources and their sources, and an update to the Town's water conservation ordinance, sanitary sewer system infiltration abatement, which included television sewer, televising sewer mains to identify issues and the replacement of the lines. The modernization and protection of the town's technology through new IT managed services and the procurement of new software. And the establishment of electric vehicle charging stations in multiple locations throughout the Town. And whereas Mr. Davis spearheaded reorganization of the Town's organizations, including strengthening the police department through the hiring of the current chief, the establishment of a promotional system for officers, the establishment of enhanced salary scales for officers, and the hiring of additional personnel. He created new positions in the Town, including the planner and utility billing specialist, and Mr. Davis upgraded key roles such as the Deputy Town Manager. And whereas Mr. Davis demonstrated exceptional leadership in enhancing Middleburg's vitality, safety, and governance. Some of this. Some of his key accomplishments include the establishment of the community focused Middleburg Charitable Foundation, which was supported financially through the sale of the health center building. Strengthening infrastructure and traffic safety through improvements at the intersection of Zulla Road and Route 50. Developing a plan for improving South Mason Street and helping secure state legislation allowing for reducing speed limits in the Town. He helped preserve the Town's local character by supporting the viability of the Middleburg Charter School, promoting the protection and preservation of Middleburg from SPRAWL. Assisting the development of zoning changes and the identification of options for affordable housing. Working to restore the Asbury Church for use as an interpretive site and by the community for small meetings. Mr. Davis also focused transparent communications with the town residents through enhanced newsletters, group meetings with residents and the use of the town's alert system. Whereas Mr. Davis is leaving the town's employee to accept a position with the County of Loudoun. And whereas Mr. Davis demonstrated extraordinary commitment, professional and personal dedication to the Town of Middleburg during his tenure and will be greatly missed by the residents, committee members, staff, and Council. And whereas the Middleburg Town Council deems it appropriate to express its earnest and heartfelt gratitude to Danny Davis for his exceptional service to the town over the past eight years. Now therefore, be it resolved that the Mayor and Members of the Town Council hereby recognize and express our sincere appreciation to Daniel Danny C Davis for his exemplary service to the Town of Middleburg from October 25,

2018, through July 1, 2026, as Middleburg Town Manager and express our profound thanks to him and hopes and hope for his continued success in life. [applause]

Danny Davis: That was just year one.

Bridge Littleton: Yeah. Yeah. After that one, I need a glass of water. Anyway, would someone like to make a motion on the resolution? Pam, go ahead.

Pam Curran: I move the Council, adopt a resolution of appreciation for Daniel Danny Davis for his service to the Town of Middleburg from October 25, 2018, through July 1, 2026, as Middleburg's Town [inaudible].

Deborah Gallagher: Aye.

Darlene Kirk: Second.

Deborah Gallagher: Oh, sorry. Yes.

Darlene Kirk: It's okay.

Bridge Littleton: All right. All those in favor, say aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Yeah. All right, Danny, again, thanks for everything. We are going to greatly miss you. Thank you. And we went to the extraordinary length of every Council Member signing it. Not just me. So here you go. Yeah, we'll go out front. So, I know Norm needs a picture. [off mic] Yeah, yeah. All right, there we go. All right.

Danny Davis: Thank you. Appreciate it.

Bridge Littleton: You bet.

Danny Davis: You want me to say anything or not?

Bridge Littleton: Absolutely. The mic is yours.

Danny Davis: Oh, you don't say that very often. You know, that's [off mic]. That's right. No. I think you all know how much I love this town. And I've greatly appreciated every opportunity to work here, to work with you all. Obviously, I thank my family for their support because they're the strength behind what I do. And I know my wife was here a couple of meetings ago and at our event. So, thank you all for your kindness to her and to our great family. Council you're wonderful as I tell anyone who asks you are a pleasure to work with. You get along. You are kind to each other even if you don't always agree. And that means a whole lot in a small town. And so, for anyone who asks, I will tell them this is a great place to work because we have a great Council that is encouraging and supportive. For those who don't know, at one point I asked Council if I could carry over more annual leave year after year, and they denied my request, which actually caught me off guard. But what they said was, no, we want you to take more leave. And you don't hear that too often from the governing body. But they supported our family and various efforts in that way. Obviously, I can't do anything without an amazing staff. Will and Rhonda, Chief, Angela the whole entire team are phenomenal. Thank you for all you do because you're the ones on the front lines getting the work done. And I appreciate the way that

we've been able to get to work together, bond together accomplish a lot together. And we have a great team here. And of course, this community is absolutely fantastic. The volunteers, the people who give back, that's what makes Middleburg so special. So, it has been a true privilege to work here. Thank you for giving me a chance to gain greater experience and then take this and hopefully succeed in my next role, and I look forward to being an advocate as much as I can for things of Western Loudoun, of Middleburg and of the towns. Because Loudoun County as a whole is a very special place and the towns are a key, key part of that. So, thank you so much for the opportunity to work with you and keep up the good work and I'll give you my phone number eventually, so I won't be far away. [laughter]

Bridge Littleton: Thank you. I've already got it if anybody needs it. [applause] Okay. Next item is staff reports. Vince.

Vince Gugliotta: Yeah, just waiting on the slides here.

Danny Davis: Just waiting on the slow Town Manager. [laughter]

Bridge Littleton: We've said that for years. There we go. All right.

Vince Gugliotta: Good evening. I'd like to start with the utility system volumes. Our water system saw daily average production of about 123,000 gallons a day, which led to a monthly finish volume of about 3.8 million. If you check over on the bar graphs, we'll right now even with our numbers from last year at this time. Wastewater system, we saw an average daily discharge of about 84,000 gallons a day which led to monthly finish volume of about 2.5 million. Next slide. Just a couple of highlights from the wastewater system. We investigated one of the reuse system pumps that wasn't working. We were able to repair it and make some adjustments and reinstall it. Fortunately, we found several more issues with the control cabinets and electric that we'll have to get addressed later. Train one we replaced the leaking chlorine injection port. Our telemetry contractor was on site and made several updates to the SCADA systems. And while we were out marking missed utilities, we found a manhole frame cover that looks like it got torn up from the snowplows back in February, and we reset that. It was located on the side of Route 50 over by Virginia Lane. A couple pictures from around the wastewater system that's our chlorine injection port. Our reuse pumps cabinet and one of the contactors for that pump. The kind of white speckled dots is actually some water damage. That's kind of some of the stuff we found issues located there. If that manhole can be replaced. I'm sorry, repaired. Switch over to the water system now. Just the water system was fairly quiet. Just one residence had a service line leak those were located on private property and they got that repaired. We've made considerable progress on the Well 4 water plant airline project. If you recall, we did something similar at the Stonewall Plant. This is kind of a continuation of that, just at Well 4 just trying to improve the system there. And there's various other maintenance items, meter replacements, things of that nature. A couple of pictures from water system. That's actually a leak that we found at Well 4 underneath one of the green sand filters. You can kind of see some of the white tubing that's our new airline setup we're installing. This is quite an improvement from the old system that's there and we're excited to get it fully operational complete. I'll switch over to groundwater wells, drought updates. I just pulled this update from the DEQ site this morning. You can see our sector before that yellow square was orange, the red is still red, and the green square just below the red was orange not too long ago. Fortunately, we're finally seeing some rainfall. Not too much to say for the groundwater yet. Obviously, it's just going to take some time before it shows up for us. And some sorry transducer graphs. This is our Well 4 setup. Currently, we're sitting at about 203ft depth to water. This is a 36-foot reduction since this time last month. We're actually still a little bit above compared to this time last year, which is a good sign. Well 3, we didn't operate. So almost no change from that location. Well currently we're sitting about 280ft depth to water. We've also seen a reduction in this well since last month about 13ft. Same with, Well P we're seeing the numbers decline. Unfortunately, right now we're about 21ft lower than this time last month. Fortunately, all the wells still

have a fairly healthy water level. Static water level. And we're dozens of feet away from the pump intake currently, but it is something we're very closely keeping an eye on because of the extended drought we've been experiencing. This is just a combined graph of the three wells we've been using the past month. Anyone like to say any questions about the plants, water systems, or the utility report?

Cindy Pearson: On the overview on the bottom graph on the 26th and 27th. It's really the lines go up. What does that mean?

Vince Gugliotta: I think that's the bar graphs. [multiple speakers] Bar graphs in the beginning of the slideshow. Correct?

Cindy Pearson: It's on the Middleburg water production for April.

Vince Gugliotta: April?

Cindy Pearson: Yeah. Yeah. And the. [off mic] No. Bottom.

Vince Gugliotta: Bottom. Sure.

Cindy Pearson: Well, I guess that could be the same.

Bridge Littleton: No no no.

Cindy Pearson: No, I'm in this one. [off mic] Yeah.

Bridge Littleton: The one with all the wells.

Cindy Pearson: Yeah.

Vince Gugliotta: Oh, all the wells. Sorry.

Pam Curran: Is it orange line? [off mic]

Cindy Pearson: The red. Yeah. Nope. It's not that one. It's the bottom of page six on his report.

Bridge Littleton: You got a slideshow of it?

Cindy Pearson: Oh, sorry. It's the bottom of your report.

Vince Gugliotta: Oh, yes. Sorry.

Cindy Pearson: There we go. Those. And strangely enough, if you go up to the last year, 2005, if I'm reading that right. 25. Yes, it does the same thing. But not quite the same date. What causes those changes?

Vince Gugliotta: It could be just kind of operations going on throughout town.

Cindy Pearson: It's a Sunday and Monday, the 26th and 27th.

Vince Gugliotta: This past month. Okay.

Cindy Pearson: Yeah.

Vince Gugliotta: It could stem from several things. Sometimes we do actually turn the wells off if there's an issue or in this case, like, Well L we do turn that off from time to time to try to force it to recover. There could be things as far as like the SCADA system having an issue, which in turn would cause one of the water plants not to operate that could be part of it.

Cindy Pearson: So that means it was operating less, not more. Is that what this shows?

Bridge Littleton: No, it's operating more. These graphs that spike shows its operating more.

Vince Gugliotta: More. Correct.

Bridge Littleton: Right.

Cindy Pearson: That's what I thought. Okay.

Vince Gugliotta: So, for example, say if the plant was shut down for a day or we had it off for maintenance or something. The following day, we would have to run it almost twice as long just to catch up. And that's probably what that spike is for.

Bridge Littleton: Yeah, to replenish the tank.

Vince Gugliotta: Okay.

Bridge Littleton: Yeah. Oh, okay. Got it. Yeah.

Vince Gugliotta: Or if there's a big event in town or, you know, higher water demand, we have to run longer to replace that.

Cindy Pearson: Okay.

Bridge Littleton: Cindy, no more baths. [laughter]

Cindy Pearson: Darn it. All right. Thank you.

Vince Gugliotta: Sure.

Bridge Littleton: Any other questions for Vince? All right, Vince, thank you, man. You're welcome. Next up is Special Projects.

Danny Davis: Thank you, Mr. Mayor, and Council, just a couple quick updates. You have the report before you. We're still working on looking at coordinating with the potential removal of the large stones on South Madison Street and I believe. We're currently waiting on the party who would be taking those over to coordinate with our preferred sidewalk vendor on that. So, Mr. Moore and Mr. Foster will be ensuring that's coordinated properly, especially related to summer activities and business events. You have the update on Asbury Church here. The review group for capital campaign and fundraising met yesterday. And I know that Miss North will have a further update for you in the future. We also she has drafted the application for the DHR

BIPOC grant. She has done a fantastic job with that. It's really, really well written, and we'll finalize that in the next week or so, and she'll get that prepared for submission. We also are receiving three recommendation letters to go along with that. One has come in already from the Virginia Piedmont Heritage Association Area Association. And can I tell you that is the most compelling letter I've read of the importance of Asbury Church to our community and to our region. It moved me just reading and I know all about the project. So, I'm really grateful for their support. And hopefully we'll have success in that grant project that or process that will make a huge difference in proceeding with Asbury Church. And then continuing forward with the design. They had their 50% design meeting last week and I think they're Happy with the way things are going and moving towards 100% construction documents by July, August time frame. So, right on track with that and really, really glad with that process. We have coordinated and had another follow-up meeting with our sewer line contractor. They plan to begin at this point. The goal is to begin. Oh, my goodness, I got my dates wrong. June 22nd. And so that's after school has ended that's after all of our major horse events. So, there will be some impacts on West Washington Street, but there will be flaggers and traffic control. They think that the project should be, you know, a couple of days at each spot and then working on Pendleton Street later in after July 4th is the intention there. So again, a lot of communication will be going out to the public before that begins, but we're excited to get those particular projects underway. And then finally, if you've walked along East Washington Street, you've seen some of the major enhancements to the sidewalks there, most recently, the removal of the tree in front of 107 East Washington. And then the contractor will be coming back to lay down Flexi-Pave as appropriate or brick as appropriate. Mr. Moore can answer the questions on that later. So anyway, we're, we're continuing to identify small areas where additional sidewalk repairs are needed because they can come in and, and in a couple of days, repair those where there might be some tripping hazards or heaved brick. So glad to see those improvements coming along.

Bridge Littleton: Any questions for Danny on special projects? The only thing I want to say is and I know Rhonda will give a brief of this in the future. The fundraising meeting yesterday I thought was great, and Rhonda did a great job of pulling it together, putting the RFP together, getting, you know, some good responses and thought. I think we've got a great path forward. Yeah, it's pretty exciting. That's for the restoration of Asbury Church. Okay. Next item is the consent agenda. Okay, so Town Council is going to go into closed session for a little bit to get advice from legal counsel and then we'll come back into open session once that closed session is done. So, would someone like to read the closed session memo? Yeah.

Cindy Pearson: I move the Council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for consultation with legal counsel employed by the public body regarding the proposed water and sewer rate structure as allowed under subsection A 8. I further move that Council thereafter reconvene in open session for action as appropriate.

Chris Hersh: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. We will be back shortly.

Deborah Gallagher: Instructed to walk me through it.

Bridge Littleton: I asked that Council certified that in the closed session just concluded to the best of each member's knowledge nothing was discussed except the matter or matters specific identified in the motion to convene in closed session, and two lawfully permitted to be discussed in a closed session under the provisions

of the Virginia Freedom of Information Act, as cited in the motion. I would like to remind those present for the closed session and any discussion that occur within it should be treated as confidential.

Deborah Gallagher: Yes.

Chris Hersh: Yes.

Darlene Kirk: Yes.

Bridge Littleton: Yes.

Cindy Pearson: Yes.

Pam Curran: Yes.

Bridge Littleton: Okay. Next item we have is the appropriations ordinance and the budget.

Danny Davis: Thank you, Mr. Mayor, and Council Members. I appreciate all of your work on the budget this year. Presented it to you in early March, and you've had numerous discussions on this, held a public hearing at the last meeting. We discussed all the different aspects of town operations capital program fiscal reserve, and long-term planning. And the budget presented to you today and the appropriations ordinance is ready for your adoption. So, I'm happy to answer any final questions, but we'll say thank you for your consideration, your attention, and your intentionality in terms of the budget presented to you this year. And I think it sets up the town government for really great success into the future.

Bridge Littleton: Does anybody have any questions for Danny on the budget or tax rates before? I know we've had multiple sessions about it, so I'm sure everybody's been in depth. So, if someone would like to read the motion.

Chris Hersh: I got it.

Bridge Littleton: Thanks, Chris.

Chris Hersh: I move that Town Council adopt an ordinance to approve the budget, affirmed rates, and make tax rates and make appropriations for the fiscal year ending June 30, 2027.

Pam Curran: Second.

Bridge Littleton: And Rhonda, does it have to be roll call?

Rhonda North: Yes.

Bridge Littleton: All right, call the roll, please.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Gallagher.

Deborah Gallagher: Aye.

Rhonda North: Council Member Hersh.

Chris Hersh: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay. Next item is the Council approval of the ordinance to amend the schedule of water and wastewater use rates. Danny, if you want to give your overview.

Danny Davis: Thank you, Mr. Mayor, and Council members. Again, as discussed during the budget process and in fact, really a holdover from our budget discussions of last year when this was first brought as a potential conversation and consideration for Town Council. The proposal before you is to move from a flat rate structure to a tiered rate structure. Essentially as the more water one uses over a certain threshold, then the rates would increase in that. The justifications behind the tiered rate structure are a few, few different key reasons. One it is encouraging conservation. That is something that we continue to seek for all customers and encourage wise use of water and encouraging that across all users. Additionally, when we have users with high and variable demands, it does create and require a greater investment by the town for operations and maintenance. So, the infrastructure required to provide that water is definitely of a higher level than those low volume users. And so, the tiered structure appropriately kind of allocates the charges for those who are using higher demand over that certain threshold. And then obviously as we want to maintain proper standards for all users when there are high, high users, then to maintain those standards, it requires again, greater investment. So, the town wants to ensure the capability of doing that. While low volume users do place a much lower demand on the system and at a flat rate may actually be serving to subsidize higher volume users. So, a tiered rate structure is fairly standard and in jurisdictions and one that has been implemented in other towns of Loudoun County. And the proposal before you as described would lower the minimum bill and usage under 10,000 gallons. And then for any users who consume or use 10,000 gallons or more, they would then be at the higher rate. And I think it's important to note that that is for any user. It's not just from those that we may have heard from during public comment. So, it is applied consistently and fairly across the board in that way. So happy to answer any questions you might have about the proposal before you, but if Council is so inclined, there is a motion. There's also an ordinance for consideration.

Bridge Littleton: Does anybody have any questions for Danny at this time? On that? No. Okay. I just I had a couple of things I wanted to mention. I think it's important to remember, you know, how we got here. We have actually been working on this proposal. I shouldn't say proposal. We've been working on our water and wastewater rate structure now for over a year. We had two studies done by our water rate consultants. Danny's point that he mentioned where higher volume users with, you know, sort of industrial needs, which always puts a much greater demand on the town for, you know, larger pipes, larger infrastructure, larger storage. And it is the typical way in which that is accounted for everybody to sort of, you know, get their proportional share of what strain and stress they're causing on the system. That was why they recommended this rate structure twice. We had, I don't know, I want to say probably a dozen meetings with the Strategic Finance Committee, which is

a public meeting going over the rate structures and the information from the water rate consultants. We've talked about at Council for over a year. So, I, you know, and we've been through it at length. I appreciate the offer to you know, have a further discussion with Council to work it out. Although I don't know what work it out means. But I think you know, at this point we've spent a lot of time and energy doing the analysis to see what fits right and fits best for the town. And, you know, we do want to go. I think we want to go forward with, you know, calling for a motion and seeing how folks want to vote. We are always open if any user wants to come to us and propose a different rate structure for next year or propose alternative approaches or ideas you know, we're always open to consider that. So, you know, we want to make sure and that's for everybody that's not just, you know, for the highest rate users, you know, we heard from folks at Windy Hill, we, we hear from those struggling the most a lot about the water rates. We do have the highest in Loudoun when it comes to individual residential users. So, you know, we want to respect, you know, their position in, you know, the utility system as well. So, I just wanted to provide that perspective. So, and again, Danny, you know, I think your point about the cost of infrastructure is much greater when we have the Industrial needs that we, other than if we were just a residential town. So, with that would anybody like to make a motion? Chris, go ahead.

Chris Hersh: I move that the Town Council adopt an ordinance to amend the schedule of water and wastewater user fees and charges effective July 1, 2026.

Darlene Kirk: Second.

Bridge Littleton: Any discussion? And, Rhonda, do you have to call the roll, right?

Rhonda North: Yes, sir.

Bridge Littleton: All right.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Gallagher.

Deborah Gallagher: Aye.

Rhonda North: Council Member Hersh.

Chris Hersh: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay. Thank you. Next item is Council approval amendment to town code pertaining to Section 3-5 pertaining to Council meeting minutes. God, it's one of those days. Yeah, yeah. Thanks, Cindy.

Rhonda North: Thank you, Mr. Mayor. So, the Mayor and I have been discussing a change. Currently, the meeting minutes, once they are approved, are signed by both the Mayor and the town clerk. And we have been discussing changing that so that once they're approved, they would only require the town clerk's signature. So, as I began.

Bridge Littleton: Much more efficient.

Rhonda North: Much more efficient as I began drafting that change, I realized that the language could be modernized a little bit. So, we're proposing just some housekeeping changes to bring it more into date. But the main change is that the Mayor would no longer be required to sign the minutes. That would just be the clerk after they're approved.

Bridge Littleton: Any concerns? I know I have none.

Danny Davis: I think we should vote no just to make the Mayor keep signing them. [laughter]

Bridge Littleton: You're just going to make Rhonda's job harder because she's going to have to keep reminding me. Yeah. All right. Would someone like to read the motion?

Cindy Pearson: Sure. I move that Council adopt an ordinance to amend town code section 3-5, excuse me pertaining to Council meeting minutes. Approval of minutes.

Chris Hersh: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Next item is town approval of the digital accessibility of town information and communication technology and acquisition of DocAccess Solution. Miss North.

Rhonda North: Thank you, Mr. Mayor. I'm not going to go over everything that's in the memo. So, you know, as you know, as the Digital Accessibility Coordinator for the town. I've been working to bring us into compliance with the requirements of that Justice Department ruling related to the ADA, as well as the state code requirements related to VITTA. The thing that I've been focusing on most is getting our website into compliance. And the reason that I've been focusing on that the hardest is under our contract with CivicPlus, we get a website refresh every four years at no charge that refresh starts the end of this year. So, I would like to make sure our website is ADA compliant so that when all the information gets ported over and our new website is launched in the spring, that it is fully ADA compliant that will be ahead of the date that we're required to be compliant under the Justice Department ruling. But I want to do that so that the town does not incur any additional costs. One of the things that we need to do is to make sure any documents that are on our website convert over to what they call HTML. So, it's a transcript that the system essentially can read to someone if they're blind. And I've been speaking with Loudoun County's Digital accessibility coordinator, as well as our website representative. And the recommendation of both is that we go with DocAccess, which is a software program that will do that conversion. So, if we go with this, then CivicPlus will implement that software in our website. It will convert over all of our existing documents in the website. And then as we add additional documents, it will do those conversions automatically. So, once we're into that system, we really don't have to worry about it. It sort of goes on autopilot. So, I am recommending that we procure the DocAccess program. The implementation fee would be $1,500. And then there will be an annual cost of $3,159.

Bridge Littleton: Anyone have any questions? My sister is dealing with this at Virginia Tech because they've got to get compliant on the extension program that they're doing.

Rhonda North: Yeah, and I will be bringing for you in a couple of months a contract as well with Swagit to add Closed Captioning to our videos.

Bridge Littleton: Okay.

Rhonda North: But I'm trying to eat this elephant one bite at a time.

Bridge Littleton: Gotcha. Okay. Anybody have any other questions for. Yeah, Chris.

Chris Hersh: My question really with the requirements are there any grants available that you're aware of or any help from the federal government?

Rhonda North: Nothing that I have seen. I suspect they've started to get a little pushback because the original date for compliance for small communities like us was April of 2027. They've now pushed that back to April of 2028, although the state code requirements on VITTA are currently in existence. So, we still have that, that we need to deal with. But I've not seen any money associated just the little extra, a little extra time. But again, I want to do this now because of the website refresh and trying to save money there.

Bridge Littleton: It's government requirements without resources. Any other questions?

Rhonda North: Unfunded mandates. [laughter]

Bridge Littleton: Yeah. Unfunded mandates. All right. With someone like yeah. Chris, do you want to read the motion?

Chris Hersh: I move the Council, authorize the town staff to amend the contract with CivicPlus to add the DocAccess module to the town's website, said implementation fee to be $1,500 and an annual cost of $3,159.

Darlene Kirk: Second.

Bridge Littleton: Rhonda, call the roll.

Rhonda North: Council Member Curran.

Pam Curran: Aye.

Rhonda North: Council Member Gallagher.

Deborah Gallagher: Aye.

Rhonda North: Council Member Hersh.

Chris Hersh: Aye.

Rhonda North: Council Member Kirk.

Darlene Kirk: Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Bridge Littleton: Okay. And for Danny's last item ever on a Middleburg Town Council agenda. Over to you, big boy.

Danny Davis: It's about drought. Thank you, Mr. Mayor. I will say to whatever deity that you might think of or pray to or appreciate, we are grateful for the four inches of rain that we've received over the past week, that has definitely made a difference, in fact, as much that the National Integrated Drought Information System has moved all of Loudoun County out of severe drought and just into moderate drought. So, it's an interesting designation, but it doesn't mean it can't change just as quickly back to where we were. And in fact, there's still a 36% of the Commonwealth is in extreme drought. So pretty serious. And as Vince mentioned earlier some of the metrics for drought from the state DEQ have improved slightly. But it is important to note that all but two of the regions still show an emergency level for groundwater. So, we know that groundwater continues to be a serious issue, not just for us but across the Commonwealth. That being said, we do continue to watch this very carefully between Inboden, Mr. Foster, and Mr. Moore. I know that they'll be paying close attention to the well levels, where I think one of the impacts that we're seeing is that we are very cautious and careful about regular routine maintenance activities because of the loss of water when you go through that. So, for instance, we actually have not flushed our water mains in three years, maybe because every time we finally get ready to do it, all of a sudden we're either in a drought, we're about to go into water conservation measures, and we don't want to lose 200, 250,000 gallons flushing mains, which is a very important part of the process of keeping our system up to date. When it's going to take a long time to refill our tanks. We have a project on the Stonewall water tank that's currently still planned for the next month or so which requires us to drain the Stonewall tank again, that's a quarter million gallons of water and the tank potentially being out of service for two weeks or so. It's still on the plan, but if things worsen or we start to see challenges with our water levels, then that that project can get quickly paused. So, the challenge for us is not just the daily provision of water, but it's how we're able to continue maintaining the system to the standards that we hold ourselves to. With that being said, we looked at the well levels that Mr. Gugliotta provided earlier, and we still feel confident that they're holding steady enough not to require any conservation measures at this time. There is significant level of water between the water level and where the pump is set specifically for Wells 4 and P, which are kind of two primary wells that we're using. And then, Well 3 again, as mentioned, we haven't used all month of April and it is sitting there ready to go when needed, which is good to have as a solid backup. And again, the good news about, Well 3 is when you do put it in service, it recovers and recharges almost instantaneously. So, with that, happy to answer any questions, but for right now, we would just recommend continuing to monitor the situation.

Bridge Littleton: Any questions? Chris.

Chris Hersh: I just want to say thank you for getting it on the town's website. That's great. Thank you.

Bridge Littleton: And thank you for the seven days of rain over the holiday weekend. Okay. Are there any information items from anybody? Go ahead, Cindy.

Cindy Pearson: I last time did not remember to comment on the flower bed that is down by the Middleburg entrance sign on the west end of town. I don't know if you've noticed it, but that's work between the town and

the streetscape committee, and it's partially done. They'll be working on that. And then and I'm not sure when they'll work on the east side too.

Bridge Littleton: That's great.

Cindy Pearson: Yeah.

Bridge Littleton: And one last thing we forgot that's very important. You can't leave the town of Middleburg without getting a paperweight. It's the only way you get. This is the only way you ever get one. Was either that or a jelly dish. [off mic]

Bridge Littleton: Jelly dish?

Danny Davis: Could I add?

Bridge Littleton: Oh, right? Don't forget, tomorrow is Middleburg day 5 to 9 here at the Town Hall. Weather's going to be gorgeous. So, look forward to having the fun with the community. So, I think it's going to be great. And I think that's it. Yes. Who wants to read the closed session memo?

Cindy Pearson: I move the Council, go into closed session as authorized under section 2-3 or 2.3-3711 on the Code of Virginia for one consultation with legal counsel pertaining to actual litigation involving Salamander Farm, LLC versus the Town of Middleburg, and two probable litigation involving the enforcement of zoning regulations involving a parking lot. Both is allowed under subsection A7. I further move the Council thereafter reconvene in open session for action as appropriate.

Darlene Kirk: Second it.

Bridge Littleton: All those in favor say aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. We are in closed session.