MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, June 23, 2026

PENDING APPROVAL

PRESENT: Mayor Trowbridge M. Littleton
Vice Mayor Chris W. Bernard
Councilmember Pamela Curran
Councilmember J. Kevin Daly
Councilmember Deborah Scott Gallagher
Councilmember Chris Hersh
Councilmember C. Darlene Kirk
Councilmember Cindy C. Pearson

STAFF: William M. Moore, Acting Town Manager
Tracy Gallehr, Assistant Town Attorney
Rhonda S. North, MMC, Town Clerk
Shaun Jones, Chief of Police

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, June 23, 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

Merley Lewis, of the Middleburg Museum, appeared before Council to invite them to attend the birthday celebration of Lieutenant Colonel Levin Powell, the founding father of Middleburg, on July 19th beginning at 4:00 p.m. She noted the Fourth of July Celebration and advised that there would be a reading of the Declaration of Independence at the Middleburg Museum, as well as a Benjamin Banneker rebuttal.

Staff Reports

May Utilities Report & Drought Status Report

Vince Gugliotta, of IES, reported that the wastewater treatment plant discharged an average of 97,000 gallons a day, for a total of just under 3 million gallons of waste treated for the month of May. He further reported that the water treatment plant produced approximately 136,000 gallons of water a day, for a total volume of just over 4.2 million gallons. Mr. Gugliotta reviewed the highlights of the wastewater system for the month, which included cleaning the headworks; acquisition of data for the new UV system; and receipt of parts for multiple upcoming projects at the treatment plant. He displayed photos of some of the projects. Mr. Gugliotta reviewed the highlights of the water system for the month, which included the failure of the Well P pump motor, which was quickly repaired; the Well 4 airline project; the draining and cleaning of the Marshall Street Water Tower; addressing some SCADA (Supervisor Control & Data Acquisition) issues; and, addressing some water tower pressure transmitter issues. He displayed photos of some of those projects.

Mr. Gugliotta reported that the entire Commonwealth of Virginia was in either a drought watch or drought warning. He further reported that the groundwater was still in an emergency declaration for Middleburg's sector, as well as for much of the State, despite the recent rainfall.

Mayor Littleton noted that last month's graph showed the water table was heading in the wrong direction. He opined that this month's graph continued to show the same thing; although, it was not quite as bad.

Mr. Gugliotta confirmed this was correct. He noted that he had been adding information to the report each month and advised that he added the static water levels. Mr. Gugliotta reminded Council that last month, Well 4 had an average static water level of 238 feet; however, it had dropped by almost fifty feet during the month of May. He noted that it recently saw a little gain. Mr. Gugliotta reported that he turned on Well 3 to help give the other wells a break and advised that he had observed a slight increase in Well 4's static water level. He noted the need to keep an eye on this.

Acting Town Manager Moore noted that the graphs were through May 31st and were the basis for the Council's decision to enact voluntary water restrictions. He advised that there had been a bit of recovery in Well 4 with the activation of Well 3.

In response to an inquiry from the Council, Mr. Gugliotta confirmed he expected it to continue to rise because of the use of Well 3. He advised that the more it was used, the more relief was provided for the other wells. Mr. Gugliotta noted the need, however, to keep an eye on Well 3. He advised that he had not witnessed a decline in it yet; however, everything had a finite point beyond which the Town would not want to proceed.

Mayor Littleton expressed concern that the Town had a finite number of wells and a finite amount of water. He noted that at some point, it would have to stop drawing from Well 3 because its water level would drop. Mr. Littleton advised that this was a long-term problem that would require a long-term investment and a long-term solution. He suggested the need to begin thinking about how to accomplish that, whether it was digging another well or doing something else. Mr. Littleton advised that regardless, it would take years to come to fruition.

Acting Town Manager Moore reminded Council that some project planning was underway. He further reminded them of the Town's request to its congressman for funding for a treatment plant at Well 3, which would allow the Town to use it as a producing well, not just a supplementary one. Mr. Moore explained that the addition of an infiltration process would eliminate the introduction of iron and manganese into the Town's water system when the well was used.

Mr. Gugliotta reviewed the graphs for each of the Town's wells. He reported only a 15-foot reduction in the static water level at Well 3. Mr. Gugliotta noted, however, that when it was pumped, its water level dropped to approximately 200 feet. He opined that this was not concerning at the moment, as it was still demonstrating a strong aquifer. Mr. Gugliotta reported that there was not much of a reduction in the static water level for Well L; however, the Town was not seeing any recovery even when it was shut down for several days. He advised that Well P was more concerning and reported that it was experiencing a strong decline now that it was being run harder, even with the use of Well 3. Mr. Gugliotta advised that Well P had dropped to a low of 72 feet while it was being pumped. He displayed a graph that depicted a finer detail for Wells L and P and noted that when both wells were running, Well P would gain slightly; however, when Well L was off, it would experience a steeper decline.

In response to an inquiry, Mr. Gugliotta recommended the Council consider implementing mandatory water conservation. He opined that the biggest offender of water usage was lawn irrigation. Mr. Gugliotta acknowledged the recent rainstorms and expressed hope they would continue. He reiterated that lawn irrigation provided the biggest hit to the Town's water system.

Vice Mayor Bernard suggested the Council consider this during its July meeting and noted that it would have the data for June at that time.

Acting Town Manager Moore agreed and advised that it would allow the staff to provide more data and input from its consultants. He suggested the staff could provide a stronger recommendation during the first Council meeting in July.

Vice Mayor Bernard requested the data from June be sent to the Council. He suggested that if it was determined that it was warranted, the Council should take action during the first meeting in July. Mr. Bernard requested a motion be provided in the agenda packet.

Councilmember Pearson noted the extremely high temperatures that were in the forecast and reminded Council that this would affect the water levels.

Councilmember Daly noted that the Town could not control the weather, which meant the Council may have to declare mandatory water conservation measures to be in effect.

Councilmember Hersh noted that the well patterns pointed out the importance of development near Middleburg in terms of water usage from a planning perspective. He reminded Council of the proposed Middleburg Manor project and reported that it would use the equivalent amount of water as thirty-four houses, as well as have an impact through its septic fields. Mr. Hersh opined that there were a lot of things to consider in terms of the future and the need to protect this finite resource.

Special Projects Report

Acting Town Manager Moore reported that the West Washington Street Sewer Repair Project, between Windy Hill Road and Chestnut Street, began earlier in the day and was expected to be completed by July 3rd. He noted the importance of this project. Mr. Moore advised that while the road was open, the Town would take advantage of and do a physical inspection of the water main, including taking a core sample that could be analyzed to determine its condition.

Town Clerk North reported that the Town's BIPOC grant application was submitted to the Virginia Department of Historic Resources. In response to inquiries from the Council, she advised that a response was expected in September. Ms. North reminded Council that the application was for $1 million. She reported that the Town received the 95% construction plans, which were under review by the Town and Downey & Scott. Ms. North advised that Glave & Holmes would present the plans to the Council during their July 23rd meeting for their approval. She noted that the contract for fundraising services would be considered later during the meeting.

In response to an inquiry, Town Clerk North reported that the grant application was just under 1,100 pages, including the attachments.

Consent Agenda

Vice Mayor Bernard moved, seconded by Councilmember Hersh, that Council approve the consent agenda as proposed.

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

Action Items

Council Approval – Amendments to Council's Rules of Procedure

Town Clerk North reminded Council that they were required to adopt the policy pertaining to electronic participation in meetings annually and explained that they would be doing this as a part of the adoption of the Rules of Procedure. She noted that there were no changes in the State Code with regard to that item. Ms. North reported that Senate Bill 699, which was signed by the Governor, would preclude the Council from taking final action on any item that was added to the agenda after the meeting began unless it was time sensitive or the result of a closed session. She advised that under the State Code, "final action" went beyond taking a vote and included the adjudication or any other final action that essentially completed a matter. Ms. North advised that the consensus of the Council would be considered to be a final action. She reported that if Council added an item to the agenda after a meeting commenced, it could refer the matter to a committee or a future Council meeting; it could direct the staff to provide further information; or, it could issue a commending or memorial proclamation, which the Council did not tend to do on the fly. Ms. North noted that the Town Attorney had recommended that if the Council did take final action on an item because it was time sensitive that it include why it was time sensitive in the motion.

Town Clerk North noted that this was a topic of conversation during the recent agenda review meeting. She further noted that the example that was used was the Middleburg Manor topic that was raised by some speakers during public comment at the last meeting. Ms. North noted that the Council held some discussion and agreed by consensus to send a letter to the County. She reported that this was an example of what the Council would not be allowed to do after July 1st. Ms. North noted the need to be cognizant in the future that there may be limitations and expressed hope that citizens would raise issues earlier if they wanted the Council to consider something. She advised that to this end, a new section entitled "Addition of Items to the Agenda" was proposed to be added to the Rules of Procedure.

In response to inquiries from the Council, Town Clerk North advised that she would leave it to the Town Attorney to determine whether an item would be time sensitive. She noted that under the example that was discussed, it was her understanding that the application was still under the County staff's review; therefore, it would not be time sensitive. Ms. North advised that the State Code did not define "time sensitive" and opined that it would be something the Town Attorney would need to assist with when this happened.

Mayor Littleton opined that an argument could be made that the County staff could complete its review tomorrow and that the Town wanted to make sure its voices were heard before that happened.

Councilmember Hersh moved, seconded by Councilmember Daly, that the Council adopt a Resolution Amending Council's Rules of Procedure, to include a new Section 4-5 Pertaining to the Addition of Items to the Agenda and the re-adoption of its Policy Pertaining to the Participation in Meetings Electronically, said resolution to be effective July 1, 2026.

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

Council Approval – Rate Increase – Refuse & Recycling Contract

Acting Town Manager Moore reminded Council that this was the last two-year extension of the contract with the current operator. He noted that before July 2028, the Town would need to issue a Request for Proposals for refuse and recycling services and accept bids. Mr. Moore reminded Council that under the current contract, the operator was permitted to request rate increases every two years. He reported that the last increase was 3% in July of 2024. Mr. Moore explained that in requesting a rate increase, there were certain factors that were taken into consideration, including fuel costs, tipping fees, and inflation in general. He noted that fuel costs had increased by 44%, tipping fees had increased by 9.9%, and the CPI-U had increased by 7.5%. Mr. Moore reported that the operator was requesting an 8% increase, which the staff believed to be reasonable based on the inflationary factors over the past two years. In response to an inquiry from the Council, he explained that a "tipping fee" was the cost for the disposal of trash at the County landfill.

Councilmember Daly moved, seconded by Councilmember Pearson, that Council approve an 8% rate increase for the refuse and recycling contract with American Disposal Services, Inc. effective July 1, 2026.

Vote: Yes – Councilmembers Bernard, Curran, Daly, Gallagher, Hersh, Kirk, 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)

Council Approval – Award of Contract – Capital Campaign/Fundraising Services – Asbury Church Project

Town Clerk North reviewed the history of this item. She reported that the Asbury Church Fundraising Committee ranked Convergent Nonprofit Solutions as the number one ranked firm. Ms. North further reported that the Committee suggested the scope of work be reduced over what was advertised in the RFP. She reviewed their recommendation with regard to the scope of work, which would take two months to complete. Ms. North advised that the Committee also recommended the work not begin until after the Town knew whether it would receive the BIPOC grant. She reported that based on her conversations with Convergent, it was recommended that work begin in early September, which would give them time to finalize the documents once the Town knew whether the grant would be awarded. Ms. North explained that this schedule would allow the Town to have the fundraising process in place so it could be implemented before the end of the calendar year, because this was when some people set their giving for the coming year. She suggested the need for the Town to be in a position to do fundraising before people had already committed to their donations for the coming year. Ms. North reported that the Committee also recommended the Town seek between $1-2 million in donations for the construction project, depending on the receipt of the grant, and another $2 million for an endowment that would be used to fund future operations and maintenance. She advised that she negotiated with Convergent and was able to get the price down to a flat fee of $25,000, half of which would be due at the time the contract was signed and half upon completion of the work, and reimbursement for travel expenses. Ms. North reported that the Fundraising Committee recommended the Council award the contract to Convergent.

In response to inquiries from the Council, Town Clerk North reported that initially Convergent recommended bringing two staff members to Middleburg for the meetings; however, this was reduced to one, with the other person attending remotely. She noted that this reduced the travel expenses by half. Ms. North reported that Convergent did not anticipate either of the on-site meetings would last longer than one day.

Mayor Littleton suggested they be asked to use the federal Joint Travel Regulations with regard to travel expenses.

In response to inquiries from the Council, Town Clerk North noted that part of the process would involve identifying people that the Town would reach out to for a donation and the other part would be to identify how much would be requested from each. She noted that the grant would create a $1 million difference and explained that waiting until after the Town heard about the grant award would allow Convergent to know the exact amount the Town needed to pursue.

Mayor Littleton noted that the Town may accept donation pledges. He suggested the need to be thoughtful about what would happen if the money was needed before someone sent it in. Mr. Littleton questioned whether the Town would backfill and it repay itself when the cash came in. He noted the need to carry on the project.

Town Clerk North reminded Council that if the Town received the BIPOC grant, it would need to start work on the project immediately, as it must be completed within a limited amount of time in order to get reimbursed by the State. She advised that with that in mind, Town Manager Davis included some funds in the FY ’27 Budget that would allow the Town to advance the funds and then be repaid from the donations and pledges.

In response to an inquiry from the Council, Town Clerk North explained that the firm would not be making contact with the potential donors, but rather the Town would. She explained that as the donors were identified, a determination would also be made as to who from the Fundraising Committee or community would be the one to reach out to the individual. Ms. North opined that a lot of this would fall on the Mayor.

Councilmember Daly noted that the Asbury Church was a part of Middleburg’s heritage and history. He further noted that it was important to everyone.

Councilmember Daly moved, seconded by Councilmember Pearson, that Council authorize the Acting Town Manager to enter into a contract with Convergent Nonprofit Solutions, LLC, in the amount of $25,000 plus out-of-pocket expenses, for capital campaign/fundraising services for the Asbury Church Restoration Project, contingent upon the approval of the contract by the Town Attorney.

Vote: Yes – Councilmembers Bernard, Curran, Daly, Gallagher, Hersh, Kirk, 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)

Discussion Items

Cancellation of August Meeting

Following a discussion by the Council, by consensus, they agreed to cancel the first meeting in August.

2026 Volunteer Appreciation Reception

Town Clerk North reminded Council that this item was presented to them annually to determine if they wished to host a volunteer appreciation reception to recognize the hard work of the volunteers who served on a Town board, committee, or commission. She recommended, if they did, that this year's event be held on October 29th, assuming the caterer was available; that the theme be "Stars, Stripes & Service – Your Impact, Our Future" in keeping with the Americas 250 celebration; and that the thank you gift be a stemless wine glass containing the Town's America's 250 logo and a miniature bottle of something to go inside the glass. Ms. North advised that if the Council concurred, she would proceed with the planning for the event.

The Council agreed with the staff's recommendations.

Town Clerk North advised that she would send the members a meeting invite for their calendars once she confirmed the caterer.

Mayor Littleton noted that he really enjoyed this event, as it was a lot of fun.

Information Items

Director of Community Engagement

Acting Town Manager Moore announced that Jennifer Bell would begin work on June 29th as the Director of Community Engagement. He advised that she came with a wealth of experience in destination marketing, downtown revitalization, event management, business support, and community engagement. Mr. Moore noted that she previously served as the Tourism Manager for the City of Harrisonburg, the Downtown Manager for the City of Winchester and the Executive Director of the Main Street Program in Salem, Massachusetts. He advised that the staff was excited for her arrival.

Special Sustainability Committee Meeting

Councilmember Daly reported that there would be a special meeting of the Sustainability Committee on July 7th to discuss water sustainability and conservation efforts that an individual could do. He expressed hope that whatever tips were identified could be included in the Town newsletter that would be distributed with the next utility bill.

Mayor Littleton suggested the Committee also identify things that businesses could do to conserve water. He cited as possible examples not serving water unless requested by the customer and not allowing water to run in sinks when they were not in use.

Closed Session

Vice Mayor Bernard moved, seconded by Councilmember Daly, that Council go into closed session as authorized under Section 2.2-3711 of the Code of Virginia, for consultation with legal counsel pertaining to actual litigation involving Salamander Farms, LLC vs. the Town of Middleburg, as allowed under Subsection (A)(7). Vice Mayor Bernard further moved, seconded by Councilmember Daly, that Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Bernard, Curran, Daly, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: N/A
(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.

Council Approval – Filing of Appeal

Vice Mayor Bernard moved, seconded by Councilmember Kirk, that Council authorize the Town Attorney to file an appeal of the Loudoun County Circuit Court decision in the case of Salamander Farms, LLC vs. the Town of Middleburg.

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

There being no further business, Mayor Littleton declared the meeting adjourned at 7:02 p.m.

APPROVED:

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Rhonda S. North, MMC, Town Clerk

June 23, 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: Alright, we will 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: Okay. Roll call.

Deborah Gallagher: Deborah Gallagher.

Chris Hersh: Chris Hersh.

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.

Will Moore: Will Moore, Deputy Town Manager.

Tracy Gallehr: Tracy Gallehr, Deputy Town Attorney.

Bridge Littleton: Okay, next item is public comment. If anybody would like to address Town Council on any item, they may do so now for three minutes. Anybody? Going once. Going twice. Do you want to go, Merley? Yeah. Okay.

Merley Lewis: Good afternoon, everyone. My name is Merley Lewis, and I'm here to welcome ask all the town to come and celebrate our founding father Levin Powell Anniversary Birthday on July the 19th at our Middleburg Museum. Started from 4:00 pm to 6 p.m.. Come celebrate our founder, Lieutenant Colonel. Lieutenant Colonel Leven Powell. Thank you.

Bridge Littleton: Thank you. [Off mic].

Merley Lewis: Pardon?

Chris Hersh: Will this be a period address?

Merley Lewis: Oh, no. But if you can, that'd be a welcome. I will love that. And also, you know, the 4th of July, the whole town will be doing that. And we'll be serving, doing our reenactment at the Declaration of Independence, as well as the Benjamin Banneker Rebuttal. Thank you.

Bridge Littleton: Thanks. Anybody else? All right. We will close public comment and go to staff reports. Vince.

Vince Gugliotta: Good evening. Just give a second. Will's going to pull up the slideshow. Thanks. All right. We'll start off with our utility system volumes. Wastewater treatment, plant discharge 97,000 gallons a day on average. And it discharged just under 3 million gallons total for the month of May. Our water plants produced about 136,000 gallons a day, which on average and produced a total volume of a little over 4.2 million gallons. Next Slide. A couple of highlights for the wastewater system. We had our headworks deep cleaned, got a bunch of grit removed with the help of Five-star Septic Services. I'm sorry, USA Septic Services. We continue working with Heyward Incorporated, acquiring data for the new UV system, and we had multiple parts deliveries for upcoming projects around wastewater plant. A couple items there in the pictures off to the left. That red pipe that's what we would call a spool piece that large green objects attached to. One of those had to be replaced. Parts came in, we got that done this month. The blue objects are some inline sludge valves. We have a big project slated for the reactor basins, which hopefully take place soon. And off to the right is our headworks, our grit separating machinery. Any questions about the wastewater system right quick? I'll move on to water, then. Oops. We had some excitement earlier in the month when the Well P pump motor failed. That took place on the 13th. We called Valley Drilling. They jumped on it right away. We had the well back up and running by the 15th, believe it or not. A couple other items was the Well 4 airline project. Our Marshall Street water tower was drained and cleaned by the USG. And we had some SCADA issues later in the month. There was a big thunderstorm, I believe. We're still working on some of that. We had some water tower pressure transmitter issues that we're still working on. A couple pictures from around the water system. That's one of Ali drilling trucks that came down and was used to remove the well pump and motor, and a couple of the airline setups we got going on at, Well 4. It's just a couple shots of our Marshall Street Water Tower. And we'll move on to groundwater. Currently, the entire state of Virginia is in either some kind of drought watch or drought warning. Groundwater is still in the emergency zone for our sector along with much of the rest of the state. Even with recent rainfall, I think we're still about six inches below from left over from last year. We have to catch up on.

Bridge Littleton: So real quickly, I mean, I'm looking at this graph. So last month when you presented right, there was a, it was heading in the wrong direction. It's still like, looks like it's heading in the wrong, not as bad, but it still looks like it's a little bit lower.

Vince Gugliotta: Sure.

Bridge Littleton: Okay.

Vince Gugliotta: Yeah. I've been trying to add some more information in there as we go along. If you look at some of the text on the bottom, I try to throw in an average I guess static water level. So last month we saw about 238ft in Well 4. This month, we're currently seeing almost 50-foot reduction in average level. I'm sorry for the month of May. Currently we have seen a little bit of gain. We did turn on Well 3 to try to help, you know, mitigate some of our other wells that break. So, I have seen a slight increase at Well 4. Yeah, just something to keep an eye on.

Will Moore: Yeah. And it's important to note these, the graphing that you see here is just through May 31st. These are the same graphs that you saw when you made the decision to enact the voluntary water restrictions. But there's been that little bit of recovery in Well 4 with the activation of Well 3, which has been somewhat helpful.

Chris Bernard: And we anticipate that to keep creeping up all things if they stay the same because of the extra well, we're running.

Vince Gugliotta: Yeah, exactly. The more we use Well 3 obviously we should get more relief at our other wells. Just keep in mind, you know, we got to keep an eye on Well 3. I haven't seen a decline in that yet, but I mean, everything has a finite point, so hopefully we don't get there.

Bridge Littleton: I mean, I guess, you know, my concern is at the end of the day, we have a finite number of wells. It has a finite amount of water. So, we pull from, Well 3, we're going to have to stop at some point because it'll dip. And then the other ones, you know. So, I mean, I know this is a long-term problem, but I'm just, you know. Yeah, it really concerns me. All right. Anyway, I mean, a long-term problem requires long-term investment, long term solutions. So, you know, how we think about that now is going to, you know, if we dig another well or do something else, right, it's going to take years for that to come to fruition, so.

Will Moore: Yeah, and just a reminder, some of the project planning that we have going on now, including the request that the congressman has put in on behalf would be to help connect, Well 3, to actually a treatment plan so that we could use it more often, not just as a supplementary, but as a producing well, but have some filtration added to it. So, it doesn't have those effects of the iron and manganese that come when we introduce it into the system.

Bridge Littleton: Okay. Thanks.

Vince Gugliotta: Sure. I guess we could click through the other wells. Yeah. Here's Well 3. Again, this is all the way back in May. We're almost a whole month later in June. We only flushed Well 3, a couple of times. We are using it currently. We're probably seeing about a 15-foot reduction in a static water level. But during pumping we're seeing it about 200ft depth to water and that's about where I've seen it recently while it's in use. It's not much concerned with, Well 3 at the moment. It's still demonstrating really strong aquifer there. Well L we're kind of right about where we were, and, currently, now that we were back in May. Kind of a good sign we're not seeing much reduction. However, we're not really seeing any recovery on it even with periodic shutting it down for several days or so. Something to keep in mind. Well P's a little bit more concerning. We are seeing a stronger decline in it now that we're running it harder. Even with the use of Well 3 something to keep an eye on. While it's being pumped, we're seeing it as low as 72ft lower than what we saw back in April. It's about a month and a half time or so. We'll see a blank spot in the transducer graph there. That was we had to remove the equipment so we could get the well pump and motor out. So, we don't have any data during that time. But that's why you see that blank spot there.

Vince Gugliotta: This is kind of a slightly more finer detail of Wells L and P together. Here you can kind of notice when both wells are running, you'll see, Well P will gain slightly. When you see Well L's off, you'll see well he's having a steeper decline. Things of that nature. And that's just all the wells combined.

Bridge Littleton: Any questions for Vince? Any thought that we need to think about mandatory water conservation?

Vince Gugliotta: I would definitely consider it. Biggest offender, I would say, is probably lawn irrigation. Fortunately, we are seeing a little bit more frequent rainstorms. Hopefully they continue. But I would say the biggest hit is probably lawn irrigation. I would consider it.

Chris Bernard: We want to, I think at our next meeting, we'll have all the June data. So, our 1st July meeting, I'll be curious to see where things stand. Maybe. And maybe we'd be ready to make a decision then, if it looks like it's changed.

Will Moore: Yeah, I think giving us until the next meeting to get a little more data and a little more input from the full array of our consultants from Imboden and as well as our engineer consultant, we could have a stronger recommendation for you if you wanted to consider that next step at your first meeting in July.

Chris Bernard: Can we, and I don't know if we'll have a utilities meeting before that first meeting, but maybe when we have that data available from June, can you send it out so that we all have it? Because like I said, I think if it warrants it, we should take action as soon as possible at that first meeting. So, we should have a motion and everything ready.

Bridge Littleton: Cindy.

Chris Bernard: Sure.

Cindy Pearson: They are calling for 100-degree weather coming up in the next week. So, you know, there goes the water. Yeah.

J. Kevin Daly: Well, that's the classic case of you can only control so much. We cannot control the weather, but we need to make some movement toward controlling what we can control. And that may mean that we do have mandatory water conservation.

Bridge Littleton: Yeah. Chris.

Chris Hersh: I also think with the well patterns, it points out the importance of development near us in terms of like kind of going down the water numbers on planning. I had a little thing and it's 34 houses is basically the equivalent of Middleburg Manor in terms of the water use. So, you're talking 6 to 18,000 gallons depending on the use that's coming out as well as that septic field. So, there's a lot of things to think about in terms of the future and protecting a finite resource.

Bridge Littleton: Any other questions or comments for Vince?

Vince Gugliotta: For the slideshow or the entire utility report?

Bridge Littleton: What's that?

Vince Gugliotta: For the slideshow or the full utility report?

Bridge Littleton: Okay. We're good. Thanks.

Vince Gugliotta: All right. Sure. You're welcome.

Bridge Littleton: All right. Next up is project status report. Mr. Moore.

Will Moore: Thank you, Mr. Mayor. You have the report? I think the biggest thing that I would update you on at this point is as you are aware, I sent out communication to you yesterday that the sewer repair project on West Washington Street between Windy Hill Road and Chestnut Street began today. So, the contractor is planning to finish that. The work is just occurring on weekdays but at the latest by this coming Friday, hopefully by Thursday, we'll be able to wrap that up. So, a very important repair project in two particular locations. And we're also taking advantage of, while we have the road open to do some physical inspection of water pipe to and actually take a core, they call it a coupon from basically drill into a section of our water main, pulley so we can do some analysis of its condition while we're in there. So, a really important project, and I believe Miss North also has an update on the Asbury project for you as well.

Rhonda North: So, I am so happy to report that the BIPOC grant application has now been submitted to the state. So now we're just in a wait and see mode. So, we'll find out whether we get that grant the end of September.

Bridge Littleton: September. Okay.

Rhonda North: Yes. We're applying for $1 million. That's the maximum amount you can apply for. So that's what we have asked for. We've received the 95% construction plans. The Town and Downey and Scott are in the process of reviewing those now. And Glavé & Holmes is scheduled to present those to Council the second meeting in July for your approval. And then, of course, we have the award of a contract for the fundraising consultant later on, on this agenda.

Bridge Littleton: Any questions for Will or Rhonda? Oh, yeah.

Will Moore: How many pages was that submission?

Rhonda North: Including attachments just under 1,100 pages.

J. Kevin Daly: Well, done. [applause].

Bridge Littleton: Nothing as fun as grant writing.

Rhonda North: Let's just hope it doesn't break my streak.

Bridge Littleton: Excuse me. Oh, boy. All right. Next up is the. Excuse me. Consent agenda. Would anybody like the one item removed from the consent agenda? Is there a motion?

Chris Bernard: I move that we adopt the consent agenda as proposed.

Chris Hersh: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions. Okay. Next up is action items. First one Council approval amendment to the Council's rules of procedure, Miss North.

Rhonda North: Thank you, Mr. Mayor. So, there's essentially two pieces to this. Each year, the Council is required to adopt the policy pertaining to electronic participation in meetings. So, we'll be doing that as a part of adopting these rules of procedure. There were no changes in the state code related to that. The other piece of it is Senate Bill 699 which the town attorney did report to you all on periodically earlier in the year that did pass and the governor has signed it that becomes effective on July the 1st. So, under that bill, the Council is precluded from taking final action. And there is a definition of final action on any items that are added to the agenda after the meeting begins, unless they are either time sensitive or the result of a closed session. Now, final action under the state code definition goes beyond just merely taking a vote. It also is adjudication or any other final action that essentially completes the matter. So, the consensus of the Council would be considered to be final action. There are some things you could do if you add an item to the agenda, you could refer it to a Committee. You can refer it to a future Council meeting. You can direct the staff to provide further information. You can also issue commending or memorial proclamations, but you all don't tend to do those on the fly. The town attorney has recommended that if you do take final action because something is time sensitive that you include in the motion, why it is time sensitive. Now, we sort of had a conversation about this during the staff, the agenda review meeting that during last week and we used the example that came up during the last Council meeting of some speakers who came forward and asked the Council to take action with regard to Middleburg Manor. And so, the Council held a discussion and agreed by consensus to send a letter. So that's a prime example of what, after July 1st, we're not going to be allowed to do. Because the consensus was under the definition of final action, a final action. So, we just need to be cognizant in the future that there may be some limitations. And hopefully folks will become as this change becomes more familiar to folks, people will come, you know, earlier when they need action or, you know, Council consideration of something. So, there is language now in the, you know, draft language proposed in the rules of procedure. A new section titled addition of items to the agenda that would essentially address this Senate bill.

Bridge Littleton: Chris. [off mic]

Chris Hersh: Yeah, yeah. Just a question in terms of that specific example that you gave, would that not potentially have fallen under timely with the fact that it was creating a response to something that's pertinent coming in the near future?

Rhonda North: I mean, I would leave that to the attorney to define.

Chris Hersh: Sure.

Rhonda North: But it's my understanding that they're at this point still under the county staff's review. So, there wouldn't be a time sensitive nature associated with that particular example.

Chris Hersh: Okay.

Rhonda North: But unfortunately, they did not define time sensitivity. So, I think that that's going to be one of those things as things come up that maybe the town attorney can help.

Bridge Littleton: Well, it'll be subjective.

Rhonda North: It will be subjective, yes.

Bridge Littleton: Right? Like so I mean, to Chris's point, you could make the argument that it's in review by county staff. We have no idea when they're going to make a determination. It could be tomorrow. So, we want to make sure that we have our voices heard before that happens. So, I mean you know so it's going to be a

factor. Yeah. [off mic] Yeah exactly. Okay. Any other questions for Miss North on this item? All right. Is there a motion?

Chris Hersh: Sure, sure, I got it. I move that Council adopt a resolution amending Council's Rules of Procedure to include a new section 4-5 pertaining to the addition of items to the agenda and the readoption of the policy pertaining to the participation in meetings electronically, said Resolution to be effective July 1st of 2026.

J. Kevin Daly: Second.
Any discussion? All those in favor say aye.

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. Next item, excuse me, is the Council approval for the rate increase for refuse and recycling contracts. Mr. Moore.

Will Moore: Thank you, Mr. Mayor. With going into this next fiscal year, this will be the last two-year extension that we can operate under with our current provider under our current contract. So just advising you of that. So, before July of 2028, we will have to issue a new request for proposals for refuse and recycling services and receive those bids. But in this case, under our current contract the operator is permitted to request rate increases biannually, so every two years. The last rate increase was a 3% increase in July of 2024. In justifying that request, there are certain factors listed in the contract that are to be considered, including fuel costs, tipping fees, and inflation in general. I give you some information on those factors as they relate to the past two years and those increases, I think most notably fuel increases, of course they're up around 44% during that time period. Tipping fees have gone up 9.9%. And just the CPI-U in general for this area has gone up 7.5%. So, the providers are requesting an 8% rate increase. Staff suggest that that is a reasonable request based on the inflationary factors over the last two years.

Bridge Littleton: Any questions? Cindy.

Cindy Pearson: Could you just explain what a tipping fee is?

Will Moore: A tipping fee is disposal costs at the landfill. So, the truck goes in and tips its load back. And that's.

Cindy Pearson: Just wanted to make sure that it was clear that it wasn't meant tipping.

Will Moore: Yes. No, it's. Disposal cost for the material they collect.

Bridge Littleton: Not the gratuity.

Bridge Littleton: Okay, any other questions for Will? All right. Is there a motion?

J. Kevin Daly: I'll make the motion. I move Council approve an 8% rate increase for the refuse and recycling contract with American Disposal Services, Inc., effective July 1st, 2026.

Cindy Pearson: Second.

Bridge Littleton: Any discussion? Rhonda, would 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 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: All right, next up is Council approval for the award of a contract for capital campaign fundraising services for Asbury Church. Miss North, back to you.

Rhonda North: Thank you, Mr. Mayor. So, as I previously reported, we issued an RFP for capital campaign fundraising services for the Asbury Church restoration project, and we received three proposals. The fundraising committee interviewed all three. And they ranked Convergent Nonprofit Solutions as their number one firm. They also agreed that they wanted to reduce the scope of work over what we had advertised in the RFP. So, what they proposed that there be an alignment session, which would be the key stakeholders the Committee and maybe 1 or 2 potential donors. And just to gather information to help them start doing their case statement and then also talk about who possibly could be some of the larger donors that the town would want to reach out to. They would then draft the case statement and an investment range table. They would do some screening of potential donors, and they would look out to foundations to see what foundations may be out there that would be willing to donate towards our project. They would then return for another stakeholders meeting to just sort of present their draft case statement, get some feedback on that continue to evaluate potential donors and just sort of build a consensus on the campaign strategy. And then the last piece is they would present us with their findings, their recommendations, and their marketing materials. All of that would take about two months to complete. The committee recommended it not start that work, not start until after we knew whether we were going to receive the grant. I've spoken with the folks at Convergent, they actually feel like we could start the work in September, so at least get started. We would know by the end of September whether we had the grant that would then help them finalize the rest of their documents, so that that would move us along a little faster because the goal is kind of, you know, some folks set their giving before the end of the year for the next

year. So, we want to make sure we're in a position that we're actually fundraising before the end of the year, before folks have already done their commitments. The other thing, and I think I've previously reported it, is the Committee recommended that we seek between 1 million and 2 million, depending on whether we get the grant again for the construction, but then also seek 2 million for an endowment that would help fund future operations and maintenance costs. So, we did do some negotiations with Convergent and was able to get the price down to a flat fee of $25,000. Half would be due upon signing the contract, half would be due upon completion of the work as well as reimbursement for travel expenses. And we would, we would approve those expenses in advance before they're committing to them. So, with that, the Fundraising Committee has recommended to the Council the award of the contract to Convergent Nonprofit Solutions.

Bridge Littleton: Any questions or comments for Rhonda? Yeah.

Chris Bernard: For the expenses. Thank you for adding a little context on that. So just a kind of a random question. So, if we approve this, it would be $25,000. Is there any control on the expenses other than kind of whatever the acting town manager's approval limit is?

Rhonda North: So, we did start out with their bringing two staff members in traveling in. And we did get them to reduce that to one on site, one remote person so that, so we know we've cut the travel expenses in half just by doing that. But we're talking, you know, airfare, meals, maybe a night in a hotel, although they don't anticipate it being more than a one-day session for each meeting.

Chris Bernard: Yes. What I was getting at is there is there some mechanism we should consider putting as far as like a cap?

Bridge Littleton: How about we do this? Just tell them they have to use the JTR, joint travel regulations from the federal government, which is always lowest airfare, lowest available car. The meals are capped and the per diem is capped. And so is the hotel based on location. Yeah. And it's all I mean, you can look at it. It's all online and easy to use. Yeah. Pam.

Pam Curran: I want to ask Rhonda. So, and maybe, you said it, but why did they decide to wait until after we knew if we received the grant before they move forward, since we want to build an endowment as well.

Rhonda North: Because it helps them identify, you know, we're going to identify people that we're going to, to reach out to and touch, but we're also going to identify how much of a touch we're going to ask from each person. And you know, it's $1 million difference. So, they wanted to know what is the exact amount that we're trying to pursue. You know, is it 3 million? Is it 4 million or some number in between if we get a lesser amount from the grant? Okay.

Bridge Littleton: Rhonda, the only question I had, and it's nothing really to do with the firm. It's more along the lines of I mean, I have no doubt that we're going to accept gifts that people can donate over time. Yes. Right. So, this isn't actually this isn't really a question. It's just more of a statement. We have to be thoughtful about, and I'm fine with us doing it, we just have to make sure we think about it. If the money is needed before somebody sends it, do we backfill it and then just repay ourselves when the, you know, when the cash comes in, so?

Rhonda North: Yes, and.

Bridge Littleton: Just have to make sure we carry it on the business.

Rhonda North: Yes. And there is some money in the current budget for that to occur.

Bridge Littleton: Yeah.

Rhonda North: With the fact, you know, because if we get the grant, we're going to have to start work immediately because there's a limited amount of time, we have to complete the work and get the reimbursement from the state.

Bridge Littleton: Yes.

Rhonda North: And so, with that in mind Mr. Davis did include some funds that would allow us to advance and then and then get repaid from.

Bridge Littleton: Donations.

Rhonda North: Either pledges or, you know, outright donations. Yes.

Bridge Littleton: Okay, great.

Deborah Gallagher: I have a question about.

Bridge Littleton: Mic.

Deborah Gallagher: Contact with the donors and specifically local donors. I'm aware that the organization is probably very expert at contacting organizations, but It seems to me, contact with local citizens who have proven generous in the past has to be done in a sensitive manner, and that many of them feel quite strongly on that issue. Will this company be aware of those sensitivities?

Rhonda North: So, this company will not be making the contacts.

Deborah Gallagher: Okay.

Rhonda North: They are developing the roadmap for us. We will be the ones making the contacts.

Deborah Gallagher: Oh, excellent.

Rhonda North: So that's part of what we will do as we identify the donors. We will also figure out who within the fundraising committee or the community. A lot of it probably is going to fall on the Mayor, who will be the person who will actually do the touch.

Deborah Gallagher: Good. Very good. Thank you, you are way ahead of me. Yeah. Thanks.

Bridge Littleton: Any other questions? All right. Would someone like to make a motion? Kevin or Cindy whoever.

J. Kevin Daly: With a quick statement. This is our heritage. This is our history. This is important to all of us. So, I therefore, I move the Council authorize the acting Town Manager to enter into a contract with Convergent Non-Profit Solutions, LLC in the amount of $25,000 plus out of pocket expenses for capital campaign

fundraising services for the Asbury Church restoration project. Contingent upon the approval of the contract by the Town Attorney.

Cindy Pearson: Second.

Bridge Littleton: Any discussion? Rhonda, please 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 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. And Rhonda, thanks for all the hard work.

Rhonda North: Thank you.

Bridge Littleton: Next up is cancellation of the August meeting. Is everybody good with canceling the second meeting? Yeah. And the first. I'll be gone the first. No, wait. Sorry, sorry. Canceling the first meeting. Sorry. I'm gone the first meeting. Yeah.

Cindy Pearson: Let's make it easy. [off mic]

Bridge Littleton: Does that work?

Darlene Kirk: What is the date? [off mic]

Bridge Littleton: The 13th. No meeting on the 13th. I'll be in Scotland. [off mic]. Neither. Yeah. No. I'm swimming. Okay. Rhonda, are you good with that? Okay. And then what we got up next is Oh, the volunteer appreciation reception. All right, Miss North, back to you.

Rhonda North: Thank you, Mr. Mayor. So, this is an annual item that comes before you all to see if you want to once again host a volunteer appreciation reception to recognize our hard-working volunteers who serve on a Town Board, Commission or Committee. So, if you do, I recommend we do it on October the 29th, assuming the caterer is available, that would be a fifth Thursday. We found if we keep them on a fifth, whatever, then we get more people here because they don't have meetings generally scheduled on those nights. Also, in keeping with our America's 250 this year, I would recommend the theme be Stars, Stripes and Service Your Impact, our Future. [wow] And of course, it would be a red, white and blue, you know, theme decoration. And if you're good with that, then I recommend we've got some stemless wine glasses that have the towns America's 250 logo on it that we present that as the gift along with a little something to go inside, a little miniature, something to go inside of it, including that of a nonalcoholic variety. So, if you're good with that, then I'll move forward with planning that event.

Bridge Littleton: And Mr. Daly can wear his American flag outfit.

J. Kevin Daly: Oh, no. I have a period uniform that goes back to 1972, and it still fits.

Rhonda North: Okay.

Chris Bernard: I like the one that my son calls Thomas Jefferson holding a duck.

J. Kevin Daly: Now it's my sweat suit, but it still fits. [laughter]

Bridge Littleton: Yes. I don't want to see the moths. Any issues with scheduling the reception for that date? October 29th. Okay.

Rhonda North: I'll send the meeting invite, so you all have it on your calendars.

Bridge Littleton: Awesome. Rhonda, thanks. I really enjoyed that event. That's a great one.

Rhonda North: Yeah. Me too.

Bridge Littleton: A lot of fun. Okay. Any other information items for Council? Mr. Moore.

Will Moore: Thank you, Mr. Mayor. It's my pleasure to announce to you that Jennifer Bell will be starting with us on this coming Monday as our Director of Community Engagement. That's the reworked title that we have for the position previously held by Ali. Miss Bell comes to us with a wealth of experience and destination marketing, downtown revitalization, event management, business support, and community engagement. She has served the past seven years as Tourism Manager for the City of Harrisonburg, Virginia. Six and a half years before that, she served as the Downtown Manager for City of Winchester, Virginia. And prior to that, five and a half years as the Executive Director of the Main Street program in Salem, Massachusetts. So, we're really excited for her arrival and look forward to introducing her to you and all of the community when she gets here.

Bridge Littleton: And she starts Monday?

Will Moore: Starts Monday.

Bridge Littleton: Awesome. All right. Any other information item? Yeah. Kevin.

J. Kevin Daly: On the 7th of July at 11:00, the Sustainability Committee will have a special meeting to discuss water sustainability and conservation that the individual can do. So, we'll see how that can fit into maybe a letter going out with the water bill.

Bridge Littleton: Can I throw a suggestion?

J. Kevin Daly: Throw away. [laughter]

Bridge Littleton: It might not be a bad idea if they also thought of things for the businesses, you know. I mean, one of the things I thought about was you go to a restaurant and they always bring you a cup of water whether you want it or not. And if you don't touch it, they pour it out, you know? So would we want to say like, hey, to be thoughtful about water conservation, you know, somebody asked for a glass of water. Absolutely. But don't just automatically, you know, serve it. I can only imagine how much, you know, just gets poured out because everybody orders a drink or something else. So, and I was really trying to think of, are there other ways that businesses can conserve on water? You know, I go into restaurants and back there, back where they're cleaning the dishes, they literally just have the faucets running, whether they're cleaning something or not. And it drives me insane. So, you know, so anyway, I throw it to you guys to, you know, think of some other ideas that maybe we can communicate with the businesses too. [multiple speakers].

J. Kevin Daly: Can do.

Bridge Littleton: The restaurants. So yeah. Okay. Thank you. Any other information items? All right. Looks like we've got a closed session coming up. So, Mr. Bernard.

Chris Bernard: I move that Council go into closed session as authorized under section 2.2-3711 of the Code of Virginia for consultation with legal counsel pertaining to actual litigation involving Salamander Farms, LLC versus the Town of Middleburg as allowed under subsection A7. I further move that Council thereafter reconvene in open session for action as appropriate.

J. Kevin Daly: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? All right. Closed session, that is. Okay. I asked the Council certify that in the closed session just concluded to the best of each member's knowledge, nothing was disclosed except the matter or matters specifically identified the motion to convene in closed session and to 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 that any discussion that occurred within it should be treated as confidential.

Deborah Gallagher: Oh. Yes.

Chris Hersh: Yes.

Darlene Kirk: Yes.

Bridge Littleton: Yes.

Chris Bernard: Yes.

Cindy Pearson: Yes.

J. Kevin Daly: Yes.

Pam Curran: Yes.

Bridge Littleton: Any other items? Yeah. Chris.

Chris Bernard: I move that the Town Council authorized the Town Attorney to file an appeal of the Loudoun Circuit Court decision in the case of Salamander Farms, LLC versus the Town of Middleburg.

Darlene Kirk: Second.

Chris Hersh: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? All right. Meeting adjourned. Thanks, everybody.