MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, July 9, 2026

PENDING APPROVAL

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

STAFF: Bryan D. Foster, Interim 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
Jennifer Bell, Director of Community Engagement

ABSENT: Councilmember Pamela Curran (attempted to attend remotely)

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, July 9, 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. Councilmember Curran attempted to attend the meeting remotely; however, technical difficulties prohibited her participation.

Public Comments

Punkin Lee, Chair of the Middleburg Business & Professional Association, appeared before the Council to thank the Town for a wonderful Fourth of July Celebration. She also thanked the Town for allowing for the use of the Council Chambers due to the extreme heat for the reading of the Declaration of Independence. Ms. Lee noted the Middleburg Business & Professional Association's upcoming Summer Sidewalk Sale.

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.

Staff Reports

June Staff Report

Town Clerk North reported that with the changes in personnel, she worked to update the Town's online forms on the website to ensure the proper person was now receiving them when something was submitted electronically. She noted that she spent a considerable amount of time downloading and saving the Oktoberfest vendor applications and attachments that were previously submitted to former Director MacIntyre so they would be available for Director of Community Engagement Bell as she prepared for that upcoming event. Ms. North reported that what she hoped to be the final testing and balancing (TAB) of the Town Hall HVAC system would occur next week. In response to an inquiry from the Council, she explained that two issues occurred that affected the air conditioning in the Council Chambers on the Fourth of July. She advised that the first was that the system was programed to show the room as only being occupied on Mondays and Thursdays, thus the AC was not scheduled to run and needed to be turned on manually. Ms. North advised, however, that the Town had been experiencing issues with the system since the recent power failure and opined that the programming had been affected by it. She expressed hope to have the programming fully restored during the TAB.

Finance Director Fletcher reminded Council that it was the time of year when the revenues were in flux, as the meals, transient occupancy, and real property taxes that were paid in July were transferred back into June. She advised that she would provide updated revenue figures once they were available.

Police Chief Jones thanked everyone who assisted with the Fourth of July Celebration. He reported that the Police Department was now preparing for the upcoming National Night Out and Oktoberfest events.

Deputy Town Manager Moore noted that due to the change in personnel, Chief Jones took on a much larger role in organizing the Fourth of July Celebration. He recognized him for his efforts. Mr. Moore advised that despite being told she did not have to do anything due to just starting the position, Director of Community Events Bell jumped in and assisted with activities at the Town Hall. He reminded Council that the activities occurred in two locations – the Middleburg Community Charter School and the Town Hall – and advised that while the Town's events contractor handled things at the Charter School, Ms. Bell jumped in to coordinate things at the Town Hall.

Town Attorney Crim noted that the items he would report on would be discussed during the closed session.

Director of Community Engagement Bell noted that she had been on the job for two weeks and had met with the Town's events contractor, marketing contractor, and others. She reported that she provided some assistance during the Fourth of July Celebration and assisted with the Clothing Closet ribbon cutting ceremony. Ms. Bell expressed appreciation for how welcoming everyone had been. She advised that she looked forward to helping with the Council's strategic priorities. Ms. Bell noted that her current priority was the organization of the upcoming Oktoberfest.

Asbury Church Project Report

Town Clerk North reported that the Town Attorney completed his review of the Convergent contract for fundraising services and the contract was signed. She advised that Convergent was working to identify some dates for their alignment meeting with the Fundraising Committee.

Town Clerk North reported that the staff submitted their review comments on the 95% construction plans. She noted that she, Glave & Holmes, Downey & Scott and the engineer were meeting in the morning to discuss the sanitary sewer service.

Town Clerk North reported that she completed and submitted a grant application for the Hillsdale Fund. She thanked Megan Gallagher and her brother, Peter, for identifying and assisting with this submission. In response to an inquiry from the Council, she advised that the Town would hear from the Virginia Department of Historic Resources on whether it would be awarded a BIPOC grant by the end of September.

Consent Agenda

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

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

Action Items

Council Approval – Ordinance to Amend Town Code Pertaining to Fee for Returned Checks

Town Clerk North reminded Council that for many years, there were only two forms of payment – cash and check – however, there were now multiple forms of payment, including electronic payments. She noted that when a bad check was issued to the Town, the State Code allowed the Town to charge a fee of up to $50. Ms. North reported that the General Assembly recently amended the State Code to recognize the other forms of payment and now allowed the $50 fee to apply to any form of a bad payment. She noted that it also allowed the Town to reinstate the amount due as if payment had never been made. Ms. North advised that an ordinance amendment was being presented to the Council to update the Town Code in conformance with the new State Code regulations.

Councilmember Daly moved, seconded by Councilmember Kirk, that the Council adopt AN ORDINANCE TO AMEND TOWN CODE SECTION 3-8 PERTAINING TO THE FEE FOR RETURNED CHECKS; PAYMENT ORDER NOT PAID FOR RECIPIENT.

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

Discussion Items

Drought Status Report

Interim Town Manager Foster reported that Middleburg was continuing to experience significant drought conditions and noted that the Virginia Drought Map showed Loudoun's ground water to be in an emergency status. He reported that the Town's wells continued to experience a reduction in water levels. Mr. Foster acknowledged that Middleburg had received some heavy rains recently; however, it was not reaching the aquifer. He asked the Town's contract operator Inboden Environmental Services (IES) for trend data on well levels, and Mark Inboden provided a report that included this data. Mr. Foster reminded Council that the Utility Committee would meet again next week, at which time, they would offer their recommendation. Mr. Foster noted that in his discussions with IES,that Mark Inboden is recommending the Town enter into mandatory water conservation. He noted that a motion was provided to the Council in the event they wished to implement it before the Utility Committee meeting.

After some discussion, the Council agreed to hold off on implementing mandatory water restrictions and to consider it during their July 23rd meeting after the Utility Committee had an opportunity to provide their input. They asked that the staff post the most recent drought report on the Town's website and alert the water customers, via the Town's newsletter, that the Council would consider implementing mandatory water restrictions in the near future so they could prepare for it.

Information Items

Vice Mayor Bernard noted the increase in the number of e-bikes and e-scooters in Middleburg. He advised that he was researching the State Code with regard to the restrictions that could be put in place on them and suggested the need to establish regulations before the General Assembly took away localities' ability to regulate them.

Mayor Littleton reported that during a recent TANV (Towns Association of Northern Virginia) meeting, changes to the ABC regulations and how they would impact local events, such as Oktoberfest, were raised. He advised that the Mayor for the Town of Lovettsville expressed a desire to reach out to Middleburg's staff to determine how they were going to address this.

Director of Community Engagement Bell confirmed she would be happy to discuss it with them.

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 (1) Salamander Farms, LLC vs. the Town Council of Middleburg, and (2) Salamander Resort LLC vs. the Town Council of 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, Daly, Gallagher, Hersh, Kirk, and Pearson
No – N/A
Abstain: N/A
Absent: Councilmember Curran
(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 – Legal Services

Vice Mayor Bernard moved, seconded by Councilmember Kirk, that Council approve a proposal for appellate legal services with Sands Anderson.

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

There being no further business, Mayor Littleton declared the meeting adjourned at 6:54 p.m.

APPROVED:

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Rhonda S. North, MMC, Town Clerk

July 9, 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)

Due to a failure of the audio system, there is no transcript for this meeting.