MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, September 10, 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: 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

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting on Thursday, September 10, 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

John Ross, of 1 Orange Drive, noted the three new restaurants that would be located in the former Fun Shop building. He inquired as to what provisions were made for parking for them.

Mayor Littleton advised Mr. Ross that he would get with the Deputy Town Manager and would send him a response.

Special Recognition

Bryan D. Foster – Interim Town Manager

Mayor Littleton thanked Interim Town Manager Foster for coming in and helping the Town after former Town Manager Davis and Director of Business Development & Community Partnerships MacIntyre both left. He noted that Mr. Foster helped guide the Town through it and took on a lot of projects that Mr. Davis was directly responsible for, so the Town did not have to overload the remaining staff, who had other priorities. Mr. Littleton reiterated his appreciation for Mr. Foster's assistance and his willingness to be on call as needed. He presented him with a card signed by everyone on the Council and staff, as well as a Middleburg paperweight.

Interim Town Manager Foster expressed appreciation for the opportunity to serve the Town and noted that he was happy to have been of assistance for the last few months. He advised that Middleburg had a great team and noted the recent addition of a couple of members. Mr. Foster advised that the Town was great and that he enjoyed working here. He noted that he was available for on-call assistance if anything was to arise in the future and opined that the Town was in good hands with the team it already had.

Public Presentation

Constitution Week Proclamation

Mayor Littleton read aloud the proclamation declaring September 17-24, 2026 as Constitution Week in the Town of Middleburg. He presented a signed copy to Anne Ballenger, of the Daughters of the American Revolution.

Staff Reports

August 2026

Town Clerk North reminded Council of the retirement reception for Lieutenant Putnam that would be held on September 17th in the Town Hall Council Chambers. She reported that she had responded to the large FOIA request that was recently received by the Town and noted that it was now closed.

In honor of Constitution Week, Director of Community Engagement Bell distributed flag pins to everyone in the Council Chambers. She reminded Council of the 911 Commemoration Event that would be held on September 11th at the Town Hall. Ms. Bell further reminded Council of the veterans event on November 11th. She reported that she was continuing to learn the ins and outs of the Town's various special events, as well as getting to know people in the community. Ms. Bell reminded Council of the Oktoberfest event that would be held on September 19th and encouraged the members of Council to attend. She explained that the reason she included so much data from Red Thinking in her monthly report was that it occurred to her that the Council may not have received it while her position was vacant; therefore, she included the reports from the beginning of the year. Ms. Bell reported that EDAC and the Middleburg Arts & Cultural Events Committee were working on the Town Committee Assessment forms to identify their goals and would offer their reports in 2027. She advised that they would then begin working toward making progress on the goals.

In response to inquiries from the Council, Finance Director Fletcher reported that the utility bills would be distributed on September 11th. She further reported that the auditors would be in Middleburg the end of the month and would work on the audit through October. Ms. Fletcher advised that they would present the draft audit report to the Strategic Finance Committee in November and to the Council in December.

Councilmember Curran noted that the monthly report showed no revenue for the capital improvement projects fund and $50,000 in expenditures. She questioned whether this was how it was normally reported.

Councilmember Hersh noted that the pump & haul services were usually under budgeted as well. He inquired as to whether some action would be taken to zero this out.

Interim Town Manager Foster advised that he could not speak as to why it had been done this way in the past; however, he noted that the cost for pump & haul services have been increasing. He reported that the Town budgeted for the amount spent the previous year; however, the costs were higher. Mr. Foster advised that they have been incrementally increasing. He explained that with the award of the bid later during the meeting, the staff hoped to better capture the cost, as the Town would have a firm bid price for next year's budget. Mr. Foster opined that, moving forward, this would not be an issue and that the Town should be able to better account for those costs.

Police Chief Jones reiterated that the Town would hold the 25th Remembrance Ceremony on September 11th at the Town Hall flagpoles. He reported that the Department was preparing for Oktoberfest, as well as Christmas in Middleburg.

Councilmember Kirk noted that last week, the traffic light in Town went down. She further noted that she called the Town Hall to report it and found out that one of the police officers was delivering something and the other was in training. Ms. Kirk advised that this bothered her and noted that a lot of people had been saying they did not see the police officers or Chief on the streets anymore. She questioned whether the officers were aware that they could break off of training and provide assistance in an instance like this one, as it was impossible to get out from the side street. Ms. Kirk advised that the motorists (on Washington Street) were going fast.

Chief Jones agreed that in a case like that, the officer needed to prioritize it. He further agreed that the officer should have broken away to take care of the issue. In response to an inquiry from the Council, Chief Jones confirmed they should have known this.

Councilmember Kirk expressed concern that someone could have been in an accident, as this occurred during the morning commute. She asked Chief Jones to let the officers know that they could break off for something like that.

In response to inquiries from the Council, Chief Jones reported that he conducted three interviews for the additional police officer position, two of which were promising; however, the Town could not afford to pay them the salary they were already making. He further reported that a second round of interviews was held last week and advised that he was in the process of doing a background investigation on the interviewee. Chief Jones noted that once complete, he would make that individual an offer if possible. He advised that the salary requirements the individuals were putting on their applications were more than the Town was paying its current officers. Chief Jones noted that when he advised them that the Town could not pay what they were asking, they withdrew their applications. He reiterated that once the background check was complete on the current candidate of interest, he would make an offer, assuming the check came back okay. Chief Jones confirmed he had already discussed the salary range with that individual, including what the offer would be.

Vice Mayor Bernard thanked the Police Department for their diligence with regard to the schools going back into session.

Councilmember Curran questioned whether the speed signs were being rotated throughout town. She noted that she could not believe how fast people were driving when heading out of town.

Chief Jones noted that, at the request of Councilmember Pearson, he moved one of the signs to Marshall Street. He advised that he wanted to keep the ones on Route 50; however, he was starting to rotate them. Chief Jones reminded Council that he would get a report every thirty days on the speeds being recorded. In response to an inquiry from the Council, he confirmed there was a sign at the entrance to town that was moved closer to the funeral home.

Councilmember Kirk noted that she heard some nice feedback regarding Officer McCord and advised that he had been seen walking around town. She reported that the bank really appreciated his visit.

Vice Mayor Bernard advised Council that he asked Chief Jones to look into the budget impact of getting a couple more speed signs that could be placed in permanent locations. He noted that this would provide the Town with data, as well as disincentivize speeding.

Councilmember Kirk suggested the need to issue tickets. She noted that she was almost hit by a motorist, who was coming out of Salamander, that did not stop for the stop sign.

Vice Mayor Bernard advised that once the Town had real time data, the officers would know where they needed to sit at what times.

Deputy Town Manager Moore reported that South Pendleton Street, between Washington and Federal Streets, would be closed for a portion of September 14th to mill and pave in the area where the sewer repair work was recently completed. He noted that he was working with the Chief to coordinate the closure, including how it would impact Seven Loaves. In response to inquiries from the Council, Mr. Moore confirmed there was a patch that VDOT re-did subsequent to its paving job that required the section to be remilled and repaved after VDOT's paving work spidered within one year. He advised that the paving the Town was going to do would not be that far north.

Town Attorney Crim reported that the Town's motion for a stay of Judge Plowman's order in the Salamander Farms case was denied. He noted that he had not yet seen his order. Mr. Crim reported that the next step was to file a motion for a stay in the Court of Appeals and advised that they could independently grant it if they choose. He reported that he would file the motion early next week, as soon as he received the full transcript from the hearing in front of Judge Plowman.

Consent Agenda

A. Council Approval – August 6, 2026 Special Meeting Minutes

Vice Mayor Bernard moved, seconded by Councilmember Daly, that Council adopt 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 – Award of Bid for Pump & Haul Services

Interim Town Manager Foster reminded Council that the Town periodically solicited bids for this service. He reported that the recent invitation for bids resulted in three responses, with the lowest being $600 per 5,000-gallon load hauled to the Broad Run Water Reclamation Facility. Mr. Foster noted that it was submitted by Five Star Septic. He advised that Inboden Environmental Services was recommending the award of the contract to them. Mr. Foster explained that the contract would be for one-year, with the option to renew for four additional one-year periods, for a total of five years. He noted that if the Town was not satisfied with their services, it could do something different on an annual basis.

Councilmember Pearson moved, seconded by Vice Mayor Bernard, that Council award the bid for Pump & Haul services to Five Star Septic, Inc. in accordance with the terms of the Invitation for Bid and the bid forms submitted by the bidder.

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 – Swagit Contract Amendment

Town Clerk North reminded Council that she had been working on the Town's digital accessibility and noted that one of the things that was needed was to add closed captioning to the meeting videos. She reported that to that end, she and former Town Manager Davis had worked with Swagit, now Granicus, on it. Ms. North reported that she was recommending amending the contract with Swagit/Granicus to add CaptionLiveBasic services, which would generate real time captioning. She advised that the staff estimated one hundred hours of these services would be needed annually based on past meetings, which would cost just under $7,700. Ms. North noted that there would also be a one-time cost, in the amount of just under $19,000, for the encoder needed to make this happen. She reiterated that the staff was recommending this, as the Town continued its goal to be digitally accessible.

Mayor Littleton reminded Council that this was now a code requirement; therefore, the Town must do it.

In response to inquiries from the Council, Town Clerk North confirmed Swagit would bring the equipment to Middleburg and install it in the AV equipment room. She reminded Council that the Town was on its second encoder. Ms. North reported that the first one was installed at the old Town Office and noted that the Town had it for five years. She advised that it was only changed because of the move to the new Town Hall and the change over to a multiple camera recording system, which required a different encoder. Ms. North opined that the other encoder would have continued to operate and suggested it was not a piece of equipment with a short life span.

Mayor Littleton opined that they usually lasted seven or eight years.

Councilmember Daly moved, seconded by Councilmember Hersh, that Council authorize the Town staff to enter into an amendment of the Town's current contract with Swagit/Granicus, dated August 24, 2026, to add CaptionLiveBasic services to the Town's meeting videos.

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 – Amendment to Ordinance Establishing the Economic Development Advisory Committee

Town Clerk North advised Council that this was a request to amend the ordinance that established the Economic Development Advisory Committee to add a representative from the Middleburg Business & Professional Association as an ex-officio member. She further advised that it also included a couple of housekeeping items to update the title for the Director of Community Engagement and to require the committee to provide the Town Clerk with their meeting agenda at least three business days in advance of the meeting so it could be posted on the Town's website in accordance with the recent revisions to the State Code.

Councilmember Curran moved, seconded by Councilmember Hersh, that Council adopt AN AMENDMENT TO THE ORDINANCE ESTABLISHING THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE.

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 Appointment – Interim Town Manager

Councilmember Daly moved, seconded by Councilmember Hersh, that Council appoint William Moore as Interim Town Manager effective September 11, 2026 pursuant to Town Charter Section 4.1.

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.)

Discussion Items

Zoning Text Amendment 26-01: Amend Articles II, XI & XVI Pertaining to Definitions & Associated Regulations for Parking Lots

Deputy Town Manager Moore reported that this issue was discovered after the Town's negotiations with the Middleburg Methodist Church to renew the lease for their parking lot were unsuccessful this past year. He advised that members of the church approached the Town about the possibility of using their lot for paid hourly parking when not in use by the on-site

uses and explained that this was not allowed under the current ordinance structure, regardless of whether there was compensation involved or not. Mr. Moore reported that after being encouraged to approach the Planning Commission, the Commission initiated an ordinance amendment, which was what was before the Council. He advised that the amendment would provide for different definitions for different types of parking lots, one of which was as an accessory use. Mr. Moore explained that the amendment would allow accessory use of the parking lot by-right during off hours, with or without compensation, for other uses or for the general public. Mr. Moore further reported that the construction of a free-standing parking lot, which would be the principal use, would only be allowed in the C-3 District with a special use permit. He advised that a definition would also be provided for a municipal lot, which would be by-right in any of the commercial districts. Mr. Moore reported that the Planning Commission forwarded the amendment with a unanimous recommendation for approval and advised that it was scheduled for a public hearing during Council's next meeting.

Mayor Littleton noted that certain businesses had parking requirements. He questioned whether the portion of their parking lot that exceeded the parking requirement could only be used for this purpose or whether the totality of the lot could be used.

Deputy Town Manager Moore advised that this was not addressed in the proposed amendment and noted that he would have to ponder that to make a determination. He opined that as currently drafted, it would be the lot in its entirety; however, there could be an argument for an interpretation that it was only the excess parking.

Mayor Littleton advised that he was good either way; however, he suggested the ordinance needed to be clear. He opined that a lot of businesses exceeded their minimum parking requirements. Mr. Littleton further opined that the intent of the ordinance was to apply to the entire lot. He noted that under the ordinance, the property owner would be able to do what they wanted with those spaces after hours. Mr. Littleton suggested the need to make sure there was no conflict with the parking requirements.

Deputy Town Manager Moore confirmed there was not. He advised that there were not many instances in which businesses were over parked in town.

Mayor Littleton suggested this could apply to the Methodist Church and the bank. He noted, however, that in the future, the bank building could be used for another purpose. Mr. Littleton advised that the public hearing on this item would occur in two weeks.

Drought Status Report

Interim Town Manager Foster reported that Middleburg was still in an emergency situation for groundwater based on the DEQ (Department of Environmental Quality) monitoring report. He acknowledged that the town had received rain; however, he advised that getting a lot of rain in a very short period of time was not helpful and explained that it was needed over a long period so it could recharge the aquifer. Mr. Foster noted that he included a new graph in his report that showed the water use trend since mandatory conservation was imposed. He advised that the average weekly consumption had decreased by 20%, meaning the data suggested mandatory water conservation was working as intended. Mr. Foster reminded Council that the data showed a little bit of positive gain in the well levels over one month. He noted that another report on the well levels would be provided in two weeks. Mr. Foster reiterated the need for more rain. He advised that the staff believed the mandatory water conservation needed to remain in effect. Mr. Foster noted that the Town would continue to re-evaluate this to see if the data warranted making a change.

Mayor Littleton noted that one month was a fluke and two was a streak. He agreed with the need to have three to four months' worth of positive movement.

Information Items

Short-Term Rental & Auxiliary Dwelling Unit Legislation

Mayor Littleton reported that COLT (Coalition of Loudoun Towns) planned to work very aggressively on short-term rentals. He noted that there was now a lot of data from the last two to three years that showed their impact on communities. Mr. Littleton reported that the impacts were substantial. He reiterated that COLT planned to press its State Delegate and Senator hard on this issue. Mr. Littleton noted that Kelly Burke would be President of the Virginia Municipal League (VML) starting in October and advised that she could help make that a priority for VML. He noted that one report showed a 10% increase in short-term rentals increased housing costs by 17%, which destroyed affordability.

Councilmember Curran noted the need to also address Auxiliary Dwelling Units (ADUs). She reminded Council that those became by-right in 2027.

Mayor Littleton advised that one of the VML's top priorities was to get that legislation overturned. He noted that a recent report found that accessory dwelling units did not increase affordable housing. Mr. Littleton explained that often a family member moved into the unit or it was turned into a short-term rental. He advised that in less than 5% of the cases, did such a unit become a long-term rental that was affordable.

Vice Mayor Bernard noted that localities could not stop a person from building an ADU or using them as a short-term rental.

Mayor Littleton advised that the idea was that they would solve affordable housing; however, they did not. He opined that it was a solution that did not address the problem and had negative impacts because it was now by-right. Mr. Littleton noted that if a locality did not have the water and sewer capacity to support the increased number of units, it would have to construct new treatment plants, which could not be done until it could find the $15 million to do so. He reiterated that everyone was going to work on the short-term rental issue.

Passing of Community Members

Councilmember Pearson noted that the Town recently lost a couple of community members. She expressed sympathies to the families of Franklin Payne and Rich Barkley. Ms. Pearson noted that Gretchen Yahn, who worked for Salamander on their housing project, also passed unexpectedly.

Councilmember Kirk noted that there would be a service for Mr. Berkley on September 11th at the Baptist Church in Purcellville.

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 (1) consultation with legal counsel pertaining to actual litigation involving Cooper Building Services vs. the Town of Middleburg, (2) consultation with legal counsel pertaining to actual litigation involving Salamander Farms LLC vs the Town Council of Middleburg; and (3) consultation with legal counsel pertaining to actual litigation involving Salamander Resort LLC vs the Town Council of Middleburg, all three as allowed under Subsection (A)(7); and, (4) the hiring of a Town Manager, as allowed under Subsection (A)(1). 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.

There being no further business, Mayor Littleton declared the meeting adjourned at 8:09 p.m.

APPROVED:

_____
Rhonda S. North, MMC, Town Clerk

Attachment: Transcript of the meeting.

September 10, 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 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, next item is the 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.

Bryan Foster: Bryan Foster, Town Manager.

Martin Crim: Martin Crim, Town Attorney.

Bridge Littleton: All right, next item is public comment. Hold on, John, let me give the instructions. If anybody would like to address the Council on any matter, they may do so by approaching the podium and having three minutes. Rhonda, did anybody sign up?

Rhonda North: No, sir.

Bridge Littleton: Okay. Anybody from the public? Anybody else? [laughter]

John Ross: John Ross, 1 Orange Drive. Just a little question. Looking at the size of the three new restaurant venues over the Fun Shop, I'm wondering what provisions have been made for parking. Thank you.

Bridge Littleton: All right. We will. I'll get with Will and send you something tomorrow. Anybody else? Okay. We will close public comment and now go to special recognition. And we have a special recognition for somebody who has been very instrumental in seeing us through the last couple of months. As everybody knows, this is Bryan's last meeting, officially, officially his last meeting doesn't mean you can't come back. You can come back anytime you like. You just can't bill us. [laughter]

J. Kevin Daly: Just for you. We're extending the hours for this week.

Bridge Littleton: But no Bryan, we just, you know, wanted to take a moment to thank you for all your hard work for coming in and helping out the town. You know, after Danny left. And at the same time when Ali left. I mean, it was a mass conspiracy between the two of them. But you helped us get through it, and really, you know help us guide through the moment, took on a lot of projects that Danny was directly responsible for, and made sure they got shepherded through without having to overload the current staff with their other priorities. So again, we really appreciate all your help. We really appreciate you being willing to be on call as needed. And also, you know, closing up those other couple of things. And we just want to take a moment to say thank you. Also, we have a card from everybody on Council and the staff. And also it would not be a departure from the Town of Middleburg if you didn't get a paperweight. So again, thank you. And I don't know if anybody else wants to jump in. But Bryan, thank you so much.

Bryan Foster: Thank you so much. [off mic]

Bridge Littleton: We really appreciate it very much. Thank you so much.

Bridge Littleton: And Schubert, stay silent. [off mic] I expect that from you, Kevin. Okay. And Bryan, if you if there's anything you'd like to say more than welcome to.

Bryan Foster: Yeah. Well, I'd just like to say again, I appreciate the opportunity. I was glad to, come in and be of assistance these last few months. This is a great team here. You've got a very good staff. And of course, we've added a couple of additional great staff since I've been here. And so yeah, it's a great town. I've enjoyed getting to be here and hopefully help a little bit. I very much enjoy the work. This is what I've done my whole career. So I was glad I was able to come and help in some way. And again I am available you know, for on call for if something were to come up in the future. But I know you'll be in good hands with the team that you have.

Bridge Littleton: Thanks, Bryan. Okay. Next item up is public presentation. Tonight we have a proclamation for Constitution Week, so let me pull that up real quickly. I'm just gonna pull it up on here. It's backlit. It's a lot better. Yes. And I can zoom in. Okay. So proclamation week. So this is, this is excuse me, this is a proclamation for Constitution Week which is from September 17th to the 23rd of 2026. So it's right up on us. And I think it's really important this year because it is the 250th anniversary of the founding of the nation. So this year is a, of one in particular where recognizing these milestones and achievements in our nation's history is important to remember and important to remember that it's one of those things that binds us all together as Americans. You know, it doesn't matter if you're a Democrat or a Republican or whatever. At the end of the day, this is something that, you know, we all come under. So we really appreciate the organizations who make sure that, you know, we recognize these important milestones. So I'm going to read the proclamation. So whereas the Constitution of the United States of America was established as the supreme law of the land to limit the power of government and to secure the rights and liberties of the people. Ensuring that the rule of law, not arbitrary authority, remains the foundation of our Republic. And whereas George Washington, in his first state of the Union address in 1790, reminded the nation that the success of self-government and the preservation of the sacred fire of liberty rests upon the commitment of the American people to this great experiment. Whereas, on September 17, 2026 marks the 239th anniversary of the framing of the Constitution of the United States, by the

Constitutional Convention, a document that has safeguarded liberty by restraining government power and guaranteeing individual rights. And whereas it is fitting and proper to honor this seminal charter of freedom and to celebrate its enduring role in protecting the people and upholding the rule of law. And whereas Public Law 915 provides for the annual proclamation by the President of the United States, designating September 17th through the 23rd as Constitution Week. Now, therefore, as Mayor of the Town of Middleburg, I do hereby proclaim September 17th through the 23rd 2026 as Constitution Week in the town of Middleburg, and call upon all citizens to reaffirm their commitment to the Constitution by remaining vigilant in defending the freedoms it guarantees. Remembering always that its enduring strength lies not only in words on parchment, but in the ideals it embodies and the active practice of liberty and the rule of law by the American people. All right. And yes, Deborah.

Deborah Gallagher: Did you write that?

Bridge Littleton: Absolutely not. It was written by our esteemed clerk Miss Rhonda North, with assistance from the.

Rhonda North: Daughters of the American Revolution.

Bridge Littleton: Yes. From the Daughters of the American Revolution and other constitutional organizations. [off mic] Yeah. So it was no, I mean, [off mic] as most credit with things in this town, it goes to Rhonda.

Deborah Gallagher: Yep, Rhonda.

Bridge Littleton: All right. Thank you very much. And I think we've got this framed. No, it's a proclamation, not a resolution. Yep. Thank you so much.

Anne Ballenger: Thank you.

Bridge Littleton: We really appreciate it. All right. Thank you so much.

Anne Ballenger: We are so grateful.

Bridge Littleton: Let's see. Next item is staff reports. I'll take it in a second. And ma'am, if you want, you can keep it in this box [off mic] if you want to protect it. [multiple speakers] Yeah. Sorry. I should have brought that over with me. Sure.

Chris Bernard: I would encourage it.

Bridge Littleton: Yeah. Here you go. Yeah.

Anne Ballenger: They're waiting for me. [off mic]

Bridge Littleton: Absolutely. Yeah. We're going to talk about utilities.

Anne Ballenger: Oh good.

J. Kevin Daly: Have a Good Evening. Thank you for being here.

Anne Ballenger: Thank you.

Bridge Littleton: Thank you so much. Have a good night.

Anne Ballenger: You, too.

Bridge Littleton: All right. Next items are staff reports. Miss North.

Rhonda North: Thank you, Mr. Mayor. I'd just like to remind Council that next Thursday, September the 17th, we will have the retirement reception for Lieutenant Putnam.

Bridge Littleton: Canceled.

Rhonda North: We'll be here in this room from 5 to 7 p.m., and Tutti is [off mic] 17th this Thursday. Next Thursday. And then, as I noted during the last meeting, the town received a very large FOIA request. And I am very happy to report that the response was sent out this afternoon. So that is closed. [applause] And that's all I have to report, Mr. Mayor.

Bridge Littleton: Thank you. Maybe I should send in a FOIA request. [laughter] All right? No. Never mind. Okay. Next up is Jennifer.

Jennifer Bell: To start my report this evening, I'm handing out flag pins in honor of Constitution Week. And also, of course, we talked about in my last report for those of you who are able to come to the 25th Anniversary of Commemoration of 911. You may wish to have this. And of course, there's also a veterans event coming up in November, which is Veterans Day. So [off mic] available as well for the public at some of those events should they want. Yeah, sure. Having busy times, as I mentioned before, we're working on events and learning the ins and outs of various events and trying to meet people and get to know people in the community. As I mentioned, tomorrow, of course, you know, was at 5 p.m. is the commemoration ceremony here for the ceremony here at five of the 25th anniversary? The other big thing coming up in the next couple weeks is Oktoberfest. Yay! Very excited. Looking forward to that. It's going to promises to be a very exciting day, wonderful day. And the keg tapping is at 11:30. It's from 11 to 6. So if you are planning to come for the keg tapping it will be at the beer garden. Please assemble there at 11:30. If you're going to come to that. If you were wondering why I included so much Red Thinking data in my report this time, it occurred to me that maybe you hadn't been receiving that for some months with the position being vacant. So I included pretty much the reports from Red Thinking from the start of the very beginning of the year. And that's why there's so much more than just the monthly report. In this month's. Also just want to mention with both EDAC and ACES, the Middleburg Arts and Cultural Events Committee. They're both working on their town assessment forms. That is the town procedure and looking at goals so that we'll be prepared and ready to do our report in 2027, as I understand, is common and typical. So we are starting to work on those and moving forward and hoping to make progress on those goals. For EDAC and then in setting ones that will bring before you for the Arts Cultural and Events Committee, which of course was newly somewhat newly formed between two committees. So it's an opportunity for great brainstorming and thinking. I know already we sort of struggled with, should there be arts at every event, you know, is every event, an art event, or should there be some events that really are independent of that? And so I think it'll have some really lively discussions. So I'm looking forward to. Are there any questions about my report?

Bridge Littleton: Okay.

Jennifer Bell: Okay. Thank you.

Bridge Littleton: Thanks, Jennifer. Next up is Angela.

Angela Fletcher: Thank you, Mayor and Council. I don't have anything to add to my report this time, but I'm happy to answer any questions you might have.

Bridge Littleton: Pam, have a question?

J. Kevin Daly: When is the water bill coming out?

Angela Fletcher: Hopefully tomorrow.

Bridge Littleton: The only question I had was this year's audit. When are you thinking that they'll have that wrapped up?

Angela Fletcher: So they come the end of the month. They should work on it through October, November they'll present to the Strategic Finance Committee their draft and then present to Council in December.

Bridge Littleton: Okay. So we will likely we won't have a second meeting, so either excuse me. It'll either be the beginning of December or beginning of January. Okay.

Angela Fletcher: Yeah. I think we're planning for the December meeting, if that's possible.

Bridge Littleton: Okay. Great. Thanks. Anybody else? Yeah. Pam.

Pam Curran: It just may be something I don't understand. So the capital projects zero revenue in and without my glasses, where we have $50,000 in expenditures. Is that the way that's usually reported out? Zero revenue. And then. Yeah, that's what I thought. I thought was just something I did.

Bridge Littleton: Yeah, Chris.

Chris Hersh: So later in the meeting we talk about pump and haul services and it's usually under budgeted.

Angela Fletcher: Yeah.

Chris Hersh: Is that is there a reason for that? Or is it something that in the upcoming budget we will make sure that it's zeroed out?

Bryan Foster: Yeah. I don't know why it's been. I can't speak to the why of the budget. The costs have been increasing the frequency in which we have to take dispose of that waste has increased. And so I think it's just a matter of if you go back and look, we budgeted an amount it was spent more so the next year we budgeted more, but then it was more than that. And then the next year we budgeted more and then but it was more than that. So we've been incrementally increasing it. But it hasn't caught it had. The expense, yeah we haven't caught up. And yes, with the bid award that you will be considering later we try to capture we'll capture better capture the cost because now we have a firm bid price and so we should so we, for next year's budget and moving forward, it should not be an issue. We should be able to better account for that. Thank you.

Chris Hersh: Thank you.

Angela Fletcher: Yeah.

Bridge Littleton: Awesome. Thanks.

Angela Fletcher: Thank you.

Bridge Littleton: Chief.

Shaun Jones: Good evening. You have my report before you. Tomorrow, as Jennifer said we're having a 25th Remembrance Ceremony 5 p.m. in front of Town Hall the flagpole and in reference to September 11th, preparing for Oktoberfest, and also Christmas in Middleburg. Is there any questions? Yes, ma'am.

Darlene Kirk: Last week when I was, going down towards Aldie. I was getting my car checked and the stoplights were out. So I came back a traffic light. And when I came back, the sign down there was out and traffic light was still out. So I called Rhonda to find out what was going on, why you guys hadn't taken care of it, and she very nicely called it in to get the light fixed. But she said one of you was like delivering something and one of you was in class and I was, I was kind of bothered about that because a lot of people have been saying, we don't see the police on the street anymore. We never see the chief on the street. You know what's going on. And I know that day one of them was at a class. And so why are they aware that they can break off what they're doing and come and help us? Because I'll tell you, it was impossible getting out from the side street. I mean, it was I was scared, to be honest. I thought I was going to have a wreck because they were fast.

Shaun Jones: At the stoplight.

Darlene Kirk: Going through the stoplight wasn't working.

Shaun Jones: Okay.

Darlene Kirk: So they saw it. They were going fast. So I think maybe they need to be.

Shaun Jones: If it's something like that, we have to prioritize. So if it's something like that, they should have broke away and took care of the issue.

Darlene Kirk: And they know that, right?

Shaun Jones: They should know that. Yes, ma'am.

Darlene Kirk: Okay. Because that was really bad. And I thought, well, if somebody gets hit right here, Rhonda's going to take care of it, I guess.

Shaun Jones: Okay.

J. Kevin Daly: What time of the day was this?

Darlene Kirk: Morning? It was the morning commute. The people coming at.

J. Kevin Daly: Seven ish. 8:00, 9:00.

Darlene Kirk: Eight and then I came back through and it still wasn't working. And people were going like nuts again. So I just quietly went up the back street. But I thought, you know, any kids out there going to get hit too? It was crazy traffic. It was like, they were racing each other to work. Nobody does that.

Shaun Jones: I will say something too. Okay.

Darlene Kirk: But yeah, making sure they know that they can break off for something like that.

Shaun Jones: Okay. Anything else? [off mic]

Deborah Gallagher: Oh thank you. I cannot recall the status of the additional officer. Have we been able to hire an additional officer?

Shaun Jones: We have we conducted about two weeks ago, I believe we conducted three interviews of candidates. Two of them were promising. One of them was through their application. When it got down to it we started talking about salaries and when it started talking about salaries, I mean somebody with two years of experience, the type of money they're making were ridiculous. And when we started talking about salaries we couldn't afford them. Last week we conducted an interview with a candidate and we're in the process of doing a thorough background investigation. So once that's complete, we'll, if we are able to make an offer, we'll go from there. Yes.

Chris Bernard: Is it normal that we would do all the background investigation and everything first before talking about salaries? Does that seem like an opportunity to save some time and resources?

Shaun Jones: Well, that's the thing. Yeah. Looking at the salary requirements that they put on the application, we did the background and so forth. And what they're asking for is completely. It's more than what our current officers are making. So when we asked, when I explain to them, you know, if we conduct a background, make you an offer, we can't pay you what you're asking for. And then they come back and say, okay, they're not interested.

Will Moore: No, Chief, I think he's referring to the candidate. [multiple speakers]

Chris Bernard: Yeah.

Shaun Jones: Oh. I'm sorry. My apologies. That's all right. Current candidate. Yeah, we're doing a background investigation. And then once that's complete, that's when we'll make an offer, if everything comes back.

Chris Bernard: Okay. But there's no opportunity to talk about salary before that so that we don't do all the work and they just say no.

Shaun Jones: No, we've actually discussed the salary range with that individual. And what we offer is, and that's something we can work with. Yes.

Chris Bernard: Cool. And then second thing I know all the guys have been on the ball with all the different schools going back. And so thank all of them because I know they've been very attentive with both of them. I think Hill was today.

Shaun Jones: Yes, sir.

Chris Bernard: Yes, sir. Good job.

Shaun Jones: Thank you.

Bridge Littleton: Yeah. Pam.

Pam Curran: Are we rotating the signs that track the speed? I was up by Locust heading out of town. I could not believe how fast people were flying out of town.

Shaun Jones: Yes.

Pam Curran: I did see we. [multiple speakers]

Shaun Jones: At the request of Councilman Council Member Pearson. We moved one of them down to Marshall. We wanted to keep the ones that we have on route 50, but we are starting to rotate them and we'll get a report every 30 days on the speed things. So, we're going to rotate them back and forth.

Bridge Littleton: Go ahead, Chris.

Chris Hersh: So to that point at the 35 mile an hour speed limit on the east side of town have you ever put one there or where it drops to 25?

Shaun Jones: We've had it at the entrance of town, and then we moved it up to near the funeral home. So we can take a look at removing that one.

Chris Hersh: Thank you.

Bridge Littleton: Darlene.

Darlene Kirk: Oh. I was quicker. I was just going to say I did get some nice feedback on Melvin, though.

Shaun Jones: Okay.

Darlene Kirk: Evidently he's been going around, and I know the bank was appreciative of him coming in and meeting and seeing them so.

Shaun Jones: Okay. No problem.

Bridge Littleton: Yeah.

Chris Bernard: On the speed things and we've, I know we've been moving them around and trying to figure out where to put them. I've asked Chief to look into what the budget impact would be to get a couple more of those so that we can find permanent locations for them. So we're looking into different opportunities to maybe have them fixed so that we can get some data as well as disincentivize speeding.

Darlene Kirk: I just said in tickets because they're flying through Ridgefield. I almost got hit tonight, somebody coming out of Salamander and they were not stopping.

Chris Bernard: Well in theory, the idea is hopefully that if you have them in places where you can get real time data out of them and they're in places that you know where they are, the officers will know where to sit at what times.

Bridge Littleton: Shaun, thank you.

Shaun Jones: Thank you.

Bridge Littleton: Yep. Okay. Next is Mr. Moore.

Will Moore: Thank you, Mr. Mayor. You have my report. One thing to add on South Pendleton Street between Washington and Federal, where we recently did the sewer repair project. We were going to have that closed for a portion of the day on Monday to do milling and paving over the area where the repair was. So working with Chief on arrangements to have the roadway blocked overnight Sunday night. And he's also reaching out to Seven Loaves because it will impact their services on Monday as well. So we'll make those connections, but expect that there will be that work going on, on Monday.

Bridge Littleton: Will, let me ask a quick question. Did we have to remill that already? Once after the full resurfacing across town? I mean, I remember on the north end they did full depth reconstruction on the back, on the south side, they just did milling. Yeah. And it spidered pretty quick. Did it already get done once, or is this going to be the first time?

Will Moore: I'll have to look back. I know we had conversations.

Darlene Kirk: I thought it did too.

Will Moore: Yeah. We there was a patch done somewhere by VDOT subsequent to that.

Bridge Littleton: Like within a year.

Will Moore: Yeah.

Bridge Littleton: Yeah. I thought it was there in front of [inaudible].

Will Moore: Yeah. It could be it unfortunately. Well it's not unfortunate, but the milling and paving we're going to do is not going to go that far north in the south part.

Bridge Littleton: Oh gotcha. It's going to be that area. Okay. All right. Thanks. Any questions for Will? All right. Thank you. The Town Attorney.

Martin Crim: Thank you, Mr. Mayor. You have my report. One update on the motion for stay. We were in front of Judge Plowman the other day and in the circuit court for the request that he stay his prior order in the Salamander Farms case. This is the special use permit denial appeal. We finally got the judge's order. Well, we got informed of what the judge's order was. We haven't actually seen the order yet that he denied the stay. So our next step is to file a motion for stay in the Court of Appeals, and they can independently grant that stay if they choose to. So we'll get that filed early next week as soon as we get the full transcript from the hearing in front of Judge Plowman and then move forward on, on that front as well. So happy to answer any questions.

Bridge Littleton: Any questions? All right. Thank you, Martin. Yes, sir. Next up is the consent agenda. Since there's only one item. I don't think anything needs to be removed. Go ahead.

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

J. Kevin Daly: 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 is Council approval of an award of bid for pump and haul services.

Bryan Foster: Yes, Mr. Mayor. Members of Council. I did the memo for that. We needed to. We periodically bid that service. It was time to do that. So we issued an invitation for bids. We received three responses. The lowest being $600 per 5,000 gallon load hauled to the broad run water reclamation facility. It's with Five Star Septic. We have discussed with them checked references. Inboden our contract operator they service other facilities that Inboden operates. So we are recommending award and this would be this contract or the RFP was set up for a one year agreements with the option for one year, additional one year renewals up to four. So it could ultimately be for a term of five years. But it allows us if we're not satisfied on an annual basis, we can look to do something different. So happy to answer any questions.

Bridge Littleton: Any questions? All right. Is there a motion?

Cindy Pearson: I'll make a motion.

Bridge Littleton: Cindy. Thank you.

Cindy Pearson: I move that the Town Council of Middleburg award the bid for Pump and Haul services to Five Star Septic Inc., in accordance with the terms of the invitation for bid and the bid form submitted by the bidder.

Chris Bernard: Second.

Bridge Littleton: Any discussion? Rhonda, if you could 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. Next up is Council approval of the Swagit Granicus contract amendment.

Rhonda North: Thank you, Mr. Mayor. As you know, we've been working on our digital accessibility items. And one of the things that we need to do is to add closed captioning to our meeting videos. So former Town Manager Davis and I started working with Swagit now Granicus on this item. And would like to recommend the amendment of our current contract to add Caption Live Basic which will generate real time captioning. We have estimated 100 hours per year of service needed based on our past meetings. That would come to an annual cost of just under $7,700 for the closed captioning service. Then there would be a one-time fee for the encoder, the equipment necessary to make this happen, which is just under $19,000.

Deborah Gallagher: You said $19,000?

Rhonda North: $19,000 yes, ma'am. So the staff is recommending approval of this so that we continue our trek to be digitally accessible.

Bridge Littleton: Can you say that three times real quick?

Rhonda North: No, I cannot, I can barely say it once. [laughter]

Bridge Littleton: Okay. I think the important I mean, this is now a code requirement. So, you know, one way or the other, we have to do it. So any questions for Rhonda on the Swagit contract? Yeah.

Cindy Pearson: Is that a piece of equipment that we have to have here or is this?

Rhonda North: Yes.

Bridge Littleton: So it's a box.

Rhonda North: Yeah. It's a box. They will bring it and we'll install it in our AV equipment room.

Bridge Littleton: Chris.

Chris Hersh: How often do encoders need to be replaced? Do you know that? I'm just for capital planning.

Rhonda North: We're on our second encoder. The first encoder was at the old town office. We had that one for, I want to say five years it, you know, and, but then we changed to a new system when we moved here with multiple cameras, which required a different encoder. The other encoder would have continued, I think, to have worked for a while. So it's not a short life piece of equipment.

Bridge Littleton: Yeah, that stuff's usually like 7 to 8 years. And that's the design, right? The mean time between failures, like seven years, right? They got to get that recurring revenue. Any other. Yeah, Kevin.

J. Kevin Daly: I'd like to make a motion.

Bridge Littleton: Oh would you? Please do.

J. Kevin Daly: I move that Council authorize the town staff to enter into an amendment of the town's current contract with Swagit Granicus dated August 24, 2026, to add Caption Live Basic Services to the town's meeting videos.

Chris Hersh: Second.

Bridge Littleton: Any discussion? Rhonda, if 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: Yeah. Hi. Aye.

Rhonda North: Council Member Pearson.

Cindy Pearson: Aye.

Darlene Kirk: I'm sorry.

Bridge Littleton: Okay next up is Council approval of an amendment to the ordinance establishing EDAC.

Rhonda North: Mr. Mayor, Council has requested to amend the ordinance establishing EDAC to add a representative from the MBPA as an ex officio member. Also a couple of housekeeping items updating the title of the Director of Community Engagement. And then with regard to the recent FOIA change that prohibits the action on items added once the agenda is commenced asking that they provide the agendas to me at least three business days in advance so that we can get them posted to the town's website, which is also a component of that FOIA change. With that, the staff is recommending approval of the ordinance amendment.

Bridge Littleton: Any questions? All right.

Chris Hersh: I got it.

Bridge Littleton: Pam. Go ahead.

Pam Curran: I move that Council, adopt an amendment to the ordinance establishing the Economic Development Advisory Committee.

Chris Hersh: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? Okay. We've got one other item with Bryan ditching us.

Bryan Foster: Thanks a lot.

Bridge Littleton: We do need to officially appoint Will as the Interim Town Manager so he can have all the duties, responsibilities there, so forth, empowered. If someone would like to read that, that'd be great. Kevin.

J. Kevin Daly: I move that the Town Council appoint William Moore as Interim Town Manager, effective September 11, 2026, pursuant to Town Charter section 4.1.

Chris Hersh: Second.

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

All of Council: Aye.

Bridge Littleton: Opposed? Abstentions? You're in for it now. All right. Discussion items. Zoning Text Amendment 26-01. An ordinance to amend the Zoning ordinance pertaining to definitions and associated regulations for parking lots. Mr. Moore.

Will Moore: Thank you, Mr. Mayor. You have the report and the draft amendment. This was an issue that was kind of discovered, if you will after the town's negotiations with Middleburg Methodist Church to potentially renew the lease of their lot for public parking were unsuccessful this past year. Members of the church approached the town about the possibility of using their lot for essentially paid hourly parking when not in use

by the on-site uses of the church or Seven Loaves. Taking a look at the way our ordinance is structured that would not be permitted. In fact, if you take a hard line read of our ordinance, you can't even use it for uses that aren't on site even without compensation. Like if you take a hard line, it's only for those uses. So the members of the church had some discussions with a couple of Council Members about potentially sponsoring an amendment to address the issue. It was encouraged that they actually go to the Planning Commission to discuss. The Planning Commission started those discussions in June. They initiated an amendment subsequent to that. And that's the amendment that you have here before you. Essentially, what it would do would kind of give some different definitions of types of parking lots. One of those is an accessory use. So if you built a parking lot that goes along with on-site uses, then the parking lot is accessory to those uses. But this would specifically say that it could be used off hours with or without compensation for other uses or for the general public however, the owner would see fit. It would so again, that's an accessory use that would be by right when you have a parking lot. If you wanted to construct a freestanding parking lot, that is a parking lot, which is a principal use on its own that would only be allowed in the C-3 district and only with the Special Use Permit. Because we would want to carefully monitor if people were getting in the business of just providing parking. But we wanted to allow for continue to allow for it as a special exception use. And then we specifically give a definition for a municipal lot. And that would be by right in any of the commercial districts, just as it is today. But we're adding the definition. So this was forwarded by the Planning Commission with unanimous recommendation for approval. We would have this scheduled for public hearing at your next meeting, but happy to have any discussion or answer any questions at this time.

Bridge Littleton: Thanks, Chris. Is there anything from the Planning Commission you wanted to opine on?

Chris Hersh: No, it was pretty straightforward and got things corrected and on the right track.

Bridge Littleton: Okay. Any questions for Will? Only question I had Will was, I just want to make sure I understand this correctly. So certain businesses in town have to have a parking requirement and they can either, you know, pay in lieu of or rent spaces or they have their own parking. And by characterizing this the right way that when, let's say they have a parking lot, when they are in operation for their primary use, that parking lot in its totality can only be you know used for that use or is it only to the limit of their parking requirement?

Will Moore: That's a good question. It's not one that was specifically addressed in the amendment. The way it reads right now is the Yeah, I would have to ponder that to make a determination. I, you know, if you read it by the letter of the way it's drafted right now, it would really be the lot in its entirety. But there could be an argument for an interpretation that only to meet the requirement. And if you have excess that it can be used in any manner, so.

Bridge Littleton: Yeah, I mean, you know, I'm good either way. Yeah, I shouldn't say it that way, but I think it is better. It just needs to be clear. And I think it's, you know, my thought is it's I think it's better that, you know, we have minimum parking requirements, but a lot of these businesses, it's a lot more than that. You know, someone parks there, they go to that business, then they go to another one and another one and they don't go move their car or whatever. So I'm all in for, I think the way you guys intended, which was, it's the whole lot, you know, you may only be required to have five spots and you have 15 when you're in operation, those 15 are for your business. When it's off hours do whatever you want. But yeah, I just, that was the one thing I noticed that I thought you could read either way. So I just want to make sure it wasn't in conflict with the parking requirements.

Will Moore: It's not. And I will say whether it's fortunate or unfortunate, we don't have many, if any that are theoretically over parked. We don't have that situation like a big box store does where it is required to have 200

spaces by a local code, but they build 500 because, you know, they just want extra spaces. So we don't really have that problem.

Bridge Littleton: The only thing I can think of is the Methodist Church and the bank. Yeah. Yeah. But, you know, just think about the future. If someone else buys the bank and does something different with it and, you know, whatever. So. Okay.

Will Moore: Right. Okay.

Bridge Littleton: Thanks. Any other questions for Will? Okay. So I think we're and we're all good for the public hearing next meeting.

Will Moore: Two weeks from now.

Bridge Littleton: In 2 weeks. Okay. Awesome. Next one is drought status report. Mr. Foster.

Bryan Foster: Yes. Thank you, Mr. Mayor, Members of Council, the report it's reporting the same, which is we're still in the emergency situation for groundwater as far as what the DEQ is monitoring. So even though we've had rain, we've had these big storms getting a lot of rain in a very short period of time is not very helpful. We need a good amount of rain over a long period of time, so it has time to recharge the aquifer. That being said, I did, I included a new graph in this report. Now that we have some trend data and since we've initiated mandatory conservation. You can see the average weekly consumption has gone down quite a bit, which is what we would expect. An almost 20% average of 20% since before we implemented the mandatory conservation. So the data suggests that the conservation is certainly working as we intend it to. If you'll recall from Inboden's report last month or last meeting their report, they showed some a little bit of positive gain. But again, it was just one month. We don't know what it's going to do. They'll be here again later this month. And so we should see, you know, see what the data looks like at that point for the wells. And just we need more rain. So at this point, we certainly think that the mandatory conservation needs to stay in effect. But as you're doing it, this meeting, each meeting, you can keep reevaluating and see you know, see what the data shows and if it warrants making a change. But other than that, it's pretty much as it's been but happy to answer any questions.

Bridge Littleton: Yeah, I appreciate it. Yeah, with just one, I mean, one's a fluke. Two is a streak. So, you know, I totally agree that having more, you know, two, three, four months of, you know positive movements is something we need to, you know, be mindful of, so. Any questions for Bryan on drought monitoring? Okay. Thanks, Bryan. Any information items from anybody? The only one I had was COLT got together last night. One thing that we are going to try to work on very aggressively, even though it's a little late. And Martin, I got to I need to pick your brain about this, is short term rentals. You know, and there's a lot of data that's now out from the last 2 to 3 years on their impacts on communities. And it's substantial and the inability of any. I mean, we have our ordinance, but in most of the towns don't have one or it's not a very good one or it's got holes or whatever. So we really want to press that very hard with our delegate and our state senator. And the really good thing is Kelly Burke is going to be the president of VML come October. And, you know, so she can help make that a priority for VML to use their efforts and whatnot. So the one report I saw was that a 10% increase, I'm going to get it wrong, but it's kind of close, a 10% increase in short term rentals in a community increases the housing costs by 17%. Which just like destroys affordability.

Darlene Kirk: Yeah.

Bridge Littleton: So it's a very, very vicious pernicious thing. Yes.

Pam Curran: Have they started to talk about ADU's.

Bridge Littleton: In.

Pam Curran: Because doesn't that become, [off mic] oh, accessory dwelling units? Because isn't that by right in 2027. Yes.

Bridge Littleton: So yeah. VML that's one of their top priorities to try to get that overdone or, you know, whatever. And who was it last night? I can't remember who it was last night, but there's actually been a. Oh, it was Scott Ramsey. He's the Mayor of Round Hill. There is a recent report out that says accessory dwelling units do not increase affordable housing. What ends up happening is the person builds an accessory dwelling unit. Many times it's a family member, you know, who moves in a child or an elderly parent, or they will move into the accessory dwelling unit, have their children move into the main house or they Airbnb it. So the amount of times it actually becomes a long term rental that's affordable, it's like less than 5%.

Chris Bernard: You can't stop them from building an ADU and you can't stop them from Airbnbing it.

Bridge Littleton: Correct? Exactly. Well, it's like, okay, well, part of it too is like, okay, great now the ADU thing that's how we're going to solve affordable housing. You're not. So that was a, that was a solution that didn't address the problem. But it has all these negative, you know, because now that it's by right. If we don't have water and sewer capacity to support the increased number of units, we have to, you know, they didn't account for any of that. So it's like, okay, well, we'll build another sewer plant another treatment, you know, whatever, we'll see you in ten years once we find the $15 million to do it. So anyway, that was the, you know, one thing, the short term rentals was something that we were going to, that everybody wanted to work on. That's it. Any other information items for anybody? Cindy.

Cindy Pearson: Just wanted to say that we've lost a couple of community members and our sympathy goes out to Franklin Payne's family. He turned 100 years old in July, I believe, and passed away this past weekend, as did Rich Barkley, who is Snooks' son in law and was Donna's husband. And then did I hear this properly that Gretchen passed away? Gretchen Yahn who was our Salamander contact for the building of the homes out there that she passed away. So it was a not so good weekend.

Bridge Littleton: Not a good one.

Darlene Kirk: There's a service for Rich tomorrow at the Baptist Church in Purcellville, and I know Lily is up, so his daughter.

Bridge Littleton: That's crazy. Anybody else? All right we have a closed session. Would anybody like to read the motion, Chris?

Chris Bernard: I move that Council go into closed session as authorized under section 2.2-3711 of the Code of Virginia, for one consultation with legal counsel pertaining to actual litigation involving Cooper Building Services versus Town of Middleburg. Two, consultation with legal counsel pertaining to actual litigation involving Salamander Farms, LLC versus the Town Council of Middleburg. And three consultation with legal counsel pertaining to actual litigation involving Salamander Resort, LLC versus the Town Council of Middleburg. All three is allowed under subsection A7 and four the hiring of a Town Manager, as allowed under subsection A-1. 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 it is.

Bridge Littleton: [off mic]. Okay. All right. Okay. I ask 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 specifically identified in the motion to convene in closed session and two lawfully permitted to be discussed in closed session under the provisions of the Virginia Freedom of Information Act, as cited in the motion. I would like to remind those for the closed session that any discussions that occur within it should be treated as confidential.

Deborah Gallagher: Yes.

Darlene Kirk: Yes.

Bridge Littleton: Yes.

Bridge Littleton: Yes.

Chris Bernard: Yes.

Cindy Pearson: Yes.

J. Kevin Daly: Yes.

Pam Curran: Yes.

Bridge Littleton: And with that, Bryan, again, thank you for everything. [applause] Meeting adjourned.