MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, October 8, 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, Interim Town Manager
Martin Crim, Town Attorney
Rhonda S. North, MMC, Town Clerk
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, October 8, 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

Scott Little, General Manager of Salamander, advised that he would reserve his comments on the zoning text amendment related to outdoor dining for the public hearing. He thanked Chief Jones for working with the Salamander Resort on training related to acts of violence and for making the town and resort a safer place. Mr. Little reminded Council of the Middleburg Film Festival and thanked them for their support. He noted the importance of this event to the retailers and the resort. Mr. Little opined that they had an exciting film list.

Mayor Littleton advised Mr. Little that the Council would discuss the zoning text amendment during this meeting; however, the public hearing would not be held until the next meeting.

Wendy Osbourne, of Chloe's of Middleburg, noted that a Middleburg Cookie Crawl was being organized for November 2nd. She commended the organizers of the event and noted that it was something that a lot of the merchants have wanted to see. Ms. Osbourne suggested that the Middleburg Business & Professional Association (MBPA) and Town should look to see why the organizers have been so successful. She expressed concern, however, about the lack of inclusion of some businesses, which had caused hurt feelings with some merchants, including herself. Ms. Osbourne acknowledged that businesses were free to make decisions; however, she suggested that when eighteen retailers were included and others were excluded, it was very hurtful. She noted that a member of the Town's Economic Development Advisory Committee was one of the event organizers and opined that this was problematic from the standpoint of fairness and transparency to the community. Ms. Osbourne commended the organizers for selling out their one hundred sixty-five tickets. She suggested it would be interesting to see what the retailers who were excluded would do on that day. Ms. Osbourne reported that information was being communicated on social media under the account of "Middleburg Shops" and opined that this was not correct.

Public Presentations

Status Report – Burns Night Event

Director of Community Engagement Bell reported that she and the Mayor met with Kathleen Frazer, the primary organizer of the Roberts Burns Night, to discuss the event and its status. She noted that Ms. Frazer had many details on the ceremony and had conducted outreach for sponsors; however, to date, there were none. Ms. Bell reported that Ms. Fraser was optimistic she would get some sponsors. She advised that they were working together to develop an event within the funding the Council had allotted. Ms. Bell reported that the plan was to increase the ticket price so it would be closer to a break-even point. She advised that she and the Mayor spoke with Ms. Fraser about having a plan in place for the future, as it was the Council's intention to not provide funding after the 2027 event. She reported that Ms. Fraser was reaching out to organizations, such as St. Andrew's Society, to see if any would be willing to become involved; however, she had not been successful in her attempts to find someone to take it over starting in 2028. Ms. Bell advised that Ms. Frazer was very passionate and enthusiastic about the event. She acknowledged that there were challenges and concerns with regard to finding sponsors, sticking to the budget, and making sure any raffles were carried out in the appropriate manner.

Mayor Littleton opined that the conversation with Ms. Frazer was a good one. He agreed she was very passionate. Mr. Littleton opined that her idea to have the St. Andrew's Society of Washington DC take over the event was a great one, as they held hundreds of events. He advised that Ms. Frazer indicated they were very interested, as they ran the Scottish games at Great Meadows and were familiar with the area.

Director of Community Engagement Bell suggested Ms. Frazer could attend a future Council meeting if the members desired more updates or specifics.

Staff Reports

September 2026

Director of Community Engagement Bell noted that her written report included information about course marketing and Visit Loudoun's recently issued guide, which included a Middleburg page. She expressed hope that in the future, they would use more updated, dynamic photos. Ms. Bell reminded Council of the Biz Buzz scheduled for October 13th at the Foxcroft School. She further reminded the members of the opening reception for the Middleburg Film Festival on October 15th. Ms. Bell encouraged the Council to attend and noted that this was a wonderful opportunity to bring people to Middleburg to support the businesses.

Director of Community Engagement Bell noted that the Middleburg Cookie Crawl was causing some conversation around town. She advised that the owner of Middleburg Books was one of the individuals who was spearheading this event. Ms. Bell noted that it was a common event in many towns, as it got people into shops around the holiday shopping season. She advised that the tin contained a nice, illustrated section of the Middleburg map. Ms. Bell reviewed the details of the event, based on her conversations with the event organizer. She reported that the tickets sold quickly and that there was a lot of excitement around the event. Ms. Bell stressed that it was not one in which the Town of Middleburg or the MBPA were involved and advised that the event was organized by private individuals. She noted that she did receive an email from one of the organizers who clarified that there was a group of people who, while sitting around, started talking about the idea and decided to run a test this year. Ms. Bell advised that she indicated there would be room for expansion. She noted that the organizer had received a lot of feedback from people who were upset that they were not included. Ms. Bell advised that they were also questioning the Town's involvement. She reiterated that this was not a Town event. Ms. Bell agreed it was a popular idea and opined that it was obviously very successful.

Director of Community Engagement Bell noted that during the same time frame, a marketing campaign was launched on social media under the handle "Middleburg Shopkeepers" and advised that there have been questions about it. She reported that this was not a Town social media account. Ms. Bell expressed an understanding that it was developed by a set of people who decided to start up the account and who pulled together some resources to do some promotions. She opined that this account was where the cookie crawl event was first launched and suggested it was a successful launch. Ms. Bell explained

that she wanted to address this in case the Council was getting any questions about the Town's involvement. She advised that she was aware of it and offered some feedback. Ms. Bell acknowledged the concerns in the community; however, she noted that there was no way the Town government could restrict someone who wished to do a promotion. Ms. Bell expressed an understanding of the hurt feelings and the desire of those who were left out to be included. She opined that there was room for change should the organizers wish to do another event in the future; however, she noted that this was up to them, as they were doing the work and investing in it. Ms. Bell suggested Middleburg could start its own event if that was something the Council desired. She opined that it was a great first attempt example and opined that it was unfortunate that not every business would be involved in it. Ms. Bell reiterated that inclusion was not something that was required by law. She acknowledged that there were a number of shopkeepers who were unhappy because of the appearance that this was from all the shopkeepers, when not all were included.

Councilmember Kirk noted that the Town had held events in the past, in which it ensured all businesses were involved. She cited Oktoberfest as an example and noted that the Town provided all the businesses with buttons to give out to the children who entered their stores. Ms. Kirk opined that it would have been nice if the organizers of this event had let the Town know what they were doing before they did it.

Director of Community Engagement Bell confirmed she was aware that there was talk about doing a cookie tour; however, she was not aware of all the details. She opined that it would have been wonderful if everyone could have been involved. Ms. Bell advised that she would like to do more shopping promotions to get people into the stores that wanted to be involved, particularly during the holiday shopping season. She noted that there was a conversation during the MBPA meeting about whether the shops wanted to do an open late program and how such programs had worked in the past. Ms. Bell advised that some of the feedback was that not everyone wanted to stay open late. She noted that she was happy to work on some promotions in the future that would involve everyone.

Councilmember Pearson advised that in the past, there were retailers who got together to do things in a neighborly fashion in order to get more people to come to their area. She further advised that it did encourage others to become more involved and join in during those same times. Ms. Pearson noted that the Town had tried multiple times in the past to get the businesses to stay open later; however, they were not always a success, as only one or two would do so. She advised that the organizers of this event were not the first to go through what they were going through. Ms. Pearson expressed sorrow about the hurt feelings and expressed hope that the next time, it would grow and help the community.

Councilmember Curran noted the news articles about the Middleburg Cookie Crawl and questioned whether they were run by Ms. Bell before they were submitted. She advised that they basically said that Middleburg was holding the event.

Director of Community Engagement Bell confirmed she was not aware there were articles on the event. She advised that she did not receive a media release for review. Ms. Bell reiterated that what she saw on social media was a Middleburg Shopkeepers account and advised that she suggested to the cookie crawl organizer that the title should be changed, as it implied a broader group than it was. She reiterated that she was not aware anything was sent out and advised that the only thing she saw about the cookie tour was what was online.

Town Clerk North reminded Council of the Volunteer Appreciation Reception scheduled for October 29th. She noted that it appeared there would be a nice crowd this year. Ms. North reminded Council of the RFP that was issued for agenda management software and reported that she was able to negotiate a contract with the number one ranked firm that achieved all the suggestions by the review committee. She advised that the contract would be presented to the Council during their October 22nd meeting with a recommendation to award it. Ms. North reported that as to the Town Hall Project, Veritas would finish its work on the deficiency/punch list items this week, with the exception of a single piece of weather stripping, which it was trying to acquire. She further reported that Fidelity was still trying to obtain the missing part needed to connect the generator to the BAS system. Ms. North noted that the Town was close to being able to close out this project and would be able to do so once these challenging parts were received.

Mayor Littleton noted the video camera that was onsite during the entire Town Hall construction project. He questioned what happened to that footage.

Town Clerk North advised that the last time she checked, the footage was still available on the Town's website. She noted that she did have STS record it; however, they had to do it frame by frame, which did not allow for a smooth recording. Ms. North confirmed the video was captured in some capacity.

Finance Director Fletcher reported that the auditors completed their onsite work last week. She reminded Council that they would present their draft audit report to the Strategic Finance Committee in November and to the Council in December. Ms. Fletcher advised that they did not have any concerns or issues.

In response to a comment from the Council, Police Chief Jones confirmed that Coffee with a Cop was recently held and that a similar event involving Coca Cola would be held on October 16th at the Northwest Federal Credit Union. Chief Jones introduced Natalie Amaya, the Town's newest police officer, who began work with the Town earlier in the day. He noted that she had four years' experience as a police officer in Maryland and would attend the Option 5 Academy, which allowed officers from other states to became certified in Virginia. Chief Jones explained that she would only be in the Academy for a little over a month and would be able to assume her patrol duties in Middleburg in December. He noted that she did a ride along in Middleburg, loved the small-town atmosphere and understood the importance of community policing and community engagement. Chief Jones advised that once she completed the Academy, he would bring her before the Council to take her oath of duty.

Officer Amaya thanked the Town for giving her this opportunity and noted that she could not wait to get started.

Interim Town Manager Moore reminded Council of the property located on North Jay Street, on which the Town had some outstanding liens for repairs to a structure that endangered the public health, safety, and welfare. He reported that those outstanding liens were paid off and that the property would be put back into a useful life, rather than continuing to sit vacant as it had for some time. Mr. Moore announced that VDOT would mill and pave Route 50 from October 18th through October 23rd. He advised that the work would take place from 10:00 p.m. to 5:00 a.m.; although, the contractor had asked VDOT if they could potentially begin at 9:00 p.m. Mr. Moore noted that they were coordinating the logistics of the project with himself and Chief Jones. He advised that it would be disruptive; however, it was overdue due to the condition of the pavement. Mr. Moore reminded Council that the entirety of Middleburg was repaved six or seven years ago, with the exception of Route 50. In response to inquiries from the Council, he confirmed it was just Route 50, with there being a few feet of return at the intersecting streets. He advised that he had extensive conversations with VDOT about the brick crosswalks and their concrete cradles, as well as the bump-outs. Mr. Moore reported that they planned to bring in alternative equipment for those areas and would actually do some hand digging. He noted that he planned to watch them carefully to make sure they were as careful as they said they would be. Mr. Moore advised that he was confident the work would be completed before Christmas in Middleburg; however, there were no guarantees as to whether they would do it right the first time and not have to repeat it. He confirmed they were not replacing the crosswalk cradles.

Councilmember Kirk suggested Mr. Moore or Maintenance Supervisor Cole check on their work daily.

Interim Town Manager Moore advised that because the work would be done overnight, he spoke with Chief Jones about making the on-duty police officer available if there were any issues. He further advised that he would talk about whether it would be helpful for the Town to have an actual employee in town overnight.

Vice Mayor Kirk opined it was not necessary. She suggested Mr. Moore check the work in the evening and Mr. Cole check it in the morning.

Town Attorney Crim apologized for arriving at the meeting late and noted that he was attending the Virginia Local Government Attorney's Conference.

Asbury Church Project

Town Clerk North reported that she received the draft case study from Convergent Nonprofit Solutions, the Town's fundraising consultant, earlier in the week and provided them with some additional information that was needed. She advised that the revised draft was forwarded to the members of the Asbury Church Fundraising Committee for their review

and discussion during their October 13th meeting. Ms. North noted that, at the request of the Committee, she created thumb drives containing the composite oral histories video so they could be shared with potential donors, along with the case study. She reported that after an individual was unable to make a donation to the project from his DAF (donor advisor fund) account, she reached out to the Middleburg Charitable Foundation to see if they would be willing to accept donations for this project on the Town's behalf and remit them to the Town. Ms. North reported that they agreed to do so and noted that there were some details that needed to be worked out first. She advised that ECS would be onsite on October 14th to do the inspection work necessary to prepare the hazardous materials abatement plan that would be included in the bid package. Ms. North announced that the Town received the $30,000 Hillsdale Trust Grant it had sought. She recognized Megan and Peter Gallagher for their help in securing the grant. In response to an inquiry from the Council, Ms. North confirmed that Jim Roberts agreed to serve on the Asbury Church Fundraising Committee and would attend their next meeting.

Consent Agenda

A. Council Approval – September 24, 2026 Regular Meeting Minutes
B. Council Approval – Third Amendment to Lease Agreement – Cellco Partnership dba Verizon Wireless

Vice Mayor Bernard moved, seconded by Councilmember Hersh, 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.)

DISCUSSION ITEMS

Drought Status Report/Revising Mandatory Water Conservation

Interim Town Manager Moore noted that the Town was now also monitoring the National Integrated Drought Information System map, which he displayed. He reported that based on this map, Loudoun County has been in moderate drought conditions for the entirety of the year. Mr. Moore noted that the abnormally dry status line had been creeping closer to Loudoun until recently. He advised that the northern part of Loudoun County was currently in moderate drought status, while the southern part had improved to an abnormally dry status. Mr. Moore noted that Fauquier County was no longer in drought status and opined that conditions were improving. He displayed the DEQ Drought Monitoring Map that the Council was used to seeing. Mr. Moore reported that the Northern Virginia area had improved from warning status to watch status; however, when it came to groundwater, the area was still in an emergency level. He opined that a reprieve from the drought conditions was coming Middleburg's way and advised that this was influenced by the heavy precipitation in late September.

Interim Town Manager Moore reminded Council of the requests received last month from some citizens asking that they be given a reprieve and allowed some limited outdoor water usage so they could take care of maintenance items before the colder weather. He further reminded Council that they asked the staff to consult with the Utility Committee and reported that the members expressed concern about implementing a modified mandatory conservation status. Mr. Moore explained that the members feared it would be extremely hard to message and monitor a modified status and that lifting the mandatory conservation measures, even for a limited period, would put greater stress on the utility system during that time because people would be rushing to get things done in a day or two. He reported that the Utility Committee felt the well levels had not improved to the point that they were comfortable recommending a lifting of the mandatory water conservation measures for now; however, they would have a more in-depth conversation about it during their October meeting, which would occur before the October 22nd Council meeting. Mr. Moore advised that they would look closer at the well levels, which could result in a lifting of the conservation measures, particularly given that the Town had reached the time of year when heavier water usage was waning. He opined that the Committee would, during their next meeting, recommend the Council either step back to voluntary water conservation or lift the conservation measures altogether. Mr. Moore advised that at this time, the recommendation was to keep the mandatory measures in place.

In response to a comment that residents in Leesburg were watering their lawns, Mayor Littleton noted that Loudoun Water pulled their water from the river.

In response to an inquiry from the Council, Interim Town Manager Moore advised that he did not have any information on what the Town's wells have actually done in the corresponding time period as the map. He noted that Mark Inboden, of IES, did say they were continuing to monitor them and that they were not seeing the improvement they would want in order to lift the conservation measures at this time.

Councilmember Curran noted that one of the concerns was that people would do their water usage at the same time. She questioned whether there were non-peak times that could be used instead of having the usage all in one day. Ms. Curran opined that the Town could still control the usage by allowing it at a time when the demand was not as high.

Interim Town Manager Moore confirmed that was not out of the question; however, it would be extremely difficult to message and monitor.

Mayor Littleton suggested that one way to handle the increased demand would be to allow usage based on odd and even addresses.

In response to a concern expressed by Council, Interim Town Manager Moore confirmed that more water was lost during the day due to evaporation during hot weather; however, he opined that given the temperature season the Town was entering, this would be less of a concern.

Mayor Littleton noted that the community had been great about getting through this period and that their conservation had made a huge difference. He further noted the 20% reduction in water usage. Mr. Littleton advised that the Utility Committee would meet before the Council's next meeting, at which point, they would have more data on the wells. He suggested that if the Council was leaning toward lifting the conservation measures, they wait to see what happened in the next two weeks. Mr. Littleton reminded Council that the General Assembly adopted legislation, sponsored by John McCullough, directing the Department of Environmental Quality to conduct a water study for Western Loudoun and Fauquier Counties. He advised that they gathered the existing data for the last forty years, which they then analyzed. Mr. Littleton reported that the study was almost complete and was supposed to be delivered by December 31st. He noted that they contracted with TetraTech, which did a very good study. Mr. Littleton advised that what was most fascinating in Western Loudoun was that of all the wells that were monitored between 1990 and 2005, the average well depth diminished by two feet. He opined that the problem has existed for a long time. Mr. Littleton advised that the other thing they pointed out was that during that same time frame, 16,000 new wells were drilled. He reminded Council that in 2001, the County tried to down zone all of Western Loudoun; however, a lot of the property owners subdivided their properties and dug wells in order to perfect their rights. Mr. Littleton noted that they had not built on them yet, but they dug the wells, which created fractures in the aquifer. He advised that when the final report was issued, he would make sure the Council received copies. Mr. Littleton opined that it was a really good report.

Vice Mayor Bernard noted that he was a member of the Utility Committee. He stressed the need for people to remember why the Town imposed conservation measures, which was the need to protect the Town's source water. Mr. Bernard noted that this should not just occur when it was convenient. He opined that leaving the mandatory conservation measures in place and re-evaluating when it made sense to lift them was the proper course.

Councilmember Hersh reiterated his suggestion from the previous meeting that the Town should look into bringing the clean outflow from the wastewater treatment plant into the Town's water supply. He noted the need to develop a long-term solution and advised that the water issues have been going on for forty years. Mr. Hersh opined that they would probably get worse.

Mayor Littleton agreed there would only be more users.

Zoning Text Amendment 26-02 – Definitions of Restaurant and Outdoor Dining and Associated Use Regulations and Design Standards

Planner Rogers noted that this was one of the Council's strategic initiatives and reviewed the history of this item. Ms. Rogers reported that the Planning Commission forwarded a zoning text amendment to prohibit outdoor dining on rooftops and to allow outdoor dining on the street level, a patio, or a lower walkout. She noted that, currently, a restaurant and outdoor dining were not defined in the ordinance and advised that a restaurant was simply embedded in it as appropriate uses in the C-2 and C-3 Districts. Ms. Rogers reported that a definition of outdoor dining was proposed that would allow them at or below the street level, or on a first-floor deck or patio as an accessory use to a restaurant, as currently existed. She reiterated that the ordinance amendment would prohibit rooftop dining beginning with its adoption. Ms. Rogers advised that a definition would also be provided for a restaurant. She reported that drive-through facilities would continue to be prohibited. Ms. Rogers advised that the permitted uses in the C-2 and C-3 District ordinances were proposed to be amended to say "restaurant" in place of the full definition that existed. She reported that separate standards were also developed for outdoor dining and rooftop dining and explained that the reason for the latter was that there would be one rooftop dining area. Ms. Rogers noted that the Planning Commission felt it was very important to have those in place in order to regulate these uses if necessary. She reviewed the standards for outdoor dining and rooftop dining. Ms. Rogers advised that the standards for outdoor dining included that it must be on private property; the hours of operation must be the same as for the restaurant; there could be no kitchens, bars, screens, service areas, televisions, video screens or displays allowed in the outdoor space; and, live music could not be amplified or electronic. She further advised that the standards for rooftop dining included that no part of the rooftop operation could exceed the maximum height in the district; the rooftop dining area could only be accessible during the times the restaurant was in operation; the hours of operation were limited to 7:00 a.m. to 9:00 p.m.; the activity was limited to rooftop dining only; no live entertainment, music, sound, speakers, public address systems or anything that would promote noise would be allowed, other than people eating; no rentals or special parties would be allowed; and, there would be a maximum height limit for lights, with all lights to be extinguished when the rooftop dining was not in operation. Ms. Rogers reminded Council that this amendment was scheduled for a public hearing during their October 22nd meeting.

Mayor Littleton expressed appreciation for the staff and Planning Commission's hard work. He noted that he watched some of their meetings and advised that they sweated the details and went into the broader policy goal, while also trying to be fair.

In response to an inquiry from the Council, Planner Rogers advised that there was currently a lot of outdoor dining in town that had been operating without an issue. She explained that because of this, the Commission decided they could continue to operate as they were. Ms. Rogers opined that the proposed standards would be easy for them to abide by, as they were already doing so. She noted that there had been a tweak to the proposed language by the Planning Commission to avoid any confusion as to whether outdoor dining would apply to special events, particularly those held at the Salamander Resort. Ms. Rogers explained that a statement was added that the outdoor dining standards would be restricted to the commercial districts and the central business district and would not apply to the agricultural district that the resort was in.

In response to an inquiry from the Council as to the reason for tighter regulations on rooftop dining, Interim Town Manager Moore advised that the staff and Planning Commission were clearly differentiating that this was a different animal. He further advised that it was not the same as the outdoor dining that was traditionally known in Middleburg. Mr. Moore advised that because it was elevated, there was a greater chance of noise and lighting impacts carrying a greater distance. He noted that rooftop dining was a new type of operation in Middleburg; therefore, the Commission felt it merited separate, distinct standards from the outdoor dining traditionally known in town.

Councilmember Hersh thanked Planner Rogers and Interim Town Manager Moore for their research and noted that knowing what other communities did was helpful. He advised that he would pass the Mayor's appreciation on to the members of the Planning Commission during their next meeting. Mr. Hersh noted that the feedback from the community was invaluable. He opined that the level of cooperation resulted in a good product.

In response to an inquiry from the Council, Planner Rogers confirmed the definitions were specific to restaurants. Councilmember Hersh confirmed the amendments applied specifically to the commercial zoning districts.

Holiday Meeting Schedule, Employee Luncheon, Gift Certificates

After some discussion, the Council agreed to cancel their meetings on the fourth Thursdays in November and December due to the holidays, with the understanding that a meeting could be scheduled on the third Thursday in November should the need arise.

The Council agreed to host a luncheon to thank the Town's employees for their service. Councilmembers Gallagher and Hersh volunteered to organize it. It was noted that the luncheon had been held at the Hunter's Head Tavern for the past four years; however, it was suggested that a new location be found.

The Council agreed to give the Town employees gift certificates, in the amount of $100, good at participating in-town businesses to thank them for their service. They further agreed to give the members of the Town's regulatory committees (Planning Commission, HDRC and BZA) a throw blanket that contained the Town's logo.

Information Items

Halloween Activities

Councilmember Pearson noted that there had been some discussions about holding a Trunk-or-Treat event this year in the community; however, she did not believe that was appropriate for Middleburg. She opined that the Chief was proposing this so children would not have to cross the street so many times; however, he was now looking into a way to improve the Halloween Parade so it would move along quicker. Ms. Pearson explained that she was raising this because she had been asked about it by some of the residents and she wanted them to know it had been discussed.

Middleburg Charitable Foundation

Councilmember Curran announced that the Middleburg Charitable Foundation was accepting grant applications. She noted that they would give away $70,000 this year.

Stuff the Cruiser

In response to an inquiry from the Council, Chief Jones confirmed the Stuff the Cruiser event would be held in December at the Middleburg Safeway.

Replacement of Utility Poles

In response to inquiries from the Council, Interim Town Manager Moore reported that Dominion Power was doing what they called a "hardening project," in which they examined every Dominion power pole and replaced them if necessary, as well as making other revisions to the connections to harden the system so it would not be as susceptible to outages during storms. He advised that for the most part, they had been good to work with; however, he acknowledged that there had been issues. Mr. Moore opined that the Town would be in better shape in terms of the electric infrastructure once the work was complete. He advised that he would have a conversation with them regarding the upcoming paving project to make sure there would be no conflicts with VDOT's work.

Community Input Meeting – Development of former Fun Shop Property

Councilmember Hersh noted the community meeting that would be held on October 12th at the American Legion related to Phase 2 of the development of the former Fun Shop property. He opined that the community would want to attend.

Mayor Littleton explained that the property owner was hosting the meeting, beginning at 6:00 p.m., to review his plans and obtain the community's feedback.

Data Center Use Standards – Loudoun County

Mayor Littleton reported that the County Zoning Ordinance Committee met to discuss a zoning text amendment related to data center use standards. He further reported that the drafting of the amendment was nearly complete and that the draft language was available to the public. Mr. Littleton advised that public comments would be accepted through October 31st. He strongly recommended everyone take a look at it and provide comments. Mr. Littleton opined that the amendments did not go far enough with regard to a number of items. He noted that they did increase the setback from residential zones from 100 feet to 500 feet; however, he advised that it was still only 500 feet. Mr. Littleton noted that there were also issues with how they were handling battery storage and substations and advised that he did not like how they were handling on-site power generation. He reiterated that the County was accepting comments through October 31st.

Cannabis Regulations

Mayor Littleton noted that another item that came up during the County Zoning Ordinance Committee meeting was the new cannabis regulations. He reminded Council that the General Assembly passed a law that said that localities could not ban cannabis stores; however, it did not say how far a locality could regulate them. In response to an inquiry from the Council, he explained that this was related to cannabis for recreational use and retail sales. He explained that the State would issue three hundred fifty licenses, which could be increased over time, to people who wanted to have a cannabis store. Mr. Littleton noted that the registration period for a license would open in February. He advised that the County's initial draft ordinance would add them as an approved use. Mr. Littleton noted that his response was that the regulations could require that they only be in commercial districts or could not be near certain things. He further suggested the regulations should not be wide open, but rather should be narrow, with the idea they could always be expanded. Mr. Littleton reported that the County staff was going to rework the draft. He noted that the draft ordinance must be out by December 31st. Mr. Littleton suggested it would be good for people to email the County Planning Commission and Board of Supervisors to suggest a wide-open approach was not good. He noted that this would move quickly.

Interim Town Manager Moore reported that the Town Attorney provided the Town staff with a model ordinance that was developed by the Local Government Attorney's Association. He further reported that Planner Rogers was reviewing it and would begin drafting a proposed ordinance amendment in the coming months.

Mayor Littleton noted that the closed session was not needed. There being no further business, he declared the meeting adjourned at 7:11 p.m.

APPROVED:

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Rhonda S. North, MMC, Town Clerk

Attachment: Transcript of the October 8, 2026 meeting.

October 8, 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: We'll call the meeting to order. First item is Pledge of Allegiance.

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

Bridge Littleton: Okay, next is 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, Interim Town Manager.

Bridge Littleton: Okay, next item is public hearing. [off mic] It's not public hearing. Public comment. [laughter]. We have no public hearing. But we can throw it on there if we want to. Okay. All right. Anybody wishes to address Town Council on any item they may do so. Rhonda, we don't have anybody signed up. Right?

Rhonda North: No, sir [off mic].

Bridge Littleton: Okay, so the podium is Scott, over to you.

Scott Little: Thank you [off mic]. Good evening, Mr. Mayor, and Council. Nice to see you all tonight. Just I'll reserve my comments about the statute you have before you tonight for that period of the public hearing. But I did want to just shout out the chief I don't think I've done that here before, but in particular in working with us on training around acts of violence at the resort or into town. Chief and I have been talking about this for at least a year and that's starting to mobilize. So, I just wanted to salute his hard work on that and calling in the reference points that he has to make the town and the resort a safer place. Film Festival coming right up. And I

just wanted to thank this Council and the Mayor for your support for that. We know how important it is to the town, to the retailers especially, and certainly to the resort. And we're looking forward to it and the volumes up and over the way we would hope that it would be pretty exciting film list coming up. So, thank you for that. And yes, and that's all I have on that note.

Bridge Littleton: Thanks Scott.

Scott Little: Thank you, Mr. Mayor [off mic].

Bridge Littleton: Tonight, we're just discussing it. The public hearing will be next meeting.

Scott Little: Okay. No problem [off mic].

Bridge Littleton: So. Yep. All right. Anybody else? Megan? No. Oh, yeah. Something wrong? Are you feeling, okay? [multiple speakers] Okay. You're good, you're good. Alright. We will close public comment and move. [off mic]. What's that? Yeah. Oh, sure.

Wendy Osbourne: [laughter]. Hi, everybody. So, I think many of you know me, but if you don't. I'm Wendy Osbourne and I have Chloe's of Middleburg. So, I just wanted to bring to attention something that's transpiring kind of now and kind of brewing. But at the same time, I want to commend what is happening within this event that's being planned for November the 2nd here within town. And it's called the Cookie Crawl. And I really want to commend the organizers of it from the standpoint that I think they've done something that a lot of us as merchants have really wanted to see that kind of possible infusion. They've sold a lot of tickets for it. There seems to be participation, so I have to commend them. So, I think it's something at some point maybe MBPA. And I think maybe Jennifer with the town should be looking to really see how they've been so successful and what may be great. And for many of us, but what I also want to discuss is there has been some lack of inclusion some which I think has caused possibly some really hurt feelings within it amongst merchants and when groups start things, you know, we're free to do make decisions, but when you do something with 18 participating stores and you leave out some, that seems to be a problem in my eyes, especially when it's about 40%, 18 is about maybe 40% of what you might call your retail shops. And my shop being one, I think most of the [inaudible] stores include it. And so that I think that that's very, very hurtful. And when you have members of your EDAC Committee who are organizing it, I find that also to be a little problematic from the standpoint of just, you know, fairness, transparency, and for the whole community because economic development should be looking for the whole community and not just a small group. So, that's kind of where I am right now, but I have to say, I have to commend what they've done to, you know, understand what I'm saying. They sold out their 165 tickets at $50 per person. There's going to be a map in town, punch cards, and the stores to shop in. So, I feel it's going to be interesting how some of us who were not included, you know, what we'll do kind of for our businesses on that day being that we were excluded. I suggest you all look at some of the information. It's being kind of communicated on social media as Middleburg shops. And they're just, I got to commend them. But there's things about this that are not correct and maybe long term it will help us. Okay. Thank you so much. I'm so sorry. Pam, I know you've got this from here.

Bridge Littleton: Thanks, Wendy. Anybody else? Going once. Going twice. Okay. We'll close public comment and Jennifer. Martin's calling in from behind bars [laughter].

Jennifer Bell: Bad connection. Good evening. Wanted to give a brief update on the Robert Burns Night. The Mayor and I met with the primary organizer, Kathleen Fraser, this past week, and we talked to her a little bit about the event and the status of it. She has many details as far as the order of ceremony and the process. She conducted outreach to a variety of clans at a recent event looking for sponsorships. We developed a sponsorship

model so that you would have some specifics to ask and offer. To date unfortunately, there are no sponsors for the event, although she's very optimistic that some will be available. Also, we are still currently working on honing in that budget to the amount of money that Council has allotted. There's a lot of expenses associated with the plan, and the plan is also to increase the ticket price so that it will be closer to more of a break even in the future. We also spoke with her about having a plan that it's Council's intention as we understand it, to not provide funding after the 2027 event. So, that a plan needs to be in place. And she understands that. And we talked about some of the options. I talked to her previously about possibly starting a nonprofit for it. She also mentioned at our meeting, we're reaching out to groups like the Saint Andrew's Society to see if they wanted to be involved, and some of the attempts that she had made to approach others that were not successful to take it on for 2028. So, I'm happy to go into more detail if you want to know more of the specifics, but that's sort of a broad overview of our conversation with Kathleen, who is very passionate about the event, very enthusiastic and very excited about the event. But we also expressed some of the challenges and some of the concerns we felt with not having sponsors, sticking to the budget, and also making sure that any raffle or any items were carried out in the appropriate ways by the appropriate people. And not that funds would indeed for tickets, for example, would come back directly to the town. So, there are a variety of things. I think that's mostly what we covered in our meeting with Kathleen.

Bridge Littleton: Any questions? Okay. Yeah, I just, I'll just add it was a really good conversation. And Kathleen, again, she's very, very passionate. I think her idea of the Saint Andrew's Society of Washington DC.

Jennifer Bell: Yeah [multiple speakers].

Bridge Littleton: Is a great one. It's the largest Scottish heritage organization in America. And they cover like sort of the Mid-Atlantic region. And they, I went on their website, they do hundreds of events. So, like events is their thing. They know how to help organize them and pull them off. So, I think that being a great idea for the handover after this year could be a match made in heaven. And she said she had an initial conversation with them, and they were very interested because they're the ones who run the Scottish games over at Great Meadow. Yeah. So, they're familiar with the area and would want to, you know, pull up, try to pull that tradition along. So, anyway, thanks.

Jennifer Bell: [multiple speakers] Kathleen certainly could come to a future meeting if there's a desire for more updates or more specifics.

Bridge Littleton: And actually, do you know what, Jennifer. So, since you're here, might as well give your update.

Jennifer Bell: All right. Well, thank you. I apologize jumping ahead in the line here. So, in my information that I submitted include a course marketing and also some information about the Visit Loudoun guide that came out and with a sample of our Middleburg page that I do not have editorial ability to change, but I'm hoping to send some photos so they'll have some more updated active dynamic photos, perhaps including the downtown in their future spread in the county tourism piece. I did want to remind everyone, and I will send out a reminder that the Biz Buzz is next Tuesday. It's going to be at Foxcroft at Covert at 5:30. So, again, plan to send out a reminder about that. But that is also noted in your packet of course. The next Thursday about.

Bridge Littleton: [multiple speakers] I'm sorry Jennifer. Say again where it was.

Jennifer Bell: At the Foxcroft School [multiple speakers] Covert building. Very specific. Not because that's quite a big campus. I haven't been there, but I understand it's quite sizable. So, it's very specifically in that building, so you'll find your way. Next Thursday is the opening of the Film Festival opening reception. It should

be on your calendars again. Hope to send out a reminder about that. Encourage you all to attend if you have that interest at Salamander. As was mentioned, it's huge festival for the town. A lot of celebrities, perhaps in town and others in the film industry, very high profile, and a wonderful opportunity to bring people to town to support our businesses. So, looking forward to that. And there are many other things on the horizon. Put just a little overview of some of the things I was aware of in your packet. So, if you have questions about those, I'm happy to go into depth about that. I did want to mention and the Cookie Crawl that is causing quite a bit of conversation around town. As I think you kind of got pretty much the overview from previous comments. Mary Beth at the bookstore was one of the individuals spearheading this very creative, dynamic idea to have a cookie tour. They're done in many towns. It's very common. A lot of times there's more bakeries particularly, but it's also to get people into shops right around the holiday shopping season. And of course, that's right, before the week of Black Friday shopping and all that happens to get people in to be aware of the stores, think about starting their holiday shopping. And of course, the fun is having the tin and getting cookies, which is the concept tin that has a nice, illustrated section of a map on Middleburg. And the pickup, tin pickup is at the gallery on Federal Street, and they cleverly did time tickets, so it won't be 150, 160 people descending on the town at one time, but staggering ideally throughout from about 12:00 to 5:00. The event ends at 7:00, so I have been in conversation with Mary Beth and understand the details. And the event went out as was noted, and tickets apparently sold out instantly. So, popular. A lot of buzz, a lot of excitement, draws a lot of attention to Middleburg doing creative things and the souvenirs. However, as was mentioned, this was not an event the town was involved in organizing. It's not an event the business association was involved in organizing. It was organized by private individuals. I reached out Mary Beth actually sent an email kind of clarifying in response to some of the feedback that she's been getting, saying, hey, this was a group of people, you know, we were sitting together, we were talking about it, got this idea and kind of ran with it, test it out, pilot year. There's definitely room for expansion and involving others in the future, perhaps even in December. So, however, there has been a lot of concerns and feedback that I have gotten already of people upset and concerned because they weren't included, because it wasn't sent out broadly. And again, questions as to whether the town was involved and is not directly a town event. However, it's a dynamic popular idea to get people out in the community and obviously already looks very successful. Another component of that is a similar time frame. Some of the marketing campaign was launched on social media under a new social media handle, Middleburg Shopkeepers. And then there's been questions about that. That also is not a town social media account. I understand that it is again, maybe a smaller subset of people decided to start up Middleburg shopkeepers social media account and pull together resources to do some promotion. And I believe that account was one of the places where this event was shared initially and got a lot of circulation and a lot of feedback and a lot of sharing and comments and was very successful launch on social media. So, I want to address this just in case you all are getting questions to know, was it town involved? Certainly, I was aware of that, put on your calendar so you would all be aware of it as well. And gave feedback on it. But it is definitely something where there are a lot of concerns in the community for people who weren't involved, to understand how it came about, how it was involved from a government perspective private businesses are able to start any initiatives they want. Obviously, and there's no way government can restrict really someone doing a promotion, which should be good for everyone ideally. But I understand there are definitely a lot of hurt feelings and people who feel that, you know, it's we, they like to have been included. And I think there's room to change that and work on that. Should the people who are involved with it want to include, you know, broaden it out another cookie tin in the future? But that's completely up to them because they're the ones doing all the work and they're the ones investing in the expense of it. So, at this time there I mean, we certainly can start our own initiative if that's something Council wants to do. But this time I think it's a great first attempt example. And it's unfortunate everybody couldn't be involved, but it certainly would have been a lot of cookies perhaps, but maybe to send it out more broadly, but that's certainly not something anyone's required to do by law. And so, I just want to give that clarification in case you're getting some questions on, on the side of it. But there are a number of shopkeepers who are very unhappy because of how it appears. It's from all the shopkeepers, but it is not all of them.

Bridge Littleton: So, any questions on? Darlene.

Darlene Kirk: [off mic] I was just going to say we've done this sort of thing before, but the whole town was involved for Oktoberfest. We had those little buttons that were given out to the children. They could go around to different stores and get them. But as a courtesy, it would have been really nice of them to let the town know what they were doing before they did it. At least the town office. You know?

Jennifer Bell: Yeah. So, I was aware they were talking about doing a cookie tour, not you know, not all the details of all the sorts of things. Again, kind that they shared that they were doing it. It got put on the calendar, they were doing it so you would all would know, but it would be wonderful if everyone could be involved. And I think that's the kind of thing that I would like to do more of those kinds of shopping promotions that impact everyone in my role and get people going around, especially for holiday shopping into the stores or anyone who wants to be involved. I mean, there's not always a promotion that everybody wants to be involved with, but that's definitely something that I hope we're going to be able to do it. And also, at the MBPA meeting, we had a conversation about, you know, do we want to do open late programs and how they worked [multiple speakers] in the past? And there was some feedback at the meeting saying, not everybody likes to stay open late, but.

Martin Crim: Yeah. Hi.

Jennifer Bell: Oh. [inaudible]. So, if there any questions, I'm happy to address them, but I did just want people to understand that you know, there are a lot of people who felt, feel left out and feel that this is something that, you know, they want to see promotions that involved everyone. And I'm happy to work on some of those promotions going forward that involve everyone.

Bridge Littleton: Cindy.

Cindy Pearson: Just more comment than question. We did have a smaller of this years ago when there was a dress shop and a flower shop and different things where the toy store is now in that area. And they just started doing things neighborly, kind of like a get together to have more people come to their area. And it did give the town a charge to become more involved with each other and try to join in on those same times. We've tried, as you know before, a hundred times trying to get the businesses to stay open later, which has not always been a success. Maybe 1 or 2 stores do, and they do have not 1 or 2 more than that. But you know, so you're not the first one that has had to go through this. I'm sorry. You know that there's a lot of hurt feelings with that and we all understand it. And hopefully next time, you know, it'll grow in a way that, you know, needs to help the community.

Bridge Littleton: Pam.

Pam Curran: So, did they run the articles in the paper by you before they went in the paper? Because [multiple speakers].

Jennifer Bell: I have not seen those. To be honest, I didn't know they were [multiple speakers].

Pam Curran: Yeah. There are a couple of articles and.

Jennifer Bell: No, that was definitely not.

Pam Curran: [multiple speakers] The paper that basically say Middleburg is holding it. I think we talked about it too [off mic].

Jennifer Bell: I haven't seen the articles, and I definitely didn't get any media release to review or media information like that to review. The things I have seen initially there were some like Middleburg Shopkeepers or Middleburg Businesses, the way some of the things were addressed. And I did email Mary Beth when I saw that and suggested that perhaps that be changed if it implied a broader group than maybe it was. But I don't, you know, I don't know what was sent out. That was the information about the cookie tour that was going online that I saw. But no, I didn't know there was maybe out like that. Yeah.

Bridge Littleton: Any other questions? Jennifer was there anything else?

Jennifer Bell: No, no. Then if there's not any questions that's just what I wanted to cover to make sure everybody's aware of it. And I'll be sending out some reminders about some of the upcoming things on the horizon. Hope to see everybody there.

Bridge Littleton: Thank you. Okay, Rhonda, over to you.

Rhonda North: Thank you, Mr. Mayor. I just wanted to remind Council of the Volunteer Appreciation reception on Thursday, October the 29th. We've had a number of folks RSVP this year, and I think we're going to have a good crowd that evening. As you know, we issued an RFP for agenda management software. The committee identified a number one ranked firm have been negotiating with them and was able to reach a contract that meets all of the committee's suggestions. So, we will be presenting that to Council during the next meeting with the recommendation to approve that contract. And finally, on the town hall project Veritas will be finishing up with the cupola corrections of the deficiencies tomorrow. That will only leave one piece of weather stripping on their to-do list. They're having trouble obtaining that particular item. So, they're going to keep trying, but we're almost closed out with Veritas. And then the only other thing we have pending is Fidelity, the generator company needs a part in order to connect that system to BAS. So, we've got like two little minor items hanging out there before we can close this project out. That's all I have, Mr. Mayor.

Bridge Littleton: Any questions for Rhonda? Rhonda, I had one question. When we started the project, they installed a camera to watch the site but also record it for a stop motion. Whatever happened with that?

Rhonda North: I have not looked at it lately. The last time I looked, it was still up.

Bridge Littleton: No, no, no. I mean the video from when the construction started.

Rhonda North: Yeah. The last time I looked, it was still available. You could still see it on our website. Now.

Bridge Littleton: Okay.

Rhonda North: We did have STS go and do a recording. Unfortunately, it didn't allow you to do like a smooth recording. So, I think he had to catch like frame by frame by frame by frame. But we do have that captured in some capacity.

Bridge Littleton: Okay, I'll come by later because I'd love to see that, you know, how they take a two-year building project and they scrunch it all down to one minute so you can see all the things. So, okay.

Rhonda North: Yeah, you just put it on fast.

Bridge Littleton: Yeah well.

Rhonda North: Speed.

Bridge Littleton: Sorry [laughter].

Rhonda North: It rolls right through there.

Bridge Littleton: Okay. Next up is Angela.

Angela Fletcher: Thank you, Mr. Mayor, and Council. You have my report before you. As you know, the auditors are here on-site last week. Gathered all their fieldwork. And so, they'll be working on our draft audit over the next couple of weeks, presenting to Strategic Finance Committee in November and then full Council in December. Happy to answer any questions you might have.

Bridge Littleton: Did they have any initial concerns or issues?

Angela Fletcher: No.

Bridge Littleton: Okay, great. Any other questions for Angela? All right. Thanks, Angela.

Angela Fletcher: Thank you.

Bridge Littleton: Here he is.

Shaun Jones: [off mic] bright notes just in case. Good evening, everyone. First of all, you have my report before you. Anyone. Does anyone have any questions? Sir.

J. Kevin Daly: I had coffee with a cop [off mic].

Shaun Jones: Correct.

J. Kevin Daly: And now you're having another caffeine case with Coca-Cola company [off mic].

Shaun Jones: That was something that was started last year with the Film Festival. So, we were finally able to get some logistics worked out with that. Next Friday we're going to be at Northwest Federal Credit Union. So, we got the logistics worked out. We're going to be there from noon until 2:00 p.m. interacting with the community and our guests for the Film Festival. Any questions? Okay. Before. I'm sorry, sir, you have a question?

Bridge Littleton: No, no, I was going to say if anybody has any other questions. Okay.

Shaun Jones: I'd like to bring up Natalie Amaya. Come on up Natalie. [applause] So, Natalie is our newest police officer hired. She her first day is actually today. So, we first day, first day actually today [laughter]. She was sworn in this morning by Clerk of Court Gary Clemens. She's going to be here with us tomorrow. She has almost four years of law enforcement experience. She's coming from Maryland, started her career off at Cambridge, Maryland, and finished in Centerville, Maryland. So, this is a unique situation. Starting Monday from Monday until November the 12th, she'll be attending what is called the Option 5 Academy. Option 5 Academy is where people from other states can come in and get certified as Virginia police officers. The difference between that is she's not going to a 5-to-6-month academy. She's just going to be there for about a

month and a couple of days. And then once she's finished that she's going to be coming back and completing her FTO program. And one of the things that attracted us to getting her here in the Town of Middleburg she came out, did a ride around toward the town, loves the small-town atmosphere, but also understand the importance of community policing and community engagement. So that was one of the things that got there. I appreciate our Interim Town Manager helping us get through this process and get everything we had to get in place. So, I just want to introduce her before the Town Council. Once she graduates from the academy, we'll bring her back before the Council to take the oath on in front of everybody like we traditionally do. Any questions?

Bridge Littleton: Welcome aboard Natalie.

Natalie Amaya: Thank you. I appreciate it [off mic].

Bridge Littleton: Would you like to say anything? You're more than welcome. You don't have to.

Natalie Amaya: Oh, no. I'm just [off mic]. [multiple speakers]. Hello? No. Just wanted to say thank you guys for the opportunity and getting to know me and allowing me to get to know the town. I can't wait to start, so thank you guys. Thank you.

Bridge Littleton: Thanks. [off mic].

Natalie Amaya: Put this back [off mic].

Shaun Jones: Any other questions?

Bridge Littleton: Any other questions for Shaun? All right. Thank you, Shaun.

Shaun Jones: [multiple speakers] Thank you.

Bridge Littleton: Let's see here. Zoning Maintenance Report.

Will Moore: Thank you, Mr. Mayor, you have the report. A couple of things in addition that have come up since the publication. Happy to report, many of you are familiar with a property on North Jay Street that the town has had some outstanding liens on. We had to go in and do some repairs to a structure that was endangering public health, safety, and welfare a few years ago. Happy to report that there was a closing on that property on Monday. And we have been paid off for all outstanding liens on that property so but more importantly than the money, the money is important, but we'll happy to see this property hopefully get back into useful, having a useful life rather than sitting vacant as it has for some time. So happy to report that. Also, you may be aware we talked about this many months ago, but we are on the paving schedule for Route 50 through town. And we were just notified yesterday. They basically give a two week look ahead. So, beginning Sunday night the 18th, so after the Film Festival, which is good beginning that night.

Bridge Littleton: Hey, Will, can you ask them to move it up three days?

Will Moore: [laughter] No. Absolutely not. But beginning that night of Sunday, the 18th and through the following week until Friday the 23rd the milling and paving operations will be going on. This will be a night-time operation. So basically between 10:00 p.m. and 5:00 a.m. they are requesting VDOT to approve an earlier start of potentially 9:00 p.m. Not sure how that will work, but, but basically that entire week, overnight, we will have milling and paving operations going on in town. So, they're coordinating with myself with the chief on any logistics. We'll need to help them out with that. But it will be disruptive, dusty, but it's well overdue. There's

many, many issues with the condition of the pavement on Route 50. Those of you who have been here for a while know that the entirety of the town, except for Route 50, was repaved 6 or 7 years ago. But this was the missing portion, so we'll be happy to have that project completed. Happy to answer any questions on those items, my report, or any other matters.

Bridge Littleton: Any questions? Oh, Jesus. Eeny, meeny, miny. Cindy go ahead.

Cindy Pearson: Is it just Route 50? Is it not the rest of the town? The other streets.

Will Moore: Correct. There will be some returns on the intersecting streets, but only a few feet.

Cindy Pearson: [multiple speakers] And they are going to work really hard to make it level with the sidewalk crossings?

Will Moore: Yeah, we have had extensive conversations with them about the unique aspects of our brick crosswalks and the concrete cradles within which they set, as well as the bump outs at the curb location. So, they're going to use their main equipment for the bulk of the work, but they're bringing in some alternative equipment and will actually be doing some hand digging in some of those areas as well. So, they're aware of the concerns. We'll be watching carefully to make sure that they are as careful as they said, but we've had those conversations.

Cindy Pearson: Thank you.

Bridge Littleton: Kevin.

J. Kevin Daly: Given the issue we had a few years ago with crosswalks where they had to do it over again, do they absolutely, positively guarantee that they'll do it right the first time without having to repeat it? And also, they will have it completed before the Christmas in Middleburg Parade. Correct?

Will Moore: The answer to the latter question, I'm confident in saying yes. The first question there are no guarantees.

Bridge Littleton: But they're not replacing the cradles in the sidewalks?

Will Moore: No.

Bridge Littleton: Or the crosswalks. Okay.

Will Moore: No, it's.

Bridge Littleton: [multiple speakers] They've got to pave around it but. Yeah okay. Right. Exactly, exactly. Which. Yeah. Hold your breath. Okay. Yeah. Darlene [off mic].

Darlene Kirk: I'm just going to say it might be helpful too if you or Tim or somebody was out, you know, at least checked on them every day or two.

Will Moore: Yeah.

Darlene Kirk: [multiple speakers] Every day might be better.

Will Moore: Yeah. Chief and I are going to have some discussions because the work is overnight. You know, the duty officer will, of course, be there if any issues arise, but. Arise but we'll be talking about whether it's helpful for us to have an actual employee in town overnight.

Darlene Kirk: [off mic] I don't think they need to be overnight. But if you check before you go home and then maybe somebody checks the first thing in the morning, maybe Tim.

Will Moore: Oh, absolutely.

Bridge Littleton: Anybody else? Okay. Thank you, Will. And Mr. Crim.

Martin Crim: Thank you, Mayor. I apologize for being a few minutes late. I was at the local government attorney's conference up in Reston. And so, the traffic was about, as you would expect, coming back. You have my report. I'm happy to answer any questions about it.

Bridge Littleton: Any questions for Martin? All right, Martin, thank you. [multiple speakers] The porch. The porch looks great.

Martin Crim: Thank you. It's a lovely weather.

Bridge Littleton: Okay. Next up is Asbury Church. Rhonda.

Rhonda North: Thank you, Mr. Mayor. So, with regard to our fundraising efforts Convergent, our fundraising company has prepared a draft case study. I did review that, provide them a little bit of information that they needed some missing holes forwarded it back to them. Reviewed their second draft this morning. It looks good. I have forwarded it on to the fundraising committee, and we will be discussing it during our meeting next week on October the 13th. So, we are seeing some progress there with regard to the fundraising. The committee also asked that we provide some thumb drives with the composite oral histories video on it that they could give to potential donors. So, I did create those this week and we have those ready to roll as well. Finally, with regard to fundraising, I did reach out to the Middleburg Charitable Foundation. We had an item this week where we found a donor who wanted to donate using a Donor, DAF Donor Advisory Fund was not able to do so because we're a town and the listings for those are only 501(c)(3) organizations. So, I reached out to the charitable foundation to see if they would be willing to serve as the arm for accepting DAF donations and then forwarding those on to the Council or to the town for this project. So, they are willing to do that. We just have to work out the details of how that will work out. So, hopefully we'll have that rolling here very soon. ECS will be on site next week doing some investigation so they can prepare the hazardous materials abatement plan that needs to go in with the bid specification package. I'm sad to say we did not receive the VML Innovation Award for our Oral Histories project associated with this, but I'm very happy to report that we did receive the Hillsdale Foundation Grant in the amount of $30,000, [multiple speakers] and I very much want to express appreciation [applause] to Megan and Peter Gallagher for their help in getting that grant for us.

Bridge Littleton: [applause]. Any questions for Rhonda? Rhonda, I saw you reached out to Jim. Did he say yes?

Rhonda North: He said yes.

Bridge Littleton: Okay, great.

Rhonda North: Yes, he will be there on Tuesday.

Bridge Littleton: Awesome. That's great. Okay. Thank you. All right. Consent agenda. Would anybody like anything 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, we've discussion items. Drought Report. Mr. Moore.

Will Moore: Thank you, Mr. Mayor. You have my report. I'm going to show some graphics here in just a moment. Actually, I think Rhonda's got a set for me [off mic]. So, I wanted to give you a little bit of update some good news on kind of drought situation. This is a different map than you're used to looking at, but this is an additional site that we monitor as we're watching for drought information. This is the National Integrated Drought Information System. So, this is the condition of from the end of August. So, a little over a month ago. You'll notice the pin placement here is Loudoun County and kind of the tan color behind it is a moderate drought condition. Loudoun has been in that moderate drought condition for quite some time. The entirety of this year. But the yellow line or the yellow color, which is a step up, if you will, to abnormally dry status, has been creeping closer and closer to us until recently. Where you'll notice on the new mapping, the northern part of Loudoun kind of behind the map pin is still in that D1 or moderate drought status. But down in the southern part of Loudoun, you'll see that we've improved in this metric, at least to improve to abnormally dry. However, that sounds, and you'll see even a little further down into like the southern part of Fauquier that we're getting into. No drought or no concern with dryness at all. So, improving conditions, the map that you're used to looking at this is the actual map that's in the report from last week. But that was updated today. And again, you'll see that we've improved in the Northern Virginia area here from warning status to watch status. We've not been out of warning status since we've been closely monitoring this as we got into the warmer season. However, we still have kind of that cube in the middle. That upper right quadrant is still showing emergency level for groundwater situation. So, good news in terms of just some reprieve from drought conditions is coming our way. A lot of this was influenced by some heavy precipitation in late September. But good news, nonetheless. However, kind of following up on last month you had you had some citizens speak to you kind of asking for a reprieve of their own to maybe be able to do some limited outdoor water use. As we're getting into colder weather coming up to take care of some maintenance items, you had asked that we consult with the Utility Committee and come back with a recommendation at this meeting. We did do that consultation without fail from the members. There was a lot of concern with doing a modified mandatory conservation. So, whether it was one-day or two-day period or one week per month, whatever that might be. The fear with that is twofold. One is it's just extremely hard to message and monitor. But even more so that if you do lift for only a limited period of time, that could actually put greater stress on the system during that limited period of time if everybody's rushing to get things done within that 1 or 2 days. So, the recommendation in combination with the ongoing monitoring of our well levels, which is not improved to the point where they're comfortable recommending lifting at this stage is to maintain the mandatory conservation for now. However, at the upcoming Utility Committee meeting, which will be before your second meeting in October, we'll have some more in-depth discussion. We'll be able to look closer at the well levels, and it could result in a recommendation, particularly with this time of year where heavier water usage is waning anyway, that they make a recommendation to very soon lift the mandatory measures altogether, which would be less of a stress on

the system because, again, you're not putting a mad rush toward it. And, with the lawn watering season really kind of getting behind us now, I think that's probably the route that they're going to take is recommending either stepping back to voluntary or just lifting the conservation measures altogether, whether that be at your second meeting in October or your first meeting in November. That's the likely trajectory. But for this meeting tonight, the recommendation was to keep the mandatory measures in place.

Bridge Littleton: Any questions for Will? Go ahead Darlene [off mic].

Darlene Kirk: I just want to say, Will, I spent a good part of the day in Leesburg going back and forth in different places, and they were actually watering.

Will Moore: Watering lawns.

Darlene Kirk: Yeah. Lawns and on the sides of the road and everything.

Will Moore: Yeah. Yeah, yeah [off mic].

Bridge Littleton: They got Loudoun water, so it pulls from the river. [off mic]. Yeah. Chris.

Chris Hersh: Will, with the conditions improving here on the maps that you showed, do you have any info about what the wells have actually done in the same corresponding period of time?

Will Moore: We don't. Other than Mark Inboden, the CEO of our Utility Operations Company, he did say in his response to my outreach that they're continuing to monitor and they're not seeing the improvement that they would want to lift the measures at this time.

Bridge Littleton: Yeah, Pam.

Pam Curran: So, I just want to ask a question. Everybody rushing to do it at the same time Will, is what I had heard was a big concern. But aren't there times during the day that are not peak times that could be used instead of having it be one day? I mean, if you did, you know, a week where it was, we still controlled it. We didn't lift the mandatory, but it was a different time where the demand isn't as high that we could do some, you know, not where contractors come in. I mean, that that would be a whole different thing. But where we could look at something along those lines?

Will Moore: It's not out of the question. Again, that kind of a revised allowance for usage is extremely difficult to message and monitor, but it's not out of the question. Okay.

Bridge Littleton: Yeah. Along those same lines, having lived in an area that had significant water restrictions. [off mic] Odd, even addresses is one way to decrease the demand on the days in which you do it.

Darlene Kirk: One thing I was just going to mention, if you do it daytime, isn't it more? Don't you lose more water that way [off mic] with the heat and sun and all that?

Will Moore: You definitely do in hot weather. With the temperature season that we're getting into now, it's probably less of a concern, but there is definitely something to that.

Bridge Littleton: So, completely understand, you know, and everybody's been great in the community about getting through the period. And it has, you know, absolutely made a huge difference. Right? I mean, the usage

went down 20%, which was fantastic. Utility Committee is going to meet before our next meeting with Mark, and they'll have more water well data. So, I mean, it would take 2 to 3 weeks just to message this the right way and get everybody a notice and stuff like that. If we're leaning towards getting that way and they feel like that's the positive direction, I would recommend that we just wait and see what happens in two weeks. And then if Mark and everybody's like, no, went the wrong direction, it's really bad. Then we can figure out if we want to like figure some type of interim step out. The other thing I will mention was, and Will, I don't think you guys got invited to this. I don't know why I got invited to it, but it was fine. Apparently, the State Legislature put a water study measure in place with the last session. I guess it was John McCullough had it sponsored. It was for Western Loudoun and Fauquier. So, DEQ was the one who did the analysis. They didn't go grab new data. They took all existing data, literally going back like 40 years, and did a whole analysis of stuff up through, you know, end of this past summer. The report's almost done. It's supposed to be delivered by December 31st. But they did an initial. The DEQ folks did an initial walk to walk through. And the contract they hired was Tetra Tech. Very good study. It was fascinating. The thing that was fascinating was in Western Loudoun, of all the wells that had been monitored, this was the two items I remember between 1990 and 2000 or 2005, I can't remember which. The average well depth went down by two feet. So, the problem has existed not as bad, but it's been an ongoing problem for a long time. That average well levels are going down. The other thing that they pointed out was in that same time frame, something like 16,000 wells were drilled. So, a lot of what? Well, a lot of what drove it was, and I never realize this. If you guys remember back in 2001, the county tried to do a down zoning to take all of Western Loudoun and down zone it. And then there was litigation. So, what a lot of people did was before their property got down zoned, they went, subdivided, and dug the well to perfect the right. They didn't build on it yet. They didn't do anything, but they dug the well, and well those wells, create fractures, they create holes in the aquifer and things can leak. And so, it's when it comes out, I'll make sure everybody gets it. But it was a really good report. Very well done. Okay. Any other questions for Will? Yeah Chris.

Chris Bernard: Or a comment. Just I guess, you know, I see a lot of this being in the Utility Committee meetings. And so, I would just my thought on this is that we need to really remember why we are doing these voluntary and mandatory measures. It's I mean, we really do need to protect our source water. And it's not just, you know, when it's convenient or when, you know, we don't need to power wash our patios or whatever. So, I think leaving it on and reevaluating when it actually makes sense to come out of this is the proper course.

Chris Hersh: And I'm going to say it again. In terms of the from the water treatment plant, the clean outflow, we really need to look into my eyes, look into using that and bringing it back into the water supply, because that's a long-term solution, especially with hearing that has been going on for 40 years. It's probably going to get worse.

Bridge Littleton: And there's only more users. There's never less users. Yeah. Okay. Well, thank you. Next up is Zoning Text Amendment 26-02 an ordinance to amend basically outdoor dining. Will, and so I know we've talked about this a bunch. Planning Commission's forwarded over, I think tonight we're just going to go through it, and the plan is to have the public hearing at the next meeting. And then we can take action if we need to, but tonight's just a review of the forward from the Planning Commission.

Will Moore: Correct. And I'm going to let Amy present. She did the bulk of the heavy lifting from a staff perspective. So, she'll walk you through the details.

Amy Rogers: Mayor, Members of Council, you have the report in front of you. This is one of your strategic initiatives. [laughter]. Yes [off mic]. The staff made a presentation to you in May of this year, and at that time you chose to send this to Planning Commission for the Planning Commission to make a determination as to what this amendment should be. Sorry, it's getting really loud [laughter]. [off mic]. So, the Planning Commission took some time to deliberate. We [off mic] gave them other ordinances from other towns and

counties to look at to see what they did about outdoor dining and rooftop dining. At first, they were leaning towards a special exception for rooftop dining and to allow the outdoor dining to go on by right as it is today. After a lot of deliberation, they did an about face and decided that they didn't feel rooftop dining was appropriate in the town and requested that staff adjust the amendment such that outdoor dining on a rooftop would be prohibited. Roof or outdoor dining on street level or on a patio or a lower walkout would be permissible. So, the text amendment in front of you is what the Planning Commission has forwarded you to walk through some of what is here. Currently a restaurant doesn't have a definition. An outdoor dining doesn't have a definition. It is just embedded in the appropriate uses and the C2 and the C3 District. So, we provided a definition of outdoor dining and outdoor dining at or below street level, or on a first-floor deck or patio is permitted accessory to a restaurant just like that is going on in the central business district today. And specifically in the definition, we stated that outdoor dining on a roof of a restaurant shall be prohibited, so prohibiting rooftop dining from here on out. And then of course, added a restaurant definition seeing there is not one in the ordinance today. Still prohibiting drive-through facilities and giving a lot of examples of what could be restaurants, bakeries, cafes, coffee shops, tea shops things of that nature within the definition. So, within the C2 and the C3 Districts the permitted uses were just amended to say restaurant rather than the full definition that was there previously. And then standards were provided for outdoor dining at street level or on a first-floor deck or patio, and then separate standards for outdoor dining on a roof. The reason the outdoor dining on a roof remained is because we will have one rooftop dining area that we're aware of. And so, the Planning Commission felt it was very important that we kept those in place. So, we had a way to regulate if necessary. So, to walk through the outdoor dining on the street level they have to be on the private property owned by the, the business and on a hard surface not in the public right of way, not on the sidewalk and not in any of the required parking spaces associated with that business. The hours of operation for them would be the same as the restaurant. So, there couldn't be after parties out on the deck when the restaurant was closed, that they would be closed when the business was not operating. No kitchens, bars, screens, service areas or any televisions or video screens or displays would be allowed outdoors on these outdoor spaces. And then we added something about live music that it shall not be amplified or electronic. So, it would have to be acoustic if you're going to have any kind of outdoor live music and the hours for that match, the hours, and the noise ordinance in the Town Code. So, they match in that that way. Then for the rooftop dining standards. So, one of the standards says that no part of the rooftop operation would exceed the maximum height in the district. That was put in there because there are several localities that, you know, if you have an elevator shaft that goes above the 30ft height, you're allowed to use the rooftop even though it's above 30ft. So, we said no, nothing above the maximum height. Again, only accessible during the times that the restaurant is in operation. So, if the restaurant is not in operation, the rooftop deck cannot be operated and gave hours that were more limiting that 7:00 a.m. not before and not beyond 9:00 p.m. at night. So, it limited the rooftop outdoor dining. No again, bars, kitchens, service areas, food prep, television screens, etc. on the rooftop it would just simply dining, people eating. No live entertainment, no acoustic music, no sound, no speakers, no public address system, anything that could promote additional noise on the rooftop other than people eating would be prohibited on the rooftop. No rentals or special parties on the rooftop, for example, for parade or wedding receptions or weddings or anything. Again, simply a dining area and then added additional standings for lighting. Gave a maximum height of a light and also where wall mounted lights could be, and bollard lights potentially that could be on the roof so that they were extinguished during when it was not in operation. There's no lighting on the roof when not in operation. So, again this is for discussion tonight. It will be public hearing on the 22nd. I'd be more than happy to answer any questions you may have about this.

Bridge Littleton: So real quickly, I just want to say I really appreciate all your hard work. Will you as well? Amy, you guys have done a great job. I know this is something we started the year off that we wanted to, you know, initiate really appreciate all the hard work by the Planning Commission too, you guys. You know, I watched some of the meetings after Chris recommended it. And you guys really sweated the details and went

into the, you know, broader policy goal, but also try to be fair. So, I, you guys have done yeoman's work, so I really appreciate it. And yeah. Chris.

Chris Bernard: Yeah [off mic]. Again, thank you for all the hard work on this. Like Bridge said, maybe for the sake of, you know, everyone here and watching the meeting. Talk a little bit about why they decided to differentiate between, you know, your street level and rooftop dining. because we've set different standards for them. And I'm assuming there was a rationale for that.

Amy Rogers: So currently there is a lot of outdoor dining in the town that has been operating without any kind of issue. So, because that's the case, it was decided that they could continue to operate as they are. And we have a set of standards that are pretty easy to abide by. They're doing it today. And so, we felt that and the Planning Commission felt that they should have separate and distinct standards. And if I may add something I forgot to mention, we did make a small tweak at the Planning Commission because there was some confusion about whether outdoor dining would be applied to special events, for example, particularly at the resort. So, we did add a statement that the outdoor dining standards at a ground level were restricted to the commercial districts and the central business district and didn't apply to the rural district that the resort is in. I hope I answered your question.

Chris Bernard: [multiple speakers] I was. I was thinking, I think maybe you saw where I was going. It's probably I was wondering why we had tighter regulations on rooftop, such as lighting, noise carrying that kind of stuff but.

Will Moore: Yeah, so I think there's a clear [off mic]. Or the Planning Commission in crafting this and staff working with them. We were clearly differentiating that this is a different animal on a roof. It is not the same as the outdoor dining as we know it that has traditionally been here. So, you know, it's elevated. There's much greater chance of noise carrying not being buffered by surrounding buildings. There's a lot of more likelihood of lighting impacts carrying greater distances. So, it's a whole new type of operation. And it for that reason, we felt it merited separate, distinct standards from the outdoor dining as we traditionally know it here in town.

Bridge Littleton: Cool. Thank you. Any? Yeah. Chris.

Chris Hersh: I was just going to say one Amy thank you and Will for the research involved. Knowing what was going on in other communities was really helpful. Bridge to you, I'll pass your words on to the Commission at our next meeting to thank them. And then three, the feedback from the community as well as from our business partners in Middleburg. I think was invaluable in terms of doing this. And that level of cooperation across the board, I think, resulted in a really good project or product. So just.

Bridge Littleton: Awesome. Thanks. Yeah Darlene [off mic].

Darlene Kirk: Now, this is only for businesses, correct? Okay. I was just [off mic].

Amy Rogers: The definitions are specific to restaurant.

Bridge Littleton: Yeah.

Chris Hersh: Well, and to that end the line, commercial zoning districts was specifically added to show that it applies to a very specific area.

Bridge Littleton: Okay. Thank you, guys. And so Will we'll definitely schedule that hearing for the next meeting. Okay. Rhonda, you are up with holiday schedule.

Rhonda North: Thank you, Mr. Mayor.

Bridge Littleton: [multiple speakers] The important stuff. The big one.

Rhonda North: Yes. So, this is an item that comes before you all every year about this time. So, the first part of it has to do with the meeting schedule. So traditionally, the Council has cancelled the second meeting in November and December because they fall on the holidays with the understanding that should we need a meeting, we could call it during the third meeting in the third Thursday in November. If you all are okay with that, we will continue with that tradition this year.

Bridge Littleton: So, moved.

Chris Bernard: Take action [off mic].

Rhonda North: No, you don't need to take action. I just need to know that you're comfortable with it. So, from a calendar standpoint, I can note. Note the meetings correctly. So, the second item is the Employee Luncheon. So again, traditionally the Council has hosted a luncheon for the employees on either the second or third Friday in December. I think the last four years we've held it at the Hunter's Head Tavern. And so, we are seeking Council's guidance on whether you wish to do so again this year to do a luncheon and if so, who on the Council would like to volunteer to organize that?

Bridge Littleton: I'm looking for [multiple speakers].

Rhonda North: I think Pam did it last year.

Bridge Littleton: Pam did it last year. Kevin? Kevin [off mic].

Cindy Pearson: And we have to remember there's no more Hunter's Head.

Bridge Littleton: Yeah. Yes.

Bridge Littleton: Do you guys mind? [off mic]. Okay. [multiple speaker] Thank you [off mic]. So, directed. [laughter] So. Yeah. And absolutely look at other restaurant options because like Cindy said, the Hunter's Head has been sold. The menu is completely different. So just make sure it's [inaudible], you know, it's in line with what everybody's looking for. Yeah. Okay. [multiple speakers] Anything else?

Rhonda North: The last item would be the Gift Certificate Program. So, traditionally, the Council has approved the issuance of gift certificates that are good at participating stores here in town for the staff in the amount of $100. In addition, the Council has approved a gift in the form of a usable item valued at $50 for the regulatory committees, which are Planning Commission, HDRC, BZA. Last year for those folks, we did a golf umbrella with the town's logo on it. That actually was very well received. I understand from one gentleman that the umbrella traveled all the way to Belgium, and he got a lot of, I got a lot of inquiries about the Middleburg logo on it. So, and apparently it [multiple speakers] apparently it travels very well. So just seeking Council's guidance on whether you'd like to do that again this year. If you would, the staff would recommend that we do a throw for the committee members this year. Like a blanket.

Bridge Littleton: What? Oh.

Rhonda North: Like a blanket. [off mic]. I'm not sure I could get a rain barrel within that limit.

Bridge Littleton: Everybody.

Rhonda North: [multiple speakers] But I did find some nice throws that would fall within.

Bridge Littleton: Okay. Everybody good with that?

Cindy Pearson: Just as long as it has set on it for a blankie. [inaudible].

Bridge Littleton: Okay. So, I think we're good.

Rhonda North: We're good.

Bridge Littleton: Okay. Let's see here. Any information from anybody? Yeah Cindy.

Cindy Pearson: This is kind of an information item. I spoke to chief. And the reason I'm bringing it up now is because I have had a couple of citizens come before me that they were asked to participate in a Trunk or Treat for Halloween. Just the idea. It's never been totally done yet. It was just a thought put out there and I came back with, I don't think Trunk or Treats are appropriate for this area because we've had Halloween that is like it's been forever. And I believe the chief was doing it so he wouldn't have to cross the street so many times. But he's going to look into, you know, getting the businesses to keeping the kids going is the problem with the parade. They want to stop. They want to take pictures of the businesses, the businesses want to have them come get candy, let me take a picture. So somehow, they're going to work to move that along quicker and not do the Trunk or Treat. But I just wanted to bring it up now because a few people have asked me and I wanted them to know that it was talked about.

Bridge Littleton: Pam, do you have a question? Yeah [inaudible].

Pam Curran: Yes. The Charitable Foundation has their website up. Sorry to accept grants.

Chris Bernard: Over the year [off mic].

Pam Curran: Yep. For the year. So, it's still open and we're still accepting grants. We'll be giving away $70,000 this year [off mic].

Bridge Littleton: Excellent. Okay, great.

Cindy Pearson: [off mic] Stock market's been good [laughter].

Darlene Kirk: Chief, don't you? What's the thing that you do at the Safeway. Is that trunk? Fill the trunk or fill the?

Cindy Pearson: Food.

Shaun Jones: The [inaudible] Safeway is where the Stuff the Cruiser is.

Darlene Kirk: Okay. I just want to make sure [off mic].

Shaun Jones: Yes, ma'am. That's going to occur in December.

Bridge Littleton: Yeah, go ahead.

Chris Bernard: This is actually a question of Will. Sorry. And I don't mean to put you on the spot, but someone asked me about it earlier today and I was like, oh, I will ask about it. But there have been a lot of people asking about all the utility wire work going on Marshall Street. And I don't know if you have just like a 30 second. What are they doing?

Will Moore: [laughter] We have had some communication from Dominion. It's like they're calling it a hardening project, but they're basically going through and examining, as best I can tell, every Dominion owned pole that they have here in town swapping many of them out, making other revisions to the connections of the lines. But just to harden the system, if you will, so it's not so susceptible to outages during storms, things like that. So, it's utility companies come in and they just blast through. But for the most part, they've been pretty good to work with. We have had some issues. I know there was an issue affecting the resort last week where they closed down North Madison Street between Marshall and Salamander Lane and they were redirecting traffic that was coming southbound on Foxcroft Road to head toward town and just redirected them through the resort as if it were a public street. Fortunately, it was for a short duration. By the time I got the message that Scott had called, I went out there to see what was going on. I reported back, went around the block and they had opened it back up. Just they had done the work quickly. But It's those kind of things that are frustrating sometimes, but trying to look at the bigger picture, we're going to be in a much better shape with our electric infrastructure here in town once they're done. I will be having some conversations with them regarding the upcoming paving project, just to make sure there are no issues or, you know, conflicts there between VDOT's work and their work. I don't anticipate it because of the time of day, but we'll be having those conversations.

Chris Bernard: Thank you.

Chris Hersh: Just related to planning on Monday night at the Legion, American Legion. Thank you. American Legion Phase 2 of the project on the former property is the Fun Shop is being presented and something that I think most in the community would want to be aware of and attend if possible.

Bridge Littleton: Presented by the developer.

Chris Hersh: Yes [off mic].

Bridge Littleton: Yeah, he's hosting a meeting on Monday, 6:00 p.m. to go over with the community, his plans and get feedback. Two things I want to mention real quickly. We had a Zoning Ordinance Committee meeting yesterday at the county data center use. Data center use standards. It is a ZOAM that they've been working on for a while. Where's the CPAM? I can't remember which one it is. And it's near done. Draft language is out there right now, and public comment on it is open until October 31st. Strongly recommend taking a look at it and providing some comments if you have any. I have put some in. You know, look they use standards and so it's like it's a data center, right? How good can you make it? But I certainly don't think they go far enough on a number of things. So, I mean, one of the things they did do, which I think is great, is they increased the setback for near residential zone from 100ft to 500ft. Still, it's only 500ft. But, you know, it's a quarter of a mile instead of, you know, a stone's throw. Yeah. So, the other way they're handling battery storage. It's got some issues and the way they're handling substations, it's got some issues. I really don't like how they have the on-site power generation, which, you know, but anyway, if you are wanting to comment on it, they are going to close it

October 31st. The second thing that came up in the meeting was the new cannabis regulations. So, we're going to be putting our regulations in, but the county has drafted very quickly. And as my comment was not well, a cannabis regulation. And so, what the law. So that they passed the law over the summer that says you cannot ban cannabis stores. They didn't say what you how far you could regulate them. They just said you can't ban them. But if you want to say, [multiple speakers]. What's that?

Chris Bernard: Local municipalities [off mic].

Bridge Littleton: Dispensaries, medical use only. That was when it was medical use. This is now recreational use. So, marijuana is now good for recreational use and retail sales. [inaudible]. What's that? [inaudible]. It's all it was. It was medical dispensaries. So anyway, the law that was passed in the summer mandated now that the state will give licenses. 350 licenses, which could increase overtime to people who want to have stores. So, when that registration period opens, which is going to be in February, there's, you know, there's 3,000 people waiting to submit their request for a license. The county's initial zoning ordinance was basically to say, well, how did we, like, regulate restaurants? Oh, we regulate them this way. Let's just add it as an approved use. I was like, oh my God, you know, we can regulate it, that it can only be in this commercial district. It can't be near this. It can only be, you know, they just can't ban it. And so, there was a lot of discussion that came out of that about guys, let's not have it wide open and then figure it out later. Let's keep it narrow and then see if we need to expand. So, they're going to go back and try to rework it. But they got to get it done by December 31st, which for this county is record speed, not [inaudible] but they got to get the draft out. So, that is one too if you guys want to look it up, you want me to send it to you. If you want to email the Planning Commissioners and or the Board of Supervisors that this wide-open approach is not good. It would be good because this one's moving fast. It's got to the state law.

Will Moore: And if I may, for what it's worth, I think it was buried in our monthly report. But the town attorney has provided us with a model ordinance developed by the Local Government Attorneys Association. So, Amy is kind of reviewing that at the moment. And we will begin drafting our own initial stab at an amendment in the coming months. So, we plan to be working on that as well.

Bridge Littleton: Awesome. Thanks. Anybody else? We don't have a closed session tonight. There's no updates, so we're good on that. Does anybody have any other information items? That was it. Okay thanks. Meeting adjourned.