

**MINUTES  
PURCELLVILLE TOWN COUNCIL MEETING  
TUESDAY, JULY 14, 2020, 7:00 P.M.  
TOWN HALL COUNCIL CHAMBERS/VIRTUAL**

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The meeting of the Purcellville Town Council convened at 7:00 P.M. in Council Chambers with the following in attendance:

**PRESENT:** Kwasi Fraser, Mayor  
Tip Stinnette, Council member  
Ted Greenly, Council member  
Christopher Bertaut, Council member  
Stanley Milan, Council member

**PRESENT VIA REMOTE PARTICIPATION:**

Joel Grewe, Council member  
Mary Jane Williams, Council member/Vice Mayor

**STAFF:** David Mekarski, Town Manager  
Sally Hankins, Town Attorney  
Diana Hays, Town Clerk/Administrative Assistant  
Kimberly Bandy, Deputy Town Clerk

**STAFF VIA REMOTE PARTICIPATION:**

Liz Krens, Director of Finance  
Linda Jackson, Financial Analyst  
Police Chief Cynthia McAlister, Police Department  
Dale Lehnig, Capital Projects and Engineering Manager  
Hooper McCann, Director of Administration

**CALL TO ORDER:**

Mayor Fraser called the meeting to order at 7:00 P.M. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS/APPROVAL:**

Mayor Fraser stated that he had one change under Action Items and that based on his conversation last evening with the Purcellville Arts Council, it does not seem that this would be a fit for the Purcellville Arts Council, this being the Purcellville Film Office Proposal and may fit better under the Economic Development Advisory Committee. Mayor Fraser added he did speak to members of the Economic Development Advisory Committee and they were in agreement.

**CONSENT AGENDA:**

- a. Approval of Meeting Minutes – June 9, 2020 Special Meeting
- b. Approval of Meeting Minutes – June 23, 2020 Special Meeting
- c. Approval of Meeting Minutes – June 25, 2020 Special Meeting
- d. Approval of Meeting Minutes – June 30, 2020 Special Meeting

**Motion by Council member Tip Stinnette, Second by Council member Greenly that the Purcellville Town Council Approve Consent Agenda Items 6(a) through (d) as Presented in the July 14<sup>th</sup>, 2020, Town Council Agenda Packet.**

**Roll Call:                   Ayes (7)           Nay (0)**

**Motion Carried:       7-0**

**PRESENTATION(S):**

**a. Circle Gx/Mr. Earl Eck**

Mr. Eck stated they are here to provide a 5G Broadband Internet Solution for the Town of Purcellville, and talked about 5G service and Circle GX. wireless solution, which is what they are providing today. The presentation is on the Town's website and is on file in the Clerk's office.

**CITIZEN/BUSINESS COMMENTS:**

Mr. Chris Stevenson, 240 East Loudoun Valley Drive, stated he is here on behalf of a neighborhood group that he and his wife formed about six weeks ago after they read an article in the Washington Post that described Latinos as bearing a really heavy burden during COVID. The result is they go to work and are exposed to the pandemic, to the virus, or they lose their jobs. Mr. Stevenson stated as he read this, and it had visual descriptions of Latino communities in the Washington, D.C. area, he thought of the 16<sup>th</sup> Street apartments in Purcellville. Mr. Stevenson added there is a CARES Grant for Purcellville and his plea to the Council is to consider setting aside some of the CARES Act Funding for small businesses and non-profits, for perhaps Purcellville's most vulnerable community. Mr. Stevenson stated that perhaps Town Council can help in a small way, and work with him to try to integrate them into Purcellville society.

**MAYOR AND COUNCIL COMMENTS: (5 minutes per Council member)**

Council member Williams stated that she doesn't have any comments. She is glad to be a part of the Town Council. She is looking forward to working with everybody.

Council member Stinnette stated that he would like to thank Chris Stevenson for his bridges and ladders outreach, and his passion, and looks forward to our CARES Act discussion this evening. He is not entirely sure that it is structured for direct contributions in this particular case, but he thinks we can probably come up with some creative ways to serve that community in need.

Council member Bertaut thanked Chris Stevenson for coming to speak. This is a matter of great concern to this community, and shares Council member Stinnette's thought that he is not sure we can leverage this with the CARES Act, but it is certainly worth keeping in mind that any assistance afforded through the CARES Act would dovetail well with this program as well.

Council member Milan thanked Mr. Stevenson for bringing that to our attention, and was not aware that there was a large Hispanic community that was in dire need. Council member Milan added he hopes we can find a way to assist them via the CARES Act, if possible. He thanked Mr. Earl Eck for coming out and presenting the 5G Circle Gx solution, and added it is a well needed application that could benefit the town. That will also require further discussion with Council members for the expense that may incur. Council member Milan stated that he is glad to be a part of the Council and this is his first meeting.

Council member Greenly offered his condolences to Council member Williams and her family for the loss of her father. Council member Greenly stated a big welcome to Stan, Mary Jane, and Christopher and he is looking forward

to working with them. Council member Greenly thanked our Town Staff for pulling off the 4<sup>th</sup> of July Parade. The enthusiasm along the parade route was pretty impressive and it was infectious.

Council member Grewe stated that the location he is in happens to have more challenging cell service than Purcellville, which occasionally the connections get troublesome. He thanked Chris Stevenson for his comments earlier and added it has been a pleasure to be a part of that. Council member Grewe stated that he and his wife have been providing some of the stuff that has been distributed. He would love to see if there is something that we can do to assist in that area, and knows at one point earlier before the Governor stopped evictions, there was a concern on that. He stated compliments to the Town Staff that when they were made aware of it, they made sure there was at least some relief provided to prevent that sort of process from going forward during the Stay At Home Order. Council member Grewe welcomed the new Town Council Members, and gave his condolences to Council member Williams. Council member Grewe stated that he received a fairly significant amount of public comments regarding the Closed Meeting tonight, which could be discussed at that time. Council member Grewe thanked staff for the July 4<sup>th</sup> parade and a job well done.

Mayor Fraser welcomed the new Town Council members, and looks forward to working with the existing Town Council members, David, and staff. He believes the success of the parade gave confidence in moving forward. Mayor Fraser thanked Mr. Eck for presenting this opportunity, and looks forward to input and insight from the Town Council collaboratively to see how we can move forward with this effort. He added it is needed, especially in this time with the COVID crisis, and the potential of 80 plus percent of students staying at home potentially. Mayor Fraser stated that he looks forward to finding unique and creative solutions to what we can be done for that community. Mayor Fraser stated he was presented with the number of units in that area, the 16<sup>th</sup> Street apartment. It is 90 units and estimates three to five individuals per home. It is a community that he does not want to ignore because of the consequences for them and also for us collectively and looks forward to that discussion.

#### **ACTION ITEM(S):**

##### **a. Setting the Meeting Schedule of Town Council**

Mr. Mekarski stated that Sally Hankins has prepared a Resolution giving the holiday schedule and added that if there is a Town Council meeting scheduled on a holiday, it's cancelled. If the Council wishes to set that on an alternate date, it should do so.

Mr. Mekarski stated that he also wants to make a note on the August recess, and because of the COVID emergency and some of the challenges that we have, in particular, the adoption of the Second, Third, and Fourth Quarter, we are not going to have the August Recess. It was suggested by the Mayor, that if there is support of the Council to have a November Recess. Of course, that is COVID dependent. Right now, there is a Council Meeting during the Thanksgiving holiday. If we need to not meet during Thanksgiving week, we should note it in the approving Resolution.

Council member Stinnette stated that he thinks it speaks for itself in the package and supports the idea of not having the Council Meeting the week of Thanksgiving. He asked if we really want to put our CCBs on recess for the month of August while we are convened as we offer the ability for CCBs to do remote. In terms of the discussion that we are going to have on CCBs this evening, the grand strategy, he questions whether it is really wise to put CCBs on recess during the month of August.

Mayor Fraser stated that he would say since we are not going on recess, the CCBs should not be on recess since they are an extension of this Town Council. He thought traditionally, we took the week of Thanksgiving off and was looking at the entire month of November to be off.

Mr. Mekarski stated that when we were discussing maintaining August as a work month, and if the Council would support having the entire month of November as a recess in lieu of the August Recess, that the management team and the employees would support that.

Mayor Fraser stated for the public, this is a part-time job for Town Council and at times, it feels like a full time job. The August recess was meant to rejuvenate with family, no long hours and so on. He thinks by virtue of not having it in August, have it in November.

Council member Grewe stated that he doesn't know about everyone else, but it seems like during COVID, although we have been distant and relatively home, it seems to him that the staff and his overage of vacation hours from his day job, at which HR is mad about, that we have been running harder and faster than less. What he is curious about relative to the staff, understanding the Budget needs to be prepared, and we have until the end of September to adopt the rest of it, he doesn't see in the packet what the specific need for the meetings in August are for. Based on what he is reading, he doesn't see the compelling need for this and would rather keep it if he can. He thinks it is good for the staff to have some down time and for the Council.

Mr. Mekarski stated since it was planned for an August recess, we were reserving it for additional Budgetary Workshops. We have on the schedule the second meeting July 28<sup>th</sup> as a Budgetary Workshop. He stated recognizing that we are presenting a Budget for the Second, Third, and Fourth Quarter not only to a Council that has deliberated on it extensively during our traditional Budget Cycle, but to now a new Council. We are reserving the first meeting in August for a second Budget Workshop if it is so deemed by this Council after July 28<sup>th</sup>. In addition, there are some critical deadlines associated with both the temporary Police Headquarters, and a permanent Police Headquarters. We were reserving a time in August, possibly the second meeting in August, to present Moseley Architects Cost Benefit Analysis with a number of alternatives, primarily for the temporary Police Headquarters. He stated currently having to vacate current premises by February of 2021. All the alternatives being looked at require some modification and architectural and engineering changes therefore financial considerations will be in regard to that.

Mr. Mekarski stated primarily, it's Budget Workshops, and a Workshop associated with the police facility, plus the management team, in particular him, Sally Hankins the Town Attorney, and Diana Hays our Town Clerk would like to have a portion of one of those Work Sessions to talk to the new Council about the agenda processing schedule and see if we can identify items that the Council would like to place on the agenda in advance of a two week schedule. We get those demands within about seven to eight days, and regardless of what we may be committed to, other projects, and other personnel matters, and legal matters, we have to pull all stops to do the very detailed analysis of the staff reports. He requested that Ms. Hankins discuss the agenda processing schedule. Mr. Mekarski hoped to schedule this with the three of us, and the Council in a very informal manner.

Ms. Hankins stated that David was talking about having an August Work Session to speak about the agenda establishment process how it gets generated, how it gets produced, and when it gets sent out to answer Joel's question which is, what is it that we need to do in August. She stated one topic is the Budget and another would be to do is adopting a new Agenda Management Policy, so that it can flow better for everyone. We think Council sometimes has questions about the agenda that indicate to us that you might appreciate having the agenda set farther in advance than it is currently. She doesn't know about commissions, committees, and boards and respects the fact that they are extensions of Council.

Council member Grewe stated that he totally would agree with that. He stated particularly the advance setting of the agenda which would allow Council to predict when things are being covered, and it would answer a lot of the questions from the public. He thinks the November issue relative to the week of Thanksgiving is to take it off. He is still not sold on meeting in August, although he understands the need of working on the Budget. He thinks we might be able to commend it to call a meeting as needed, as opposed to making it regularly scheduled. He finds himself emotionally, and actually in agreement with the Mayor's comments about how much this has run things out. He stated if there's a way to do this without regularly scheduling, we can setup those agenda development meetings in a two by

two format, or we set it where we are just going to be doing a Work Session at the end of the month so people have at least three or four weeks for some down time. He would prefer that more.

Mayor Fraser inquired whether or not that changed anyone's mind. He stated he can see the nod, no.

Council member Greenly stated on Page 56, can you just simply change the word "Resolve, that the Town Councils, committees, commissions, and boards shall recess for the month" of whatever. Wouldn't that be a simple solution to the Motion and it wouldn't change the statement? Council member Stinnette stated that the Motion is going to need to address the fact that we are not going to be putting the CCBs in recess. He thinks we could just strike that and leave the Motion as is, and get to the November thing. And when we decide to recess the Council in November, we recess the CCBs. He stated that if staff would make that adjustment to the Resolution then Council member Greenly can read the Resolution as it stands. Council member Greenly stated that the change to the Resolution would be, "Be it further resolved that the Town Council's committees, commissions, and boards shall recess for the month of November 2020." Ms. Hankins stated we will do that.

**Motion by Council member Greenly, Second by Council member Stinnette that the Town Council Adopt Resolution 20-07-01, Establishing the Regular Meeting Schedule for the Town Council, and perscribing the Rules and Continuance of Meetings.**

Council member Grewe stated that he wasn't quite following the Motion. Did this include the aspect about the Tuesday, November 24<sup>th</sup>, meeting being cancelled? Ms. Hankins stated that it does cancel all the November meetings. Council member Grewe stated that's how it was amended. Ms. Hankins stated yes.

**Roll Call:**                      Ayes (7)              Nay (0)  
**Motion Carried:**        7-0

**b. Appointment of Vice Mayor**

Mayor Fraser stated that the next item on the agenda is the Appointment of Vice Mayor. Mayor Fraser thanked Council member Stinnette for 12 strong months of his support and partnership. You call yourself my "wing man." You've been instrumental in everything he does here, supporting him, and your commitment to the people of Purcellville. Thank you very much for that.

Council member Stinnette stated that he is pleased and honored to make the Motion.

**Motion by Council member Stinnette, Second by Council member Greenly that the Purcellville Town Council Appoint Mary Jane Williams to Serve a One Year Term as Vice Mayor, for the Term Expiring on July 1<sup>st</sup> of 2021, or once a New Appointment has been Made by Town Council.**

**Roll Call:**                      Ayes (7)              Nay (0)  
**Motion Carried:**        7-0

**c. Appointment of Council Members to Serve as Liaisons on Committees, Commissions, and Boards** *(Presentation on file at the Clerk's office)*

Mayor Fraser stated next is the Appointment of Council Members to Serve as Liaisons on Committees, Commissions, and Boards.

Mayor Fraser stated before he starts with that, he asked Diana to put the presentation up that he will speak to, "A Grand Strategy for Purcellville." Mayor Fraser thanked Council member Stinnette for assisting him in putting this together. In referenced to the first slide, Mayor stated this pyramid goes from building an effective partnership, to realize a mission, and look at our inventory resources as we move forward as the Town of Purcellville.

Mayor Fraser stated last month we were able to successfully adopt our Comprehensive Plan. Typically, in any community, once you adopt a Comprehensive Plan you then move into a zoning process. In this community we would move forward also with a zoning process, but because of the challenges we face, we need to focus on economic development. It is clear to us from how residents voted in past elections, and decisions that have been made, we want to avoid equating in economic development with sprawl, meaning residential growth. He stated with that said, we need to refocus on how do we deal with what we have as a community. When he says, "deal with what we have," the existing resources that we have. How are we able to monetize those and generate this entrepreneurial spirit within the community, so we can look at economic development outside of just residential growth, annexation, and so on and so forth? This pyramid just shows Purcellville's Economic Development Pyramid. We are hoping this will be a logo on something as we move forward as we develop that economic plan.

Mayor Fraser stated let's move to the next slide. The basis for the Economic Development Plan will come from the language that was used in our Comprehensive Plan. In that plan we look at a plan of action that spells out in a few pages the following: "Ends: What the community wants to achieve." As a community, what do we want to achieve? 2. "Ways: How do we achieve it." 3. Means: What resources do we have to enable us to achieve it. Finally, a timeframe. So, everything needs to be on timeline. When do we intend to achieve this.

Mayor Fraser stated that any Economic Development Plan includes the following items: "Current economic trends." We may need a Consultant or we may need advice and counsel from our Chambers of Commerce, or even the Loudoun County Economic Development Council. It enables us to understand what the current economic trends within this local region are. He stated also, "A desired level of jobs; Tax base; Businesses; The gap between where the community is going and where it wants to be;" The community being Purcellville. And also, "Best guess of how the town's economy will perform if current trends continue." Mayor Fraser asked Council member Stinnette to go into some level of detail on the "Ends."

Council member Stinnette stated to stay on this chart on the screen, the first page of the briefing said, "Economic Development and Financial Strategic Plan." It's a hybrid of Economic Development and the Financial Strategic look. When we look at the "Ends," the question that "we," as a Council probably want to ask is where do we want to be when this is all over. He thinks based on the platform that our new Council members ran on, and he knows from polling the old Council, that we all kind of want a stable revenue strategy. He knows that all of us have seen this through the meetings that we have been. How many times have we come to this Council with the latest and greatest idea for Aberdeen? It would be nice to have a document that said, "Here are all the town assets. Here's a plan for each asset." He stated for Aberdeen you could have Nutrient Credits is one idea. Equestrian Riding Venue another idea. A drone course out there, agricultural is another idea. Historical, that's another idea. There are a bunch of ideas for every asset that this town has. What we need is a comprehensive listing of all of those assets and then a plan to leverage those assets.

Council member Stinnette stated that the second bullet under "Stable Revenue Strategy" is this idea of a "Sustainable Financial Instrument Position," which basically says, "Okay. When you look at our debt, our loan structures out there, our financial instruments that are out in the marketplace, clearly we all aspire to get to zero debt." He will tell you that probably more important than zero debt is how you get to zero debt, and making sure that you can kind of sustain the things that you want to do while you buy down your debt, reposition your debt in the marketplace. Ultimately, if you do those first two sub-bullets you get to this idea of a "Predictable Tax Demand on the Community." It's not this see-saw. It's not this debate year to year, budget to budget.

Council member Stinnette stated the next chart, we talked about the "Ends." The end is Stable Revenue Strategy. He didn't cover the "Means Based Service Strategy." He stated what we meant by a "Means Based Service Strategy," is basically, we provide services predicated on our ability to financially sustain those services. In other words, if we can't pay for the service, then we ought to be questioning why we are providing that service in the first place. Obviously, he thinks "Commitment to Benefit Cost Analysis," CBCA whenever we do look at providing service. He stated a

“Strategy-to-Task Allocation of Staff Resources.” What that really means is you’ve got a constrained staff, 83 people. They can’t be everywhere doing everything. We need to make sure that we prioritize and allocate staff resources accordingly.

Council member Stinnette stated the next chart is the “Ways” chart. This idea of a Hybrid Economic Development and Financial Strategic Plan begins with the comprehensive listing of town assets. This is where Davenport and the financial piece come into this. You start looking at what are your revenue requirements in terms of the water and utility enterprises. What are your revenue requirements in terms of refuse collection? What are your revenue requirements in terms of Public Safety? What are your requirements in terms of Capital improvements? What are your requirements in terms of maintaining your Financial instruments? He stated which is another way of saying, maintaining the debt without falling off a cliff. And what are your revenue requirements in terms of the Transportation Infrastructure? Once you forecast assets, here are requirements, then you get into Land Use Revenue Opportunities, which is well covered in the Comprehensive Plan, but they need to be flushed out. Then obviously, the traditional focus of an Economic Development Plan which is what are your Small Business Opportunities.

Council member Stinnette stated then you go to “Means.” On the “Means” chart, basically the reason we are teeing this up before the discussion on the CCBs, is this idea that we are going to use a whole of government approach. If you think about Steve Jobs and Apple, and all the big companies, they usually have one thing that they focus on. This doesn’t throw out our Strategic Plan. It takes a yes and approach to the Strategic Plan. It takes everything that is in the Strategic Plan and rolls it into this. It leverages the Comprehensive Plan because the Comprehensive Plan says, “Go do what we are proposing to do.” This idea that everything is focused on development of this Economic Development and Financial Strategic Plan, this means that your CCBs are focused on it. Each of the CCBs is going to have an element within this plan. The proposal, when you start talking about “Means,” is that this effort would be led by EDAC with a Consultant facilitating. What’s different is we are not going to sub out the writing of the plan. We are going to write the plan. We ought to be able to do this quicker. What we are talking about doing is detailing reps from the Planning Commission, Parks and Recs Board, the Train Station Advisory Board, and the Tree and Environmental Sustainable Committee. What we are going to try to do is every CCB that we are going to talk about tonight, is going to feed into EDAC and provide people to help out with this plan. The idea is that we produce and adopt a plan not five years from now, but in twelve months from now. This is fast. This is organic. We control it entirely. While we are building the plan over the next twelve months, that doesn’t mean that we stop doing the things that we are doing. We need to continue doing Nutrient Credits, and looking at Aberdeen, and all those things. The idea is we have a plan that is adopted in twelve months and then we spend the second half of the term executing it; focus on executing the elements of that plan.

Mayor Fraser thanked Council member Stinnette. Mayor Fraser stated the timeline, or the schedule. We could have all of these grand plans and ideas, but if we do not bound it by time it never gets done. We need to establish a realistic timeframe. He stated as Tip indicated, we need to inject into the DNA of this entire organization and Town Council this habit of looking at economic development, we’ll get into zoning and Land Use and all of that, but every commission, committee, and board needs to be in alignment with our strategic objective of economic development. Whatever they are doing needs to somehow tie into economic value to the Town of Purcellville. As Tip indicated, we are looking to have this plan all mapped out, agreed to, and adopted, in twelve months. There are low hanging fruit as we go forward. We are not saying to neglect those items. Like Tip indicated, we’ll continue to manage those and move forward and advance them. But we are looking at having all of this developed in a twelve month period.

Mayor Fraser stated that the next slide is again the Team Strategy. That will get us to tonight when we start assigning the Liaison to these committees, commissions, and boards. Their focus is to articulate to each of the boards, committees, or commissions that they sit on that this is a vision of Town Council. When they sit in that seat they need to make sure that what actions are being taken by each of these committees, commissions, and boards are aligned with that vision and strategy. Singular focus on ensuring economic and financial vitality. That goes without saying, every Council member, committee, commission, and board. We write the plan, not a Consultant as Tip indicated. We know what goes on here locally and we know what goes on in these chambers. We have the ability based on our skill set in industry, and we can also obtain mentorship from Chambers of Commerce and the Loudoun County Economic

Development Team. We are able to write that plan he believes, with some guidance and mentorship. We adopt and then follow the strategy. And adjust when assumptions and conditions change. Life is all about managing fluctuating circumstances. When those circumstances change we need to be ready to move forward with it. And last but not least, this is our one thing, Driving All Things Over the Next Two Years. We are looking to have this adopted within a year.

Mayor Fraser stated that the last slide is a rain barrel view of the local economy.

Mayor Fraser stated that he and Tip had some discussion after one of these late nights after work. We agreed on how we should move forward on the Liaisons with each of the committees, commissions, and boards. Each CCB are all relevant. Whoever is assigned to that, you will have the single focus of economic development on that. He stated without these committees, commissions, and boards, we cannot do what we are doing. They are an extension of this Town Council.

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Appoint Council member Stan Milan to Serve on the Planning Commission as a Voting Member for the Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2022.**

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Appoint Council member Chris Bertaut to Serve on the Economic Development Advisory Committee as a (non-voting liaison or Ex-Officio, voting member) for the Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2022.**

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Appoint Council member Joel Grewe, to Serve on the Tree and Environment Sustainability Committee as a (non-voting liaison or Ex-Officio, voting member) for the Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2022.**

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Appoint Council member Mary Jane Williams to Serve on the Purcellville Arts Council as a (non-voting liaison or Ex-Officio, voting member) for the Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2022.**

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Appoint Council member Ted Greenly to Serve on the Board of Architectural Review as a non-voting Liaison for the Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2022.**

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Appoint Council member Tip Stinnette to Serve on the Parks and Recreation Advisory Board as a (non-voting liaison or Ex-Officio, voting member) for the Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2020.**

**Motion by Council member Stinnette, Second by Council member Milan that the Town Council Affirm Mayor Kwasi Fraser to Represent the Town of Purcellville on Groups and/or Regional Bodies that may request Representation from the Town Council, in Addition to the Train Station Advisory Board for the same Term of July 14<sup>th</sup>, 2020 to June 30<sup>th</sup>, 2022.**

Council member Grewe stated first of all, thank you. His only comment is that he has been working with Parks and Rec over the last year or so in an ad hoc capacity. He doesn't want to step on Tip's toes. If he wants that, so be it. But if he has no particular preference relative to that, and the Mayor is okay with it, he would be glad to swap him for those two committees if he would be interested.

Council member Stinnette stated that he doesn't have a problem with that. He told the Mayor he would go to whatever was leftover. You are saying that you want to do Parks and Rec. You want me to do Tree and Environment Sustainability. Is that correct? Council member Grewe stated if you are interested in it. He has been working with Parks and Rec a bit over the last 12 months or so in one form or another. He would love to be able to continue that if that's available if you don't mind. If there is a said plan, okay. If you have a particular preference he is not going to get



in your way. Council member Stinnette stated that he would defer to Kwasi on that. Mayor Fraser stated that he likes Tip in Parks and Rec. He stated Joel, don't take it personal, he put Tip there for a reason and he doesn't know it yet. Council member Grewe stated all right.

**Roll Call:**                   Ayes (7)       Nay (0)  
**Motion Carried:**       7-0

**d. Purcellville Film Office**

Mayor Fraser stated let's move on to Purcellville Film Office. As he discussed at the beginning of this meeting, he met with the Purcellville Arts Council yesterday. He stated what was meant to be a 15 minute meeting ended up being an hour long meeting. He did garner a lot of good insight from that meeting. Some of that insight enabled him to come back and repurpose this. We wanted to have this Purcellville Film Office be positioned in the Purcellville Arts Council. After he looked at the mission and vision of that, he sees this Film Office as being an economic engine within the Town of Purcellville. Months ago, the Purcellville Film Office stakeholders presented to the EDAC team, and the majority of the EDAC team supported it, he would like us to move forward and placing that as a subcommittee within the EDAC and not within the Purcellville Arts Council.

**Motion by Council member Stinnette, Second by Council member Greenly that the Purcellville Film Office be Established as a Subcommittee of the Economic Development Advisory Committee to Support and Advance the Efforts from Amateur to Professional Filmmakers, Producers, Actors and Crews, to Create and Promote Film and Television Projects within the 20132 Zip Code.**

Council member Stinnette stated that he thinks it is important to point out that we did have a discussion with the Purcellville Arts Council, and that committee was very hesitant to bring on this film subtitle, whereas, a discussion with EDAC produced a greater willingness to incorporate this into their structure.

Mayor Fraser stated that's a fair summary. The hesitancy on the part of the Purcellville Arts Committee is that over the past two years, they have made significant gains within their Arts Council. They do not want to be distracted by having to have this subcommittee focus on that. That was the primary reason why they were hesitant.

Council member Bertaut inquired did the individuals who were advocating to advance the Purcellville Film Office, did they ever meet with the Purcellville Arts Council. Mayor Fraser stated no, they did not.

**Roll Call:**                   Ayes (7)       Nay (0)  
**Motion Carried:**       7-0

**e. CARES Act Funding – Approval of Memorandum of Understanding and Associated Grant Eligibility Criteria with Loudoun County Economic Development Authority**

Mr. Mekarski stated that the last time we came to Council; brought forth the high level spending plan. As the Council recalls, we received from the County, Federal money in the amount of \$891,932.00. We were requested to present a high level spending plan to spend these funds for COVID related impacts no later than December 31<sup>st</sup>, 2020. He stated the Council revised the spending plan that staff had presented. That stands right now as \$60,000.00 for reimbursement of our restaurant voucher program; \$474,632.00 for Business Interruption Funding, Stimulus and Relief Grants. He stated that Hooper will go into detail on how those will be allocated. He stated and \$89,000.00 for local, Non-Profit Grants. He stated the \$474,632.00 for Business Interruption Funding Stimulus and Relief Grants; those are the subject of tonight's MOU and Grant criteria. The \$89,000.00 will be distributed by the town through in-house staff and some supplemental staff. Those are for the Non-Profit Grants. After that spending, we have a portion of the funds reserved for expenses that the town has already incurred for COVID related expenses. He stated COVID-19 testing, \$8,000.00. Improvements to network infrastructure, licensing, equipment and supplies to allow teleworking activities all through

the COVID crisis, that's for \$45,000.00. Supplies, equipment, contract services for expanded cleaning and sanitizing, \$35,000.00. Personal protective equipment and supplies, \$15,000.00. Personal overtime, temporary staffing, and other compensation, \$73,000.00. In particular, what we are doing there is not only COVID related overtime, but to ensure that we have the minimum staffing necessary to run the 24/7 operations of water and sewer. We are bringing in some temporary employees to back up the employees in case we have to go through a mandatory, or a voluntary quarantine. That's for \$73,000.00. Facility workplace modifications, \$6,800.00. Recovery planning, \$14,000.00. Expenses for communication and enforcement by local governments, Public Health Orders related to COVID-19, \$26,000.00. That's for a total of \$223,300.00. He stated that \$45,000.00 is held in reserves because we don't know if we will go through a second wave in the fall. As you know, we are only in the fifth inning. We may have a second game in September.

Mr. Mekarski stated that this high level spending plan was already amended by the last Council. It was sent to the County and it was approved. We were requested then to base our Memorandum of Understanding with the Loudoun County Economic Development Authority based on that high level spending plan. He then turned it over to Hooper McCann, Director of Administration, to outline the MOU, why we are doing the MOU, and how the Grant criteria is described. If approval is reached, we can get Loudoun County Economic Development Authority's approval. They have already given us approval, but they will allow us to execute the agreement and we can begin the process of working towards soliciting Grant Applications and then distributing the funds.

Ms. Hooper McCann stated that David did touch upon the items that are operational in nature. She stated that staff has been working to identify all of the COVID-19 related CARES Act Fund qualified expenses back to March 1<sup>st</sup> at the beginning of that program. We would like to be able to provide you with an update to the amounts that have been spent thus far. However, it is a very arduous process. We are still working on that. It is a critical function because we have to prepare that data, not only to be coded properly from an expense perspective, but also for auditing purposes. She wanted to let you know that we are still working on those. As soon as there is better perspective of those expenses, we will be providing that to Council.

Ms. McCann stated as far as the MOU, it is critical because the town cannot make any direct monetary contributions to businesses. Through this Memorandum of Agreement with the Loudoun County Economic Development Authority, the Authority will be able to make those payments on the town's behalf to the business Grant recipients. That is all that they will be able to do for the town. The town will still be responsible for the overall management of the program, both business as well as the non-profit. One of the things that takes so very long with the management of those programs, the town is not the only jurisdiction struggling with, is the management of the records that are associated with (*inaudible*). It's a rigorous reporting process. The U.S. Treasury requires very specific compliance and strict record retention. She stated while they will not necessarily be auditing the town, the County will most certainly, as well as we will be audited by our independent auditing firm for these records. It's a huge magnitude of effort when managing these Grants because the town will also have to ensure that the spending by the sub-recipients from the town, that they meet all of the criteria set forth by the U.S. Treasury.

Ms. McCann stated that initially you will see the program criteria that were developed for the business. We have four separate categories. First, is a modification to allow outdoor service. She stated monies that in this case, food establishments, have had to incur in order to allow for outdoor service, while adhering to the social distancing guidelines. This category would assist them in recouping some of those expenses. This category would award up to an \$8,000.00 grant; based upon eligibility, to approximately five to 10 recipients. Any business receiving this grant would be ineligible to apply for the other three.

Ms. McCann stated that the other three are based on annual gross receipts, the first of which is gross receipts less than \$100,000.00. This would be the potential of a \$2,500.00 grant. Businesses with annual gross receipts from \$100,000.00 to \$500,000.00. That is up to a \$3,000.00 grant. Then we have \$500,000.00 up to \$2.5 million. Those would be \$3,500.00 grants.

Ms. McCann stated that we do speak about the potential of engaging a contractor to manage the Business Grants as well as the non-profits. We touched on the magnitude of effort that goes behind managing all of this from application, to review, to award, to audit which is a very involved process. She has been working with the Town Manager looking at the potential for a contractor doing this. We are anticipating if, in fact, we were to move along those lines, we are looking at about 5% of the total allocated funding. However, we would put a cap on that for that contractual agreement. She would say definitely a cap at no more than \$25,000.00. That's the basic overview of the business support grants that have been proposed and submitted to the County.

Mayor Fraser stated that on Page 39 he had a question. On the Non-Profit Grants he sees the number \$89,000.00, but the grid says \$85,000.00. Where is there \$4,000.00? Ms. McCann stated that we have taken into consideration the potential for \$4,000.00 of that total funding to be utilized for a Consultant with regard to this and it wouldn't necessarily be that amount. We went ahead and took that into consideration, because most certainly for the non-profits, the town is responsible basically from A to Z on that one. Initially, off the top we went with \$4,000.00 just as an anticipated amount that may be utilized for a Consultant to help us with this.

Mayor Fraser inquired is that number accurate, 35 non-profits within the Town of Purcellville. Ms. McCann stated no. That would just be the number of grants available at those different levels. She does not have a number necessarily of non-profits in town in the area. The last time we did this inquiry, there was about 82 that were identified. They are not necessarily within the Town of Purcellville. They could be west in Loudoun, or potentially Loudoun. We want to keep in mind that there may be non-profits that serve the population and the community here that may not be based in the town. That would be part of that criteria that we would want to consider when looking at the non-profits. She knows when Mr. Stevenson spoke earlier; he mentioned rent assistance and things like that. That is most certainly something that we can work with these non-profits to get the money out to the community in the greatest need. The non-profits can help with that. Ms. McCann does not have an actual number specifically, of non-profits that are located within the Town of Purcellville.

Mayor Fraser stated that will come later. Tonight, we just wanted (*inaudible*). Mr. Mekarski stated that the MOU was approved by the Loudoun County Economic Development Authority. It can't be executed until this governing authority approves the MOU and the attached grant criteria.

Mr. Mekarski stated that he wanted to mention something about the intensity of scrutiny and labor that is going to be involved in this process. Loudoun County Economic Development Authority said they have been working on their Business Interruption Grants since March. They had \$30,000,000.00 to distribute. They have 25, full time professionals. Those 25, full time professionals have been working 100% on the solicitation of grants, the certification of grants, and the distribution of the grant awards. This process takes all kinds of proprietary information. You have to verify that indeed the business did suffer a 25% loss of gross revenues, or a certain loss of employees, and so on. The CARES Act funds just under a million dollars, and this is about a half a million dollars. They say that you are going to need at a minimum, probably a full time individual for the next few months as you are going through the Grant Application Process. Mr. Mekarski stated that we don't have a full time individual for the next few months. We have maybe 20% of Hooper's time and maybe 10% of his time. Mr. Mekarski stated what we are looking at is some ancillary help, to help us scrutinize the applications from a business standpoint, making sure they are meeting the Treasury Guidelines, making sure they are documenting the COVID loss, and obviously that they are licensed in Purcellville, and so on. We have not worked out all those details. This is no small task that the Administration is taking on. He thinks it is going to be very rewarding for those businesses that have suffered some economic loss. Obviously, it's not a huge amount, but any little bit helps. He knows that some restaurants are paying \$4,000.00 a month to rent outdoor tents. The CDC is saying it's 20 times safer to eat outside, than it is to eat indoors. Most of the restaurants can see themselves utilizing these tent configurations all the way through the winter months. If we can pick up one month of that cost, or if they purchase the tent and it helps subsidize it, it makes a difference.

Mayor Fraser inquired that restaurants rent tents. Mr. Mekarski stated that some are renting and some are purchasing. Mayor Fraser stated so the town could conceivably buy a tent and rent it out to these folks at a lower cost. Mr.

Mekarski stated not under this program. We could do that under our government funds, but we have already allocated that by Council direction towards other categories. Mayor Fraser thanked Mr. Mekarski.

**Motion by Council member Greenly, Second by Council member Grewe that the Town Council Approve the Memorandum of Agreement between the Economic Development Authority, or the EDA of Loudoun County and the Town of Purcellville, along with the Associated Exhibit 1 Describing the Town of Purcellville's Business Interruption Grant Criteria, and Direct the Town Manager to Execute the Agreement with the EDA.**

Council member Stinnette thanked Hooper for doing this. He appreciates her and staff constructing the Memorandum of Agreement. He thinks it is kind of a no brainer. He is interested in getting her the support that she needs to execute this Memorandum. He thinks Council would be well served if she informed them of the selection of the third party who is going to help out with this.

Council member Stinnette stated with respect to the Staff Package, he is looking at Page 48 of 57. He stated Item k and Item l. If he has already gotten a Business Interruption Grant, and we run through all of the grant process, and you have leftover money, does (l) prohibit us from going back to the well with certain businesses that can make a case regardless of whether they received a previous grant? In other words, it seems to him that we give them a grant and then in a future round, if you will, they could make the argument that they know you gave them a grant but it didn't really do the trick. Is there something in the CARES Act that prohibits us from doing two rounds in the same community?

Ms. McCann stated no, sir. There's nothing in the CARES Act that would prohibit that. She thinks if you would like, we could tweak this Exhibit 1. We have a second round of grants maybe implemented if Business Interruption Funding is not allocated. She thinks we could probably tweak this in lieu of saying if you've been awarded one you are ineligible for another. She thinks we could tweak this to address a second round if the funding was there, and that would include those with the greatest need.

Council member Stinnette stated that his biggest concern is that we trick ourselves into leaving money on the table. Clearly, we are not going to make everybody whole that qualifies for a grant. The idea is we are going to make them better but not whole. He just wants to make sure that the language in the MOU doesn't restrict us from going back, especially if we have money left on the table. He will leave that to her and staff to work their way through it.

Mr. Mekarski stated that because the applicant would have already been certified as eligible, and their Application as meeting the Treasury Guidelines, it could be as simple as putting all the ones in a hat essentially, and randomly draw a number of Applicants whether they received a grant or didn't receive a grant until the funds were eliminated in that specific category. So, we can do it in a random fashion. The County is doing that right now with their Round 1, Round 2, and Round 3.

Council member Milan stated that he had a question for Hooper. She mentioned that the Non-Profit Grants will be managed by a Consultant. Is that correct? Ms. McCann stated yes, sir, with the model that we are proposing. Of course, that Consultant will work closely with staff. She would be the staff representative that would be assisting with that. As we have not yet developed the program and criteria associated, staff, as well as Town Council can be part of the development of the criteria, terms, and conditions associated with the Non-Profit Grants. A Consultant would not unilaterally be developing and managing these programs. It would be in concert with staff. Any kind of input, any kind of defined need that we have in the community would definitely be looked at and addressed during the process.

Council member Milan inquired would they be able to assist Chris Stevenson in his efforts to address the needs of that community. Ms. McCann stated yes, she believes so. Yes, sir, absolutely. It does mention in the Guidelines set forth by the Treasury, that you can have Consumer Grant Programs. She stated that from what she has read, those are handled through the grants to the non-profit. She stated absolutely. She really does think that would be something that could be managed through those grants to the non-profits.

Council member Milan inquired would that also include churches, outreach programs, schools and food banks. Ms. McCann stated that in this case, she knows that the County is (*inaudible*) non-profit. She doesn't know about the schools. That is something we can look at when we look at the overall criteria, absolutely. Council member Milan stated that he understands that some of the schools are providing some meals to children that normally would get meals from the school if they are open. He is not sure if they are still doing that now. That was a concern. He stated thank you.

Mr. Mekarski stated that he wanted to respond to Council member Milan. There is one other opportunity. He mentioned this off the cuff with the Mayor. He wants to share it with the rest of the Council. The Mayor had asked earlier in the week how many restaurant vouchers did we actually issue, \$10.00 apiece. We issued 6,176 vouchers. There were only 575 redeemed. It's unlikely that we are going to get that full allocation redeemed before December 31<sup>st</sup>. One proposal, and this would both help stimulate economic activity with our restaurants, but also help out those in need, you could reallocate 1,000 or 2,000 of the vouchers, \$10,000.00 or \$20,000.00 of the vouchers, and give them to the faith-based community and/or The Tree of Life, or the apartment complex that Mr. Stevenson is talking about. Those are good for a \$10.00 meal. He stated with 1,000 vouchers, or even 2,000 vouchers, we still would have ample in the pot to see if there is any additional residential vouchers that will be redeemed. If it looks like right around Thanksgiving we've only gone up from 575 to 1,000, and even with the additional ones that we would allocate this one time, you could do another 2,000 vouchers. That way, you are helping the restaurants which were your primary motive. But then, you are helping out folks really in need for a number of meals.

Council member Bertaut stated that he sees in the Memorandum of Understanding that they have outlined four separate grant categories. Are these the only four categories that the EDAs legal counsel believes are permissible under the terms of the Grant Program, or are there others? Mr. Mekarski stated that this is really a local design. We had a broad latitude to do that design. If you want to tweak that, and/or add another category, or increase the amount, lessen the amount of distribution, it's really up to the Council.

Council member Grewe stated that he wanted to commend Hooper and the team on the work for this. This has been a lot of work to get it going. He received good reports of it. He was sharing some of the draft content at the Personal Business Association today. They had questions about it. The two page list of qualifications is simple to understand. Most programs like this are complex. You have successfully taken a very large project and made it something that is easily understandable. He just wanted to add kudos to that. Well done.

Mayor Fraser inquired when do we anticipate having the first (*inaudible*) and completion. The reason he asked that is he understands that these monies need to be spent by December 31<sup>st</sup>.

Council member Stinnette stated that you get an additional 90 days past the expiration date. They just extended it. Mayor Fraser stated so you have until March then. Have you given any consideration to timeline, or not yet? Mr. Mekarski stated that we haven't developed a timeline. Our hope was to develop the Applications and get them online, give a certain amount of days to have them respond. Our initial goal was to get it rocking and rolling by September. It's all dependent on our contractual assistant and their time constraints. We can get that at one of our Council Work Sessions, or at the next Council meeting in August. Mr. Mekarski inquired of Hooper whether or not she had any additional information about timelines.

Ms. McCann stated that once we have Council approval, and get final approval through the EDA, their legal counsel, she thinks we can get moving on this within the next two to three weeks. We know how critical it is to get this money on the street, and get these programs out and underway. It is definitely staff's intent to move this along as quickly as possible, while still being as thoughtful as possible. We do understand completely the need. We don't want to sit on these funds. We want to get these out to where the greatest need is. It is staff's intent to continue forward motion on this and get it going as quickly as possible. Mayor Fraser stated we will leave it in your capable hands.

Mayor Fraser stated the last question, or concern, and he has stated this before, transparency. If there is a way for us to put on our website so the community can see where this money is, how much interest we have gained in it, and where the money is distributed. He stated just a simple chart. Let's have it on our webpage or whatever. The last thing he wants is folks questioning where the money is going and so on.

Mr. Mekarski stated yes, we can do that. He just wants to remind the Council that with the EDA MOU, because they are the body that can legally distribute the funds, once the MOU is approved, that \$474,000.00 has to be transferred out of our bank and into the EDAs bank to distribute it. It may not have to be transferred right away. It has to be transferred right at the point when we want them to issue checks. Mayor Fraser stated that he just wants to make sure that these folks know where it is going.

**Roll Call:**                      **Ayes (7)**                      **Nay (0)**  
**Motion Carried:**            **7-0**

**DISCUSSION/INFORMATIONAL ITEMS: (5 Minutes per Council member)**

**a. FY 2021 Budget Appropriation for Second through Fourth Quarters**

Mr. Mekarski stated that he has Liz Krens online, who can outline the memo. This is not to take a deep dive into the Budget. This is simply to indicate that we are setting a Work Session for the 28<sup>th</sup>. If the Council deems it needs an additional day, we have a second date set for August 11<sup>th</sup>, which is our traditional second Tuesday in August since we are not having the recess.

Mr. Mekarski stated that what Liz outlined in here, and she can elaborate with a little more detail is that we had the former Council adopt the First Quarter Budget. The new Council has the responsibility of adopting the Second, Third, and Fourth Quarter Budget. There's not a lot of new information that we have on what kind of impact we are going to be receiving in revenues from COVID. He stated that a lot of the filings that restaurants are required to do have not been filed in a timely manner because of the business interruption. We anticipate a loss of anywhere from \$500,000.00 to a million. We won't be able to confirm that for another couple of months. If we adopt the Second, Third, and Fourth Quarter consistent with our very lean, reduced Budget, as new information becomes available either additional Federal Funds that might be in the Heroes Act is approved by the Senate and the House, or when we get filings from the restaurants and we can actually determine what our Meals Tax loss is, we can come back to this Council and we can make adjustments.

Mr. Mekarski stated that he just wanted to point out that this Budget that we adopted, the First Quarter, and the remaining three quarters, is 15% lower than our previous year's Budget. It represents a \$1.2 million reduction. Our last year Budget was a total with all funds \$23.7 million. This Budget was leaned down to \$20.2 million. We achieved that in part, with reducing our employee complement from 87 to 85. We also deferred a lot of Capital Improvements, almost a 91% reduction in Capital Improvements. He wants to turn it over to Liz to outline and take any questions. He believes we could achieve and knock out this Budget with the new Council easily in two Work Sessions. If the Council needs a third, we can call for another meeting in August or we can do the second regular Council meeting in August, which is August 28<sup>th</sup>. He would have to shift some other Work Session items to another Special Meeting.

Ms. Liz Krens stated that the report you have before you presents a high level overview of the Budget. The initial Budget when it was presented which is the complete document of the proposed Budget was based in pre-COVID assumptions in a pre-COVID world. Right after he presented the Budget in March, everything sort of changed. We are still trying to figure out, and she thinks we are going to see it continually evolve from month to month as we continue to go through this emergency. We worked with David and went back to the drawing board knowing that we were going to go into this emergency. We were able to cut pretty much all of the discretionary spending out of the Budget, or about \$1.2 million, which was made up of a lot Capital Projects, but also some operating funding.

Ms. Krens stated that what we have provided in your Attachment 1 is a very high level summary. It basically shows the \$5 million, First Quarter Budget that was adopted by the previous Council. As far as the Second through Fourth Quarter, we are recommending three more quarters of essentially the same thing, with the exception of adding back in some Wastewater Capital Projects. As the Staff Report goes into a little more detail on that, that will allow them to do some pretty essential improvements, or just managing the Wastewater Treatment Plant. That is with the membrane that needs to be replaced periodically, as well as the LEAP Aeration Project that will provide some electrical efficiency. She stated that together, if we go ahead and move forward with those, we could be done in the next year or so anyway. If we pay for those projects before the end of December there is a savings to the town of \$77,000.00. Staff sees no reason to delay making that payment so that we could recapture that savings, and we can also be sure that the Wastewater Treatment Plant is running efficiently.

Ms. Krens stated that we plan to get more information back to you as far as revenue and what we made to-date. She will tell you preliminarily, we aren't being hurt as much as we expected to see with our revenue. She had a discussion with the Loudoun County Assessor. Residential values have remained strong. We haven't seen a dip in that in the Purcellville area. We don't have a lot of commercial data yet. One of the things that we are going to see according to the Assessor is that valuations are based on 2019 income for the commercial properties. That's a pre-COVID environment. He stated that right now he wouldn't reduce any of our assumptions on that. We just went through our big property tax collection period. We extended the penalty application date until August 5<sup>th</sup>. Right now, we are ahead of Budget by \$58,000.00 with our property tax. We are doing okay there. Sales Tax, we only have through April right now. We will have May probably toward the end of July. In April, we only saw a reduction in Sales Tax of 6%. That is holding pretty strong considering the economic environment that we are dealing with. Business License was already collected pre-COVID. We exceeded the Budget by \$50,000.00 there. The Franchise Tax, we did take a \$50,000.00 budgetary hit there. That was primarily because of a refund that we had to give per the State for a particular bank here in town.

Ms. Krens stated right now, we are doing pretty well. In addition to those revenue items that she just told you about, expenses have been really cut back so we are seeing some savings in expenditures there. She stated so FY20, although we have a 60 day look back we will be continuing to look back through the end of August, is probably looking about to break even right now. That does not mean that is what we are going to see in the future. That's where we are right now which is pretty positive considering the environment that we are working with. She stated that her staff is recommending that you go ahead and adopt this 2, 3, 4Q very similar to the Budget that you have for the first quarter. We will continue to monitor, and will be coming in with actuals throughout that period, and continue to update Council and the Town Manager so we can make adjustments as needed. She will also be working with Davenport on a short-term borrowing option that would be there just to provide cash flow flexibility given this time of uncertainty. We will need a Public Hearing to move forward with that. We will have to get back to you on when we will have more information, but she would think soon.

Ms. Krens stated that as David suggested, we were thinking the July 28<sup>th</sup> Work Session we will have more information, because at that point we will have some Sales Tax information, as well as the first month of Meals Tax that was post Meals Tax Holiday. That's the June period. So, we will get a little more information on Meals Tax.

Ms. Krens stated that what we would suggest is going ahead and advertising the Public Hearing for the September 8<sup>th</sup> meeting. If Council needs more Work Sessions, we can certainly schedule them, but with the balance of this FY21 Budget on the September 22<sup>nd</sup> meeting. As we look into the fall, we will start right away working on the FY22 Budget. We might want to consider looking at Capital Improvements in that Budget, and the timing of the different Capital Improvements. That would help us as we go into the Budget discussion next March. That's the end of her presentation. If you have any questions, let her know.

Mayor Fraser thanked Ms. Krens. He stated great work on that. This is not an action item.

Council member Stinnette stated that he thinks that Liz did a wonderful job on this. He appreciates staff putting this together. He is pretty comfortable with how they came up with the formulation of the First Quarter Budget. He is pretty comfortable with them dragging out the rest of that baseline Budget to get us through the rest of the municipal fiscal year. That said he is a big advocate of fresh eyes taking a look at our work that we did earlier on this to make sure that we got it about right. As we work through the Work Sessions in August, and we get into the month of September, he would expect that Davenport will be able to come back to us on that line of credit science project that we gave them and staff to look at, to shore up any holes that we incurred in the General Fund during COVID-19 that you can't get filled with the CARES Act Relief. He looks forward to Davenport coming back to us on that one.

Council member Stinnette stated that he sees that you rolled in the membrane. He is all about you guys rolling in the membrane because you do save \$77,000.00 if we start doing that now rather than later on. He is interested in staff examining the reservoir outflow CIP. He thinks that is a fairly urgent Capital Improvement effort. He stated we have trapped water in the reservoir that we can't get access to. He'd like to make sure that we have a plan in the very near term to address that. He would commend the staff that: (a) You probably ought to take a look at that and update the financials on that; and then (b) Come at us with some strategies for getting started on that CIP.

Council member Grewe stated he would concur with Tip's comments. He thinks that they were well said. He was going to raise the Capital Improvement Projects that he mentioned. He raised those so that is great. The only thing that he wanted to ask was a point of clarification. He is looking at these Budgets. What it looks like for the revenues by fund, he is looking at \$1.6 million in reserve funding over the proposed total. Part of that is in the interim Budget. Part of that is in the proposed Amendment for 2Q through 4Q for FY2021. Is he reading that right? That's the combined of the General Fund, the Parks and Rec Fund, the Water Fund, the Wastewater Fund, roughly \$1.36 million coming out of savings. Is that correct, or is he misinterpreting this?

Ms. Krens stated so that's complicated. She stated that Linda is on the line. She may be able to give you a little bit more information. There are restricted reserves which mean that we already have them and they can't be spent for anything else. They are just waiting to be spent. She stated for instance, VDOT carry over money, is money that was provided in prior years. She thinks that you are going to see the majority of it associated with Capital Projects. She isn't sure she sees it on this particular sheet. We can certainly come back with more information on July 28<sup>th</sup> and really break that out for you so you can see that.

Council member Grewe stated that would be amazing. He is looking at Page 52, under the "Revenues by Fund." and subtitles under that if he could see that breakdown, he knows he will get questions about it from the public. He has his own questions. He looks forward to that information.

#### **b. Community Policing Advisory Committee**

Mayor Fraser stated that we will move on to the next item, Community Policing Advisory Committee.

Mr. Nedim Ogelman stated that he resides at 140 South 32<sup>nd</sup> Street in town. This is Molly Magoffin. We are here to talk about the Community Policing Advisory Committee Task Force and the report that we prepared that was in your package. We can answer questions. He just wanted to layout sort of how we put this Committee together, and just bring the context in of why we are doing this. He stated following the Black Lives Matter, NAACP demonstration we had here in town in June, a big message from that was and this is what the speakers there the Mayor, Supervisor Randall, different people that were there said we need to capitalize on that energy and focus that energy on how we can prevent injustices from happening in the future and what we can do about that in our little town here of Purcellville.

Mr. Ogelman stated that three weeks ago at our Council meeting the Mayor asked me to try to put together and work on a Task Force to see how we could put together a structure. This has been basically a virtual Task Force that we put together. At most, three of us have met together and hashed out a document, but there have been many other people



that have participated. Specifically, in this Task Force over the past three weeks, we have talked with this diverse set of citizens, stakeholders, who expressed an interest in taking an action in this.

Mr. Ogelman stated that in addition to Molly and John Payne, there was Zack Franco, who was one of the arrangers of the demonstration. He spoke with his brother and other people who had participated in that and represented them in this Task Force. Reverend Milam has participated and Mr. Ogelman has spoken with him. He stated Eric Lyles. Mr. Ogelman reached out to Pastor Irving but has not heard back from him yet. He knows that Reverend Milam spoke with Phillip Thompson. He knows that Reverend Milam and Zack Franco have also spoken with Chief McAlister.

Mr. Ogelman stated that we came up with that straw man structure that you all have. The one thing that he will mention, Pastor Milam had a couple of changes that were not included in what you all have. He wanted to add a duty description that says, "When warranted, and as a Task Force of the Town of Purcellville, to review Town of Purcellville police actions with regard to bias and the use of deadly force, making recommendations regarding accountability and policy change." He wanted to consider having that added. There's a clause in there where we had written, "However, CPAC shall have no authority to investigate or otherwise participate in personnel matters involving specific law enforcement personnel. CPAC will not play a role in civil or criminal litigation." He thought that should be struck. Those are things for you all to consider. Overall, that structure, that document that we provided, and Molly provided lots of context and information as well, so that is what we are recommending.

Ms. Molly Magoffin stated that she resides at 535 Rugby Court. She has lived in Purcellville for 21 years. She stated improving the town and making sure that every public servant in our town, including the police is held accountable to the citizens is something that she is really passionate about.

Council member Greenly stated that Mr. Ogelman was talking about the piece that the gentleman wanted to add in there. In your packet somewhere, he can't remember where it was, you talk about having access to the strategic level, wouldn't that cover that.

Mr. Ogelman stated that he believes that does cover it. He likes adding that bullet in there, if the specificity about bias and accountability were one of those situations to come up; he thinks it important that the Committee know that they can engage in that at the strategic level. He personally also feels that the things that were struck out, it's helpful to remind everyone that this is an Advisory Committee to include those in there. He is only one voice.

Council member Greenly stated no, that's good. He really likes the Mission Statement. The other piece that jumped out at him, and correct him if he is wrong, he thinks it says in there somewhere that they were talking about a three year term, which is a little bit different than we do with the rest of our boards and commissions. That's semantics really. That kind of jumped out at him. When he looked at the packet, he liked all the different examples he gave. There is all kinds of great information to pull from there to look and see what we do. The Mission Statement was spot on. He really liked that.

Mr. Ogelman stated the three years, just in looking at how these have been set up in other places that was the number that they were using. We just basically copied that number. If it would be better for it to be in sync with other committees, commissions, and boards that is not something that he thinks they are focused on, that it has to be three years.

Council member Stinnette stated that he wanted to commend Molly and Nedim for their thorough and what appears to be exhaustive lit review. You guys did your literature review. He appreciated that. It spoke a lot to him in terms of the strategy that you used of being inclusive and thorough in your research. He wanted to commend you for that.

Council member Stinnette stated that there are a few things in this document that jump out at him. He stated by and large, he is a yes and kind of guy. He loves your intent. He stated structurally, when we start talking about an advisory body with oversight responsibilities, the regulator in him gets a little antsy, because with oversight comes the ability to

enforce and regulate. He does not believe that is your intent. Nonetheless, we just need to go through and scrape the language in here to make sure that it reflects your intent on that. We make the idea of program evaluation. Once you start getting into the idea of a programmatic evaluation and oversight, the lay management layman in him becomes a little bit difficult. We need to make sure that the language is clear and use terms like "oversight, program evaluation." The third point that he makes to you all is you are fairly explicit, and he understands why. You are explicit in that you say in the document that one of the actions is, "The ability to recommend redirection of the police funding to other community based programs to support Public Safety and well-being." He understands why. He appreciates that language. At the end of the day, it would seem to him that we want an Advisory Committee or Board to basically say, "Okay. Town Council we see a resource disconnect here." Then the Town Council would then determine how best to fulfill that disconnect. If that means pulling money from the Police Fund, or pulling money from the General Fund, or however we need to do that to get that resource satisfied. He would be careful with being that explicit in the document.

Council member Stinnette stated that the other thing that you talked about is a percent of Budget, in terms of resourcing the program evaluation capability of this Advisory Board. Once again, he is not entirely sure how an Advisory Board does oversight and program evaluation. Out of those three things, there is one that is disconnected in there from a pure language perspective. Once again, we kind of need to scrub that.

Council member Stinnette stated that the other thing that he is interested in is how do we best support this Committee, or Board, or whatever you want to call it. In other words, what's the mechanism? He would think that support would come external from the police department. He is talking about giving the Administrative support, the research support, or some of the expertise or insight that would be necessary for them to make some recommendations and proffer a package, and build a staff package that comes to Town Council. That has to be provided by somebody. He doesn't know that he picks that up in here. It says, "By law, shall include a procedure to make a record of the meeting minutes, and these minutes shall be forwarded to the Town Council in a timely manner." Unless this Board is going to be in the business of doing their own meeting minutes, which would be perfectly fine, but if your intent is someone else is doing that, we need to kind of get that alignment done. He is not trying to nickel and dime you. He is trying to provide you constructive feedback. You literally put him on his knees with all of the lit review. He stated and because you provided that he read it. He owed you that. He also owed you reading this with a critical eye. He wanted to give you the benefit of that feedback. He will be happy to forward to Nedim his notes with that feedback. If you guys want to take another run at this based on those notes, he is happy for you to do that. If you want to ignore his feedback, that is perfectly fine as well. He is trying to give you critical feedback so you know that he appreciates the time and effort that you put into this. Thank you both very, very much.

Ms. Magoffin stated thank you so much for your very specific feedback. She wanted to point out to start answering your questions, that at the beginning of the "Responsibility Section," it says that, "The Committee's purview is to provide recommendations to Town Council." Below that it says, "That the Committee is responsible for things like oversight, and program evaluation." She stated which means in order to conduct oversight and to conduct program evaluation it has to provide the recommendations to Town Council about what needs to be done. The ability to do that depends on the qualifications of the members of the Committee. That's where the training comes in too. Hopefully, the Committee will be able to do these functions, but it's through the authorization from Town Council that they are able to do that.

Council member Stinnette stated that he does this as kind of his daytime job. There is a fundamental disconnect with an advisory body that is vested with oversight, investigative and regulatory authorities. There is a fundamental disconnect there that "we" collectively, and he is not asking her to fix that. We collectively need to fix that. If we don't address that we end up with a bipolar board, and a confused staff and police department. That's why he thinks it is worth us spending a little bit of time working through that piece.

Mr. Ogelman stated that he can say that what you are raising is something that we have discussed a lot. This is discussed a lot in the literature that you read. We addressed this when he introduced this at the Town Council meeting previously. He agrees, and Molly said this, he thinks the way to reconcile all of that is first and foremost to say this is

an Advisory Committee to the Town Council and to the police department, first and foremost. That's why the Mission Statement says what it says. That's why it is structured that way. Everybody that is a stakeholder on this has said that they want to know that there are mechanisms through this Committee to build trust within the community. He stated and as Pastor Milam pointed out, there's a desire, you saw it from the demonstrations and otherwise, that there be accountability. He stated what ties all of those things together in his perspective is that this Committee engages with the Town Council and the police department in a way that makes our law enforcement proactive instead of reactive. That is the nature of the strategic oversight that he thinks we are talking about there. Once we agree that it is an Advisory Committee, all of the other things that we are talking about are how do you make this Committee give you back what you need to have community policing be a reality here, and to have proactive law enforcement be the way that we approach law enforcement. Not getting ourselves into a situation where reactive law enforcement gets us into some kind of a situation that we haven't been in and we don't want to be in.

Council member Stinnette stated he gets it now. Thank you for that because you clarified it in his brain. Maybe the trick here is terms of reference. You have a TOR attached to the document, so that we use the word "oversight." In the context of this document, this is what "oversight" means. In the context of this document, this is what "program evaluation" means. Then it is a yes and kind of approach. The way you explained it makes sense. He thinks we might want to spend a little bit of time on terms of reference. He will stop there because he knows that other people want to talk.

Pastor Milam stated that he appreciates Mr. Ogelman's overture. He thinks there is a real concern about accountability in this process. He thinks Advisory Committees end up being ineffective because they can be corrupted by the police department. He calls into question what kind of authority it might have. He doesn't think it should be without accountability especially to the Town Council. He thinks there should be some level of independence (*inaudible*). He knows we have a very wonderful police department here. He is not trying to complain about that. He knows an incident six years ago that it didn't really get addressed very well at the time that it occurred, and it probably shouldn't have happened. This is something to say that somebody is watching this rather than just (*Inaudible*). He stated because there aren't that many kinds of issues in Purcellville because we are small, maybe there's ways to combine with other towns so that there can be some kind of an oversight over different police departments that could be done cooperatively. He stated thank you for letting him add his comments.

Chief McAlister stated that she appreciates everybody getting together and working on this. There is a desire, she thinks to assist with community relations and public education of what law enforcement does in the town. Educating the community on police operations, she thinks is important. Having a group of advocates for us that would help with budget, equipment, training opportunities would be great. She thinks everybody knows that accountability is a priority of hers. She thinks we are on the same page when it comes to that.

Chief McAlister stated some concerns she has, she is kind of unclear on the outline of what are the problems people think their police department has, and what are we solving. What are we looking for? What does success look like at the end of the day once this Committee is standing up? Is this driven for political and emotional reasons, or is it evidence based that the Committee has found. She knows that everybody wants to be part of the movement. It's the emotion of what's happening. She doesn't know if "we," the Town of Purcellville needs to be painted with a national agenda of what's happening. We are a town of a little over 10,000 people. We were rated the safest town in Virginia. She is not saying we can't be better, because we always can be better. She wants to have a little bit more dialog as this group goes forward with where we are going. You all know that back in 2016, 2017, she wanted to form a group of folks. She thinks that we need to be able to have folks who were comfortable with relationships being built (*inaudible*). This is a better way to have that dialog more direct and more succinct. It hasn't been outlined to her what is the problem we are trying to fix, and what does our success look like when we are done at the end of the day?

Council member Milan stated that he was going to agree with what Tip said. He also wanted to say that you do not want to create an adversarial entity with the Oversight Committee. They are just to augment what the community wants to see the police and how they act. That's all he wanted to say because everything you said was on point. He

agrees with that. The people that are participating on the Committee, he would recommend that they were able to take a law enforcement class. When he was a reserve deputy sheriff, they had a class for people that facilitated the law enforcement on the social endeavor like the (*inaudible*). They were looking at families that had domestic violence that would not require police activity. They were trained in law enforcement, understand the law, and how to enforce it via communication and not aggressively. If they can get some kind of training in this documentation, stating that they would need so many hours of training to get an idea what policemen really do.

Mr. Ogelman stated that he wanted to respond to the Chief's questions. It is actually right there in the Mission Statement of what we put together. The idea here would be for the community and citizens of Purcellville to determine how its laws are enforced now. He stated to have a more strong connection between what our community and what our citizens think about how our town enforces its laws, and how the servants of our town carry those out. A simpler way, he will just go back to what he mentioned. He thinks this addresses Council member Milan's and Council member Stinnette's points. He thinks across the country what the discussion is about, and what community policing really means is having this proactive approach to law enforcement instead of a reactive approach. That's something where he thinks this Committee would be helping our Town Council, our community, but 100% also our law enforcement officers. He is guessing that law enforcement officers would prefer to have that trust and understanding in our community. The Chief is absolutely right; in a town of 10,000 people it can always get better that part of it. That's what this Committee would be working to do. He stated to have the relations between our citizens and the enforcement of their laws be harmonious so we don't have to have reactive kind of policing instances.

Ms. Magoffin stated just quickly to the point of training, in our outline we mention that we would recommend that every member of the Committee go on a ride-along and get to understand law enforcement better. She thinks the course that you are suggesting is right along with that and would be a great idea. Thank you for bringing it up.

Mayor Fraser stated that we started this initiative last month. You have presented to us a document that folks can now read. You put thought to paper. He heard a lot of questions about that document and input. He stated that what he would like to see for our next meeting going forward is for responses to each of those concerns. That's fair. You presented a document. We took our time and read it. The community took their time and read it. Now, you have some feedback to strengthen that document. He stated that by no means, response means we are against this. Let's have that dialog going so we can get a better document. Is there a meeting planned for the entire community to provide feedback? After you address each of those concerns that were raised tonight, what do you see as a next step?

Mr. Ogelman stated that he doesn't think that we have planned to have a physical meeting. We are looking for guidance and discussion as well. He will say that what we put together was roughly a Mission Statement with some backbone on it. The first meeting that we had, we showed what Resolutions can look like to make something like this. If we were making a Resolution, we would put it together in that way, or we would ask Sally for help in putting together a Resolution. What he would like to avoid is this go back and I'll know it when I see it kind of thing. That will just go back and forth for a long time. If something is worth doing, and we have done the due diligence, then it's worth getting through. If you are asking us what we want to do next, he will throw that question back at you all and say, what do you all need to see to vote on this? He doesn't want us to keep going for three or four more meetings, coming back and providing you all something and you all say, "Can you go back and think about this? Can you go back and think about that?" He wants you all to commit to when you are willing to vote and we will get things ready for that.

Mayor Fraser stated that's a fair point. We can't make that commitment tonight. He thinks at a fair minimum since this is the first time we have seen the document, let's answer those questions that were raised, and then take this back to a meeting on the next meeting that we have. Bring back that document with the answers to those questions, and then we will make an informed decision as to when we can make a decision on it. That's what he would recommend. Thank you very much.

Council member Grewe stated he was reading this as well. He has not read through all the attachments. That's on his to do list. Since the packets came a little later he hasn't had time to finish it. He did have one thing that he wanted to

draw attention to. He would love a little bit more feedback on it. We don't need it now. This can be a think about it, come back. He had someone comment to him and he had to think about it a little. He wasn't sure he had a good answer for it regarding the membership component. One of the questions was why isn't there anyone who currently serves in law enforcement permitted to be on it. He thinks he can see a reason for a potential conflict of interest as far as someone is in the thing and also reviewing it. The next question was why someone who had family members in law enforcement couldn't serve. He doesn't think that is there decision. He thinks that is someone else's decision. It seems somewhat discriminatory to someone who didn't make the decision to be in law enforcement but is related to someone who is. And we essentially prohibit them from participating due to the fact of a decision that someone else made. It seemed odd from a justice perspective that someone else's decision is basically taking away their ability to have a voice in this area. He wanted a little more clarity on that to be examined. We don't want this to be something that is discriminatory on one person because of the life choice someone else made. He understands probably the reason behind it relative to potential bias. We also have to understand that everybody has biases in some form. We need to be able to account for those in some way. He wanted to throw that out there as a thought for consideration.

Council member Grewe stated that he thinks the rest of the material that Stan mentioned he thought was very good and Tip. He is looking forward to seeing how this moves forward on that. He thinks the Chief raised a few good points. We want to make sure that we have those considered as well. He thinks Stan's comment was quite correct. We do not want this to be an us versus them. We don't want this to be adversarial. We want this to be a partnership. If the Advisory Committee is going to be helping promote some of what the policing are doing, we probably want to have a pretty thorough tie-in to make sure they understand that component. He loves that aspect of mission. He wants to make sure it is an achievable thing, particularly towards helping build individual and community groups and assisting with the implementation of community law enforcement, public safety programs, services. There will need to be some fairly close tie-in in some form. If we have no one on the Committee, even a voting member from law enforcement for our town, it seems like we are setting ourselves up to stumble a little bit here. He wanted to get those comments for review and thought for the team to work on.

Mayer Fraser stated that's noted. We have a document. You have the feedback. He saw a paragraph from Ken Beckstrom. Let's capture all of that and let's respond to that. The next meeting which is in two weeks, we will be able to say, okay folks, we are not going to have this run infinitely without making a decision. We will make a decision by x date.

#### **c. Nutrient Credit and Carbon Sequestration Strategy for Aberdeen**

Ms. Hankins stated that since the last time this Town Council met, the good news is that the Department of Environmental Quality has issued a Letter of Approval, approving our Credit Generation Plan at the Aberdeen property. It should yield about 77 credits. Those credits are marketable. Estimates will range between \$18,000.00 and \$25,000.00 per credit. It is a significant amount of money. There is a total of about 94 acres approved for conversion from crop land to forest land, which is how the Credit Generation Plan was approved.

Ms. Hankins stated that what was discussed the last time that this was discussed at a Council meeting, is issuing a Request for Information from potential persons who might be interested in exploring this opportunity with us and partnering with the town. We took that to our Procurement Officer. She did indicate that an RFI is not the best vehicle for us. She wants to bring this back.

Ms. Hankins stated that in the meanwhile, we also got a good decision making matrix from newly elected Council member Bertaut, who would like to see the information presented in a certain way to be able to compare and contrast the different options that are before Council. At this time, what she would like to propose is that the Council provide staff with some time to complete the matrix. It would breakdown into three categories. One is the town owns the bank. The town is able to contract to develop, manage, and maintain the bank, and the town gets all the revenue from the bank, but the town also remains permanently liable and responsible for the bank to DEQ.

Ms. Hankins stated that the second option is the town sells the bank. The town has no further obligation with the bank, because the bank is now owned by somebody else. It could be owned by a governmental jurisdiction like Loudoun County, who is trying to develop its own bank it is her understanding. Maybe this is a good opportunity for them because this is a good piece of land for that, or it could be sold to a private third party.

Ms. Hankins stated that there are some legal issues that require further study in terms of what is the legal mechanism that allows us to have this bank sit on land that we own, and how we divest ourselves from the bank but still own the land. She needs to work through that in partnership with others.

Ms. Hankins stated that the third possibility would be that we own the land and somehow we lease or sell some of the rights that we have acquired, but maybe not all of them.

Ms. Hankins stated those are the options to look through. Right now, she is drafting a letter to the Attorney General just to clarify the new law and our rights under the new law. She feels comfortable that under the new law we can partner with a private party to sell the credits that we have under the plan. She also feels comfortable that we can sell the bank. It is really a question of devoting some thought to what the legal mechanisms look like at this point. But getting a written response from the Attorney General that allows us to know that third option about the town owning the bank, because that's the one that is the least clear. She just wanted to give you that update. We think the decision matrix would be completed best by a group of your staff within the Town Hall, including people from our water resources expertise, Stacy Alter, Andrea Broshkevitch in Engineering, Dale Lehnig in Engineering, and her. We would process this and present it back to you. We could do that at the second meeting in August as a Work Session item if that is amenable. Mayor Fraser thanked Sally.

Council member Milan inquired didn't Acres do a survey on this already to tell us what the options were and what we need to do to gain the Nutrient Credits.

Ms. Hankins stated that Acre did propose a relationship with us whereby they would work with us, and develop a bank, and sell the credits. The mechanism in that case was a bit of a problem because their proposal suggested that we sign a five year lease with them in December, so that they would then proceed to submit the application to DEQ and get the approvals. And then they would plant the property and share the revenues with us. She thinks a 30 to 70 split. The problem was the obligations, once that bank is planted, to maintain the bank are perpetual. They run forever in perpetuity under a Restricted Covenant. Our legal relationship with them would have terminated in five years, meaning that we would have been at risk at that point in five years of potentially having an obligation that we could not force them to fulfill. Given the very short time that we had to submit the application to DEQ in that timeframe, which was December of 2019, we had a very short amount of time to get the application submitted in order to fall under the old rules. The rules were in the process of changing right at that time. The choice that we were faced with in December was spend the next month or two losing the grandfathering that we could get, and negotiating an agreement with Acre for this five year term that isn't adequate, or figuring out how to do procurement so that we could reach other organizations besides Acre. That would also eat up our one to two months that we had to get the application approved, or just get the application approved ourselves, grandfather the credits because it is a significant difference. Right now, we are entitled to twice as many credits as we would have been had we missed that deadline. We took that third option instead of eating away the time that we had that was precious, negotiating with third parties and trying to figure out whom to partner with, we decided to grandfather the credits ourselves, lock those in, and then what we bought ourselves was time. Now, we can take a breath. Figure out what strategy we want to adopt moving forward, knowing that we have the credits locked in place at the higher level. She thinks it was a good process. Certainly, we are grateful to Acre because they certainly opened our eyes to the fact that this is an option, and those credits are changing, and that time was of the essence. We took advantage of their advice and proceeded to lock those in. Council member Milan stated so basically, by submitting the application ourselves, we have locked the credits in at a higher value. Ms. Hankins stated at a much higher value. Council member Milan stated that the next step is to find a third party to partner with. Ms. Hankins stated that's right.

Mayor Fraser stated in three meetings from now we will have that decision matrix completed. Ms. Hankins stated yes, sir. Mayor Fraser stated then we can form a decision from this Town Council.

Ms. Diana Hays stated that back on Item 10(c), on the Appointments for Council members to serve as liaisons on Commissions, Committees, and Boards, she believes that when the Motion was read, both of the options within the parentheses on Motions 2, 3, 4, and 6, were read, and it should be a choice of a non-voting liaison, or a voting member. She stated in 2018 when the votes were made, they were all non-voting liaisons with the exception of the Planning Commission. If you change over to a voting member it does take one of the seats on each of the Committees. She wanted to ask for clarification on those four items.

Council member Stinnette stated why don't we just continue with that practice. Mayor Fraser stated business as usual.

Ms. Hankins stated the confusion; we need to clean this up in our Town Code. The confusion comes because the Town Code says that the Council members will be Ex-Officio members of the group to which they are assigned. She stated Ex-Officio when she researched this some years ago, means a voting member. She doesn't think that was the intention of the words when they were written. She thinks they were intended to mean non-voting because that was the practice. We do need to get our language to match up to our practice. That's where the confusion comes from.

Mayor Fraser stated we will have to address that. Let's keep a note of that because we have been talking about it for a while.

#### **CLOSED MEETING:**

Council member Stinnette, Second by Council member Milan made a Motion that as Authorized under Section 2.2-3711.A.3 of the Code of Virginia, he moved that the Town Council Convene in a Closed Meeting for Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, where Discussion in an Open Meeting would Adversely Affect the Bargaining Position or the Negotiating Strategy of the Public Body. Specifically, the Town Council will Discuss a Property for a Permanent Police Facility.

The following are requested to attend the closed meeting:

1. All Town Council members.
2. David Mekarski, Town Manager
3. Sally Hankins, Town Attorney
4. Chief Cynthia McAlister, Police Department

He further moved that, as authorized under Virginia Code Section 2.2-3711(A)(28), the Town Council Convene in a Closed Meeting to Discuss and Consider Information Provided to the Town by a Private Entity under the Public-Private Education Facilities and Infrastructure Act of 2002. The Private Entity, AQUA VIRGINIA, INC., Submitted to the Town an Unsolicited Proposal to Purchase the Town's Water and Wastewater Systems, which Proposal is Exempt from Production under FOIA Pursuant to Virginia Code Section 2.2-3705.6(11)(b). The Town has Determined that Disclosure of the Pricing and Revenue information Contained in AQUA's Proposal, prior to the Execution of an Interim Agreement or a Comprehensive Agreement, would Adversely Affect the Financial Interest or Bargaining Position of the Town, and may therefore be Discussed in a Closed Meeting.

The following are requested to attend the closed meeting:

1. All Town Council members.
2. David Mekarski, Town Manager
3. Sally Hankins, Town Attorney

Second, by Council member Milan.

**Roll Call:** Ayes (7) Nay (0)

**Motion Carried:** 7-0

Motion by Council Member Stinnette, Second by Council member Bertaut that in Accordance with Section 2.2-3712 of the Code of Virginia, I move that Town Council certify to the best of each Member's knowledge, only Public Business Matters Lawfully Exempted from Open Meeting Requirements under the Virginia Freedom of Information Act; and only such Public Business Matters as were Identified in the Motion by which the Closed Meeting was Convened were heard, Discussed or Considered in the Meeting by the Public Body.

**Roll Call:** Ayes (6) Nay (0) (Council member Williams absent).

**Motion Carried:** 6-0

Motion by Council member Stinnette, Second by Council member Greenly that Council Directs Staff to Prepare a Package to Reject the Unsolicited Proposal from AQUA VIRGINIA, INC. TO Purchase the Town's Water and Wastewater Systems while we Conduct further Due Diligence on the Merits of the Concept.

**Roll Call:** Ayes (6) Nay (0) (Council member Williams absent).

**Motion Carried:** 6-0

**ADJOURNMENT:**


Motion by Council member Milan, Second by Council member Greenly to Adjourn the Town Council meeting of July 14<sup>th</sup>, 2020 at 10:20 P.M.

**Roll Call:** Ayes (6) Nay (0) (Council member Williams absent).

**Motion Carried:** 6-0

Respectfully submitted by Faith Stine.

  
Kimberly Bandy, Deputy Town Clerk

  
Kwasi Fraser, Mayor



*Mayor*  
Kwasi A. Fraser



*Town Manager*  
David A. Mekarski

*Council*  
Chris Bledsoe  
Ryan J. Cool  
Theodore Greenly  
Joel D. Grewe  
Nedim Ogelman  
Tip Stinnette

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**TOWN OF PURCELLVILLE  
IN  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 20-07-01**

**PRESENTED: JULY 14, 2020**  
**ADOPTED: JULY 14, 2020**

**A RESOLUTION: PRESCRIBING FOR FISCAL YEAR 2021: THE DATE, TIME, AND PLACE OF REGULAR MEETINGS OF THE TOWN COUNCIL; THE WORK SESSION FORMAT OF THE SECOND REGULAR MEETING EACH MONTH; CANCELLATION OF REGULAR MEETINGS THAT FALL ON A LEGAL HOLIDAY; THE CONTINUATION OF REGULAR MEETINGS FOR HAZARDOUS CONDITIONS; AND NOTICE REQUIREMENTS FOR ADJOURNED MEETINGS**

**BE IT RESOLVED** that the regular meetings of the Town Council shall be held on the second and fourth Tuesday of each month at 7:00 pm at Town Hall, located at 221 South Nursery Avenue, in Purcellville, Virginia, in the Town Council Chambers of Town Hall, unless said date, time, or place is canceled or otherwise scheduled in accordance with § 2.2-3707 of the Code of Virginia; and

**BE IT FURTHER RESOLVED** that the second regular meeting each month shall take the form of a work session limited to in-depth discussion of one or two items. If necessary, public hearings and action items may be taken up by the Town Council at a work session, but should be avoided; and

**BE IT FURTHER RESOLVED** that the Town Council and Town Council's committees, commissions, and boards shall recess for the month of November, 2020; and

**BE IT FURTHER RESOLVED** that should a day established by the Town Council as a regular meeting day fall on any legal holiday, the meeting shall be canceled by virtue of this adopted Resolution, without further action by Town Council; and

**BE IT FURTHER RESOLVED** that if the Mayor, or Vice-Mayor if the Mayor is unable to act, finds that weather or other conditions are such that it is hazardous for members to attend a regular meeting, the Mayor, or Vice-Mayor if the Mayor is unable to act, shall declare such finding to all members of Town Council and the press as promptly as possible, and the regular meeting agenda items shall automatically be continued to the next regular meeting of Town Council. All hearings and other matters previously advertised shall be conducted at the continued meeting without further advertisement; and

**BE IT FURTHER RESOLVED** that regular meetings of the Town Council may be continued from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the governing body is completed. Notice of any regular meeting continued under this section shall be reasonable under the circumstances and shall be given to the public contemporaneously with the notice provided to the members of the public body conducting the meeting; and

**BE IT FURTHER RESOLVED** that all prior rules governing the date, time, and place of regular meetings of the Town Council are hereby replaced.

#### **Cross References**

Code of Va. § 15.2-1416. Regular meetings.

Code of Va. § 2.2-3707.D. Notice of meetings

**PASSED THIS 14<sup>th</sup> DAY OF JULY, 2020.**



Kwasi A. Fraser, Mayor  
Town of Purcellville

ATTEST:



Diana Hays, Town Clerk