

**PURCELLVILLE TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 8, 2020, 7:00 P.M.
TOWN HALL COUNCIL CHAMBERS/VIRTUAL**

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

PRESENT: Kwasi Fraser, Mayor
Mary Jane Williams, Council member/Vice Mayor
Tip Stinnette, Council member
Ted Greenly, Council member
Joel Grewe, Council member
Christopher Bertaut, Council member

PRESENT VIA REMOTE PARTICIPATION:

Stanley Milan, Council member

STAFF: David Mekarski, Town Manager
Sally Hankins, Town Attorney
Chief Cynthia McAlister, Police Department
Max Inaba, IT Specialist

STAFF VIA REMOTE PARTICIPATION:

Liz Krens, Director of Finance
Linda Jackson, Financial Analyst
Deputy Chief Dave Dailey, Police Department
Dale Lehnig, Capital Projects and Engineering Manager
Hooper McCann, Director of Administration
Sharon Rauch, Director of Human Resources
Kimberly Bandy, Deputy Town Clerk

CALL TO ORDER:

Mayor Fraser called the meeting to order at 7:00 P.M. The assembly recited the Pledge of Allegiance. Mayor Fraser asked everyone to stand for a moment of silence and reflection as we get ready to conduct the business of the people of Purcellville.

AGENDA AMENDMENTS/APPROVAL:

Mayor Fraser inquired of the Council whether or not there were any requested changes to the agenda. There were no requested changes.

CONSENT AGENDA:

- a. Approval of Meeting Minutes – July 28, 2020 Town Council Work Session**
- b. Approval of Meeting Minutes – August 25, 2020 Town Council Meeting**

Mayor Fraser stated that before we go forward to the Consent Agenda for approval, he wanted to read an item into the Minutes concerning the Meeting Minutes of July the 28th. This is for clarification. "When I, the Mayor, inquired and commented about further changes in addition to change "Purcellville," in Lines 34 through 37, of the

7-28-2020 Meeting Minutes as reflected on Page 19 of 194 of our agenda. I was referring to changes in addition to those in the Motion on the floor made by Council member Tip Stinnette on the Resolution in Lines 6 through 9 of the 7-28-2020 Meeting Minutes on Page 12 of 194 of our agenda. My comment was to add the requested "Purcellville" change and not orders to the Motion on the floor that was made by Council member Stinnette and Second by Council member Grewe. However, the Motion that was made and passed was not reflected in the Revised Resolution. Only my comment was reflected in the Revised Resolution, and not what was mentioned by Council member Stinnette such as, "advice to Town Council," and not confined to racial injustices." With all this said, the Resolution needs to reflect the directed changes from the Motion made by Council member Stinnette and passed, and not just the comment from my inquiry. Mayor Fraser stated that he knows that was a mouthful, folks. He just needed to clarify that for the record.

Council member Grewe stated that he believes that the Mayor's recollection of that Motion is quite accurate. He inquired of Ms. Hankins, the Town Attorney, whether or not there is any action that needs to take place on our part to have that edit that was already passed made. Other than just saying it will be made before the next meeting.

Ms. Hankins stated that the best approach would be to have it made at the next meeting. Council member Grewe stated have a Public Hearing with the next Ordinance. Ms. Hankins stated yes, and you can see it before the adoption meeting at the next meeting.

Council member Grewe stated that Public Hearing comes back. We make the Mayor's edit as we tried to the last time at the next one. Then when it comes back final, it's in. Is that what he understood?

Ms. Hankins stated that any error in the Resolution copy does not affect the Resolution that was adopted by the Town Council. Council member Grewe stated this was the Ordinance at the last meeting. Ms. Hankins stated no, that was the Resolution.

Mayor Fraser stated that it was the Resolution, but the Resolution had language that folds into the Ordinance.

Ms. Hankins stated that doesn't preclude you from making any changes you need to make to the Ordinance that's in your packet tonight. We would just do a clerical correction to the Resolution as it was adopted by Town Council. Council member Grewe stated wonderful. Thank you.

Mayor Fraser inquired whether or not there were any further questions from Town Council. Mayor Fraser inquired with that said, do we as a matter of order go ahead and request for the Consent Agenda to be approved, or just item 6(b).

Ms. Hankins inquired of Mayor Fraser whether or not he was talking about the Minutes. Mayor Fraser stated yes, the Minutes. Ms. Hankins stated that she would approve the Minutes once they are correct to your satisfaction. And leave them for the next meeting to be adopted.

b. Approval of Meeting Minutes – August 25, 2020 Town Council Meeting

Mayor Fraser stated that the Consent request will be for 6(b) if there aren't any questions on that.

Motion by Council member Tip Stinnette, Second by Council member Grewe that the Purcellville Town Council Approve Item 6(b) within the Consent Agenda as Presented in the September 8th, 2020 Town Council Meeting Agenda Package.

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

RECOGNITIONS/PROCLAMATIONS:

a. Proclamation – Constitution Week

Mayor Fraser asked the Council members to join him on the floor because we have a Recognition. Mayor Fraser stated that we do this once a year in Recognition of one of the most sacred and trusted documents in our history and in our country, our guiding principle. This is a Proclamation.

Mayor Fraser asked Kecia Brown to join them. She stated that she is the only member here tonight. Mayor Fraser welcomed Ms. Brown. He stated that we look forward to this. Mayor Fraser stated that he will read into the Minutes this Proclamation for Constitution Week.

“WHEREAS, the Constitution of the United States of America, the Guardian of our liberties, embodies the principles of limited government in a republic dedicated to rule by law; and

WHEREAS, it is a privilege and duty of the American people to commemorate the 233rd Anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law 915 guarantees the issuing of a Proclamation each year by the President of the United States of America, designating September the 17th through the 23rd as Constitution Week.

BE IT FURTHER RESOLVED that the Purcellville Town Council does hereby proclaim the week of September 17th through the 23rd, 2020, as Constitution Week. And urges all citizens to study the Constitution, and rededicate themselves to fulfilling the noble aims of its preamble to wit: To form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our prosperity.” (There was a round of applause).

Ms. Brown stated that on behalf of the Ketocin Chapter, she would like to thank you and the Purcellville Town Council for making this Proclamation on the 65th Anniversary of Constitution Week. Thank you. Mayor Fraser thanked Ms. Brown.

PUBLIC HEARINGS:

a. General Obligation Line of Credit (Staff recommends that Council set aside the rules to make this an Action Item following the Public Hearing)

Mayor Fraser stated now we will move on to our Public Hearings. The first Public Hearing is General Obligation Line of Credit. Mayor Fraser stated for the record, this Public Hearing is now open. (Mayor Fraser opened the Public Hearing at 7:09 P.M.) The purpose of this Hearing is to hear comments on the proposed issuance of bonds or notes of the Town in the estimated principal amount of \$3,000,000.00 to finance Capital Improvements and equipment for General Government Projects, and for water and wastewater system projects, and to pay related issuance costs.

Mayor Fraser stated that such bonds or notes shall be General Obligations of the Town of Purcellville for the payment of which the Town’s full faith and credit shall be irrevocably pledged. Prior to citizens and business comments, Kyle Laux, Financial Advisor from Davenport would like to provide a brief comment on the General Obligation Line of Credit. Everyone wishing to speak on the topic of this Public Hearing will be given an opportunity to do so after the staff and Applicant’s Presentation. Anyone with comments not related to this Public Hearing will have the opportunity to be heard during the Citizen/Business Comments section of our meeting. An official recording is being made of this Hearing. Therefore, persons addressing the Council are requested to begin by stating their name and address. Speakers will have a three minute time limit.

Mayor Fraser stated that he would like to introduce our Manager, Dave Mekarski, and Ms. Krens, who will make the Staff Presentation.

Mr. David Mekarski, Town Manager, stated that this is essentially a short-term instrument. It is a line of credit. It does not necessarily have to be employed by the Town Council. This measure was discussed at the beginning of the Coronavirus. One of the things that are very unique to this community is our unique standing with the rating agencies, Standard & Poor's, Moody's, and Fitch. Those ratings being AAA, and a very positive on the two other agencies, put us in a very good position for credit. This can be demonstrated earlier in the spring when this Council decided to refinance \$17,000,000.00 of Sanitary Sewer Bonds over a 14 year period. We lowered our interest rates from 4.5% and 4.4% to 1.4% and 1.5%. That produced a \$2,000,000.00 savings for our taxpayers. The one thing that we do not want to do during this Coronavirus when revenues are currently being threatened, and while we are doing relatively stable in both property tax and sales tax, we are receiving an economic impact with regard to meals tax. He stated where we will end up at the end of the Fiscal Year is yet to be known, due to the uncertainty of the Coronavirus, and the ability of our local businesses to sustain through multiple waves of this pandemic. Mr. Mekarski stated that while our fiscal positions in our reserve funds are very strong, the last thing we would like to do is take those down to a level that it makes us vulnerable, and then if we need to borrow money for emergency provisions, or for other purposes, we are in a position where we have to pay a higher interest rate and ultimately a higher cost to our taxpayers. Mr. Mekarski stated that Kyle Laux is our financial advisor. He wants to give a brief summary of some of the advantages of this line of credit. This was a line of credit which was essentially bid by our local banks. He will explain the bids received and the bids under consideration. Mr. Mekarski stated that he would like to turn it over to Liz Krens and/or Kyle, whatever order you feel would be appropriate. He inquired of Liz whether she had any preference.

Ms. Elizabeth Krens, Director of Finance stated that she has no other comments, other than what you have already stated. She thinks that Kyle has some points about the line of credit that would be helpful.

Mr. Kyle Laux, Financial Advisor, stated that he wanted to underscore a couple of the Manager's points and give you a perspective since it has, in a lot of respects been a very fast and a very short seven months since this COVID-19 pandemic really took hold. He wanted to underscore a couple of things. Number one, the Town enjoys excellent credit ratings from three national credit rating agencies. (inaudible) rate local governments, whether it is in Virginia or across the country. He stated to the Manager's point, one of those credit ratings is as good as you can possibly get, the AAA Credit Rating. One of the reasons that's important is because as the Manager mentioned, that drives not only our ability to borrow for new projects if and when needed. It also drives our ability to refinance for savings purposes, or even restructures as we've done in the past. And so that two plus million dollars that the Town saved back in the February, March, and April timeframe, by virtue of reducing the interest rate from a higher rate to a lower rate, was driven in large part by the excellent credit rating the Town has. Mr. Laux stated so when we say, what goes into those credit ratings, there is a bunch of different things that goes into how an agency looks at financial and credit worthiness of a Town like Purcellville. A big piece of it is your reserve levels and your flexibility. So again, to underscore the purpose and discussions we had at the outset, a lot of this in terms of the pandemic, et cetera. The theory and the goal are really to make sure that we have a liquidity insurance policy in place. We use that term advisedly. It is not technically insurance. But it's an ability to make sure that you safeguard those reserves. He stated that the Manager and others can correct me if he is wrong here. As we end this Fiscal Year, we appear to be moving along all right with respect to revenues. But a very big unknown is our level of the acquired capital expenditures. That's not just new projects that you may or may not want to do, the police station and other things. That's really a lot of the blocking and tackling that we worry about, at least, in terms of surprises that could come up with respect to capital acquired with the utility system. Other surprises that could come up with respect to capital acquisitions. You operate a lot of different facilities. The biggest is water and sewer.

Mr. Laux stated that the goal here is to make sure we've got in place an ability to not go digging into those valuable reserves knowing we have this uncertainty. It really ties back to the Capital Program. Certainly there is a specific schedule (inaudible) and always surprises. The major thing here is trying to make sure we safeguard

against those surprises when thinking about this line of credit. So again, just in summary. We talked a little bit about this at the last Council Meeting. In terms of liquidity there were a number of favorable bids. The local bank and the Bank of Charlestown but in the most favorable and recommended bid. It's not necessarily that you have to go borrow the \$3,000,000.00. That's an important point. It gives you the ability and the flexibility to if you need it as a Council. If you as a Council decide that, you'll have access to that \$3,000,000.00 at a low interest rate and you have access to it for over three years. It goes out to June of 2023. If you didn't borrow a dime on that line of credit, you would pay no interest and you would pay no penalties of any kind. So, truly it could be in place as a flexible tool to protect against the downside, so to speak, and make sure that we conserve those fund balances. He stated that from a flexibility standpoint it does all those things. But importantly, he appreciated the commentary and the questions at the last Council Meeting two weeks ago. In terms of is this going to increase our debt in the Town by \$3,000,000.00? The answer is, as a Council, the action you are taking right now gives you the ability to draw on this line, but not the obligation. So, you have that flexibility. You've got that ability. But it doesn't necessarily mean you have to use it. Again, using that insurance policy kind of concept, so to speak, making sure protecting our reserves.

Mr. Laux stated that he would be happy to answer any other questions that you have. The goal here is to put the control, the ownness, so to speak in Council's hands, in terms of managing how you work through this Fiscal Year and into the next couple Fiscal Years. Make sure that if we get a year down the line, two years down the line, even six months down the line, and we see another opportunity to refinance, which we know is probably on people's minds, we know rates are really good right now for refinancing. Again, for savings purposes (inaudible) we took care of so much of that in terms of (inaudible) \$2,000,000.00 back in the springtime, but six months down the line, or any time period down the line, if something does pop up, we are watching that on a continual basis. We are going to make sure that we put the best foot forward with respect to whether it is local banks, or other lenders, to get you the lowest possible interest rate. Even if it's not for a new project. It's simply to refinance existing debt for savings purposes. He hopes that is helpful. That is a little bit of background. He would be happy to answer any questions that any of you may have.

Mayor Fraser thanked Kyle. He stated that he will now open it up to questions from the public. Prior to that, were there any documents or materials submitted by anyone regarding this Public Hearing? He will take that as no. We are now open to questions from Town Council. Council member Stinnette stated take public questions first. Mayor Fraser inquired whether or not there were any questions from the public. He stated that none were submitted and we did not hear any from the audience. We will now move to Town Council.

Council member Grewe stated that he has a practical question and a procedural one. Are we functionally combining 8(a) with 13(d)? He stated if we are, great. It's one less thing on the discussion items at the end. If we're not, then he will save the questions for then. Mayor Fraser stated that we're not. Council member Grewe stated great. Then he has no questions.

Council member Greenly stated that he has one question. He knows that we looked at three different options. He stated that two weeks ago, we talked about the pros and minuses. You just stated that if we go with Option (A), (B), (C) or whatever for BCT, we pay no interest, no penalties. But there is a cost for setup, correct? That cost is incurred regardless of what we do. Is that cost for setup, is that also like Line 8 or 9 here, your bank legal fees which could be from \$3,500.00 to \$7,500.00. That's in addition to that setup cost, correct?

Mr. Laux stated that's contained within it Council member. We talked about it, it is probably about \$50,000.00. We talked about that the last time and a couple different times in terms of the setup costs. We think about putting that in the context of \$3,000,000.00 financing, one and a half maybe a little bit more. He stated in terms of the cost relative to the size of the loan. You want to average it out over about three years. He stated about \$15,000.00 a year to have the access to that liquidity insurance policy. He thinks that you kind of weigh that relative to maintaining credit ratings, the two plus million dollars that was saved by virtue of (inaudible) earlier in the years. Is there a cost to doing things? There certainly is. That's your policy decision as a Council. But in terms

of incurring new debt and/or incurring interest costs, if you, the Council, elected to manage through this crisis to not draw down the loan, then there would be no interest that was (inaudible) by the town.

Council member Greenly stated that he appreciates that. He stated that the \$50,000.00, plus the bank and legal fees, that could drive it up to almost \$55,000.00, \$60,000.00. Mayor Fraser stated that's included. Council member Greenly stated he missed that part. He apologized. He stated that he thinks moving forward, and he knows this is just a discussion piece. We are not voting on this tonight. He likes the options that he presented. He thinks that you guys did stellar work and gave us some really good stuff to look at. He stated that he thinks in return, what we would own for the residents, we would have to have a very clear and very articulate idea of what we want to do with that. This is not the magic cookie jar. Already, that is what he is hearing from our residents. If you get it, you'll spend it. He thinks that is a valid question. Again, this is not last year. There are a lot of things that have happened over the last year. This is a great insurance policy. Thank you, Mr. Mayor.

Council member Stinnette stated that 13(d) is where we are going to get to the discussion item that you wanted to talk to. He asked Mr. Laux to take on the following argument in as concise a way as you can. He stated that by his reading we have \$8.4 million in cash reserves that are currently over policy. That's not the total amount of the reserve. It's the amount of reserve that is over policy in our target threshold. That's \$8.4 million according to the Staff Report. If you look at the Water Fund, that's \$2.9 million over policy on the Water Fund. Council member Stinnette stated that his question to Kyle is I am going to burn \$50,000.00 to access a loan that I may or may not use for \$3,000,000.00, when I have an excess cash reserve of \$8.4 million why would I burn \$50,000.00 worth of taxpayer money for access to money that he doesn't need?

Mr. Laux stated it's a good question. Here's the way we think about that. Water and Sewer are the two biggies. You have big cash balances in those two funds. We know that. He thinks it makes us nervous to use that term as we think about those reserve levels policy level and knowing that resides in utility funds. We know the debt service is going to go up in the utility fund. We've known that for years. We know we have long term capital needs. (inaudible) capital needs to take care of on the utility fund. We know we have some challenges to work through on that side of things. He thinks it is useful to think about that in a multi-year perspective. As we sit here right now, he doesn't have exactly the numbers that you are talking about. He suspects that you probably are in the right range, if not exactly right from where you are relative to policy, that's as we sit here right now. We know going forward with those Utility Funds, we are going to want to conserve that cash and use it really smartly going forward. We know we have to take care of capital needs (inaudible) that have to be done to run the utility system. We know that we have debt payments that will be going up during the next couple years. You have 21, 22, 23 to work through that. So while today yes, we do sit here with a cash level that is above our policy level, we know that any variety of (inaudible) especially with respect to Utility Funds over the next couple years. You think about two funds, meaning Water and Sewer, that have combine revenues of somewhere in the 10 plus million dollar range. He should have that number sitting in front of him and he doesn't. Don't quote him exactly on that number. Substantial business that you own on the Water and Sewer Fund. He stated without even getting into the General Fund side of things, which you take a step back in terms of the perspective of where we are right now with our levels, some of the challenges that you and your local government are going to be facing going forward. He still likes the idea of having access to liquidity at a very low cost, a fixed rate that you can pay back at any time. Order of magnitude that you will likely be dealing with, policy decisions of you as a Council, as your adviser, knowing you have capital needs, knowing you have pressures on water and sewer, make sure that we conserve liquidity. The last couple of weeks there are a lot of variables added in the mix right now, and then you throw a COVID crisis on top of it. He doesn't know if that is succinct, or if that is helpful. That perspective in terms of the magnitude of some of the challenges that we think you probably are going to be looking at as a Council. That's the perspective that we are thinking about. Council member Stinnette stated that it wasn't succinct. He appreciates his thorough answer.

Council member Stinnette stated let me just put an exclamation mark on what he thinks you just said. Basically, what we want to try to do is preserve our liquidity and our cash reserves to have against our future debt service

requirements, and other capital requirements as well. Your advice would be to exercise this financial instrument at a fairly low cost based on the fact that we are probably going to have to dip into those cash reserves in the out years. Is that an accurate summation? Mr. Laux stated that he thinks that is a good assessment.

Council member Bertaut stated the scenario that you are presenting to the Town Council is one in which we would expend perhaps \$50,000.00 of the taxpayers money in order to preserve the ability to take out loans of up to \$3,000,000.00. In the current environment, what would it cost the Town to take out a loan, not a line of credit? But take out a loan for say \$1,500,000.00 today. What would be the upfront cost?

Mr. Laux stated you mean do something on a longer term, permanent basis, versus a short-term financing. Is that what you were thinking about? Council member Bertaut stated that's correct. In other words, if the Town were to decide that we wanted to preserve the liquidity, and the instrument we chose to do that preservation through was to take out a loan in order to address one or several Capital Improvement Projects, as opposed to having a line of credit, what would it cost the Town to initiate a loan? Let's say \$1,500,000.00 today. What would the interest rate be? What would the upfront cost be?

Mr. Laux stated so the upfront cost (inaudible) of that size would probably be about the same as what we are talking about right now. There is more of a process you end up going through for a loan of that size. In terms of an interest rate, it is always difficult to project. Long-term borrowing rates, he thinks we talked about this, that's probably in and around for estimation purposes, probably 2% that you could borrow on a long-term basis via a (inaudible). He will say that. A different vehicle, meaning if you took a 20 year loan for \$1,500,000.00 that interest rate is probably for planning purposes around 2%. And upfront costs are probably about the same thing that we are talking about right now.

Mayor Fraser stated that his question is for the preferred option, what's the maturity date again. Mr. Laux stated June 30th, 2023. He stated the end of Fiscal Year 23. Mayor Fraser stated with all these Capital Projects, we do have a time constraint whereby we go through design, then engineering, then deployment or construction. Deployment and construction is usually the bulk of our payment. Given the scenario that we want to say fix the main water line that goes all the way to the reservoir. He will just throw out a number. It is \$1.5 million. If we decide to go forward starting this year with a design, but in 2023 it becomes the bulk payment which is about \$1,000,000.00. He inquired of Mr. Laux if he was following him. So, in 2023 is when we pay the bulk portion of this project. At that time, if we were to dip into this line of credit, will the interest rate change, or will we need to pay it by 2023?

Mr. Laux stated that the line of credit concept, the final maturity on that line is 2023. If you had \$1,500,000.00 outstanding on it, at the end of Fiscal Year 2023, you would need to pay it off or refinance it with some other instrument.

Mayor Fraser stated so the risk is if we don't pay it off by 2023 when it matures, we don't know what the interest rate will be in that environment. It might be higher, or it might be lower. Mayor Fraser stated hearing no further questions; this Public Hearing is now closed. (Mayor Fraser closed the Public Hearing at 7:38 P.M.) Mayor Fraser thanked Kyle, David, the Council and the team.

a. Balance of Fiscal Year 2021 2Q-4Q Budget:

Mayor Fraser stated that we will now move on to our second Public Hearing, Balance of Fiscal Year 2021 Second Quarter to Fourth Quarter Budget. (Mayor Fraser opened the Public Hearing at 7:39 P.M.) We will have a Staff Presentation from David Mekarski and Ms. Krens. He stated that folks wishing to speak will be granted three minutes. He did not see any request from the public as of yet. Let's move forward with the presentation.

Mr. Mekarski stated that he will start out and then he will turn it over to Liz for the details. This is simply three quarter appropriations for what the Management Team accomplished, which was design a very lean one year Budget. Due to the pandemic, we reduced the Annual Budget by 15% from the previous year. That represented

almost \$1.2 million. Our General Fund alone is only \$11,000,000.00. In doing so, we also cut back our FTE's from 87 to 85. As mentioned in the previous discussion about Capital Improvements, we literally decimated the Capital Improvement Schedule this year, reducing Capital Improvements by 91% of the Budget. He will mention this in the latter part of the meeting when we are discussing the line of credit; this community has close to \$22,000,000.00 in Water Capital. Last year, we reduced that Water Capital Budget by risk to approximately \$12,000,000.00. That doesn't mean we eliminated the other \$10,000,000.00. We deferred the other \$10,000,000.00 for the next decade. Mr. Mekarski stated that this decade, we are still facing \$12,000,000.00 in Water Capital. He will go into detail in the latter part of the agenda. This Budget is extremely lean. It does not increase any taxes or utility rates. It stays essentially static whatever rates we had the previous year. He stated so no increase in taxes. No increase in utility rates, 15% reduction from the previous year. He stated a cash reduction of over \$1.2 million, and a huge cut, or deferment in Capital Improvements across the board. Mr. Mekarski stated that he would turn it over to Liz to outline her Staff Report and her analysis of the Budget this year. Mayor Fraser thanked Mr. Mekarski.

Ms. Krens stated that as David just stated, the original Budget was an interim emergency appropriation for the First Quarter only of FY21 of about \$5,000,000.00 that the Town Council adopted on June 9th. This was unusual. And it was due to the extraordinary circumstances of the COVID emergency. The balance of the Budget presented before you tonight for October through June 2021, is another \$15.9 million for a total FY21 Budget of \$20.9 million. This is a lean Budget. One of the largest changes that we saw with this Budget with this particular proposal is that it reinstated the deferred Wastewater Projects for Leap and the Membrane Replacement for about \$430,000.00. If we go ahead and pay before the end of this calendar year, before the end of December, we will save the Town about \$77,000.00. It all needs to be done within the next 12 months. Otherwise, it is a significant savings to do so. Ms. Krens stated that we will be happy to answer any questions you may have. Mayor Fraser stated thank you very much.

Mayor Fraser inquired whether or not there was any information submitted, emails, and questions from the public. He stated members of the public, on this virtual session, any questions? Mayor Fraser stated hearing none; he will open up for questions from Town Council.

Council member Grewe stated that he did have one question from the public that he received today. It was simply, in looking at Attachments 1 and 2; they were attempting to figure out if any of the CIP Funds for Parks and Rec, Water, Wastewater, et cetera, if any of those were being used for operating expenses. He wanted to clarify whether anything was moving from one to the other or not. He stated if that makes sense.

Ms. Krens stated nothing from CIP to operating. It is as stated on those attachments. Council member Grewe stated so the CIP was separated from the operating, and none of the money was moving back and forth. We weren't using CIP money as revenue line, correct? Ms. Krens stated no, no. There was an error on how it was presented to you on July 28th. She stated without getting into too many of the accounting details, when you show cash funded CIP Projects; you also have to show that on the operating side. We just failed to show that in the summary. Ultimately, there was no change in the CIP Project. She hopes that makes sense. Council member Grewe stated that it did.

Council member Stinnette stated that he is looking at Page 65 of 194 in the Staff Package. He just wants to make sure that he understands the math here. He thinks he does. He stated so we owe, \$174,000.00 to Suez in FY21 to basically save \$77,000.00 in overall project savings for basically the membrane upgrade or replacement. His question is to do that you are proposing what he thinks is a transfer of \$96,780.00 in cash reserves to be able to make the full \$174,000.00 payment. That makes sense there. He just wants to make sure that we have the other \$97,000.00 of the \$174,000.00 sitting in the right place. Council member Stinnette inquired of Ms. Krens whether or not she understood his question.

Ms. Krens stated that she thinks so. She stated that Linda is on the call and she might be able to provide more information. Most of this money was already saved and set aside in committed reserves. Council has done this

over a series of years. We just needed to catch up on the last final payment. We are following the same process as we have been following for several years, by setting aside cash to pay for this capital asset replacement of the membrane.

Council member Stinnette stated that he is good there. We don't need to bother Linda. He is good. He thinks that she just said that the \$97,000.00 is basically going to make us whole to the \$174,000.00 required to realize the \$77,000.00 in savings. You said all the right things. Thank you very much.

Council member Bertaut stated that he had a question on Parks and Rec. He understands that they were suppose to put together an update to the Master Plan for Parks and Recreation. He believes that he saw a line item in the Budget for an outside Study to complete that work at a cost of \$60,000.00. It's his understanding that that was originally suppose to be done by Parks and Rec Staff.

Council member Stinnette stated that he could probably answer that. He stated that it is a good point that you bring up. First off, we are no longer pursuing the five year Parks and Rec Master Plan using an outside Consultant. It might be to David and Liz that that \$60,000.00 is in error, because we should not be pursuing an outside contract. He stated that Part 2, yes, your robust Staff of two people in Parks and Rec is going to work with the Parks and Rec Advisory Committee to create a two year Plan. That two year Plan will come to the Town Council as soon as the Parks and Rec Committee and Staff have completed that. We just started that about three weeks ago.

Mayor Fraser stated so we just reduced the Budget by \$60,000.00. Council member Stinnette stated yes, you did, effectively. He stated that if that \$60,000.00 is fenced against a Master Plan, we are walking away from the Master Plan in the intervening time here. That's \$60,000.00 that we can put towards something else. Mayor Fraser inquired whether or not that answered Council member Bertaut's question. Council member Bertaut stated that it does. Mayor Fraser inquired whether or not there were any further questions from Town Council. There were no further questions.

Mayor Fraser stated that the next plan of attack is for us to bring this for a decision at our last meeting in September. Mayor Fraser stated that hearing no other questions, he hereby closes this Public Hearing for the Balance of Fiscal Year 20/21 Second Quarter and Fourth Quarter Budget. (Mayor Fraser closed the Public Hearing at 7:50 P.M.)

c. Creation of a Community Policing Advisory Committee

Mayor Fraser stated that we will move on to our third Public Hearing for the Creation of a Community Policing Advisory Committee. This Public Hearing is now officially open. (Mayor Fraser opened the Public Hearing at 7:51 P.M.) Mayor Fraser stated that the purpose of this hearing is to hear public input on, consider, and possibly vote on the Creation of a Community Policing Advisory Committee. Each member of the public will be granted three minutes to speak on this. He will now introduce Sally Hankins who will provide the Staff Presentation.

Ms. Sally Hankins, Town Attorney stated at the July 28th, 2020, meeting the Town Council adopted Resolution 2007-02 stating its desire to establish a Community Policing Advisory Committee. It directed Staff to prepare in collaboration with interested citizens an Ordinance creating that Committee and describing its purpose, its membership, its scope of authority, and its duties. We have published the legally required advertisements for adopting that Ordinance. Tonight is the Public Hearing on that Ordinance, which is in the packet for the agenda tonight.

Ms. Hankins stated that there were two issues that we asked Council to take a look at before concluding the meeting tonight, so that we have some direction for the next meeting. She stated that is, membership. You will see that one of the issues is we limited membership on the Committee to residents of the Town, and business owners or business managers of businesses located in the Town. We would like Council to consider whether it wants to allow for the appointment of persons who may not meet these two criteria, but may have extraordinary expertise in the field that would be beneficial to the Committee.

Ms. Hankins stated that the second issue, it is unclear from the Ordinance as it is drafted right now how the Committee will work with the police department. It is setup as an Advisory Committee that advises the Town Council. It is likely that this Committee, and the members of the Committee, will have some appearance of authority in the community, because part of their purpose is to dialog with community members. She stated that when doing so, they will represent that they are on this Committee, the Community Policing Advisory Committee. She stated that when people talk back to these members of the Committee and explain that they are frustrated with something, we need a process for how those frustrations get to the Administration. The Administration is where that problem should land in our form of government, so that something can promptly be done to address that problem, if it needs prompt addressing. If it is something that could take more time, we certainly could bring it to Council if it's a policy issue or a legislative matter, but if it is something other than that, something more Administrative, a failure to already abide by adopted policies for example, we would need a process for that.

Ms. Hankins stated that our recommendation as to that issue is that the Committee members be obligated. They have a duty under the duties that are listed that we would add. They have a duty to promptly share any complaint or communication with not only the Town Council, but also with the Town Manager and the Chief of Police. Since those are the Administrative Officials in our government who can direct action to address those complaints. She stated that with that she concludes her comments. Ms. Hankins stated that she turns it over to any public comments.

Ms. Hankins stated that she would like to add one more thing. We did send the draft of the Ordinance, the policy statements and the missions and the duties, the purposes; we sent that out as it existed after the last meeting to all of the citizens who indicated that they were interested. We got four comments from interested citizens back. She stated four sets of comments. Those were included in the packet tonight. Those comments were reviewed and much appreciated, and incorporated into the draft that is before you tonight. Mayor Fraser thanked Ms. Hankins.

Mayor Fraser stated that we have three individuals requesting to make comments. He will call these individuals and then he will open up to the folks on the virtual session. The first individual is Erin Rayner. Mayor Fraser stated Ms. Rayner, for the record, your name again, and address.

Ms. Rayner stated that she is Erin Rayner, 108 Upper Heyford Place in Purcellville. Ms. Rayner stated that she has one concern to this Committee, and just a couple of statistical questions, and then a couple questions for thoughts when creating this Committee. She would like to know what problem in Purcellville concerning law enforcement would the Committee need to address, or feel a need to correct or fix. Is there data in our Town that shows that we have systematic issues with our police department, or police brutality, or lack of accountability within the department? Also, do we believe a Committee driven now with the Defund Police Movement can actually partner with the police successfully? Finally, do we want to contribute to a current situation where we have a 60% reduction in law enforcement officers? Do we want to chase out potentially really good officers? Thank you. Mayor Fraser thanked Ms. Rayner.

Mayor Fraser stated that we will now hear from Doug McCollum. Mr. McCollum stated that his name is Doug McCollum. He lives at 113 Amalfi Court in Purcellville. He would like to present a different model of Community Policing for the Council to adopt. Purcellville is a very law abiding community. In his opinion, the police department has the trust of the community and performs its duties professionally. He is uncertain just what the CPAC is trying to do. Mr. McCollum stated that while he was in the U.S. Attorney's Office in D.C. which prosecutes both federal and local crimes, he witnessed first-hand the benefits of Chief Jerry Wilson's community policing efforts during the tumultuous periods of the late 1960s and the late 1970s, after the assassination of Martin Luther King and Robert Kennedy, and the violent riots and anti-war protests. Through his leadership of the Metropolitan Police Department's community policing efforts, however, Chief Wilson won over the local community. He strongly believes in community policing. He has seen it work in a much more challenging environment. He was a member of the interview panel that voted unanimously to hire Chief McAlister. One of the things she said she believed in was community policing, and she believed that it would fit well with Purcellville. She was right then and is correct today. He thinks that she deserves the Town Council giving the police department the leadership role in Community Policing. He stated where the police department can be held

accountable to the Town Council, and CPAC, and the community. He stated that to be the leader of the Town's Community Policing in his view, does not require the police department to be a member of CPAC.

Mr. McCollum stated that time permitting, he has a few other major points to make. If he can't do it in three minutes, you can refer to his comments that are attached to the Town Attorney's Staff Report. He stated that CPAC's Charter should make clear that while CPAC is the liaison between the Town Council, the police department, and the community, the police department has the responsibility for law enforcement. After all, the police department has lawful authority for the enforcement of criminal laws, not CPAC. More important, the police department has to manage whatever Budget authority the Town Council provides it each year. The police department's Annual Budget should include such Community Policing matters such as police training, and various community policy initiatives such as Community Police Relations and public education of policing matters. Mr. McCollum stated that the police department will present the proposed Budget to the CPAC for assessment and suggestions of its members. CPAC's assessments and suggestions should be in writing to the police department. He stated that to the extent possible, the police department will incorporate CPAC's comments and suggestions into the proposed Budget. He stated where they cannot agree, the police department should send the CPAC assessments and suggestions and explain to the Town Council why the police department has rejected or could not modify them. Then it will be the Town Council's job to resolve this. Mr. McCollum stated that it is possible that matters relative to Community Policing may be presented directly to CPAC rather than the police department. CPAC will present these to the police department for its comments and reactions. If CPAC is dissatisfied with the police department's response, CPAC may raise its concerns with the Town Council at a Town Council meeting.

Mr. McCollum stated that his vision of Community Policing is that if the Town Council rejects the police department's enforcement policies based on CPAC's advice, or rejects CPAC's advice, this could become an election issue. That is what elections are for. Moreover, CPAC has an established means of making the public aware of CPAC's concerns about enforcement issues on an ongoing basis by presenting remarks at the public Town Council meeting. This is the approach that he believes should be approved by the Town Council. It calls for leadership by the police department and meaningful cooperation with CPAC. Thank you. Mayor Fraser thanked Mr. McCollum.

Mayor Fraser stated that we will now hear from Charlene Lane. Mrs. Lane stated that her name is Charlene Lane. She lives at 104 Ravello Court, the Courts of St. Francis. Mrs. Lane stated that she was one of the first of two women who graduated from the Northern Virginia Police Academy way back in 1970. We were the only girls there with a lot of guys. That place is now called the "Northern Virginia Criminal Justice Training Academy" where the 13 officers of the Purcellville Police Department attend. She was married 45 years to an Alexander Police Officer. She stated that for six years she was an investigator in Alexandria. She investigated crimes committed to, and by the youth of Alexander, and sex crimes. In 1990 she and her husband moved to the rural County of Loudoun. He became a farmer and she became a school teacher. She worked right up the road here at Emerick Elementary School. She taught Kindergarten. Then she went back to school and became a school librarian. Later she retired, and decided to stay home and be grandma. Her husband died and she moved to the small little Town of Purcellville. In retiring, she rarely reads the paper until lately when she saw about the Community Policing Committee that you all were talking about. She should have come two months ago. She hadn't read about it then. She looked in the paper. She went online and she read the proposals. Mrs. Lane stated 13 people in Purcellville Police Department. We're not Chicago. She stated 13 officers that get up every morning and wonder if they are going home in the evening. She wants the Purcellville Police Department to continue to be directed by the Constitution, by the federal and state laws, by the Ordinances of Loudoun County, and Purcellville, and not have their actions be second guessed by a Community Advisory Committee that may be swayed by what is politically correct at this time. Good police officers are leading municipalities where Towns and City Councils with the help of citizens groups are deciding what is politically correct, rather than what is legal. Officers are told to stand down and allow rioters to loot and burn in total contradiction to the law. Police officers are demeaned, spit on, thrown things, assaulted, and they are told not to react. When respect for the law and law enforcement is gone, so will be the peace in our community. Mrs. Lane stated that establishing a Committee to oversee the police may seem an easy way to correct the past. In reality, it is putting a layer of

unelected people between the citizens and the law. She wants good officers to want to come to work here in Purcellville, not to shun us because we've established a Committee that by its mere existence, the following is what she got from reading online about the proposal. It will show that we mistrust our police and need to oversee their every action. She stated a Committee that encourages individuals and community groups to look for bias in police actions. She stated a Committee that will hold Town Officials and police accountable through the process if the policy recommendations are not adopted. Mrs. Lane stated at present there are ways to present grievances against police actions. There are ways to change Ordinances, use them. Investigations are done by Internal Affairs. These can be objected to and reviewed by the Commonwealth Attorney who is an elected official. Like Judges in Court, demand these be fair and impartial. Make these more up-to-date. Every day our police officers leave for work not knowing if they will come home. She knows that feeling. She knows that feeling having a policeman as my husband wondering if my children would have a father. They see things in their job that none of you unless you were a soldier at wartime have ever seen. They are haunted by the worst of what people can do to each other. The second they take to wonder if a Committee will disagree with their action, may be the second that gets them killed. These are politically charged times and Town Councils are looking for ways out of trouble. Ways to transfer the responsibility. She stated do not make the mistake of marking our Town as one that a good cop would not want to come to. The money in the Police Budget, that would be used to establish this Committee, can best be used to purchase body cams for our officers. This technology will protect the citizens and officers of Purcellville. And it holds no bias or political correctness. Mrs. Lane stated that if you do decide to establish CPAC, she has a few requirements for its members: 1. Any one that is a member should do a ride-along once a month. That ride-along should be on different shifts. One month at midnight. One month on evening. One month on daylight. If you ride along with a police officer, he's not responsible for your safety. You decided to be on this Committee. 2. If you are a member you should have to attend, she forgets what it is called. She has it written down. They have it at the Police Academy. It puts you right into the scene. It puts you right into a shootout. It puts you right into the wrong person coming out. The police officers who go to the Academy have to go through this. So should the members of this Committee. 3. If you become a member of this Committee, she hopes that every day you ride-along you pray to God that he gets you home safely, just like any officer in the City, or Town of Purcellville. Thank you. (There was a round of applause).

Mayor Fraser stated now we will hear from Pastor Dave Milam. Pastor Milam stated that he lives at 122 Amalfi Court. He is the Pastor of St. Andrew Presbyterian Church at 711 West Main Street here in Purcellville. Pastor Milam stated that he is speaking in favor of this kind of Advisory Committee. He actually had the opportunity to spend a good deal of time with our Police Chief over the summer. He has really enjoyed having time to talk with her. Some of the comments made by the woman just before him about the drive-alongs and so forth were wonderful things he thinks the Police Chief mentioned. Pastor Milam stated that he did get a sense in his conversations with Chief McAlister that there is a possibility in this Committee of kind of a broader sense of participation of citizens in the work of the police here in Purcellville to benefit the police department especially. He knows in these times as we've seen things happen in the news about George Floyd and many others, that we've seen the effects of racism that are under the surface. Many of us who are white and have grown up in our bubbles wherever they may be, he grew up in San Diego and he lived in a bubble he found out there. We just don't realize some of the things that people of color will face. Part of his sense of dealing with this is to learn about this more deeply, and to be open to change. He hopes that as a regular part of what we do as a Town, is not to just put things off so that we are only reactionary, but that we have things in place where we are able to respond, in preparation be responsive to our situations. He sees great prospects, both to support our police department here in Purcellville by this Advisory Committee, and also to have a greater opportunity to listen to people especially without their voices being heard. He would ask that you go ahead and pass this Ordinance tonight. He would really appreciate it if you do. Thank you very much. Mayor Fraser thanked Pastor Milam.

Mayor Fraser stated next is former Council member Nedim Ogelman. Mr. Ogelman stated Nedim Ogelman, 140 South 32nd Street. He wants to first thank you all, all of you on Council for already voting for the Resolution in support of this Community Policing Advisory Committee. He stated that his understanding since the Eleven Unity March, and expression that we have at different Council Meetings and subsequent meetings, this is a question of details about how this Committee would work. He stated not about whether the Town needs it or wants it. That's

the first thing that he will say. Some of you might all change your minds, but that would be different. He stated up to now, you have all said this is what you all are supporting. Mr. Ogelman stated in addition to that, he just wanted to say, of course, our Town has lots of volunteer Citizen Committees, Commissions, and Boards. The assumption with all of them is that they are force multipliers. He stated that they are enhancing our governance. They are not a detriment or a heel, or a hindrance to it. He would completely expect that this Committee would be the same. We shouldn't be talking about a Committee, if it's by anybody's design meant to hamstring or undermine our own government. He completely disagrees with any notion that that is what this would be doing. In fact, 100% this would be a force multiplier, not for police or citizens separately, but for how we want law enforcement to be carried out, and public safety to be carried out in our community. That's what is at issue here. He also wants to be one of the first people to say that we are lucky and blessed to have a great police force and a safe Town. That is not always the case, and it might not always be the case. It hasn't always been the case in the past and it might not always be the case in the future. Things that are happening elsewhere in our country, we do have an obligation to think about them and think of ways that we can learn from those things and make our own community better. That's what he thinks this is all about. Mr. Ogelman stated now, with respect to the actual Ordinance document, which he read carefully as did his colleagues that were on the Task Force as you all directed us to create back on June 23rd during that Council meeting. We think that this is a good document overall. There are a couple of things that to us feel like they are either errors of omission or commission. One of the biggest issues there is that like other Citizen Advisory Committees in our Town that advise the Council and gives guidance from which the Council can potentially learn and make decisions, is that they tend to be separate from the Town Staff. The Town Council has the luxury and the benefit of hearing from citizens, and also hearing from the great employees that we have in our Town. It doesn't make sense to mix those and have the Town's employees through Citizen Committees give advice, and also give advice as Town Staff. There are some benefits to the Staff, to our government, and for you all, of having Citizen Advisory Committees be distinct from Staff Committees. There is not any language in the Ordinance that says that Town Staff would not be voting members of this kind of a Committee. Mr. Ogelman stated that there is also a lot of qualifying adverbs and adjectives that he doesn't think exist with other Committees. He would want to know why this Committee is treated differently than other ones. Why does this Committee need to become deeply informed at their own expense, but that's not the case with the Planning Commission. That's not the case with any of our other Committees, Commissions, and Boards. If it is, then he thinks that is a consistent model then. He agrees with saving our Staff some time and placing their valuable resources in other things. But then, let's be consistent across everybody. And that goes to the idea of Minutes. This Ordinance says that this Committee would be responsible for keeping its own Minutes. He doesn't think that that is a problem. But he thinks that is something that's good to be consistent in. This Ordinance would actually be a good opportunity, if that's the direction you all want to go in, to do that for all of them, because it's also about the other Committees, Commissions, and Boards. Mr. Ogelman stated that generally, he would say if there's a reason for singling this Committee out for different standards than that needs to be made really clear. It needs to be functional. He stated not because we are coming at it from a position of distrust or something like that. He thinks it is important in the "Whereas" statements of this where there is a chronology of how this came about, to acknowledge both that this was in part born out of more than a 1,000 person demonstration of unity with our police about seeing injustice in what has happened elsewhere. And that this Committee was born of that. And that the previous Town Council asked some of the people who wanted to start this Committee to go and make a Task Force, and do deep research, and come back with proposals about what places have done elsewhere. And that that Task Force then went and listened to what the Town Council said, and systematically went through and tried to address every one of the issues that were brought up initially, and that process is part of this. It didn't just start with what he thinks was described in the statements as four community members provided written feedback. You have a Committee, a Task Force, that this Council blessed, and asked to go and look being considered as one individual in the community, and then three other individuals that rode in being equal to that. That just doesn't seem accurate or true to him. He stated that nowhere in the document is there any recognition of the effort that the other citizens put in on researching and looking at this, and working on this. If you all want to minimize that, do it intentionally. Come out and say, "We don't like this Task Force that we tried to put together, so we are going to throw that under the bus and move on with what three other people said." He stated but be brave and do it honestly. That's all. Mr. Ogelman stated generally, he thinks that this is a good

document. He thinks this is what our Town needs. He thinks that this will be a force multiplier precisely for our police and our law enforcement and for the rest of our citizens as well. Thank you.

Mayor Fraser thanked Mr. Ogelman. He inquired whether or not there were any comments from the folks online, virtually.

Ms. Lana Manitta, 309 Upper Heyford Place in Purcellville. She stated that she has lived here for two years. She has two small children. She loves our police and how they protect her family. She has also been practicing criminal defense for 22 years in the Commonwealth on the District of Columbia representing people accused of everything from reckless driving to some of the most heinous crimes that have occurred in northern Virginia in the last couple of decades. As part of her work, she has dealt with local police, County Police, State Police, and every Federal Law Enforcement Agency that exists. She has seen the results of bad policing and good policing. She stated that in Purcellville, it has been all good. It is because she has the greatest respect and an excellent working relationship with law enforcement that she doesn't want to tie their hands in the name of political correctness. She doesn't want this Committee to be that, which a prior speaker described, as (inaudible) that it could become. She supports the requirements that she had spoken of and more. If there is going to be a Committee, she wants to serve on it. She has found in 22 years of practice that the good cops and agencies overwhelmingly are larger numbers than the questionable ones. She stated ones that let their biases cloud their judgment, and in investigation, enforcement, or testimony in Court. She hasn't witnessed any systemic problems in Purcellville. She would love to help keep it that way to whatever extent is necessary. If a Committee is formed, she wants to be on it. She wants to help the community trust our police, and importantly, she wants the police to know they are trusted and appreciated. Ms. Manitta stated in addition, she run a law firm for 12 years. She can contribute to the discussion, the editing of any Ordinances or Mission Statements, planning documents, as well as the proposed process and pipeline for complaints that was discussed earlier. Thank you all for your time and consideration. Mayor Fraser inquired whether there are any other questions or comments from the folks virtually.

Ms. Rosemary Wagner stated that she lives at 127 Misty Pond Terrace in Purcellville. Ms. Wagner stated she said she has to tell you, this is very upsetting for her. When she first saw the comments, or the attempt to get this Committee together, the first thing that struck her was its punitive against the police. We have seen what's happening with the Sheriff's Department. It looks to her like a similar situation. She is afraid that this Committee could be stacked with anti-police type people. They could do a lot of damage. She did have the same question. What's happened out here that would cause this Committee to really come about? She stated Mayor, have you not told us about all these problems we are having with the police? She doesn't see it. The police have come to her neighborhood and are welcomed, and have done very good things for us in handling difficult situations. She is not from this area. She has lived here 16 years. She also worked with the SWAP (1:22:26) for 30 years. She stated don't tell her this is not political. It just smacks of a political effort. And these people will be commenting on the Budget of the police? What kind of background do they have? How dare they. She has 30 years of handling billion dollar Budgets. You can't give them training, one or two courses and say they are capable. You have to understand what law enforcement has to go through. She went through 9/11. She was thinking, "God, that policeman was coming for me." She has a hard time with what you are doing. This is very political. She really doesn't want this to go forward. If we have problems, then everybody should know it. She doesn't see it. She sees it as an attempt to hamstring the police to do the political bidding of somebody on that Council. With (inaudible) to see which one of you all and what this thing with the staff member proposed this. That's the most bizarre thing she ever heard of. Ms. Wagner stated that she is trying to read everything that you all have put out on this. She has seen nothing that talks about the problems we have. Everything but. The lady that spoke earlier that was a former police officer, she was right there with her, right there. This, to her, is insulting to the police. And pretty soon they won't want to do anything for us. She stated that she, for one, she is worried when the people do come to loot and burn. She is not going to standstill and wait for them to take her down. She'll be fighting for her life whether it is politically correct or not. She is very worried about this. She is an elderly person who still has a lot of fight. Just so you know, she was an analyst for NASA and DOD. You are not dealing with some fool here. You can tell how angry she is. She stated that this to her is disgusting. She is even sorry that she is in Purcellville now. What is going wrong here? You have answered none of those questions about what problems do we have. Why

this really came about. This is very punitive. You are not going to convince her otherwise. This isn't something coming from the left. Let's call it what it is here. Thank you for listening. Mayor Fraser thanked Ms. Wagner for her comments. Are there any other comments from the public?

Ms. Molly Magoffin stated that her address is 535 Rugby Court. She stated thank you for voting to pass the Resolution a couple of weeks ago. She strongly supports the creation of this Committee, as you all know because she has been involved and very vocal about it. Her thoughts are what this community should entail. She finds it really fascinating that there are people asking what problem does this community need to solve, because she has lived in Purcellville her entire life. She remembers just in recent history, two huge law suits that cost this town a lot of money. Another student at her high school was shot and killed by a Town police. So, clearly the problem (inaudible) we are not avenged from it. She thinks that it is important that we try to do something to make sure that our police are serving our community and protecting every member of our community, regardless of who they are. She thinks that this Committee can help towards that. She also thinks that it is an issue of fiscal responsibility, because as multiple people have said, our Town is extremely safe. She stated without very much crime, we are spending a lot of money on police, a quarter of the town's funding. It's a great idea to have a Committee that isn't punitive, that can't really do anything except make recommendations to the Town Council. That's the only power really. It can be an outside perspective that isn't embroiled in the day-to-day of law enforcement that can bring new, fresh ideas to make our Town police as effective and efficient as possible. She thinks that is so important. She is really excited to see what this Committee can do, and what new insights can be brought to make our Town Police the best they can be. We have such a safe Town. This can only be a really good thing to make our police better. Also, on the topic of body cams, this is a really, really low cost method to try to make our Town Police more efficient, as opposed to body cams which would be far more expensive. She is really in support of this Resolution. She urges you all to vote yes on this Ordinance. Thank you.

Mayor Fraser inquired whether or not there were any other comments from the community. There were no further comments from the community. Mayor Fraser stated that he will open now for Town Council comments.

Council member Stinnette stated that he will save his editorial comments when we get to the Town Council member comments. He doesn't want to slow down the Public Hearing part of this. He did want to thank Nedim for his review and thoughtful edits of the proposed Ordinance that Sally has contained in our Staff Package this evening. That gets him through Point 1 and 2. He only has 4 points. Point 3 is he agrees with Nedim. We ought to compare and contrast this proposed Ordinance, Sally, with all of the other CCB Ordinances. One of two things should happen. We should change the other Ordinances to conform, or we should change this to conform. Bottom line is, across however many CCB's we have, they should be remarkably consistent in language, and how we scope, and bound those functions. He thinks that that is a good thing. He stated that his fourth and final point goes to a point that Doug made in the Staff Package. He thinks that there was some Legislative Action being considered by the Commonwealth on Citizen Review Panels this month. We need to loop into that to understand what that legislation is. He doesn't think that legislation should slow us down. He thinks we should certainly understand what that legislation is driving us towards. Council member Stinnette stated that the second part of that fourth point, and he thinks Doug also made this point. He thinks it is a fair point. There is some fear in our community that we have politicized something that was actually designed to be like Nedim says, "A force multiplier," where we actually give the community more of a voice in creating partnerships. He stated all that being said, if we are absent with how we do that in this Ordinance, then we will lose confidence. In other words, he gets it. He was one of the guys that said he didn't want a Committee doing the Budget. The point of fact, everybody gets to do the Budget because the Budget is a public process. He doesn't really have a problem with them doing the Budget. He thinks we have to build confidence in our community that they are not something else. In other words, contrary to what Nedim said is, we may want to be explicit in some places by design, to build confidence for our community. In other words, okay. We want you guys to review the Budget. Okay. That's great. When you review the Budget, we want you to submit it to Staff and Council your recommendations. Then when the police department comes forward, they need to tell us what they liked about your recommendations and what they didn't like about those recommendations. In other words, we have a transparent and fully disclosed discussion. Right now, when he reads that Ordinance, you just kind of go into vagueness world. He thinks that is

what creates some fear amongst our community. He would ascribe to the point that we probably need to spend a little more time addressing the points of how. He stated not to call them out as different from the other Committees, Commissions and Boards. He stated but to actually build confidence that this is not a political stunt. It is a bipartisan, if you will a multi-partisan effort to engage our community in building partnerships. Later on this evening, he will talk about those partnerships, and the fact that in the Commonwealth, local government is designed and divided by design between the County and the incorporated town. We are not separate cities. We are very dependent on our partnerships. That's the point that we ought to be driving home in this Ordinance. It is designed to go after and enhance partnerships. He stated not to divide, but to unite and create partnerships.

Council member Greenly stated that he will be point blank honest here. He has some issues with this whole process. He thinks the idea itself is sound. He is going to ask the Chief to present some numbers here in a few minutes. He stated that he is going to put you on the spot. The question that he keeps hearing is what are we trying to fix. The young lady here spoke about it. People there. When he is talking to people around Town, they are asking that. He did a little bit of research. He stated that the Chief probably has better numbers than he does. He tried to breakdown if there were any kinds of complaints against the PD. He saw a whole bunch of different stuff. He can't see everything because some of it is PII. He gets that. Are we targeting one populace of this Town more than others? He will give the Chief some time. He went through this packet. He highlighted a lot of stuff he has here. Council member Greenly stated that he agrees that this is actually a pretty good idea. The Chief is onboard. She likes the idea. He disagrees when people say that it's an even tone. The original draft that came before this Council was very much preemptive. That's where he takes his issue with. He stated some of the things that came up there; he will post it all up here. Some of the things that came up that he saw, "Service liaison with full diversity between the Purcellville community and the Police Department." Then they talk about investigative authority and stuff like that. That's what we are here for when they talk about that. He stated that Tip brings up a good point. The Budget is wide open. Everybody can have an input. That's kind of what the Town does. When it first came out he thinks there was a statement. He doesn't think it is in here now. "No law enforcement is allowed." He disagrees with that vehemently. If we have representatives in this Town who are taxpaying citizens they should be able to be represented on this. If we are going to do that, then we are talking about building a community. And then we are talking about excluding certain members of that. That just does not fly. It doesn't make any sense to him. When you talk about this, his biggest thing is again, with the scope of some of these duties. Overall he thinks the idea is sound. It helps. What he would love to see is a give and take. He told somebody earlier this week, because there have been comments about stacking this Committee. That's going to be no matter how we vote on it and how we get on there, people are going to say that. He stated that what he responded with, he would love to see people who are pro defund the police, along with people who are back the blue. He happens to be in the back the blue category. That's the way you will have a full representation within our Town. He thinks what we need to do is be very cautious with the message we are sending when people start talking about authorities and oversight, and oversight. That's where our Town Manager comes in. That Police Chief works for our Town Manager. The Town Manager is accountable to us. He thinks that is where that accountability needs to stay. He does like the idea as he said before. He wants to be very clear on this, that the idea is not a bad idea. He thinks the way it is written right now appears to be overreach. That piece he does not agree with. Council member Greenly asked the Chief if she could answer his question for him. He would appreciate it.

Chief McAlister thanked Council member Greenly for the opportunity to answer that question for him. Chief McAlister stated that we did look at our numbers. We looked at Administrative Investigations since she has been on the department which has been the last five years. We have had 35 internally generated complaints that we have looked into that we felt needed to have an eye on them to see how the officer did, and to insure that the officer did the right thing. If the officer did not do the right thing, we addressed it with training and if needed, some level of discipline. We have had 21 complaints from the external environment, which is our citizen and community. When we go through those, we look at everything, as far as what the officer did. What was the interaction? We investigate everybody we possibly can get in touch with that was on the scene and witnessed it. We get medical records. We get all sorts of records. We look at past records to find out so that we get a full, unbiased thorough investigation. In the internally generated complaints, we did have 13 oral counseling, three

written reprimands, one resignation, and one termination, and one suspension. She stated for the external generated complaints we did give 4 oral counseling's and four written reprimands. We do listen to the public. She stated that most of the complaints that we have on the officers, and when we want to check their skills and abilities, it comes from the internal. It comes from inside, a supervisor, a co-worker seeing something that an officer might have done improper. Chief McAlister stated that she wanted to talk about our arrest records. She stated that when we look at our arrest stats from 2016, that's when we switched over our Records Management System. Chief McAlister stated that some people say there is systemic racism in the police department. They say it might be in all departments. They say it might be in all of us in every profession. She stated that when we looked at our numbers, and we come out to 12% African-Americans are arrested in criminal cases, and 7.12% in traffic cases. When you look at our population, it is pretty comparable to our population. Often times the arrests that we make are not Town residents. Its people that pass through our Town, and come into our Town to commit crime and then traffic violations happen. We do keep a good eye on what we are doing. We have a great accountability for our Staff. She thinks that our police department has come a long way. She will say she is in favor of a Citizens Advisory Committee. She thinks that it should be a Committee that is friendly. She feels this one has a certain tone to it sometimes when she hears people talk. She doesn't mind the difficult questions. She does not mind pushback. She doesn't mind questions about why we do what we do. In those dialogs, she wanted representatives from our community really splitting down homeowners, or subdivisions that have names in Town and bringing people together at the table. She doesn't think that there is anyone who can say that she never calls them back. Every time a person comes to her we sit down. We give them a time. They come into her office. We answer the questions. Her cell phone number is on the bottom of her signature on all of her emails. Everybody can get in touch with her. Once we get all of our General Orders updated and up to standards, we will publish those on our website. If anybody wants those, they are more than welcome to have those. Chief McAlister stated that she thinks as far as transparency, she thinks we have it. She wants to be engaged with the community. She thinks it is important to be engaged with the community. She stated that she is concerned about this being more of a political drive because of what is happening in our country. She stated like several people have said, this is Purcellville. This isn't Chicago. Thank you. Mayor Fraser thanked Chief McAlister.

Council member Grewe stated that a couple of comments on this. First of all, thank you for the public comment on the matter. He thinks that this proposal has acquired whether it intended to or not, a hostile perception to the public relative to the police. He stated that as long as that perception is held, the Committee will be viewed adversarial. It will be viewed as an attempted IA in a sense. He thinks it will be viewed as hostile, both by law enforcement, and frankly by members of the community. Council member Grewe stated considering the origination of it, he can't fully blame people for taking that perception. He stated that he voted for, as we did, the Resolution to draft the Ordinance. He was glad to do that. It is hard to have a debate over whether this should be a thing or not until we know what the thing is. You have to form the thing before you can have an intelligent debate on it. He doesn't have a problem with saying that he voted on the Resolution to draft the Ordinance. He does have a problem voting for the Ordinance as it is presented right now. There are a series of concerns, some of which are policy, some of which are process. Some are a lack of specificity as was mentioned earlier as to how this works. There was a practical question of do we treat all the communities equally in training. He stated that he knows we do. We bring people in to do training for the Planning Commission. We do it for the Town Council for different things. That's great. He knows that when new Council members are on they will send them off to training. The public pays for that because they think it is valuable for their Staff and their elected representatives to have that training. That's great. He doesn't see why we can't put that in here as well if we are going to do it. There are some things that are just technical process stuff. There is some other stuff here where he thinks this comes from a posture that doesn't look like a partnership, or at least it is being perceived that way. He thinks until that is addressed, he doesn't think this works. We can talk later in comments on how to go about that. He stated that he thinks that you were talking about use of force training at one point. He thinks that is an excellent idea. Mrs. Lane stated virtual simulations of police confrontations. Council member Grewe stated that he thinks that would be an excellent thing. That's a useful thing for people to go through. He stated that until you walk a mile in those shoes, or at least a little bit of it, it becomes challenging to judge the maneuver. There's a grave concern that we face as the public, where we are seeing a massive reduction in people that are willing to apply to be part of law enforcement. He stated 60% drop nationwide after Ferguson. He stated and resignations on top of that. You are

seeing that in the news around the country. What concerns him with that is actually not the 60% that say they are not going to be part of it. What concerns him is the 40% that are left. You want good law enforcement. You want good officers that use their authority responsibly and carefully. You have just shrunk the pool by over half. In every part of life you run into people that conduct themselves wisely or unwisely. He wants more wise people in law enforcement. He wants more wise applicants to choose from. He wants a higher quality of caliber and character of the people in it. If the actions we are taking are diminishing the pool, the likelihood that we get a bad apple goes up. That's not good for anyone. He thinks that we need to be careful on how we go about this. He is not sure this as written does good in that field. He thinks that we need to think that through. There are more comments that he has for later. As far as the actual Ordinance, he has a handful of concerns with it that he wants to put up there. Are we putting a Staff Liaison on here? He didn't see that in there. They service a liaison. He doesn't see us putting Staff with it. There will be, of course, a cost to this. As far as a Budget component of Staff, et cetera. It probably is reasonable to have the Staff liaison be a law enforcement officer because then there is an automatic channel to move those complaints through. Even if they are not voting, they are present. He thinks that having the Town Council liaison count toward a quorum but be Non-voting doesn't work. It needs to be one or the other. Council member Grewe stated that as a practical thing, he is concerned about the IT idea, as far as making complaints, comments, questions, accessible to the Committee, and then under public record how that works. There is a question of disclosure of information that comes in there. He knows we had a concern a couple of years ago where one of our law enforcement officers was doxed and his public information, his home address, his wife's name, and he believes the school for the officer's kids was made public. That's not okay. Particularly not for the people that aren't law enforcement, their family, their kids. That's not a great piece of history. He doesn't want to put people in the position where that could happen by accident. He is really careful about any sort of automated system for one. He thinks if people are doing oversight in some form, whatever we make that, he doesn't want to put people that aren't trained, that don't have the skills, and the binding oath to be careful on how they use that information. It can easily be something that is abused. If we want to increase trust within our community, he doesn't want to make an us versus them. We have enough of that in politics today. We don't need any more of it. There's an aspect to that there. Council member Grewe stated that the Internal Investigation Practices which he believes is point 9 on the Powers and Duty Section. Under Section A, he wants more detail on that before we go forward on that. It does seem like we are setting things up as Internal Affairs in a sense. A component of it would be (b)3. He doesn't know if that is quite what it was intended. It's probably something we are clarifying on that. He agrees with Tip on the own expenses as far as the policing and paying for that. He doesn't see any reason why the Town doesn't pay for that. He thinks the idea of the ride-alongs makes a lot of sense. That's a great idea. If we do this, he thinks it should be incumbent on it. You need to understand the decisions that you are asking to make. As Council, we will occasionally spend time in the trenches. Go to the Wastewater Plant. Go to the Water Treatment Plant. Wander through the basement here. Stop by Liz's office and go through finance. Talk to Brian about how we are doing Code Enforcement. Why? We need to know the impact of our decisions. It is to understand when we make decisions what that flows out like. Thinking that through and knowing both sides of it is really important. Council member Grewe stated that we should think through what happens if someone misuses their position if they accessed information that is not generally applicable. There's nothing about that. He stated that for most of our other Committees that isn't really a concern. There is a little bit when it comes to information someone may have that is proprietary relative to EDAC or something. As a rule, he wants to know what that consequence is. He thinks that people should know what the risk factor is to them if they are going to serve on it. Is there stuff that is binding to them that is different than others? He doesn't know what those answers are. He doesn't think that we are ready to vote on this tonight. He thinks that there is a lot of discussion that has to happen. He is glad for the public input. He stated that more is better, bring it on. He stated on all sides. He stated if we can refine this and come to a place where people will go, yes. This is something that is community helpful. Council member Grewe stated that the Chief proposed a Public Safety Committee which basically was a citizen review and having input years ago, if he was not mistaken. There wasn't any interest. He is glad there is now. He thinks that there is a way to do this well. He is not sure we are there yet on this one. He stated that until those things are addressed, he doesn't think he can vote for this.

Council member Milan stated that he thinks that there is a lot of misinformation that has prevented the true message of this Committee to the people. The Committee would be a preventative measure. He heard people

asking why this came about. There may not be any issues in Purcellville. The idea is to not have any issues in Purcellville. All of the things that Council member Grewe discussed are good points. We're not putting this to a vote now. These are things that the Council will have to come to an agreement on before even putting this out to vote on it. He is a graduate of three Police Academies. He stated two Police Academies in Washington State, and two Police Academies in Virginia. He understands what law enforcement is about. He was a patrol officer. He was on patrol and they got a call that a 12 year old kid was brandishing a weapon at a bus stop. Council member Milan and his partner drove up on this kid at 2 o'clock in the afternoon. The kid was told to listen to his voice. He told the kid to let him see his hands. He reaches under his T-shirt and pulls out what appears to be a weapon. It was a toy gun. He dropped it. If that had been 2 o'clock at night, he would have been shot. One of the citizens mentioned a training seminar. It's called a "Fast Firearm Training Simulator." You are presented with situations like that. You are interacting with a large video screen, life like. You give the video screen voice commands and it is responding back to you. Then you have a decision to shoot or not shoot. Yes, you have those issues where you have to make snap decisions. The people that are selected for this Committee let them attend the civilian version of a Police Academy. Let them understand what an actual police officer is going through. We use to have a saying that "Its hours of boredom interspersed with seconds of pure terror." That's how fast that happens. You have to make a quick decision. Law enforcement officers are the only Judge, Jury, and Executioner out there on patrol. He stated with these Committees, it is just an oversight. It's not to make policy. That is what the Town Council is for. Council member Milan stated people that mention Staff should be on the Committee, the Police Chief should be the liaison. She already described her internal reviews and external reviews, and how she handles complaints. That's his point of a liaison. The rest of the citizens should be chosen from the community. There is no law enforcement on the Committee at all. It boggles his mind to hear all this fear. It's nothing but fear and misinformation that got the Town in an uproar. We use to say in the Navy, "its scuttlebutt." Start a rumor and see where it goes. That's what's happening. We have not come to a decision on anything in this document. It has to be reworked. We aren't going to vote on anything tonight. We're not going to decide on what's going to happen. It has to be massaged, and looked through thoroughly because this is very important. He moved here two years ago and he got profiled by the police. His son was driving in front of the house and getting out of the car and coming into the house. The police stopped him and asked him where he was going. He said he is going home. It happened several times. So it won't be about this (inaudible) That's not the intent of this Committee. This Committee is a preventative. We don't want bad things to happen in Purcellville. That's why this Committee was formed.

Council member Bertaut stated that a question that has come up again and again, is what problem is the CPAC going to attempt to fix. One way of looking at this is not as was previously stated as a force multiplier for citizens, but really as a lens. If we involve citizens on a regular basis, and dialog with the police department and the Town Council, we will enhance communications between all of them. One of the things in his view that led to the situation in Ferguson, Missouri, there were a lot of factors there. One of the things that happened there was that the police were put in the horrible position of being the enforcement arm for a City government that basically treated the residents and those passing through as a piggybank. They had an awful lot of their Budget coming from Court Costs, Fines, and other legislative means of getting money from citizens that was not taxation. He thinks that a Committee like this could help to avoid situations like that. He stated that engaging in this regular discussion with both the police, and the Town Council, and other citizens, they can make it clear to the Town Council when they are making a possible error in terms of proposed Ordinances, and they can perhaps make it clear to the police on occasion when something that has happened is not being perceived in the optimal way by the citizens. They can help the police as well, by providing a means for citizens to register complaints in an organized fashion, or to provide suggestions in an organized fashion, both to the police department and to the Town Council. Council member Bertaut stated that he thinks that this requires more work, in terms of the Ordinance. He thinks that "we," as a Council, need to have a little less projection, a little more reflection. That's all he really has to say on the topic. Thank you.

Vice Mayor Williams stated that she just has a few comments. When she was reading through this, the big thing, and she had had a discussion with Chief McAlister, it's the perception. As a mother of a 20 year old, the perception of the young is that the police aren't there for them. That's one of the questions that she had about

membership. Why do they have to be 18 to be on this Committee? She thinks that we need to get the young involved to really understand.

Vice Mayor Williams stated and as Stan put it, yes, it is preventive or proactive. In other words, yes, we live in a great Town. But the young in certain areas, feel that they are targeted. She stated that her son was one of the marcher's. He just has this feeling that he has a target on his back. She stated whether he is driving, or whether he is just walking down the street. She stated because as a black male in Purcellville, you are not one of the majority. And being a member at Loudoun Valley High School, he also felt that racism. She knows that our statistics show that we don't have a lot of racism when we show arrests, but the kid's perception, or the perception of the people that live here, we have that. She sees it from a different perspective just because of who her son is, and the fact that he's involved in this. It is a proactive. Vice Mayor Williams stated that one of the other things that she wanted to change in this, it says, "The purpose is racial injustice." We had discussed it's not just racial injustice. Are we treating people differently based upon their age? Are we "targeting," and that's the term the kids use, as a former teacher, the younger kids, the ones that are just getting out of school? And what areas are we seeing more problems in Purcellville? She stated and at what times? When we had normal school, was it at 4 o'clock at the McDonald's that kids from Valley would cause problems? That's just something that we need to look at as a whole. That brings in, of course, what do we have for the kids now. Vice Mayor Williams stated that she and Chief McAlister talked about there are going to be more domestic violence issues, mental issues. We have to find a way to be proactive and have people realize that there is help out there for them. She doesn't want people to think that this community is punitive. She wants to see it as an open, come and let's find out how we can get to know our police, and where can we get help from all sides. Thank you.

Mayor Fraser stated that ends Town Council comments. He stated that his comments are as follows: There was no intent to make this a political football. He believes some folks are pushing it to that. His reason for supporting this Committee is again, he sees it as a force multiplier. He sees it as a way to strengthen our partnership and relationship with the police department, and the community at large. He knows that a lot of folks in this room don't have to go home to two black boys. He stated but he does. He stated that Mary Jane has to go home to her son. There is a perception of mistrust for the police. That is prevalent in the black community. That perception, fact or fiction, can only be addressed through what he calls, "Evolution of Conversation." When he says, "Evolution of Conversation," we have a tendency to just have polite conversation. He meets you at a grocery store, he smiles, he says, "Hi," he says "Bye." He stated nothing ventured, nothing gained. Mayor Fraser stated that the next level of conversation is "Debate Conversation." That's what we are getting into right now, because it becomes political. He wins, you lose. The next level of conversation is what we call "Reflective Conversation." You try to put yourself in the feet of someone else. He stated understand where that person is and where they are coming from. That level of conversation is called "Reflective." Once we evolve from the reflective level of conversation you become into the realm of "Courageous conversation." He stated where you sit down and you lay it all on the table. There is risk of a relationship being ruined, but you see that risk as being small compared to what you can build. Mayor Fraser stated that this Police Advisory Committee is in that realm of "Courageous Conversation." He stated what we are not saying, what we are afraid to talk about, we are able to come together with our police department and the community, not a political entity, to truly understand what is going through the minds of those two, young black men walking down the street, or so on and so forth. This is what he sees this Committee as getting to. He stated that David brought up a good point. This Town of Purcellville, over the past month, we were able to provide to the business community over \$500,000.00. Do you know how many people applied for that? He stated 27. That is sad, because you have \$500,000.00 being able to stimulate this economy, but people do not know it's there, or people are fearful to even raise their hand and say, "Okay, can you help me?" He brings that up to say, what we do not hear, or what we do not see as violence that does not mean that there isn't an underlying issue. The only way we get to that underlying issue or raising that level up, is for us to have Courageous Conversation. That was the goal of this. Mayor Fraser stated that what he would propose to all members, this community, and Town Council; let's look at this Committee once we form it. Let them have a mandate that every year they pull out two or three officers for exemplary service, so people can see what exemplifies community policing, and offer them an award. We can have a police banquet. Let's look at things like that. We could insert that in there. He ends his comment with saying that this was never meant to be a political

football. He is doing this part-time. He gets \$7,000.00 a year. It is just volunteer service. He loves serving the community. We talk a lot about listening posts. We shouldn't have to wait for a survey. This Committee will enable us the ability to get continuous feedback so we could enhance what is already good. That's his comments.

Council member Grewe stated that he had a question come in while the Mayor was speaking. We made a comment earlier that this was for public comment and then possibly action. It seems like a consensus that we are not going forward with a vote on this tonight. Is that correct?

Mayor Fraser stated that we never made this for possible action. Council member Grewe stated that he just wanted to clarify that for the public. Mayor Fraser stated correct. We never made that for action tonight. Council member Grewe stated then we are good. Mayor Fraser inquired whether or not there were any other comments from Council. There were no further comments from Council. Mayor Fraser stated that he is officially closing this Public Hearing. (Mayor Fraser closed the Public Hearing at 9:04 P.M.)

Ms. Hankins stated that now that the Public Hearing is closed, she would like to ask a question about the next step, because she thinks that will be important to moving this forward. Would you like for your Staff to take the comments that we've heard tonight, and maybe recommend some changes to the Ordinance as it was presented in the packet and come back at the next meeting, or in two meetings? Mayor Fraser stated let's move it to the next meeting based on the feedback that we received, and even to some of the questions that were asked, let's provide some answers. He saw former Council member Ogelman and Pastor Milam, he saw you folks as the Applicant, because you were able to rally the forces to bring a document together. Hopefully, you can answer some of these questions that were asked. It was a lot of work that you folks did. Mayor Fraser stated that he thanks you for that.

Council member Grewe stated that he believes the next session is a Work Session. He thinks it's full. Is it possible to push it to the next Business Meeting, so the first in October? Ms. Hankins stated yes, we can do that. She thinks what we will be coming back with are some redline suggested changes to the Ordinance that you saw tonight. But also, some questions that we have that we may not have been able to answer that we are going to need some more direction on. She stated for example, training. That's a topic that requires a significant Budget line item. Maybe like our other Committees, this is really just to funnel comments from the community in a lay person capacity, and not necessarily have that kind of training. She stated or maybe we do want that kind of training, the simulation, and the understanding of what it is like to be a police officer, in which case we need to find funds for that. There are questions that we are going to have that aren't going to make it into an Ordinance the next draft. We can certainly get a next draft for you based on what we've heard, and then separately list whatever issues we think still remain to be discussed and resolved.

Mayor Fraser stated that he would like to move it to voting at the next meeting, because this was the first Public Hearing on this. Let's get a draft together again based on the input. He does not subscribe to this document being vague. He saw just two to three points of difference. He stated so incorporate what was suggested. That is his recommendation. And then we look to make a vote at the next meeting. Ms. Hankins stated okay.

Council member Greenly stated that he is going to have one of those Courageous Conversations with you right now. He thinks that where we are at right here is; your comments were spot on. He thinks where we are really at is a communications issue. He thinks at this point, and correct him when you talk about Mr. Ogelman and the Pastor, that you are asking them to intercede at this point. He thinks at this point, it belongs to this Council. He thinks at this point, we've got the input. We have questions. We have concerns. He thinks they can all be answered. He thinks at this point, if we are going to vote on whatever Staff is going to draft, he thinks the responsibility rests here.

Mayor Fraser stated correct. He stated that what he was saying is that Mr. Ogelman and Pastor Milam, and the host of other folks that were responsible for crafting this, if there is any specific question on the intent and so on, it should go back to them. They are not making the decision, but they are the originators of the document.

Council member Greenly stated that he is going to pushback on that a little bit Mr. Mayor. He thinks the intent was stated in the document. He thinks what we are really getting to is just figure out where's that happy medium. He uses the term "overreach." He is only saying that because there were some things that well, maybe not. He thinks the Mayor's comments were spot on about trying to get into the mind of that young child walking down the street and all that. He thinks that is where we need to get. He thinks the intent, the documentation is there. It's well written. He thinks it is a little bit constrictive. That's his humble opinion. When he listens to his colleagues here, Stan obviously has a great background in this. When he listens to his other colleagues, he thinks we have the intent. It is up to us to figure how deep do we want to go. He is looking for a collaborative piece. He is looking for, as he said earlier, somebody who is in the defund camp, and also somebody who is in the pro police department or back the blue. He thinks that we have more than enough material to look at it and say at least we can make a decision and put it out there.

Mayor Fraser stated that is fair. That's courageous. He appreciates that. Are you saying that by the next meeting we should be able to look at a draft and vote? Council member Greenly stated that he would hope because he knows that is his intent. There was an email that you sent to him earlier about let's keep these wheels moving. He agrees with that. Council member Greenly stated that he thinks it is asking David and the Staff how much time you have to give to this. He would love to be in a position to where as a Council, we could say we are ready to take a look at it. We've seen the draft. We are ready to vote. He stated or let's wait. He doesn't want to get ahead of ourselves. Get out over your skies. He was in Special Ops too, Tip. He knows exactly what you are talking about slow and steady. At this point, he thinks we owe it to our community, because the perception, no matter what we think up here, the perception out there in the community is this is a political football. We have to help them get past that. When he talks to people, everybody says they like the idea. What are you trying to say? He stated or, you are doing this, what about the investigation piece? He thinks if we can work that, we can get to yes. We will get there. It is really a case of what does the flavor look like when we put the ice cream in there. Mayor Fraser stated that he is not in a bit of disagreement, because you do have a section of the community that believes that this is warranted and it is needed as of yesterday. Council member Greenly stated that he agrees. He liked the Mayor's email saying let's keep these wheels rolling. That's a nod to that sentiment. You are absolutely right. We have an opportunity here. He really thinks it now rests up here.

Mr. Mekarski stated that there were a number of comments, questions, and concerns that he thinks in the next two weeks between the Business Meeting and the Work Session the Staff can start to tackle. He agrees strongly with Sally that there are a number of questions that we cannot resolve, unless we have a very informal, courageous, deliberative dialog with the Council. The best place to do that is at a Work Session. He would suggest that we work on what we feel we can bring out to get sort of a community consensus from the opposing views that we heard tonight. He stated bring some of the questions so that Council can have some deliberative dialog with Staff, courageous, open dialog. That will give us the final answers to do a final draft for your first meeting in October. That would basically take us back to where we really should be going at the first meeting of the month, Business Meeting, Second Meeting of the month a deep dive on some substantive Work Session issues.

Ms. Hankins inquired are you suggesting that the Work Session on this Committee would be in September or in October. Mr. Mekarski stated the Work Session in September. The formal vote and consideration by the Council in October.

Mayor Fraser stated that he is just one vote. He inquired of the Council members what their thoughts were on that. Council member Milan stated that he thinks that this document is far from being ready to vote on. Mainly because you have to also recognize stated that he is coming from the side where it is politicized. Those that want to defund the police and all this other stuff, that political jargon. He agrees with the Town Manager that we have to have a Work Session where the Town Council reviews this document because we are representative of the people. The people have spoken and shown some fear. We have to inform them the intent and purpose of this Committee. He stated and ensure them that it's not punitive. It's not political. It's proactive, because we don't want to be in the news again with something that happened with our police department. We've had one exposure already. We don't want the other cheek exposed. We need to sit down as a Town Council, review this document, have a consensus,

and then prepare to the Town their review maybe. He doesn't know. And then vote on it. He stated that you said that you are not ready to vote today. There is nothing in the agenda that states we were going to vote on anything today. We need to stop feeding the fire and the misinformation that the Town is hearing. We need to be correct in what we say and what we do, and transparent in letting the Town know what the intent and purposes of this Committee is. Mayor Fraser thanked Council member Milan.

Council member Grewe stated that this is a question in a sense for David. He said that he is kind of opening another box. He is sorry. The proposal that you made was that we kick this to the Work Session in two weeks, and then we have, hopefully, a draft two weeks after that. He is also conscious of the fact that this is not the only ball we are juggling. He presumes, although we don't actually set our agenda's that far in advance, he thinks we probably need to. That's a different discussion. We generally have, at least, penciled in ideas of what the Work Sessions are planning on doing. He imagines that this will take an entire session. There are a lot of pieces in this. If we push this to the next Council meeting, what are we pushing off? We have to balance that as well. Is it the rate, the Budget? Is it the water and sewer stuff? Is it a thousand other things on the general pile of it will get a Work Session, and that pile is higher than he is tall. What are we shoving off that's in two weeks?

Mr. Mekarski stated that we can accommodate this in two weeks. We are shoving off some other priorities into the month of October. Council member Grewe inquired what are those. Mr. Mekarski stated well, one is a separate meeting just for the temporary police headquarters and the permanent police headquarters. That would be with Moseley and with our financial advisor. He stated whether that be a two hour or a six hour, so we have some policy direction on what to do short-term lease, long-term lease, new building. We have been going at this for about a year and we aren't any closer. Mr. Mekarski stated that the other issue is we are probably going to schedule this on an off Council week. That would be a Work Session with him, the Town Clerk, the Town Attorney, to talk about work flow and the agenda process, and really allowing the Council and the Management Team to get in synergy towards accomplishing our Strategic Plan. The Management Team right now is revising their top 10 recommendations. We would like to give those to Council, and have Council either amend, append, reject, replace, but just give us the top 10 projects and give us a sense of priority. He stated that, in and of itself, we are hoping to be a considerable dialog to get us on a focus towards accomplishing your Strategic Plan.

Mayor Fraser stated that makes sense. He stated with that being said, do we have any opposition of having the Work Session in two weeks, and then a proposed decision the first meeting in October. Do we have any objections to that?

Council member Greenly stated that he thinks that's a great idea. He would also sweeten the pot a little bit more. Let's just say that during that Work Session we could come to an agreement, he would be in favor of voting then. It's an option. He thinks that we should keep on the plate. It will force us to go out and really start working this issue. He knows that the Mayor is adamant about we don't want to drag our feet on this. He agrees. He stated that if we can come to an agreement, why not vote then? We need to publicize that as well.

Mr. Mekarski stated that the only concern there is we would like to get the actual language in the Ordinance, and that Ordinance published to go forward. Council member Greenly stated fair enough. That's why you are the Town Manager.

Mayor Fraser stated to Sally, that the direction, he doesn't think that we need to make it a Motion, but the nod is that in two weeks we will have a Work Session and etch issues out. And then the first meeting in October, which he believes is October 13th, we will be able to come together and make a decision. Ms. Hankins stated thank you. Mayor Fraser thanked the public, Council, and Staff for their time.

PRESENTATION(S):

- a. SunTribe (Solar Array Farm on Aberdeen Property) (10 minutes)**

Mayor Fraser stated that next is a Presentation on SunTribe (Solar Array Farm on Aberdeen Property). He stated thank you for waiting with us. (At this time, there was a PowerPoint Presentation).

Mr. Mike Stanton stated that discussion was very encouraging to see the civil discourse going on here. He stated to see a public body engaging in that type of conversation. He stated if he was a citizen here he would be very pleased. It was exciting to watch. Mr. Stanton introduced his colleague, Bob Jocz. He stated that we are from SunTribe. We are here to present a proposal to partner with the Town of Purcellville on a Solar Energy Facility located on the Aberdeen parcel about a mile northwest of here next to the Water Treatment Facility. He stated that in a minute Bobby will talk a little bit more in detail about that proposal. Mr. Stanton thought that he would start by introducing them, their company, and what they do.

Mr. Stanton stated that SunTribe is a full solution Solar Company. That means that we serve soup to nuts through the entire life cycle of a solar project. They serve all the way from the concept of a solar plant coming online, to the development phase, engineering, design, procurement, construction, and eventually the long-term operation and maintenance of those facilities. He stated that he would keep going here while we work through the technical difficulties. Mr. Stanton stated that SunTribe is a full solution Solar Company. They have about 80 employees. They are based in Charlottesville, Virginia. They are focused on solar development in the State of Virginia. They are a very local, focused company. That means that they are helping Virginia attempt to advance towards its clean, common goals, as well as bringing local jobs to the State economy.

Mr. Stanton stated that he and Bobby serve on the Utility Scale Development Arm of their team. He stated that what Utility Scale Solar means is that we ground mount solar panels and fields. They export the power onto local distribution and transmission infrastructure. They work with the utilities to distribute that power to the residential, commercial, and industrial customers. On a day-to-day basis, he and Bobby are involved in the development of projects. That means that most of the time they are partnering with stakeholders. They are working with the utility to study how we can plug these projects into the grid safely and reliably. We are working with local municipalities on how we can site the projects in responsible and sustainable ways, and permit those projects through local Ordinances. We are working with State agencies to insure that we are not disrupting sensitive environmental, cultural, historical resources. We are working with landowners, which is why we are here talking to the Town of Purcellville to have a long-term lease to site these facilities. That means for the landowners there's a long-term revenue stream. He stated that Bobby will talk a little bit more about that.

Mr. Bobby Jocz stated that he is the Project Developer with SunTribe. They are proposing a 15 to 20 Megawatt Solar Energy Facility to be placed on the Aberdeen site. It will provide the Town with a long-term, steady source of income with little use of County facilities, no use of County tax revenue, and we will provide a renewable source of energy to the Purcellville power grid.

Mr. Jocz stated that typically the development of these facilities breaks into two segments. We call our "Option Period" which typically lasts three to five years. During this Option Period we are doing things that Mike was talking about earlier. We are permitting the project locally. We are working with the energy company to enter safely and permit the project. We are working with State, Federal, and local agencies to make sure that the project is not impacting any sensitive wildlife, cultural, historical resources, or any impacts to streams or wetlands. During that period, our proposal would provide up to \$41,000.00 to the County in revenue. If all goes well during the steady periods, and we find that the project is not impacting any of those aforementioned issues, we then move onto the lease period of the project for rapidly producing power and providing it to the grid.

Mr. Jocz stated that during that 30 to 40 year period, the Town would receive anywhere between \$4.3 million and \$5.1 million in revenue. That will come at very little cost to the County in terms of sewer infrastructure, transportation infrastructure. It wouldn't use any local schools or core facilities. He stated that we have a map of the site. He is not sure if you have the map in your packet. The proposed site layout would encompass approximately 110 acres of the site to be used for solar panels. There will be areas around the site that are still able to be used for recreation or possibly Nutrient Credit opportunities. In addition, they would be preserving a

majority of the vegetation on site. He stated both to prevent cutting down trees, but also to help screen the site from surrounding and neighboring parcels. If there are any areas on the site as well that are visible, we can add some vegetation as well. He thinks that is all he had to present as to how far they have gotten with the site so far. We appreciate your time. We will be happy to answer any questions that you have.

Mr. Stanton stated that despite the challenges, there isn't anything here that isn't in your packet already. You have all of the information.

Mayor Fraser stated and the public has this right? It's out there. Mayor Fraser thanked Mr. Stanton and Mr. Jocz. He inquired whether or not there were any questions from the Town Council.

Council member Greenly thanked the gentlemen for the presentation. He stated so basically, what we are projecting is \$4.3 million over 30 years, correct. Mr. Jocz stated correct. Council member Greenly stated that we have a map here, the solar layout. You talked a little bit about the vegetation piece. Obviously, we are big on that around here so that's good. How would you exfill the power? He stated forgive him if it is in the packet, but he didn't see it.

Is there utility poles going in? How tall are they?

Mr. Jocz stated that a project this size connects the phase distribution lines that run along the roadway. There wouldn't be any extensive transmission infrastructure constructed. We drove by the site today. The power company goes through several studies to determine what upgrades are necessary. He stated a reconductoring of a line out to the road up there. It would be no larger than the distribution poles that you see along the road.

Council member Greenly stated that's perfect. He stated that you answered two or three of my questions. So, the yearly maintenance, would people be on site often? He sees these things because he drives past them. He has obviously, never gone into one. Mr. Jocz stated that they typically require very low maintenance. He stated obviously, periodic checkouts of ground maintenance which all would be covered by SunTribe. The Town would not be responsible for maintenance or operation of the facility. General maintenance when there is an issue a panel is down. Council member Greenly stated that you talked about existing facilities out there. We do have some out there. The residents wouldn't be able to go out on a trail or anything out there. Would you have something to fence this off? There would be a fence there? Mr. Jocz stated correct, around the areas where the panels are. Mr. Stanton stated not around the entire property boundary, but simply around where the panels are. He stated that what that allows you to do is to maintain some of these other uses for recreational. Council member Greenly stated that he is assuming that's on the dotted line that you have here. Mr. Stanton stated yes. Council member Greenly stated thank you very much. He appreciates it.

Mayor Fraser inquired whether or not there were any other comments from the Town Council. Council member Bertaut stated that you said that there is no cost to the County. What is the cost to the electric rate payers for permitting projects like this to go forward? Mr. Stanton stated that this project would fit into the Virginia Clean Economy Act that was passed last year. That is approved by the SCC. He stated what that does is dictates a path for Virginia to get to 100% renewable energy. Through that, both Dominion and NAPCO have targets, incremental targets to get to their 100% renewable energy goal.

Council member Bertaut stated that given that it is not dispatchable power, what is the cost to electric rate payers of having to maintain dispatchable power to back this up? That's what he is getting to. Mr. Stanton stated at a very high level, solar is competitive with all other, if not more competitive than other costs. Council member Bertaut stated that you aren't answering the question. Mr. Stanton stated so there would not be any additional added costs to rate payers as a result. If anything, this is long-term savings to the rate payers by being more economic than other forms of generation like coal. Council member Bertaut stated that he believes that's a misrepresentation of economic reality when it comes to power generation. Mr. Stanton stated it is a very complicated subject. Granted, if you take individual cases, a case could be made either way. On a whole, solar power is going for roughly \$30.00 per Megawatt hour in the wholesale markets. PJM is a regulated wholesale

market. We trade power on that market. Therefore, the lowest cost power gets sold and procured. So, this product has to compete with all other generation sources. Mr. Stanton stated that he would be happy to provide some more information for you if that's useful.

Mayor Fraser inquired whether or not there were any more questions. Council member Grewe stated that the Aberdeen Property that you are looking at is currently held under a Conservation Easement that the Town holds. The Conservation Easement was written to preclude frankly, most economic activity. He stated not everything, but it gets real close which is what has made it so challenging on our part for what we are going to do with this. Have you guys examined that document? And have you reviewed whether the proposal that you are giving here would legally qualify under that kind of plat note, as it were?

Mr. Stanton stated that we have. We reviewed that Deed in detail. At first, we had some concerns. We consulted with legal counsel about it. We believe that there is a way for solar in that Conservation Easement to live together. That takes some consultation between the Town of Purcellville and a decision on your part that this is what you want to do. That Deed gives you the ability to take that action. He stated more theoretically, we view solar as a form of conservation. When we put these solar panels there they will stay there for 30 or 40 years, after which we are going to come and decommission the facility and the ground returns to the same natural state it was in before. He stated therefore, in a sense, conserving the site over a 30 or 40 year lifespan.

Council member Grewe stated that he didn't know if you have a legal finding or a document. Did you share that with our Town Attorney? Mr. Stanton stated that we have not. We would be happy to. It is a conversation that if we do go down the road partnering on a project here, that's something that we would absolutely need to work together on to insure that those two things can live in harmony. Council member Grewe stated that he thinks the reason he is asking is because at first blush in his look at this, it doesn't qualify. He thinks the same position that you did. He stated without seeing a valid way, he can't find himself in a place to justify spending taxpayer time, dollars, et cetera on examining the proposal in any further detail if it is illegal to pursue based on the way the Conservation Agreement is written. If you have that and can provide it to us, he thinks that would be helpful. He stated that to do anything other than frankly say, not right now? Otherwise, we look at this and go, it might be the best idea in the world, but if it is not legal it doesn't matter. We are done. We are obligated to follow the law. Mr. Stanton stated that he would be happy to provide that. Council member Grewe stated okay.

Mayor Fraser inquired whether or not there were any other comments by Council. There were no other comments by the Council members. Mayor Fraser thanked Mr. Stanton and Mr. Jocz.

CITIZEN/BUSINESS COMMENTS:

Mayor Fraser stated that we will move on to Citizen and Business Comments. He saw two citizen comments. We will call on Jason Brownell. Mayor Fraser welcomed Mr. Brownell.

Mr. Brownell congratulated the new Council members that were elected. Mr. Brownell stated that his name is Jason Brownell. He lives at 36286 Osborn Road. He lives outside of Town. He has some property in town and he pays taxes. He formed a non-profit called "Hero Homes" with his partner Matt Lowers. We came here today to tell you about a new recipient, a new citizen that we are bringing to Purcellville. He has some packets and passed them out. Mr. Brownell stated that he was born in Samoa. His life-long dream was to become a U.S. Army service member. He was born into a Village leadership. He was what is called a Fa'amatai. His parents forbid him to go and join the Army. He stated that the day he turned 18 he ran away on a fishing boat and went to Hawaii where he was able to pursue his dream of protecting America and its freedoms. He stated that AV achieved everything that he was looking to achieve. He was honorably discharged, medically discharged. He was retired 100% disabled through some of the actions and injuries that he sustained in Afghanistan. Hero Homes is going to build him a house, and create an opportunity for homeownership here in Purcellville for him.

Council member Stinnette stated awesome. Mr. Brownell stated that he had been homeless for many a year. Why would a man who has a retirement check and a disability check be homeless? He stated because he dedicates his time, his money, and his energy to saving those that have PTSD, counsels them, whether it be in prison, the VA, church, at risk youth. He works to save people's lives. As you guys know, 22 people kill themselves every day from PTSD issues.

Mr. Brownell stated one fine example of some of his art, he counsels people through art and poetry. Here is a very small piece of poetry. If you take the time to read some of the things he had to go through, and some of the impressions left on him, this is a pretty tough one here. Basically, he blew away a bus full of kids because he thought it was an IED. Then he goes to inspect the bus and he sees 13 dead children. How do you live with that? We have asked him to go and fight for us. He did his job. Now, it is time for us to take care of him. Why is he telling you all this? He stated we need community involvement. His specific ask is that AV is moving into one of the newly approved and built residential lots that was approved by many of you guys over at Village Case. It was a good deal for the Town. We created 24 building lots in two unused parcels of Village Case that the community wanted to get developed. We have created 24 water and sewer taps over there, equals about \$1.2 million. We are asking the Town, "Hey, we have some good privilege here, why don't we forego some of that and help this man come to this house." We are asking for the Town Council to severely discount the water and sewer tap. That's basically the gist of it. Hero Homes is 100% volunteer. We don't get paid. Any kind of contribution you make will be to AV. It won't be to my pocket or to Matt's pocket. We are both from this area. We learned at an early age that there is a real thing, privilege, being born in northern Virginia, being born white in northern Virginia, and being born with some parents who care. We truly, fully understand that. This is an opportunity for real social justice to help this man who has fought for everybody's ability to do everything that we can do in America, to bring him into our community. Thank you.

Mayor Fraser thanked Mr. Brownell. The next comment is Matt Lowers. Mr. Matt Lowers stated that he is Matt Lowers for you guys that don't know him. He has spoken in front of you many times. He owns a business here in town, Lowers Risk Group. You guys are somewhat familiar with that and co-founder of Hero Homes. He stated that he doesn't live in town. He has a business in town but he lives in Round Hill. Mr. Lowers stated that he and Jason started Hero Homes back in 2016. We had a goal of doing five homes, in five years, for five 100% disabled combat Veterans. We are close on track. We provided three. We have the fourth one in Village Case. We are going to be building here soon. We have nearly a lot under contract for our fifth home, which is going to be in Round Hill. We will have two in Village Case, two in Round Hill, and one technically in Purcellville close to Hillsboro. He wanted to reiterate what Jason is asking and what we are asking. He stated on AV's lot, one lot out of the 24, if the Town could work with us. We are a non-profit. We have zero expenses. He stated no one gets paid. We are 100% volunteer. He stated that \$50,000.00 is a lot of money for us to pay on a tap fee. It would go a long ways to have a discount on that to help AV, and that's what we are doing. Mr. Lowers stated that's what we would be doing. We are helping AV. We are helping Hero Homes. We are helping AV. We are helping to put another Veteran in a home that right now is homeless. He is taking all he gets and putting it right back into people in his position. We are asking you to consider that. It's been a tough year for nonprofits right now as far as fundraising. This will just be significant for us if you guys can find in your hearts and your legal -- Whatever you have to do to make this happen it would be great. We are both happy to answer any questions you guys have. We are due to start construction, hopefully, in November. It's really coming up on us now. We are excited about it. He would encourage you all to go meet AV. He thinks you will find it really inspiring. He is a great guy. Cool story. And that's it he thinks. Mayor Fraser thanked Mr. Lowers.

Mayor Fraser stated to Ms. Hankins that she will take notes and tell us what we can and cannot do legally. He stated that what he hears is a request to waive all of the water and sewer, or a percentage of that.

Council member Grewe inquired is the lot currently owned by Hero Homes and it is going to be gifted to him. Mr. Brownell stated that VA is trying to keep his expenses down so he can continue to serve others. Council member Grewe stated but at the moment, it is owned by the nonprofit. Mr. Brownell stated that Charcoal, LLC is the development outfit we are involved in. They sold the lots to Brookfield. Brookfield is a large builder. Brookfield

is going to build the house for us. But in order for all of this to transpire, Hero Homes had to purchase it from Charcoal. Council member Grewe stated that maybe he is doing a little bit of Sally's work for her. He is trying to figure out, if we are talking about a residential lot that is owned by a nonprofit, but is looking for a tap fee, that is creating kind of a unique box that is not going to be commonly held in the Town, like a nonprofit ownership of a residential unit, he is assuming there are not too many of those. We might be able to make a categorical thing rather than a unique action to say, when this sort of activity is going on, some sort of thing that could help here, but maybe more than just here. He thinks that there might be some possibility for that going forward. He stated that as making a community that is friendly to nonprofits, helping people get into homes. This sort of structure is only going to exist in very rare spots. Usually, those are going to be really good things. This might be something for Sally for later. He was looking for your legal structure and he appreciates it. Thank you.

Ms. Hankins stated just to make sure that she understood the answer, Hero Homes has purchased it from Charcoal, LLC. Mr. Brownell stated yes and stated that we are the Applicant as far as getting the zoning and the building permit. We have a contract selling it to AV for \$100,000.00. Brookfield is going to build it as cheaply as possible. This thing has worked because the community members, suppliers, contractors, governors pitching in, volunteers on site, whatever it takes. If you guys can help us, then we can help more.

Mr. Lowers stated that we found since our first home that having some skin in the game, so not giving the house away 100% is important. It goes a long way with these guys or gals having some sort of pride in it. Most of them don't want it given to them. In this case he has retirement and medical payments coming in. We look at those and work with him on a budget. We want him to continue his work so we are giving this one to him at quite a discount. Council member Grewe stated great.

Mr. Brownell stated and not to compare one municipality to another one, but there was a place that we worked in a couple weeks ago called "Leesburg" that gave us a sewer tap for the VFW job.

Mayor Fraser stated one last comment, because we have a long agenda that we still need to complete. We received "the ask." He inquired of Sally if she had the information in case she had any questions. Ms. Hankins stated that she does. Thank you.

Council member Stinnette stated that if you could put "the ask" on a piece of paper and give us a who shot who, who owns. How is it going to transfer? Send that to the Town Staff. He stated say, "Hey, we look forward working with you." Then we can use that to do our due diligence and figure out how we can kind of work out an accommodation. Mr. Brownell stated that we will have something in writing to you today. Mayor Fraser stated thank you very much. He inquired whether or not there was any further citizen or business comments from the folks online, virtual.

Council member Stinnette stated that he has two comments that he wants to be read into the record. Mayor Fraser stated okay. He inquired whether or not there were any comments from the public. There were no further comments from the public. Mayor Fraser asked Council member Stinnette to read the comments into the record. Council member Stinnette stated that the first comment is from Jacob Coleman of 310 West I Street. The second one is from Julia Hamilton. He proposes that we enter these documents in total into the Public Record. And that he reads the first paragraph of each and let the rest go into the record. Does that make sense to you? Mayor Fraser stated that makes sense.

Council member Stinnette read as follows: "Purcellville Town Council and Staff: My name is Jacob Coleman, and I am a resident of Purcellville. I am writing to express my support for the creation of the Community Policing Advisory Committee, and to provide input on its duties. Due to recent high profile national incidents of police brutality, I believe it's imperative that each municipality take an active role in shifting the nature of policing toward community based approaches. Purcellville would show itself morally commendable and innovative by engaging with this issue by taking measures including, but not limited to CPAC. I would like to request that my views on this Committee be read into the record during the Public Hearing on September 8th." Council member

Stinnette stated that it is his fault for not getting this teed up during the Public Hearing. "I feel strongly that this Committee should have the following responsibilities:" And he lists out the responsibilities. He stated that if you want me to read through the rest of that he can. Mayor Fraser stated yes.

Council member Stinnette stated that he will. "Given that the Police Budget is nearly a quarter of the Town's spending, despite the Town having a low crime rate, reviewing the Budget for the Town Police Department; Providing recommendations on funding priorities for the department. Providing recommendations for potential initiatives to improve public safety and to address root causes of crime; Reviewing investigations into police complaints and supporting the process for citizen complaints against Town Police to be addressed; Reviewing Town of Purcellville Police actions with regards to bias and use of deadly force; Making recommendations regarding accountability and police policy change; Encouraging individuals and community groups to provide input into Town policing practices. Additionally, I believe this Committee should be completely independent from the Town Police, both so it can be as objective as possible and to promote the development of insights from an outside perspective. This means that I oppose the membership of the Police Chief or the Deputy Police Chief on the Committee. Finally, I am interested in continuing to provide input on the creation of the Committee. Please include me on all future information about the Committee. I hope you will take my suggestions into consideration. Thank you, With Best Wishes, Jacob Coleman."

Council member Stinnette stated that the next one is from Julia Hamilton. "My name is Julia Hamilton and I am a resident of Purcellville. I grew up in Purcellville and I am very passionate about stopping structural inequities at their root cause, in making sure every single Purcellville resident feels safe in their hometown. I am writing today to express my support for the creation of the Community Policing Advisory Committee, and to provide input on its duties. I would like to request that my views on this Committee be read into the record during the Public Hearing on September 8th. I feel strongly that this Committee should have the following responsibilities: Given that the Police Budget is nearly a quarter of the Town spending, despite the Town having such a low crime rate; Reviewing the Budget for the Town Police Department and providing recommendations on funding priorities for the department; Providing recommendations for potential initiatives to improve public safety and to address root causes of crime; Reviewing investigations into police complaints and supporting the process for citizen complaints against Town Police to be addressed; Reviewing Town of Purcellville Police actions with regard to bias and use of deadly force; Making recommendations regarding accountability and policy change; Working collaboratively with the Town Council, Town Police, and citizens to ensure that police practices in the Town are in line with citizen values; Encouraging individuals and community groups to provide input into policing practices; Promoting the safety of both citizens and Town Police Officers by championing initiatives that will strengthen the relationship between officers and citizens. Additionally, I believe that this Committee must be completely independent from the Town Police so that it can be as objective as possible, and to promote the development of insights from an outside perspective. This means that I oppose the membership of the Police Chief or Deputy Police Chief on the Committee. Finally, I am interested in continuing to provide input on the creation of the Committee. Please include me on all future information about the Committee. I hope you will take my suggestions into consideration. Thank you, With Best Wishes, Julia Hamilton." Mayor Fraser inquired whether or not there were any other comments. No one had any further comments.

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

Mayor Fraser stated that we will move on to Mayor and Council Comments.

Council member Stinnette stated that he told you that he would save his editorial on the CPAC, and so here it is. It's not that long. He would like to ask you all to pay attention to the words. He thinks that they are fairly important. "One of the challenges of working our way through the creation of a Community Policing Advisory Committee is negotiating the projection of the national discussion on policing on a Purcellville scale. More bluntly put, "how do we navigate the clarion call to defund the police and redirect funding to address root causes of crime, such as "poverty, drug use, and mental health, as ably articulated in bold letters by Molly Magoffin in her email to the Town Council. Please allow me a moment to digress into a short civics lesson on the design of the

Commonwealth government. Since 1871, all incorporated Cities in Virginia have classified as independent Cities. Other Commonwealth municipalities are incorporated as "Towns," and as such, from part of the County. There are 95 Counties in Virginia covering all the territory not within the independent Cities. Incorporated Towns are municipalities that are within Counties. And local government is thus divided between the Town and the County." Let me say that again, "local government is thus divided between the Town and the County. This point underscores the issue of scale, and the limits of our incorporated Town capabilities without a robust partnership with the County.

I believe a Community Policing Advisory Committee is a good thing because it engages our community. I believe if properly scoped, a Community Policing Advisory Committee can be a good first step towards fortifying community confidence in our police force and the public safety mission. I caution against the urge to fashion the Community Policing Advisory Committee as a response to the current national discussion on policing. That is going to require a more concerted effort in partnership with the County. The current national discussion revolving around defunding the police requires a more nuanced approach than the bumper sticker. In the Commonwealth, it will require partnerships.

For example, Americans with mental illness make up nearly a quarter of those killed by police officers. Conversely, 115 police officers have been killed since the 1970s by individuals with untreated serious mental illnesses. Picture the following alternative, Route the 9-1-1 calls involving mental illness or homelessness to an emergency health service. In one municipality last year, an emergency health service clinic received 24,000 such calls, and in fewer than 1% of those cases that clinic needed to call for police backup as part of the response.

I selected this example because it strikes close to recent history for our community. This past week, police officers responded to a case involving a variety of mental health related issues, and were successfully able to deescalate the situation and refer the case to a mental health facility for treatment. We've also seen the other end of the outcome spectrum here in Purcellville. This is why we need to put the Community Policing Advisory Committee into the right context and scale for our Town. The Community Policing Advisory Committee should not be scoped for oversight, but rather should be scoped for partnership. Our Community Policing Advisory Committee should do as its name implies, advise on how best to strengthen public safety partnerships so that we can effectively address challenges, such as how to best respond to mental health calls. I look forward to working towards improving our public safety service with the Community Policing Advisory Committee, and the police department."

Council member Greenly stated that he will be very brief since we are running up on time. He is not going to read his comments. He would like to thank all of his Council members for the robust discussion tonight. Everybody said their views. There's no animosity. He thinks that this is exactly the tone that we need to set for our Town to get this done. He thinks there is a need for it. He thinks that we are literally commas away from figuring this out. That's all he has tonight.

Council member Grewe stated a couple comments just so people know. First of all, the long and ever delayed Water Tower Cellular Reconstruction Project seems to actually be coming to fruition. Just for public note, the T-Mobile installation, at least, best estimates by Staff, finish on Friday. We should see an improvement at least in that cell service. AT&T is the next two weeks after that. Verizon is a little bit on the TBD side still. Just so you know, for the public, that is where we are on that which is a nice thing to see moving toward our rear view mirror, hopefully.

Council member Grewe stated that he made his comments on CPAC earlier. He will basically leave it as this. He greatly appreciates that, at least, in the discussion we've had at Council, we have not fallen into the national trap that involves an "us versus them" mentality, and this idea that we can't have differences of passions, concerns, priorities, and frankly, civic discussion. When we move to an area of no room for dissenting speech, or if you are not part of a solution you are part of the problem, something to where it doesn't provide for alternative perspectives. When we get to that point, we put poison to our civic community. I am very grateful that, at least, so

far, and he thinks we'll continue, we haven't done that here on Council. That's really important because he thinks there are people with a lot of very diverse, and unique perspectives coming into this that need to be heard. He thinks, so far, are largely being heard and that's a good thing. He wants to keep us on that straight and narrow that we are following right now. Passionate disagreement and the enthusiastic support for passionate disagreement are essential to our community well-being. He appreciates that we have held that line. His hope is that we will continue to do so.

Council member Grewe stated that we need to return to the discussion on the water and sewer rate issue. That needs to be back on the agenda at some point. It's not currently scheduled that he is aware of. That is a thing that essentially gets worse over time. The longer we defer on that, and he understands why we have due to COVID. That was a wise move. This is no fault being applied to anyone, but that needs to be addressed. We need to think that through either as a strategy to say that we are not addressing this now, but here's what we are going to do instead, or we say, "Okay. We are going to make this call in this timeframe." We knew at least our mapping out a strategy going forward for how we address that and what that is that's important.

Council member Grewe stated that he also wants to mention that the COVID Business Interruption Grants, Round 2 started today. We have until the end of September. He appreciates the Town's work in publicizing that. He just wants to put it on record that is a thing to be done.

Council member Grewe stated that the last two things, condolences to the family of Michael Redwood-Nilson who passed away last week in Leesburg. He is from Purcellville.

Council member Grewe stated that he is glad to see the Mediter-Rustic Cuisine Restaurant opening in the Purcellville Gateway. It's good to see someone going into that kind of a somewhat historic structure to be honest. If he is reading the news reports right, they have not actually modified any of that. They are just taking that and bringing it back online, which he thinks should be opening this month. It's nice to see a new business opening even in the middle of all of this. That's really a neat thing for our Town. Thank you very much.

Council member Bertaut stated that he will try and keep it quite brief. He thinks that some of the best value that we have gotten out of the discussion about the Community Policing Advisory Committee is the focus it puts on how citizens can and should interact with the Town Government and with entities therein. And how different Committees, Commissions, and Boards are constituted and how we could move towards some unification there in the way that we treat each of them, and how they record their processes and procedures in the form of minutes.

Council member Bertaut stated that he would also like to note, that he doesn't think that there has been a lot of discussion of the Budget this year. He realizes that we have been kind of overrun by events. He thinks that there hasn't been this sort of line by line focus on the Budget that there has been in years past. That's something missing from the discussions so far as we move forward. We are basically doing this a quarter at a time. And not really talking about what's in there and what's not in there. And what the priorities are from the standpoint of the Town Council.

Vice Mayor Williams stated that she received multiple emails this week about the Valley Springs Phase 2 Development. She asked David and he sent it to Dale. There are 26 lots going and the families would just like the construction crews use Springbury Drive instead of Valley Drive, just because of the dust and the noise. When she talked with one of the residents there, we discussed that we are doing virtual learning, and if you are a kid on a computer and you hear a truck go by, you tend to stop focusing on your class and want to see the truck. Vice Mayor Williams stated that she would bring that up, and hopefully she can meet with David or something and figure out who is in charge and talk to them.

Vice Mayor Williams stated that as to CPAC, she loves the idea that we are talking about both things together, the idea of a partnership and communication. She stated that if the people in the Town can realize that we are just trying to build communication and a partnership with the police, that it is not them versus us. She believes that it

was Council member Grewe who said it that way. She thinks that we have gone a long way, and it will change the perception that the police are here for us, to serve us, and protect all of us. Thank you.

Council member Milan stated that his comment is not in line with the CPAC. He appreciates his other Council members mentioning that. His comment is on the elephant in the room which Council member Bertaut mentioned is the finance. We have a debt for the Town that's for the Wastewater Treatment Plant. We have a proposed long line of credit for \$3,000,000.00 that hasn't been earmarked for anything. We also have a \$1.5 million balloon payment coming in 2022 or 2023. He stated we have for the last two weeks, constantly speaking about acquiring more debt. But yet, we drag our feet on resolutions or options to increase revenue. If we are to get a \$3,000,000.00 loan, how are we going to pay for that? Our credit is great. Okay, great. We have a great credit rating. We have the capability of increasing the taxes of the Town's people. We have not even addressed any revenue stream to pay off any of the debt. We've looked at the financing and we made cuts in the Budget. We've made cuts here, but we are not getting a Consultant. We are making cuts, but we are not making any headway in generating any additional revenue to pay down this elephant of a loan that is coming in 2023. In looking at getting a \$3,000,000.00 line of credit, and looking at funding the police department's new building, or funding the renovation of the existing facility. We haven't looked at acquiring new land for the police department. We've heard there's \$6.5 million for the equipment for that, but not the total package which can get up to \$10,000,000.00. Yet, we are going to get more in debt. How are we going to pay for this debt? He stated that with COVID-19 our revenue stream for meal taxes has dropped. If we go through another round of COVID-19, things will get worse. We have to look at this honestly and address this Budget, and how we are going to pay for the things that we are looking at.

Council member Milan stated Capital Improvement; our work force is getting older. Our infrastructure is getting older. At some point, there will be an APEX where they both cross, where the work force will retire and the infrastructure will fail. Where is the new blood to maintain those facilities, that equipment? Where is the funding going to come from to fix those things? If we were to get the \$3,000,000.00 line of credit, what was the priority to fix? He had the tour of the Water Facilities. The reservoirs need to be dredged. The shutoff valve needs to be replaced. The pipe in the main reservoir needs to be fixed. That's about \$1.5 million or more. The (inaudible) needs to be fixed to get to those things. We need new pipes that go from the reservoir into Town. Those are important things when we are looking at potential improvements in the Hirst area, the Hatcher area. If that goes through, we don't have enough water to provide that service to that area. We are at capacity now. The schools are closed. How are we maintaining a sustainable level of service for our water system when the schools are closed? So we have two more wells. How is that in the Budget? Is that budgeted to do that? Are we going to increase our debt to where our credit rating gets below perfect? Then we can't get any loan. We can't restructure a loan. That's his main concern. That's the elephant in the room need to address soon because the water that we are getting from the rain is not sufficient enough to fill the reservoir. He stated bringing on new apartments and housing will deplete what we already have. If the things are not in place to maintain that, the shutoff valve, the dredging of the reservoirs and the pipe that you drain the water from, it needs to be addressed. We need to look at that seriously or we will be in serious trouble if we don't get an exorbitant amount of snow this winter.

Mayor Fraser stated that his comments are short. Again, he looks forward to the support of this Town Council as we forwarded this Community Policing Advisory Committee. He sees that as an advocacy role. He also sees it as a partnership role. It's continuous feedback on the police department and on the community. He stated give and take. It's information that people who will come freely, and again, he calls it "Courageous Conversation," getting to know the police department and what they do, and also the police department getting to know some of the community that maybe they are not aware of. He sees it as a great opportunity. He looks forward to us making a decision at the first meeting in October. As he told the young people that he spoke to, that were responsible for the 1200 Member March, is that we convert righteous rage into construction, not destruction. That's what he sees this Committee as being a function of construct, not destroy. We will now move forward to Action Items.

ACTION ITEM(S):

a. Appointments to Committees, Commissions and Boards

Mayor Fraser stated that we did conduct interviews.

Motion by Council member liaison Bertaut, Second by Council member Greenly that the Town Council Appoint the following for Appointments to Committees, Commissions and Boards: Marcus Salinas to Serve on the Board of Zoning Appeals for the Term October 1, 2020 through September 30, 2025; Eric Zimmerman to Serve on the Board of Zoning Appeals for the Term October 1, 2020 through September 30, 2025; and Dan van Buskirk to Serve on the Board of Zoning Appeals for the Term October 1, 2020 through September 30, 2025.

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

Motion by Council member liaison Greenly, Second by Council member Grewe that the Town Council Appoint the following for Appointments to Committees, Commissions and Boards: Jim Gloeckner to Serve on the Board of Architectural Review for the Term of September 1, 2020 through August 31, 2024.

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

Motion by Council member liaison Stinnette, Second by Council member Grewe that the Town Council Appoint Laura Oars to Serve on the Parks and Recreation Advisory Board for the Term October 1, 2020 through September 30, 2022.

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

(The term was incorrectly read and is a two-year term, noted correctly in the minutes.)

Motion by Council member liaison Bertaut, Second by Council member Greenly that the Town Council Appoint the following for Appointment to EDAC (Economic Development Advisory Committee) Walt Trenton, to Serve on EDAC for the Term October 1, 2020 through September 30, 2022; and Misty Williams to Serve on the Economic Development Advisory Committee for the Term October 1, 2020 through September 30, 2022; and Warren Grossman to Serve on the Economic Development Advisory Committee for the Term October 1, 2020 through September 30th, 2022.

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

Motion by Vice Mayor Williams, Second by Council member Grewe that the Town Council Appoint the following for Appointments to Committees, Commissions and Boards: Doug McCollum to Serve on the Purcellville Arts Council for the Term October 1, 2020 through September 30, 2022.

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

(The term was incorrectly read as a one-year term, but is a two-year term, noted correctly in the minutes.)

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

a. Critical Timeline for Nutrient Credit Project

Mayor Fraser stated let's move on to Discussion and Informational Items. He stated five minutes per Council member. Mayor Fraser stated Critical Timeline for Nutrient Credit Project. How do we start a discussion? Council member Grewe stated probably with Sally. Council member Greenly stated that he has some questions on the

package. He inquired whether or not Ms. Hankins was going to make a presentation. Ms. Hankins stated yes. She apologized. She stated that her service lasted about two and a half hours and it died on her. She had transmitted some information to be included in the Staff Report that she sees is not there. The information that she wanted to include was that since the last Council meeting that we were asked to prepare an RFP for the Nutrient Credit Bank, we have gotten some additional emails and requests for sole source opportunities on this project. The email that she had sent had asked for a little bit more direction on that issue. She will turn this over for questions and then she will pull up what she had on her computer.

Mayor Fraser stated that we all saw the presentation. He inquired questions, comments. Council member Grewe stated that he was reading through the timeline. He stated Sally, as a rule, you tend to be rather definitive in how you write things. He got to Page 111, or Page 8 of your Timeline Packet. This was the March to April 2021. "Staff presents contract to Council for approval; possible supermajority required." And then you quote part of the Section with the VA Code. Is there a way to get clarity on that, as far as if it does, or it doesn't require a supermajority to move forward on this? That seems like it would be useful to know earlier than later down the line.

Ms. Hankins stated yes. She just needs to research a bit, and develop an opinion. If you want a higher level of certainty than that we would ask the Attorney General for an opinion.

Council member Grewe stated that he would just say more than possible. It can come from you. But a little bit more on does it require a supermajority, or does it not? He thinks that will inform how we proceed down this path and how quickly we can proceed down this path, and what needs to be answered and what may not. He stated for the sake of Council efficiency and frankly, Staff's efficiency, knowing that would be really helpful. That's all he has.

Council member Stinnette stated to Ms. Hankins that he is kind of sensitive to the point that he thinks Stan was making. In several places in the report, you kind of give alternatives. For instance, on Page 110 of 194, on Page 109 of 194, and then on Page 111 of 194, there's these comments in there of things that we must do. Council member Stinnette stated that we have had this discussion on a number of occasions. Can't we build these alternatives into an RFP, and let the RFP do the due diligence for us, rather than wait on Staff to do the due diligence and report back? Ms. Hankins stated yes. Council member Stinnette stated at this point, every time you kind of have alternatively for instance, "Alternatively, if the Town prefers to wait until a third party is contracted with who will then be solely responsible for preparing the site for planting then this telling will occur in October 2021 for planting in the fall of 2022." We could just make that assumption part of the RFP and ask the bidder to tell us what is the best plan of action and refine the timeline. Ms. Hankins stated yes, we can do that. He stated the same thing with "Before granting any such franchise a privilege for a term in excess of five years, the City or Town Council shall, after due advertisement, publicly receive bids therefore in such manner as provided by and shall then act as required by law." Once again, we could write that into the RFP that they need to do the due diligence and tell us what kinds of permission they need to be compliant with the Commonwealth Statutes. He stated that a lot of this timeline, he thinks that she has done a commendable amount of due diligence. He thinks at this point now, it's to write the questions that you remain to have into the RFP and say, "Hey, as part of your bid go research this and give us an answer on it."

Ms. Hankins stated that she does agree with that. She stated that the thing that she thinks that you lose when you approach it that way is that the numbers become a little bit less apple to apple comparisons. She stated because now you have qualitative differences injected into the proposal that make it difficult to ascertain what the best price might be. That's what you lose. It is a good way if you don't quite know all the information to get the information. And how you assess those qualitative differences will matter because now you are getting multiple information. It might just work out. She stated that everybody might just come to the same conclusions.

Council member Stinnette stated that his bet is that he thinks that is going to be more likely than not. What he is interested in is kind of extracting her from the nits and the nats of this thing, and just all right, let's just give this

to the marketplace and let them do the due diligence and come back at us. He stated that if we need to do a qualitative assessment in concert with a quantitative assessment as part of a SWAP on the various RFPs then okay fine. Let's just get this ball going.

Ms. Hankins stated her apologies, because the Staff Report that she wrote that isn't there, is absent some investigation into Acres of sole source provider of services. What she recommends is that Council continues with the RFP approach, because the competitive aspect of it should operate to you both better information and a better price. The RFP could be prepared so that proposers who can offer layered or stacked credits from the same bank will get additional points in our review. We just need to spend some time crafting the RFP so that we get these kinds of answers. She stated that we received this email from the County, and from our Consultant explaining how the price of Nutrient Credits is lower for bulk sales. She wrote that this price issue might support taking a phased approach to the Nutrient Credit Bank because we wouldn't be selling in bulk at that point. She further wrote that she recommends that the RFP request two approaches at least from each respondent. The single phased approach, give us a price. The multi-phased approach, give us a price so that we can at least see what we are giving up if we don't do the lump sum.

Council member Stinnette stated that he thinks that is a good strategy. The other thing that he would write into this is also, if you can, write into it a codicil or something that says, "Not only are we interested in Nutrient Credits, but we are also interested in Carbon Credits." Ms. Hankins stated or even wetlands credits, or stream restoration credits. Council member Stinnette stated so we let those guys run with it. That gives you a little bit more bandwidth to start doing some other things. He stated that his recommendation would be let's just do as you recommend. Shift to trying to capture an RFP that captures all the different options out there. Put it into the marketplace and see who responds. If we need to go sole source after that RFP, we can go sole source. If we don't need to go sole source, we can go competitive. Ms. Hankins stated that the one other option could be, depending on what qualitative differences we see, we could make decisions about those qualitative differences and re-issue just an invitation for bid, and say, "Give us your best price on these parameters" and get the best price. Council member Stinnette stated yes. Mayor Fraser inquired whether or not there were any other comments.

Council member Bertaut stated that he agrees with what Tip is saying about let's just put it out in the marketplace and have them present to the Town their best proposed plan of action. If we wait and try to come up with a perfect solution on our own, we are going to find that perfect becomes the enemy of good.

Ms. Hankins stated that is consistent with our proposal. Mayor Fraser inquired whether or not there were any other comments by Council. There were no further comments by Council. Mayor Fraser inquired whether or not we are ready to give Staff direction to move forward with an RFP on this. Ms. Hankins stated that she doesn't know that there is a Motion for this. Ms. Hankins stated that she thinks we have our direction to get the RFP written. The only question she really has is she thinks we can just let it go unless you care to see it again, but we have spelled out all of the qualitative issues and the quantitative issues. It is now just a matter of framing it so that we can compare the different responses we get. We get a couple of choices.

Mayor Fraser inquired of the Town Council if that was clear to everyone. Council Stinnette inquired of Ms. Hankins that for clarity sake, you will prepare an RFP. The RFP will come back to Council. We will review the RFP and then it will go out?

Ms. Hankins stated that we can do it that way. She is happy to do it either way. We can bring it back to you, or just send it out.

Mayor Fraser inquired of the Town Council whether or not they wanted to propose anything on this RFP, or are we okay with the RFP. He stated that Sally will go back and look at the language and put together what the RFP content should be. Ms. Hankins stated right. That's correct. She was not going to take the sole source approach for now, and do an RFP and put together a request that asks for looking at the lump sum approach, the over time approach, because she believes that Mayor Fraser had asked that some lump sum component be built into this.

She thinks that we can ask for two or three scenarios. One is lump sum only. One is over time only. And the third option is some combination, lump sum plus a percentage. Mayor Fraser stated correct. We also want to put in there Carbon Sequestration and Nutrient Credits. Ms. Hankins stated correct. Council member Bertaut inquired should we have a Formal Motion. Ms. Hankins stated that you took that Formal Motion at the last meeting directing us to do an RFP, and also to bring back a timeline as she recalls.

Council member Milan inquired in this proposal, are you looking for a company, a partner that does both, or are you looking for two different, separate entities here. Ms. Hankins stated that it could be either way. Council member Milan stated more than one person other than the two different people and we can find that? Ms. Hankins stated right.

Mayor Fraser stated that what he doesn't want to happen is we are not clear on what we are asking and then we come back and forth. He inquired of the Council members whether they have an idea of what should be in the RFP.

Council member Stinnette stated that he has an idea. His idea is Sally; take your best run at the RFP. Come back to Council. Let us quickly review it. And we say, "Yes, these are all the options we wanted you to capture, and go." Ms. Hankins stated that she likes that. Mayor Fraser inquired do we need a Motion? Ms. Hankins stated no. She has gotten direction to prepare the RFP and bring it back to Council. Council member Milan inquired how long will this take. Mr. Mekarski stated that he would not want to make a commitment until he can discuss with Staff the other RFPs that our Procurement Officer is working on now. He stated not only for the Planning Commission for the rewriting of the Zoning Ordinance. There are multiple RFPs for other departments. He stated that while the majority of the work will fall on Sally, it does involve our Procurement Officer and Finance. He doesn't like to make those judgments.

Ms. Hankins stated that those issues are real. In the proposed timeline what we had gotten to was November. She stated that can't be right. Council member Stinnette stated yes, you wanted to issue the RFP in November. You have "Bring the draft RFP to Council for approval on November 10th." Ms. Hankins stated yes, with a typo on the year. She stated that she would suspect that it will take us a month. We have a part-time Procurement Officer. She works two days a week. She is, by all accounts, the account of her supervisor, overwhelmed right now. She is guessing a month. She stated that David will work with his Staff.

Council member Milan stated that you have been kicking this can down the road for a year or more. It's time to act. Get something done folks. We need some revenue. Council member Bertaut stated that he agrees with Council member Milan on that. We definitely need the revenue. He thinks that to some degree it is tough today to say exactly when you will deliver that RFP. He would ask at the next meeting, working meeting two weeks hence, if we get an update on when you expect to deliver the RFP. He stated two weeks beyond that, another update, and at the next Town Council Meeting, another update, and so on. He stated so that this doesn't fall from view so it continues to move forward. If we, in the view of the Council, decide that we must reprioritize other RFP activities, we will have that opportunity to do so. Does that seem fair?

Ms. Hankins stated that does seem fair. We can make it a standing item on the agenda. Mr. Mekarski stated that is more than adequate. He just doesn't want to make that judgment at a Council Meeting without discussing it with the entire Management Team. That's perfectly acceptable. Mayor Fraser stated okay. We have direction then. Ms. Hankins inquired whether or not she could point something out about her timeline and the reason. The only question that came about from her as she was preparing this timeline is certain preparatory work has to occur. Planting season occurs at certain times of the year. If you assume the Town is doing none of the preparatory work, and not expending any of the monies to do that, we are probably going to see a timeline that is farther out than you would have liked to see in terms of getting our revenue. That is why she put in the timeline the option of the Town undertaking some of the preparatory work, only so that you, Council, could see the revenue from the Nutrient Bank come in sooner, maybe even a whole year sooner, because if you miss the season you are into a whole other year. That is something that we need to consider as we decide an approach. She didn't mean to get

too bogged down into details. It is a strategy issue. Do we do some of the work and spend a little bit of money, maybe its \$50,000.00 getting weeds eradicated so that the planting can occur on time? Under the schedule, which she thinks is a fairly reasonable schedule; we end up missing a little bit of the window. We won't have a proposer selected and onboard in time to do the spring soil preparation.

Mayor Fraser stated that what he submits to her is let's leave it to the experts. He doesn't think we want to plant anything. That is more work for us. Ms. Hankins stated that she will wholeheartedly agree and think that's the right approach with the caveat that that pushes our timeline out a little farther because we would have missed some windows. It means the revenues come in later. They come in as soon as they can come in under this approach where someone else is doing the work. Mayor Fraser stated that what would impact that is how fast we can get an RFP. Ms. Hankins stated that's right, yes. Mayor Fraser stated all right. So, we know that. He inquired whether or not there were any other comments. There were no further comments from Council.

b. Draft CARES Act Funding High Level Spending Plan

Mayor Fraser stated that we will move on to (b) Draft CARES Act Funding High Level Spending Plan.

Mr. Mekarski stated that Hooper McCann is on the line and she can go into detail on the Staff Report. He wanted to summarize two pages that you have to look at. This Motion ultimately summarizes you to accept the criteria that's in bold on Page 169. It essentially gets you to approve the High Level Spending Plan which is on 188. This is for the second allocation of CARES Act Funds. That's not the second round of the first allocation. This is the second allocation. We received another \$891,000.00, (inaudible), which came from the State to the County and it is being distributed by population. It equals the first allocation. The High Level Spending Plan that you see on 188 is generally consistent with the proportionate ratios that you had on the first allocation. There has been an increase in nonprofit grants from \$89,000.00 to \$120,000.00. You can see the differential as you go up and down the chart.

Mr. Mekarski stated that the reason why we have to act on this tonight is we are going to participate with Loudoun County, in Loudoun County EDA. They are allowing us to modify the MOU administratively, so we don't have to go through the Economic Development Authority's Official Meeting. They want to go online on the County on September 26th. That's just a few days after our next meeting. He stated that without further ado, if you need additional clarification, Hooper is on the line and can summarize it very succinctly.

Ms. Hooper McCann stated that as David kind of touched on tonight's agenda item, it sort of morphed into two topics by necessity. As he mentioned, if Council is interested, and Staff recommends in taking part with Loudoun County Department of Economic Development to cooperatively handle the second round of funding the Business Interruption Grants associated with that, we need to ask for your indulgence for your formal action this evening to accept the criteria set forth by the County for their round of second CARES Funding Business Interruption Grants. You have that in the Staff Report that was provided to you. One thing she failed to put in there, and she apologizes, the Grants are intended to be \$5,000.00 apiece. At the \$450,000.00 that has been recommended for allocation, that would be about 90 awards. Ms. McCann stated that this evening, we will be asking you for Number one, to review and accept the Grant criteria if you see fit, as well as making a formal commitment to the funding allocation. While you have a draft Spending Plan in front of you this evening for your general review and input that will not actually require your action until September 22nd. Given the necessity for a budget amendment to formally allocate and adopt both the remaining portion of the first round of CRF, as well as the second round. We will be having a Public Hearing. The good thing about that is the public will have an opportunity to also weigh-in on that Spending Plan. Ms. McCann stated but this evening, if you feel comfortable in doing so, she provided a Motion for you. If the intention is for us to move forward with the cooperative relationship with Loudoun County Economic Development to conduct the Business Interruption Grants with the second allocation of funding, we will just need your commitment and your acceptance of those items that are set forth in the Staff Report. Additionally, back to the Spending Plan, what has been provided to you here is our best estimate. And, of course, we are open for your input and comments. She is happy to answer any questions that you may have.

Council member Grewe stated that he has one question and then he is glad to proceed with a Motion. It has been a clear Council priority to move this funding forward to the community as fast as we can. He thinks that moving a Motion tonight gives us of sense to do that. He thinks we will be in agreement there. His only question is, when we do the second round of Grant Funding, he does occasionally get people asking were we going to do Nonprofit Grants, and what is the status on that.

Ms. McCann stated yes, we are. Our first priority was to get the Business Grants out there on the street. Our first round is finished. We are doing the final review and certification on those. We have 15 Applications that are ready to certify. She stated that 11 of them need a little work. We have some things that we have to work out with the Applicants. As you said earlier, and she thanks you for that, the second round of Grants this week. She will be working with the Consultants to develop the Application for the nonprofits. We are hoping to get that Application out on the street within the next week, week and a half. We are trying to keep these moving as quickly as possible. We had hoped to be a little further along with the nonprofits, but time has been our enemy here. We are doing the best we can. We will have more information for you on the nonprofits later this week, or early next week.

Council member Grewe stated that's wonderful. He appreciates it. It gives him an answer to say here is what we are looking for. He thinks that there are some people anxiously awaiting that opportunity.

Council member Stinnette stated that he has two questions. They are easy questions. The first question is, assuming that we award the 27 Grants that were applied for in the first round, how much money do we have left over from the first round? Ms. McCann stated that we actually ended up with 26 of those 27 as qualifying. If all of those receive the Grants that they requested, that will put us about at \$104,250.00. The remaining balance would be about \$346,000.00 left over. She stated that it is actually \$345,750.00. Council member Stinnette inquired what is our plan with that \$346,000.00 that is left over. Ms. McCann stated that is moving us into our second round of Grants. We have doubled, Council, per your action at the last meeting, we have doubled the awards. We are very excited. The Applicants who qualified in the first round may automatically qualify for the second round. We have a short Application that we will be sending them, which is for them to reaffirm all the information that they provided originally, and to reaffirm that they will have expenses associated with the second round of funding. We will work towards getting them that new round of funding. Effectively, if someone receives a \$3,500.00 award in the first round, they may, in fact, qualify for an additional \$7,000.00 in our second round.

Council member Stinnette stated so basically, you are taking the left over money from the first round and rolling it to the second round. He gets that. That leads into his second question. We doubled the second round. He has a sneaking suspicion that we are going to have a butt load of money left over in the second round. His question is can we ask the Consultant to pick up the phone and call every single business that is within Purcellville to make sure that they know that there is the ability for them to apply for Interruption Funding Grants? He is floored that we only got 27 Applications to be completely honest with you. He doesn't think doubling the amount is going to appreciably decrement the money, and at the end of the day he is not real jazzed about turning back 75% of the funding that was designed to go to our businesses back to the County. Maybe we ought to be talking about tripling the amount or quadrupling the amount, and working to engage our businesses more proactively. He stated if not the Consultant, can we bring the EDAC into this to start picking up the phone and say, "Hey listen, if you don't want to do the paperwork, or you are thinking this is a bureaucratic nightmare, we will send somebody over there to help coach you through how to fill out the Application." At this point, he thinks we have got to get pretty creative in how we reach out to the community to make sure that we are utilizing as much of the money as possible. And can look ourselves in the mirror come the end of December and say, "We did everything reasonable and possible to keep this money in Purcellville." Does that make sense to you? Does that create an undue burden on you and your team? Is there a way that we can use EDAC to help pick up the phone, or the Consultant to help pick up the phone? And he guesses more importantly, doubling the amount is that the right thing? Or should we triple the amount, or quadruple the amount?

Mayor Fraser stated Hooper, before you answer that, he saw Chris nodding, the liaison to EDAC. What are your thoughts on that? And then we will get back to Hooper on doubling or tripling the amount.

Council member Bertaut stated that EDAC is quite willing to adopt a divide and conquer approach here with respect to reaching out to the local businesses. However, before we pick up the phone, we need a list of businesses with their phone numbers. We have points of contact for the businesses, but we don't have their phone numbers. He would like to know what the level of effort is to pull the phone numbers along with the names of their points of contact.

Mayor Fraser stated so you have an army ready and able to pick up the phone and knock on doors. He inquired of Mr. Mekarski whether or not he could get the contact information.

Mr. Mekarski stated that the Mayor heard his appeal today at the PBA Luncheon. We had success on the first round. He was mentioning to the PBA Association on Wednesday before the close of the week on Friday, he called Hooper to find out how many restaurants came in. She said "Zero." He went out from 4 o'clock to 6:30 and visited 10 owners. On Friday, Hooper reported that we had six or seven restaurants. There was nothing like that getting some shoe leather worn and having that one-on-one call. He appealed to the PBA today to join him and a few volunteers. We can get volunteers from EDAC. We can get some volunteers from some of our employees, and head out two or three afternoons before the 29th. We will blitz one plaza together. One will start at one end. One will start at the other end, and one will start in the middle. And then we will go to another plaza. We will go down the Historic Corridor. And just try to knock on every business we can. If other people are doing phone calls while we are doing shoe leather visits, but he can tell you the response that he got from meeting those restaurant owners. Mr. Mekarski stated that he told this story this morning. He went to the "Creperie," It was 5:30. The restaurant was totally empty. The outdoor seating was totally empty. The owner and the Chef were the only ones in the restaurant. He said, "Hi, I'm Dave. I have about \$8,000.00 to give you." They almost broke down in tears. They came in with an Application. He thinks that we can do it. This is important enough to just get out there and meet the owners and convince them that this is important for their business. He even mentioned that you do the first round; you are in a good position to double it up. So the people that were possibly getting \$8,000.00 could have gotten \$16,000.00.

Mayor Fraser stated that he remembers that show in the '80s called "Lottery." They knock on the door there. They are unsuspecting and you are giving them money.

Mr. Mekarski stated that he would be happy to coordinate with Council member Bertaut. Maybe we can also do some phone banks, or volunteers with EDAC to go out with the PBA members. Council member Bertaut stated good. He stated that in a side bar conversation with Council member Grewe, it seems that getting the phone numbers is not that simple. It may be quicker just to fan out and hit the streets. Council member Grewe stated that he knows that he is personally willing to spend a couple afternoons. Here's the list. Divide it up. We'll get EDAC people to go. We'll get PBA people to go. We'll go. Give us something to give them and he will knock on doors. Mr. Mekarski stated that Hooper has a postcard.

Ms. McCann stated that we have a postcard as well as a flier already prepared for the businesses. She stated the same ones that you took today. Giving this next round three weeks, we had also intended to do a direct mailing. She stated to possibly put a postcard in the mail for every single business, both commercial as well as home-based. She stated that having these three weeks will give us more time to insure that we reach every single one of those businesses, because absolutely the last thing that we want to do is miss anyone. We want to make sure this money stays in the Town of Purcellville and gets to the people who are in need. She has talked to the County on at least EDA. Their attorney if in fact we are unable to disburse all of the funds that were allocated for Business Interruption Grants, it is possible that we could use that money to infuse the money we gave in the second round for Grants for help through the County to get that money out to our businesses. One of the nice things about the County Grant that will be coming out is that they have increased the gross receipt. She stated that from the \$2.5 million that they, as well as the Town have with the Grant that we have out there on the street now, it is going to be increased to \$5,000,000.00. It is going to bring in a lot more of the businesses out there that have need also.

Ms. McCann stated that she deeply appreciates any assistance that any of the Committees, Commissions, and Boards can provide. Members of Council, we sincerely appreciate your help. Mayor Fraser stated David and Hooper, you have seven members on the Town Council that are willing and able to go out on the streets and knock on doors. You have eight members of EDAC that is willing to do that also. That's 15 individuals just waiting for your plan to attack. Mr. Mekarski stated that we can do it.

Mayor Fraser stated that the other question is Tip wants to know why we can't quadruple the amount. He knows that we have 300 businesses. That might be too much. Why are we just going double? Why not triple or quadruple?

Ms. McCann stated that Staff has already worked with the EDA to modify the original MOA to double it. The County Attorney's Office that worked with her on the MOA, the basic criteria varies seriously and they want to insure that the Grants that we do provide an infusion into the Town are, in fact, monies that will be used towards all things COVID. It would entail going back to the EDA with another amendment. It is possible. It can be done. If we have money left over from the second round, if Council would like us to go into another round, we can go Round 3. And we can look at those awards and see how you would like to increase those. We can do just about anything. Right now, at this juncture, she would just go ahead and stick with the double just to see how far we get through a huge push on getting the contact to all of our businesses. If that is the direction that Council would like to go in, Staff will begin asking those questions to the EDA to see the best steps moving forward in that direction.

Mayor Fraser inquired of Vice Mayor Williams what her thoughts were on doubling versus tripling. Vice Mayor Williams stated that she thinks to save Hooper time, just stay with the double so she doesn't have to redo an amendment. Then maybe with the double and the footwork we might get more people wanting it so it will disappear.

Mayor Fraser stated okay. He inquired of Council member Bertaut what his thoughts were on that. Council member Bertaut stated that he concurs with Council member Williams that we should focus our efforts on getting as much coverage as possible on the doubled grants.

Council member Grewe stated that he would also concur with the Vice Mayor. He thinks she is right. He thinks we put the shoe leather in trying to expand the pool and then come back for Round 3 if we need to and make that another double whatever that happens to be. He thinks that where we are in the process right now get the postcards, knock on the doors. Maybe make a central list that the Town Council can work off of. We can say, "I have been here. I have been here." So you are not going to the same place eight times. Other than that, put a stack of cards in our boxes and go to work. This is what we do. We are community reps literally elected to help and to serve. So we go back to the community that elected us and say, "Hey, this is exactly why we exist."

Council member Milan stated that he agrees with everyone's statements. Council member Greenly stated that he obviously agrees. How are we going to reach these home businesses? He is assuming they are included in that. That might be a little bit different than knocking on doors. We have to take that into account. It says, "Registered." So he knows they would be registered. We are talking about an award of \$5,000.00 now is that correct?

Mr. Mekarski stated not in the first allocation. On the first allocation we have the ability to do the doubling. On the second allocation, the County is going to assist with all kinds of media blitz, a web blitz, postcards, and direct mail. They were trying to set the Grants to \$5,000.00 for all categories so it is universal and they can utilize the same media. Obviously, if they are having problems on that second allocation, they will probably do a second round and set some global rules. Council member Greenly stated okay. That's good. Mr. Mekarski stated that under the second allocation, that wording has to go in about the 5K.

Mayor Fraser inquired of Council member Greenly if he could make a Motion. Council member Greenly stated yes. The only thing that we are going to add is what we were just talking about, David and Hooper had made that

comment about the 5K award was not in our packet. He is going to put that into the Motion so that we say \$5,000.00 for the round. Mr. Mekarski stated second allocation. Council member Greenly stated yes.

Motion by Council member Greenly, Second by Council member Grewe that the Town Council Accept the Grant Criteria, as Identified in this Staff Report, with the Understanding that all Awards will be Set at \$5,000.00, to be Applied to the Business Interruption Grants Conducted in Partnership with the Loudoun County Department of Economic Development and Acknowledge the Town's Formal Commitment to a Funding Allocation, in the amount of \$450,000.00 from the Second Allocation of the CARES Act Funding, to be Utilized for Business Interruption Grants Conducted by the Loudoun County Department of Economic Development.

Mayor Fraser stated that he just has one comment. He inquired of Mr. Mekarski, this expense for communication is related to COVID-19. That \$26,000.00 in first round distribution, was that made already?

Ms. McCann stated Mr. Mayor that was not expended. The intent for a large part of that was to obtain an electronic sign board. She knows that we talked about the potential for a permanent electronic sign. That is something that we can check into. She knows that we have some zoning issues associated with that. That money was not, at least in its entirety, (inaudible) communication and outreach to the public. She stated no, sir that has not been expended.

Mayor Fraser stated that he would like this Council to consider, and it doesn't have to be in the Motion now, but the board at Main and Maple, it's time for that board to be transformed into something electronic that our resources don't have to have a truck load every time they change it. They can be anywhere in the world on the internet and just make changes to it. He understands we are a small Town. There are companies that can put an enclosure that looks and feels like Purcellville. He stated that he would like us to look at that. The last quote we received on something like that was \$28,000.00 and it was probably about two years ago. Mayor Fraser stated that he would like us to start looking at that instead of getting the bulky signs that we have to move from one place to the next. Ms. McCann stated that she would be happy to check with the County to see what amount of funding we can use for something of that nature. They will need to approve that for us. Mayor Fraser stated oh, absolutely. Again, it is for communication.

Mayor Fraser stated that the Motion was made by Council member Greenly and Second by Council member Grewe. Any further discussion or comments?

Council member Stinnette stated Sally, on that sign issue; we are going to need to look at the Ordinance because we end up tripping over that every time it comes up. We need to lean into the Ordinance. If we need to make a change to the Ordinance to facilitate that, he is all for that. He wants to try to lead turn this Ordinance change followed by the money. If we could kind of lean into that and you can tell us what the issue is. The only other remark he will say is we are going to be back, he guarantees you on a third round. He is okay with that because the majority of this board wants to do it that way. He will tell you that he would have been just as okay with the wave of a pen and an MOU to triple our awards, and lean into reaching all of our guys. We are still going to have money left over. We are going to have money left over if we double it. We are going to have money left over if we triple it. He stated that what he is doing with that comment is not being sour grapes. He is setting an expectation that we are going to end up on a third round despite our best efforts to flood the zone, so to speak. He will leave it at that.

Mayor Fraser stated that a Motion was made by Council member Greenly, Second by Council member Grewe. Any further discussion?

Council member Bertaut stated just a quick note on the Sign Ordinance. He thinks the intent and purpose of what's in there in the Code right now, is to prevent drivers from being distracted, and to prevent overly gaudy, commercial displays and moving sign. Just a little bit of focus on coming up with some alternative to that that

covers those bases and still allows for informational signs that don't change too quickly thereby distracting drivers.

Mayor Fraser inquired of Council member Grewe how he votes. Council member Grewe stated Aye; Council member Bertaut, Aye; Vice Mayor Williams, Aye; Council member Greenly, Aye; Tip, Yes; Council member Milan, Aye; And Mayor, Aye.

Roll Call: Ayes (7) Nay (0)

Motion Carried: 7-0

c. Staff Overview of the Public Private Education Act (PPEA) Process and Questions

Mayor Fraser stated Discussion, 13 (c) Staff Overview of the Public Private Education Act (PPEA) Process and Questions. This is in our package, Sally.

Ms. Hankins stated yes. You received an email on Friday that had an overview of the PPEA Unsolicited Proposals Process. We had been asked to provide that. We had also been asked to return with questions about the two unsolicited proposals that we received SunTribe and then the Town Police Station/Aquatic center. Those are the questions that are in the packet tonight. She stated that David worked with some other Staff on those. The idea with these questions was to get us to the next step in managing these unsolicited proposals, and what we want to do next.

Council member Stinnette stated that he is looking at the recommendation. There was one clear recommendation that he thinks she made. It was "Council decision versus Administrative decision." You said, "Right now, the policy designates the Town Council as the decision maker when determining whether to accept for consideration an unsolicited proposal." He stated that puts us in the middle of the fur ball automatically. Ms. Hankins stated right. Council member Stinnette stated and then you said, "Alternatively, you could designate the Town Manager who determines whether to accept for consideration an unsolicited proposal, provided that the Town Manager promptly informs the Council of its receipt and his decision." He thinks that if you could put a little bit more thought into that and bound it. He hasn't put a whole lot of thought into how to bound that. There's a process that the Town Manager goes through in making his calculation. The Town Manager would reject it out of hand if it's just a no brainer. If it is less than a no brainer and it is more complicated, or it has been something that has been previously discussed, then he defers the decision to Council. He stated something like that so that we get ourselves out of this close meeting kind of thing, because we are dealing with proprietary information. Council member Stinnette stated that the other thing that he would be interested in us doing is setting this process up so that when an unsolicited bid comes in, it comes in in two forms. One is one that is for public dissemination, and one that is not for public dissemination. And you put it upon them to do the FOIA redact rather than you guys doing it. Institutionally, he is kind of interested in trying to figure out how to shift the burden of work to the Applicant, and then also shift the Administrative burden to the COO of our organization, and trust him to exercise a judgment that says, "Okay. I clearly don't have the capacity to reject or accept this myself, so this one; I am going to tee over to the Council. I am going to use the public version to tee it over to the Council." He would be interested if you could put some brain power behind thinking through that and coming back to us. As he read through Ms. Hankins presentation, that was her biggest recommendation.

Ms. Hankins stated that she has a proposal that she would like to put in front of you that you may not like at all. She stated that if that's the case, that's okay. She stated that under your proposal, there would be some the Town Manager decided upon and some the Town Manager brings to Council. She thinks it would be administratively more efficient if the Town Manager could make a decision about all of them. If one proposal has an idea in it that is really interesting, suggest to Council through a recommendation from the Town Manager that this is a very interesting thing that we think would help the Town a lot. And we would like to launch a project on this. Then launch a project. The project gets launched through a Town initiated system. We can use the proposal we got as a model. We can create a request for expressions of interest, or request for proposals at that point. We can get

competition in that way. She stated that way we can dispose of the items that we are receiving very quickly. We are not forced to bring anything to Council, but we will bring every time, a report and a recommendation whether it is something that should be launched, or something that we think should not be launched.

Mayor Fraser stated that he would say before we get to that, Town Council should be at least aware of it, whether you want to speak to us individually. He stated that what we faced with the last go around with this Aqua is, "Well, Town Council got into a secret meeting." We gave them an example that we weren't ready administratively to support it. He stated but folks thought well, at least, let the public be a part of it. What he is submitting to you folks is that before the Town Manager makes a decision, at least alert the Town Council members individually so they can assist in that decision. He stated before he makes the decision to reject it.

Ms. Hankins stated that the example that you just gave about a Closed Meeting, she thinks the approach of the Town Manager making the decision totally avoids the need for a Closed Meeting, because the Council will have no decision to make. The decision will have been made that the proposal got rejected. She stated then the recommendation from the Town Manager that would come in an Open Meeting before Council is, "Hey, we have an interesting idea. Here's the concept. Here's what we think it might generate in terms of benefits. I recommend we launch this project."

Mayor Fraser stated that what he was trying to say is before we even see the necessity for a Closed Meeting, if the Town Manager sees that proposal and talks to us individually, whether it is breakfast or lunch. He stated that "we" as a Town Council individually know and will tell the Town Manager maybe we need to take this to the public before he makes that decision. He is just having the Town Manager give us an indication of what that proposal is before he makes his decision. He doesn't have to do it in a Closed Session. He is saying that he does it one-on-one with Town Council. Do you see where he is going with that?

Council member Stinnette stated that he is trying to thread the needle on this, Sally. In other words, the authority, if you will, is vested with the COO. But it's in consultation via one-on-one meeting. In other words, he goes, "Tip, We got this unsolicited proposal from Aqua. My recommendation is to dismiss it out of hand. Here it is." And Tip says, "Yeah, okay. I agree with you." He calls up Kwasi next. And then Kwasi says, "I disagree with you." And then through an informal, one-on-one polling with the Council, he then forms his decision. He says, "Okay. I got a majority of the Council that agrees with me and I can throw this out." He stated or, "I don't have a majority of the Council that agrees with me, and therefore, I am going to put it into the Council decision making rubric. So you have two rubrics. He becomes the stoplight, if you will, or the cop at the intersection that is making the ultimate decisions to just being informed by Council. It's a little bit more cumbersome. It's not as slick as what you are talking about. It is a middle ground.

Ms. Hankins stated that she won't speak for David as the Town Manager. She knows that she would be uncomfortable getting her feedback from one-on-one conversations, because at that point, what does she do when three people say, "Yes," and three people say, "No." She stated that if that's what you want to do, then her recommendation would be that the Town Manager brings it to an Open Meeting and says, "This is the concept. Do you want to pursue the concept? Here's the range of benefit that we think we can get from it. Do you want to pursue it?"

Council member Stinnette stated that was the point that he was making at the outset. He thinks that probably the biggest thing that we can do is change our internal process that forces the Applicant to give us two versions. One is a proposal that has no proprietary information. Then you don't have to worry about it because the Applicant says, "Here you go." If they want to give us proprietary information thing, that's fine too. Ms. Hankins stated yes. Council member Stinnette stated and then we can have the public discussion. It is real easy for us to do that. If we solve that problem right there, that becomes the root problem. Ms. Hankins stated but you won't get the juicy parts, which are the details in the proprietary version. Council member Stinnette stated so what. Ms. Hankins stated but you will have a concept conversation and we can give you generalized ranges of benefits that we think

would come from such a proposal. And then you make a decision if you would like to launch that kind of a project or not.

Council member Grewe stated first of all, the more we dig into this, he thinks we are going to find that it is a little bit more complicated as is becoming evident right now at 11:16 at night. This may be something to go on our giant pile of Work Session lists to go through at some point. He would throw a caution out. If you watch the local news and you've seen the fur ball that was the Rust and Ashburn Library debacle, and the fact that that decision was made by essentially an email straw poll when they were not meeting in session, and they got flambéed in the press by the way they made that decision. He would echo the concern about the one-on-one meetings. You rapidly get to something like that and the accusation that decision happened entirely out of public view. That's something we want to avoid. If we are making the decision, he thinks it happens here. He stated that if David is making the decision, we invest our trust in him and say, "Go make a decision." Ms. Hankins stated it is one or the other. Council member Grewe stated that although an admirable goal puts us in danger of PR flack or worse that frankly we don't need to take.

Council member Stinnette stated that we wouldn't hybrid it. What we would end up doing is going back to the point that he said, go to the Applicant. Give us a publicly, releasable proposal that takes into account that if you put proprietary information, this stuff is going out to the public at least in the Town of Purcellville, so whatever you submit goes into the public domain. Ms. Hankins stated that is what we did do with those two proposals. We said, "You redact it. If you don't care that this information goes public we certainly don't. We will put it out there." We did take that approach. They were helpful to comply.

Mr. Mekarski stated that SunTribe left most of the proprietary information in. Ms. Hankins stated that once the prices are out in public, you will have an anchor affect. Whatever price becomes public at that point, people will know what the price is, and when other people are making proposals to compete, if the price we got initially was great it will anchor high. If the price we got initially is low, that will anchor us low.

Mayor Fraser stated that all he was suggesting is that we inform David's decision. What he doesn't want to happen, and this is what he encourage, all of us try to meet with David at least once a week, or once a month. In those meetings, whether they it over breakfast, David should be able to impart on you things that he's not able to say or is able to provide in an Open Meeting. All he is saying is we are giving David a directive. He is throwing the idea out to us so we are not surprised. "Oh, our COO made this decision without our knowledge." That's all he is saying.

Council member Greenly stated that he was going to comment on the phone calls. In his case, he is pretty much off the net throughout the day. In the past, we have had decisions made and he found out about it after it was made. He was informed, but it was like we already talked to four or five members so you are an afterthought. He didn't take kindly to that. He understood it, because he is harder to catch during the day. Council member Greenly stated that going back to Tip's idea, he likes his idea about asking him. That's what he said in that email that went back to Aqua. He said he wouldn't meet with them, but if they give him something he could publicly display or talk about. He thinks that is what Tip is getting to. That would certainly go an awful long way to help us get that message out to our residents.

Mayor Fraser inquired of Ms. Hankins, when you say, "unsolicited proposal," is there an unsolicited proposal under the PPEA and then there is one not under the PPEA. He stated or do you see one as the same? Ms. Hankins stated that to her knowledge, they are only under the PPEA. There's like a parallel statute that deals with transportation. That wouldn't really apply to us. They could have unsolicited proposals there too. Any infrastructure proposal, any Capital Project proposal would come in under the PPEA. Mayor Fraser stated so when you say, "unsolicited," that is what it is under, PPEA or not? Ms. Hankins stated in this case, yes. Every proposal we've had is a proposal that would come in under PPEA. That would be a PPEA regulated proposal. Those are the unsolicited proposals she is referring to. It could be under the PPEA. Typically, proposals are solicited. They do make allowance for unsolicited proposals. Mayor Fraser stated that under the PPEA proposals

are solicited? Ms. Hankins stated yes. Under the PPEA the Town can solicit proposals, issue an RFP and seek out proposals, or the Town can just, without requesting a proposal, just receive an unsolicited proposal, unsolicited. Mayor Fraser stated understood.

Mayor Fraser inquired that if a proposal comes through the PPEA process and it is unsolicited, is there a different treatment than if it came through just unsolicited without the PPEA process. Do you see where I am going with that? Ms. Hankins stated that she doesn't think the second scenario exists where it comes in unsolicited outside the PPEA. Mayor Fraser inquired are we certain. Ms. Hankins stated no, she is not certain. Mayor Fraser stated okay, fair enough. That's what he wants to get to. If someone was to just come in and give David an unsolicited proposal and it's not under the PPEA process. Ms. Hankins stated that she thinks it has to be. The first rule is we have to compete public tax dollar expenditures. That's the default rule. Anytime an unsolicited proposal came in, it would come in without any competition because it's an unsolicited, sole person sending in an idea. At that point, we would have to have some kind of regulatory way to then get competition. That's set forth in the PPEA. Mayor Fraser stated got you. So there is no one that would ever come to this Town and present a proposal without the PPEA fees. Ms. Hankins stated that she thinks that is correct. Mayor Fraser stated fair enough. His last question, is there an updated PPEA process that we are woefully outdated on? Is there a State process that is an updated version of what we adopted back in 2009? Ms. Hankins stated as to solicited proposals that may be true. She has not analyzed that. As to unsolicited proposals, there have been just three to four changes in the law since we adopted our policy. She would need to see what those changes were. There aren't many. Mayor Fraser stated fair enough. Just so we can confirm those two elements he is good.

Council member Stinnette stated so now he is going to shift. You have a bunch of questions in the SunTribe Proposal. You have a bunch of questions in the PFIC Proposal. Those are two unsolicited bids that we have pending action on. Is that correct? Ms. Hankins stated that is correct. Council member Stinnette stated and so we can keep those as pending actions for as long as we want. He stated from a statute perspective there is no timeline that says that we have to provide an answer one way or the other on those proposals. Correct? Ms. Hankins stated correct. Council member Stinnette inquired is the SunTribe Proposal consistent with the Nutrient Credit Carbon Sequestration Concept that we currently have, that we are currently exploring with Aberdeen? Ms. Hankins stated that the two projects could not occupy the same land. Council member Stinnette stated that is the answer he expected to get. Have we discussed the PFIC Proposal, or is this the first time it is coming before us? Mr. Mekarski stated first time coming before us. If you look at some of the advantages that they listed, and his response to question Number 2, it actually has some merit for us to consider if it was just for the police facility itself, separate from the Aquatic Center. Council member Stinnette inquired so you list a bunch of questions in both cases. Is it appropriate for us to take those questions and go back to the Applicant and say what would be the answer to these questions? Ms. Hankins stated the decision Council is charged with making under the process, is to decide whether you want to consider the proposal. Ms. Hankins stated to let her think about it. She doesn't know the answer to that. She thinks we probably could do that and not have violated the process. Council member Stinnette stated that is what he is thinking. Regardless of accept, reject, it's just sitting there. So we go back to the Applicant and say, "Hey, this thing is just sitting there right now. These are the questions that we are trying to wrestle with. If you guys care to provide a response that would be great. If you don't care to provide a response, then we will make a decision absent your response." That's just one way to keep this ball moving, so to speak, where the process is progressing a pace and we're getting answers too. Council member Stinnette stated that he read through all your questions. They are valid questions. Some of them are pointed to Council. He gets it. You could re-characterize those questions so that they are questions for the Applicant. And then just take it back to the Applicants. The Applicants don't have to answer them. He is just saying that we want to give you the opportunity to answer these questions. These are Staff questions. We think that the answers might help inform the Council in making a decision to accept or reject your proposal. If they decide they don't want to answer those questions, okay great. Then we come back and say they didn't want to answer the questions, or they did answer the questions. And then we can make a more informed decision on to accept or reject the proposal. Does that make sense to you?

Ms. Hankins stated that it does, yes. Council member Grewe stated that he is going to take what Tip said and to draw a small piece of this. He thinks that we were about to be submerged in deadly pronouns. There's a lot of "we." He thinks the important part for Sally's determination of whether Council is considering it or not, if David asks the questions, great. David's the recipient and we decide yes or no to accept. If we ask these questions, that's probably where we cross the line and then we are considering it as Council. As long as the questions originate from Staff and they are not coming from the seven of us, he thinks we are good. That's his guess. He stated that Sally can do the due diligence to make sure that is right. As long as "we" don't ask, but "he" does, then we are fine. We use "we" in terms of the body, the Town, whatever. He thinks that is probably the nuance we cut and that's fine. He agrees. He is just drawing that out as a highlight as to how we probably approach this as a strategy. Those were great questions. David is smart. He has lots of experience. The Staff Team is brilliant. They have awesome experience. They can throw that out and say, "To help us provide a good information packet to the Council answer these questions, please." Ms. Hankins stated that she likes that approach and we can formalize that as part of the unsolicited proposal process.

Mr. Mekarski inquired whether or not the Council is in a position to make a decision on SunTribe. He stated knowing that you gave him clear direction to move with the team on an RFP for nutrient credits. We know that Nutrient Credits and Solar Array Farm are not completely incompatible. Mayor Fraser stated that he thinks that SunTribe said that they would send some information to us. He is not ready to make that decision at 11:30 tonight.

Council member Bertaut inquired within the PPEA process, if the only thing that the Town Council sees is the non-confidential, the publicly available portions of a presentation, can they make a decision to accept or reject the "proposal" or to decide whether they have any interest whatsoever, or no interest whatsoever as long as they don't see the actual business section of the proposal? Ms. Hankins stated that she thinks it would be difficult because the numbers presumably, whatever problem that proposal is attempting to solve or whatever benefit it is attempting to bestow, you would not be able to measure it, or evaluate it without seeing the business part of the proposal. Council member Bertaut stated or as a Town Council, we may just not be interested in taking up the concept. That's what he's getting at. Ms. Hankins stated yes, if the concept is not interesting you can dispose of it. Council member Bertaut stated that this seems like something that could really burn up an awful lot of the Town Council's time and the Staff's time as well, if we are forced to deliberate on, and respond to every single unsolicited proposal that comes in the door. Many of them are conflicting. That is, in the case of Aberdeen, we cannot use the same acre of land for both Nutrient and Carbon Sequestration Credits and for a Solar Farm. Ms. Hankins stated right. She doesn't know what a Solar Farm will bring in. We now have a good sense of what a Nutrient Credit Bank will bring in, in terms of revenue. She doesn't know that we have a good sense of what the Solar Farm would bring in. When we get to the point where we are ready to make a decision, then we wouldn't have the Solar Farm numbers to even compare, unless we sought those numbers through some kind of a request for an expression of interest or through a proposal. If the concept is unappealing, it will be an easy decision to make in an Open Meeting. If the only thing that makes the concept appealing or unappealing is the numbers, then it will be difficult to make that decision in a public meeting. Council member Stinnette inquired whether or not we are done with this topic, first.

d. General Obligation Line of Credit

Mayor Fraser stated let's do the General Obligation Line of Credit. He stated discussion.

Council member Grewe stated that he confesses he is looking at this, and he is looking at our reserves, and he is looking at the projects attached to it. He gets the reason for maintaining the high reserve status. He has had plenty of public comment going, "This is why we have those reserves. They are over our minimums. The project size in scope we could literally just pay for it in cash that we currently have on hand. Why are we borrowing more?" He also understands why it makes sense from a fiscal perspective to maintain those reserves and do so. He doesn't think that we have successfully made the case to do this. He thinks it can be made. He doesn't think we have done it to the public yet. He stated since we had the Public Hearing, great. We don't have to act tonight. He is inclined

not to, partially just because he wants to go to bed. It is 11:34 and in 26 minutes it will be tomorrow where we will no longer have a duly called meeting at a certain point he thinks because it is the next day. Council member Grewe stated that he likes what came in here, as far as what it goes to Hirst Road, Water improvements and the other stuff that makes sense. He thinks Tip has been wise to push us on that to go that direction. He doesn't think anyone is here to hear it right now. The Public Hearing is done, great. You come back around and say, "Okay, we had the hearing. Here's the thought of what we are applying it to. Here is why we think it's not worth having the public funds be expended on that thing, or do we make it available. That comes up as something that is in front of people as a Staff Presentation that is not the last item on the agenda at this point. He doesn't think it is all that well transparent. He doesn't think it is publicly well understood yet. He appreciated the comments. He sees the sense in it. He also understands that practically the reason it is being pushed for tonight is because one of the offers expires tomorrow, the one on the 9th he thinks it is. He doesn't think any of us want that one because frankly, it is not fiscally a very good option. There's a better one. He thinks that the Consultants and most of us were kind of nodding yes, if we are going to pick one there is an obvious good. That one has a timeframe until November to accept if he is not mistaken. Council member Stinnette stated November 17th. Council member Grewe stated that we don't have to push this tonight. He thinks that there is a case to be made to the public that is probably frankly, worth a little more time.

Council member Bertaut stated that he agrees we have not made a good case. He hasn't seen a good case so far for undertaking this line of credit. The cost to setup, should we as a Town Council decide that we want an actual loan is approximately similar. The counter case that was made by Davenport was not persuasive to him because they were talking about a very long-term loan. He doesn't think that is what we would contemplate in any case, unless it was an extraordinarily large capital expenditure. He thinks it is reasonable to pass on this for now, and to continue discussing it as time moves forward. He doesn't believe that there is good cause to move on this tonight.

Vice Mayor Williams stated that she agrees with both of the others. Her one concern was the first interest payment would be due July 2021. Are our revenues going to go up enough if we've taken money out to pay the interest on that? You have to look at that. Will we have money to pay the interest if we take out the money on it? She does like that we do have until November to think this through. Maybe we will see by November our meals tax coming back in, revenue is better. We might see an upswing.

Council member Milan stated that he doesn't agree on getting any more debt until we start building up some revenue. That's his point.

Council member Stinnette stated that he has no problems with waiting until we all have a fresh tank of gas to discuss this. He will tell you that Stan mentioned it. He thinks it is all on our minds, and Mary Jane mentioned it, is we do have a fairly significant interest payment coming up on our water debt, if he is correct on that. Is that correct? Mr. Mekarski stated that is correct. Council member Stinnette stated we are going to end up going to the cash reserves probably for that, or some combination thereof. On the best case we might begin to be seeing some revenue on Aberdeen by that time, but certainly not enough to take that into account. He knows that we need to do the \$1.5 million Capital Improvement on our dredging, the shutoff valve and the intake valve. He thinks that we should do that sooner rather than later. That would come out of our cash reserves. The same cash reserves that we would use to hedge against that interest payment that is coming due in 2023. That's the kind of the longer range thinking that we need to noodle through. He doesn't think we are going to be able to noodle through that constructively tonight. He is all for deferring this decision. He agrees with Joel, the BCT is probably the most valid and that gives us to November 17th. Key Government Finance expires on the 9th of September. That wasn't a competitive bid to his way of thinking. He thinks that we owe it to ourselves to have a robust discussion on this. He agrees with Stan. He is not all fired up about incurring more debt. He is also thinking in terms of 2023, and how we get from here to 2023. He stated pay the interest payment that is going to be coming due in that timeframe, and do the necessary Capital Improvement that we've got to do on that. He stated and to be completely honest with you, there's this other discussion that will be mulling around, he thinks we are going to have a deeper discussion the next time we get together on the police department and that facility there.

Mr. Mekarski stated that (inaudible) Our requirement for fiscal sustainability is \$3.5 million in revenue every year.(inaudible). What do you need to maintain stability and keep up with the cost of living, and the change in costs, machinery, equipment? (inaudible). What do you need to balance that Budget each year? He stated \$3.5 million. (inaudible). We still have nine more years to go. That's why we are saying, that's 10 years or 32% for one year, or (inaudible) What we plan to do, we promised our new Council members to give them an orientation of Stantec work sessions. He asked Stantec to take those previous six or eight Work Sessions and consolidate them down to one power point and meet with new members to go through condensed information. Once the New Council is up to speed with existing Council (inaudible) grand strategy with Davenport (inaudible).

Mayor Fraser stated that what he would like to see also is Davenport with the tenacity they've had to go out and look at \$3,000,000.00 because a lot of our bond is going to mature in 2023. Is there an opportunity for the refinance or restructure? They did commit to us six years ago that constantly they are looking at the market. That \$3.5 million he gets it. It's a challenge that we need to address. We need to make sure that we address it multiple ways. One is additional revenue and also refinance and restructure as an addition.

Council member Greenly stated that we talked about Item 8(a). He mentioned the 50K and all that stuff. Right now, he would say definitely no. He doesn't think that we have a solid plan that we can convey out to our residents. He kept hearing references to the cookie jar. He thinks it's a good insurance policy. He thinks that Davenport did us a favor by bringing it to our attention. Right now, he is not sure we are ready to roll.

Mayor Fraser stated that with that said, we are not going to make a decision on that. He stated David, you had one other item.

Mr. Mekarski stated just the agenda for the next meeting. It was revising as the Council Meeting was going on. We have a revised set of items. Start from the bottom. We need to have the Action Item on the Adoption of the FY Second Quarter through Fourth Quarter Budget. That's merely a deliberation and a vote. It shouldn't be long. Mr. Mekarski stated that the second one is an Action on the Line of Credit. Again, you have had a lot of that deliberation tonight. You can defer on it because you have until November. You could even table that. Mr. Mekarski stated that the third item is a short Public Hearing regarding the second allocation of the CARES Act Fund. Because the CARES Act Fund actually goes in our Budget and the Budget changes by more than 1%, we have to have a Public Hearing. He doesn't expect a lot of folks are going to participate in that. It should be a two minute Public Hearing. Mr. Mekarski stated that he would suggest that we put off the PFIC at this point in time, and take them off the agenda. Also, postpone the discussion on the Pullen House. Then what we have is the Work Session instead of an Action Item on the CPAC. If you accomplish the one Public Hearing and the two Action Items, we can spend the rest of the time on the Work Session with the CPAC and accomplish our main objectives. Mayor Fraser stated that he agrees with that. The only concern and this is again talking about additional revenue sources, when he sees the Pullen House as a double lot, and right across the street adjacent to it someone was able to put two homes and sold those homes for almost \$600,000.00. He sees the Pullen House, although it might have some emotional attachment to it, we need to look at that as a potential revenue driver. He doesn't want us to continue to defer that. Folks before his time just wanted to level it and make it into a park. We are hungry for cash. If there is an opportunity for us to even sell it to a developer, bring it onto our cash roll as something that is taxable and on our utility roll that's revenue coming into the Town. That's just his thought.

Mr. Mekarski stated that if you feel it is necessary to move it in, he is just assuming that CPAC discussion is going to be pretty lengthy. You have the two Action Items and the one Public Hearing. Obviously, if we are only at 11 o'clock and you want to go to 12, we can add the Pullen House. He stated that he is being facetious.

Mayor Fraser stated that he gets it. He just wants us to prioritize revenue opportunities. He sees the Pullen House as a revenue generating opportunity.

Mr. Mekarski stated that maybe he can start some raw brainstorming with the Staff to get some ideas. We are going to talk about it when we have the Work Session on the police facility. He has asked Moseley to really, thoroughly look at that for both temporary and permanent and be prepared to talk about that.

Mayor Fraser stated that he just wants ideas. He doesn't want it to be off. He agrees with your prioritization. He just doesn't want it to be absent.

Council member Grewe stated that if it is coming up for discussion on the police headquarters, great. He thinks we are going to get to the discussion in two weeks, and then go, "Wait. There is another piece we don't have yet." And then we are going to say, "Okay, let's wait for the next piece". So we will have like half a discussion anyway. We are going to wait for the next piece and then we will get around to the third. Let's just forego the half of a discussion because it is coming back, and we know it's coming back. Then we say, "Is this a good thing or is there a better option?" We have that as a discussion item. Then we can minimize the things that we are trying to shoot at for next week. He thinks that we are in agreement that CPAC has to be there. He stated the Public Hearing for the second allocation of the adoption of the Budget yes, yes. That becomes a lot more limited and it's still not quite the two items that we are trying to set for our Work Session, but functionally, and that's actually achieving our goal.

Mayor Fraser stated let's do that. Council member Milan stated he agrees with you to the point that we need to start looking at possible revenue generation as a topic. We haven't done that yet. All this other stuff is important. Like you said, we need to generate some revenue. We have a \$4 million or \$5million payment coming in three years. The time it takes to get anything done RFP, RFI whatever you want to name it, it is going to take time to even figure out what we can use and how we can generate revenue. We need to start looking at that now. Mayor Fraser stated that he thinks it is loud and clear. David, we are going with that. Mr. Mekarski stated yes. We will do the Pullen House in October as part of the police. We will start the dialog on that. If we have time two weeks from now, it will be the Mayor's decision to simply add it.

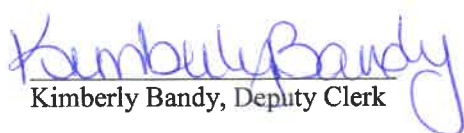
ADJOURNMENT:

Motion by Council member Grewe, Second by Council member Greenly that the Town Council Close the Meeting of September 8th, 2020 at 12:00 Midnight.

Voice Vote: All Ayes

Motion Carried: 7-0

Respectfully submitted by Faith Stine.


Kimberly Bandy, Deputy Clerk


Kwasi Fraser, Mayor