



MIDDLEBURG TOWN COUNCIL
Thursday, April 5, 2010
Town Office, 10 W. Marshall Street



8:00 a.m.

REGULAR WORK SESSION

PENDING APPROVAL

PRESENT: Mayor Betsy A. Davis
Councilmember Trowbridge Littleton
Councilmember Catherine "Bundles" Murdock
Councilmember Lisa Patterson (arrived late)
Councilmember Judith Pryor Plescow
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder

STAFF: Jerry M. Schiro, Town Administrator
Rhonda S. North, MMC, Town Clerk
Steven L. Webber, Chief of Police

ABSENT: Vice Mayor Darlene Kirk

The Town Council of the Town of Middleburg, Virginia held their regular monthly work session on Monday, April 5, 2010 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis called the meeting to order at 8:00 a.m.

Presentation on StoneSpring Medical Center

Tracey White, Vice President of Community & Government Relations with HCA Capital Division, reported that they were going before the Loudoun County Board of Supervisors for a special exception permit for twenty-four of their forty-nine acres located on Route 50 at Gum Springs Road. She explained that this special exception application would allow them to have a hospital and offer outpatient medical procedures on the twenty-four acres. Ms. White further explained that the remainder of the land could be developed by-right with medical offices. She reminded Council of the one hundred acres, including their property, which underwent a rezoning two years ago; and, advised that the road network for this area was set at that time. Ms. White advised that a helipad had also been pre-approved.

Ms. White reported that they are seeking approval for a one hundred sixty-four bed hospital, in a 337,000 square foot facility. She noted that it would contain four stories. Ms. White advised that services associated with a standard community hospital would be offered at their facility including an obstetrics unit and a full service emergency room. (Mark Looney, zoning counsel for HCA, arrived at the meeting). She noted that HCA would partner with Children's National Medical Center to design and operate the pediatric unit. Ms. White reported that the facility would contain a forty bed child and adolescent mental health care unit, which would be operated under Dominion Hospital. She noted that Dominion specialized in anxiety and eating disorders and depression. Ms. White advised Council that the medical office building would be in operation if not before the hospital opened, at the same time. She reported that it would consist of 100,000 square feet.

Ms. White advised Council that HCA was also asking the Board of Supervisors to approve 124,000 square feet for future growth. She noted that they were not saying whether this growth would be in the hospital itself or for additional medical offices – they were just asking for future growth capacity. Ms. White explained that the hospital, as designed, could accommodate an extra floor or the walls could be pushed out in one section of the hospital as needed for future growth.

Ms. White advised Council that one important aspect of the project was that the road network was predetermined through the rezoning. She further advised that the transportation improvements would be installed prior to the construction of the hospital. Ms. White noted that the hospital was due to open in December of 2015. She advised Council that the road network in this area would change in that Gum Springs Road would be re-aligned so the traffic light would eventually be eliminated, with motorists coming in through StoneSprings Boulevard. Ms. White noted that there was a section of property that was reserved, through the rezoning proffers, for a future diamond interchange. Councilmember Littleton asked whether it was correct that the air strip had been sold. Ms. White confirmed it had. She advised Council that the information packet she distributed prior to the meeting contained a drawing of the future road network for Route 50; and, noted that they have asked their engineers to update it. Ms. White explained that the proposed improvements for the hospital were shown in red. (Councilmember Patterson arrived at the meeting at 8:08 a.m.)

Ms. White reported that the special exception application would go to a public hearing before the County Planning Commission on April 28 and the Board of Supervisors on May 10th. She requested Council's support of their application.

Councilmember Murdock asked about the number of beds at the Lansdowne Hospital. Ms. White expressed her opinion that they had a 136-140 bed facility; and, noted that StoneSpring would be a larger hospital. She advised that the Reston Hospital contained 186 beds. Ms. White reminded Council that they have held a Certificate of Public Need for the beds since 2004; and, advised that the general medical beds were being relocated from the Arlington area and the mental health beds were coming out of the Falls Church area.

Councilmember Murdock expressed her opinion that the proposed facility was "very exciting". Mayor Davis agreed it would be great. She reported that she could probably attend the public hearing on April 28th. Councilmember Murdock suggested that someone from the Town attend both hearings. She asked which one was more important. Ms. White expressed her opinion that if the Council had to chose one, it would be better to appear before the Board of Supervisors. She noted that a letter would be good as well. Mayor Davis advised Ms. White that the Council would consider the adoption of a resolution of support at its regular meeting to be held later in the week.

Review of April 8th Meeting Agenda

Mayor Davis noted that the first action item was the Middleburg Academy Day Proclamation. She explained that they were basically having a special day; and, have asked the Town to support and recognize it. Town Clerk North advised Council that the Academy hoped to make this an annual event. Mayor Davis asked whether the Council had any questions related to the proclamation. (None were raised.) Councilmember Murdock asked when the Academy's name would officially change. Councilmember Shea advised that it would change on July 1.

Mayor Davis noted that the second item on the agenda was a Resolution of Support for the StoneSpring Medical Center. She asked whether the Council had any comments related to this agenda item. (None were raised.) Councilmember Murdock suggested that whoever appeared at the County public hearings should not read the resolution aloud; and, noted that when she did this

before, she was cut off by the Chairman. She noted that the Planning Commission members and Supervisors knew how to read. Mayor Davis asked the Town Clerk to prepare some notes that she could use during the public hearing. She suggested the resolution be mailed to the County in advance of the meeting. Ms. Davis asked whether Councilmember Murdock intended to speak during the public hearings. Councilmember Murdock advised that she was unsure of whether she could attend. Mayor Davis asked that if any members of Council wished to attend either meeting that they let her know. Councilmember Murdock suggested that copies of the resolution be sent to both boards. Town Clerk North confirmed that she would send a copy to both the Chairman of the County Planning Commission and the Chairman of the Board of Supervisors so they would have it in advance of their meetings. Mayor Davis noted that she had already spoken to representatives from HCA about attending the Planning Commission hearing.

Councilmember Patterson asked whether there were any issues with the application at the Planning Commission level. Councilmember Snyder expressed his opinion that there were since they were asking for a special exception. He reminded Council that, as a part of the application, they were seeking approval for future growth. Councilmember Patterson suggested that if a Town representative appeared before the County Planning Commission that they talk about the special exception application. She further suggested that the Town's representative say the Town supported the special exception being issued based upon xxx reasons. Ms. Patterson noted the need to put the Town's comments into planning terms. She reminded Council that the Board of Supervisors looked at an issue from a political standpoint; whereas, the Planning Commission looked at it from a planning perspective. Mayor Davis asked the Town Clerk to check to see if there were any planning issues.

Councilmember Patterson asked whether there was any discussion during the presentation about what would occur with INOVA's emergency services in the Route 50 corridor. Mayor Davis expressed her opinion that the agreement was that if the HCA facility became a reality, INOVA would not have a second facility at this location. She suggested that she could check with Loudoun County; however, she reiterated her belief that if the HCA facility came about, they would pull the other one. Councilmember Murdock reminded Council that it would be five years before the HCA facility was opened.

Councilmember Patterson reiterated her suggestion that if a representative attended the Planning Commission meeting that they gear their remarks to the Town's support and the reasons for the support. Mayor Davis reiterated her request that the Town Clerk check on any issues that may be associated with the special exception application.

Councilmember Littleton expressed disbelief that the owner finally sold the airport property. Mayor Davis noted that it was sold a while ago to the Van Meter family. Councilmember Littleton reminded Council that the FAA had wanted the airport to go away. He expressed his opinion that it would be easy to put a helipad in place at this location.

Town Administrator Schiro reminded Council that they previously asked for an explanation of the budget. Mayor Davis expressed her opinion that the draft was "great". Town Administrator Schiro noted that the agenda packet also contained the public notices regarding the real estate tax and utility rate increases. He asked how the Council would like to distribute the budget explanation. Mr. Schiro further asked whether they would like it distributed in the Town's newsletter or by mail. Mayor Davis expressed her opinion that the explanation should definitely be placed on the Town's website. She asked whether the Council wanted to mail it as well. Councilmember Littleton noted that he had already been "hit" five or six times about the budget. Councilmember Murdock asked about the timing of the newsletter. Town Clerk North confirmed the letter could be included in the newsletter; and, advised Council that the Town Treasurer was working on the utility bills this week. She expressed her opinion that they would go out either the

end of the week or the beginning of next week. Councilmember Murdock noted that placing the explanation in the newsletter would allow the Town to save on postage costs. Mayor Davis expressed her opinion that it should be mailed to each house one way or another. She asked whether the Town had a list of individuals who did not receive utility bills so the letter could be mailed to them. Town Administrator Schiro noted that most of the water bills went to the property owners, as opposed to the tenants. Town Clerk North confirmed that she did not have a list. She suggested that it could also be sent in the Economic Development Coordinator's Friday e-mail blast; and, noted that she had individuals on that list that did not receive utility bills.

Mayor Davis asked whether the newspapers would give the Town space for the printing of all of the letter or whether they would at least acknowledge its location on the Town's website. Councilmember Snyder expressed his opinion that the news reporters could go to the website. Councilmember Patterson noted that copies could also be made available at the Town Office for pick-up.

Councilmember Snyder noted a typo in the second paragraph on the second page of the letter; and, suggested the word "that" should be "than". Councilmember Shea expressed her opinion that most people would read the first paragraph of the letter and then stop. She suggested, in looking at the first paragraph, that the term "Through improved efficiencies and deferred capital" be re-written; and, noted that not everyone would understand this language. Councilmember Patterson suggested the use of the term "reduced expenses". Councilmember Shea noted the sentence related to the reduced assessed property values; and, suggested that it be pointed out that the County reduced the values. Councilmember Snyder recommended the language be changed to read "Middleburg's real property, assessed by the County, was reduced by 14%." Councilmember Shea noted the reference toward the end of the first paragraph to the additional reductions in assessments. She suggested the need to highlight that the proposed real estate tax rate increase was due to the loss of business, even though this loss was discussed later in the letter. Town Administrator Schiro explained that the increase was really not due to business losses, but rather was due to the decline in assessed property values. He reminded Council that the Town's business revenues were strong. Councilmember Shea expressed her opinion that there were some town fees that have gone down due to the loss of business. Town Administrator Schiro confirmed that the BPOL, meals and lodging tax revenues were down some. He noted that the utility and bank franchise taxes were also down. Mayor Davis reminded Council that the first paragraph did reference the "declining local business tax revenues". Town Administrator Schiro suggested that the references to the declining business revenues and the additional reduction in assessments be reversed.

Councilmember Shea expressed her opinion that this was a great letter. She suggested that it should explain to the public what the Council already knew. Councilmember Murdock suggested it be made as simple as possible. Councilmember Shea advised Council that she was impressed by the letter. Councilmember Plescow agreed it was well done. She asked whether speakers would sign up during the public hearing to speak. Mayor Davis confirmed that if there appeared to be a larger than usual crowd, the Town Clerk would have a sign-up sheet. She advised that they have only had to do this once, during the Salamander hearings. Councilmember Snyder noted that the Town had only used a sign-up sheet on two occasions; and, advised that it was standard practice if the Town a lot of speakers. Mayor Davis reminded Council that the Town did not usually do pre-hearing speaker sign ups. Councilmember Murdock expressed her opinion that the Council may have a dozen speakers during the public hearings. Councilmember Plescow noted that, like Councilmember Littleton, she had already been approached by citizens on this item. Councilmember Littleton expressed his opinion that the budget was explainable. Mayor Davis noted that people have asked her about the budget; however, once she explained it, they understood. Councilmember Littleton noted that people have asked him why their houses were worth less than in the previous year.

Town Administrator Schiro reminded Council that the agenda included a closed session. He noted that he included a copy of the draft position announcement for the Town Administrator's job in the agenda packet; and, advised that he has heard from the majority of Council on it. Mr. Schiro asked whether they had any other input for the session. Councilmember Snyder expressed his opinion that the information included in the agenda packet was excellent. He advised that the only question he had was whether the Council wanted to add the website address to the announcement; and, whether they wanted to add the number of residents and businesses. He asked whether those numbers would be germane. Town Administrator Schiro expressed his opinion that the population figure would be; however, not the business number. He noted that he tried to emphasize that Middleburg was a strong business community. Mr. Schiro advised that he was hesitant to add the population figure since it was deceiving. Councilmember Snyder explained that this was why he thought the business number would help. Town Administrator Schiro noted that Middleburg only had seven hundred residents; however, there was more to the Town. Councilmember Snyder advised that he didn't know if adding the number of residents and businesses would help; however, he recommended the website address be added.

Town Administrator Schiro asked Council how they wished to advertise the position. He further asked whether they wished to advertise it nationally through ICMA or to keep it regional by using the VML and MML local government organizations. After some discussion, the Council agreed to advertise the position through the VML and MML. It was agreed that if the Council did not receive feel that it was getting the applications it was looking for that it could then extend the search nationally.

Councilmember Shea asked whether the Town Administrator was proposing to remove the closed session from the agenda. Town Administrator Schiro confirmed he was; and, noted that this was all he had for discussion under that item.

Town Administrator Schiro reported that he would have the utility numbers in time for the regular Council meeting.

Mayor Davis reminded Council that they normally adopted an Arbor Day Proclamation. She advised that she asked the Town Clerk to check on this. Councilmember Patterson noted the need to apply for the Tree City USA award. Town Clerk North confirmed that the Economic Development Coordinator had submitted that application.

Discussion

Councilmember Murdock asked about the details of the water break that occurred over the weekend. Town Administrator Schiro reported a break in the 500 block of Stonewall Drive. Councilmember Murdock reported that Loudoun Water was on the scene for hours. Town Administrator Schiro reported that the Town had recently received a lot of brown water complaints; and, opined that someone was tapping into the hydrants. He asked that if any members of Council saw someone doing so that they let the staff know. Mr. Schiro noted that the brown water complaints were being experienced everywhere. Councilmember Murdock noted that the Town was looking into that issue last week; and, reminded Council of the e-mail sent by the Town Clerk. Mayor Davis asked whether this was occurring during the night. Town Administrator Schiro advised Council that the office was receiving calls during the day; and, suggested that the use of the hydrants was probably occurring during the early morning hours. He expressed his opinion that the hydrants were probably being tapped by someone with a Loudoun Water meter that was filling their trucks. Councilmember Littleton noted that it was the time of year when people filled their swimming pools. Town Administrator Schiro reiterated that the brown water complaints were widely disbursed, which told the staff they were pulling from

hydrants all over town. He advised that Loudoun Water was keeping an eye on this issue. Councilmember Snyder asked whether it would be expensive to label the hydrants to alert people that County meters could not be used on Town hydrants. Councilmember Murdock noted that the hydrant near her already had a blue label on it. Town Administrator Schiro confirmed the newer hydrants had warning labels. He reminded Council that Loudoun Water sold meters; and, suggested that some individuals believed that since they had a meter, they could use it anywhere in the County.

Councilmember Murdock reported that a hose had been run from the Colandrea house to the property across the street. Town Administrator Schiro reported that the Town staff was already aware of this; and, had photographs of it.

Councilmember Littleton reported that he would like to order the replacement windows for the Health Center before the prices increased. He asked for Council's approval to do so. Councilmember Snyder expressed his opinion that this was a good idea. Councilmember Plescow agreed.

Councilmember Littleton reported that he had spoken with Bill Turnure, Chairman of the HDRC, who advised that under their guidelines, HDRC approval was not needed since the windows would match the existing ones. He noted that the windows would cost \$32,000-33,000, excluding installation costs. Councilmember Snyder recommended the Council do a budget amendment for the project. Town Planner Beniamino confirmed that as long as the exact same windows were used – not just the same kind but the exact same windows, no HDRC approval was needed. He advised that as long as the windows looked the same, the approval could be handled administratively through the completion of an exclusion form. Councilmember Littleton advised Council that he would purchase the windows in order to get his contractors discount; and, then would bill the Town.

Councilmember Shea recommended that a good time to install the windows would be August, as the population of the building was down. Councilmember Littleton advised that he would try to do the installations on the weekends. He suggested that they be installed one room at a time so they could be done in one day. Mr. Littleton reiterated that they may be able to complete the installations on the weekends. Councilmember Shea reported that Saturdays were a work day in the building. Councilmember Littleton advised that he could not wait until August to install the windows.

Councilmember Murdock reported that she had observed a "for sale by owner" sign on the Colandrea's principle residence; and, advised that she was working with the Town Administrator on the issues associated with the wall at this location. She explained that she did not want someone to purchase the property without addressing this issue. Ms. Murdock reported that she was working with the Town Attorney to get a lien on the property. She reiterated that she did not want to see the Town's work and money evaporate if someone purchased the property.

Town Clerk North reminded Council of the Middleburg Community Center Tour scheduled for April 9th at 5:00 p.m. Councilmember Murdock noted that the birdhouse auction would occur later than evening.

Councilmember Patterson advised Council that Loudoun County had advertised a public hearing on proposed Comp Plan amendments for their transportation plan. She further advised that some roads have been proposed for a reduction from four lanes to two, while others were proposed to increase from two to four. Ms. Patterson expressed her opinion that the Town may want to think about what was being proposed. She noted that there was no money in VDOT's budget for the road projects; however, she suggested this was a first step. Ms. Patterson expressed her opinion

that nothing was proposed in the Middleburg area; however, she noted that she may have missed something as there was a full page ad of changes. Town Planner Beniamino reported that the Town staff was involved in the development of the amendments at the beginning of the process. He confirmed that he attended meetings to give the Town's input. Mr. Beniamino reported that very little of the proposed changes dealt with Middleburg; and, explained that there was a lot of growth throughout the County that the changes were proposed to address. He advised Council that the draft Comp Plan amendments were on the County's website.

Councilmember Patterson explained that she was trying to keep current on County issues; and, noted it has been said that the Town only spoke on certain items. Councilmember Murdock reminded Council that Supervisor Burton recently said there would be no more housing growth in western Loudoun County. Councilmember Patterson advised that while there would be no more new growth, there were some projects that were already on the books. She reminded Council that some of the approved projects were in the area of the new hospital. Councilmember Shea noted that Supervisor Burton did say there were existing projects that were still viable. Councilmember Patterson encouraged Council to be aware that some projects had already been approved.

Councilmember Snyder requested that the Town's contact list be re-done in June or July to take the new membership into consideration. Councilmember Murdock asked that e-mail addresses be added to the list. Town Clerk North reported that some Committee members did not have e-mail addresses; however, she advised that the majority did. She confirmed that she would add those to the list.

Councilmember Shea noted that she had spoken with the Mayor about developing an orientation packet for the new Council members. She reported that she asked the Town Administrator for ideas; and, advised that she was working on something so the entire Council could offer orientation to the new members when they took office. Councilmember Snyder encouraged the new members to attend the State training. Town Administrator Schiro reported that the Town Clerk had prepared a packet of materials for the new members. Town Clerk North confirmed that the packet included items such as the Town Code, Comprehensive Plan and other Town documents that would be needed by the new members. She noted that it would be similar to the packet received by Councilmember Shea upon her election to Council. Councilmember Shea explained that she wanted the Council to give the new members an orientation on the practices of the Council.

There being no further business, a motion was made to adjourn the meeting at 8:45a.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk