

TOWN OF MIDDLETOWN
TOWN COUNCIL MEETING MINUTES
SEPTEMBER 12, 2022 | 7:00 P.M.

The Town of Middletown Town Council meeting was held in the council chambers located at 7875 Church Street, Middletown VA on Monday September 12, 2022 at 7:00 p.m.

Town Council Present

Mayor Charles Harbaugh IV
Councilor Carolyn Aliff
Councilor Stephanie Mitchell
Councilor Carole Snyder Jones
Councilor Scott Fink
Councilor Shayla Rickard

Town Council Absent

Vice Mayor Jeffrey Pennington

Staff Present

Municipal Clerk Christina Smith
Planning & Zoning Administrator David Burke
Officer Sandy Seabaugh

1. Set Agenda

Mayor Harbaugh asked for a motion to set the agenda. Councilor Mitchell made a motion to amend the agenda to correct the wording on agenda item 13b. Councilor Mitchell asked for agenda item 13b to read as follows “A consensus to allow Councilor Aliff, Public Works Superintendent Les Morefield and Town Manger Rebecca Layman to negotiate sewer services for the Hester Property”. Councilor Aliff seconded the motion. All Councilors were in favor and the agenda was amended.

2. Approval of Previous Meeting Minutes

Mayor Harbaugh asked for a motion to approve the Town Council minutes from August 8, 2022. Councilor Snyder Jones made a motion to approve the Town Council minutes. Councilor Aliff seconded the motion. All Councilors were in favor and the minutes were passed.

3. Citizen Comments (3 minutes per person per meeting – max 30 minutes)

Karen Beck-Herzog National Park Service 8693 Valley Pike Middletown, VA 22645 – see attached

Kathy Robertson American Battlefield Trust 1156 15th NW Ste 900 Washington, DC 20005 – see attached

John Owing 7000 Valley Pike Middletown, VA 22645 – opposes the Hester Property and asked the town to consider not extending sewer services to the property. His question was how would this benefit the town. He advised of the negative impact it would cause those that live near the property and the potential negative impact it could have on the town if we choose to service the property located in Frederick County.

Lynda Tyler 2 For 2 Foundation 438 Devils Backbone Stephens City, VA 22655 – shared the 2 For 2 Foundation is a 501(c)(3) non-profit formed to provide needed capital to develop both a swimming facility and an ice-skating rink through fundraising, philanthropic community members and other revenue. There vision is to create a joint facility that is inclusive to all for both physical and mental opportunities. To donate please visit www.2for2foundation.com or facebook.com/2for2foundation.

Karen Beck-Herzog, Site Manager, Cedar Creek and Belle Grove NHP

9/12/2022 Middletown Town Council Meeting

Mr. Mayor, Council Members, Thank you for the opportunity to speak.

I've spoken to you on the topic of preservation before and feel it is very important to be here to speak again tonight. Preservation of open space is vital in our region, especially now as we see areas being bulldozed for new housing developments. Preservation of lands by local governments, the park service, and our partners helps fulfill two key points specifically mentioned in our park's enabling legislation. The legislation calls for the park to "serve as a focal point to recognize and interpret... key Civil War battles in the Shenandoah Valley" and for preserving "the panoramic views of the mountains, natural areas and waterways [and to] provide visitors with an inspiring setting of great natural beauty."

The preservation of our "panoramic and pastoral surroundings" is valuable for both historic and recreational reasons. For example, some of the properties you will be discussing later tonight for potential rezoning are core battlefield land on which blood was shed and still retains a high level of integrity even over 150 years after the Battle of Cedar Creek was waged. It played a role in one of the most important episodes associated with the morning phase of that battle. The Union stand on Cemetery Hill occurred just to the north/northeast of this parcel. Numerous Confederates crossed this parcel and came under Union fire during their three separate attacks against the hill that morning.

It is also in the viewshed of Signal Knob from where General Gordon and other officers surveyed the Union positions and developed a risky but successful plan of attack that launched that battle. This is the same location that modern day hikers view Middletown. The scenic

beauty of the Shenandoah Valley enjoyed by residents and visitors continues to change, losing some of our great natural beauty through residential and industrial development.

This property is also important in that it adjoins the preserved lands of the National Park Service and the Cedar Creek Battlefield Foundation and serves as a visual buffer from the battlefield to modern day structures and allow visitors a truer experience looking toward town.

Development can also have a negative economic impact. For every dollar invested by taxpayers into the NPS yields \$10 to the US economy. Visitors spend money in our community while not requiring the infrastructure needs of residents. Negative visitor experience caused by development may lead to less visitors and a lower yield to the economy.

Our park's Foundation Document provides us basic guidance for planning and management decisions, and it also defines fundamental resources that are truly significant to the park.

Deterioration of these resources can absolutely create an adverse effect on the integrity and future viability of our park. Two of the park's fundamental resources are the intertwined landscapes and scenic viewsheds, and it is noted in the document that "the pressure of development on privately-owned lands" is a primary threat to these areas, specifically "increased suburban and industrial sprawl north of Middletown and between Middletown and Strasburg."

The document goes on to encourage the park to work with landowners and real estate companies to express concern over viewsheds, and the park staff is dedicated to doing just that and working with our partners like the Cedar Creek Battlefield Foundation, Belle Grove and the Shenandoah Valley Battlefields Foundations as well as the American Battlefield Trust to preserve the important stories and landscapes of the Shenandoah Valley.

Thank you.

American Battlefield Trust

Town of Middletown Council Meeting – September 12, 2022

Mr. Mayor and Council members, thank you for the opportunity to speak to you tonight. My name is Kathy Robertson and I'm the Director of Project Management at the American Battlefield Trust. The American Battlefield Trust is the largest non-profit dedicated to the preservation of Revolutionary War, War of 1812 and Civil War battlefield land. The Trust has been preserving land since the late 1990's, after threats to the Chantilly and Manassas battlefields inspired both preservationists and Congress to take a more active role in battlefield preservation. The Trust preserves America's hallowed battlegrounds and helps to educate the public about what happened there and why it matters. Since its inception, the Trust has preserved more than 56,000 acres across the country.

The Trust has preserved approximately 730-acres of land on the Cedar Creek battlefield, in partnership with the National Park Service, the Virginia Department of Historic Resources, the American Battlefield Protection Program, the Shenandoah Valley Battlefield Foundation, the National Trust for Historic Preservation, Belle Grove and the Cedar Creek Battlefield Foundation, over the course of the past 26 years. We work exclusively with willing sellers and are proud of the relationships we've forged through the years. The National Park Service, through the Cedar Creek and Belle Grove National Historical Park, is a leader in bringing these preserved lands together for open space and trails that enable the public access to the story of the Battle of Cedar Creek.

The historic nature and character of Middletown are just two reasons why the Town's "RURAL AREA DISTRICT" should remain as it is. The Trust has been working on preserving core battlefield sites, where one of the most important episodes associated with the morning phase of the Battle of Cedar Creek took place. Preservation of this area conserves critical open space and hallowed ground, and also provides the opportunity to connect trails to NPS and other partner lands, enabling further educational and heritage tourism opportunities. The properties the Trust is now working on preserving are contiguous with land the Trust preserved in partnership with the NPS.

The Trust is committed to the preservation of those tracts that are key to telling the story of the Battle of Cedar Creek and for this, the Rural Areas District ordinance is appropriate as it currently is. Thank you for your time and commitment to this very special community.

4. Report of the Facilities Committee

Nothing to report

5. Report of the Personnel and Finance Committee

Councilor Snyder Jones made a motion to approve the Treasurer’s Report. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes

Councilor Fink – Yes

Councilor Mitchell – Yes

Councilor Rickard – Yes

Councilor Snyder Jones – Yes

Motion carried 5-0

6. Report of the Public Works Committee

Nothing to report

7. Report of Public Safety Committee

Councilor Fink stated nothing to report other than as reported in the packet. Mayor Harbaugh shared it was National Police Women’s Day and he invited Officer Sandy Seabaugh to our meeting this evening to acknowledge and recognize her for her great contributions to the town.

8. Report of the Ordinance Committee

Nothing to report

9. Report of the Planning and Zoning Committee

Councilor Mitchell read the Third & Final Reading of an “ORDINANCE TO AMEND CHAPTER 17 (“ZONING”), SECTION 17-4 A (“RURAL AREA DISTRICT”) OF THE TOWN OF MIDDLETOWN, VIRGINIA CODE.” Mayor Harbaugh asked for this to be in a form of a motion. Councilor Mitchell made a motion for the Third & Final Reading. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – No

Councilor Fink – No

Councilor Mitchell – No

Councilor Rickard – No

Councilor Snyder Jones – No

Motion denied 5-0

Councilor Mitchell asked for a consensus to allow Councilor Aliff, Public Works Superintendent Les Morefield and Town Manger Rebecca Layman to negotiate sewer services for the Hester Property.

Councilor Aliff – Yes

Councilor Fink – Yes

Councilor Mitchell – Yes

Councilor Rickard – Yes

Councilor Snyder Jones – Yes

Consensus carried 5-0

10. Report of Special Committees

Mayor Harbaugh reported the Farm to Table was a success and he thanked the maintenance department and the police department for their part in the event.

11. New or Unfinished Business

Set Work Session Meeting – October 3, 2022 @ 7:00 p.m.

12. Petitions and Communication

Mayor Harbaugh read a Proclamation for 2022 National Suicide Prevention Week. Once he read the proclamation aloud, he asked Council all those in favor to say “I”. All Councilors stated “I” in favor of making September 4 – 10, 2022 National Suicide Prevention Week in the Town of Middletown, Middletown, VA.

Winter Brooks a representative from the VA Chapter of Suicide Awareness was here on behalf of the Proclamation and her late son Steven. She thanked the Mayor, Town Council and the Town of Middletown for being a part of National Suicide Prevention Week.

13. Adjournment

Mayor Harbaugh adjourned the meeting at 7:39 p.m.

Christina Smith
Municipal Clerk

Charles Harbaugh, IV
Mayor