

**TOWN OF MIDDLETOWN
TOWN COUNCIL MEETING MINUTES
August 14, 2023 | 7:02 p.m.**

The Town of Middletown Town Council meeting was held in the council chambers located at 7875 Church Street, Middletown VA on Monday August 14, 2023 at 7:00 p.m.

Town Council Present

Mayor Charles Harbaugh IV
Vice Mayor Jeffrey Pennington
Councilor Carolyn Aliff
Councilor Stephanie Mitchell
Councilor Shayla Rickard
Councilor Diane Newman
Councilor Jacob Skeith

Staff Present

Town Manager & Public Works Superintendent Les Morefield
Municipal Clerk Christina Smith
Interim Treasurer Rejoyce Lunceford
Police Chief Gary Benedict Jr.
Planning & Zoning Amanda Kerns, NSVRC

1. Set Agenda

Mayor Harbaugh asked for a motion to set the agenda. Councilor Rickard made a motion to set the agenda. Councilor Skeith seconded the motion. All Councilors were in favor and the agenda was set.

2. Approval of Previous Meeting Minutes

Mayor Harbaugh asked for a motion to approve the Town Council minutes from July 10, 2023. Councilor Aliff made a motion to approve the Town Council minutes. Councilor Rickard 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)

Daryl Bell a Stephens City resident was here to introduce himself to Council and advise that he will be running for the school board Opequon District.

John Jewell was here to introduce himself to Council and advise he is running for the Board of Supervisors, Back Creek District and wants to support and serve Middletown and get back to representing the people and create stability and get back to normal.

4. Report of the Finance Committee

Councilor Skeith made a motion to approve the Treasurer Report. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes
Councilor Mitchell – Yes
Councilor Pennington – Yes

Councilor Newman – Yes
Councilor Skeith – Yes
Councilor Rickard – Yes

Motion carried 6-0

Councilor Skeith read the First Reading of an “ORDINANCE TO AMEND CHAPTER 15 (“WATER”), ARTICLE III, SECTION 15-24, (“FEES”) OF THE MIDDLETOWN, VIRGINIA CODE.” He asked that this be in the form of a motion. Councilor Pennington seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – No
Councilor Mitchell – Yes
Councilor Pennington – Yes

Councilor Newman – Yes
Councilor Skeith – Yes
Councilor Rickard – Yes

Motion carried 5-1

Councilor Skeith read the Second Reading of an “ORDINANCE TO AMEND CHAPTER 15 (“WATER”), ARTICLE III, SECTION 15-24, (“FEES”) OF THE MIDDLETOWN, VIRGINIA CODE.” He asked that this be in the form of a motion. Councilor Pennington seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – No
Councilor Mitchell – Yes
Councilor Pennington – Yes

Councilor Newman – Yes
Councilor Skeith – Yes
Councilor Rickard – Yes

Motion carried 5-1

Councilor Skeith read the First Reading of an “ORDINANCE TO AMEND CHAPTER 13 (“SEWERS AND SEWAGE DISPOSAL”), ARTICLE I, SECTION 13-3, (“SCHEDULE OF SERVICE OR HOOKUP CHARGES”) OF THE MIDDLETOWN, VIRGINIA CODE.” He asked that this be in the form of a motion. Councilor Pennington seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes
Councilor Mitchell – Yes
Councilor Pennington – Yes

Councilor Newman – Yes
Councilor Skeith – Yes
Councilor Rickard – Yes

Motion carried 6-0

Councilor Skeith read the Second Reading of an “ORDINANCE TO AMEND CHAPTER 13 (“SEWERS AND SEWAGE DISPOSAL”), ARTICLE I, SECTION 13-3, (“SCHEDULE OF SERVICE OR HOOKUP CHARGES”) OF THE MIDDLETOWN, VIRGINIA CODE.” He asked that this be in the form of a motion. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes
Councilor Mitchell – Yes
Councilor Pennington – Yes

Councilor Newman – Yes
Councilor Skeith – Yes
Councilor Rickard – Yes

Motion carried 6-0

Councilor Skeith read a Resolution “TO APPROVE AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE TOWN OF MIDDLETOWN REGARDING WATER QUALITY IMPROVEMENT FUND GRANT.” He asked that this be in the form of a motion. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes

Councilor Mitchell – Yes

Councilor Pennington – Yes

Councilor Newman – Yes

Councilor Skeith – Yes

Councilor Rickard – Yes

Motion carried 6-0

5. Report of the Personnel Committee

Councilor Newman stated there have been no updates from Intentional Accounting on the Personnel Policy/Handbook.

6. Report of the Public Works Committee and Facilities Committee

Nothing to report

7. Report of Public Safety Committee

Councilor Rickard stated the calls for service are in your packet and pointed out that Middletown assisted in 13 calls for Stephens City.

8. Report of the Ordinance Committee

Councilor Mitchell reported the clerk is currently seeking companies to provide codification services to update the town ordinances. The entire code has been sent to 2 companies and we are awaiting bids.

9. Report of the Planning and Zoning Committee

Councilor Pennington read a Resolution “TO APPROVE AGREEMENT BETWEEN THE COUNTY OF FREDERICK AND THE TOWN OF MIDDLETOWN REGARDING BOUNDARY LINE ADJUSTMENT.” He asked that this be in the form of a motion. Councilor Skeith seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes

Councilor Mitchell – Yes

Councilor Pennington – Yes

Councilor Newman – Yes

Councilor Skeith – Yes

Councilor Rickard – Yes

Motion carried 6-0

Councilor Pennington made a motion to approve the “JOINT AGREEMENT FOR ADMINISTRATION OF PROFFERS.” Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes

Councilor Mitchell – Yes

Councilor Pennington – Yes

Councilor Newman – Yes

Councilor Skeith – Yes

Councilor Rickard – Yes

Motion carried 6-0

10. Report of Special Committees

Mayor Harbaugh reported the 13th Annual Car, Truck & Tractor show will take place this Saturday August 19, 2023 from 3 p.m. – 8 p.m. He said it looks like it will be great weather.

11. New or Unfinished Business

Set Work Session Meeting – Tuesday September 5, 2023 @ 7:00 p.m. Monday September 4, 2023 is Labor Day and town offices will be closed.

12. Petitions and Communication

Councilor Skeith made a motion to go into Closed Session - Pursuant to section 2.2-3711 (A) (7), for briefings by staff members and consultants pertaining to actual litigation where such briefing in open meeting would adversely affect the litigating posture of the public body. Councilor Rickard seconded the motion. All Councilors were in favor to go into closed session.

Councilor Skeith made a motion to go into Closed Session - Pursuant to section 2.2-3711 (A) (4), for the protection of the privacy of individuals in personal matters not related to public business. Councilor Pennington seconded the motion. All Councilors were in favor to convene in closed session. Staff was dismissed and closed session began at 7:14 p.m.

Councilor Rickard made a motion to come out of closed session Pursuant to section 2.2-3711 (A) (7). Councilor Skeith seconded the motion. All councilors were in favor.

Councilor Skeith made a motion to come out of closed session Pursuant to section 2.2-3711 (A) (4). Councilor Rickard seconded the motion. All councilors were in favor.

Closed session was adjourned at 8:23 p.m.

Councilor Skeith made a motion to approve a donation in the amount of \$5k to former employee Richard “Dick” Legge’s widow. Councilor Rickard seconded the motion. Mayor Harbaugh took a roll call vote.

Councilor Aliff – No

Councilor Mitchell – Yes

Councilor Pennington – (dismissed before vote)

Councilor Newman – No

Councilor Skeith – Yes

Councilor Rickard – Yes

Motion carried 3-2

13. Adjournment

Mayor Harbaugh adjourned the meeting at 8:25 p.m.

Christina Smith
Municipal Clerk

Charles Harbaugh, IV
Mayor