



MIDDLEBURG TOWN COUNCIL
Regular Monthly Meeting Minutes
Thursday, January 13, 2011



PENDING APPROVAL

PRESENT: Mayor Betsy A. Davis
Vice Mayor C. Darlene Kirk
Councilmember Kevin Hazard
Councilmember Trowbridge Littleton
Councilmember Catherine "Bundles" Murdock
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder
Councilmember David B. Stewart

STAFF: Martha Mason Semmes, Town Administrator
Rhonda S. North, MMC, Town Clerk
Elizabeth D. Whiting, Town Attorney
David M. Beniamino, AICP, Town Planner
Steven L. Webber, Chief of Police
Cindy C. Pearson, Economic Development Coordinator
Debbie J. Wheeler, Town Treasurer

The Town Council of the Town of Middleburg, Virginia held their regular monthly meeting, beginning at 6:00 p.m. on Thursday, January 13, 2011 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis led Council and those attending in the Pledge of Allegiance to the flag.

Public Presentations

Tom Flynn, Director of the Department of Economic Development for Loudoun County, appeared before Council to introduce himself. He advised them that he came to Loudoun County from Charlotte, NC; and, had approximately thirty years of municipal government experience. Mr. Flynn noted that he used to work in state government; however, he liked having a more hands-on approach. He advised Council that he looked forward to working with the towns in Loudoun County. Mr. Flynn noted that one of the things that attracted himself and his wife to this area was the diversity of Loudoun County; and, advised that the towns were a key part of that. He advised that during the recruitment process, he toured Loudoun County, including Middleburg; and, noted that the great quality of life sold him on the area.

Mr. Flynn reminded Council that Phil DeNino, of his office, had a great relationship with the towns. He expressed his opinion that having an emphasis on small business, as well as business retention, has been missing from the County's efforts. Mr. Flynn advised that he looked forward to working with the towns.

Mr. Flynn noted that he recently stayed at the Middleburg Country Inn during the holiday season; and, advised that Councilmember Hazard and his wife were gracious hosts.

Mayor Davis thanked Mr. Flynn, especially for his interest in small businesses. She noted that she believed they were the main engine of the County. Ms. Davis invited Mr. Flynn back for a future visit.

Public Comment

Dan Morrow, Co-founder and Publisher of the Middleburg Eccentric, appeared before Council. He noted that he has also served as Secretary of the Windy Hill Foundation; Vice President of the Mosby Heritage Area Association; and, as a member of the Loudoun County Public Library Board of Trustees. Mr. Morrow further noted that he lived north of Waterford, VA.

Mr. Morrow advised that it was with great sadness that he felt compelled to speak before the Council. He read a definition of the term “perp walk”, which was the practice of intentionally parading an arrest suspect through a public place. Mr. Morrow expressed his opinion that doing so was an intentional disregard for the privacy of the individual; and, was done to bolster the image of law enforcement and humiliate the suspect. He suggested that some places have deemed this to be a violation of the individual’s constitutional rights. Mr. Morrow expressed his opinion that a perp walk was a matter of choice.

Mr. Morrow expressed his opinion that there was no excuse for the perp walk of DeeDee Hubbard on November 30th. He further expressed his opinion that doing so appeared to be deliberate, gratuitous, mean-spirited and caused the unnecessary humiliation of one of Middleburg’s finest citizens and his editor-in-chief.

Mr. Morrow advised Council that Ms. Hubbard’s counsel contended that the charges against her were frivolous and would not stand up to scrutiny. He asked even if she was found to be guilty, which by definition he did not believe she was, what excuse there was for arresting her on the eve of the Christmas in Middleburg event; and, to parade her through the street in front of her family, friends, business associates and the media. Mr. Morrow expressed his opinion that unless she was considered to be dangerous or a flight risk, the procedure should have been to have her report to the magistrate for processing, which was what happened to Mark Tate and others. He asked why this did not occur in this case.

Mr. Morrow suggested that Ms. Hubbard could have been asked to meet Chief Webber at the police headquarters, behind which the State Police cars were parked, or some other less public place. He expressed his opinion that someone made a decision to make the arrest a “public circus”. Mr. Morrow asked who and why this was done; and, why the Council was not aware of it. He expressed his opinion that Chief Webber set up the time and place of the arrest by telling Ms. Hubbard that it was about the Christmas in Middleburg event; and, at the appointed time, called her into the parking lot. Mr. Morrow advised that she was met by both Middleburg and State police officers, where she was cuffed and “paraded” by the longest, most public route to the parking lot behind the Health Center. He noted that she was taken past her friends, the accuser and people who were armed with cameras.

Mr. Morrow advised Council that Ms. Hubbard was driven in “chains” to Leesburg, where she was taken to the County jail. He reported that a magistrate then let her go on her own recognizance, without bail. Mr. Morrow noted that the preliminary hearing, which was scheduled for earlier this week, has been postponed until the spring. He expressed his opinion that it did not appear the charges would stand.

Mr. Morrow asked who would consider Ms. Hubbard to be a flight risk or a danger. He noted that she was a sixty-seven year old grandmother, who was unarmed at the time of her arrest. Mr. Morrow reiterated that she was the Editor of the Middleburg Eccentric; and, the mother of a former Councilmember. He noted that Ms. Hubbard has given far more during the past thirty years to Middleburg than she received; and, advised that he knew of no one with a bigger heart. Mr. Morrow expressed his opinion that her work on behalf of Middleburg and those in need was well known. He noted that one of her dogs was a blind orphan from Hurricane Katrina.

Mr. Morrow asked why a perp walk was used during her arrest. He suggested that as a newspaper editor, she expected to receive harassment and threats, which she has faced down; however, he expressed his opinion that her arrest was a real blow to her heart.

Mr. Morrow expressed his view that the State Police and Chief Webber were honor bound to be aware of the requirements for making an arrest; and, should have exercised some judgment. He expressed his opinion that it was to their disgrace that they did not choose to exercise their prerogatives or show any sense of judgment. Mr. Morrow suggested that both the State Police and Chief Webber have either quibbled over or been evasive in explaining themselves.

Mr. Morrow advised Council that he did not speak about this subject during their last session because his interview with Chief Webber had been put off until after the Council meeting. He reported that during that interview, which Chief Webber insisted be off the record, he asked the questions he raised during this meeting, as well as others about under whose orders the events of November 30th occurred. Mr. Morrow expressed his opinion that Chief Webber tried to shift the blame for the perp walk to the State Police by saying he had no choice or that it was standard procedure. He advised that Chief Webber did not know that he had e-mails in his possession which indicated that he had set up the perp walk. Mr. Morrow further advised that when Chief Webber was read the e-mails, he refused to comment on them. He expressed his opinion that the “quibbling” and “evasion” of the questions were a direct violation of the Chief’s responsibility to tell the truth and to keep the public and the Council informed. Mr. Morrow further expressed his opinion that justifying something “so clearly wrong” in his view constituted nothing more than an effort to save face, which in his youth was considered an offense against honor.

Mr. Morrow expressed his opinion that the events of November 29th and 30th dishonored the State, the Town, the uniforms and insignia worn by those sworn to protect and serve it; and, flew in the face of justice. He suggested that Chief Webber, in particular, had a duty to protect and serve its citizens. Mr. Morrow further suggested that Chief Webber had a duty to protect the citizens from “excesses” such as those that occurred on November 30th, even if they were at the hands of the State Police.

Mr. Morrow expressed his opinion that the events of November 30th begged the following questions, which the Council was honor bound to ask: what are the guidelines by which the Chief decided when a criminal complaint justified an investigation, much less a referral to an outside agency; did Chief Webber ask anyone whether he should cooperate in the perp walk of November 30th; did he inform the Mayor, Council or staff that one of the Town’s leading citizens was going to be treated in this manner; did anyone on the staff know what was happening; did Chief Webber ask if the press release was appropriate or whether it was vetted; why did Chief Webber issue a press release on this case but not any other, including the recent robbery behind the post office; did Chief Webber break his own rules by commenting to a reporter on the record regarding an on-going investigation; did the events of November 30th do harm to Ms. Hubbard and her family and business, as well as to the Town, the Police Department and the press; did Chief Webber mislead him and the Council about his role in setting up and executing the perp walk; was Ms. Hubbard dangerous; was Ms. Hubbard a flight risk; was the public interest served by this “street circus”; and, did Chief Webber make any effort to convince the State Police that they should act otherwise? Mr. Morrow expressed his opinion that the perp walk of Ms. Hubbard was “wrong”. He suggested the Council needed to ask Chief Webber these questions; and, expressed his opinion that they needed to be very skeptical about the answers. Mr. Morrow further suggested the need to ensure better discipline and judgment on the part of the Chief; and, failing that, on the part of the next one.

Mr. Morrow noted that he had a letter written by Judith Pryor Plescow. He asked that a member of Council read it into the record. Councilmember Snyder noted that Mr. Morrow had already well exceeded the three minutes he was allowed under public comments. He asked that he not ask that the Council continue that presentation. Mr. Snyder noted that the letter could be placed into the meeting minutes. Mr. Marrow presented a copy of the letter to the Town Clerk.

Mr. Marrow expressed his opinion that there was a thirty minute public presentation time limit. Mayor Davis advised Mr. Marrow that the time limit for public comment was three minutes per speaker.

For the record, the following is a letter from Judith Pryor Plescow: *“I would like to address the members of the Middleburg Town Council: Mayor Davis, Vice Mayor Kirk, Councilmember Mark Snyder, Councilwoman Bundles Murdock, Councilman Trowbridge Littleton, Councilwoman Kathy Jo Shea, Councilman David Stewart and Councilman Kevin Hazard.*

In the past month there have been a couple of incidences that have cast a pall over the town and the town’s reputation. First, there was an arrest of a local business owner and philanthropic organizer. This person has spent 28 plus years working in and around Middleburg and has consistently been involved in originating organizations that have supported the town and its residents, both 2 and 4 legged, as well as victims of natural disasters near and far. The treatment of her during and after her arrest (press releases, statements of pending allegations) has been exploited and become that of tabloid fodder. While this is a Police issue, the Police report to Council. This places this boorish behavior square on the shoulders of Town Council. I have been made aware of the fact members of the Christmas in Middleburg Committee were called into the Town Office to be questioned. The Town Office is public domain, why did this occur at the Town Office? If there is reason for additional Police investigation, then it would be professionally appropriate to handle it in the Town Police Department Office. This is beginning to take on the appearance of a Town sanctioned witch hunt.

The Town was recently again in the news due to an armed robbery of a Federal Postal employee. This however has received no local press release. The residents of Middleburg and the surrounding area have been given little information regarding the status of the investigation. One of the many duties of the Town Police Department is to protect and serve. I believe that part of serving is keeping the public informed while not compromising the investigation.

I have talked with several Town residents and business owners who are very concerned about both of the above referenced incidences, yet feel uncomfortable talking publicly about law enforcement practices.

In closing, as a former appointed Town Council Member, I must say that I am embarrassed at the lack of Council involvement addressing these issues. You are charged with protecting the Town and its residents, please step up and carry out the duties to which you have all been elected.

Thank you for your time and thank you for your service.”

Bruce Smart, a twenty-four year resident of Loudoun County, appeared before Council. He noted that he had banking and business relationships in Middleburg. Mr. Smart advised that, after a thirty-five year business career, he served as Undersecretary of Commerce during the Reagan Administration. He further advised that he has served as a member of the Virginia State Commission and on two County Commissions.

Mr. Smart advised Council that based upon his background, he has come to his own conclusions regarding the arrest of DeeDee Hubbard. He noted that people were presumed to be innocent until proven guilty. Mr. Smart expressed his opinion that what Ms. Hubbard was accused of doing sounded more like sloppy bookkeeping than anything criminal.

Mr. Smart suggested that the behavior of the Police Chief in arresting Ms. Hubbard in front of a crowd, while cameras were “popping”, was “reprehensible”; and, expressed his opinion that he had a duty to stop it. He noted that the relationship between the complainant and Ms. Hubbard was recently terminated; and, expressed his opinion that the Council needed to determine whether there was a motive of vengeance at work. Mr. Smart suggested the need to determine the relationship that existed between the plaintiff and the Police Chief. He expressed his opinion that Chief Webber had no place in Middleburg’s law enforcement department unless the Council found that Ms. Hubbard’s behavior merited such harsh treatment and that the Chief was innocent of arranging the meeting, calling in the State Police and had no personal contact with the plaintiff. Mr. Smart noted that he spent five and half years in the United States Army. He advised that this type of thing was what he fought against and his friends died to prevent from happening.

George Lengauer, an officer of the Seven Loaves Food Pantry, appeared before Council. He thanked them, as well as the members of the Health Center Advisory Board, for their generous donation to Seven Loaves. Mr. Lengauer reminded Council that Seven Loaves provided food, supplies and other assistance to those in need. He read a card he received over the holidays from a patron; and, asked that Council listen as if it had been addressed to the Town. *“As we enter the season of thanks, the children and I would like to thank you for all you do and all you have done. The food and gifts and school supplies have made a huge difference in a difficult time in our lives. Signed Bobby, Ryan and Alex.”* Ms. Lengauer explained that Bobby was the mother; and, was one of six hundred seventy patrons of the food pantry this past year. He further explained that her children were two of the one thousand one hundred fourteen children served throughout the year. Mr. Lengauer advised that while the note mentioned food, Seven Loaves also gave out school supplies to two hundred forty-seven children. He further advised that they also gave out gifts to three hundred thirty-six children and one hundred thirty-five families. Mr. Lengauer expressed his opinion that governing required more than knowledge of regulations and laws; and, suggested it also required sensibility. He advised that he saw the Council’s gift to Seven Loaves as evidence of that sensibility. Mr. Lengauer reiterated his appreciation for their contribution; and, noted that he was proud of the Council.

Lisa Patterson advised Council that she has struggled with what she was going to say as she wanted to keep her remarks out of anything personal. She explained that when she served on the Council, she felt that one of her main responsibilities was to set policy and determine the procedures for the Town, staff and citizens. Ms. Patterson expressed her opinion that the events in November brought to light areas that she felt the Council needed to focus upon, including how and where arrests were made and where interviews were conducted. She suggested that public arrests that involved the parading of citizens through the streets should not occur; and, expressed her opinion that they embarrassed Middleburg. Ms. Patterson further suggested that arrests should not be staged at businesses; and, noted that it was not good for business, particularly during this economy. She expressed her opinion that having photographers taking pictures of arrests while the complainant watched should also not be allowed. Ms. Patterson noted that both the Middleburg and State Police have denied calling the press. She suggested that the complainant may have done so; however, she asked who called the complainant. Ms. Patterson asked whether these were procedures the Council felt should be allowed to continue. She noted that during January, the Middleburg and State Police conducted interviews in the Town Council Chambers; and, expressed her opinion it was not an appropriate use of that space. She advised that she looked forward to the Council establishing policies and procedures that addressed these concerns.

Approval of Minutes

Councilmember Snyder moved, seconded by Vice Mayor Kirk, that Council approve the December 9, 2010 Regular Meeting Minutes as amended.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Davis did not vote as there was no tie to require her vote)

Staff Reports

Town Administrator Semmes noted that she only had one day of jury duty. She advised the Council that they would receive the monthly utility report under separate cover.

Town Administrator Semmes reported that the staff has received a draft response from Whitman Requardt & Associates regarding the new wastewater treatment plant, which would be sent to Salamander. She advised that she and the Town Attorney were preparing the Town’s response, which she hoped would be sent by early next week.

Town Administrator Semmes reported that testing was being done at the new water treatment plant. She reminded Council of the recent walk-thru by the Health Department; and, advised that a number of items were found to be incomplete. Ms. Semmes noted the need to test the wells and water supply facilities that would be inherited. She explained that samples must be taken from the entire system, including the distribution system, to ensure they were suitable for public use before they could be accepted. Ms. Semmes noted that Loudoun Water began this testing; and, she heard earlier today that one well passed but the treatment facility and the well on Stonewall Avenue did not. She advised that these facilities would have to be treated and retested.

Town Administrator Semmes reported that she has been in contact with Jeff Mitchell, the Town’s auditor; and, advised that he has provided her with information that would be forwarded to Davenport. She reminded Council that Davenport has been helping the Town with its finances for a few years.

Vice Mayor Kirk congratulated George Lengauer on his receipt of the Middleburg Business & Professional Association’s Levin Powell Founder’s Community Spirit Award.

Town Planner Beniamino reported that the Planning Commission did not meet in December due to the holidays. He reminded Council that they met in joint session with them earlier in the week; and, would meet in a regular meeting later this month.

Reports of Town Committees

Councilmember Shea reminded Council of the P-CAP Board, which was the regional board in charge of the community action funds. She reported that there have been some financial struggles with that board; and, advised that the Loudoun County Advisory Board met to see how it could interface with the P-CAP Board and if it should continue to do so. Ms. Shea noted that she and another member of the Advisory Board planned to meet with Chairman Scott York to see what the County wanted to do.

Councilmember Murdock reported that the Middleburg Meandering Trail Committee was scheduled to meet on January 27th. She reminded Council that this group was working on the development of a walking trail around Middleburg that would connect the Middleburg Elementary School to the Hill School. Ms. Murdock noted the need to make the trail walker friendly.

Addition of Item to the Agenda

Vice Mayor Kirk moved, seconded by Councilmember Snyder, that Council approve the addition of Item XI(C) to the agenda.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Davis did not vote as there was no tie to require her vote)

Action Items (non-public hearing related)

Council Approval – Resolution of Appreciation – Christmas in Middleburg

Mayor Davis read the resolution aloud.

Councilmember Murdock moved, seconded by Vice Mayor Kirk, that Council adopt a Resolution of Appreciation for the volunteers associated with the 2010 Christmas in Middleburg event.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Shea, Snyder and Stewart

No – N/A

Abstain: N/A

Absent: N/A

(Mayor Davis did not vote as there was no tie to require her vote)

Mayor Davis presented a copy of the resolution to Jim Herbert, Co-Chair of the Christmas in Middleburg Committee. She expressed her appreciation for the volunteers' work; and, noted that the event was a great success.

Council Approval – Standard Project Administration Agreement – Middleburg Meandering Trail

Town Planner Beniamino advised the Council that the Middleburg Meandering Trail Committee met last month. He noted that the agreement before them was outstanding from the Town's initial conversations with VDOT; and, explained that it needed to be approved in order for VDOT to give the Town the grant money. Mr. Beniamino reported that the Committee was continuing its work; and, noted that they planned to meet again on January 27th.

Councilmember Murdock moved, seconded by Vice Mayor Kirk, that Council authorize the Town Administrator to sign a Standard Project Administration Agreement with the Virginia Department of Transportation for a reimbursement grant associated with the Middleburg Meandering Trail.

Councilmember Shea asked whether it was correct that the grant funds could only be used for planning the trail, not for building or maintaining it. Councilmember Murdock confirmed this was correct. Town Planner Beniamino reported that it may be possible to use a portion of the grant to build a sample trail segment, but not the actual trail. He suggested this could be one of the more difficult parts of the overall trail. Councilmember Murdock confirmed that a part of the study could be the development of a sample segment.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Shea, Snyder and Stewart
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Davis did not vote as there was no tie to require her vote)

Councilmember Murdock expressed hope that if the Town did a good job implementing the study, it could go back for additional grant funding.

Council Approval – Zoning Location Permit – Middleburg Volunteer Fire Department

Town Planner Beniamino reminded Council that the Fire Department’s zoning location permit came after the site plan; and, noted that the Planning Commission issued conditional approval of that plan based upon their comments. He reported that one of those comments was the approval of the landscaping plan by the Streetscape Committee, a condition that was met earlier this month. Mr. Beniamino advised that the Town Engineer has signed off on the engineering issues that were raised by the Planning Commission. He explained that this item was asked to be added to the agenda so the Fire Department would not have to wait until the next Council meeting, as they needed the zoning location permit in order to obtain their County building permit.

Councilmember Snyder asked whether the Council could discuss handling this permit process administratively. Town Administrator Semmes confirmed it could.

Councilmember Snyder moved, seconded by Councilmember Murdock, that Council approve Zoning Location Permit 11-01 for the construction of the Middleburg Volunteer Fire Department’s new Public Safety Center at 910 West Washington Street, contingent upon the temporary water and sewer taps being removed prior to the issuance of a Zoning Occupancy Permit.

Councilmember Hazard asked whether this was everything the Fire Department needed from the Town. Town Planner Beniamino confirmed it was. He noted that there were still conditions associated with the special use permit that must be met prior to the issuance of an occupancy permit. Mr. Beniamino reminded Council that one of the conditions of the special use permit was the installation of an advanced warning system; and, noted that this must be completed prior to final occupancy. He reported that the Fire Department was ready to begin construction.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Shea, Snyder and Stewart
No – N/A
Abstain: N/A
Absent: N/A
(Mayor Davis did not vote as there was no tie to require her vote)

Discussion Items

Potential amendments to Cigarette Tax Legislation

Mayor Davis noted that this was more of a for-your-information item; and, reported that the Town Attorney brought it to the Town's attention. Town Attorney Whiting advised Council that the staff discussed bringing this legislation to them to oppose; however, nothing had been pre-filed with the General Assembly as of December. She reported that a bill has now been filed; however, she did not have the bill number. Ms. Whiting reported that the staff would bring this item to the Council during their January work session or their February meeting.

Town Attorney Whiting explained that the proposed bill would basically gut the use of the Northern Virginia Cigarette Tax Board, which meant that each member jurisdiction would have to administer its own cigarette tax collection efforts. She reminded Council of the economies of scale for the smaller jurisdictions by having the ability to join the Cigarette Tax Board. Ms. Whiting noted that for a modest percentage of the collections, the Tax Board administered the tax stamp on all cigarettes sold in the jurisdiction. She explained that wholesalers did not like this because they didn't like being cracked down upon when unstamped packages of cigarettes were discovered. Ms. Whiting noted that wholesalers could incur penalties if more than six to ten cartons of cigarettes were discovered that did not have the stamps. She advised Council that the wholesalers have led the charge on the proposed bill, which would require the State to issue collection rules and supplant the multi-jurisdiction collection arrangements. Ms. Whiting expressed her opinion that this was bad legislation. She reiterated that, while she had no bill number, it had now been filed.

Mayor Davis noted that she took copies of the Northern Virginia Cigarette Tax Board's memorandum regarding this matter to the Town Association of Northern Virginia (TANV) meeting. She advised that some of the attending jurisdictions were aware of the proposed legislation. Ms. Davis expressed hoped that, if necessary, the Town would agree to go along with TANV's recommendations.

Town Attorney Whiting reported that the Town of Hillsboro had a five cent tax, with one market selling a lot of cigarettes. She advised that to compare them to a jurisdiction such as Leesburg or Alexandria and to have them enforce the ordinance and meet State standards would be "insane". Ms. Whiting expressed her opinion that this was reminiscent of the car tax rebate. She noted that Middleburg gauged it would cost more to collect the personal property tax than it would collect; therefore, they did away with the tax. Ms. Whiting expressed her opinion that this would be the same situation.

Mayor Davis asked the staff to keep this item on the Council's radar. Town Attorney Whiting confirmed she would follow-up on it. She noted that she would see if any other jurisdictions had adopted resolutions opposing the legislation that Middleburg could use as a model.

Closed Session – Legal advice from Council

Vice Mayor Kirk moved, seconded by Councilmember Hazard, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(7) for consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. Vice Mayor Kirk further moved, seconded by Councilmember Hazard, that this discussion be limited to consultation with legal counsel regarding a utility question related to the Chinn's Crossing Project. Vice Mayor Kirk further moved, seconded by Councilmember Hazard, that the Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Kirk, Hazard, Littleton, Murdock, Shea, Snyder and Stewart
No – N/A
Abstain: N/A
Absent: N/A

(Mayor Davis did not vote as there was no tie to require her vote)

Mayor Davis asked that the Council certify that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting, which each member so did.

There being no further business, a motion was made to adjourn the meeting at 7:29 p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk