



**MIDDLEBURG TOWN COUNCIL
REGULAR WORK SESSION MINUTES
Thursday, May 26, 2011**



PRESENT: Mayor Betsy A. Davis
Vice Mayor C. Darlene Kirk
Councilmember Kevin Hazard (arrived late)
Councilmember Trowbridge Littleton
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder
Councilmember David B. Stewart

STAFF: Martha Mason Semmes, Town Administrator
Rhonda S. North, MMC, Town Clerk
Debbie J. Wheeler, Town Treasurer
Steven L. Webber, Chief of Police

ABSENT: Councilmember Catherine "Bundles" Murdock

The Town Council of the Town of Middleburg, Virginia held public hearings and their regular work session on Thursday, May 26, 2011 in the Town Hall Council Chambers, located at 10 W. Marshall Street. Mayor Davis called the first public hearing to order at 6:00 p.m.

Public Hearing – FY '12 Budget

Mayor Davis advised Council that she was very impressed with the budget document. She expressed her opinion that the summary was excellent.

No one spoke and the public hearing was closed.

Public Hearing – Setting of Utility Rates – FY '12

Mayor Davis advised Council that it was brought to her attention that the public hearing notice in the Loudoun Times Mirror may have been wrong. Town Clerk North reviewed the notice; and, advised that it was correct.

(Councilmember Hazard arrived at the meeting at 6:02 p.m.)

No one spoke and the public hearing was closed.

WORK SESSION

Mayor Davis called the work session to order at 6:02 p.m.

Council Approval – Setting of Utility Rates – FY '12

Councilmember Snyder moved, seconded by Councilmember Shea, that Council adopt an ordinance to amend the schedule of water and wastewater charges to revise the water and sewer user charges and availability fees.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Murdock

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

Council Approval – Options for providing LODA Coverage & Associated Resolutions

Town Administrator Semmes advised Council that there were three possible actions they could take, two of which must be done and one of which was optional. She explained that the first action was the adoption of a resolution clarifying the Town’s liability for the Line of Duty Act (LODA). Ms. Semmes further explained that under LODA, insurance was provided for public safety employees that were injured in the line of duty. She reminded Council that the State has pushed the costs for this program onto localities; however, it would still administer the claims.

Town Administrator Semmes advised Council that the fire department’s personnel were covered by LODA; and, explained that the Town must clarify that these individuals were not covered by the Town of Middleburg. She noted that she has verified that Loudoun County would cover them. Ms. Semmes explained that the Town needed to make sure it never passed a resolution; and, if one was passed, to rescind it. She explained that the language that was of concern was if the Town adopted a resolution indicating that the department was an “integral part of the community’s safety program”. Ms. Semmes stressed that this was not an issue of the Town not appreciating the fire department or feeling it was not a part of the community. She explained that it was simply a technical matter that the Council needed to address to ensure it was not held liable for the volunteers. Ms. Semmes advised that the Town Clerk has prepared a resolution rescinding any resolutions that may have included this language in the event that one existed that the staff could not find.

Town Administrator Semmes explained that the second action that needed to be taken was for the Town to approve an amendment to its VML Insurance Policy. She explained that this amendment basically created the LODA Insurance Program through the VML. Ms. Semmes advised Council that the Town must acknowledge that it was a part of the available options. She explained that the VML was requiring the Town to sign an amendment to its policy; and, advised that the Council was being asked to authorize the Mayor to sign the amendment.

Town Administrator Semmes reported that the next proposed action was complicated. She reminded Council that the State told localities that they were responsible for covering their officers; and, noted that Middleburg had five. Ms. Semmes explained that the Town could either stay with the existing State program administered by VRS or it could self-insure. She expressed her opinion that the Town was not large enough to self-insure. Ms. Semmes reported that a third option was to join the program provided by the VML. She reminded Council that the Town was already a member of the VML Insurance Program.

Town Administrator Semmes advised Council that the State has suggested the Town may want to consider the fact that the VML pool may be smaller. She explained that the State program would include the state troopers and anyone else that did not opt out. Ms. Semmes expressed her opinion that this decision was complicated. She reminded Council that the Town did not have to opt out of the State’s program until June 30, 2012; therefore, it had a year to see what happened. Ms. Semmes noted that no one knew what the costs were going to be in the long term. She advised Council that she has spoken with representatives from VML who told her that if the

Town had a claim within the next year, it may not be able to join them; however, she suggested this may be their way of selling insurance.

Town Administrator Semmes advised Council that she polled the members of TANV, with two responses received. She further advised that both the Town of Herndon and the Town of Haymarket said they were waiting a year. Ms. Semmes noted that Herndon thought it would have a claim within next year; however, they were still willing to take the risk. She expressed her opinion that this was not an easy call; and, advised that the staff did not know what the best decision would be. Ms. Semmes suggested the down side of waiting a year was not as great as the upside of being able to see what happened in that time. She asked why the Town would want to make a decision before it had to do so. Ms. Semmes suggested the Town may benefit from the experience of others by waiting a year.

Councilmember Snyder asked whether VML had given the Town any indication that they have enough localities willing to join their program to make it feasible. Councilmember Shea expressed her opinion that the program was too new to know. Town Administrator Semmes noted that localities had until July 1 to join for this year. She advised that there were three localities that may potentially wait. Ms. Semmes confirmed that she had no indication of the number of localities that it would take to make VML's program feasible.

Councilmember Snyder explained that the reason he asked the question was that he wanted to know whether the VML would withdraw the program if they did not get enough participation this year. He asked whether they would instead start the program the following year. Town Administrator Semmes reminded Council that this issue has been dealt with in a rush.

Councilmember Snyder expressed concern that VRS seemed to be perpetually underfunded, with the State always promising to pay back the money it borrowed and always being behind.

Councilmember Shea expressed concern that the claims were not just for the person on the job, but were for the entire family, which could occur for an extended period of time. She expressed her opinion that because of this the Town needed to be with a larger pool.

Councilmember Hazard noted that the Town had to make an irrevocable decision by June 30, 2012. He asked whether it was correct that if the Town stayed with the State program, in 2014 it could not go with someone else if it wanted. Councilmember Snyder confirmed this was correct. Councilmember Hazard asked how the State could say that; and, expressed his opinion that it did not make sense. Town Administrator Semmes explained that this was the law as written by the General Assembly. She confirmed that once the Town made a decision, it was irrevocable. She expressed her opinion that the theory was that once a claim started, the insurance program did not want communities to bail on them; therefore, the State was trying to establish a pool of communities to pay premiums on the claims. Ms. Semmes suggested it was an issue of stability. She expressed her opinion that, in the future, VML and VACO could lobby to change this; and, noted that people changed health insurance carriers and yet they still survived.

Councilmember Hazard asked whether there was something to preclude someone other than VML and VRS from providing this coverage. Town Administrator Semmes explained that VML had to get approval from the State to offer the program. She expressed her opinion that there was nothing to say others could not do the same. Councilmember Snyder expressed his opinion that once VRS and VML were in the game, they owned it.

Councilmember Hazard advised that he did not understand why the decision had to be irrevocable. He expressed his opinion that there may be money to be made by other insurance companies, including national ones. Councilmember Snyder noted that the premiums were based on actuarials. He expressed his opinion that if two companies were providing the majority of the

coverage, the numbers would not work easily for someone else. Mr. Snyder reminded Council that this coverage was limited to Virginia.

Town Administrator Semmes expressed concern that if the Town left the State's coverage in favor of VML's, it could be stuck if VML's LODA Program folded. Councilmember Snyder expressed his opinion that the General Assembly would have to allow municipalities to return to the State program in that case.

Town Administrator Semmes recommended the Council delay a decision for the next year due to the uncertainty. She suggested that if other jurisdictions had the same questions, the legislation may change when legislators heard from them. Councilmember Shea expressed her opinion that legislators may hear from them anyway due to the move to make localities responsible for the costs.

Town Administrator Semmes noted that with a regular insurance program, the insurance carrier had a say in the claims paid. She further noted that the Town would not have a say in what the bill would be or in what part of the claims were approved. Councilmember Shea reminded Council that if an individual submitted a claim, the State would decide if the insurance company was responsible for covering it or not.

Councilmember Snyder moved, seconded by Councilmember Shea, that Council adopt the resolution pertaining to the Line of Duty Act.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Murdock

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

Town Administrator Semmes noted that there was an alternate resolution on the Council's desk if they desired to opt out of the State program. She explained that after the VML provided a sample resolution, the State said localities must use theirs. Ms. Semmes advised Council that the staff was not recommending the adoption of either version at this point.

Councilmember Snyder recommended the resolution to opt out of the State program be tabled; and, that the Town Clerk put it on her tickler file for next year. The remainder of Council agreed.

Councilmember Snyder moved, seconded by Councilmember Littleton, that Council authorize the Mayor to sign amendments to the VML Insurance Member Agreement with an effective date of July 1, 2011.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Murdock

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

Council Discussion – Christmas in Middleburg Event

Town Administrator Semmes reminded Council that they have held several discussions regarding the Town's role in the Christmas Parade. She noted that people thought this was a Town event.

Ms. Semmes reminded Council that it was a Middleburg Business & Professional Association event for many years; however, it was now operated by a separate committee. She reiterated that the Town has talked about its role, how the parade operated and the relationship between the Town and the Christmas in Middleburg Committee. Ms. Semmes advised that it has been scheduled as an agenda item in case the Council wanted to discuss it further.

Town Administrator Semmes advised Council that DeeDee Hubbard, Co-Chairman of the Christmas in Middleburg Committee, was present as she gave her advance notice that this item was on the agenda. She further advised that Jim Herbert, Co-Chairman of the Committee, was not available to attend the meeting. Ms. Semmes noted that Ms. Hubbard was concerned that the Town was talking about taking its money away; however, she assured her this was not the case. She reiterated that the discussion was about the Town's role; and, noted people thought it was a Town event.

Councilmember Shea noted that this issue was brought up because Vice Mayor Kirk has suggested the Town talk to the Committee about a public/private partnership. She expressed her opinion that this was a great suggestion that should be explored with the Christmas in Middleburg Committee. Ms. Shea noted that they were a 501(C)3 organization. Ms. Hubbard confirmed they were not; and, explained that they were a step below that. She expressed hope that the Committee would become a 501(C)(3) organization within the next year.

Councilmember Shea expressed her opinion that movement was occurring. She suggested the Council should either have the Committee come to a meeting to talk about the Town's role or it should set up a (steering) committee to work out a private/public partnership.

Councilmember Snyder expressed his opinion that the piece that was missing was a clearly defined set of roles and responsibilities for the Town and the Committee. He suggested the Town was happy with the rest of the arrangement; however, he reiterated that the roles were not defined. Mr. Snyder expressed his opinion that it would be a good idea to do so and to formalize the business relationship. Councilmember Littleton agreed this was a great idea.

Councilmember Hazard recommended that someone from the Town serve on the Christmas in Middleburg Committee. Councilmember Snyder suggested the Council have a role in the approvals.

Mayor Davis expressed her opinion that the Council was talking about the formation of a steering committee, consisting of individuals from both groups, to develop a proposal.

Town Administrator Semmes asked the Council what they wanted the Town's role to be. Councilmember Shea noted that this was what she was talking about discussing.

Councilmember Snyder expressed his opinion that it should include issues such as the Town authorizing the date and time of the parade. He noted that the Christmas in Middleburg Committee would be free to haggle with the Council.

Councilmember Shea advised that this was the type of thing she would like to see. She noted that she was willing to work on a steering committee if someone wanted to work with her and the Town Administrator. Vice Mayor Kirk recommended the Economic Development Coordinator serve on the committee.

Councilmember Shea suggested the steering committee lay out the options and return to the Council with a plan. Vice Mayor Kirk noted that this needed to be done along with the members of the Christmas in Middleburg Committee.

Councilmember Hazard suggested the need to look at issues related to Town liability, as the police were involved in the event. He expressed concern that if there was a weather-related accident, the Town could be liable.

Councilmember Snyder explained that this was why he proposed that the Town approve the date and time of the parade. He expressed his opinion that all of these issues needed to be discussed, not just one topic. Mr. Snyder noted that the Christmas in Middleburg Committee and the Town needed to be comfortable with their roles.

Town Administrator Semmes asked whether a representative from the Middleburg Business & Professional Association should participate in the discussions. Councilmember Shea noted that their role has been as donors for the last few years; however, she suggested this must be considered. She inquired as to the role of the Christmas in Middleburg event. Ms. Shea expressed her opinion that if it was to get people to Middleburg, then the answer was “yes”. Councilmember Snyder noted that this would be a public meeting, which anyone could attend.

Mayor Davis noted the need to set up a steering committee, including representatives from the Council. Town Administrator Semmes advised Council that she would be happy to participate in light of the Economic Development Coordinator’s absence. She noted that Ms. Hubbard has already offered to sit down and meet. Ms. Semmes suggested that a representative from the Middleburg Business & Professional Association, herself, Councilmember Shea, Ms. Hubbard and Mr. Herbert meet. Councilmember Shea recommended the staff ask the Business Association if they wanted to join in the discussion. Councilmember Snyder reiterated that this would be a public meeting; therefore, anyone interested in doing so could attend. Councilmember Littleton expressed his opinion that this was a great idea. The remainder of Council agreed.

Council Discussion – Miss Utility Application

Town Clerk North advised Council that the staff recently learned that the Town was not a member of Miss Utility; and, noted that it was required to be under the Underground Utility Damage Protection Act.

Mayor Davis and Councilmember Snyder expressed their opinions that the Town was already a member. Town Clerk North advised Council that she has confirmed with officials from the Virginia Utility Protection Services (VUPS) that it was not. She noted that she talked to officials from VUPS about the cost; and, advised that it was currently \$1 per ticket generated. Ms. North reported that last year, 215 tickets were generated in Middleburg; therefore, the cost to the Town would have been \$215. She advised Council that the staff has prepared an application, for the Council’s consideration, with Loudoun Water serving as the primary point of contact.

Councilmember Snyder moved, seconded by Vice Mayor Kirk, that Council authorize the Town to join the Miss Utility Program in Virginia.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Murdock

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

Town Council Reports

Councilmember Hazard reported that the Planning Commission reviewed the Council discussions related to the development of an entrance corridor overlay district; and, noted that they were thankful for the input. He advised that he planned to report the progress of this item to the Council on a regular basis in order to keep the dialogue going.

Town Administrator Semmes reported that the Town was working to repair the leaking water line. She advised that a hole was dug that was eight feet deep; however, the line could not be located. Ms. Semmes advised Council that the adjoining sewer line was fifteen feet deep. She explained that since the crews must go deeper to get to the water line, they must also go wider. Ms. Semmes advised that while the original plan was to abandon this portion of the two-inch galvanized line since there was an existing six-inch line on Maple Street, the Town was now going to "Plan B". She explained that the Town was going to fix the leak; and, abandon as much of the line as it could. Ms. Semmes noted that this would provide for less two-inch line to leak. She advised Council that the water service has been restored in this area; however, it would be turned off again in the morning. She noted that the affected residents would be notified.

Mayor Davis inquired as to the number of homes that would be without water during the repairs. Town Clerk North advised Council that she provided Loudoun Water with twenty notification letters; and, noted that this was more than enough.

Vice Mayor Kirk noted that she has experienced low water pressure. Town Administrator Semmes advised Ms. Kirk that she was on a two-inch line. She reported that Charlie Triplett, of Loudoun Water, was getting prices to replace all of the two-inch lines so the Town would have this information available. Ms. Semmes reminded Council that the Town did not have the money to do so; however, she reiterated that it would have the cost information.

Councilmember Snyder inquired as to the amount of two-inch line remaining in the system. Town Administrator Semmes confirmed there was a lot. She displayed a map of the water lines. Ms. Semmes reminded Council that the break was in the two-inch line that served the Windy Hill area; and, noted that it was located behind the Fire Department and along Blue Ridge Avenue. She advised that all of Sycamore and Walnut Streets were served by two-inch lines, as was a portion of Locust and Blue Ridge Streets. Ms. Semmes reported that Sycamore Street contained one section of six-inch line that reduced to a two-inch one. She reiterated that Mr. Triplett was getting prices for replacing the lines; and, suggested the Town may be able to apply for a grant.

Councilmember Snyder advised Council that he would like to replace the two-inch lines with a larger line. Town Administrator Semmes confirmed the lines would be replaced with a minimum of a six-inch line. She noted that a decision needed to be made on whether to go with PVC or ductile iron pipe. Ms. Semmes reminded Council that the ductile iron would last longer; and, noted that it was easier to locate. She explained that you could also not hear water running through plastic pipes. Ms. Semmes noted that detection tape could be placed around the PVC pipes to assist in locating them. She reminded Council, however, of the extra cost of iron versus PVC pipes. Ms. Semmes advised that Mr. Triplett was getting prices for both types of line. Councilmember Snyder noted that this information would be helpful in developing the CIP.

Town Administrator Semmes advised Council that there was water coming through the storm drain in this area; and, suggested it could either be from an underground spring or was Town water. Vice Mayor Kirk advised Council that property owners were hitting water when they dug in their back yards.

Town Administrator Semmes advised Council that the further the two-inch water line ran up Blue Ridge Avenue, the closer it was to the surface.

Mayor Davis noted that this area was “oozing” water last summer. Vice Mayor Kirk noted that she reported these leaks several times; however, she was always told it was swimming pool water, even in the winter.

Councilmember Shea reported that the Loudoun County Department of Family Services has appointed another representative from the County to serve on the P-CAP Board. She advised that this meant they now had two representatives; however, they were supposed to have four. Ms. Shea noted that they were advertising for a third appointment. She advised that, on her own, she agreed to go from the Loudoun County Board to the P-CAP Board, which was the regional group. Ms. Shea further advised that she offered to be an officer. She reminded Council that President Obama has specifically stated that he wanted the CVSG grants to be eliminated; therefore, there would be less money for services for low income residents.

Mayor Davis reported that she was unable to attend the last meeting of the Route 50 Traffic Calming Committee. She reminded Council that those meetings were occurring in Aldie, as this was the location of the next phase of the project. Ms. Davis reported that bids were being solicited; and, were due by the end of the month, with plans to start construction in June.

Councilmember Shea asked about the details of the project. Mayor Davis confirmed it would be similar to what was done in Upperville. She noted, however, that the Committee has learned from that experience. Ms. Davis advised Council that this would be a year-long project, with a ground breaking ceremony occurring in June.

Councilmember Shea asked whether VDOT would let Middleburg know about the narrowing of traffic lanes when it had large events scheduled. Mayor Davis advised Council that once the project started, Route 50 would have only one lane open in Aldie for the entire year. She noted that she would ask them to let the Town Office know if there was anything significant occurring. She reiterated that there would basically only be one lane of traffic during the entire project.

Vice Mayor Kirk reported that the Middleburg Museum Committee has scheduled a meeting for June 15th at 10:00 a.m. at the Community Center. Mayor Davis expressed her opinion that they planned to meet to organize.

Vice Mayor Kirk noted that the Middleburg Meandering Trail Committee recently met at the entrance to the Salamander Resort. She further noted that a representative from the Prince property stopped by as he assumed the Committee wanted the trail to go through their land. Mayor Davis advised Council that the Committee members took a helicopter tour of the trail’s proposed location. She expressed her opinion that the Council would get more information on the trail’s development as the work progressed.

Discussion

Town Administrator Semmes advised Council that the water line leak she previously commented upon was discovered by a representative from the Virginia Rural Water Association. She reminded them that the Association performed a leak detection study of the Town’s entire system for free. Ms. Semmes noted that they listened to every line; and, expressed her gratitude for their work. She explained that they found a potentially significant leak on the west end of Town that could account for some of the Town’s unaccounted for water.

Town Administrator Semmes reported that VDOT was performing sidewalk repair work in Middleburg; and, noted that they wanted to complete it before they repaved Route 50. She advised that the work consisted of new curb, gutter and sidewalk. Ms. Semmes noted that they were not doing any work to the brick sidewalks; although they were repairing any broken curb. She advised Council that this work could result in different elevations between the brick sidewalk and the curb; and, noted that VDOT had no money to fix it. Ms. Semmes further noted that VDOT also did not have money available to paint the new curb yellow. She reminded Council that the Town did not know about the project until three days in advance of it starting. Ms. Semmes reported that the staff was trying to get prices to level the bricks; and, noted that in some places, the difference was a couple of inches. She reminded Council that the Town did not have funding budgeted to address these issues. Ms. Semmes advised that once the staff has secured an estimate, she would see if she could find the funds; and, noted that she may need to come to the Council for a budget amendment. She advised Council that VDOT did agree to do the tree trimming work that was associated with this project.

Mayor Davis advised Council that this was a VDOT project, utilizing VDOT money. She stressed that it was not being done at the Town's expense.

Town Administrator Semmes advised Council that the Town did not select the bright white color, which was being used. She noted that the Town Clerk contacted VDOT regarding the contrast; and, was told that this was an additive that was used in order to reflect the sun from the newly poured concrete. Councilmember Hazard confirmed the curing compound would evaporate in a month. Town Administrator Semmes reported that the contractor was removing the aggregate handicapped ramps; and, installing bumped ramps in their place.

Councilmember Shea asked whether the Town would experience problems with ice formation in the winter in the areas where changes were being made between the brick sidewalk and the curb. Town Administrator Semmes advised that the staff was not proposing to leave the change in elevations as it was not safe. She further advised that they would try to address these problems before winter.

Town Administrator Semmes noted the sidewalk on Madison Street. She reminded Council that one of her first acts as Town Administrator was to remove the large elm tree in this area; and, advised that when the sidewalk contractor removed the remaining roots, the back hoe was able to pop them right up. Ms. Semmes explained that the only thing holding up the tree was the concrete.

Town Administrator Semmes reported that the contractor would also remove a tree in front of the post office. Mayor Davis advised Council that this tree was dead; and, noted that it had already been identified for removal by the Care of Trees. Town Administrator Semmes reminded Council that the Town used the money that was slated to remove that tree in order to remove the elm on Madison Street because it was an immediate hazard. Mayor Davis reiterated that the Care of Trees already said the tree needed to be removed; and, advised that it was not being done because of the sidewalk project. Town Administrator Semmes reminded Council of the dogwood tree located in front of the post office that provided shade for the sidewalk. She expressed her opinion that removing the tree would give the dogwood more room to grow. Mayor Davis noted that there was a plan to replace the tree.

Town Administrator Semmes reported that Washingtonian Magazine had a ten page spread on Middleburg; and, noted that it identified things to do and places to shop.

Dan Morrow reported that the Board of Supervisor's Finance Committee recommended the County's staff, including staff from the library, planning and legal departments, be assigned to draw up the Memorandum of Understanding (MOU) that was necessary for the Middleburg Library Advisory Board to move forward with their fundraising efforts to double the size of the library. Town Administrator Semmes reported that the staff received a draft version of the MOU.

Town Clerk North reported that Denis Cotter, of the Middleburg Library Advisory Board, has asked to be placed on the June 9th agenda so he could provide Council with an update on the expansion project. She noted that she asked whether he wanted to include the MOU on the same agenda; however, Mr. Cotter did not believe the other parties would be ready to advance it at that time. Ms. North expressed her opinion that the MOU may be advancing sooner than anticipated; therefore, there was the possibility it could be an agenda item. Town Administrator Semmes confirmed it would be a discussion item even if it was not an action item.

Councilmember Snyder asked whether the Virginia Rural Water Association listened to the old water line that was located in the grass behind the houses on Stonewall and Marshall Streets. Town Administrator Semmes confirmed they did.

Closed Session – Hiring of Chief of Police

Councilmember Shea moved, seconded by Vice Mayor Kirk, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(1) pertaining to the discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the public body. Councilmember Shea further moved, seconded by Vice Mayor Kirk, that this matter be limited to the hiring of a Chief of Police. Councilmember Shea further moved, seconded by Vice Mayor Kirk, that in addition to the Council, the following individuals be present during the closed session: Martha Mason Semmes and Steve Webber. Councilmember Shea further moved, seconded by Vice Mayor Kirk, that the Council thereafter reconvene in open session for action as appropriate.

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

No – N/A

Abstain: N/A

Absent: Councilmembers Murdock

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

Mayor Davis asked that 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 they so did. Mayor Davis reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

There being no further business, a motion was made to adjourn the meeting at 7:21p.m.

APPROVED:

Betsy A. Davis, MAYOR

ATTEST:

Rhonda S. North, MMC, Town Clerk