



TOWN OF HAYMARKET TOWN COUNCIL

SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Tuesday, January 28, 2014

6:30 PM

Council Chambers

A Special Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 6:30 PM

Mayor David Leake called the meeting to order.

1. Call to Order

2. Roll Call

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

3. Agenda Items

A. Violation of Executive Privilege

This meeting was called by Councilwoman Bare and Vice Mayor Jay Tobias. Ms. Bare notes that her reasons for calling the meeting are based on the Mayor's disclosure of items that are personnel related, and therefore privileged. They were contained in the veto and were disclosed to the press.

The Mayor doesn't believe that the officers have any objection to him making their grievance letters public, nor his responses to those grievance letters. The Mayor comments that he is entitled to his opinion. He notes that in the January 20th meeting both Ms. Bare & Mr. Tobias made reference to privileged information. Mayor Leake believes the whole idea of government is transparency; the citizens listening and watching don't want a government that hides things and sweeps them under the rug.

Aitken agrees in generality of this as long as no specific information is given. He is not sure that this time specific information has been given out. The Mayor addresses Tobias' concern that the Mayor reached out to Mayors of other Towns. Tobias clarifies that his problem reaching out would be if it had been in specific nature. Ms. Scarbrough believes that matters discussed in the closed session must stay there. Mr. Kenworthy agrees with Scarbrough; he believes we are sworn to the privilege.

Tobias had full intentions of revealing a long list of the Mayor's indiscretions over the past few weeks tonight. However, he has come to the conclusion that anything he says would not make a difference. So he is asking tonight to set aside personal differences and move forward supporting decisions made by the majority of Council; he agrees the Mayor is entitled to his opinion, but the actions of Council were adopted in a proper fashion. He is hoping that Council can move away from this issue and look toward the business at hand.

B. Improper Release of Privileged Information

4. Closed Session

A. Enter into Closed Session

Move to enter into closed session pursuant to 2.2-3711. 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 any public body, specifically **Police Department Employees**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Tobias, Vice Mayor
SECONDER:	Steve Aitken, Councilman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

B. Certification of the Closed Session

Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter 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 meeting by the public body.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Tobias, Vice Mayor
SECONDER:	Steve Aitken, Councilman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

C. Directive

Council directs the Town Attorney to communicate with the three suspended police officers, Breeden, Davis, & Roop, as discussed in the closed session