

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

HAYMARKET TOWN COUNCIL
August 3, 1998

MAYOR

John R. Kapp

ATTORNEY

Charles Jamison
Peter Steketee

COUNCIL

James Shepard, Vice Mayor
Mary Lou Scarbrough
Dottie Leonard
Bob Seffinga (absent)
Mark Branca
Michael Noonan

Mayor Kapp opened this regular meeting at 7:30 p.m. with the Pledge to the American Flag. Reverend David Jones of St. Paul's Episcopal Church led the Council in prayer.

Mayor Kapp introduced Sarah Henderson, a nine year old who won the American Co-Ed pageant in Richmond, Virginia recently. Mayor Kapp commended Ms. Henderson for her accomplishments in this day when we hear so many negative things about the youth. The Council applauded Ms. Henderson and wished her well.

Minutes

Vice Mayor Shepard moved to approve with corrections noted, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Police Report

Councilwoman Scarbrough reports Sgt Bockey is not available this evening and she will make the report. There were 27 traffic citations for July, three accident reports and 27 calls. No major calls for the town units. Sgt Bockey and Officer Roop put in thirty two hours of training. The DMV mini grant application for radar equipment will be completed.

Digest of Certain Acts - Criminal Code - Town atty to address. Atty Steketee states they have told him to write any citations on state code. The criminal code will take longer.

Atty Steketee has sample language for Council to look at - fraud in misdemeanor, curse and abuse, disorderly conduct and fireworks.

Treasurers' Report

General Fund - First Virginia Bank - beginning balance June 30, 1998 \$76,414.08, expenses \$19,547.10, deposits \$18,973.44, balance July 31 \$75,840.42.

Unpaid Bills

\$13029.00 - BDE - Councilman Branca moved to pay, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Business License

Wright's Enterprises, 15001 Washington Street #3, independent vehicle dealer - Councilwoman

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Scarborough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Back 2 Basics, 15026 Washington St., day care - Councilman Branca moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Rolling Auto Repair & Sales, 6707 Fayette #4 - hold

E&A Auto, 6707 Fayette #2, independent vehicle dealer - Councilwoman Leonard moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Prestige Auto, 6707 Fayette #5, independent vehicle dealer - Councilwoman Scarborough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

American Motors, 15001 Washington St. #2, independent vehicle dealer - Councilwoman Scarborough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Amendment to business license, change in location: AT&T Auto Sales, 15001 Washington St. #4, independent vehicle dealer - Councilwoman Scarborough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Sign Permit

E&A Auto, 6707 Fayette #2, independent vehicle dealer - Councilman Branca moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Prestige Auto, 6707 Fayette #5, independent vehicle dealer - Councilwoman Scarborough moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

American Motors, 15001 Washington St. #2, independent vehicle dealer - Councilwoman Scarborough moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Building Permit

Ryan Homes, Sect 9, Lot 25, 6852 St. Paul Drive, Vandenburg C - Councilwoman Leonard moved to approve, second by Councilwoman Scarborough. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sect 9, Lot 30, 6832 St. Paul Drive, Vandenburg A - Councilwoman Scarborough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarborough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sect 9, Lot 42, 6804 St. Paul Drive, Vandenburg A - Councilwoman Scarborough

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moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Greco, Sheets, 6905 Jockey Club Lane, deck - Ryan Homes, Sect 9, Lot 30, 6832 St. Paul Drive, Vandenburg A - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Artone, 6797 St. Paul Drive, deck - Councilwoman Leonard moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Site Plan

Preliminary Site Plan - Doug Lyons of National Housing Corporation - Bolt property on Bleight Drive - rezoning request from R-2 to R-3 - Applicant requests 104 rental apartment units instead of the by right 72 town homes. National Housing Corp builds, develops and manages their projects. Mr. Lyons attended the Planning Commission and ARB meetings last week. He proposes a mixture of brick and vinyl units. These are low cost housing units that the company receives credits with the IRS for building, with rentals going at \$650 for a two bedroom apt. And \$750 for a 3 bedroom apt.. A club house, pool and tot lots will be a part of the project.

Councilwoman Leonard states the ARB has talked in regard to future building. The ARB wants brick siding and would like upscale housing. The ARB recommended denial as this does not have the appearance as Route 66 is the window into Haymarket.

Councilwoman Scarbrough states the Planning Commission says they would rather they downsize rather than add more units.

Councilman Branca states the proposed use is not consistent with the comprehensive plan. Also we have a high rental percentage with our current townhouse project and additional rentals is probably not what the town wants.

Councilwoman Leonard states the number of units they request would make our rental units more than 50% of the population.

Mr. Bear states he has checked on vinyl sided houses, it is done only to make the houses cheaper to build. Mr. Lyons agrees as brick is much more expensive.

Mrs. Turner states rental properties are mostly people who do not get involved in the town.

Tim from Longstreet Commons states he has concerns he would rather see townhouses not apartments. He would back up to that project. He doesn't want folks cutting through to Longstreet Commons to get to the Post Office.

Milt Kenworthy lives in Longstreet Commons he doesn't want the apartments, it will be degrading to the town.

Russell of Longstreet Commons does not want apartments either. Janine Branca, of Longstreet Commons, states schools are already an issue in this area, this will

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worsen that issue.

Nancy Bailey states she is totally against apartments being built in town. The town is not looking for that in the historic district overlay project.

Mike Gutara, of Longstreet Commons, does not agree with additional rental units being built.

Janine Branca states Longstreet Commons is having a rat problem. All apartments have a common dumpster and this will invariably be left open and attract rats.

Mayor Kapp states National Housing Corporation has not submitted a completed rezoning application.

Citizen's Time

Mr. Bear states two months ago in the Planning Commission meeting they talked about an American flag at the First Virginia Bank. Mr. Bear took on the chore and asked Linda Thompson (Manager) who asked if it would be okay to fly one on holidays only. He said that would be alright. She has not gotten back to him.

Mr. Bear spoke about another exit (to the Town Hall building) as security for Town Council meetings considering the recent shooting in the District of Columbia.

Jerry Maupin states his concern about the work done at the Haymarket Lodge, converting the old work shop to an office building and adding a parking lot that adjoins his property line.

He states at the same time GTE has taken the liberty to remove the grass and install a gravel parking lot and taking all the greenery from the chain link fence. His rear yard now looks on a commercial parking lot.

Mayor Kapp states he spoke with GTE about the parking lot - they will submit a site plan and we will force them to do landscaping. The application is due in August for the Planning Commission, Architectural Review Board and Town Council consideration.

Mayor Kapp states he spoke with Charlie Darley about the Haymarket Lodge concerns. Mayor Kapp thought his concerns were addressed satisfactorily with the fence.

Mayor Kapp spoke to Jim Lowery about the storage sheds and BOCA codes. Mr. Lowery states if the shed is less than 150 square feet it does not require a permit and it can be placed up to the property line although it is recommended to keep them at least 3' from the property line.

Mr. Maupin was not told about the office building or parking lot before they were done. Mr. Maupin contends it is a business. Mayor Kapp asks the Planning Commission if a non-profit office is a commercial business. Mayor Kapp states the Lodge has to apply for the parking lot.

Mr. Maupin states the Tyler house is in terrible disrepair. Mayor Kapp says the town received a response that Ms. Tyler's house may be sold to the niece and husband and they are considering whether to paint or side the house.

Nancy Bailey states Mr. Bear has spoken about seating in the Town Hall before and she has

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discussed it before. Does Council know what they are looking for? Mayor Kapp states he has spoken with someone who has padded benches for \$100 each.

Mrs. Bailey states she wondered if council will consider purchasing padded folding chairs. She would help with getting purchasers.

Mr. Bear asked about the gravel street from Madison Street to Jefferson Street on Haymarket Lodge property. He says the Melton's old shed has a sign that says "feed and straw". Mayor Kapp states it must be an old antique sign the Mason's probably brought out.

Break - 8:40 p.m. to 9:00 p.m.

Planning Commission

Councilwoman Scarbrough states the PC approved everything except the National Housing apartments. They said no to that application.

They did not discuss the 3,000 square foot retail space. Whether store over 3,000 sq. ft. if by right or by special use.

Councilman Branca thinks the PC could use some support for special projects on an as needed basis. Councilman Branca suggests Jim Pickens to help. He works for Dewberry and Davis. Also Mr. Foley has offered his support.

Councilwoman Scarbrough moved that Councilman Branca will speak with Mr. Pickens to request he act as a consultant to the Planning Commission, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Architectural Review Board

Councilwoman Leonard states the ARB spoke at length about the National Housing Corporation request. They have been talking about quality applicants coming in.

Councilwoman Leonard states she has spoken with builders in regard to brick over garages (rather than vinyl siding), steel beams now required, it would cost \$2,000 - \$3,000 additional for the brick.

The ARB looked at house models that are colonial but not terribly costly. Council needs to really plan the community, i.e., require all structure be wood, stone, brick, or masonry in the Code. The ARB would like to have assistance of the town attorney. Mr. Lowery states stucco is now a prefabricated material which may not be suitable then.

Bicentennial - the design for the shirt and cancellation stamp is not complete yet.

Sheetz violations **Neon signs** Charlie Robinson was here from Sheetz. He received a copy of the ARB design manual and 12.221, prohibited use, internally illuminated neon signs. Councilman Branca states Council has had other neon signs removed. Atty. Steketee is to send them a letter to remove the signs.

Awning - Mr. Robinson contends it was on the site plan. Town Clerk to get tape of conversation when Mr. Robinson submitted the plan to the ARB.

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Councilman Branca asked if the magazines have been covered up. Atty. Steketee states the Code may not cover the removal of magazines.

Greenhill Crossing violations - Mayor Kapp asked about dentil molding violations letter to U.S. Home. Atty Steketee and Jamison have not written the letter as they want more information and background. It is the old houses that need molding and attorney needs written record of when they were instructed to do so. Mr. Lowery says he would like Council to give him 30 days to work with U.S. Home as dentil molding has been delivered to the job site and he feels he can get it done in the next two weeks.

Mayor Kapp says to get the ARB minutes and elevations and the attorneys will work with Mr. Lowery. Mr. Lowery states U. S. Home will leave when they finish Lot 11 in Sect. 9. Councilman Branca asked the attorney if we can hold them up in this home with occupancy permits until violations are remedied. Atty. Steketee states no if there is no violations on that house.

Mr. Milstead says his house was missing a strip of dentil mold which was put on and looks a lot better now. He asks why the Vandenburg was waived as it is almost like the Avalon models required to have dentil mold. Councilwoman Leonard states Ryan Homes asked for the waiver as it is their model.

Greenhill Crossing Fence - Councilwoman Leonard says that if any fence is not in compliance to HOA rule the Council looks only at code issues.

McCarty Fence - Councilman Branca states McCarty put up a stockade fence without a permit.

Historical Commission

Tyler House - Mrs. Turner states in regard to the Tyler house it is the town responsibility to get the house painted. It hurts her to hear they want vinyl siding on the Tyler house. Councilwoman Leonard states we will respond to her that paint is required. Mrs. Turner states Historic Resources in Richmond stated vinyl siding is not appropriate for historic homes.

Paxton Property - The property was actually a garage for the hearse. It was also a blacksmith shop. She received a contractors price of \$12,600 to restore the building, roof, beams and interior. She says she can find a grant to fix it up.

Councilwoman Leonard suggested the Historical Commission write him (Mr. Paxton) a letter and ask for the property.

Merkli garden center - there are piles of junk there. VDOT has a permit to store materials there.

Hunting Path Road - Mayor Kapp states VDOT mistakenly tarred and chipped Hunting Path Road instead of Madison Street.

Greenhill Crossing - Mrs. Turner asked why the corner house in Section 9 is not facing Washington Street. It looks like a tenement house. It should face Washington St. She recalled Peterson Company would not allow the Lightwave Photography folks purchase the property for commercial use.

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Councilwoman Leonard states Peterson Company is negotiating sale for commercial property. There is interest in it as a townhouse site. Councilwoman Leonard states if Peterson sells it as townhouse property Prince William County states they will blend with the town criteria.

Building Official

ISO - no response yet.

Shrink/Swell Policy - Mr. Lowery states he has it ready to run through the town attorney. He recommended it should be on a case by case basis. Will be submitted at the September meeting. The policy does require a public hearing.

Signature Kitchens - Mr. Lowery states the tenant Saddlery Liquidators, he believes has no business license. Signature Kitchens purchased the lease with the property. They have no bathrooms in their facility. They leave five months out of the year and open elsewhere. They have more than 3,000 square feet which is more than Code allows. They occupy 15,000 square feet.

Mayor Kapp thinks when they come back and apply for the business license and not have the occupancy permit they don't comply with the ordinance. Councilman Branca states we may want to look at on a case by case basis where there is conflict.

Old Business

Gas Franchise - Columbia Gas franchise was advertised, public hearing held and fee of \$1,000 was paid.

Councilman Branca asked if Mayor Kapp heard from Washington Gas. Mayor Kapp states Washington Gas wants to supply Bellwood through Longstreet Commons. They said Colombia Gas would not let them. Councilman Branca says Columbia Gas is up for renewal and this can be allowed with a franchise application.

Councilman Branca asks if we have to give a town wide franchise to one bidder. Atty Jamison says we put out to advertise and Colombia Gas was the only one who bid.

Councilwoman Leonard asked if there would be a discount to residents if we had Washington Gas. Councilman Branca states it is cheaper to have gas closer to the gas main. He asks if we have the flexibility to request Columbia Gas to work with Washington Gas.

Councilwoman Leonard asks if we can deny this bid and re-advertise and ask for two bids, one for the townhouses and one for all others. Longstreet Commons HOA representative said there is a lot of interest with residents to get gas. Councilman Branca asked if the HOA got a response to enumeration for that access.

Atty. Jamison says if we are worried about it we should look at it again. What does the Council want to achieve. Councilman Branca states Washington Gas wants to supply the property next to it going to Bellwood Farms. If we give it to Columbia Gas they can serve Longstreet Commons.

Mayor Kapp asks if Columbia Gas will grant a right to Washington Gas to run in Longstreet Commons. Councilman Branca says he is working with another property that grants rights to properties within 1500 feet of the gas main to receive gas from the non-franchise holding gas

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company. Tabled.

Bicentennial

Councilwoman Leonard reports we have a blue grass gospel group for Haymarket Day. We have a harpsichordist who will play in the Town Hall. They also have another harpsichordist who will play for \$100.

Old Business

Washington Street Improvement - Mayor Kapp states we need a cost per foot for Ayers and Hairmarket properties. BDE came up with an astronomical price.

ISTEA easements - are here. Atty Jamison states the issue will be the description of the easements, locate easements with precision using state criteria. Councilman Branca says the highway plans are submitted with the deeds. Atty Jamison says there is a color index that doesn't show on microfiche. Mayor Kapp says if we can file easement with the highway plans including color code we will save a lot of money.

Atty Jamison states John Leddy (VDOT) suggests a portion of plan be included with easement. Atty Jamison states a general easement was suggested but property owners may not want to grant as VDOT may decide to widen the road in the easement. Councilman Branca states the easement would be to the town not VDOT. The property owner may only want a narrow easement specific. Mayor Kapp states we are two months from going bid, for sixty days, if La Nina causes a mild winter we could start before March 1.

Councilman Branca received a call from GTE who wants to bury the line. They need an easement. Atty Jamison thought there is a questions about the cable company there too.

August 12, 5 p.m. to 8 p.m. at Gainesville Volunteer Fire Dept. VDOT will be there to show the I-66/29 interchange.

Haymarket Day

Sept 19 - Mayor Kapp spoke to Governor Allen who is riding a horse in the parade. His wife will not be attending. Mayor Kapp states if Council wants a hay wagon he will get one.

Silly String - Mayor Kapp wants to know if we want to adopt a resolution. Councilman Branca states if we have no one to run it we shouldn't adopt a resolution.

Street Closure - Nancy Bailey asked if the street is going to be closed after the parade. Mayor Kapp states yes. She asks how they are supposed to get home. Mayor Kapp states the police officers will be told if people live in town they will let them through.

Mayor Kapp states the street will be closed from 84 Lumber to Madison Street.

Railroad

Mayor Kapp states the STB final order granted relief to Haymarket sought in February 2 comments.

Website

Mayor Kapp will contact the person interested in assisting the town.

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Van Horn Memorial Park - Mayor Kapp contacted another swimming pool company for an estimate. He got several catalogs of playground equipment. Tim of Longstreet Commons states the HOA is very excited about the park.

Mayor Kapp asked Mr. Lowery about pool space requirements. Mr. Lowery states 3 to 15 square feet per person with average 7 square feet per person. Mr. Lowery will check with PWC Health Dept for requirements.

Councilwoman Leonard states Mr. Foley based his price of \$1,000 to design the park, not just landscaping recommendations. Councilwoman Scarbrough states we wanted an idea how to lay out the property. The Town Clerk is to give Mayor Kapp a plat of the property.

Roof/Shutter color on Town Hall - Councilwoman Leonard states she gave Mayor Kapp the colors from the ARB.

Storm Drain - tabled.

Town painting by Barbara Resnick - Councilman Branca moved to exchange a park bench for the Barbara Resnick town painting, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Gas Company Franchise - tabled.

Piedmont Offsite Water Line - construction bond \$104,625 up Bleight Drive. Councilman Branca states this does not include pavement restoration of Bleight Drive. More information to come. Tabled.

Construction Permit Application Form - Tabled.

BDE Invoice - on Councilman Branca's list to research.

Municipal Code Recodification - Atty Steketee states the town code is in ragged shape in terms of conflict. We are making superficial changes not correcting problems. Atty Steketee thinks the entire code should be reviewed. These list of questions from Municipal Code does not resolve all the problems.

The Town Clerk asked if we could have MCC revise the draft to include the new ordinances. Councilwoman Leonard moved to approve the Town Clerk gather the cost to just get an updated rough draft and report to the Mayor to call Council for a vote, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Councilman Branca states Atty Steketee is talking about the Code is not cleaned up. What is our objective. Atty Steketee states to get a clean copy to work from.

Councilwoman Leonard revised the motion to authorize the Mayor to spend up to \$2,000, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

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New Business

Peterson Company - would like to borrow the town's canopy for the 8K Race for the National Bone Marrow Donor Program, September 12 and 13. Council approved.

PWC Town - Mayor's meetings - Mayor Kapp states the town mayors have been meeting monthly. At the next meeting he is going to ask about getting Occoquan's craft list for our shows.

Utility Service Tax Overpayment - we are to refund PW's Eatery & Dessert Shoppe. Councilman Branca moved to refund \$893.38 for over payment utility service tax to PW's Eatery & Dessert Shoppe, second Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Agenda - Councilwoman Leonard and Scarbrough would like the agenda faxed to them before the meeting.

Coalition Against Hunger - is holding a Beanie Baby Raffle with the drawing on Haymarket Day.

Noell Crane - Mr. Lowery states Noell Crane has asked him if the town would be interested in their trailer as a gift. It could be moved to town property as an office space. Councilman Branca states it could put the town in a precarious position.

Mr. Lowery states Noell Crane also wants to know what the town is going to do about the trailer on Fayette Street.

Suspicious vehicle - Councilwoman Leonard spoke about someone driving a vehicle back and forth on Hunting Path Road next to PW's. It was a small dark car with a hatch back that went to the townhouses, made a u turn and continued to circle back and forth.

Body found behind Sheetz - Mrs. Bailey asked about the body found in the van behind Sheetz. Mayor Kapp states he has not heard an autopsy report yet.

Trucks parking in town - Councilwoman Leonard states there are way too many trucks hanging around.

Executive Session

Councilman Branca moved to go into executive session pursuant to Virginia Code 2.1344A.1 to discuss personnel matters at 10:55 p.m., second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

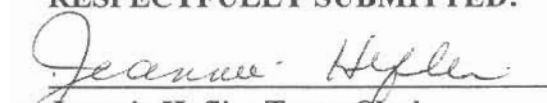
Councilman Branca moved to go out of executive session and back into regular session pursuant to Virginia Code 2.1344A.1 certifying only personnel matters were discussed, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Noonan. Nays: None. Motion carried by 5/0 vote.

Adjournment

With no further business the meeting was adjourned at 11:18 p.m.

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RESPECTFULLY SUBMITTED:


Jeannie Heflin, Town Clerk

APPROVED:


John R. Kapp, Mayor

tc898

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Motion to go into Executive Session

I move that this [board][council] now meet in executive session to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act as:

- ☒ Personnel matters under VA. Code Section 2.1-344 A. 1;
- ☐ Real property use, acquisition, disposition, condition or use under Va. Code Section 2.1-344 A. 3;
- ☐ Protection of the privacy of the individuals in personal matters not related to public business under VA. Code Section 2.1-344 A. 4;
- ☐ Prospective business or industry matters or expansion of existing business or industry where no previous public announcement has been made under VA. Code Section 2.1-344 A. 5;
- ☐ Investing of public funds where competition or bargaining is involved where, if made public initially, the financial interest of the county would be adversely affected under VA. Code Section 2.1-344 A. 6;
- ☐ Consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by counsel under VA. Code Section 2.1-344 A. 7;

The substance of the matters to be discussed involves:

personnel matters

Motion by: Scarborough, second by

Shepard.

Yes: Scarborough, Shepard, Leonard
Bianca, Roman. Carried by 5/0 vote.

Nay: none

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Certification resolution of Executive Session

WHEREAS, this [council][board] convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia Requires a certification by the [council][board] that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE be it resolved that the [council][board] hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification applies; and (2) only such public business which the executive meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Scarborough, seconded by Shepard,
Scarborough, Shepard, Leonard,
Bianca, Norman, voting "aye,"

_____, _____, _____,
_____, _____, voting "nay," this certifica-

tion resolution was adopted.

5/0