

Minutes
Continuation Session Town Council Meeting, Monday August 11, 2003
Haymarket Town Hall
15016 Washington Street, Haymarket, VA 20169
6:30 pm

John R. Kapp, Mayor
James T. Shepard, Vice Mayor ABSENT
Councilman Robert Miller
Councilman David P. Taylor
Councilwoman Sheila Jarboe

Fines for Zoning violations (signs)

Clerk recommends an initial letter with no fine attached. Jarboe would like us to look into what other jurisdictions have implemented. Who will enforce? Bennett states that the zoning administrator enforces all zoning violations. Minimum penalty is \$100. Mayor states that TC is the zoning administrator. Bennett comments that TC has the power to enforce the entire town code. Bennett states that we should issue a summons for a civil penalty. Bennett corrects himself that the fine cannot be more than \$100 for first violation. Bennett states that we'll need to come up with fixed amounts and then have a public hearing to change the ordinance. Mayor suggests that first

ROLL CALL: Farr, Miller, Shepard, Kapp, Jarboe, Taylor

MARK GIBB/Northern VA Regional Commission (Charette) continued

Mark Gibb speaks again regarding the urgency of planning for the Charette if we are going to have it in the fall. Gibb requests council to appoint a liaison to communicate with him regarding the Charette. Mayor Kapp asks if Councilman Miller would like to be the liaison.

Miller Motions to approve Construction Permit application for a trailer at Pace West Elementary

Yeas: 2 Nays: 1 (Jarboe)

**Taylor Motions to enter into executive session pursuant to 2.2-3711 with regard to:
Proposed sale of Town owned real property (A3 & A7)**

And

Salary for personnel (A-1)

Seconded by Miller

Yeas: 3 Nays: 0

Certification of Executive Session, Motioned by Jarboe, Seconded by Taylor

ROLL CALL:

Miller, Kapp, Jarboe, Taylor

Taylor motions to correspond with Vanderpool, counsel to Creston Owen, saying that the Town declines to pursue the sale of the property, Miller seconds:

Ayes: 3 Nays: 0

**Taylor motions to set regular meeting (Town Council) from 7:30pm to 6:30pm, Miller Seconds
Jarboe discusses that she may not make it to the start of the meeting. Jarboe also discusses residents ability to arrive at meetings at 6:30pm.**

Ayes: 3 Nays: 0

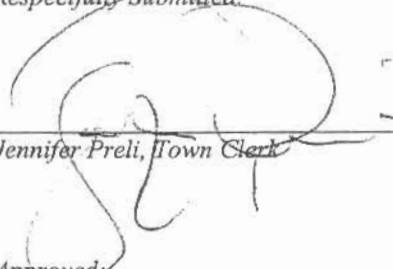
Citizen's Time

Linda Childress asks Mayor Kapp to provide her with a letter with regard to the Rafferty property

Meeting adjourned 8:54pm

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Respectfully Submitted:



Jennifer Preli, Town Clerk

Approved:

Phillip Harrover

COUNCIL OF THE TOWN OF HAYMARKET, VIRGINIA
MOTION TO CONVENE A MEETING IN CLOSED SESSION
IN COMPLIANCE WITH THE VIRGINIA FREEDOM OF INFORMATION ACT

At a regular/continuation/emergency meeting of the Haymarket Town Council on
8/11/11 convened at 7:00pm, during the open session of the meeting:

"I Taylor move that the Council convene in closed session pursuant to the public meeting exception to the VIRGINIA FREEDOM OF INFORMATION ACT contained in Virginia Code Section 2.1-3711 (A) subsection 7 for the.....

1. 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.
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
4. The protection of the privacy of individuals in personal matters not related to public business.
6. The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.
7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (For the purposes of the subdivision, "probably litigation" means that has been specifically threatened or on which the public body or its' legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.)

"THE SUBSTANCE OF THE MATTERS TO BE DISCUSSED IN THE
CLOSED SESSION SHALL BE RESTRICTED TO THE CONSIDERATION OF.....

Motion by Council Member: Taylor

Second by Council Member Miller

Mayor Kapp _____ Council Woman Farr _____ Councilman Miller

Vice Mayor Shepard _____ Councilman Taylor Council Woman Jarboe

*****CLOSED MEETING*****

Council conducts its' business for which the closed meeting was called and votes to Re-convene in open session.

(No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, re-convenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion that shall have its' substance reasonably identified in the open meeting.)

*****RETURN TO OPEN MEETING*****

At the conclusion of the closed meeting, during re-convened open session immediately thereafter:

"I move that the Council certify, that to the best of each Council member's knowledge as recognized by each Council member's affirmative vote, only public business matters lawfully exempted from the open meeting requirements of the VIRGINIA FREEDOM OF INFORMATION ACT and only such public business matters as were identified in the motion by which the preceding closed session was convened; were heard, discussed or considered during the closed session of the Council meeting; and that the entire substance of this motion and the vote of each individual member be recorded and included in the minutes of this meeting."

(Any member of the Town Council who believes that there was a departure from the requirements of the VIRGINIA FREEDOM OF INFORMATION ACT, shall so state so prior to the vote, indicating the substance of the departure that, in his or her judgment, has taken place and the statement shall be recorded in the minutes of the Town council.)

Record of the vote of all of the members of the governing body to certify compliance with FOIA:

Mayor Kapp Council Woman Farr Council Woman Jarboe
Vice Mayor Shepard Councilman Taylor Councilman Miller

ATTEST:



Clerk of the Council