



**MIDDLEBURG TOWN COUNCIL
SPECIAL WORK SESSION
Friday, September 16, 2016**



PRESENT: Mayor Betsy A. Davis
Vice Mayor Darlene Kirk (arrived late)
Councilmember J. Kevin Daly
Councilmember Trowbridge "Bridge" Littleton
Councilmember Philip M. Miller
Councilmember Kathy Jo Shea
Councilmember Mark T. Snyder

STAFF: Martha Mason Semmes, Town Administrator
Angela K. Plowman, Town Attorney

ABSENT: Councilmember Kevin Hazard

The Town Council of the Town of Middleburg, Virginia held a special work session on Friday, September 16, 2016 in the Town Hall Council Chambers, located at 10 W. Marshall Street, for a closed session discussion of a matter related to the lease of a portion of the Health Center. Mayor Davis called the meeting to order at 6:00 p.m.

Councilmember Shea advised Council that during the closed session, because of the position she was in in negotiating a lease with the Town, nothing could come up about the lease or her being a tenant.

Closed Session – Legal Advice by Counsel & Personnel

Councilmember Shea moved, seconded by Councilmember Daly, that Council go into closed session as allowed under the Virginia Freedom of Information Act Section 2.2-3711(A)(7) and (1) for consultation with legal counsel retained by the public body regarding specific legal matters requiring legal advice by such counsel and 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 Councilmember Daly, that these matters be limited to legal advice and the performance of a Town employee(s) regarding the lease of a portion of the Health Center property. Councilmember Shea further moved, seconded by Councilmember Daly, that in addition to the Council, the following individuals be present during the closed session: Martha Mason Semmes and Angie Plowman. Councilmember Shea further moved, seconded by Councilmember Daly, that the Council thereafter reconvene in open session for action as appropriate.

Vote: Yes – Councilmembers Daly, Littleton, Miller, Shea and Snyder

No – N/A

Abstain: N/A

Absent: Councilmembers Kirk and Hazard

(Mayor Davis only votes in the case of a tie.)

(Vice Mayor Kirk arrived for the closed session at 6:04 p.m.)

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 each member so did. She reminded those present for the closed session that any discussion that occurred within it should be treated as confidential.

Vice Mayor Kirk moved, seconded by Councilmember Shea, that the Town Attorney prepare correspondence as according to the comments in the closed session; that the Town Administrator look into management companies to handle the Health Center; and, that the Town Administrator provide the Council with monthly maintenance updates on the Health Center and other Town properties.

Vote: Yes – Councilmembers Kirk, Daly, Littleton, Miller, Shea and Snyder

No – N/A

Abstain: N/A

Absent: Councilmembers Hazard

(Mayor Davis only votes in the case of a tie.)

Mayor Davis read a letter from Councilmember Shea announcing that she was resigning from the Council effective October 15, 2016, as she was moving out of the Town limits. She noted that she has accepted Ms. Shea's resignation. Ms. Davis reminded Council that a special election would be held on November 8th to fill this seat.

There being no further business, Mayor Davis declared the meeting adjourned at 7:55 p.m.

APPROVED:

Betsy A. Davis, Mayor

ATTEST:

Rhonda S. North, MMC, Town Clerk