



TOWN COUNCIL REGULAR MEETING MINUTES

August 23, 2021 @ 7:00PM in Warren County Government Center

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

Moment of Silence

Pledge of Allegiance was led by Councilman Lloyd

ROLL CALL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman E. Scott Lloyd
Councilman Joseph E. McFadden
Councilman Letasha T. Thompson

APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks
Town Attorney Douglas W. Napier
Clerk of Council Tina L. Presley

APPROVAL OF MINUTES – Councilman Gillispie moved, seconded by Vice Mayor Cockrell that Council approve the Work Session minutes of July 12, 2021, Regular Meeting minutes of July 26, 2021, and Special Meeting minutes of August 2, 2021, as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, and Thompson

No – N/A

Absent – N/A

Abstain – Councilman McFadden

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA – Councilman Lloyd moved, seconded by Councilman McFadden to remove #10 – Emergency Ordinance to Enact Town Code Chapter 172 – Welfare, Health and Safety, Regulating Hospitals or Other Medical or Health-Related Facilities from the agenda.

Councilman Lloyd gave a brief explanation of the procedures on placing items on an agenda and that there were a few outstanding legal issues that he was hoping to have answered by the Virginia Conflict of Interest and Ethics Advisory Board before tonight's vote. He further explained that a portion of the proposed ordinance had been taken from Town's Charter Chapter 5, Section 18, paragraph 8 that included the words "regulate hospitals" and it should have included the words "establish and erect" as well, since the Town can only regulate hospitals that they have established and erected. Mr. Lloyd also advised that the

questions regarding a conflict of interest were concerns pertaining to his private advocacy on behalf of various employees affected by a vaccine mandate. He noted that he had not taken any compensation related to any of his private advocacy, that it was all pro bono.

Mayor Holloway asked for a vote. Councilman McFadden asked for a Point of Order since Roberts Rules of Order stated that a discussion is to happen after a second. The Mayor apologized and continued the meeting.

Vice Mayor Cockrell reminded Council that they were advised by legal counsel that Council did not have the authority to enact the ordinance on July 26th or the ordinance before Council tonight. She referred to the portion of the Town Charter that Councilman Lloyd referred to pertaining to public peace. She interpreted that to be the whole public but it appeared the ordinance was meant to have an impact on a certain group of people. She advised that she was not confident the ordinance was an emergency ordinance and suggested leaving it on the agenda tonight so a vote could be taken.

Councilman Thompson defined the Dillon Rule as a principle that only local governments exercise: 1) power expressly granted by the state, 2) powers necessarily and fairly implied from the grant of power, and 3) powers crucial to the existence of local government. She advised that local governments do not have the power to enforce anything not expressly granted at the state level, noting that was why the ordinance was unenforceable. She voiced concern over an article in the Northern Virginia Daily that led to her questioning the representation of nurses by Councilman Lloyd. Mrs. Thompson advised that she was not inclined to tell other businesses what to do with their business. She cautioned that Valley Health is aware of the Dillon Rule and have stated they will file a Declaratory Judgement against the Town should this ordinance go through. She advised Council that she wanted to vote on this ordinance tonight.

Councilman McFadden noted that the while intent of the medical freedom ordinance was to protect all Front Royal citizens, one significant employer [Valley Health] mandated some of the citizens of Front Royal to give up their right to make personal medical decisions as a condition of their employment. Mr. McFadden referenced and quoted an excerpt from an article in the New York Times pertaining to nurse shortages. He agreed that the Dillon Rule provided municipal corporations powers expressly granted by the General Assembly referencing Chapter 5, Section 18, paragraph 8 of the Town Charter, that states Council can regulate hospitals or other medical health related facilities. Mr. McFadden noted that Valley Health has a monopoly on the current healthcare system in Front Royal and Warren County and voiced fear the mandate for a vaccine could create a shortage of nurses. He voiced concern that there was no plan by Valley Health if their employees walked away. He concluded by suggesting the Town Attorney move forward with the Payment in Lieu of Taxes (PILOT) for Valley Health.

A brief discussion occurred between Councilmen Thompson and Lloyd regarding the Northern Virginia Daily article previously mentioned, the opinion of the Virginia Conflict of Interest and Ethics Advisory Board that Council was still waiting for, and the importance of transparency, disclosure and participation of people to air their opinions on how the Town government could be run.

Mayor Holloway advised the audience that any more outbursts, they would be removed.

Councilman Lloyd advised Council of two articles he published in February (*Town Governments Place Within the Constitutional Hierarchy or System and What Does Medical Freedom Mean?*) in the Blue Ridge Herald noting that both are at the core of the discussion. He opined that he sees core medical values and informed

consent undergoing sustained attack, and he will use his legal tools as a private attorney and whatever tools deemed appropriate as a public representative.

Vice Mayor Cockrell advised that Town Attorney Napier represents Council legally and opined that he has done an excellent job answering question regarding this topic. She stated for the record that Mr. Napier has 40 + years of experience in government law and thanked him for his service.

Councilman Gillispie apologized to Town Attorney Napier for him having to "go through this tonight". He expressed his disappointment in the way social media was used to discredit councilmembers on their individual votes, noting that this affected everyone including the citizens and staff. He suggested that Council would be better served by putting all their energy into helping citizens with issues facing the Town. Mayor agreed with Councilman Gillispie.

Vote: Yes – Councilmen Lloyd and McFadden

No – Vice Mayor Cockrell, Councilmen Gillispie and Thompson

Absent – N/A

Abstain – N/A

ROLL CALL

No – Motion failed to remove from agenda

RECOGNITIONS/AWARDS/REPORTS – NONE

PUBLIC HEARINGS

A. An Ordinance Amendment to Town Code Chapter 175 to Ease the Regulations for Bed and Breakfasts (B&B) Uses in Residential Districts

Mayor Holloway opened the public hearing.

Bill Barnett, 1115 Buck Mountain Road, Bentonville, VA., advised that he owned property and did business in Front Royal. He advised that he was in favor of the ordinance because it would give more opportunities for people to utilize their property and boost tourism in the Town.

No one else spoke and Mayor Holloway closed the public hearing.

Councilman Thompson moved, seconded by Vice Mayor Cockrell to approve an ordinance amendment to Town Code Chapter 175.107.2 to ease the regulations for bed and breakfasts (B&B) uses in residential districts, as presented.

Councilman McFadden expressed his approval of the text amendments.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Special Use Permit Application Submitted by Philip Vaught, Requesting to Operate a Five (5) Bedroom Bed and Breakfast at 124 Luray Avenue

Mayor Holloway opened the public hearing.

David Silek, 165 Hickerson Hollow Road, Front Royal, advised he was in favor of the special use permit noting that the property is a beautiful home and should be open to the public.

David Means, 210 W. 1st Street, Front Royal, noted he was not against the special use permit but suggested proper zoning, sprinkler systems, parking, and relationship to the neighbors before Council voted.

Krista Adanitsch, 9017 Stonewall Jackson Highway, Front Royal, advised she was in favor of the special use permit and commented that the bed and breakfast would be a benefit to the community.

Mayor Holloway closed the public hearing.

Councilman Thompson moved, seconded by Vice Mayor Cockrell that Council approve a special use permit application submitted by Philip Vaught to operate a five (5) bedroom bed and breakfast at 124 Luray Avenue.

Councilman Thompson advised that she has reviewed information from the Planning Commission and talked with Mr. Vaught and the neighbors, expressing her excitement for the neighborhood. She stated that the parking would be off-street, and the Mr. Vaught plans on keeping a "neighborhood feel".

Councilman McFadden welcomed Mr. Vaught to the "bed and breakfast" club upon approval.

Councilman Lloyd noted that packet before Council addressed most of the concerns brought up by a speaker except for the sprinklers but noted that it could be brought up to the owners. Councilman Gillispie advised that sprinklers are determined by the occupant load for the building and felt sure an accurate review would be determined.

Vice Mayor Cockrell agreed with Council and that it would be a great addition to the neighborhood.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

C. An Ordinance Amendment to Town Code Chapter 175 Pertaining to Uses in C-2 Downtown Business District

Mayor Holloway opened the public hearing.

David Silek, 165 Hickerson Hollow Road, Front Royal, briefed Council on the history of the Murphy Theater Building which was once owned by his family. He voiced opposition to the ordinance due to there being no parking associated with the building. He noted that the conversion of the building to apartments would be great if it were in Washington, DC, Old Town Alexandria, or Baltimore, but not Front Royal explaining the

capital and market were not here. He voiced concern over the small square foot size of the apartments, parking, and spot zoning. He suggested increasing the minimum square foot size and review the rest.

Bill Barnett, 1115 Buck Mountain Road, Bentonville, VA advised that the ordinance would help increase the number of apartments available in Front Royal and the number of people living downtown. He opined that people were needed downtown to create a year-round vibrant community. He advised that some of the apartments currently on Main Street are smaller than 300 square feet and encouraged Council to pass the ordinance as presented.

Mayor Holloway closed the public hearing.

Councilman Gillispie moved, seconded by Councilman McFadden that Council refer this ordinance amendment back to the Planning Commission for further review.

Councilman McFadden appreciated the speakers' comments but felt taking it back to the Planning Commission for further review was a good decision.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

D. An Ordinance to Amend and Re-Enact Town Code Chapter 156 to Create an Environmental Sustainability Chapter

Mayor Holloway asked Town Manager Hicks to read the following for the record.

Front Royal Establishes an Environmental Sustainability Advisory Committee

Front Royal's Town Council is creating an Environmental Sustainability Advisory Committee (ESAC) that will focus on the Town's ecosystem, including the establishment of recommended goals for environmental protection involving waste reduction, recycling, energy conservation, clean air and water, natural resources, and a sustainable community. The Committee will also oversee recommendations for a farmers' market and public art.

"We recognized the need to broaden the Town's conservation efforts to include all environmental issues that could affect the quality of life for Front Royal citizens," said Mayor Chris Holloway. "Environmental sustainability is vital to the growth and future of Front Royal." The ESAC will replace the Urban Forestry Advisor Committee.

The ESAC will be led by the Public Works Department and the newly hired Environmental Specialist John Osborn, who is a certified arborist, nurseryman, and tree care safety expert with over 35 years of experience.

The vision of the committee will include recommendations on:

- Preservation, enhancement, management and protection of Front Royal's environment and natural resources.
- Education, outreach, communications, and public awareness on the care of the Town's environmental assets.
- Proposed amendments and variations to environmental and natural resources-related policies, regulations, ordinances, and plans.
- Changes to the Town's Comprehensive Land-use Plan regarding sustainability and urban forestry planning.

The committee will be responsible for:

- Maintaining recognition as a Tree City USA Town.
- Coordinating with community organizations and volunteer groups to work on environmental projects.
- Planning the annual Arbor Day ceremony.

- Supporting and coordinating with farmers markets and small retailers that specialize in farm to table and healthy food choices.

The Town Council will appoint five (5) volunteer committee members to the ESAC who are committed to environmental protection programs and working to strengthen the sustainability of the Town's ecosystem. Committee members shall include one (1) Town employee who shall be the chairman, one (1) high school senior, and three (3) at-large residents. Each member shall be a resident of the Town of Front Royal or Warren County when appointed or selected. Residents of Warren County must own a business within the corporate limits of the Town.

The ESAC members must have an expressed interest in at least one of the following areas:

- Urban Forestry, Agricultural, Landscaping
- Urban Planning, Engineering, or related field
- Water, Natural Resources
- Solid Waste
- Sustainability, Energy Conservation
- Artist

Mayor Holloway opened the public hearing.

David Means, 210 W. 1st Street, Front Royal, thanked Council and noted it was a great idea.

Ron Perlik, 566 Skyline View Drive, Front Royal, certified arborist, member of Front Royal-Warren County Tree Stewards and member of former Urban Forestry Advisory Commission advised that he was in favor of the general intent of the ordinance. He gave several suggestions: 1) Section A, paragraphs 9-10 remove "upon request", 2) how is high school representative selected? Resident of Town or County? 3) specify that one member be a certified arborist, and 4) meetings should be once a month and then let committee decided their needs for meetings.

Melody Hotek, 1879 Catlett Mountain Road, Front Royal, President of the Front Royal-Warren County Tree Stewards thanked Town Manager Hicks and Council for hiring Jim Osborn as the Town's Arborist. She advised that the Tree Stewards reviewed the changes to Chapter 156, and they had no objections to the changes noting it was a "step in the right direction". She encouraged Council to seek professional advice when related topics are brought before them and give them serious consideration.

Mayor Holloway closed the public hearing.

Vice Mayor Cockrell moved, seconded by Councilman Thompson that Council amend and re-enact Chapter 156 Environmental Sustainability, as presented.

Councilman McFadden thanked Town Manager Hicks and staff for their hard work on the ordinance.

Vice Mayor Cockrell suggested reaching out to teachers of environmental science classes for any student who may be passionate about this subject.

Councilman Lloyd noted typos and Town Manager Hicks advised he would take care of those. Mr. Lloyd referred to the suggestions mentioned tonight and advised they could be revisited at a later time if needed.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

E. An Ordinance Amendment to Town Code Chapter 4 Pertaining to Placing Items on a Council Agenda

Mayor Holloway opened the public hearing.

Leslie Mathews, 143 Mathews Lane, Bentonville, VA, voiced concern that the ordinance amendment was not for the people but rather a way for the majority of Council to overpower the people. She encouraged Council to use wisdom, willingness to learn and explore possibilities from new councilmembers. She suggested that Council vote against the proposed ordinance

Manuel Vincente, 541 Eric Court, Front Royal, VA questioned who was representing the voters and opined that the ordinance amendment was an "attack on men in the street".

Krista Adanitsch, 917 Stonewall Jackson Highway, Front Royal, asked that Council think about their constituents before voting on the ordinance.

Maria O'Brien, Mountain Road, Front Royal, urged Council to vote no on the ordinance because it seemed like a way for the majority to keep the minority from having their voices heard.

Mayor Holloway closed the public hearing.

Councilman Gillispie moved seconded by Vice Mayor Cockrell that Council approve an ordinance amendment to Chapter 4 pertaining to the placement of items on Council agendas, as presented.

Mayor Holloway reminded the public that public comment periods are added to regular meetings, emphasizing that they were not discussion periods. He further reminded the public that if they had any issues or concerns, they could contact any councilmember or himself. He emphasized that Council was not trying to shut anyone out.

Councilman Thompson explained that the ordinance reflects the difference between adding items to work session agendas and regular meeting agenda and was in favor of the ordinance as proposed.

Councilman Gillispie reminded the public that in 2019 the Mayor was the only who could place items on an agenda. He reiterated that Council was not trying to shut anyone out.

Councilman McFadden stated that he was happy to be back physically for tonight's meeting and missed seeing citizens address the councilmembers in person. Mr. McFadden advised that he reviewed the minutes regarding the 2019 amendment and questioned why the Council was not fully aware that the amendment did not reflect both agendas. He noted that all minority voices deserve to be heard and not cast aside or disregarded and items should not be continually tabled at work sessions until a majority on the council decides whether it will move forward. He suggested that Council consider why the 2019 Council found it necessary to modify the ordinance then and whether short term gains will equal good long term ordinance outcomes.

Councilman Lloyd explained that the public can attend work sessions but not as an official participant in the discussions. He reminded Council that earlier in the year an ordinance was approved that reduced public hearings from one to two. He voiced concern that there were pre-determined votes before there was ever a public hearing completely undermining and making it useless to have a public hearing. He feared

that if Council made the ordinance change Council was going to lose the benefit of people showing up to speak on a specific topic. He voiced support of more transparency, openness, and discussion so that minority views could have their say. He noted that sometimes the best ideas do not reside in the majority. He voiced opposition of the ordinance amendment.

Mayor Holloway reminded Council that legal counsel advised them they could not pass the medical freedom ordinance. He also clarified that a previous Mayor would dictate the agenda by not allowing items to be placed, not the previous Interim Mayor.

Councilman Gillispie reminded Council that it took Property Maintenance over a year to get on a regular agenda for a vote.

Vice Mayor Cockrell noted that Council was not silencing the public and referred to the difference between public comment and public hearing. She advised that during the public comment period anyone can bring up anything to Council. She voiced concern that a lot of current items have been delayed or overlooked due to spending a lot of time on specific issues.

Councilman McFadden reminded Council that removing the second public hearing off the agenda earlier in the year may be the reason for the issues.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, and Thompson

No – Councilmen Lloyd and McFadden

Absent – N/A

Abstain – N/A

ROLL CALL

CONSENT AGENDA ITEMS

A. Bid for Water and Wastewater Treatment Chemicals

Council approved the bids for water and wastewater treatment chemicals as presented in the Purchasing Manager's memorandum dated August 16, 2021, and the agenda cover sheet.

B. Board of Architectural Review (BAR) Appointment

Council approved the appointment of Holly Rhodenhizer to the Board of Architectural Review to an unexpired term ending November 13, 2024.

C. Award for Planning Professional Service for a Comprehensive Plan Re-Write

Council approved an issue to award to Summit Design in the amount of \$115,000 for the completion of a Comprehensive Plan re-write and to update the Town Planning and Zoning Ordinances.

Councilman Gillispie moved seconded by Vice Mayor Cockrell to approve the Consent Agenda as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Mayor Holloway called for a 10-minutes recess. Councilman McFadden called a Point of Order noting that the Robert Rules of Order require a vote of council to call a recess.

Councilman Thompson moved, seconded by Councilman Gillispie that Council take a 10-minute recess.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, and Thompson
No – Councilmen Lloyd and McFadden
Absent – N/A
Abstain – N/A

ROLL CALL

Mayor called the meeting back to order at 8:50pm.

BUSINESS ITEMS

A. Emergency Ordinance to Enact Town Code Chapter 172 – Welfare, Health and Safety Regulating Hospitals or Other Medical or Health-Related Facilities

Councilman Thompson moved, seconded by Councilman Gillispie that Council approve an emergency ordinance that would enact Town Code Chapter 172 – Welfare, Health and Safety regulating hospitals or other medical or health-related facilities, as presented.

Councilman Lloyd referred to his earlier comments in the meeting, reiterating he had not received the Virginia Conflict of Interest and Ethics Advisory Board opinion and recused himself.

Vote: Yes – N/A
No – Vice Mayor Cockrell, Councilmen Gillispie and Thompson
Absent – N/A
Recuse – Councilman Lloyd (left the meeting during the discussion and vote)
Abstain – Councilman McFadden

ROLL CALL

No - Emergency Ordinance Fails

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Councilman Lloyd re-entered the meeting

Fern Vazques, 120 Gloucester Road, Front Royal, voiced disagreement with the content of the emergency ordinance as well as the risk of litigation the Town could have been subjected to. She opined that there was good reason to mandate a vaccine from a medical point of view and nurses were not leaving because they were being mandated to be vaccinated, they were leaving because of all the stresses of the last 18 months. She noted that her aspiration for the Town was to have businesses attracted to the Town, the Town to have credibility and to have people look at Front Royal and say they have competent management.

Stevi Hubbard, 1169 Elm Street, Front Royal, read excerpts from the Virginia State Code 2.2 – 3100 regarding public retaliation, conflicts of interest, etc. She opined that the emergency ordinance was a national issue that should not be at the Council level wasting taxpayers time and money.

Steve Forman, 887 Osprey Lane (Lake Fredrick) opined that the emergency ordinance makes no sense and suggested that Council unite to defeat the plague.

Gene Kilby, 836 Shenandoah Shores Road, Front Royal, noted that it has already been ruled that employers have the right to do what is necessary to save lives. He also noted that today the FDA had approved the Pfizer vaccine. He noted that he was against the emergency ordinance.

Krista Adanitsch, 9017 Stonewall Jackson Highway, Front Royal, questioned the studies regarding the vaccine specifically the FDA effectiveness data. She voiced concern over prepared statements at the last council meeting. She noted that she respected the Council's decision but felt like it was the wrong decision.

Leslie Mathews, 143 Mathews Lane, Bentonville, VA, suggested that Council put a Code of Conduct in place due to Council's conduct at the last meeting.

Maria O'Brien, Mountain Road, Front Royal, urged Council to protect the freedoms of the people in Front Royal from the vaccine mandate and all other civil liberties. She urged that all new information must be considered. She opined that humanity cannot move on from this and that it was not closed.

David Means, 210 W. 1st Street, thanked Town Manager Hicks for the change at the Happy Creek Project involving the silk fence and voiced concern that there was no fabric underneath some of the rock. He suggested that the employees learn about erosion and sediment control.

Nicholas Tamis, 287 Deer Haven Road, Front Royal, teacher in Front Royal, expressed his discouragement at the behavior and attitudes of Council at the beginning of the meeting and that it lowered his confidence in Council. He advised that he would be examining previous actions of Council.

Robert Adanitsch, 9017 Stonewall Jackson Highway, Front Royal, voiced disappointment in what happened with Council at the beginning of the meeting. He suggested continuing public hearings. He voiced concern over the mandated vaccine. He suggested that Town Council discuss the emergency ordinance more to protect employees and their livelihood.

REPORTS

A. Town Manage Report - Town Manager Steven Hicks advised that Town Business Offices would be closed on Monday, September 6th in observance of the Labor Day Holiday. He briefed Council on a recent article pertaining to Senator Warner's Round Table discussion regarding infrastructure at the Inland Port and why the Town representatives were not invited. He explained that the Senators office called and apologized to for not sending the invite but noted that other towns were not invited either.

B. Town Council Reports

Councilman Gillispie thanked everyone for coming out to speak tonight. He assured the speakers that every opinion is taken into account. He reminded the public that he took an oath to uphold the Constitution of Virginia and the United States and to knowingly pass the emergency ordinance would have been illegal for him. He reiterated that going on social media and scorning other councilmembers because of their vote is "not good" and Council should use that energy to help improve the lives of the Town citizens.

Councilman Thompson thanked everyone for coming out who spoke tonight. She reiterated that she apologized for her outburst previously and again tonight. She explained that she asked Councilman Lloyd questions tonight respectfully and reminded the public that the Town/County were coming off the largest scandal in Virginia and the scandal happened because questions were not answered. She advised that she represented the people that elected her and that she tried to answer their questions and concerns and would continue to do so.

Councilman McFadden explained the word "lame duck" that he posted on social media as a political term. He further explained that one expression references the outgoing president after he already lost an election and the other references people who are not planning to run for re-election. He welcomed Mr. Gillispie to talk to him outside the meetings.

Councilman Lloyd reminded the public that we live in a society where there is freedom of religion and speech and go to great lengths to protect those freedoms. He opined that it was worth having the discussion about medical freedom since it affects people very deeply, noting that was the original intent of the ordinance and remains the intent.

Vice Mayor Cockrell noted the consent agenda item that appointed Holly Rhodenhizer to the Board of Architectural Review and welcomed her. She encouraged citizens to participate and get involved on Boards and Commission when vacancies occur. She thanked the Police Department for a wonderful National Night Out event.

Councilman Gillispie invited everyone to a meeting with local leaders regarding the drug crisis in Front Royal and Warren County tomorrow night at the Warren County High School Auditorium at 6:00pm.

C. Mayor Report - Mayor Holloway thanked everyone for coming out to speak tonight and urged the public to email or see a councilmember on any issues or concerns. He voiced disappointment and frustration at councilmembers posting things on social media pertaining to other councilmembers and staff. He encouraged Council to continue to work together.

Mayor Holloway concluded this portion of the meeting at 9:45pm.

CLOSED MEETING – Vice Mayor Cockrell moved, seconded by Councilman Thompson *that Town Council go into Closed Meeting pursuant to Section 2.2-3711, of the Code of Virginia for the following purposes:* 1) *consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, the impact of the changes to the marijuana laws in Virginia on the Town's hiring and employment practices and policies, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia, and 2) the discussion or consideration of the disposition of publicly held real property, specifically, the conveyance of the Town's interest in real property located outside of Town limits where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of Town Council, pursuant to Section 2.2-3711. A. 3. of the Code of Virginia, and 3) the discussion or consideration of the assignment, promotion, performance, demotion, salaries, disciplining and/or resignation of the Town Attorney of the Town, pursuant to Section 2.2-3711. A. 1. of the Code of Virginia.*

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

MOTION TO CERTIFY CLOSED MEETING AT ITS CONCLUSION – Vice Mayor Cockrell moved, seconded by Councilman Thompson moved seconded by Councilman that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Mayor Holloway, Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Approved by Town Council

Date: 9/27/21