

**MINUTES
TOWN COUNCIL SPECIAL MEETING
TUESDAY, NOVEMBER 15, 2022, 6:00 P.M.
HERITAGE ROOM**

COUNCIL MEMBERS PRESENT: Mayor Kwasi Fraser, Tip Stinnette (*remote due to travel and left the meeting at 7:00pm*), Stan Milan, Vice Mayor Christopher Bertaut (*7:05 pm arrival*), Mary Jane Williams

COUNCIL MEMBERS ABSENT: Erin Rayner (*absent for medical reason*), Joel Grewe (*absent for medical reason*)

STAFF PRESENT: Town Manager David Mekarski, Town Attorney Sally Hankins, Town Attorney, Director of Engineering, Planning and Development Dale Lehnig, Town Clerk Executive Assistant Diana Hays

CALL TO ORDER:

Mayor Fraser called the meeting to order at 6:00 PM. The Pledge of Allegiance followed.

CLOSED MEETING:

a. Discuss Catoctin Meadows Parcel 74 Right of Way Dedication

As authorized under Section 2.2.3711.A.8. of the Code of Virginia, Council member Williams moved that Town Council convene in a closed meeting for consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. Specifically, the Town Council will receive legal advice concerning the dedication of Catoctin Meadows Lot 74 as public right-of-way. The following are requested to attend the closed meeting:

- All Council members
- David Mekarski
- Sally Hankins
- Dale Lehnig

(Carried: 5-0-2 absent, Grewe: Absent, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Absent, Fraser: Aye)

In accordance with Section §2.2-3712 of the Code of Virginia, Council member Williams moved that Town Council certify to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under 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 meeting by the public body.

(Carried: 4-0-3 absent, Grewe: Absent, Bertaut: Aye, Stinnette: Absent, Williams: Aye, Milan: Aye, Rayner: Absent, Fraser: Aye)


Council member Williams made the following statement:

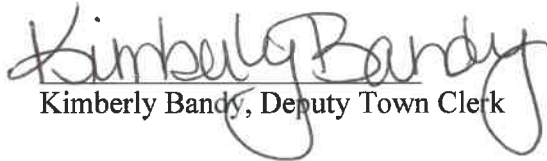
“The Town Council, with the advice of our legal counsel, believe that the County did not follow the required process, and we ask that the County follow processes stated in the state code. State code mandates a Town Council vote on the extinguishing of the lot 74 from the HOA subdivision. We believe the County needs to fulfill the private requirements created by the HOA and the public requirements created by the Town. The Town Manager will communicate to the County Administrator to move forward on this issue.”

No comments/objections were received from Town Council.

ADJOURNMENT:

With no further business, Mayor Fraser adjourned the meeting at 7:09 PM.


Kwasi Fraser, Mayor


Kimberly Bandy, Deputy Town Clerk