

Special Meeting

Community Services
Board Room
January 26, 2008

The Council of the Town of Culpeper convened in special session at 8:45 a.m. with Mayor Pranas A. Rimeikis presiding: **Present:** Calvin L. Coleman, Duke duFrane F. Steve Jenkins, Michael T. Olinger (arrived at 9:10 a.m.), Emma F. Richards, James C. Risner, Christopher H. Snider (arrived at 9:00 a.m.), William M. Yowell, Councilmembers; Thomas E. Huggard, Interim Town Manager; Martin Crim, Assistant Town Attorney; Neal Deane, Town Treasurer.

AGENDA APPROVAL

Mayor Rimeikis noted the meeting had been called for the purpose of considering the request from Culpeper County for a three-party agreement for Swan's/Rite Aid property.

WATER AND SEWER ISSUES WITH THE COUNTY

Request from County of Culpeper for a Three-Party Agreement for Swan's/Rite Aid Property

Vice Mayor Yowell questioned why this matter was being considered again since Council had made a decision and agreed upon the proffers offered. He said he thought Mr. Swan had gotten what he had requested. Councilmember duFrane noted the County was not willing to grant the necessary permit, because it wanted to establish a three-party agreement.

A brief discussion ensued with various legal questions being raised.

Closed Session

Vice Mayor Yowell moved that Council enter closed session to discuss water and sewer service in the county for the purpose of consultation with legal counsel regarding specific legal matters which discussions is exempt from the open meeting requirements of Virginia Code Section 2.2-3707 under Virginia Code Section 2.2-3711(A)(7).

The motion carried by the following voice vote: Aye: Coleman, duFrane, Jenkins, Richards, **Rimeikis**, Risner, ~~Snider~~, Yowell (7); Nay: None (0); Absent: Olinger, Snider (2).

Council entered closed session at 8:50 a.m. Staff members attending: Interim Manager Huggard, Assistant Town Attorney Crim, and Town Clerk Foster.

Note: Mr. Olinger arrived at 9:10 a.m. and Mr. Snider arrived at 9:00 a.m.

Council reconvened in open session at 9:20 a.m.

Mayor Rimeikis and Councilmember duFrane noted Mr. Alan Weaver, Rite-Aid representative, was present. They assured Mr. Weaver that the Town's desire is to serve the Rite-Aid property as soon as possible. Vice Mayor Yowell explained that the Town had thought all along that the property was a current customer. Mr. Weaver stated he would appreciate anything the Town can do to provide this needed service. Councilmember duFrane stated the Light & Power and Water & Wastewater Committee would follow-up on the status of this matter at its meeting on January 29.

Certification of Closed Session

Mayor Rimeikis requested the Clerk poll the members for approval of the certificate of closed session that to the best of each member's knowledge only business matters lawfully exempted from open meeting requirements under Code of Virginia Section 2.2-3711 and 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.

The following roll call was taken: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Richards, Risner, Snider, Yowell (9); Nay: None (0); Absent: None (0)

ADJOURNMENT: Council adjourned at 9:24 a.m.

Clerk

Mayor