

**ROCKY MOUNT TOWN COUNCIL
SPECIAL COUNCIL MEETING
MARCH 23, 2009**

The March 23, 2009 special Council meeting of the Rocky Mount Town Council was held in the conference room of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 5:00 p.m., with Mayor Steven C. Angle presiding. The following members of Council were present:

Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker.

The meeting was called to order by Mayor Angle.

Present for the meeting were all members of Town Council as noted, Town Manager C. James Ervin, Assistant Town Manager Matthew C. Hankins, and Town Attorney John Boitnott.

APPROVAL OF AGENDA

Prior to the meeting, Council received the agenda for review and consideration of approval.

- Motion was made by Council Member Lester to approve the agenda as presented, seconded by Council Member Seale, and carried unanimously.

CLOSED MEETING

At approximately 5:05 p.m., motion was made by Council Member Lester to go into *Closed Meeting*, seconded by Council Member Greer, and carried unanimously to discuss the following:

- Section 2.2-3711(A).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 advise by such counsel.

At 6:35 p.m. motion was made by Council Member Lester to come out of *Closed Meeting* and to reconvene the meeting back into open session, with motion on the floor being seconded by Council Member Seale and carried unanimously.

CERTIFICATE OF CLOSED MEETING

Whereas, the Town of Rocky Mount Council has convened a *Closed Meeting* on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia required certification by this council that such *Closed Meeting* was conducted in conformity with Virginia Law;

Now, Therefore, Be It Resolved that the Rocky Mount Town Council hereby certifies that, to the best of each members' knowledge: (1) only public business matters lawfully exempted from open meeting requirements under this chapter and (2) 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 of the public body.

Steven C. Angle, Mayor

- Motion was made by Council Member Greer certifying that: (1) only public business matters lawfully exempted from open meeting requirements under this chapter was discussed; and (2) 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 of the public body. Motion was seconded by Council Member Walker. The Mayor swore to adopt the motion on the floor by Council Member Greer that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Posey W. Dillon, Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker.

The Mayor reported that no action was taken.

ADJOURNMENT

At 6:40 p.m. motion was made by Council Member Strickler to adjourn, seconded by Council Member Lester and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Stacey B. Sink/Deputy Clerk

/sbs

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