



**TOWN COUNCIL**  
**Executive Session**  
**Town Hall**  
**November 2, 2009**  
**6:00 p.m.**

At approximately 6:00 p.m. Mayor Dora Sullivan called to order the Executive Session of the Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Evans and Veber. Councilmen Elliott arrived at 6:10 p.m. Councilman Burdiss had recused himself and was not in attendance. Also in attendance were Town Manager Heather Arcos, Town Consultant Bob Panek and Legal Counsel Michael Sterling of Vandeventer Black LLP.

**Motion made by Councilman Bannon, seconded by Councilman Bennett and unanimously approved to go into Closed Session in accordance with Section 2.2-3711-A of the Code of Virginia of 1950, as amended for the purpose of:**

Paragraph 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 advice by such counsel.

Specifically: South Port Suit

**Motion made by Councilman Elliott, seconded by Councilman Bennett and unanimously approved to return to Open Session.**

Motion to certify to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter 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. Roll call vote: Bannon, yes; Bennett, yes; Elliott, yes; Evans, yes; Veber, yes.

**Motion made by Councilman Bannon, seconded by Councilman Bennett and unanimously approved to adjourn the Town Council Executive Session.**

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Mayor Sullivan

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Town Clerk