



**TOWN COUNCIL
Executive Session
Cape Charles Civic Center
December 2, 2021
6:30 PM**

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Town Manager John Hozey, Project Manager Bob Panek, Town Clerk Libby Hume, and representatives from NewGen Strategies & Solutions, the Town’s PPEA utility consultants. There were no members of the public physically in attendance and 6 viewers on Facebook during the open portions of the meeting.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711-A of the Code of Virginia for the purpose of: Paragraph 28: Discussion or consideration of information subject to exclusion in subdivision 11.b. of Section 2.2-3705.6 – Information provided by a private entity to a responsible public entity pursuant to the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) if disclosure of such information would reveal (i) trade secrets of the private entity; (ii) financial information of the private entity that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an interim agreement or a comprehensive agreement, the financial interest of bargaining position of the public or private entity would be adversely affected.

Specifically: PPEA proposal interviews:

- Virginia American Water
- Aqua Virginia, Inc.

Mayor Dize asked the members of the public in attendance to leave the room and advised them that they would be invited back into the room at the conclusion of the executive session.

Council went into executive session at 6:33 p.m.

At 10:58 Bob Panek went outside to notify the members of the public of the end of the closed portion of the meeting. There were no members of the public waiting to return to the meeting.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 10:59 p.m.

Certification, to the best of each member’s knowledge, that (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: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O’Brien, yes.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 11:01 p.m.

Mayor Dize

Town Clerk