

Washington County Service Authority Board of Commissioners
August 3, 2017 Special Called Meeting Minutes

The Special Called Meeting of the Washington County Service Authority Board of Commissioners, held in the E. W. Potts, Jr. Board Room located at 25122 Regal Drive, Abingdon, Virginia, was called to order by the Chairman at 2:01 pm.

ROLL CALL

Commissioners Present:

Mr. Mike White, Chairman
Mr. Jim McCall, Vice Chairman
Mr. Mr. Wayne Campbell
Mr. Dwain Miller
Mr. Vernon Smith
Mr. Kenneth Taylor

Mr. White read a letter of resignation from Mr. Kenneth Nurre as follows.

“To Mike White, Chairman, I resign my commissioner’s appointment position to the WCSA Board of Commissioners effectively immediately; Kenneth Nurre, August 3, 2017”.

Mr. White asked that the letter or resignation be entered in the minutes.

WCSA Officers Present:

Robbie Cornett; Secretary, General Manager
Melinda Jett; Treasurer, Controller
Carol Ann Shaffer; Assistant Secretary, Administrative Assistant

General Counsel Present:

Thomas Dene; Dene & Dene, P.C.

3. Approval of the Agenda

Mr. McCall motioned to approve the Agenda, Mr. Smith seconded and the Board approved voting 6-0-0-0.

4. Closed Meeting – 2:01 pm

Mr. McCall moved that the Board adjourn to Closed Meeting in accordance

with the Virginia Freedom of Information Act;
Code of Virginia Section 2.2-3711 Paragraph (A) (8): consultation with legal counsel:

1. For consultation with legal counsel employed or retained by the Washington County Service Authority regarding specific legal matters requiring the provision of legal advice by such counsel, specifically involving a federal grand jury subpoena for records.

In addition to the Board, the presence of Thomas Dene, WCSA Counsel, and Robbie Cornett, WCSA General Manager was requested.

Mr. Taylor seconded the Motion of Closed Meeting and the Board approved voting 6-0-0-0.

Return to Open Meeting – 3:27 pm

Mr. McCall made a motion to return to Public Session. Mr. Taylor seconded and the Board approved voting 6-0-0-0.

Mr. McCall then read the following Certification of Closed Meeting;

Whereas, the Board of Commissioners of the Washington County Service Authority 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 Paragraph D of the Code of Virginia requires a certification by this Authority that such Closed Meeting was conducted in conformity with Virginia Law.

Now, therefore, be it resolved that the Authority hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to

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which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board. Mr. Taylor seconded and the Board approved voting 6-0-0-0.


6. Late Items

Possible Action Related to the Foregoing:

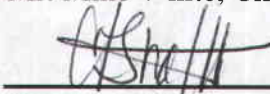
Mr. Campbell read and motioned to approve the attached Resolution as stated. Mr. McCall seconded the motion and the motion carried with a 6-0-0-0 Board vote.

Adjourn – 3:30pm

Mr. McCall made a motion to adjourn, Mr. Taylor seconded and the Board approved voting 6-0-0-0.



Mr. Mike White, Chairman



Carol Ann Shaffer, Assistant Secretary

Washington County Service Authority

RESOLUTION

It is hereby RESOLVED that the Washington County Service Authority (the "Authority") directs and authorizes its former general legal counsel, Elliott Lawson & Minor, P.C., to:

- 1) share documents, and
- 2) discuss matters,

which documents and matters pertain to threatened or pending litigation of the Authority,

with:

- 1) the Authority's current general legal counsel, Dene & Dene, P.C.,
 - 2) the Authority's general manager, and
 - 3) other Authority staff as deemed appropriate by the Authority's current general legal counsel,
- all without waiving the attorney-client communications privilege and/or the work product

doctrine privilege applicable to such documents and matters, and to protect to the greatest extent possible both of such privileges.

Motion by:

David W. Campbell

Seconded by:

J. A. Miller

Aye 6 Nay 0 Absent 0 Abstain 0

This 3rd day of August, 2017.

Mike W. [Signature]
Chair

Attest:

[Signature]
Secretary/Assistant Secretary