

Washington County Service Authority Board of Commissioners
March 28, 2011 Joint Recessed Meeting Minutes (Held on April 21, 2011 at 6PM)

The Joint Recessed Meeting of the Washington County Service Authority Board of Commissioners and the Washington County Board of Supervisors was called to order at the Southwest Virginia Higher Education Center in the Grand Hall at 6:03 PM.

ROLL CALL

Commissioners Present:

Mr. Joe Chase, Chairman
Mr. D.L. Stout, Vice Chairman
Mr. Prince Coleman
Mr. Devere Hutchinson
Mr. Dwain Miller
Mr. Frank Stephon, IV
Mr. Kenneth Taylor

WCSA Staff Present:

Mr. Robbie Cornett, General Manager
Mrs. Amanda Paukovitz, Admin. Assistant

WCSA Legal Counsel:

Mr. Mark Lawson, General Counsel
Mrs. Dawn Figueiras, General Counsel

Supervisors Present:

Mrs. Dulcie Mumpower, Chair
Mr. Odell Owens, Vice Chair
Mr. Phillip McCall
Mr. Kenneth Reynolds
Mr. Joseph Straten
Mr. Thomas Taylor

Supervisors Present:

Mrs. Nicole Price

Washington County Administration Present:

Mr. Mark Reeter, County Administrator
Mrs. Lucy Phillips, County Attorney
Ms. Christy Parker, Assistant County Administrator/Community & Economic Develop.
Mrs. Naoma Norris, Admin. Supervisor

Industrial Development Authority (IDA) Administration Present:

Mr. Joe Lyle, IDA Counsel

Also Present:

Mr. David McGee, Bristol Herald Courier

2. Approval of the Agenda

With no changes indicated, Mr. Stout made the motion to approve the agenda. Mr. Stout's motion was seconded by Mr. Coleman and was approved by a Board vote of 7-0-0-0.

Mr. Taylor made the motion to approve the agenda. Mr. Taylor's motion was seconded by Mr. Owens and was approved by a Board vote of 6-0-0-1.

3. Closed Meeting: Investment of Public Funds and Legal Advice

Mr. Stephon moved that the Board [of Commissioners] adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia § 2.2-3711, Paragraph (A) (6): Investment of Public Funds, Code of Virginia § 2.2-3711, Paragraph (A) (7): Legal Advice, for Consultation with the County Regarding Specific Legal Matters of the County and Service Authority Pertaining to Public Utility Services to the Western Portion of Washington County, Requiring the Provision of Legal Advice by Such Counsel.

In addition to the Board, the presence of Washington County Board of Supervisors; Mr. Mark Reeter, County Administrator; Ms. Christy Parker, Assistant County Administrator; Mrs. Lucy Phillips, County Attorney; Industrial Development Authority Counsel, Mr. Joe Lyle; WCSA Counsel Mark Lawson and Dawn Figueiras; and Mr. Robbie Cornett, WCSA General Manager, are requested. Mr. Stephon's motion was seconded by Mr. Hutchinson and was approved by a 7-0-0-0 vote of the Board. The Board adjourned to Closed meeting at 6:06 PM.

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Mr. Owens moved that the Board [of Supervisors] adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act, Code of Virginia § 2.2-3711, Paragraph (A) (7): Legal Advice, for Consultation Regarding Specific Legal Matters of the County and Service Authority Pertaining to Public Utility Services to the Western Portion of Washington County, Requiring the Provision of Legal Advice by Such Counsel.

In addition to the Board, the presence of Washington County Service Authority Board of Commissioners; Mr. Mark Reeter, County Administrator; Ms. Christy Parker, Assistant County Administrator; Mrs. Lucy Phillips, County Attorney; Industrial Development Authority Counsel, Mr. Joe Lyle; WCSA Counsel Mark Lawson and Dawn Figueiras; and Mr. Robbie Cornett, WCSA General Manager, are requested.

Mr. Owens' motion was seconded by Mr. Taylor and was approved by a 6-0-0-1 vote of the Board. The Board adjourned to Closed meeting at 6:07 PM.

Return to Public Session

Upon a motion by Mr. Stephon, a second by Mr. Stout, and a 7-0-0-0 vote of the Commissioners, the Board returned to Public Session at 6:47 PM.

Mr. Stephon read the following:

Certification of Closed Meeting

Whereas, 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, § 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 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 Authority.

AYE: Mr. Miller, Mr. Hutchinson, Mr. Stephon, Mr. Chase, Mr. Stout, Mr. Coleman and Mr. Taylor.

Upon a motion by Mr. Owens, a second by Mr. McCall, and a 6-0-0-1 vote of the Commissioners, the Board returned to Public Session at 6:48 PM.

Mr. Owens read the following:

Certification of Closed Meeting

Whereas, the Washington County Board of Supervisors 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, § 2.2-3712 Paragraph D of the Code of Virginia requires a certification by this Board that such Closed Meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved that the Board 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 which this certification resolution applies, and (2) only such public business matters, as were identified in

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the motion convening the Closed Meeting were heard, discussed or considered by the Board.

AYE: Mr. McCall, Mr. Reynolds, Mr. Owens, Mr. Taylor, Mr. Straten & Mrs. Mumpower

Mr. Straten inquired of a timeframe for the recommendations. Mr. Lawson expressed this should be clear after the next presentation.

4. Action to Be Taken Resulting from Closed Meeting (If Any)

No action is to be taken at this time.

5. Adjourn or Recess


Mr. Chase confirmed that as previously mentioned, the Boards should recess this meeting to 7 PM [on April 21] for a Joint Meeting with the IDA at the Southwest Virginia Higher Education Center in the Grand Hall.

Mr. Hutchinson made the motion to recess the meeting. Mr. Hutchinson's motion was seconded by Mr. Miller and was approved by a 7-0-0-0 Board vote. The Board of Commissioners recessed at 6:48 PM.

Mr. McCall made the motion to recess the meeting. Mr. McCall's motion was seconded by Mr. Reynolds and was approved by a 6-0-0-1 Board vote. The Board of Supervisors recessed at 6:48 PM.



Mr. Joe Chase, Chairman



Amanda Paukovitz, Assistant Secretary