

**Washington County Service Authority Board of Commissioners**  
**October 24, 2022 Regular Board Meeting Minutes**

<b>Item: 1</b>	Call the Meeting to Order
<b>Presenter(s):</b>	Chairman
<b>End Time:</b>	5:58 pm

<b>Item: 2</b>	Roll Call
<b>Presenter(s):</b>	Chairman
<b>Present:</b>	Mr. Thayer, Mr. Taylor, Mr. Campbell, Mr. Hutton, Mrs. C. Miller, and Mr. Hutchinson
<b>Absent:</b>	Mr. D. Miller
<b>End Time:</b>	5:58 pm

<b>Item: 3</b>	Public Hearing
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	5:59 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Background:</b>	<p>Before the WCSA can proceed to advertising the Lee Highway Corridor Sewer Project for construction, Rural Development (primary funding source) requires that WCSA legal counsel certify that WCSA has acquired all necessary easements or that WCSA will initiate the condemnation process by passing a resolution to initiate the condemnation process in order to obtain the remaining easements and property necessary for the project. Any easements not obtained by the Notice to Proceed date for the project, will result in the WCSA filing a certificate of take.</p> <p>As the Board is aware, Staff along with Thompson &amp; Litton (project engineer) have been working diligently to obtain all necessary easement of properties to facilitate the construction, operation, and expansion of a public sewer system. The attached resolution identifies approximately (57) parcels of which easements are needed and include three pump station properties. The WCSA ran an advertisement in the Bristol Herald Courier on October 7th and 14th 2022 to identify properties where easements or possession of properties have not yet been obtained and to notify property owners of public hearing to obtain public input regarding the authorization of condemnation, if necessary for the project.</p> <p>Representatives of Thompson &amp; Litton and WCSA staff will continue to communicate with as many of the affected property owners as possible and the WCSA anticipates securing many of the identified easements and pump station site properties by agreement. However, the condemnation may become necessary for some of these properties.</p>

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	<p>There are a number of prerequisites to filing a certificate of take for a needed easement. The process is outline as follows:</p> <ul style="list-style-type: none"> <li>• Identify property of which easement and or property acquisition is still needed– complete.</li> <li>• Public Hearing Advertisement – complete</li> <li>• Resolution by WCSA Board – to be considered on October 24th</li> <li>• Obtain survey of easement/property area</li> <li>• Obtain appraisal</li> <li>• Establish fair market value for take</li> <li>• Make written offer to property owners including condemnation sketch</li> <li>• Enter into agreement</li> </ul> <p>If no agreement, then file certificate of take/petition for condemnation.</p>
<b>Discussion:</b>	<p>Dwayne Ball of the Board of Supervisors spoke in favor of the project. Charles Whitaker of 14295 Sinking Creek Road in Bristol Virginia spoke on behalf of his mother, Laura Lee Owen’s mother as Mr. Whitaker is the power of attorney for his mother. Mr. Whitaker voiced concerns with incasing the line and paving his driveway so that he can drive heavy equipment across it. He also voiced discussed issues about the road washing out creating large holes in the road.</p>
<b>On the Record:</b>	<ol style="list-style-type: none"> <li>1. Chairman Calls to order the public hearing, and announces the purpose of the hearing which is the “Consideration of Resolution to Authorize the Acquisition of Real Property by Agreement or Condemnation for the Lee Highway Corridor Sewer Project;” and informs the audience and Board that discussion by the Board is to occur after the public hearing is closed</li> <li>2. Chairman declares the public hearing open</li> <li>3. Chairman requests Thomas Dene present information regarding the need of condemnation. Mr. Dene</li> <li>4. Chairman, invites all wishing to speak in favor of the project and if required, condemn outstanding easements come to the podium now and state your name, address and share your thoughts now;</li> <li>5. Chairman, invites all wishing to speak in opposition to the project or condemnation of outstanding easements can come to the podium now and state your name, address, and share your thoughts now;</li> <li>6. Chairman closes public comment;</li> <li>7. Board discussion, if any; and</li> <li>8. Chairman asks the Board what their pleasure is.</li> <li>9. Adjourn public hearing.</li> </ol>
<b>Recommendation:</b>	<p>Subject to answering any questions the Board may have, Staff kindly recommends the Board favorably consider approving the resolution to</p>

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	Authorize the Acquisition of Real Property by Agreement or Condemnation for the Lee Highway Corridor Sewer Project.
<b>Proposed Motion:</b>	Move the Board table this to consider all options. Amend the motion to table this item, address this item within the next 30 days during a special called meeting with Mr. Kiser in attendance and have an answer by the next regular Board meeting.
<b>Actual Motion:</b>	As above
<b>Motion By:</b>	Mr. Hutchinson
<b>Second By:</b>	Mr. Hutton
<b>Voting:</b>	<b>Ayes:</b> 6
	<b>Nays:</b> 0
	<b>Abstain:</b> 0
<b>End Time:</b>	6:27 pm

<b>Item: 4</b>	Prayer and Pledge of Allegiance
<b>Presenter(s):</b>	Mr. Hutchinson opened the meeting in prayer and led the Pledge of Allegiance.
<b>Beginning Time:</b>	6:28 pm
<b>End Time:</b>	6:29 pm

<b>Item: 5</b>	Approval of the Agenda
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	6:29 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	Approve the agenda as presented.
<b>Motion By:</b>	Mr. Hutton
<b>Second By:</b>	Mr. Thayer
<b>Voting:</b>	<b>Ayes:</b> 6
	<b>Nays:</b> 0
	<b>Abstain:</b> 0
<b>End Time:</b>	6:29 pm

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<b>Item: 6</b>	Public Query and Comment
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	6:29 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Speakers:</b>	None
<b>Discussion:</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	None
<b>Motion By:</b>	
<b>Second By:</b>	
<b>Voting:</b>	<b>Ayes:</b>
	<b>Nays:</b>
	<b>Abstain:</b>
<b>End Time:</b>	6:30 pm

<b>Item: 7</b>	Closed Meeting
<b>Presenter(s):</b>	Commissioner
<b>Beginning Time:</b>	6:30 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>On the Record:</b>	Mr. Dene said in order to be compliant with the Act, the Authority had to specify what the subject matter of consultation with legal council is. Mr. Campbell said is concerning Mr. Shawn Blevins. Mr. Cornett and Mr. Dene were in closed meeting from 6:31 to 6:34. Mr. Dene returned to closed meeting from 8:19 pm to 8:28 pm.
<b>Actual Motion:</b>	Adjourn to Closed Meeting
<b>Motion By:</b>	Mr. Hutton
<b>Second By:</b>	Mrs. C. Miller
<b>Voting:</b>	<b>Ayes:</b> 6
	<b>Nays:</b> 0
	<b>Abstain:</b> 0
<b>End Time:</b>	6:31 pm

WASHINGTON COUNTY SERVICE AUTHORITY  
BOARD OF COMMISSIONERS  
Closed Meeting October 24, 2022

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Mr. Hutton moved that the Board of Commissioners of the Washington County Service Authority adjourn to Closed Meeting in accordance with the Virginia Freedom of Information Act for discussion of the disciplining of a specific public employee of the Washington County Service Authority, pursuant to Va. Code Section 2.2-3711(A)(1).

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

Mrs. C. Miller seconded, and the motion carried with a vote of 6-0.

<b>Item: 8</b>	Return to Open Meeting
<b>Presenter(s):</b>	Commissioner
<b>Beginning Time:</b>	8:51 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	Motion to return to Open Session
<b>Motion By:</b>	Mr. Hutton
<b>Second By:</b>	Mr. Thayer
<b>Voting:</b>	<b>Ayes:</b> 6
	<b>Nays:</b> 0
	<b>Abstain:</b> 0
<b>End Time:</b>	8:52 pm

**Return to Public Meeting**

Mr. Hutton moved that the Board return to Open Session. Mr. Thayer seconded and the Board approved voting 6-0.

**Certification of Closed Meeting**

Mr. Hutton moved that the Board adopt the following resolution:

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; And

Now, therefore, be it resolved that the Board of Commissioners of the Washington County Service 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 Board.

Aye by Mr. Thayer, Mr. Taylor, Mr. Campbell, Mr. Hutton, Mrs. C. Miller, and Mr. Hutchinson.

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<b>Item: 9</b>	Other Business
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	8:53 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	None
<b>Actual Motion:</b>	Mr. Hutchinson made a motion to temporarily relieve Thomas Dene of his duties as legal counsel for the Washington County Service Authority until further notice.
<b>On the Record:</b>	After voting, the Chairman asked Mr. Dene to leave any keys belonging to the service authority on the desk. Mr. Dene did not have any electronic devices owned by Washington County Service Authority. Mr. Dene left the meeting.
<b>Motion By:</b>	Mr. Hutchinson
<b>Second By:</b>	Mr. Thayer
<b>Voting: Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>End Time:</b>	8:56 pm

<b>Item: 10</b>	Other Business
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	8:56 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	Mr. Hutton made a motion to rescind the new Personnel Policies and Procedures Manual revised in July 2022.
<b>Motion By:</b>	Mr. Hutton
<b>Second By:</b>	Mr. Hutchinson
<b>Voting: Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>End Time:</b>	8:57 pm



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<b>Item: 11</b>	Other Business
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	8:57 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	Motion to hear Shawn Blevins' grievance.
<b>Motion By:</b>	Mrs. C. Miller
<b>Second By:</b>	Mr. Thayer
<b>Voting: Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>End Time:</b>	8:58 pm

<b>Item: 12</b>	Consideration of Shawn Blevins' Grievance
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	8:58 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	Mr. Blevins presented his grievance for wrongful termination. Others to speak during the grievance process were Jim Humphries; Mr. Blevins' attorney; Ron Seay, Holly Edwards, Carol Ann Shaffer, Kerri Graham, and Robbie Cornett.
<b>On the Record:</b>	See above.
<b>Actual Motion:</b>	At conclusion of presentation, motion to place Robbie Cornett on administrative leave with pay effective immediately and relieve him of all duties and responsibilities as the General Manager until further notice effective immediately until the Board can investigate this further.
<b>Motion By:</b>	Mr. Hutchinson
<b>Second By:</b>	Mrs. C. Miller
<b>Voting: Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>Actual Motion:</b>	Mr. Hutchinson made a motion that Mr. Cornett surrender any electronic devices he has currently with him, computer, laptop, cell phone, keys tonight and if Robbie Cornett has any other electronic devices at home that belongs to the WCSA and the vehicle be returned by 10:00 am on Tuesday, October 25, 2022.

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<b>On the Record:</b>	<p>Per the Chairman's request, Mr. Dwain Gilbert witnessed and verified that Mr. Cornett delete the SCADA application on his cell phone.</p> <p>Mr. Dwain Gilbert accompanied Mr. Cornett to his office to retrieve WCSA keys and key fob.</p> <p>Mr. Seay called Tri Cities IT and asked Zach to cut off all access for Mr. Robbie Cornett to the WCSA emails and any other access he has to the system. Mr. Campbell told Zach, "I am Chairman of the Board, and we need to do that immediately." Mr. Seay asked Zach to send email confirmation.</p> <p>Mr. Seay then asked Zach to cut off any email access and system access for Mr. Thomas Dene.</p> <p>When Mr. Cornett returned, he was told by the Chairman, "you can leave now." Mr. Cornett was asked to turn over his keys and the documents he had in his hand. Mr. Cornett will be given back personal documents on Tuesday, October 25, 2022 when he brings back the company vehicle.</p>
<b>Motion By:</b>	Mr. Hutchinson
<b>Second By:</b>	Mrs. C. Miller
<b>Voting:</b> <b>Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>On the Record:</b>	The Board will set a new date to discuss Mr. Blevins' grievance after new legal counsel is hired.
<b>Actual Motion:</b>	Motion to table the grievance for Mr. Blevins.
<b>Motion By:</b>	Mr. Thayer
<b>Mr. Hutton</b>	Mr. Hutton
<b>Voting:</b> <b>Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>Actual Motion:</b>	Motion to reinstate Shawn Blevins as Human Resources Manager immediately, to return to work on October 25, 2022 with full benefits and agree to pay back pay for time off and pay legal fees incurred by Mr. Blevins pending the results of the grievance hearing.
<b>Motion By:</b>	Mr. Taylor
<b>Second By:</b>	Mr. Hutchinson
<b>Voting:</b> <b>Ayes:</b>	6
<b>Nays:</b>	0
<b>Abstain:</b>	0
<b>End Time:</b>	10:17 pm



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<b>Item: 13</b>	Approval of the Consent Agenda
<b>Presenter(s):</b>	Chairman
<b>Beginning Time:</b>	10:18 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	Approve the Consent Agenda
<b>Motion By:</b>	Mrs. C. Miller
<b>Second By:</b>	Mr. Thayer
<b>Voting:</b>	<b>Ayes:</b> 6
	<b>Nays:</b> 0
	<b>Abstain:</b> 0
<b>End Time:</b>	10:19 pm

<b>Item: 14</b>	Key Performance Metrics, Exceptions Report(s)
<b>Presenter(s):</b>	Dwain Gilbert
<b>Beginning Time:</b>	10:19 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Discussion:</b>	Mr. Gilbert gave a brief report on the state of finances.
<b>On the Record:</b>	None
<b>Actual Motion:</b>	None
<b>Motion By:</b>	
<b>Second By:</b>	
<b>Voting:</b>	<b>Ayes:</b>
	<b>Nays:</b>
	<b>Abstain:</b>
<b>End Time:</b>	10:20 pm

<b>Item: 15</b>	Strategic Plan Goal: Financial Viability
<b>Presenter(s):</b>	Dwain Gilbert
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Background:</b>	None
<b>Discussion:</b>	This item was not discussed.
<b>On the Record:</b>	None

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<b>Enclosures:</b>	None
<b>Recommendation:</b>	None
<b>Proposed Motion</b>	None
<b>Actual Motion:</b>	None
<b>Motion By:</b>	
<b>Second By:</b>	
<b>Voting:</b>	<b>Ayes:</b>
	<b>Nays:</b>
	<b>Abstain:</b>

<b>Item: 16</b>	Consideration for the Low Income Household Water Association Program (LIHWAP)
<b>Presenter(s):</b>	Dwain Gilbert
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>Background:</b>	<p>(LIHWAP) is a federally-funded program that provides emergency assistance to low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services.</p> <p>LIHWAP is a temporary emergency program that helps eligible households afford water and wastewater services. Payments are made directly to the households utility company. Households can apply for LIHWAP through September 30, 2023 or until funds run out.</p> <p>On January 3, 2022, the program was expanded to include all households that have a current water/wastewater bill and meet the eligibility requirements, whether or not their water service is disconnected. Although the program has been expanded, households that have had services disconnected or in jeopardy of disconnection will continue to have priority for LIHWAP funds.</p> <p>To be eligible for LIHWAP, a household must have at least one U.S. citizen or eligible non-citizen and:</p> <ul style="list-style-type: none"> <li>• Have income equal to or less than 150% of the federal poverty level</li> <li>• Have household services that are disconnected, in jeopardy of disconnection or have a current outstanding bill</li> <li>• Be responsible for the water bill</li> </ul>
<b>Discussion:</b>	There was no discussion on this item.
<b>On the Record:</b>	None

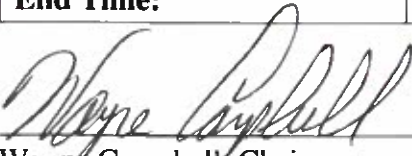
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<b>Enclosures:</b>	None
<b>Recommendation:</b>	Subject to answering any questions the Board may have, Staff recommend the Board favorably approve of WCSAs participation in the program.
<b>Proposed Motion</b>	I move that the Board favorably approve of WCSAs participation in the Low Income Household Water Assistance Program.
<b>Actual Motion:</b>	None
<b>Motion By:</b>	
<b>Second By:</b>	
<b>Voting:</b>	<b>Ayes:</b>
	<b>Nays:</b>
	<b>Abstain:</b>

<b>Item: 17</b>	Late Items
<b>Presenter(s):</b>	Commissioner
<b>Beginning Time:</b>	10:21 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>On the Record:</b>	<p>Mr. Taylor said he appreciated carrying this out tonight. Mr. Taylor said he has been with WCSA for 13 years and this is not what he came here for. It is disturbing for all parties but when you come to the morale problem you have here (WCSA) you have to start somewhere. It is not an easy choice, but we (the Board) think we did the right thing.</p> <p>Mr. Kiser stated that during closed meeting, Ms. Salyers and Mrs. Graham said they were attending the Board Meeting tonight because it was required as part of their progression plan.</p> <p>Mr. Campbell said I want to thank all the staff; I want to thank the Board. Mr. Campbell instructed staff not to make comments to the media.</p>
<b>Discussion:</b>	None
<b>Actual Motion:</b>	None
<b>Motion By:</b>	
<b>Second By:</b>	
<b>Voting:</b>	<b>Ayes:</b>
	<b>Nays:</b>
	<b>Abstain:</b>
<b>End Time:</b>	10:26 pm

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<b>Item: 18</b>	Adjourn
<b>Presenter(s):</b>	Commissioner
<b>Beginning Time:</b>	10:26 pm
<b>Potential Conflict(s) of Interest and Abstention(s):</b>	None
<b>On the Record:</b>	None
<b>Actual Motion:</b>	Motion to adjourn.
<b>Motion By:</b>	Mr. Taylor
<b>Second By:</b>	Mr. Thayer
<b>Voting:</b>	<b>Ayes:</b> 6
	<b>Nays:</b> 0
	<b>Abstain:</b> 0
<b>End Time:</b>	10:27 pm

  
Wayne Campbell, Chairman

  
Carol Ann Shaffer, Assistant Secretary