

**VIRGINIA:**

At a joint recessed meeting of the Washington County Board of Supervisors and Washington County Service Authority held Wednesday, May 27, 2009, at 7:00 p.m., at the Washington County Service Authority Main Office in the E. W. Potts, Jr. Board Room in Abingdon, Virginia the following were present:

**PRESENT:**

**Board of Supervisors:**

Kenneth O. Reynolds, Chairman  
Jack R. McCrady, Jr., Vice Chairman  
Phillip B. McCall  
Dulcie M. Mumpower  
Odell Owens  
Paul O. Price

Mark K. Reeter, County Administrator  
Christy Parker, Assistant County Administrator/  
Community & Economic Development  
Lucy Phillips, County Attorney

**Washington County Service Authority:**

Gerald W. Cole, Chairman  
Scott Rector, Vice Chairman  
Samuel L. Blaylock  
Joe L. Chase  
Frank J. Stephon, IV  
Donald L. Stout  
Kenneth Taylor

Robbie Cornett, General Manager  
Kim Roberts, Controller  
Dawn Figueiras, General Counsel

**ABSENT:**

Thomas G. Taylor

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**1. Call to Order**

The Joint Recessed Meeting of the Washington County Board of Supervisors and the Washington County Service Authority Board of Commissioners was called to order at the Washington County Service Authority Main Office in the E.W. Potts, Jr. Board Room at 7:04 PM.

## 2. Invocation & Pledge of Allegiance

Mr. Gerald Cole, Chairman of the WCSA Board of Commissioners, gave the invocation and led the Pledge of Allegiance.

## 3. Approval of Agenda

### Board of Supervisors:

Mr. Reeter had no additions to the agenda. Mr. Price expressed his desire to discuss the price of water taps and the public hearing on June 1; it was added after 4.b.3. on the agenda.

Mr. McCall made a motion to approve the agenda, with the addition of discussion of water tap prices and the public hearing after 4.b.3. Mr. McCall's motion was seconded by Mr. McCrady, and was approved by a vote of 6-0.

### Service Authority:

Mr. Cornett had no additions to the agenda. Mr. Stephon moved to approve the agenda as is. Mr. Stephon's motion was seconded by Mr. Chase, and was approved by a vote of 7-0.

## 4.a. Joint Closed Meeting

Mr. Kenneth Reynolds read the following Recommended Motion to Convene in Closed Meeting:

*This is a request for Joint Closed Meeting pursuant to Section 2.2-3711 (A) (6) of the Code of Virginia for the discussion or consideration of the investment of public funds where completion or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected; specifically the proposed purchase of wastewater treatment capacity from Bristol Virginia Utilities/City of Bristol, Virginia.*

Mr. McCrady of the Board of Supervisors made the motion for Joint Closed Meeting. Mr. McCrady's motion was seconded by Mr. McCall, and was approved by a vote of 6-0.

Mr. Chase of the WCSA Board of Commissioners made the motion to convene to Closed Session. Mr. Chase's motion was seconded by Mr. Rector. The motion was passed by a vote of 7-0.

Mr. Reeter added that to be included in this Closed Meeting would be the County Administrator [himself], County Attorney Lucy Phillips, WCSA General Manager Robbie Cornett, and WCSA Legal Counsel Dawn Figueiras.

The Closed Meeting began at 7:10 PM.

## 4.b. Reconvene to Joint Open Meeting

By motion of Mr. Chase, a second by Mr. Stephon and a vote of 7-0, the Board of Commissioners went back into open session at 9:18 PM.

Mr. Reynolds read the following Board of Supervisors' Chairman's Request for Board Certification of Closed Meeting:

*On motion of Mr. McCrady, second by Mr. McCall and favorable vote, the Board of Supervisors now reconvenes to open meeting. At this time, any participant in the Closed Meeting who believes that there was a departure from the requirements of the Virginia Freedom of Information Act during the closed meeting, please state the substance of the departure that you believe has taken place.*

Mr. McCrady recommended the following motion to certify the Closed Meeting:

*Hearing no such statements, I move that we certify the Closed Meeting in accordance with the requirements of the Virginia Freedom of Information Act. By vote in favor of this motion, each member certifies that the Closed Meeting was conducted in conformity with Virginia law, and that only public business matters lawfully exempted from open meeting requirements and identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting.*

By Mr. McCrady's motion, a second by Mr. Owens, and a vote of 6-0, the Board of Supervisors officially went back into open session at 9:19 PM.

Mr. Cole read the following Board of Commissioners' Chairman's Request for Board Certification of Closed Meeting:

*On motion of Mr. Chase, second by Mr. Stephon and favorable vote, the Board of Commissioners now reconvenes to open meeting. At this time, any participant in the Closed Meeting who believes that there was a departure from the requirements of the Virginia Freedom of Information Act during the closed meeting, please state the substance of the departure that you believe has taken place.*

Mr. Stephon recommended the following motion to certify the Closed Meeting:

*Hearing no such statements, I move that we certify the Closed Meeting in accordance with the requirements of the Virginia Freedom of Information Act. By vote in favor of this motion, each member certifies that the Closed Meeting was conducted in conformity with Virginia law, and that only public business matters lawfully exempted from open meeting requirements and identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting.*

Mr. Stephon made the motion to certify the closed meeting. By Mr. Stephon's motion, a second by Mr. Blaylock, and a vote of 7-0, the Board of Commissioners officially went back into open session at 9:20 PM.

#### **4.b.3. Request to Discuss Rate Structure**

Mr. Price discussed the previous rate history at WCSA. He explained that "the phones are already burning up at \$1,900"; he thinks they [the County residents] will be angry at \$5,200. Mr. Price asked, "How did we get there? Water is a necessity. How were rates determined?"

Due to the extent of the explanation, Mr. Cole requested that Mr. Price wait until the June 1 session to see the rates explained in great detail or in a private presentation.

Mr. Price asked if the Board has agreed to do this [raise the rates/fees/charges].

Mrs. Figueiras explained the statute, how the public hearing works, and the proposed rates.

Mr. Cole respectfully asked Mr. Price to wait until the presentation to talk about it. He explained that the Board is concerned with financial burden.

When Mr. Price asked who would be presenting and where they were from; Mr. Cornett explained that MFSG [Municipal & Financial Services Group] of Maryland, the firm procured to put together WCSA's rates/fees/charges study, would be presenting. Mr. Cole respectfully asked Mr. Price to wait until he sees the presentation. Mr. Price asked how they approved these rates having already seen the presentation. Mr. Blaylock explained that they have preliminarily approved the rates, fees and charges. Mr. Cornett affirmed that the Board preliminarily approved the rates, fees and charges; they will have to officially adopt something. Mr. Cole also affirmed that what was preliminarily approved was proposed only.

Mr. Chase explained that this is the first time the Board has had such concrete information to base a decision off of; the Board has typically gone by what has been done in the past. The proposal is based on concrete information and he believes the firm is very professional; MFSG is nationally recognized. Mr. Owens expressed that he has seen it and it is very detailed. He also believes that the presenter [Dave Hyder] knows what he's doing; he has facts and figures to back up all parts of the presentation. Mr. Reeter asked if this is a PowerPoint presentation that they [the Board of Commissioners and WCSA Staff] have seen; he was affirmed. Mr. Cornett expressed that MFSG has been progressive with keeping the Board and Staff informed as the study has progressed. He briefly described the various workshops that MFSG has conducted for the Board, WCSA Staff, etc. Mr. Reeter asked if the presentation's entire package would be revealed fully for the first time at the Public Hearing; Mr. Cornett affirmed. A Supervisor expressed concern that the public hearing would have an overwhelming response.

Mr. Reynolds asked how many public hearings there would be; Mr. Cornett and Mrs. Figueiras reiterated that there would be one public hearing and there were two notices. Mr. Reynolds appreciates that WCSA is looking into the rate structure and what is going on. Mr. Stephon expressed that he believes all, whether they agree with the numbers or not, will be impressed with the professionalism of the presentation. Mr. Rector believes that the presentation will put definition and fact behind the proposed rates. A Supervisor asked if MFSG has worked with other counties and other states; Mr. Cornett affirmed.

Mr. Price asked if WCSA was looking at and considering increasing long-term financing. Mr. Cornett explained that the Board is set to accommodate and offer long-term financing.

## **5. Adjourn or Recess**

Mr. Reeter confirmed that the Board of Supervisors should adjourn this meeting.

Mrs. Mumpower made the motion to adjourn the Joint Meeting between the Washington County Board of Supervisors and the Washington County Service Authority Board of Commissioners. Mrs. Mumpower's motion to adjourn was seconded by Mr. McCrady, and approved by a vote of 6-0. The Board of Supervisors adjourned at 9:39 PM.

Mr. Cornett suggested that the Board of Commissioners recess this meeting to Monday, June 8, 2009 at 7:00 PM at the Washington County Service Authority Office Building located at 25122 Regal Drive, Abingdon, Virginia 24210 in the E.W. Potts Jr. Board Room to consider WCSA's 2009-2010 Fiscal Year Budget and Rates and Closed Meeting to discuss matters relative to the acquisition and disposition of property, investment of public funds and legal advice.

Mr. Stephon made the motion to recess the Joint Meeting between the Washington County Board of Supervisors and the Washington County Service Authority Board of Commissioners. Mr. Stephon's motion to recess was seconded by Mr. Stout, and approved by a vote of 7-0. The Board of Commissioners recessed at 9:40 PM.

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**Prepared by:**

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Naoma A Norris, Recording Clerk (from a transcript prepared by Amanda Paukovitz, Assistant Secretary to the Washington County Service Authority)

**Approved by the Washington County Board of Supervisors:**

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Kenneth O. Reynolds, Chairman