

**MEETING MINUTES
CARROLL COUNTY PUBLIC SERVICE AUTHORITY
JUNE 25, 2012
CARROLL COUNTY GOVERNMENTAL CENTER
BOARD MEETING ROOM
HILLSVILLE, VA**

CALLED TO ORDER

The Carroll County Public Service Authority held a special meeting on Monday, June 25, 2012 at 4:30 p.m. in the Carroll County Governmental Center Board Meeting Room. Members present included: Jeanette Dalton, Vice Chairman, Sam Dickson, David Hutchins, James Light, and William Payne. Also present were Gary Larrowe, Executive Director, Jim Cornwell, County Attorney, and Dana Phillips, Assistant Director and Secretary/Treasurer of the Authority. Thomas Littrell, Chairman, was absent.

Vice Chairman Dalton called the meeting to order at 4:34 p.m.

(ORDER)

APPROVAL OF PSA BUDGET 2012-2013

Upon a motion by Mr. Hutchins, seconded by Mr. Dickson and duly carried the Authority does hereby approve the 2012-2013 budget.

(ORDER)

CLOSED MEETING-PURSUANT TO SECTIONS 2.2-3711.A (1) PERSONNEL, A (3) REAL ESTATE, and A (7) LEGAL

(ORDER)

Upon a motion by Mr. Hutchins, seconded by Mr. Payne and duly carried the Authority does hereby enter into Closed Meeting at 4:42 p.m. until 5:19 p.m. for Discussion of Personnel 2.2-3711.A-1, Discussion of Real Estate 2.2-3711.A-3, and Consultation with County Attorney 2.2-3711.A-7. The meeting will include consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Conflict of Interest matters relating to the Fancy Gap water and sewer projects will be discussed. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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(ORDER)

Upon a motion by Mr. Hutchins and seconded by Mr. Dickson and duly carried the Authority does hereby convent out of closed meeting.

Whereas the Authority has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and on the motion to close the meeting in accordance with the Virginia Freedom of Information Act.

CERTIFICATION OF CLOSED MEETING

(ORDER)

Upon a motion by Mr. Hutchins, seconded by Mr. Dickson and duly carried the Authority does hereby adopt the following resolution:

Whereas, Section 2.2-3711.A (1) of the code of Virginia requires a certification of the 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 requirements by Virginia law were discussed in this Closed Meeting in which this certification as identified in this motion concerning the Closed Meeting were heard, or considered by the Authority certification resolution applies, and (11) only such public business matters as were identified in this motion concerning the Closed Meeting were heard, or considered by the Authority.

Mr. Jim Cornwell spoke regarding the two letters that have been received from Travis Jackson, USDA-RD, saying that the \$34,019.00 that had been paid to Nehemiah during the period of time in which there was conflict needs to be remitted and then Nehemiah may return to inspection work if they wish to do so. (Copies of letters and spreadsheet from USDA-RD are attached to minutes.) Mr. Cornwell stated that he recommends allowing Nehemiah return to work and amend the contract terms to begin repayment of the \$34,019 from Nehemiah to the PSA.

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Mr. Hutchins asked if this would negatively affect any audits for the Authority. Mr. Larrowe said that the accounting firm had been contacted and that allowing the partial payments or a payment plan would not have a negative impact on the PSA's audits. Mr. Hutchins went on to say that Nehemiah had always done a very good job on the inspection services and he is very happy to see them go back to work even though it is not the best circumstances.

(ORDER)

APPROVAL OF AMENDMENT TO NEHEMIAH'S CONTRACT AND RETURN TO WORK

Upon a motion Mr. Hutchins, seconded by Mr. Dickson and duly carried the Authority does hereby approve to amend Nehemiah's original contract and allow them to return to inspection services work as soon as new contract is signed. Nehemiah is agreeing to repay the \$34,019 that the PSA has had to repay to USDA-RD from the period of time when a conflict of interest existed. The repayment will be six equal monthly payments to begin when Nehemiah returns to work.

AUTHORITY MEMBERS' TIME

Mr. Hutchins-Madam Chair you have done a wonderful job today filling in for Tom. This has been a painful situation for all involved and I am just thankful that it is resolved and we have reached some logical conclusion.

Mr. Dickson-I agree with Mr. Hutchins. I am glad to see us return to a normal pattern soon and our own people can return to where they need to be. I wish that the process could have moved along quicker but sometimes it takes things a while to work out. I do want to thank everyone for all the time that has been out into this matter. Now, it's time to move on and find us a self-help project.

Mr. Payne-I am glad to see an end to this conflict issue be resolved and we can move on with other projects. I know I am new to the board but I am glad to see you return to work Jeremy (Nehemiah).

Mr. Light-I am glad to see this resolved to an extent. I still think there are too many gray areas. I am hoping that in a couple of meetings we will be talking about how to get them back their \$34,000 and that everything will be cleared up. I am at least glad to see everyone back to work for now.

Mrs. Dalton-I'm glad that this is finally resolved and that hopefully we are on the right track. Maybe we won't have to have many more meetings this month. Thank you all.

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(ORDER)

ADJOURNMENT

Upon a motion by Mr. Hutchins, seconded by Mr. Dickson and duly carried the Authority does hereby adjourn at 5:31 p.m. until their next scheduled meeting on July 16, 2012 at 2:00 p.m. in the Carroll County Governmental Center Board of Supervisors meeting room.

Jeanette Dalton, Vice Chairman

Gary Larrowe, Executive Director

Dana Phillips, Sec./Treasurer, Assistant Director