

**MEETING MINUTES  
CARROLL COUNTY PUBLIC SERVICE AUTHORITY  
MAY 17, 2012  
CARROLL COUNTY GOVERNMENTAL CENTER  
BOARD MEETING ROOM  
HILLSVILLE, VA**

**CALLED TO ORDER**

The Carroll County Public Service Authority held a special meeting on Thursday, May 17, 2012 at 7:00 a.m. in the Carroll County Governmental Center Board Meeting Room. Members present included: Thomas Littrell, Chairman, Jeanette Dalton, Vice Chairman, Sam Dickson, David Hutchins, James Light, and William Payne. Also present were Gary Larowe, Executive Director, Jim Cornwell, County Attorney, and Dana Phillips, Assistant Director and Secretary/Treasurer of the Authority.

Chairman Littrell called the meeting to order at 7:03 a.m.

**(ORDER)**

**CLOSED MEETING-PURSUANT TO SECTIONS 2.2-3711.A (1) PERSONNEL and A (7) LEGAL**

**(ORDER)**

Upon a motion by Mr. Dickson, seconded by Mr. Hutchins and duly carried the Authority does hereby enter into Closed Meeting at 7:05 a.m. until 8:20 a.m. for Discussion of Personnel 2.2-3711.A-1 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.

**(ORDER)**

Upon a motion by Mr. Dickson and seconded by Mr. Hutchins 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.

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**CERTIFICATION OF CLOSED MEETING**

**(ORDER)**

Upon a motion by Mr. Dickson, seconded by Mr. Hutchins 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.

Dr. Littrell spoke about the Inspection Service Providers Policy and the need for that policy to be approved as recommended by legal counsel to satisfy USDA Rural Development.

**(ORDER)**

**APPROVAL OF CARROLL COUNTY PSA INSPECTION SERVICE PROVIDERS POLICY**

Upon a motion Mr. Hutchins, seconded by Mr. Dickson and duly carried the Authority does hereby approve the Carroll County PSA Inspection Service Providers Policy. This will satisfy requests of USDA-RD and has been modified from the original policy that was brought forward in March 2012. (Copy attached to minutes.)

**Mr. Jim Cornwell, County Attorney**—(Mr. Cornwell referenced the letter from USDA-Rural Development sent that was sent to Mr. Larowe regarding the possible conflicts of interests of the Inspection Services firm that is working on the Fancy Gap Water and Sewer Projects.) During the investigation, a Commonwealth Attorney from Franklin County has found there to be a conflict of interest concerning Nehemiah Engineering. We also have a letter from Jeremy Hendrick, President of Nehemiah, stating that Josh Hendrick has resigned from Nehemiah Engineering. It is my recommendation that we send a letter to Rural Development along with a copy of the findings of the Commonwealth Attorney and copies of the letters from Nehemiah to see if this satisfies their requests and if the hold on funds may be lifted.

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Mr. Light asked questions regarding the PSA's satisfaction in accordance with USDA Rural Development's satisfaction in order to clarify exactly what we are sending back to RD.

**(ORDER)**

**APPROVAL OF RESPONSE FROM MR. JIM CORNWELL TO RURAL DEVELOPMENT CONCERNING  
CONFLICT OF INTEREST ISSUE**

Upon a motion by Mr. Hutchins, seconded by Mr. Light and duly carried the Authority does hereby approve for Jim Cornwell, County Attorney, to write a letter to RD and send copies of the Commonwealth Attorney's findings and letters from Nehemiah to see if their requests are now satisfied and if the hold on inspection funds may be lifted.

**(ORDER)**

**ADJOURNMENT**

Upon a motion by Mr. Hutchins, seconded by Mr. Payne and duly carried the Authority does hereby adjourn at 8:31 a.m. until their next regular scheduled meeting on June 11, 2012 at 2:00 p.m. in the Carroll County Governmental Center Board of Supervisors meeting room.

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Thomas Littrell, Chairman

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Gary Larrowe, Executive Director

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Dana Phillips, Sec./Treasurer, Assistant Director