

**MINUTES OF THE BOARD OF DIRECTORS  
SPECIAL MEETING  
SOUTHEASTERN PUBLIC SERVICE AUTHORITY OF VIRGINIA**

**July 6, 2009**

At the Regular Meeting of the Southeastern Public Service Authority of Virginia (SPSA) held at 9:30 a.m., in the Regional Board Room at the Regional Building, 723 Woodlake Drive, Chesapeake, Virginia, there were:

**ROLL CALL**

Members:

Don Williams, Chair	(NO)
Bryan L. Collins	(CH)
Barry W. Cheatham	(FR)
Stan D. Clark, Vice Chair <i>absent</i>	(IW)
Jeffrey A. Gardy	(SU)
G. Timothy Oksman	(PO)
Dallas O. Jones <i>absent</i>	(SH)
Michael J. Barrett	(VB)

Alternates:

William E. Harrell <i>absent</i>	(CH)
June Fleming	(FR)
W. Douglas Caskey <i>absent</i>	(IW)
Stanley A. Stein	(NO)
Stephen E. Heretick <i>absent</i>	(PO)
Mike Johnson	(SH)
Selena Cuffee-Glenn	(SU)
John Barnes	(VB)

Others present at the meeting included SPSA staff Mr. Rowland (Bucky) Taylor, Executive Director, Ms. Liesl R. DeVary, Treasurer to the Board, Mrs. Lou Ann Ivory, Executive Assistant and Secretary to the Board and Anthony M. Thiel, SPSA General Counsel. Numerous legal and financial individuals from each of the member localities and several staff members from the Hampton Roads Planning District Commission were also in attendance.

(CH) Chesapeake; (FR) Franklin; (IW) Isle of Wight; (NO) Norfolk; (PO) Portsmouth;  
(SH) Southampton County; (SU) Suffolk; (VB) Virginia Beach

\* Indicates Late Arrival (after beginning of Closed Session)

\*\* Indicates Early Departure

The meeting began with the invocation by Mr. Collins (CH) and was followed by Roll Call. A quorum was present.

## **PUBLIC COMMENT PERIOD**

Chairman Williams stated that there were no speakers signed up for the Public Comment period.

## **ACTION AGENDA:**

### **ITEM NO. 1: REQUEST FOR CLOSED SESSION**

Chairman Williams stated the first item was a request for a Closed Meeting. Mr. Thiel, General Counsel, asked that the Board move and second the motions that are set forth under Item 1, I and II of the agenda note. Mr. Gardy (SU) made such a motion and it was seconded by Mr. Cheatham (FR). All present voting yes; opposed none; motion carried by a unanimous and recorded vote.

Prior to the beginning of the closed session, Mr. Clark (IW) stated that they have a substitution, Mr. Tom Wright is going to be taking Mr. Caskey's place on the Board and that although he has not been sworn in, asked if he would be allowed to remain in the closed session. Chairman Williams stated that would be fine if there were no objections and none were offered.

#### **I. Motion for Inclusion of Nonmembers in Closed Meeting.**

*That the following be permitted to attend the closed meeting because they are deemed necessary and because their presence will reasonably aid the Board in its consideration of the topics that are the subject of this meeting: CAOs, city/county attorneys, staff and financial consultants of the member communities; SPSA staff present at this Board meeting; and Hampton Roads Planning District Commission representatives.*

#### **II. Motion to Approve Request for Closed Meeting.**

*A request is made for a closed meeting for the following purposes:*

*(1) In connection with the possible sale of the waste to energy system and possible purchase of land, pursuant to (a) Virginia Code Section 2.2-3711(A)(3) for the disposition and acquisition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, (b) Virginia Code Sections 2.2-3711(A)(7) for the purpose of consulting with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, and (c) Virginia Code Section 2.2-3711(A)(29) for a report from and discussions with consultants and legal counsel involving possible negotiation of revisions to the terms of existing contracts and/or negotiation and award of new contracts where competition and bargaining are involved and where discussion in open session would adversely affect the bargaining position and negotiating strategy of the Authority.*

*(2) In connection with advice and discussions related to SPSA's financing, tipping fees and contracts, pursuant to Virginia Code Sections 2.2-3711(A)(7) and 2.2-3711(A)(29) for the purpose of consulting with legal counsel regarding specific legal matters requiring the*

*provision of legal advice by such counsel and possible negotiation of revisions to the terms of existing contracts and negotiation and award of new contracts where competition and bargaining are involved and where discussion in open session would adversely affect the bargaining position and negotiating strategy of the Authority.*

Upon conclusion of the Closed Session, Mr. Collins (CH) made a motion to approve paragraph III as noted herein and in Item #1 of the agenda, Request for Closed Meeting. The motion was seconded by Mr. Cheatham (FR). All present voting yes; opposed none; motion carried by a unanimous and recorded vote.

III. Motion to Approve Certification after Closed Meeting.

*The Board of the Southeastern Public Service Authority of Virginia hereby certifies that, to the best of each member's knowledge: (a) only public business matters lawfully exempted from open meeting requirements by Virginia law under the Virginia Freedom of Information Act were discussed in the closed meeting to which this certification applies; and (b) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered in the closed meeting just concluded.*

**ITEM NO. 2: ACTIONS ARISING FROM CLOSED SESSION**

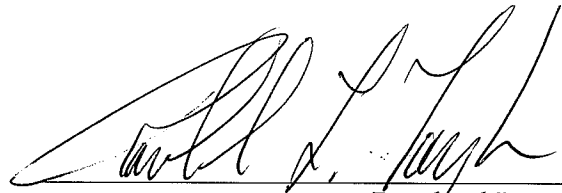
There was no action needed as a result of the closed session.

**OLD/NEW BUSINESS**

There were no Old or New Business items at this meeting.

**ADJOURNMENT**

There being no further business to come before this Board of Directors, Chairman Williams adjourned the meeting.



Rowland L. Taylor  
Executive Director

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Submitted by: Lou Ann Ivory  
Secretary, SPSA Board of Director