

**MINUTES OF THE
EASTERN SHORE OF VIRGINIA
PUBLIC SERVICE AUTHORITY**

A meeting of the Eastern Shore of Virginia Public Service Authority was held on Tuesday, August 24, 2010, at 6:00 p.m. in Conference Room #2 of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia.

Members present:

George E. Gowen, Jr.
Carl Harris
Granville F. Hogg, Jr.
J. T. Holland
Robert H. Meyers
Scott R. Walker, Jr.
Bob Panek
Henry J. Heneghan, Jr.
Felton Sessoms
Artie Miles

Others present:

Katherine H. Nunez, County Administrator
W. Page Cockrell, Hurt & Proffitt

Call to Order & Establishment of Quorum:

In her capacity as Secretary to the Public Service Authority, Ms. Nunez called the meeting to order and announced that a quorum was present.

Election of Officers:

Mr. Walker nominated Mr. Meyers as Chairman. Mr. Holland nominated Mr. Gowen as Chairman. There being no further nominations, the floor was closed.

Mr. Walker, Mr. Panek, Mr. Harris, Mr. Meyers, Mr. Hogg and Mr. Sessoms voted in support of Mr. Meyers as Chairman. Mr. Miles, Mr. Heneghan, Mr. Holland and Mr. Gowen voted for Mr. Gowen as Chairman. Mr. Meyers was therefore elected Chairman.

Mr. Walker nominated Mr. Panek as Vice Chairman. There being no further nominations, the floor was closed. Mr. Panek was elected Vice Chairman.

Mr. Walker nominated Ms. Marie Frocke of Jamesville to serve as Secretary, volunteering her time for this function. Mr. Heneghan noted that the Bylaws call for a Secretary-Treasurer to also serve as Executive Director and possibly need to be amended. Mr. Meyers suggested that perhaps one of the PSA members could temporarily serve as Secretary but it was noted that this practice is not allowed by the Bylaws. Mr. Panek suggested that the County Administrator who currently serves as Secretary, continue to act in this capacity. The Authority agreed. The members also agreed to consider modifications to the Bylaws at the next regular meeting.

Status Report

Ms. Nunez noted that County staff will continue to serve as a resource for the PSA. She noted that there is no budget to sustain the operations at this time although she did remind the group of approximately \$6,000 held in reserve by the County representing left-over funds from the earlier PSA activities. She further stated that the County as well as the participating towns could be solicited for operating funds.

Upon a question from Mr. Meyers, Ms. Nunez updated the members on the County's efforts in regard to the Bayview System, noting that legal counsel and staff are still working towards the turn-over of the facilities to the County. There was discussion among the Board concerning the future ownership and management of this system and whether there is a legal obligation or just a moral obligation for the ESVA PSA to take on this system. She indicated that she would provide a copy of the Board of Supervisors' 2006 resolution in regard to the Bayview system and the transfer of this responsibility from the ESVA PSA to the County

Ms. Nunez indicated that legal services needed to date by the PSA have been provided by Mr. Russell Slayton but due to health concerns, he had been unable to provide assistance recently. Mr. Jim Cornwell of Sands, Anderson, current legal counsel for the Eastern Shore Broadband Authority, did the necessary filing of the amended Articles of Incorporation with the State Corporation Commission. It was the consensus of the Authority to have the County Administrator determine the current health status of Mr. Slayton and if he is unable to provide legal services, to issue a Request for Proposals for such services.

Following brief conversation, it was the consensus of the group that any media communications should be handled through the County Administrator as primary contact with copies to the Chairman of the Authority.

Continuing on with the status report, Ms. Nunez reported that the County had been successful in receiving two planning grants for \$40,000 each (northern node and southern node) from Department of Housing and Community Development (DHCD). A contract for engineering services, community facilitation and grant administration was issued to Hurt & Proffitt to fulfill the obligations of the planning grants. A single project management team (PMT), which is a requirement of the grants, has been established and continues to meet frequently. When questioned as to the future relationship between the PMT and the PSA, the Chairman indicated that most, if not all, of the PSA members currently attend the PMT meetings as well and that receipt of those minutes should be sufficient.

Mr. Holland said that he believed it was the PSA's responsibility to sit down with the hospital regarding its plans for relocation and to determine what are the true needs of the hospital concerning wastewater service as well as the surrounding facilities. At the suggestion of Mr. Walker, Chairman Meyers agreed to approach the hospital and other affected parties. He asked Mr. Panek to assist him in this endeavor.

The membership selected the third Tuesday of each month, commencing at 7:00 p.m. in Conference Room #2 of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, for its regularly scheduled meetings. The next meeting will be September 21st.

Adjourn:

Motion was made by Mr. Walker, seconded by Mr. Holland, that the meeting be adjourned. All members were present and voted "yes." The motion was unanimously passed.

The meeting was adjourned.