

MINUTES

KING WILLIAM COUNTY

BOARD OF SUPERVISORS

MEETING OF JANUARY 5, 2009

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 5th DAY OF JANUARY 2009, BEGINNING AT 9:00 A.M. IN THE COUNTY ADMINISTRATOR'S OFFICE CONFERENCE ROOM OF THE KING WILLIAM COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE CALLED TO DISCUSS AND TO CONSIDER THE MATTER DENOTED BELOW. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH THE FOLLOWING PRESENT:

**C. T. REDD III, CHAIRMAN
O.O. WILLIAMS, VICE-CHAIRMAN
D. L. WRIGHT
C. L. SCHOOLS
T. G. SMILEY, CHAIRMAN**

**L. M. CHENAULT, COUNTY ATTORNEY
FRANK A. PLEVA, COUNTY ADMINISTRATOR
TERRI E. HALE, ASSISTANT COUNTY ADMINISTRATOR**

RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(7) OF THE CODE OF VIRGINIA, 1950, AS AMENDED, FOR THE CONSULTATION WITH LEGAL COUNSEL AND THE DISCUSSION AND CONSIDERATION OF CONTRACTURAL OBLIGATIONS PERTAINING TO THE REGIONAL ANIMAL SHELTER PROJECT

On motion by D. L. Wright, seconded by T. G. Smiley, and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for the Consultation with Legal Counsel and the Discussion and Consideration with Said Legal Counsel of Contractual Obligations Pertaining to the Regional Animal Shelter Project.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by O. O. Williams, seconded by D. L. Wright and carried unanimously.

In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, T. G. Smiley moved that the King William County Board of Supervisors adopt the following resolution certifying that this closed meeting's procedures comply with the requirements of the Virginia Freedom of Information Act. This motion was seconded by C. L. Schools and carried with a unanimous roll call vote.

RESOLUTION

WHEREAS, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712(D) of the Code of Virginia, 1950, as amended, requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the closed meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting by the King William County Board of Supervisors.

RE: REGIONAL ANIMAL SHELTER PROJECT - AUTHORIZATION FOR LEGAL COUNSEL TO PERFORM CERTAIN ACTIONS RELATING TO SAID PROJECT

On motion by T.G. Smiley, seconded by O.O. Williams, and carried unanimously, the Board voted to authorize its legal counsel to terminate the contract with Grand Metro Builders for construction of the regional animal shelter, the timing of which is left to said counsel, and to file legal action against Grand Metro Builders and the surety for any and all damages suffered by the counties and to take any further action deemed necessary to finish the construction of the regional animal shelter, including entering into a tolling agreement to extend the statute of limitations.

RE: ADJOURNMENT OF MEETING

There being no further business to come before this Board, this meeting was adjourned by the Chairman.

COPY TESTE:

Frank A. Pleva, County Administrator