

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF AUGUST 10, 2009

AT A SPECIAL JOINT MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY AND KING & QUEEN COUNTY, VIRGINIA, HELD ON THE 10th DAY OF AUGUST, 2009, BEGINNING AT 11:00 A.M. IN THE REGIONAL ANIMAL SHELTER AT KING WILLIAM COURT HOUSE CALLED BY THE CHAIRMAN OF SAID BOARD PER SECTIONS 15.2-1417 AND 15.2-1418 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, TO CONSIDER THE MATTERS DENOTED BELOW. ORDER WAS CALLED BY THE CHAIRMEN OF BOTH BOARDS OF SUPERVISORS.

KING WILLIAM COUNTY BOARD OF SUPERVISORS MEMBERS PRESENT:

O.O. WILLIAMS, CHAIRMAN
C. T. REDD III
D. L. WRIGHT
C. L. SCHOOLS

KING WILLIAM COUNTY BOARD OF SUPERVISORS MEMBER ABSENT;
PARTICIPATED IN DISCUSSIONS IN CLOSED MEETING VIA
CONFERENCE TELEPHONE CALL FROM SOUTHERN SHORES, N.C.;
BUT DID NOT PARTICIPATE IN VOTES IN SUBSEQUENT OPEN
SESSION:

T. G. SMILEY, VICE-CHAIRMAN

KING & QUEEN COUNTY BOARD OF SUPERVISORS MEMBERS PRESENT:

P. W. MCDUFF, CHAIRMAN
D. H. MORRIS, VICE-CHAIRMAN
J. M. MILBY, JR.
J. L. SIMPKINS

KING & QUEEN COUNTY BOARD OF SUPERVISOR MEMBER ABSENT:

S. C. ALSOP

ALSO PRESENT:

L. M. CHENAULT, ESQ., KING WILLIAM COUNTY ATTORNEY

V. E. INGE, JR., ESQ., SPECIAL LEGAL COUNSEL
FRANK A. PLEVA, KING WILLIAM COUNTY ADMINISTRATOR
TERRI E. HALE, ASSISTANT KING WILLIAM COUNTY ADMINISTRATOR
THOMAS J. SWARTZWELDER, ESQ., KING & QUEEN COUNTY
ADMINISTRATOR AND COUNTY ATTORNEY
JUDIANN H. SHAVER, KING WILLIAM COUNTY DIRECTOR OF PARKS AND
RECREATION
LAURA A. BETTS, REGIONAL ANIMAL SHELTER MANAGER

RE: CLOSED MEETING PURSUANT TO PURSUANT TO SECTION 2.2-3711A(7) OF THE CODE OF VIRGINIA, 1950, AS AMENDED, FOR CONSULTATION WITH LEGAL COUNSEL EMPLOYED AND RETAINED BY THE BOARD OF SUPERVISORS AND BRIEFINGS BY STAFF MEMBERS OR CONSULTANTS REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL PERTAINING TO THE CONSTRUCTION OF THE REGIONAL ANIMAL SHELTER; AND PURSUANT TO SECTION 2.2-3711A(1) OF THE CODE OF VIRGINIA, 1950, AS AMENDED, FOR THE DISCUSSION AND CONSIDERATION OF THE EMPLOYMENT OF A PROSPECTIVE CANDIDATE FOR A SPECIFIC PUBLIC EMPLOYEE POSITION IN THE DEPARTMENT OF PARKS AND RECREATION

On motion by C. T. Redd, III, seconded by C. L. Schools and carried unanimously, the King William County Board of Supervisors entered closed meeting pursuant to Section 2.2-3711A(7) of the Code of Virginia, 1950, as amended, for consultation with legal counsel employed and retained by the board of supervisors and briefings by staff members or consultants regarding specific legal matters requiring the provision of legal advice by such counsel pertaining to the construction of the regional animal shelter; and pursuant to Section 2.2-3711A(1) of the Code of Virginia, 1950, as amended, for the discussion and consideration of the employment of a prospective candidate for a specific public employee position in the department of parks and

recreation. (The King & Queen County Board of Supervisors returned to open session after the discussion and consideration of the aforementioned closed meeting legal matter, certified the closed meeting with a unanimous affirmative roll call vote and took no action on the closed meeting legal matter.)

Having completed the closed meeting, the Board reconvened in open meeting in the conference room of the regional animal shelter at King William Court House, on motion by C. T. Redd III, seconded by D. L. Wright and unanimously carried.

In accordance with Section 2.2-3712(D) of the Code of Virginia, 1950, as amended, C. T. Redd, III 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 D. L. Wright 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, and,

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: ACTION ON CLOSED MEETING MATTER – PARKS AND RECREATION EMPLOYMENT MATTER AND POLICY PERTAINING TO THE FILLING OF VACANT COUNTY-FUNDED POSITIONS DURING FISCAL YEAR

2009-10

On motion by C. T. Redd, III, seconded by D. L. Wright and carried unanimously, the King William County Board of Supervisors voted to: (1.) not fill the vacant Recreation Coordinator position in the Department of Parks and Recreation during Fiscal Year 2009-10; and (2.) not fill any other General Fund positions, which are funded in whole or in part with county funds and become vacant during Fiscal Year 2009-2010, without the prior authorization of said Board of Supervisors; all local funds that are budgeted in Fiscal Year 2009-10 for positions, which become vacant and are not filled in accordance with the aforementioned prior authorization by the Board of Supervisors, shall be allocated to the General Fund Reserve Fund.

C. S. Schools noted that he supported the filling of the vacant Recreation Coordinator position. He added that the vacant position should be filled by the part-time, litter control coordinator and that she could perform duties previously assigned to the Public Information Officer, whose position is still vacant.

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

COPY TESTE:

O. O. Williams

Chairman

Frank A. Pleva

County Administrator

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