

Informational Agenda for the next meeting of BVU Authority Board

The meeting will start at 12:00 p.m. on September 28, 2017 at the following location:

BVU Administrative Building
Designated Conference Room
15022 Lee Highway
Bristol, Virginia 24202

The BVU Authority Board of Directors will hold a meeting at the above time and place to consider the proposed matters listed below and any other matter added. A meal will be provided to official attendees. The public is invited to attend.

1. The Chair will call the meeting to order and determine a quorum is present.
2. The Chair will lead the meeting in opening ceremonies.
 - a. Moment of Reflection.
 - b. Pledge of Allegiance to the United States of America.
3. The Chair will recognize members of the public that wish to address the board. (There is a three minute time limit that may be extended with consent of the Chair).
- *4. The Chair will request a motion to adopt a meeting agenda:
 - a. The Chair will ask members and/or CEO if they have any motions to add, delete, or revise items on the informational agenda.
 - *b. The Chair will conduct a separate roll call vote to formally adopt or reject each motion.
 - *c. The Chair will conduct a roll call vote to formally adopt the proposed agenda to include any approved motions to add, delete, or revise.
5. The CEO will review upcoming events/calendar.
- *6. The Chair will ask for a motion to approve the following minutes:
 - *a. August 24, 2017 regular board meeting.
7. The CEO will provide an update on the education service agreement related to the Sunset transaction.
8. The CEO and Finance Director will provide an update on FY2017 audit.
9. The wastewater committee members will provide an update on their September 18, 2017 meeting.
10. The CEO will provide an update on various wastewater issues.

11. The CEO and Chris Hall will review the following electric rate issues:
 - a. TVA announced electric rate increase for October 1, 2017.
 - b. TVA's approval of BVU electric rate reduction request.
- *12. The CEO will review the proposed BVU purchasing policy. This policy will replace the existing Purchasing Manual. After discussion of the policy the Chair will ask for a motion and second to approve the policy. If moved, the Chair will conduct a roll call vote.
- *13. The CEO will ask the board to discuss to review the third party ethic's hotline service contract.
14. The CEO and General Counsel will provide an update on Sunset Transaction.
- *15. Closed Meeting. The Chair will request a motion and conduct a roll call vote to go into closed a meeting. In order to have a closed meeting, a majority of the Board members present must determine that a closed meeting is authorized under Virginia Code.
 - a. The subject of the closed meeting is the President and CEO's performance evaluation and employment agreement. The closed meeting is authorized for this subject under Virginia Code §2.2-3711.A.1.

"A. Public Bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body...."

"7. 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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."

- b. If the board votes for a closed meeting, it will begin after non-attendees have left the conference room.

c. The board will return to an open meeting after the public has been invited to return to the conference room.

16. Upon return to the open meeting, the Chair will state that he believes the Board has complied with the closed meeting requirements of Virginia Code §2.2-3711 and 3712 and that no additional subjects were discussed. He will then read the following closed meeting certification statement:

Virginia Code §2.2-3712.D. The members:

certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) 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 meeting by the public body.”

Any member of the public body who believes that there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the public body.”

*17. The Chair will request a motion and conduct a roll call vote on the closed meeting certification required under VA Code 2.2-3712.D.

18. Adjournment.

*Board Vote Required

The next board meeting will be at 12:00 p.m. in October 26, 2017. For more information, please contact Donna Biggs, BVU Board’s secretary, at (276) 669-4112. Please note that BVU attempts to either record or videotape all open sessions of BVU board meetings. The videotapes are uploaded to www.youtube.com and are available for members of the public to view.