October 9, 2018

At the special meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 9th day of October, 2018; at 5:30 p.m., there were present:

Pattie Cooper-Jones
J. David Emert
Robert M. Jones
Odessa H. Pride
Gene A. Southall
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Also present: Wade Bartlett, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Kate Pickett Eggleston, Economic Development Director; and Terri Atkins Wilson, County Attorney.

Chairman Cooper-Jones called the reconvened meeting to order.

In Re: Closed Session

Supervisor Wilck made a motion, seconded by Supervisor Emert, that the Board convene in Closed Session for discussion of a public contract for legal services and discussion of the terms and scope of said contract, where discussion in an open session would adversely affect the bargaining position of the public body, pursuant to the exemption provided for in Section 2.2-3711(A)(29) of the Code of Virginia; the motion carried:

Aye: Pattie Cooper-Jones
      J. David Emert
      Robert M. Jones
      Odessa H. Pride
      Gene A. Southall
      C. Robert Timmons, Jr.
      Jerry R. Townsend
      Jim R. Wilck

Nay: None
The Board returned to regular session by motion of Supervisor Wilck, seconded by Supervisor Pride and adopted as follows:

Aye: Pattie Cooper-Jones
J. David Emert
Robert M. Jones
Odessa H. Pride
Gene A. Southall
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Nay: None

On motion of Supervisor Emert and seconded by Supervisor Wilck, and carried by the following roll call vote:

Aye: Pattie Cooper-Jones
J. David Emert
Robert M. Jones
Odessa H. Pride
Gene A. Southall
C. Robert Timmons, Jr.
Jerry R. Townsend
Jim R. Wilck

Nay: None

the following Certification of Closed Meeting was adopted in accordance with the Virginia Freedom of Information Act:

WHEREAS, the Prince Edward County Board of Supervisors 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 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince Edward County Board of Supervisors hereby certifies that to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Prince Edward County Board of Supervisors.

Supervisor Wilck made a motion to adopt the contract for legal services with one addition, to include a clause stating a 60-day termination notice was required from the County Attorney.

Supervisor Timmons made a substitute motion, seconded by Supervisor Jones, to accept the contract as written, and have the County Attorney assist Mr. Bartlett write a dual-sided termination clause specifying a minimum of a 60-day notice, to insert at a later date. Discussion followed.
Chairman Cooper-Jones called for the question; the substitute motion failed:

Aye: Robert M. Jones  
    Gene A. Southall  
    C. Robert Timmons, Jr.  

Nay: Pattie Cooper-Jones  
     J. David Emert  
     Odessa H. Pride  
     Jerry R. Townsend  
     Jim R. Wilck

After some further discussion, Chairman Cooper-Jones then called for a vote on Supervisor Wilck’s original motion, to adopt the contract for legal services with one addition, to include a clause stating a 60-day, single-sided termination notice required from the County Attorney and for due cause, and seconded by Supervisor Townsend; the motion carried:

Aye: Pattie Cooper-Jones  
     J. David Emert  
     Odessa H. Pride  
     Jerry R. Townsend  
     Jim R. Wilck  

Nay: Robert M. Jones  
     Gene A. Southall  
     C. Robert Timmons, Jr.

On motion of Supervisor Emert, seconded by Supervisor Wilck, and adopted by the following vote:

Aye: Pattie Cooper-Jones  
     J. David Emert  
     Robert M. Jones  
     Odessa H. Pride  
     Gene A. Southall  
     C. Robert Timmons, Jr.  
     Jerry R. Townsend  
     Jim R. Wilck  

Nay: None

the meeting was adjourned at 6:18 p.m.