

## **MINUTES**

### **Regular Meeting of the Board of Directors of the Eastern Shore of Virginia Broadband Authority**

**September 19, 2013**

Board members in attendance were: John Read, Mike Zodun, Steve Miner, and Pete Lalor.

ESVBA management participating in the meeting who were in attendance: Nicholas Pascaretti and Leah Hoopes (Secretary)

Members of the public attending were: Lou Verderose and Bill Parr

Mike Zodun called the meeting to order at 2:04 pm.

#### **Motion**

Lalor moved to adopt the agenda. Read seconded. Motion passed unopposed.

Public Comment:

None

Closed Session - Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended; ) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with legal counsel employed or retained by the Authority regarding specific legal matters requiring the provision of legal advice by counsel. Paragraph 34: Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 19 of § 2.2-3705.6 made by Read, seconded by Lalor. The following board members were present Lalor, Zodun, and Read and voted affirmative.

After closed session, the Chair reconvened the meeting. Motion was made by Lalor, seconded by Read that the Board had entered the closed session for that purpose as set out in Paragraph 7, and Paragraph 34 of Section 2.2-3711 of the Code of Virginia of 1950, as amended. Roll call vote taken Vote was that no other business discussed than as advised in Paragraph 7 and 34. The following board members were present Zodun, Lalor, Miner, and Read and voted affirmative.

**Motion**

Lalor moved to approve the Regular Meeting Minutes of July 18th. Miner seconded. Motion passed unopposed.

**Motion**

Lalor moved to adopt the Seasonal Pricing guidelines. Miner seconded. Motion passed unopposed.

**Motion**

Lalor moved to authorize Mike Zodun(Chairman) and Nicholas Pascaretti to work together to reimburse the counties in the aggregate not to exceed \$200,000 in this calendar year. Miner seconded. Motion passed unopposed.

**Motion**

Lalor moved to have Nicholas Pascaretti prepare a scope of work to be reviewed, modified, or approved by a committee to engage a consultant to review the ESVBA's business model. Miner seconded. Motion passed unopposed.

Closed Session - Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended; ) Paragraph 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. Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with legal counsel employed or retained by the Authority regarding specific legal matters requiring the

provision of legal advice by counsel. Paragraph 34: Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 19 of § 2.2-3705.6 made by Miner, seconded by Read. The following board members were present Miner, Lalor, Zodun, and Read and voted affirmative.

After closed session, the Chair reconvened the meeting. Motion was made by Miner, seconded by Read that the Board had entered the closed session for that purpose as set out in Paragraph 1, Paragraph 7, and Paragraph 34 of Section 2.2-3711 of the Code of Virginia of 1950, as amended. Roll call vote taken Vote was that no other business discussed than as advised in Paragraph 1, 7, and 34. The following board members were present Miner, Zodun, Lalor, and Read and voted affirmative.

**Motion**

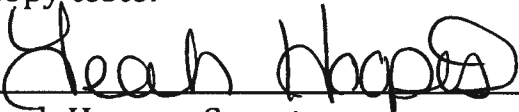
Read motioned to recess until 2:00 pm on October 23<sup>rd</sup>, when the board will hold a work session. Zodun Seconded. Motion passed unopposed.

These minutes were approved at the Nov. 21, 2013 meeting of the Board of Directors of ESVBA.



Presiding Officer

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Leah Hoopes, Secretary