

MINUTES

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

December 14, 2011

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

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

Members of the public attending were: None

Katie Nunez called the meeting to order at 2:03 pm.

Closed Session - Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended; (A) 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 AND Section 2.2-3711 of the Code of Virginia of 1950, as amended; 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 AND Section 2.2-3711 of the Code of Virginia of 1950, as amended; (D) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable and litigation, and consultation with legal counsel employed or retained by the Authority regarding specific legal matters requiring the provision of legal advice by counsel made by Zodun, seconded by Read. The following board members were present: Nunez, Zodun, Lalor, Read and voted affirmative.

Steve Miner arrived @ 2:15pm.

After closed session, the Chair reconvened the meeting. Motion was made by Zodun, 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 per Paragraph 1, 7, and 34. The following board members were present: Nunez, Miner, Zodun, Lalor, Read and voted affirmative.

Public Comment: None

Motion

Zodun motioned to enact a Town Broadband Incentive Plan with the prescribed notes developed in a memo from Mike Zodun on October 26, 2011. Attached are all towns that are involved in the Broadband Incentive for Act 2 by the Public Procurement Process. Seconded by Lalor. ~~Motion did not pass.~~

Motion

Lalor moved to amend the motion to vote to enact a Town Broadband Incentive Plan with the prescribed rates described in a memo from Mike Zodun on October 26, 2011 and requiring the towns to engage in a public procurement process as well as restricted to the incorporated towns on the network. Seconded by Zodun. Motion passed unopposed.

Motion

Zodun motioned to adopt the ESVBA sales policy(attachment) and include that customers should receive and acknowledge a ~~document~~ memorialized document. Seconded by Miner. Motion passed unopposed.

Motion

Lalor motioned to approve both the October 28th Special Meeting minutes and the November 9th Regular Meeting minutes. Seconded by Zodun. Read abstained, 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; (A) 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 AND Section 2.2-3711 of the Code of Virginia of 1950, as amended; 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 AND Section 2.2-3711 of the Code of Virginia of 1950, as amended; (D) Paragraph 7:


Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable and litigation, and consultation with legal counsel employed or retained by the Authority regarding specific legal matters requiring the provision of legal advice by counsel made by Miner, seconded by Zodun. The following board members were present: Nunez, Miner, Zodun, Lalor, Read, and voted affirmative.

After closed session, the Chair reconvened the meeting. Motion was made by Miner, seconded by Zodun 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 per Paragraph 1, 7, and 34. The following board members were present: Nunez, Miner, Zodun, Lalor, Read and voted affirmative.

Motion

Read motioned to move the next Board Meeting to Thursday, January 12th 2012 @ 2pm in the Airport Conference room. Seconded by Zodun. Motion passed unopposed.

These minutes were approved at the Jan 12. 2012
meeting of the Board of Directors of ESVBA.



Presiding Officer

Copy teste:



Leah Hoopes, Secretary