

## MINUTES

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

May 9, 2012

Board members in attendance were: Mike Zodun, John Read, 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: Kris LaMontagne, Adair Tyler, Pete Messick, Mike Aquino, Ronald van Geijn, Don Imhoff, and John Dunphy.

Mike Zodun called the meeting to order at 2:06 pm.

#### **Motion**

Lalor motioned to adopt the May 9th, 2012 Meeting Agenda. Seconded by Read. 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 Lalor, seconded by Read. The following board members were present: Zodun, Lalor, 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 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: Zodun, Lalor, and Read and voted affirmative.

**Public Comment:**

Mr. Aquino inquired if there was a policy of submitting a grievance to the BOD regarding his concerns over how the ESVBA was conducting business. Mr. Zodun instructed Mr. Aquino to send his concerns to the BOD via email.

Mr. Tyler commented on possibly getting the 5 Suntrust branches on the Eastern Shore connected to the ESVBA network.

Mr. LaMontagne stated his concerns about the Town Agreement between the towns and ESVBA for the broadband incentive plan. Mr. LaMontagne expressed that the Town of Onancock's mayor is concerned about the town's involvement and if there are any liabilities to the town.

**Motion**

Lalor motioned to approve the April 11th Regular Meeting minutes. Seconded by Read. Motion passed unopposed.

**Motion**

Lalor motioned that if Nick Pascaretti and Pete Lalor decide that the BB&T offer is the preferred offer, then the ESVBA will enter in a loan agreement with BB&T and the resolutions presented by BB&T at the May 9<sup>th</sup>, 2012 board meeting shall be and are hereby adopted. Read seconded. Motion passed unopposed.

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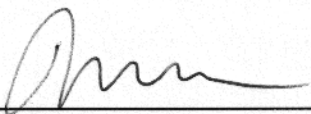
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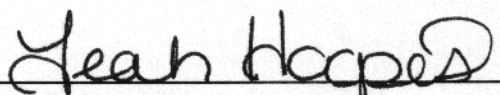
**Motion**

Lalor motioned to adjourn the meeting at 5:25 p.m. Read Seconded. Motion passed unopposed.

These minutes were approved at the June 13, 2012 meeting of the Board of Directors of ESVBA.

  
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Presiding Officer

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Leah Hoopes, Secretary