

Water and Sewer Committee
Thursday, December 18, 2008
4:30 PM

Committee Members **Present:**
Darlene Neitch
Charlie Clark
Marvin Perry

Staff Members **Present:**
Mike Carter
Scott Simpson
Mary Walters
Jeff Campbell

During citizens time Ms. Amanda Hamm of 149 Arrowhead Lane explained that she is unable to get water due to the fact that the land owner will not sign a user agreement. She is the owner of the home but leases the land. Her mother also spoke on her behalf.

After discussion, upon motion of Mr. Clark, seconded by Mrs. Neitch and unanimously carried, the committee agreed to make a temporary exception for 30 days for Ms. Hamm to allow her water to be turned on. This will allow time for Mr. Campbell and staff to speak with the Virginia Department of Health, to work out the situation with mobile home parks and their owners who are not willing to sign user agreements.

Mr. Simpson, County Engineer, gave a brief update on the following projects:

- Long Hollow water
- Pioneer Road water
- Groseclose sewer
- The North Holston water

Mrs. Mary Walters requested that \$2,514.27 be written off due to the fact that successful judgments could not be served. This was continued so that the list of customers could be verified for their location.

Mrs. Walters also explained the result of going to court the previous day for delinquent accounts. She explained one case that was lost in relation to the mobile home park owned by the Wheeler's in Atkins.

After discussion, upon motion of Mr. Clark, seconded by Mrs. Neitch, and carried by the committee, this particular case will be appealed to the Circuit Court.

At approximately 5:30 p.m., upon motion of Mrs. Neitch, seconded by Mr. Clark, the Committee agreed to enter into closed session for legal briefing, as outlined in Section 2.2-3711 (A) (7) of the Code of Virginia, as amended.

Vote: 3 yea
 0 nay

At approximately 5:45, the Chairman declared the closed session ended and the doors were opened.

Upon motion of Mrs. Neitch, seconded by Mr. Clark, and unanimously carried, the following resolution was adopted:

WHEREAS, the Smyth County Water and Sewer Committee has convened an executive 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 the Smyth County Water and Sewer Committee that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Water and Sewer Committee 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 executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Smyth County Water and Sewer Committee.

Vote: 3 yea
 0 nay

Upon motion of Mrs. Neitch, seconded by Mr. Clark and carried by the committee, the item discussed in closed session is a recommendation to the full Board. This will be discussed in closed session at the next full Board meeting on Tuesday, January 13, 2009.

This meeting was closed at 5:47 p.m.

