

VIRGINIA:

A special meeting of the Lancaster County Board of Supervisors was held at the Northside Branch of the Bank of Lancaster, 432 North Main Street, Kilmarnock, in the said county, on Wednesday, December 2, 2009.

- Members Present: Jack S. Russell, Chair
Ernest W. Palin, Jr., Vice Chair
Peter N. Geilich, Board Member
B. Wally Beauchamp, Board Member
F.W. Jenkins, Jr., Board Member
- Staff Present: William H. Pennell, Jr., County Administrator
James E. Cornwell, Jr., County Attorney
- Others Present: David George, Owner, Luke's Landing
Wayne Painter, Esq., Attorney

Dr. Russell called the meeting to order at 3:30 p.m.

Public Access – Chesapeake Bay

CLOSED SESSION

Motion was made by Mr. Geilich to enter into closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The subject matters to be discussed in the closed meeting is Awarding of a Public Contract, §2.2-3711 (29), Real Property, §2.2-3711.A.3 and Consultation with legal counsel, §2.2-3711.A.7 of the Code of Virginia. The purpose of the closed meeting is to discuss the award of a public contract involving the expenditure of public funds, including interviews of bidders and offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, discuss acquisition of real property for public purpose or the disposition of government owned property where public discussion

would jeopardize the County's bargaining or negotiating position, and consultation with legal counsel about probable litigation where public discussion would adversely affect the negotiating or litigating posture of the County and consultation with legal counsel regarding specific contractual matters and require legal advice. The subject and purpose falls within the following exemption(s) under §2.2-3711.A.3 of the Code of Virginia.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

RECONVENE

Motion was made by Mr. Palin reconvene open meeting and certification of closed meeting.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye

Mr. Beauchamp left the closed meeting prior to the return to open session.

CERTIFICATION

WHEREAS, the Lancaster County Board of Supervisors convened in a closed meeting on December 2, 2009 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss the award of a public contract involving the expenditure of public funds, including interviews of bidders and offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the

bargaining position or negotiating strategy of the public body, discuss acquisition of real property for public purpose or the disposition of government owned property where public discussion would jeopardize the County's bargaining or negotiating position, and consultation with legal counsel about probable litigation where public discussion would adversely affect the negotiating or litigating posture of the County and consultation with legal counsel regarding specific contractual matters and require legal advice in accordance with Awarding of a Public Contract, §2.2-3711 (29), Real Property, §2.2-3711.A.3 and Consultation with legal counsel, §2.2-3711.A.7 of the Virginia Freedom of Information;

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the board of supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE BE IT RESOLVED that the Lancaster County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Motion was made by Mr. Palin to certify the closed meeting.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number 1 and number 2 above? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure. There was no comment.

Hearing no further statement, Dr. Russell called the question. A roll call vote was taken:

ROLL CALL

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye

This certification resolution is adopted.

There was no action taken following the closed session.

ADJOURNMENT

Motion was made by Mr. Geilich to adjourn.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye