

Informational Agenda for the next meeting of BVU Authority Board

The meeting will start at 12:00 p.m. on September 25, 2020 at the following location:

BVU Administrative Building
Training Room
15022 Lee Highway
Bristol, Virginia 24202

The BVU Authority Board of Directors will hold a meeting at the above time and place to consider the proposed matters listed below and any other matter added. A meal will be provided to official attendees.

Due to COVID-19, vehicles must enter onto BVU property through Old Dominion Road and park in the front customer parking lot. BVU staff will be present at the front door to provide access to the designated conference or training room for the meeting. The public is invited to attend but must pass a COVID-19 screening. If denied admission based on COVID-19 symptoms, the public may watch the meeting live stream on BVU's channel at www.youtube.com and call in to ask any question at 276-645-8731.

REGULAR MEETING AGENDA

1. The Chair will call the meeting to order and determine a quorum is present. The General Counsel will discuss electronic meeting procedures.
2. The Chair will acknowledge receipt of Board Member appointment letters.
3. The Chair will lead the meeting in opening ceremonies:
 - a. Moment of Reflection.
 - b. Pledge of Allegiance to the United States of America.
4. The Chair will ask if any members of the public would like to discuss any agenda items. If so, the public may participate when the agenda item is up for discussion. There is a three-minute time limit for agenda items which may be extended by the Chair. For non-agenda items, the public is asked to contact the CEO and request to be added to a future meeting.
5. ** The Chair will request a motion to adopt a meeting agenda:
 - a. The Chair will ask members and/or CEO if they have any motions to add, delete, or revise items on the agenda.
 - b. The Chair will conduct a separate roll call vote to formally adopt or reject each motion.

- c.** The Chair will request a motion to formally adopt the proposed agenda to include any approved motions to add, delete, or revise. If moved, the Secretary will conduct a roll call vote.
6. The CEO will review upcoming calendar events and make comments.
7. ** The Chair will request a motion for the Board to:
- a. ** Reapprove prior board meeting minutes from June 26, 2020. It will correct member attendance. If moved, the Secretary will conduct a roll call vote. (Both Mr. Hernandez and Mr. Griffin will abstain.)
- b. ** Approve reorganization and regular board meeting minutes from August 28, 2020. If moved, the Secretary will conduct a roll call vote. (Mr. Griffin will abstain.)
8. The General Counsel will present the annual BVU Conflict of Interest Training as required under the BVU Authority Act.
9. ** The CEO will review a proposed electric rate cut. The CEO and Customer Service Manager will discuss the TVA Pandemic Relief Credit, effective on BVU's October 2020 wholesale electric rate. Following review of recent BVU electric rate action, discuss a proposed electric retail rate reduction. The Chair will request a motion to approve a 1.4% retail rate cut for all standard service rate classes to be effective January 1, 2021. This represents, on an annual basis, a cut of about \$633,878. If moved, the Secretary will conduct a roll call vote.
10. The CEO and Finance Director will review the status of the FY2020 audit. The final report will be ready in October 2020.
11. The CEO and Finance Director will discuss BVU's recent bond rating upgrade by Moody's.
12. The CEO and Finance Director will review the long-term water capital financing plan.
13. The CEO and General Counsel will review BVU's insurance coverage and legal liabilities.
14. The CEO and Wastewater Manager will update the Board on the Little Creek and Beaver Creek sewer improvement projects.
15. The CEO will update the Board on a proposed solar project for the BVU Main Campus.
16. ** The Chair will request nominations from the Directors to serve on the Joint Sewer Committee. After nominations are closed by the Chair, the Secretary will conduct a roll call vote of the Directors.
17. The Chair and CEO will provide a Joint Sewer Committee report.

18. ** The Chair will request a motion to go into a Closed Meeting. If moved, the Secretary will conduct a roll call vote. In order to have a Closed Meeting a majority of the board members attending must determine that a Closed Meeting is authorized under Virginia Code.
- a. The subject of the Closed Meeting is to discuss the litigation with the City of Bristol. "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation." The Closed Meeting is authorized for this subject under Virginia Code Ann. §2.2-3711(A)(7).
19. If the Board votes for a Closed Meeting, it will begin after non-attendees have left the room. The CEO will join the Board and General Counsel to discuss the above matters.
20. ** Following Closed Meeting discussion, the Chair will request a motion to return to Open Meeting. If moved, the Secretary will conduct a roll call vote. Upon returning to Open Meeting, the public will be invited to return to the conference room.
21. The Chair will state that he believes the board has complied with the Closed Meeting requirements of Virginia Code §2.2-3711 and 3712 and that no additional subjects were discussed. The Chair will then read the following closed meeting Certification Statement:
- "Virginia Code §2.2-3712.D. The members: certifying that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under this chapter 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 by the public body."
- Any member of the public body who believes that there was a departure from the requirements of clauses (1) and (2), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the public body."
22. ** The Chair will request a motion on the Closed Meeting Certification required under Virginia Code §2.2-3712.D. If moved, the Secretary will conduct a roll call vote.
23. The CEO and General Counsel will provide a brief review of the City of Bristol lawsuit.
24. Adjournment

****Board Vote Required**

The next regular board meeting will be tentatively scheduled for Friday, October 23, 2020 at noon. For more information, please contact Donna Biggs, BVU Board's secretary, at (276) 669-4112. Please note that BVU attempts to videotape all open sessions of BVU board meetings. The videotapes are uploaded to www.youtube.com and are available for members of the public to view.