

**RSWA BOARD OF DIRECTORS**  
**Minutes of Special Meeting**  
**January 5, 2006**

A special meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Thursday, January 5, 2006 at 3:00 p.m., office of McGuireWoods LLP, 310 4<sup>th</sup> Street NE, Charlottesville, Virginia.

**Board Members Present:** Mr. Gaffney - Presiding, Mr. Mark Graham, Ms. Judith Mueller, Mr. Gary O'Connell (arrived at 3:05 p.m.), and Mr. Robert Tucker.

**Authority Staff Present:** Mr. Thomas Frederick.

**Also Present:** Mr. Kurt Krueger – RSWA Attorney, Mr. Alvaro Inigo and Mr. Richard Milnor – Special Litigation Counsel to the Authority.

**1.0 Call To Order**

The special meeting of the RSWA Board of Directors was called to order by Mr. Michael Gaffney, Chairman, on Thursday, January 5, 2006, at 3:00 p.m., and he noted that a quorum was present.

**2.0 Closed Meeting**

Mr. Tucker moved, and was seconded by Mr. Graham, that the Board of Directors of the Rivanna Solid Waste Authority enter into a closed meeting for consultation with legal counsel regarding the Patricia Stephens litigation as permitted by Section 2.2-3711.A.7 of the Code of Virginia. The motion was approved by a 5 – 0 vote, and the Board entered into a closed session at 3:01 p.m.

**Attendees:** Mr. Gaffney, Mr. Graham, Ms. Mueller, Mr. O'Connell, Mr. Tucker, Mr. Frederick, Mr. Inigo, Mr. Krueger, and Mr. Milnor.

**9.0 Resumption of Open Meeting**

The RSWA meeting was reconvened at 4:15 p.m.

Mr. O'Connell made the following motion, which was seconded by Mr. Tucker:

**WHEREAS**, the Rivanna Solid Waste Authority has convened a closed 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.D of the Code of Virginia requires a certification by the Rivanna Solid Waste Authority that such closed meeting was conducted in conformity with Virginia law;

**9.0 Resumption of Open Meeting (cont.)**  
**January 5, 2006**

**NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Solid Waste Authority 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 closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Rivanna Solid Waste Authority.

There being no further discussion, Mr. Gaffney - Chairman called for a roll call vote: Ms. Mueller-Aye, Mr. O'Connell-Aye, Mr. Gaffney-Aye, Mr. Tucker-Aye, and Mr. Graham-Aye.

**3.0 Adjournment**

There being no further business, Mr. Gaffney moved the meeting be adjourned, seconded by Ms. Mueller. All members voted aye, and the meeting was adjourned at 4:17 p.m.

Respectively Submitted,

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Mr. Gary O'Connell  
Secretary – Treasurer