

## 8. APPOINTMENTS

### A. SPSA – EX OFFICIO APPOINTMENT

As you may recall, in addition to the appointments made by the Governor, each member locality is authorized to appoint one ex officio member to the SPSA Board of Directors.

An ex officio director must be an employee of the member locality and be appointed by the governing body. Ex officio members have full voting rights on the SPSA Board of Directors, and each locality is also authorized to appoint an alternate ex officio member.

As you know, in one of his last actions before leaving office, Governor McDonnell appointed Mr. Mark Hodges to succeed Roy Chesson on the SPSA Board.

**MOTION REQUIRED: If the Board is so inclined, a motion is required to appoint Mr. Johnson as an ex officio member of the SPSA Board of Directors, and Ms. Lynette C. Lowe as an alternate ex-officio member.**

### B. BUDGET LIAISONS WITH SCHOOL BOARD

As you may recall from last year, in lieu of large group meetings between the full membership of the School Board and Board of Supervisors in preparation of the FY 2015 annual budget, Dr. Parrish has again suggested smaller committee meetings between representatives of the two bodies. She seeks your consideration in appointing a 2-member committee to serve as liaisons between the School Board budget committee and the Board of Supervisors. She has also recommended two liaison meeting dates: **Tuesday, February 4, 2014 at 5:30 p.m. and Tuesday, February 25, 2014 at 5:30 p.m.** Last year, Chairman Jones appointed Supervisor(s) Edwards and Faison to serve on this committee.

**ACTION REQUIRED: The Chairman will need to appoint two members to serve on this committee.**

§ 15.2-5102.1. (For contingent expiration, see Editor's note) Hampton Roads area refuse collection and disposal system authority.

Any authority, or any subsidiary thereof, organized pursuant to § [481508435](#) to operate a refuse collection and disposal system that has among its members the Cities of Norfolk, Virginia Beach, Portsmouth, Chesapeake, and Franklin, and the Counties of Isle of Wight, Southampton, and Suffolk, shall, notwithstanding any other law to the contrary, comply with the following requirements:

1. Each locality that is a member of the authority shall be entitled to nominate individuals to fill one position on the Board of Directors (the Board) by submitting a list of three potential directors, each of whom shall possess general business knowledge and shall not be an elected official, to the Governor. The Governor shall then select and appoint one director from each of the lists of nominees prepared by the member localities. In addition, each member locality shall be authorized to directly appoint, upon a majority vote of the governing body of the member locality, one ex officio member of the Board who shall be an employee of the member locality. The members of the Board shall be appointed for terms of four years each. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. No member shall serve for more than two consecutive four-year terms, except that any member appointed to the unexpired term of another shall be eligible to serve two consecutive four-year terms.
2. The authority shall develop and maintain an overall strategic plan that shall cover a period of at least five years forward from the year in which it is submitted and approved by the Board. The plans shall be reviewed annually to determine whether amendments are needed. Any such amendments shall be submitted to the board of directors for approval.
3. The authority's core purpose shall be defined as "management of the safe and environmentally sound disposal of regional waste." The authority shall devote its time and effort to activities associated with its core purpose. A vote of a majority of the Board shall be required prior to undertaking any activities not associated with the authority's core purpose.
4. The authority shall develop and maintain a strategic operating plan identifying all elements of its core business units and core purpose, how each business and administrative unit will support the overall strategic plan, and how the authority will achieve its stated mission and core purpose. The strategic operating plan shall be subject to review and approval of the Board on an annual basis.
5. The authority shall consider outsourcing any or all functions that may result in reduced costs to the authority, and the authority shall annually issue requests for proposals that potentially reduce the costs of any of its programs. In addition, the authority shall accept and review any proposals under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ [8908:814](#) et seq.) that potentially reduce the costs of any of the authority's programs.
6. The authority shall evaluate its landfill capacity annually, taking into consideration and projecting future changes in the quantity of waste disposed of in its landfill, or landfills reasonably situated or contractually obligated to accept its waste.
7. The authority shall keep records of its costs, revenue, debts, and capital expenses by fiscal year for each program. The authority shall also keep records of costs for each individual capital project.
8. The authority shall maintain a detailed financing plan that shall include a plan for the retirement of all debt and a plan for the funding of all planned capital projects. The plan for the funding of all planned capital projects shall specify the amount of debt the authority will issue in furtherance of the projects and the debt repayment plan for any new debt created by the capital projects, including the revenue source that will be used to repay the debt. The detailed financing plan shall be updated and approved annually by the Board and reviewed and certified annually by an external certified public accountant.
9. Prior to issuance of new debt, the Board shall perform a due diligence investigation of the appropriateness of

issuing the debt, including an analysis of the costs of repaying the debt. Such analysis shall be certified by an external certified public accountant, reviewed by the Board, and approved by a vote of a minimum of 75 percent of the Board. The issuance of new debt shall require a vote of a minimum of 75 percent of the Board of Directors of the authority. The authority shall not issue long-term bond indebtedness to fund operational expenses. The provisions of this subdivision shall not apply to the issuance of new debt issued for the purpose of refunding or refinancing debt incurred by the authority prior to September 30, 2009.

10. In the interest of open and transparent government, the authority shall adhere strictly to the requirements of the Freedom of Information Act (§ [51506:33](#) et seq.).

11. The executive director of the authority shall not be permitted to execute or commit the authority to any contract, memorandum of agreement or memorandum of understanding without an informed vote of approval by the Board. This subdivision shall not apply in the case of (i) contracts for the purchase of goods and services for an aggregate sum of less than \$30,000, which are subject to the Virginia Procurement Act (Va. Code § [51507633](#) et seq.) but exempted from competitive negotiation or competitive sealed bidding by a duly adopted policy of the Board and (ii) sole source and emergency procurements made pursuant to subsections E and F of § [51507636](#).

(2009, c. [:75](#).)

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