

## MEMORANDUM

To: Campbell County Board of Supervisors

From: R. David Laurrell, County Administrator *R. David Laurrell 1/4 BOS*

Subject: REQUEST FOR CLOSED SESSION – Legal  
2.2-3711(A)(7) – 20 Minutes

Date: December 10, 2009

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## BACKGROUND:

Staff is requesting the Campbell County Board of Supervisors enter into Closed Session in accordance with Section 2.2-3711 (A)(7) of the Code of Virginia to discuss legal matters related to potential litigation regarding Altavista EMS.

## DISCUSSION:

This Closed Session is permitted under State Code which includes consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

## RECOMMENDATION:

Staff recommends the Board conduct a Closed Session for discussion of the item noted above.