

**Unalienable Rights Foundation**

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**From:** "Mark Taylor" <mtaylor@co.accomack.va.us>  
**Date:** Thursday, June 07, 2012 2:52 PM  
**To:** "Steve Miner" <sminer@co.accomack.va.us>; "James Frese" <frese@uarf.us>  
**Cc:** "Unalienable Rights Foundation" <unalienablerights@uarf.us>; "Fredia Ward" <fward@co.accomack.va.us>; "Sheila Goodman" <sbrown@co.accomack.va.us>; "Shirley Fauber" <sfauber@co.accomack.va.us>  
**Subject:** RE: Board of Supervisors meeting

All-

Said another way - harkening to the language of §2.2-3714 - it should be clear that there was no willful or knowing failure to give Mr. Frese notice of yesterday's meeting (or knowing or willful violation of the Freedom of Information Act otherwise).

I believe it is fair to say that Mr. Miner's intent was and is (consistent with the aims of the Freedom of Information Act) to promote an increased awareness by all persons of our local governmental activities and afford every opportunity to citizens to witness the operations of our local government.

While it appears that you may not have gotten individual notice of yesterday's reconvened continuation of the Board's recessed May meeting, it should be mentioned that the Board of Supervisors itself gave notice to all of yesterday's meeting when, at its May meeting, the Board discussed reconvening on June 6th at the Board Chambers to receive information on the county's space needs analysis and proceeding to the workshop on waste treatment alternatives at the Community College - and particularly when the Board recessed its May meeting until 4 p.m. June 6, in the Board Chambers.

I do not mean by the foregoing to suggest in any way that you were not entitled to the individual notice you had requested pursuant to §2.2-3707 and I do regret that such individual notice was apparently not received. As Mr. Miner indicated, I expect that you will get such individual notice in the future.

Mark Taylor

Mark B. Taylor, Esquire  
County Attorney  
County of Accomack  
Post Office Box 709  
Accomac, VA 23301  
757-787-5799

6/9/2012

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-----Original Message-----

From: Steve Miner

Sent: Thursday, June 07, 2012 1:22 PM

To: James Frese

Cc: Mark Taylor; Unalienable Rights Foundation; Fredia Ward; Sheila Goodman

Subject: RE: Board of Supervisors meeting

Dear Jim,

I forwarded your original request for meeting notification to the staff when I received it. Later, I very explicitly recall seeking (and receiving) oral confirmation that the matter had been taken care of. We have a list of folks, some for quite a while, that routinely get notified of meetings, and this request should have been just as routine.

I do apologize for this and am sorry, too, for the failure. I have assigned the matter now to Fredia Ward in this office and I expect that you will have no further issues with notifications. You asked properly and we should have notified you pursuant to that request. As you probably recollect, Yvonne Pennell has been out and we are getting by without her. For many years, this has been her task and had she been here, I expect this would not have happened.

While this is not a reason to have failed in our notification to you, I

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expect that it reveals the basis for the failure. I assure you it wasn't intransigence or me trying to make a point. You have every right to get the notification you requested, and I expect that you will get it in the future, as required by law.

Thank you for letting me know so promptly of the failure. Last night's meeting was a continuation of the Board's regular meeting from May. It was not a special called meeting. It had recessed to 4:00 p.m. yesterday here in the Board room to hear a presentation from the County's architect on office space issues. There was only one vote (to remove a privately owned building from further consideration) and the entire meeting was recorded and should be on the county's web site should you or anyone desire to hear it replayed. Also, we posted the meeting agenda on BoardDocs last week. That may be viewed online at <http://www.boarddocs.com/va/coa/Board.nsf/>.

The Board did then recess until 6:30 p.m. yesterday at the Community College to participate in a public meeting held at the Workforce Development Center. That meeting was convened by the Eastern Shore Groundwater Committee on business of its own; however, there were anticipated to be more than two of our Board members present and Ms. Thornton, as Vice -Chair filling in for Ms. Gordy, asked to reconvened there.

Thank you.

Steve Miner

-----Original Message-----

From: James Frese [mailto:frese@uarf.us]

Sent: Wednesday, June 06, 2012 5:39 PM

To: Steve Miner

Cc: Mark Taylor; Unalienable Rights Foundation; James Frese/  
Community Empowerment Fellow / Civil Rights Div / UARF

6/9/2012

Subject: Board of Supervisors meeting

Dear Mr. Miner,

As you know, on Friday, April 06, 2012, UARF and Lindsey made their annual request that you provide UARF and Lindsey with notice of Accomack County Board of Supervisors meetings in accordance with Code § 2.2-3707.

It is our understanding that a meeting of the Board of Supervisors (BS) of Accomack County has been scheduled for today. We have had no notice of this meeting and if true, it is a violation of the FOIA Laws.

I hope that my information is incorrect.

Sincerely,

Jim Frese,  
Community Empowerment Fellow

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