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Fwd: Some of my thoughts

1 message

Lonzo Lester <lonzo.lester@russellcountyva.us>
To: kpatton <kpatton@chafinlaw.com>

Fri, Apr 21, 2023 at 8:07 AM

Katie,

David's thoughts.

On Wed, Apr 19, 2023 at 4:26 PM David K. Paylor <dkpaylor@potesta.com> wrote:

I did give Katie a recommendation for outside counsel for developing a Host Agreement. He's someone with Gentry Locke whom I've known for over 20 years in various capacities. He knows the Waste Industry very well and is very trustworthy.

As far as my thoughts on the next steps are concerned, I guess first we need to confirm that the Board would like to proceed further. If so, you should negotiate a Host Agreement before giving them a green light to go further. As I understand things, it is customary to ask the "applicant" to place sufficient money in a fund to cover the County's cost for attorney help and it could perhaps cover other costs as well. Then the key is to get everything needed into the Agreement to protect the County, which I'd suggest involves concerns from Council members, staff, suggestions from Counsel, and protections that we could suggest as well. It's not until you have a Host Agreement you're comfortable with, that you would give approval for them to move forward. Of course, going through the process of developing an agreement will certainly raise their expectations. So, we'd need to be absolutely sure we've added in the protections and commitments needed from the company that gives the Council confidence.

Hope that helps. David

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